

## **CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES**

**At the Council Meeting held 8 April 2014 the following Council minutes were adopted:**

There being no further business at the meeting of 11 March 2014, the meeting closed at 9.44pm.

Confirmed by Chairperson:

A handwritten signature in red ink, appearing to be 'A. Ward', is written over a horizontal line.

## Minutes of the Ordinary Meeting of the Campbelltown City Council held on 11 March 2014

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**Present** His Worship the Mayor, Councillor C Mead  
Councillor F Borg  
Councillor G Brticevic  
Councillor S Dobson  
Councillor W Glynn  
Councillor G Greiss  
Councillor P Hawker  
Councillor R Kolkman  
Councillor P Lake  
Councillor D Lound  
Councillor A Matheson  
Councillor M Oates  
Councillor T Rowell  
Councillor R Thompson

**Note:** Councillor A Chanthivong has been granted a leave of absence from Council, incorporating all formal Council and Committee meetings until Tuesday 12 August 2014.

### Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson Councillor Mead.

**Note:** Council acknowledged the presence at the meeting of:

Jai Rowell MP - Local Member for Wollondilly - Government Whip  
Geoff Corrigan - former Member for Camden  
Jeff Magill - Editor - The Macarthur Advertiser

### 1. APOLOGIES

It was **Moved** Councillor Oates, **Seconded** Councillor Kolkman that the **APOLOGY** from Councillor Brticevic be received and accepted.

**20** The Motion on being Put was **CARRIED**.

**Note:** Councillor Brticevic arrived at the meeting during discussion of the Planning and Environment Committee Meeting Minutes.

## **4. MAYORAL MINUTE**

### **4.1 Coral Anne Borg**

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It is with regret that I advise Council of the passing of Mrs Coral Anne Borg on Saturday 1 March 2014 at the age of 67.

Coral was born in Mortdale, the youngest of three girls, sister to Faye and Robin, born to Bill and Ruby Kelly.

Coral is the late wife of Councillor Fred Borg whom she first met in 1985 and married in 1994. Coral always supported Fred through every adventure, charity mission and sporting occasion and would often say sincerely that if Fred was happy then she was happy.

Coral was a dedicated mother and will be remembered as a lovely, honest and humble woman who was committed to the three Fs: faith, family and Fred. Coral was happiest when surrounded by family, a woman committed to her faith, who taught the catechism and always did whatever she could do to help her church and others. She was a generous caring lady and prayers were in her daily routine not only for herself but anyone who needed a prayer.

Coral was the mother of two children Clint (dec) and Harmony. She was the proud grandmother of Shennen, Shakeel and Stevie-Rain, Step Mother of Paul and Shareen, Wayne and Liz, Donna and Kevin and their families.

Coral will be sadly missed by all who knew her.

On behalf of Council and the community of Campbelltown I would like to pass on our sincerest sympathy to Coral's husband Fred, her daughter Harmony and their extended families.

### **Recommendation**

That a letter of condolence be forwarded to the Borg family together with a copy of the Mayoral Minute.

### **Council Meeting 11 March 2014**

A number of Councillors addressed the Chamber reflecting on their memories of Coral Borg and passing on their condolences to Councillor Borg.

The Chamber invited the Member for Wollondilly, Jai Rowell, who had a personal connection with the late Coral Borg to make a few comments regarding her passing.

### **Council Meeting 11 March 2014 (Mead)**

That the Recommendation be adopted.

### **Council Resolution Minute Number 22**

That the Recommendation be adopted.



## **2. CONFIRMATION OF MINUTES**

### **2.1 Minutes of the Ordinary Meeting of Council held 11 February 2014**

It was **Moved** Councillor Thompson, **Seconded** Councillor Rowell that the Minutes of the Ordinary Meeting of Council held 11 February 2014, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**21** The Motion on being Put was **CARRIED**.

## **3. DECLARATIONS OF INTEREST**

Declarations of Interest were made in respect of the following items:

**Pecuniary Interests - nil**

**Non Pecuniary – Significant Interests - nil**

**Non Pecuniary – Less than Significant Interests**

Councillor Kolkman - Planning and Environment - Item 2.8 - Campbelltown Main Street Association - Councillor Kolkman advised that he is a community member of the association.

Councillor Oates - Planning and Environment Item 2.8 - Campbelltown Main Street Association - Councillor Oates advised that she is a community member of the association.

Councillor Rowell - Planning and Environment - Item 2.8 - Campbelltown Main Street Association - Councillor Rowell advised that he was the Council representative on the Campbelltown Main Street Association 2012-2013 and that his daughter owns a business in Queen Street Campbelltown and was also a past member of the Association.

Councillor Hawker - Planning and Environment - Item 2.1- Joint Regional Planning Panel Application - Airds Bradbury Renewal Project (Stage 2 Subdivision) - Councillor Hawker advised that he is a member of the Joint Regional Planning Panel and that he will leave the Chamber during discussion of this item.

Councillor Hawker - Planning and Environment - Item 2.8 - Campbelltown Main Street Association - Councillor Hawker advised that he was the Council representative on the Campbelltown Main Street Association 2012-2013.

Councillor Lake - Planning and Environment - Item 2.1- Joint Regional Planning Panel Application - Airds Bradbury Renewal Project (Stage 2 Subdivision) - Councillor Lake advised that he is a member of the Joint Regional Planning Panel and that he will leave the Chamber during discussion of this item.

Councillor Hawker - Corporate Governance - Item 1.2 - Local Government NSW - Request for Assistance with Legal Costs - Councillor Hawker advised that he is a Director of Local Government NSW.

Councillor Hawker - Corporate Governance - Item 6.3 - Local Government NSW Legal Matters - Councillor Hawker advised that he is a Director of Local Government NSW.

Councillor Greiss - Corporate Governance - Item 1.2 - Local Government NSW - Request for Assistance with Legal Costs - Councillor Greiss advised that he is a Director of Local Government NSW.

Councillor Greiss - Corporate Governance - Item 6.3 - Local Government NSW Legal Matters - Councillor Greiss advised that he is a Director of Local Government NSW.

**NOTE:** Councillor Greiss asked the Mayor if he would allow him to move an item of Urgent General Business regarding the removal of trees at Campbelltown Mall.

The Mayor indicated that he would accept the Urgent General Business item and deal with it as per the agenda listing item 16.1.

# **Reports of the Planning and Environment Committee Meeting held at 7.30pm on Tuesday, 4 March 2014.**

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## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

### **Non Pecuniary – Significant Interests**

### **Non Pecuniary – Less than Significant Interests**

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## **Minutes of the Planning and Environment Committee held on 4 March 2014**

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### **Present**

His Worship the Mayor, Councillor C Mead  
Councillor G Greiss (Chairperson)  
Councillor R Kolkman  
Councillor D Lound  
Councillor A Matheson  
Councillor M Oates  
Councillor T Rowell  
Councillor R Thompson  
General Manager - Mr P Tosi  
Director Planning and Environment - Mr J Lawrence  
Manager Waste and Recycling Services - Mr P Macdonald  
Manager Development Services - Mr J Baldwin  
Acting Manager Governance and Administration - Mr T Rouen  
Senior Strategic Environmental Planner - Ms F Saunders  
Senior Strategic Environmental Planner - Mr M Egan  
Executive Assistant - Mrs K Peters

**Apology** nil

### **Also in Attendance**

Following the conclusion of the City Works Committee meeting, Councillor Hawker and Councillor Brticevic attended the Planning and Environment Committee for part of the meeting.

### **Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Greiss.

### **Minutes Silence**

In acknowledgement of the passing of Coral Borg, the Chamber was upstanding to observe a one minute silence.

### **DECLARATIONS OF INTEREST**

Declarations of Interest were made in respect of the following items:

#### **Pecuniary Interests**

nil

#### **Non Pecuniary – Significant Interests**

nil

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1.1 Availability Of Grant Funding Under The "Waste Less, Recycle More: Waste And Resource Recovery Initiative"

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**Non Pecuniary – Less than Significant Interests**

Councillor Oates - Item 2.8 - Campbelltown Main Street Association - Councillor Oates advised that she is a community member of the association.

Councillor Kolkman - Item 2.8 - Campbelltown Main Street Association - Councillor Kolkman advised that he is a community member of the association.

Councillor Rowell - Item 2.8 - Campbelltown Main Street Association - Councillor Rowell advised that he was the Council representative on the Campbelltown Main Street Association 2012-2013 and his daughter in law owned a business in Queen Street Campbelltown until December 2013.

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1.1 Availability Of Grant Funding Under The "Waste Less, Recycle More: Waste And Resource Recovery Initiative"

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## **1. WASTE AND RECYCLING SERVICES**

### **1.1 Availability of Grant Funding under the "Waste Less, Recycle More: Waste and Resource Recovery Initiative"**

#### **Reporting Officer**

Manager Waste and Recycling Services

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#### **Attachments**

Nil

#### **Purpose**

To provide Council with information regarding the availability of grant funding for waste and recycling initiatives, and advice on funding secured to date.

#### **History**

The 'Waste Less, Recycle More: Waste and Resource Recovery Initiative' ('the Initiative') was introduced by the NSW Government in 2013. The objectives of this program are to deliver innovative waste avoidance programs, combat illegal dumping and reduce littering. One of the key outcomes of the program is to stimulate investment in infrastructure to meet waste reduction targets.

Through this program the NSW Government hopes to facilitate:

- engagement with local communities to think differently about recycling, littering and illegal dumping
- delivery of conveniently located, value-for-money waste infrastructure to make it easier for households and business to avoid landfilling
- implementation of innovative regulatory approaches to protect the environment and support investment in new programs

The Initiative has been allocated \$465m over a five year period, which will be spent by way of a series of grants released through the NSW Environment Protection Authority and the NSW Environmental Trust. The program is funded largely by revenue collected through the 'Section 88 Waste Levy', which is collected as part of the gate fee at landfill facilities. Various sectors are eligible to apply for the grants, including local government, non-government community organisations and the private sector.

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## 1.1 Availability Of Grant Funding Under The "Waste Less, Recycle More: Waste And Resource Recovery Initiative"

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### **Report**

The program's 2013 round of grants included the 'Regional Coordination Support Package': Councils were encouraged to work collaboratively to apply for regional funding to assist in the development of formal Regional Waste Strategies. The Councils of Campbelltown, Camden and Wollondilly have already enjoyed a strong working relationship over the past decade in respect of waste management initiatives. The most outstanding example of this strong relationship is the joint domestic waste processing and disposal contract, which Campbelltown City Council continues to manage on behalf of its MACROC partners (and Wingecarribee Shire Council).

During 2013 the MACROC Councils worked together to prepare a submission for grant funding under the Regional Coordination Support Package. Following the success of the grant application, the MACROC Councils received funding of \$200,000 in late 2013. The funding is to be used in two parts: development of a Regional Strategy that meets with the EPA's approval (this must be completed by 30 June 2014), and assisting the Councils to complete the specific actions identified in the Strategy.

To fulfill the first objective of the grant, the Councils recently engaged a consultant to develop the Regional Strategy. To fulfill the second objective, the Councils will engage either a consultant or an employee on a fixed-term contract during mid 2014.

The consultant(s) and/or employee will report to Campbelltown City Council's Manager Waste and Recycling Services, who will be managing this project on behalf of the MACROC Councils.

Over the next three years there will be further grant funding available through the Initiative. Therefore, a key function of the consultant's or temporary employee's role will be to secure additional grant funding on behalf of the MACROC Councils.

### **Costs to Council:**

The grant secured in late 2013 did not require contributory funding from the participating Councils. While it is anticipated that most of the grants will be of a similar nature, it is possible that a small number may require contributory funding from the applicants. Each grant will be assessed on the basis of its net benefit to Council and its ratepayers

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Lound/Kolkman)**

That the Officer's Recommendation be adopted.

### **CARRIED**

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**Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 23**

That the Officer's Recommendation be adopted.

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## **2. SUSTAINABLE CITY AND ENVIRONMENT**

### **2.1 Joint Regional Planning Panel Application - Airds Bradbury Renewal Project (Stage 2 Subdivision)**

#### **Reporting Officer**

Manager Sustainable City and Environment

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#### **Attachments**

1. Airds Bradbury Urban Renewal Project – Subdivision Layout Plan (distributed under separate cover)
2. Stage 2 Subdivision Plan (contained within this report)

#### **Purpose**

To advise Council of a Development Application for the Stage 2 subdivision of the Airds Bradbury Renewal Project that has been referred to the Sydney West Joint Regional Planning Panel (JRPP) for determination. The application has been referred to the JRPP as the proposal exceeds the prescribed threshold for 'regional development' being an application made by a Crown authority with a capital investment value exceeding \$5m (\$6.8m).

To seek owner's consent from Council for the subject development application given that part of the land affected is currently in Council's ownership.

<b>Property Description</b>	Lots 1- 6, 17 & 41 DP 866527, Lot 2 DP 264110, Lot 1 DP 866456, Lot 1 DP 866457 (NSW Land and Housing)  Lot 22 DP 716139 (Council)  Lot 301 DP 1000732 (UrbanGrowth NSW)  Gundowringa Place, Prell Place, Deane Park Georges River Road, Heathfield Place, Nandewar Place and Riverside Drive, Airds
<b>Application No</b>	2978/2013/DA-SW
<b>Applicant</b>	NSW Land and Housing Corporation
<b>Owners</b>	NSW Land and Housing Corporation, UrbanGrowth NSW, Campbelltown City Council

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## 2.1 Joint Regional Planning Panel Application - Airds Bradbury Renewal Project (Stage 2 Subdivision)

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**Statutory Provisions**      *Environmental Planning and Assessment Act 1979*  
Campbelltown (Urban Area) Local Environmental Plan 2002  
Airds Bradbury Urban Renewal Development Control  
Guidelines

**Date Received**                      19 December 2013

### Report

#### Background

The redevelopment of the Airds Bradbury Public Housing area is being undertaken in accordance with the Urban Renewal Concept Plan approved by the NSW Department of Planning and Infrastructure.

The Concept Plan aims to redress the poor amenity and social issues arising from the current 'Radburn' design of the area, with a revised street layout, improved parks, public areas and upgrades to existing facilities. The Project provides for a more sustainable housing outcome with approximately 70% of the planned 2100 dwellings under the Concept Plan to be privately owned.

Council has resolved to support the Concept Plan (13 December 2011 and 3 July 2012) given the broad social and environmental benefits that will flow from the project. Importantly, the Concept Plan provides clear terms of approval for the future redevelopment of the area, including staging of development applications, design guidelines for residential subdivision and future housing, ecological conservation measures, and infrastructure delivery.

At its meeting of 13 August 2013 Council provided owner's consent for Stage 1 of the Airds Bradbury Renewal Project (ABRP) as part owner of the land, and also agreed to a modification of the Concept Plan Approval to enable Works in Kind Agreements for infrastructure delivery for Stages 1 and 2.

The provision of owners consent by Council to the Stage 1 development application also required that prior to the issue of any construction certificate for any access or works applicable to land currently owned by Council, the proponent would be required to be the owner of that land.

Council's Director Planning and Environment provided additional details to Councillors on the ABRP and Stage 1 application at the Councillor briefing night on 20 August 2013. At the briefing, the Director provided background information on the ABRP and a review of the Stage 1 DA prior to the DA being considered by the JRPP. No matters of significance were raised at the briefing (relating specifically to the Stage 1 DA) and the JRPP were notified of the same for that DA.

On 7 November 2013, Stage 1 of the ABRP was approved by the JRPP subject to conditions of consent.

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## 2.1 Joint Regional Planning Panel Application - Airds Bradbury Renewal Project (Stage 2 Subdivision)

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### **Proposal**

The current development application for Stage 2 of the ABRP was submitted to Council on 19 December 2013.

The application has been referred to the JRPP for determination as the proposal exceeds the prescribed threshold for 'regional development' being an application made by a Crown authority with a capital investment value exceeding \$5m (\$6.8m).

The Stage 2 area of the ABRP site is bounded by Stage 1 to the north, Riverside Drive to the east, Airds Bradbury Youth Centre to the south, and the bus depot and Kentlyn Zone Substation to the west. The land comprises numerous lots and road reservations, in majority ownership by the NSW Land and Housing Corporation with UrbanGrowth NSW and Council having minor holdings.

The development application for Stage 2 of the ABRP seeks consent for the following:

- Subdivision of the Stage 2 site into 131 lots for housing, 1 lot containing existing seniors housing, and 1 lot for open space
- Associated subdivision works including site benching, road and drainage construction, utility services and landscaping
- Removal of redundant services, sedimentation control and tree removal
- Street landscaping.

The Stage 2 proposal would incorporate Council land being Lot 22 DP 716139 which has an area of approximately 1.47ha being an irregular saw tooth parcel of land. This parcel of land would need to be acquired by NSW Land and Housing Corporation prior to works occurring on that land, consistent with Council's resolution for the preceding Stage 1 ABRP application.

### **Assessment**

The land forming Stage 2 is zoned '2(b) Residential B Zone' under Campbelltown (Urban Area) Local Environmental Plan 2002. The proposed development is permissible with consent.

The proposal is considered generally consistent with the approved Concept Plan in terms of street layout, subdivision pattern and urban design, open space and landscaping. It is noted that there is a slightly different road pattern proposed which maintains the current alignment of Riverside Drive near the southern end of the Stage 2 area. However, this modification is considered to be beneficial with respect to avoiding impacts to the local bus route the adjoining Airds Bradbury Youth Centre.

The provision of infrastructure is proposed to be secured through a Works in Kind Agreement that delivers all infrastructure identified in the draft Voluntary Planning Agreement (VPA), consistent with the resolution of Council for the Stage 1 ABRP development application.

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## 2.1 Joint Regional Planning Panel Application - Airds Bradbury Renewal Project (Stage 2 Subdivision)

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As the JRPP is the consent authority for this DA pursuant to with the relevant provisions of the *Environmental Planning and Assessment Act 1979*, then the full assessment of all technical and environmental considerations associated with the proposal will be undertaken separately by Council Officers, and tabled for the consideration and determination of the JRPP. In this respect it is noted that the Statement of Environmental Effects accompanying the development application includes the following detailed studies and reports:

- Geotechnical Assessment
- Contamination Report
- Ecological Assessment
- Aboriginal Cultural Heritage Assessment
- Bushfire Assessment
- Landscape Assessment
- Water Cycle Management Strategy
- Waste Management Plan
- Aborist Assessment
- Traffic Impact Assessment

Whilst it is beyond the scope of this report to provide a parallel assessment of all matters to be considered by the JRPP, a general review of the application indicates that there is general compliance with the overall Concept Plan for the ABRP and consistency with the preceding Stage 1 approval.

As such there have been no issues identified that would warrant Council objecting to the Stage 2 ABRP development application. However as was the case for the preceding Stage 1 application, Council would need to provide consent for the Stage 2 development application as part owner of the land, and also require the acquisition of affected Council land by the proponent prior to a construction certificate being issued.

### **Officer's Recommendation**

1. That the information be noted relating to the Stage 2 for the Airds Bradbury Renewal Project.
2. That the Council provide owner's authorisation to the Airds Bradbury Renewal Project Stage 2 subdivision Development Application subject to a requirement that prior to the issue of the construction certificate for any access or works applicable to land currently owned by Council, the proponent is required to be the owner of that land.

### **Committee's Recommendation: (Oates/Lound)**

That the Officer's Recommendation be adopted.

**CARRIED**

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### **Council Meeting 11 March 2014**

Having declared an interest in regard to Item 2.1, Councillors Hawker and Lake left the Chamber and did not take part in debate nor vote on this item.

### **Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

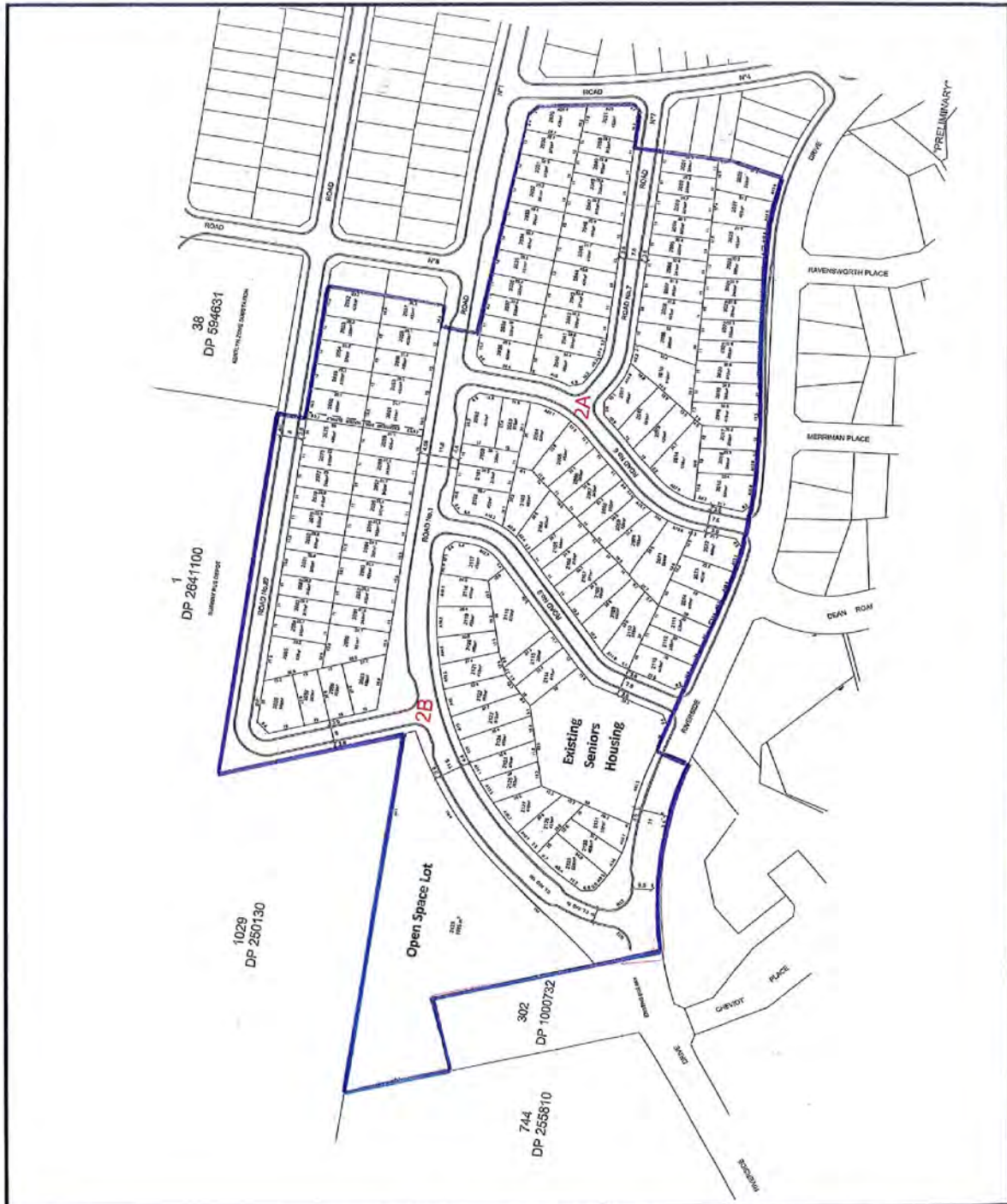
### **Council Resolution Minute Number 23**

That the Officer's Recommendation be adopted.

At the conclusion of the discussion regarding Item 2.1, Councillors Hawker and Lake returned to the Chamber for the remainder of the meeting.

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## ATTACHMENT 2



### STAGE 2 SUBDIVISION PLAN

**SUBJECT:** AIRDS BRADBURY RENEWAL PROJECT - STAGE 2 SUBDIVISION (FOR JRPP DETERMINATION).  
 LOTS 1-17, 3741 DP 866527, LOT 2 DP 264110, LOT 1 DP 866456, LOT 1 DP 866457, LOT 22 DP 716139  
 AND LOT 301 DP 1000732, RIVERSIDE DRIVE, AIRDS.

## 2.2 Rezoning Proposal - No 366 St Andrews Road Varroville

### Reporting Officer

Manager Sustainable City and Environment

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### Attachments

1. Site Map (distributed under separate cover)
2. Aerial Photo (distributed under separate cover)
3. LEP D8 Zoning Extract (distributed under separate cover)
4. Planning Proposal – Proposed Subdivision Structure (distributed under separate cover)

### Purpose

The purpose of this report is to present to Council, for its consideration, a proposal submitted by Michael Brown Planning Strategies (on behalf of the property owners) to rezone and subdivide No. 366 St Andrews Road Varroville to allow for rural residential development.

<b>Property Description</b>	Lot 1 DP 123968 (366 St Andrews Road, Varroville)
<b>Applicant</b>	Michael Brown Planning Strategies
<b>Owner</b>	Mr A and Mr P Thomson
<b>Provisions</b>	Campbelltown Local Environmental Plan District 8 (Central Hills Lands)

### History

At its meeting on 10 September 2013 Council considered a report on a proposal to rezone the adjoining properties of No. 71 St Andrews Road and No. 366 St Andrews Road. At this meeting Council resolved:-

‘That a decision in this matter be deferred pending receipt of further information.’

Council staff were subsequently asked to separate the proposal for No. 71 St Andrews Road from that of No. 366 St Andrews Road and present individual reports for each property.

The proposal for No. 71 St Andrews Road was considered at Council’s meeting on 15 October 2013 where Council resolved:

1. That Council resolve to invite the proponents to submit a formal planning proposal request for No. 71 St Andrews Road, Varroville that would consider the potential development of a number of rural residential/environmental living allotments, noting that such a proposal would need to be supported by a range of technical investigations to address issues including:
-



- visual impact
  - flora and fauna
  - traffic impacts and management
  - relationship to surrounding development (future and existing)
  - land use history and any site contamination potential
  - servicing capability
  - easements and utility constraints.
2. That Council notify the proponents in writing of its decision.
  3. That interested Councillors attend an inspection of the property and surrounds.

This report deals exclusively with the rezoning proposal for No. 366 St Andrews Road, Varroville.

## **Report**

The rezoning proposal for No. 366 St Andrews Road is for approximately 12 rural/environmental residential allotments in excess of 1ha across the existing 13.3ha property. This would closely resemble the type and scale of development seen along St James and St Davids Roads at Varroville.

## **Current Planning Controls**

No. 366 St Andrews Road is presently zoned 7(d1) Environmental Protection (Scenic) under the provisions of Campbelltown Local Environmental Plan District 8 (Central Hills Lands).

The objectives of the LEP D8 is “to ensure that the Central Hills Lands District of the City of Campbelltown retains the rural character that was envisaged for it during the planning that preceded the urbanisation of that City”. Under the provisions of this Plan, a range of uses considered unsuitable are prohibited. All other uses are considered permissible with consent. An extract from LEP D8 including the zoning table is attached (see attachment 3).

Under LEP D8 the minimum subdivision size for land zoned 7(d1) Environmental Protection (Scenic) was also set at 100ha to ensure the retention of the rural/scenic nature of the Scenic Hills.

It should be noted that while the allotment has an area which is less than the 100ha minimum, the property retains a dwelling entitlement. This is owing to the fact that the allotment was created prior to the prescribed date (20 September 1974) in the LEP. This entitlement has not been acted upon at the time of preparation of this report.

Under the current planning controls there is no further opportunity for subdivision of the property, hence the submission of the rezoning proposal to amend the planning instrument provisions for the site.

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## **Precedent**

The site is located behind the ridgeline of the Scenic Hills as viewed from Campbelltown. As such development on the site would have minimal visual impact upon the vista of the Scenic Hills. The precedent created could however potentially give rise to future similar requests for subdivision on adjoining and nearby land. The site is typical of several located within the Varroville locality that may be subject to future planning proposals. In each case these sites are typified by their high value scenic nature, low scale of existing development and their environmental significance.

Council's Visual Landscape Analysis (adopted by Council on 18 October 2011 for the purpose of informing the preparation of the Draft CLEP 2014) reflects this stance in recommending that the property and surrounds should be zoned E3 – Environmental Management and the 100ha minimum lot size be retained.

In this regard it is important to consider Council's previous resolution in regard to development in the Scenic Hills. Council at its meeting held 13 November 2007, considered a report on the concept of a proposed business park on a separate and larger site located within the Scenic Hills (Varroville) area. At this meeting Council resolved:

1. That the tabled letter from the Cornish Group seeking the withdrawal of the Strategic Planning overview - Varroville be received and noted and that Council accede to the request for withdrawal of the proposal.
2. That Council confirms in the strongest possible terms its support for the high value that the Community of Campbelltown and South Western Sydney places on the Scenic Hills as an iconic landscape with distinctive scenic, heritage and environmental qualities.
3. That Council unequivocally commits to continue to maintain and preserve the Scenic Hills for future generations to enjoy.
4. That Council declares it has no intention to amend current overall planning controls that would allow land uses and development with the Scenic Hills, not currently permitted by LEP District 8 (Central Hills Land).

While the proposal in this report is considerably different in terms of its scale and proposed use, it is worth noting Council's previous resolution to protect the Scenic Hills, in particular not to support land uses not currently permitted by LEP D8; which in this case relates to a significant reduction in the 100ha subdivision standard and increase in development density.

At its meeting on 16 October 2012, Council resolved:

'That Council reaffirm its strong opposition to any urban/rural residential development in the Scenic Hills'.

These resolutions are consistent with the objectives of the LEP D8 as outlined previously. This rural character and the desire to articulate Campbelltown's boundary with Camden in such a way, has consistently been maintained since first outlined in the Three Cities Structure Plan (1973). Since this time, the environmental, rural and aesthetic character of the Scenic Hills has generally been protected and retained.

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### **Relationship to No. 71 St Andrews Road**

As noted previously the proposal to rezone No. 71 St Andrews Road was considered at Council's meeting on 15 October 2013. In the report on that proposal it was noted that while the proposal was consistent with the type of development pressure that Council has previously faced in the Scenic Hills, there were a number of unique aspects of this site and proposal which in combination were considered to warrant further consideration by Council.

These included:

- the site is isolated by the Upper Canal and as such relates more to Camden and the surrounding developments having frontage to St Andrews pond (located in the Camden LGA) than the other properties along St Andrews Road
- in the near future No. 71 St Andrews Road will be surrounded by residential development as part of the East Leppington and Emerald Hills development proposals
- the environmental values of the site appear less than surrounding properties. Additional work is considered necessary to allow for a decision on the environmental values to be made.

Given this, Council resolved to invite the proponents to submit a formal planning proposal on the provision that technical investigations were undertaken to address a range of important issues.

### **Flora and Fauna**

No. 366 St Andrews Road is heavily vegetated. A review of the available mapping shows this vegetation to be made up of River Flat Eucalypt Forest, Shale Sandstone Transition Forest and Cumberland Plain Woodland.

These ecological communities are listed as Endangered and Critically Endangered Ecological Communities under the NSW *Threatened Species Conservation Act 1995*. Shale Sandstone Transition Forest and Cumberland Plain Woodland are also listed as Endangered and Critically Endangered under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. In addition a number of vulnerable/threatened species have been recorded in the vicinity of the site, including:

- Cumberland Land Snail - Endangered
- Eastern Bentwing Bat - Vulnerable
- Little Eagle - Vulnerable

The extent and importance of this area with regard to its conservation value has previously been noted by Council and the (former) Sydney Metropolitan Catchment Management Authority.

As part of the Campbelltown Biodiversity Study (2008) the Endangered Ecological Communities (EECs) around Varroville and Denham Court were highlighted as a focus of future conservation efforts.

The draft Sydney Metropolitan Catchment Management Authority Biodiversity Corridor Strategy also highlights the area as a 'very high' priority.

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Given these constraints it is considered unlikely that the NSW Office of Environment and Heritage or the Department of Planning would support the rezoning of No. 366 St Andrews Road.

### **Existing Easements**

The Upper Canal forms the northern boundary of the site. The Upper Canal links water supply dams south of Sydney to the Prospect Reservoir and is part of the water supply system for metropolitan Sydney. Much of the open canal is constructed of concrete and sandstone and is listed as a State Heritage item. Ensuring the quality of water within the Upper Canal is a key issue for surrounding developments. Sydney Water has previously advised that any further road crossing of the Upper Canal (as suggested – see below) would need to demonstrate a clear need.

No. 366 St Andrews Road is traversed by two high pressure gas mains. They are:

- DN 850 natural gas pipeline – Moomba to Wilton (Jemena JGN)
- DN 200 phase ethane pipeline – Moomba to Botany (Gorodok)

The DN 850 gas and the DN 200 ethane pipelines share a common easement located to the east of the Upper Canal. The gas mains are located underground within easements that run through existing rural land. Any development proposed within the vicinity of the easement would be highly restricted.

### **The Planning Proposal – No. 366 St Andrews Road, Varroville**

The proposal submitted to Council seeks to rezone No. 366 St Andrews Road, Varroville to allow for the subdivision of the site into a series of 1 hectare allotments. Given the size and shape of the site (13.3ha) this would allow for approximately 12 lots of approximately 1 hectare in area.

The proposal also intends to facilitate the connection of St Andrews Road (over the Upper Canal) to Camden Valley Road, East Leppington and the wider South West Growth Centre. This would provide a new east/west connection from the Growth Centres through to the Campbelltown LGA (see attachment 4).

The rationale for the proposal is supported by the following principles:

- provide new housing opportunities to assist Council in meeting its dwelling targets
- improve access for surrounding development via St Andrews Road
- reduction in vegetation and consequently reduced bushfire risk
- development is proposed behind the ridge and as such would have no visual impact
- large lots provide an appropriate transition for the residential precinct of East Leppington.

### **Officers Comment:**

The property is highly constrained. The site contains large areas of high quality vegetation and contributes significantly to the wider biodiversity value of the Scenic Hills. Subdivision into one hectare allotments would be likely to severely compromise the value of this vegetation.

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The proposal to connect St Andrews Road to Camden Valley Way and to East Leppington has the potential to give rise to significant issues for Council in regard to traffic management and upgrading works along St Andrews Road.

At present St Andrews Road serves 25 rural dwellings. As such, the design and standard of construction is that of a rural road. To connect St Andrews Road to East Leppington and/or Camden Valley Way, thereby creating a new east/west connection, would require a significant road upgrading. Given the traffic flow that this could generate it is envisaged that the road would need to be upgraded to a standard similar to that of Raby Road. Council has previously sought funding from the Growth Centres to upgrade east/west connections such as Badgally Road and Denham Court Road. Council has consistently been advised that funding beyond the boundaries of the Growth Centre is outside the scope of the Commission's responsibility and no funding would be provided. Given this, if St Andrews Road was to be open and connect the Camden and Campbelltown LGAs, Council would be likely to be required to fund any upgrade works required.

As noted previously, the property does still retain a dwelling entitlement. Subject to Council approval the owners could potentially develop the site with a dwelling.

### **Conclusion**

The proposal put before Council, seeks to allow for the subdivision of land currently zoned 7(d1) Environmental Protection (Scenic) – 100ha minimum. This would be to facilitate the development of one hectare rural-residential lots in respect to No. 366 St Andrews Road.

This proposal represents the type of development pressure that Council is facing in the Scenic Hills. As such Council needs to give careful consideration to the impact of the development to the site and the wider Scenic Hills landscape.

The property is constrained with easements for service providers and environmentally significant vegetation. A desktop review of the information pertaining to the site, suggest that NSW Government Agencies would be unlikely to support development that would see the loss of Endangered and Critically Endangered Ecological Communities of such high conservation significance.

The applicant's proposal to connect St Andrews Road to both Camden Valley Way and East Leppington is also considered to create a number of potential challenges for Council, most notably the need to upgrade St Andrews Road.

A dwelling entitlement is attached to the property but is yet to be acted upon. The owners therefore have the opportunity, subject to Council approval, to develop a dwelling on the property.

Given the constraints evident at No. 366 St Andrews Road it is not considered appropriate to give further consideration to the proposal to rezone No. 366 St Andrews Road, Varroville.

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### **Officer's Recommendation**

1. That Council resolve not to support the rezoning No. 366 St Andrews Road, Varroville to allow for the development of one hectare lots.
2. That Council notify the proponents in writing of its decision.

**Committee Note:** Mr Thomson addressed the Committee.

### **Committee's Recommendation: (Oates/Thompson)**

That the Officer's Recommendation be adopted.

### **Amendment: (Lound/Kolkman)**

That a decision in this matter be deferred and the property be listed for an inspection at a future briefing night.

Voting for the Amendment were Councillors: Greiss, Kolkman, Lound, Matheson, Mead, Rowell and Thompson.

Voting against the Amendment: Oates.

**WON** and became the Motion

### **CARRIED**

Voting for the Motion were Councillors: Greiss, Kolkman, Lound, Matheson, Mead, Oates, Rowell and Thompson.

Voting against the Motion: nil

### **Council Meeting 11 March 2014 (Greiss/Matheson)**

That a decision in this matter be deferred and the property be listed for an inspection at a future briefing night.

### **Council Resolution Minute Number 25**

That a decision in this matter be deferred and the property be listed for an inspection at a future briefing night.

Voting for the Council Resolution were Councillors: Borg, Dobson, Glynn, Greiss, Hawker, Kolkman, Lake, Lound, Matheson, Mead, Oates, Rowell and Thompson.

Voting against the Council Resolution: nil.

**Note:** Councillor Brticevic was not in attendance at the meeting during debate and voting on this item.

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## **2.3 Gateway Process for Local Environmental Plans**

### **Reporting Officer**

Manager Sustainable City and Environment

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### **Attachments**

1. Local Environmental Plan Making Process – Flow Chart (contained within this report)
2. Pre-Gateway Review Process – Flow Chart (contained within this report)
3. Gateway Determination Review Process – Flow Chart (contained within this report)

### **Purpose**

To provide Council with background information on the 'Gateway' process for the preparation of, and amendment to Local Environmental Plans.

### **History**

In July 2009, the Gateway plan-making process was introduced for the preparation of, and amendment to Local Environmental Plans (LEP). As the process for the development of Council's Comprehensive Local Environmental Plan (CLEP 2014) was commenced prior to the introduction of the Gateway process, the CLEP 2014 is being prepared in accordance with the pre-existing plan making requirements. However, any proposed amendments to CLEP 2014, once adopted, or to Council's existing Local Environmental Plan 2002 need to follow the Gateway process.

As Council has more recently begun to receive an increasing number of enquiries from land owners/developers to rezone land within the Campbelltown Local Government Area, some of which have progressed to the 'Planning Proposal' stage of the Gateway process, it was considered appropriate to provide Councillors with background information on the Gateway process. Further Council considered a report at its meeting on 20 November 2012 in relation to 'Amendments to the Local Environmental Plan Making Processes' and resolved:

1. That Council formally accept the Local Environmental Plan Making delegations offered by the Department of Planning and Infrastructure and that these delegations be sub-delegated to the General Manager and the Director Planning and Environment.
2. That a further report be submitted to Council detailing the administrative and assessment procedures associated with Pre-Gateway and Gateway Reviews.

This report provides a background to the Gateway process and responds to the request for a detailed report from Council's previous resolution.

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## Report

### The 'Gateway' Process

The Gateway process was introduced by the NSW Government in July 2009 as an attempt to:

- assist in meeting the NSW Government's target of a 50 percent overall reduction in the time taken to produce LEPs
- provide clear and publicly-available justification for each plan at an early stage
- ensure vital NSW and Commonwealth agency input is sought at an early stage
- replace the former 'one size fits all' system, under which all LEPs large and small were subject to the same rigid approval steps, with one that better tailors assessment of the proposal to its complexity
- improve links between long-term strategic planning documents, such as regional and metropolitan strategies.

The Gateway process has the following steps (which are shown via a flow chart in attachment 1):

- **Planning proposal** — the relevant planning authority (Council) is responsible for the preparation of a planning proposal, which explains the effect of and justification for a new LEP or an amendment to an existing LEP (planning instrument) including for example, an amendment to alter the zoning of certain land. As indicated previously, Council's comprehensive LEP is following a different process; therefore the discussion in this report will concentrate on the Gateway process as it relates to an amendment of a local environmental plan to facilitate the rezoning of certain land or/and adjustment to the development requirements presented by that plan for certain land. If the planning proposal is initiated by the Minister (rather than the local council which is mostly the case) the Minister can appoint the Director-General of the Department of Planning or a joint regional planning panel to be the relevant planning authority.

For the rezoning of land to allow an additional or alternate uses, the process commences when a proponent (landowner/developer) provides Council staff with an application containing sufficiently detailed information to determine whether there is merit in the proposed amendment. The extent/detail of the information provided is proportional to the complexity of the proposal and may include a number of preliminary technical reports addressing the main issues/impacts associated with the proposal. These technical reports should address the major issues to an extent that the report gives Council an indication that the proposal has justifiable merit to proceed. Additional or supplementary technical reports may be required later in the process (after the Gateway determination) to address more detailed technical issues.

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Recently Council has received a number of requests to prepare planning proposals where a proponent seeks an early indication from Council if there would be support for a future amendment to the planning instrument prior to the preparation of planning proposal. In these cases the proponent is seeking a “yes” or “no” decision prior to commencing the formal Gateway process. Where Council provides a positive response to the initial request, further investigation would be undertaken to develop a planning proposal for Council's further consideration. This approach has been used for pre-planning proposals at No.71 St Andrews Rd Varroville, No.366 St Andrews Rd Varroville and No.194 Campbelltown Rd Denham Court.

Council staff will assess the information provided and where it is considered that the proposal has justifiable merit, a report will be prepared for Council which includes a draft planning proposal (prepared in accordance with guidelines issued by the Department of Planning and Infrastructure) as an attachment. Where Council believes the proposal has merit, Council may resolve to refer the draft planning proposal to the ‘Gateway’ for further assessment.

Where Council does not support the planning proposal the applicant has a right of review as discussed later in this report.

- **Gateway** — a Gateway determination over a planning proposal is issued by the Minister (or delegate). It specifies whether a planning proposal is to proceed and if so, in what circumstances. The purpose of the Gateway determination is to ensure there is sufficient justification early in the process to proceed with a planning proposal. It enables planning proposals that lack strategic planning merit to be stopped early in the process before time and resources are committed.

The Gateway determination will confirm the information (which may include technical studies) and consultation required before the proposed amendment to the planning instrument can proceed. The Gateway determination will also establish the timeframe in which the required steps are to be carried out. As the necessary information is gathered and consultation undertaken, the planning proposal may need to be updated by including additional documentation.

Should a Gateway determination support the planning proposal, Council's planning staff will coordinate with the applicant to ensure that the necessary requirements of the determination (such as additional technical studies and initial State Agency consultation) are satisfied within the timeframes specified.

Where the Gateway does not support the planning proposal the applicant has a right of review. Council also has a right of review as discussed later in the report.

- **Community consultation** —once any additional technical studies required by the Gateway determination have been completed and the planning proposal has been updated and Council has resolved to place the planning proposal on public exhibition, the proposal is publicly exhibited (generally low impact proposals for 14 days, others for 28 days). Council is also required to refer the planning proposal to the relevant State Agencies at this time.
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- **Assessment** — the relevant planning authority (Council) considers all public and State agency submissions and the proposal is varied as necessary. A report is prepared for Council's final consideration and where the proposal is supported it is referred to the NSW Department of Planning and Infrastructure. Parliamentary Counsel then prepares a draft LEP or an amendment to an existing LEP.
- **Decision** —the Minister's (or delegate's) approves the plan and it becomes law and is published on the NSW legislation website. The Minister may also determine not to proceed to finalise the amendment to the plan.

### Independent Reviews

As referred to above in the Gateway process discussion, there are two administrative review processes relating the plan making process. These are:

- **Pre-Gateway reviews** – which may be requested by a proponent before a planning proposal has been submitted to the Department for a Gateway determination. These reviews are informed by advice from Joint Regional Planning Panels or the Planning Assessment Commission (PAC), and
- **Gateway reviews**– which may be requested by a council or proponent following a Gateway determination, but before formal community consultation on the planning proposal has commenced. These reviews are informed by advice from the PAC. These reviews will allow councils and proponents to have decisions in relation to proposed amendments to LEPs reconsidered, by providing an opportunity for an independent body to give advice to the Minister on such proposals.

### Pre-Gateway Reviews

If a proponent (e.g. developer, landowner) has requested that a council prepare a planning proposal for an amendment to the planning instrument, the proponent may ask for a pre-Gateway review if:

- a) the council has notified the proponent that the request to prepare a planning proposal is not supported, or
- b) the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information.

The Regulation requires councils to notify a proponent when the council determines that it will not prepare a planning proposal. The proponent then has 40 days to request that the relevant Joint Regional Planning Panel review the proposal. Where a council has not made a determination after 90 days, the proponent may also request a review any time after the 90 days has lapsed.

Ordinarily the relevant Joint Regional Planning Panel will review all eligible proposals forwarded to it by the Department. The Joint Regional Planning Panel/PAC will provide advice on whether it would recommend to the Minister that the proposed instrument should be submitted for a determination under section 56 of the Act (Gateway determination). The Minister's final decision will be informed by the Joint Regional Planning Panel's or PAC's advice, and taking into account the views of the Department, council and proponent.

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For proposals that are to proceed, further work may still be required by the proponent before the proposal complies with section 55 of the Act in relation to submitting a planning proposal for Gateway determination. Attachment 2 contains a flow chart of the pre-Gateway review process.

### Gateway Reviews

A council or proponent may request the Minister (or delegate) to alter a Gateway determination, when a Gateway determination is made that:

- a) the planning proposal should not proceed
- b) the planning proposal should be resubmitted to the Gateway, or
- c) imposes requirements (other than consultation requirements) or makes variations to the proposal that the council or proponent thinks should be reconsidered.

If the Gateway determination is either not to proceed or to resubmit the planning proposal, the council or proponent has 40 days from being notified by the Department to request a review. If the Gateway determination is to proceed with the planning proposal but imposes conditions that the council or proponent considers inappropriate, the council or proponent has 14 days from being notified by the Department to indicate their intent to request a review. The council or proponent would then have 40 days to formally apply for a Gateway review.

The PAC will provide advice on whether the original Gateway determination should be altered, giving consideration to the council or proponent's submission and the reasons given for the original Gateway determination.

The Minister's final decision on whether to alter the Gateway determination will be informed by the PAC's advice, and the views of the Council and the proponent. Attachment 3 contains a flow chart of the Gateway review process.

### Status of Planning Proposals Currently with Council

The following table provides Council with an update on status of the Planning Proposals and other relevant requests/applications for Council to prepare Planning Proposals within the LGA.

Planning Proposal	Stage in Process
Menangle Park Urban Release Area	<b>Assessment</b> – Consultation completed. Council staff are finalising a number of issues raised during the consultation process with relevant State agencies. It is envisaged that a report to Council for adoption of the rezoning will be ready towards the middle of 2014.
Mt Gilead Urban Release Area	<b>Gateway</b> – Gateway determination issued. Council staff are coordinating with the proponent to facilitate the preparation of various technical reports required by the Gateway determination. A report to Council to authorise public exhibition is anticipated in the second quarter of this year.

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Glenfield Waste Facility (Rezoning to permit Industrial Development)	<b>Gateway</b> – Gateway determination issued. Council staff are coordinating with the proponent to facilitate the preparation of various technical reports required by the Gateway determination. A report to Council to authorise public exhibition is anticipated in the second quarter of this year.
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Request to Prepare a Planning Proposal	Comment
166-176 St Andrews Road Varroville (Rezoning to permit a Cemetery use)	Application lodged and an assessment has been completed by Council staff. A report on this matter is included in the March round (current round) of Council.
71 St Andrews Rd Varroville (Rezoning to permit Residential Development)	Preliminary planning proposal concept reported to Council in October 2013. Proponent now preparing planning, proposal application for future lodgement with Council.
366 St Andrews Rd Varroville (Rezoning to permit Residential Development)	Application lodged and an assessment has been completed by Council staff. A report on this matter is included in the March round (current round) of Council.
194 Campbelltown Road Denham Court (Rezoning to permit a Service Station use)	Application lodged on 30 January 2014 and is being assessed by Council staff. It is envisaged that a report will be presented to Council by the middle of the year.
168-192 Narellan Road Campbelltown (Maryfields) (Rezoning to permit residential business and religious uses)	Application lodged and being assessed by Council staff with a report will be tabled with Council towards the middle of the year.
Appin Road (Multiple Lots) (Rezoning to permit between 10,000-12,000 residential lots with associated support facilities)	Application lodged and being assessed by Council staff with a report scheduled to Council in March/April 2014.

Council will be updated on the status of each of the above items as they are assessed in accordance with the Gateway process.

## Conclusion

The Gateway process has introduced a system for the merit assessment of rezoning and other planning instrument amendment requests, based on the complexity of each proposal. It has introduced a time frame for completion of various stages in the process to provide for improved timeliness and add certainty to the process. Recent amendments to legislation have also introduced two review mechanisms into the process which enables a proponent (Pre-Gateway) and the proponent and Council (Post-Gateway) to review decisions.

There are currently six requests for Planning Proposals to be prepared by Council with a further three Planning Proposals having already granted a Gateway determination. It is anticipated that once CLEP 2014 is placed on public exhibition that further rezoning requests will be lodged with Council and therefore it is important that Councillors are familiar with the Gateway process when considering such requests.

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Matheson/Mead)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Greiss/Matheson)**

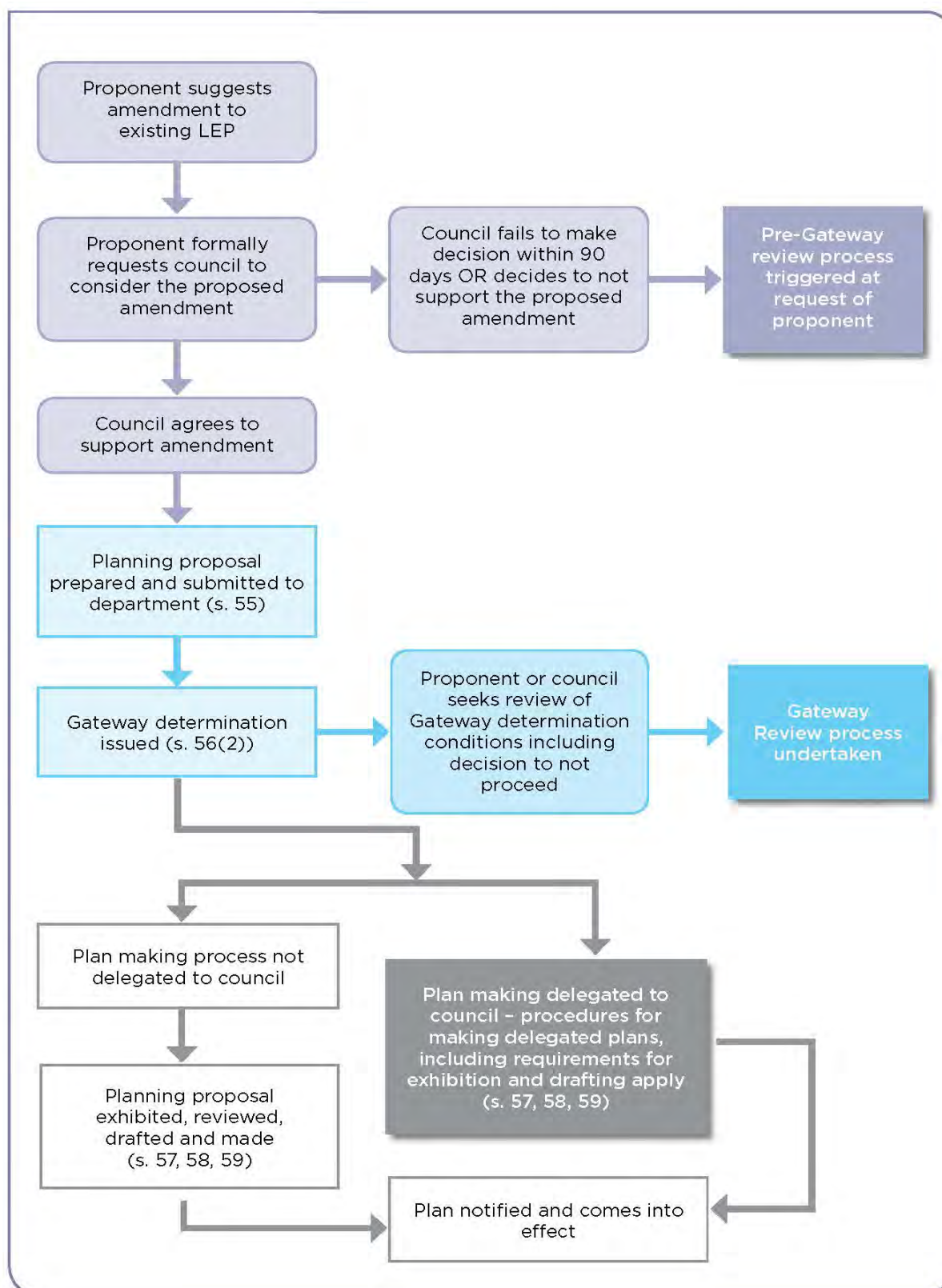
That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 23**

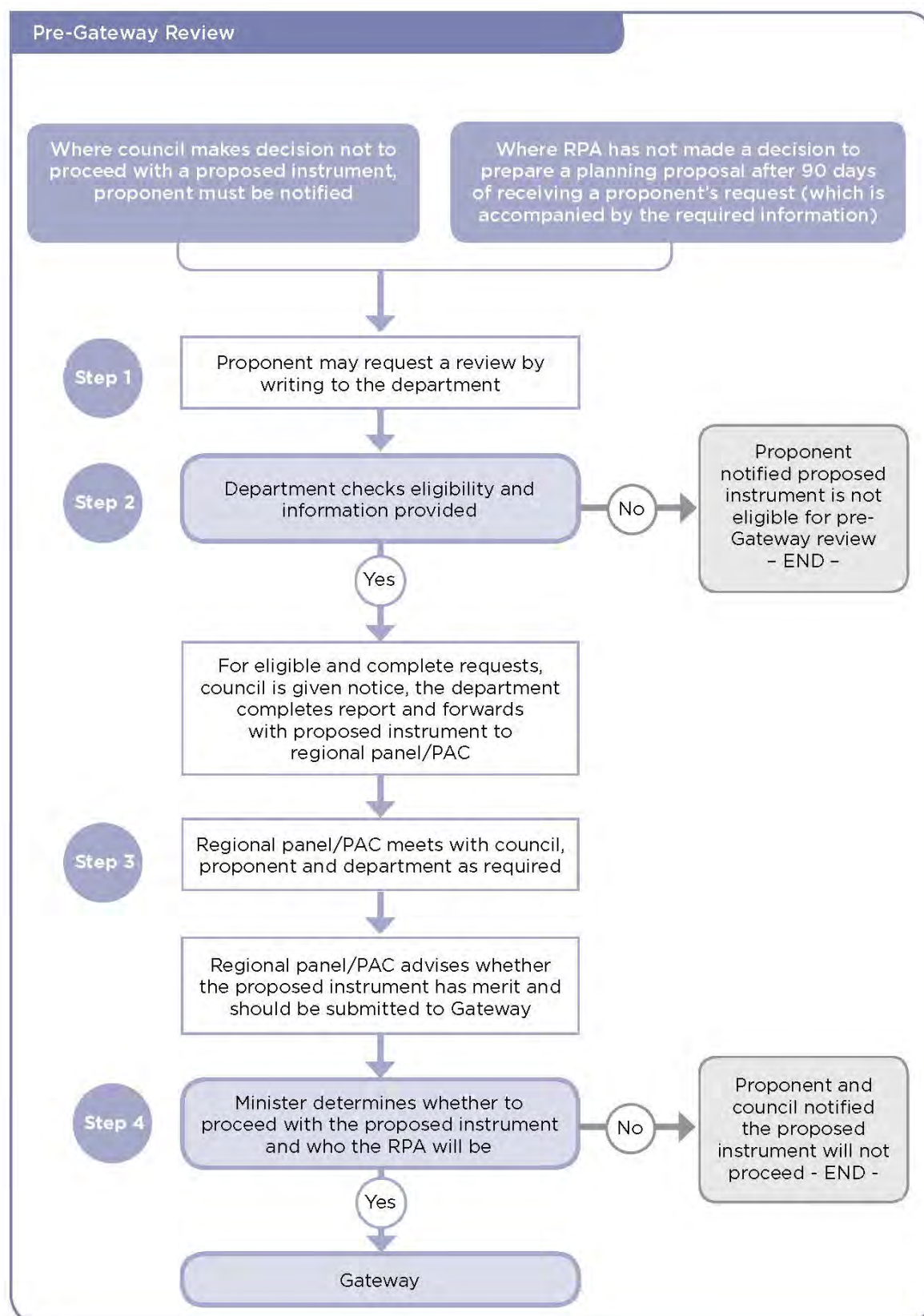
That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

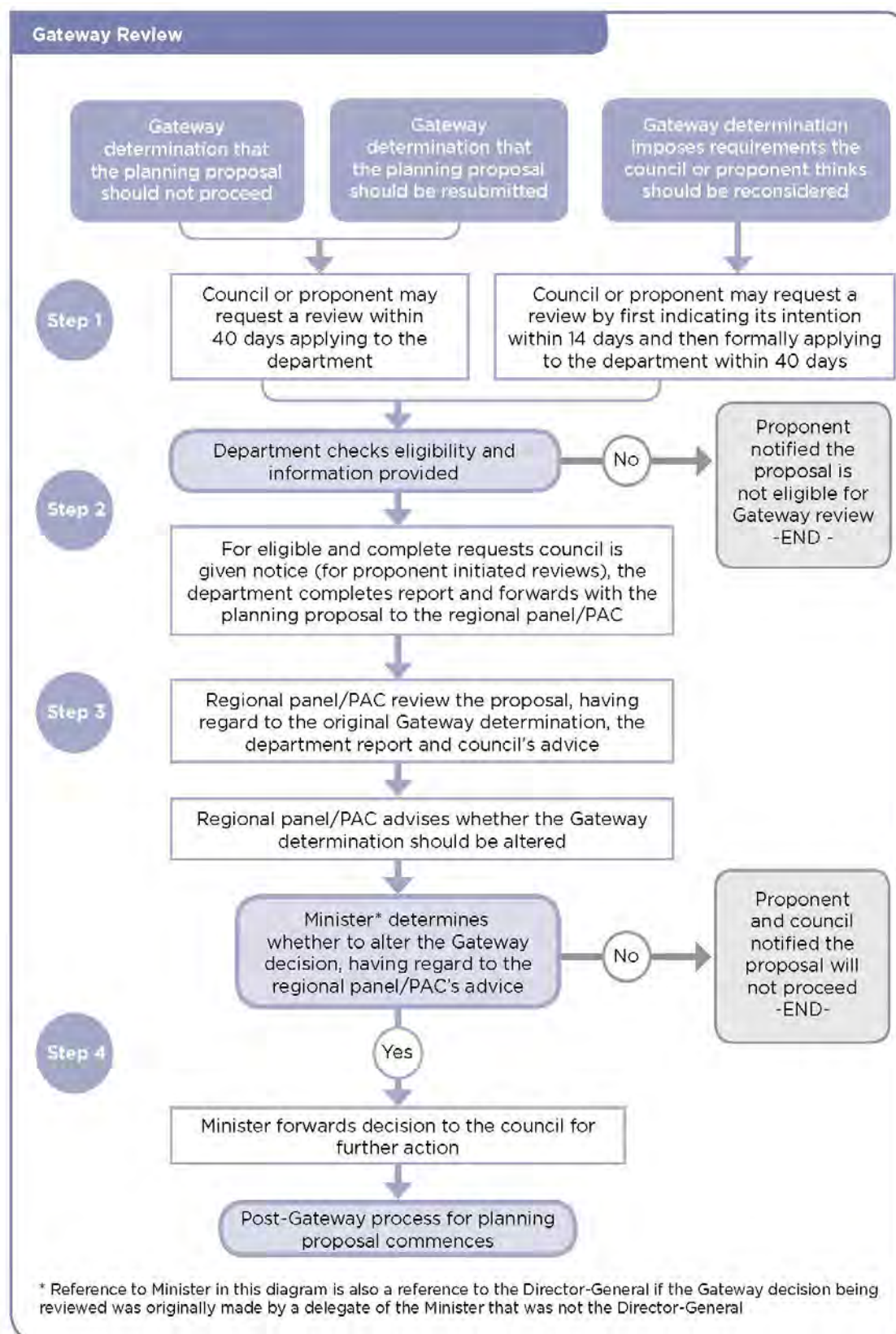


## ATTACHMENT 2





## ATTACHMENT 3





## **2.4 Water Quality Monitoring Program - Half Yearly Report**

### **Reporting Officer**

Manager Sustainable City and Environment

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### **Attachments**

1. Percentage compliance with ANZECC guidelines for water quality at Council's water quality monitoring sites (distributed under separate cover)
2. Percentage compliance with ANZECC water quality trigger values for aquatic ecosystem, primary contact recreation and secondary contact recreation criteria for Council's water quality monitoring sites (distributed under separate cover)
3. Classification of Recreational Water Environments (distributed under separate cover)

### **Purpose**

To inform Council of the results of Council's Water Quality Monitoring Program (WQMP) for the 12 month period January to December 2013.

### **History**

The Campbelltown Local Government Area (LGA) is located within the catchments of two principal Sydney waterways; the Georges and Nepean River systems. These waterways support a diverse variety of plants and animals, as well as provide for community amenity and recreation opportunities.

The majority of Campbelltown's urban waterways flow into the Upper Georges River, either directly to the Georges River itself or via the Bow Bowling/Bunbury Curran Creek system. Approximately 86% of the Campbelltown LGA lies within the Georges River catchment whilst the remaining 14% of the LGA lies within the Hawkesbury-Nepean River catchment.

Water quality within the catchments has been influenced by rapid urbanisation over time. Currently, 99% of Campbelltown's population resides within the Georges River Catchment. In addition, 100% of the LGA's commercial, industrial areas and business centres are also located within this catchment and principally within the Bow Bowling/Bunbury Curran sub-catchment.

Key pressures with the potential to negatively impact on the quality of Campbelltown's water resources include:

- urbanisation
  - stormwater runoff
  - pollution spills
  - illegal dumping
  - litter accumulation
  - aquatic noxious weeds
  - degraded riparian vegetation
  - altered flood regimes.
-

## **Report**

Council's current WQMP involves the sampling and monitoring of 13 strategically selected sites within the Georges River and the Nepean River Catchments against National Guidelines for Fresh and Marine Water Quality, developed by the Australian and New Zealand Environment and Conservation Council (ANZECC 2000). Three sites are also assessed against the National Health and Medical Research Council Guidelines, Managing Risks in Recreational Areas (NHMRC 2008).

The water quality testing sites have been strategically selected to ensure data is collected across a broad section of the catchment including sensitive and high profile locations such as environmental protection areas, recreational swimming spots and stormwater discharge points from urban areas.

### **ANZECC Guidelines and Monitoring Results**

The water quality data collected from each site was compared to a set of trigger values as determined by the ANZECC guidelines for ecosystem health and secondary contact recreation.

The following sites were sampled on a monthly basis between January and December 2013:

- Menangle Bridge (Menangle)
- Wedderburn Gorge (Wedderburn)
- The Woolwash (Airds)
- Frere's Crossing (Kentlyn)
- Fisher's Ghost Creek (Bradbury)
- Simmo's Beach (Macquarie Fields)
- Kooringa Reserve (Varroville)
- Bow Bowing Creek gross pollutant trap (Minto)
- Park Central, north pond (Campbelltown)
- Park Central, central pond (Campbelltown)
- Mandurama Reserve (Rosemeadow)
- Harold Street Bridge (Macquarie Fields)
- Cambridge Avenue (Glenfield)

Attachment one provides a diagrammatic representation of percentage compliance of monitoring sites with ANZECC guidelines for secondary contact recreation and aquatic ecosystem health. Attachment two shows the percentage compliance with ANZECC guidelines for primary and secondary contact recreation and aquatic ecosystem health for each water quality parameter measured.

The results indicate that, on average, water quality throughout the LGA remains similar to the previous reporting cycle (July 2012 to December 2012). The following provides an overview of the results during the reporting period:

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- Water quality at Kooringa Reserve continues to be 'poor' for aquatic ecosystem health, the site has the lowest rate of compliance with the ANZECC guidelines within the Campbelltown LGA. This year saw a further decrease in water quality. This could be attributed to recent works undertaken at the site, increasing sediment mobilisation due to soil disturbance and the removal of native and exotic macrophytes (aquatic plants). This reduces the ability of the system to remove nutrient loads and contaminants from the water
- The sampling site at Minto GPT also recorded a slight reduction in water quality since the last reporting period. At the next downstream sampling site within the catchment, Harold Street Bridge, water quality results show improvement across all parameters compared to both Kooringa Reserve and Minto GPT, suggesting that there is some natural treatment occurring along the catchment
- Turbidity levels in the Georges River continue to show 'very poor' compliance with the ANZECC guidelines. However, the non-compliance is due to the readings falling below the prescribed range, meaning the water column is clearer than expected. The cause of the reduced turbidity is most likely a result of long dry periods reducing stormwater and urban-runoff
- Overall the Woolwash and Frere's Crossing recorded the highest level of compliance with the ANZECC guidelines.

### **NHMRC Guidelines and Monitoring Results**

The NHMRC guidelines are considered the most industry relevant for assessing risks to human health from recreational water bodies and specifically analyse microbial levels within the waterbody over a five year period.

Weekly sampling is conducted throughout December to April each year due to the high levels of recreational use that these sites attract. During the monitoring period, the following sites were sampled on a weekly basis:

- Simmo's Beach (Macquarie Fields)
- Menangle Bridge (Menangle)
- The Woolwash (Airds).

Attachment 3 shows the classification of the recreational water environment at Simmo's Beach, Menangle Bridge and The Woolwash against the NHMRC guidelines.

A decrease in bacteria levels was evident at Simmo's Beach, most likely due to previous compliance investigations and actions undertaken in 2012 targeting land use activities contributing to pollution levels. Several properties were identified as potential sources of pollution including a sausage casing business at Kentlyn and two nurseries at Long Point. Land owners of these properties were educated on the potential impacts their business could have on water quality of the Georges River. The land owner of the sausage casing business was directed to improve operational practices on site. The business has subsequently ceased to operate.

Due to the fact that the NHMRC guidelines require analysis of bacteria levels over a 5 year period, it could be two to three years before an overall improvement is evident in the results.

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### **Management Actions**

Council continues to investigate and undertake actions aimed at improving water quality within Campbelltown. Most notably, during 2013 a bioretention system was installed within the Spring Creek catchment, downstream of Lake Mandurama, Rosemeadow. The device will serve to filter stormwater as it travels through the system and remove sediment and pollutants prior to the Creek's confluence with the Georges River. This project will be expanded through a joint project between Council and the Greater Sydney Local Land Service in 2014 to further improve water quality in the Spring Creek catchment.

Electrical conductivity (salinity) is marked higher at Wedderburn Gorge compared to sampling points at O'Hare's Creek and Frere's Crossing. Previous investigations by the Environmental Protection Authority and the Georges River Combined Councils Committee have suggested that this is due to the influence of discharges from the Westcliff Colliery, Appin. This matter is currently being regulated by the EPA.

### **Conclusion**

During the reporting period water quality in the LGA on average remains fair. Poor results were recorded within the Bow Bowling/Bunbury Curran catchment, this is most likely due to urban and industrial stormwater influences. High salinity levels also continue to be recorded at Wedderburn Gorge.

The results of Council's WQMP will continue to be analysed and guide future works to ensure Council is fulfilling its commitment to improving the sustainability of its water resources and water quality within the local area.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Lound/Thompson)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 23**

That the Officer's Recommendation be adopted.

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## **2.5 Proposed Road Names for use within the Airds Bradbury Renewal Project**

### **Reporting Officer**

Manager Sustainable City and Environment

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### **Attachments**

List of proposed road names for the use within the Airds/Bradbury Renewal Project (contained within this report)

### **Purpose**

To propose new road names for use within the Airds/Bradbury Renewal Project, for Council's consideration.

### **History**

Council at its meeting on 13 December 2011, Planning and Environment Committee Item 3.3 – Concept Plan Application for the Airds/Bradbury Renewal Project, resolved to conditionally support approval of the concept plan (master plan) for the Airds/Bradbury Renewal Project. Council has now received a request from Urban Growth NSW, on behalf of Housing NSW, for approved road names for use in the naming of the many new streets which will be created by this renewal project.

### **Report**

For some time it has been Council's protocol to select specific themes in an effort to harmonise road names within suburbs and developments and provide some assistance to the travelling public. The current theme used for road names within the Airds/Bradbury Renewal Project area is "the wool industry in NSW" due to its proximity to The Woolwash Reserve. However, given the large number of new streets proposed to be created by this project, this current theme is unable to provide sufficient additional road names.

Urban Growth NSW have therefore suggested the theme of "Australian Victoria Cross recipients" for use in the naming of new streets within the project area. Kevin Wheatley Reserve has been located within the suburb of Airds since it was named after Campbelltown's own recipient of the Victoria Cross in 1978 and will continue to provide a centre for sporting activities in an alternative location once the renewal works have been completed. It is therefore considered that this theme is appropriate for use in the naming of these new streets and would also reflect the wider ANZAC Centenary commemorations over the next four years in connection with the centenary of the First World War.

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## 2.5 Proposed Road Names For Use Within The Airds Bradbury Renewal Project

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A list of the names of the 99 Australian recipients of the Victoria Cross was sourced from records held by the Australian War Memorial. These names were then checked to ensure compliance with the current Geographical Names Board's NSW Road Naming Policy. Following the removal of names which either duplicate or could cause confusion with existing road names, the remaining 44 names of Australian Victoria Cross recipients shown in Attachment 1 to this report are proposed for use as road names within the Airds/Bradbury Renewal Project.

It should be noted that the name 'Wheatley' has previously been approved by Council for use as a road name within the Bardia Sub-Precinct of the Edmondson Park Urban Release Area. Following consultation with staff at Urban Growth NSW, it is proposed that this road name be removed from the list of road names approved for use in Bardia and added to the list of road names proposed for the Airds/Bradbury Renewal Project because, as noted previously in this report, Kevin Wheatley Reserve is located within this renewal area.

Division 2 of Part 2 of the *Roads Regulation 2008* outlines the procedure that Council must follow when naming public roads under its control. In accordance with these procedures, it is recommended that Council advertise the proposed road names in local newspapers for a period of one month and notify Australia Post, the Registrar General, the Surveyor General and the various emergency services of its intention to name the roads within this development. Should no objections be received from the public or authorities prescribed in this Regulation within the advertisement and notification period of this proposal, it is also recommended that Council then complete the road naming process by publishing a notice of these new road names in the NSW Government Gazette.

### **Officer's Recommendation**

1. That Council approves the proposed road names in Attachment 1 to this report for use within the Airds/Bradbury Renewal Project.
2. That Council advertise its proposal to use these road names in local newspapers for a period of one month and notify the authorities prescribed by the Roads Regulation 2008.
3. That, should no objections to the proposal to use these road names be received from the public or authorities prescribed by the Roads Regulation 2008 within one month, Council publish notice of these new road names in the NSW Government Gazette.

### **Committee's Recommendation: (Kolkman/Oates)**

That a decision in this matter be deferred to the full Council meeting pending the receipt of further information relating to the ability of having the full name of those listed and/or the post nominal 'V.C.' included as the road name.

**CARRIED**

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### **Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Committee's Recommendation be adopted.

#### **Amendment: (Glynn/Hawker)**

1. That Council approves the proposed road names in Attachment 1 to this report for use within the Airds/Bradbury Renewal Project.
2. That Council advertise its proposal to use these road names in local newspapers for a period of one month and notify the authorities prescribed by the Roads Regulation 2008.
3. That, should no objections to the proposal to use these road names be received from the public or authorities prescribed by the Roads Regulation 2008 within one month, Council publish notice of these new road names in the NSW Government Gazette.
4. That Council be provided with a further report providing for the inclusion of a further street name of Rayene Stewart Simpson V.C in the Bardia Precinct.

### **Council Resolution Minute Number 23**

That the above amendment be adopted.

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## 2.5 Proposed Road Names For Use Within The Airds Bradbury Renewal Project

**ATTACHMENT 1**

<b>Proposed Road Name</b>	<b>Recipient's Name</b>	<b>Conflict and date of award</b>
Axford	Thomas Leslie Axford	First World War, 1918
Badcoe	Peter John Badcoe	Vietnam War, 1967
Beatham	Robert Matthew Beatham	First World War, 1918
Bisdee	John Hutton Bisdee	Second Boer War, 1900
Borella	Albert Chalmers Borella	First World War, 1918
Buckley	Alexander Henry Buckley & Maurice Vincent Buckley (Gerald Sexton)	First World War, 1918 First World War, 1918
Carroll	John Carroll	First World War, 1917
Cartwright	George Cartwright	First World War, 1918
Castleton	Claud Charles Castleton	First World War, 1916
Currey	William Matthew Currey	First World War, 1918
Dalziel	Henry Dalziel	First World War, 1918
Derrick	Thomas Currie 'Diver' Derrick	Second World War, 1943
Dunstan	William Dunstan	First World War, 1915
Gratwick	Percival Eric Gratwick	Second World War, 1942
Howell	George Julian Howell	First World War, 1917
Ingram	George Mawby Ingram	First World War, 1918
Inwood	Reginald Roy Inwood	First World War, 1917
Jacka	Albert Jacka	First World War, 1915
Jeffries	Clarence Smith Jeffries	First World War, 1917
Jensen	Joergen Christian Jensen	First World War, 1917
Joynt	William Donovan Joynt	First World War, 1918
Kibby	William Henry Kibby	Second World War, 1942
Kingsbury	Bruce Steel Kingsbury	Second World War, 1942
Lowerson	Albert David Lowerson	First World War, 1918
Mactier	Robert Mactier	First World War, 1918
Maygar	Leslie Cecil Maygar	Second Boer War, 1901
McCarthy	Dominic 'Fats' McCarthy	First World War, 1918
McDougall	Stanley Robert McDougall	First World War, 1918
McGee	Lewis McGee	First World War, 1917
Newland	James Ernest Newland	First World War, 1917
Partridge	Frank John Partridge	Second World War, 1945
Ruthven	William Ruthven	First World War, 1918
Sadlier	Clifford William King Sadlier	First World War, 1918
Shout	Alfred Shout	First World War, 1915
Starcevich	Leslie Thomas Starcevich	Second World War, 1945
Storkey	Percy Valentine Storkey	First World War, 1918
Symons	William Symons	First World War, 1915
Throssell	Hugo Throssell	First World War, 1915
Towner	Edgar Thomas Towner	First World War, 1918
Tubb	Frederick Tubb	First World War, 1915
Wark	Blair Anderson Wark	First World War, 1918
Weathers	Lawrence Carthage Weathers	First World War, 1918
Wheatley	Kevin Wheatley	Vietnam War, 1965
Wylly	Guy George Egerton Wylly	Second Boer War, 1900



## **2.6 Macarthur Memorial Park Planning Proposal**

### **Reporting Officer**

Manager Sustainable City and Environment

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### **Attachments**

1. Location map (distributed under separate cover)
2. Masterplan (distributed under separate cover)
3. Staging Plan (distributed under separate cover)
4. Visual Exposure Map (distributed under separate cover)
5. Copy of submissions (distributed under separate cover)
6. Draft Planning proposal for referral to the Department of Planning and Infrastructure (distributed under separate cover)

### **Purpose**

To advise Council of a request to prepare a planning proposal to permit the development of a multi-denominational general land cemetery on certain land within the Scenic Hills along St Andrews Road, Varroville, and request Council's approval to forward the proposal to the NSW Department of Planning and Infrastructure for determination by the Gateway Panel.

### **History**

A representative of the Catholic Cemeteries & Crematoria Trust acting on behalf of the property owner of land on St Andrews Road, Varroville advised Councillors at the briefing session held on Tuesday 27 August 2013 of a proposal to amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to permit the development of a cemetery on Lot B DP 370979, Lot 22 DP 564065 and Lot 1 DP 218016 St Andrews Road, Varroville. A location map of the proposed site is provided at Attachment 1.

### **Report**

Property Description: Lot B DP 370979, Lot 22 DP 564065 and Lot 1 DP 218016  
St Andrews Road, Varroville

Owner: Cornish Investments Pty Ltd

Applicant: The Catholic Metropolitan Cemeteries Trust

Council has received a request to prepare a planning proposal on behalf of the property owner to amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to permit the development of a cemetery on the subject land.

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### **The Site**

The subject site includes Lot B DP 370979, Lot 22 DP 564065 and Lot 1 DP 218016 St Andrews Road, Varroville, owned by Cornish Investments Pty Ltd. It is located on the eastern side of St Andrews Road, Varroville north of the M31 Hume Highway within the Scenic Hills, and surrounds the historic house of Varro Ville.

The total area of the subject site is 113 hectares. It is a largely undeveloped rural property predominantly cleared (currently being grazed by cattle), and contains a number of drainage lines and farm dams, with pockets of remnant native vegetation, and is characterised by undulating grassed hills, high scenic amenity and panoramic views to the Blue Mountains and Sydney CBD.

### **The Planning Proposal**

A planning proposal refers to a formal proposal to amend an environmental planning instrument. Amendments sought by planning proposals would, for example, relate to a change in the zoning of land; an alteration to a development standard such as a minimum lot size for sub division; and the nomination of an additional permissible use of certain land notwithstanding an existing zone prohibition ie: There are many types of amendments that are dealt with by planning proposals. Councillors may be aware that Council is already dealing with a number of planning proposals eg: Mt Gilead Urban Release Area and Menangle Park Urban Release Area.

The purpose of the request to prepare a planning proposal is to amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) by including provisions to permit on the subject land the development of a multi-denominational general land cemetery, which would be operated by the Catholic Metropolitan Cemeteries Trust on behalf of the Crown. The Minister for Primary Industries (The Hon Katrina Hodgkinson MP) in correspondence to the proponent has advised that the NSW Government supports the development of a cemetery at Varroville and considers that it “would be an excellent outcome for the people of south-western Sydney and for the State generally”.

It is anticipated that this cemetery would meet the needs of the community until the year 2169 by providing for a total of 136,000 burial places and areas for the interment of ashes.

The following works are proposed to be provided within the cemetery:

- Chapels
  - Condolence rooms
  - Information and administration buildings
  - Sculpture park offering opportunities for local and Australian artists
  - Arboretum for future preservation and education of generations to come
  - Burial areas integrated in the landform
  - Memorial gardens
  - Passive recreation
  - Swales and ponds
-

It is noted that the development of a crematorium on the subject site is not part of this request.

An indicative master plan has been prepared, in support of the request to prepare a planning proposal, with the following aims and objectives:

- To minimise the impact on the existing environment, especially the topography and the Cumberland Plain Woodland, and protect for future generations
- To protect the colonial landscape (Scenic Hills) qualities
- To provide an environmentally sensitive development
- To achieve best management practices in all aspects of cemetery provision, including stormwater management and ecologically sustainable developments
- To provide an exceptional open space for the community, in perpetuity
- To provide a quality burial ground for the whole community.

Please see a copy of the proposed master plan at attachment 2.

The first stage of development is proposed on land within the north western part of the site and is intended to provide sufficient cemetery need for approximately 60 years. Please see a copy of the staging plan received with the request, at attachment 3. It is noted that the chapels, condolence rooms, information and administration buildings are proposed to be located at the base of the escarpment in a visually non-prominent position.

The proposal has taken into consideration a number of reports being:

- Ecological Constraints Assessment
- Watercourse Assessment
- Bushfire Protection Assessment
- Preliminary Transport Assessment
- Heritage Assessment
- Aboriginal Heritage Summary Report
- Cemetery Demand Assessment

## **Zoning**

The current zoning of the subject site is part Zone No 7(d1) Environmental Protection (Scenic) and part Zone No 6(c) Open Space (Regional) under the provisions of Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) (CLEP/D8). Cemeteries are not a defined land use within this planning instrument, and thus could be potentially argued as an innominate and therefore a permissible land use with Council's consent within these zones. However, due to the fact that cemeteries generally operate as businesses (albeit in this case on a not for profit basis) they could be argued to fall under the definition of commercial premises, which are a prohibited land use within the 7(d1) and 6(c) zones. It is due to this uncertainty with regard to the permissibility of cemeteries within these zones that Council has received this request to prepare a planning proposal, to permit the development of a multi-denominational general land cemetery on the subject land.

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## **Key Planning Issues**

### **Visual Impacts**

The bulk of the subject site is zoned 7(d1) Environmental Protection (Scenic) and the objectives of this zone are as follows:

- (a) to set aside certain land as a protected scenic environment
- (b) to ensure that that land will remain a rural environment providing visual contrast to the urban areas of Campbelltown, Camden and Liverpool
- (c) to ensure that the inhabitants of Campbelltown will continue to have views of, and access to, a rural environment
- (d) to maintain a stock of land that is capable of being developed for the purpose of providing recreation establishments of the kind that require large areas of open space
- (e) to preserve existing farming and agricultural research activities.

The subject land also falls within the Escarpment Preservation Area of CLEP/D8 which requires all buildings to be dark coloured and of low reflective quality that blend with the landscape, and have a maximum height of 7.6 metres.

Approximately 33 hectares of land in the northern portion of the subject site is currently zoned 6(c) Open Space (Regional). This is the steepest part of the site and includes the Bunbury Curran Hill. Please note that the planning proposal request does not provide for any burial or interment of ashes development within this area due to its prominent position and steep terrain.

Council has always been very protective of the Scenic Hills, and the role that it plays in providing:

- i) a buffer to the urban development areas of the Campbelltown, Camden and Liverpool Local Government Areas (LGA)
- ii) a rural landscape backdrop to urban areas of Campbelltown.

Some years ago Council was requested to rezone the subject land, and certain adjoining land, to provide for the development of a business park. Council rejected that proposal and resolved the following:

“That Council advise the Cornish Group that the proposal for a Business Park on certain land located at the Scenic Hills, as presented in the submission entitled "Proposed Employment Lands - South West Business Park - Varroville is not supported by Council.”

However, it is important to note that there are a number of land uses that are currently permissible with development consent on land within the 7(d1) Environmental Protection (Scenic) Zone, that have the potential to impact detrimentally upon the visual character and aesthetics of the Scenic Hills, due to the nature and extent of the structure and form of such development. These include, but are not limited to:

- hospitals
  - educational establishments
  - places of public worship (all denominations)
-

- institutions (penal or reformatory establishment)
- public buildings (offices etc for administrative purposes)
- public utility undertakings (supply of water, electricity, gas, transport infrastructure, sewerage and drainage services, etc)
- rural industries (processing and packing of primary products, (eg fruit cannery), servicing of plant or equipment for rural purposes).

The Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands prepared by Paul Davies Pty Ltd in association with Geoffrey Britton in October 2011 (and adopted by Council as a contributory document to be taken into account in the preparation of the Comprehensive Local Environmental Plan) notes that the "views over the Scenic Hills from Campbelltown Road between Denham Court Road and St Andrews Road are of the highest quality", and ".....they are not obstructed by residential or other development". It also notes that significant views are available from the top of Bunbury Curran Hill, but their accessibility to the community is limited due in part to land ownership. The document is concerned that any new structures will "compromise the ability to appreciate and interpret the wider historic pastoral landscape of the Scenic Hills". It is also noted that the "'hidden' areas are as scenically valued as much as the grand panoramas". The planning proposal request recognises the importance of the Scenic Hills, and the submitted master plan proposes to maintain the topography and utilise the 'hidden' areas as concealed burial 'rooms'.

Views to the city are also available not only from the top of Bunbury Curran Hill but also from land on the eastern boundary of the subject site, where the master plan shows a proposed roadway. This effectively has some potential to give the community access to these extensive vistas which have always been in private ownership, and thus currently not available to the general public.

An overview assessment of the visual opportunities and constraints of the proposed use of the subject site as a cemetery has been undertaken by Dr Richard Lamb (as a specialist consultant for the proponent).

The outcome of this overview includes the following:

- the site exhibits two areas of high visual sensitivity being:
    - Land in the northern western part of the site, being the ridge and slopes of Bunbury Curran Hill, and is visible mainly through distant views
    - Land in the south eastern part of the site that includes the ridge where Varro Ville homestead is situated. This area is visible through closer range views. See Visual Exposure Map at attachment 4
  - with regard to visual issues it is considered that the proposed cemetery can meet the zone objectives
  - the retention of grassy, open areas is important to the maintenance of the rural character of the Scenic Hills, and this can be maintained through the proposed cemetery use
  - only four small individual conceptual buildings are proposed (as shown in the master plan), and the proposed cemetery use is compatible with the small number of buildings usually associated with a rural environment
-

- the subject site offers extensive elevated views of the Scenic Hills and the Campbelltown district plus distant views to the Sydney CBD and beyond. These views are currently not accessible to the public. Thus it is considered that the use of the site as a cemetery could provide “public access to a landscaped and managed environment of higher scenic quality than may occur with alternative land uses”
- the open rural character of the setting of the Varro Ville homestead is noted, and it is considered that the proposed master plan for the cemetery use is not incompatible with retaining the views to and from the homestead.

### **Flora and Fauna**

The subject site is an undeveloped rural property characterised by occasional tree stands and undulating topography, and is currently being grazed by cattle. However the Ecological Constraints Assessment, attached to the planning proposal submission, has identified two endangered ecological communities (being Cumberland Plain Woodland and Moist Shale Woodland), three threatened species under the Threatened Species Act and one migratory species listed in the Commonwealth Environment Protection and Biodiversity Conservation Act. Unfortunately the subject site also exhibits dense infestations of African Olive. Whilst the proposal looks to retain most of the significant vegetation and provide for revegetation and enhancement throughout the site, there are a small number of anomalies within the Ecological Constraints Assessment that require further clarification prior to any public exhibition of this proposal, should Council deem it appropriate to proceed. However, it is not considered that these anomalies are unresolvable, and thus they are not likely to impose any major impost on this proposal.

### **Transport and Access**

A Preliminary Traffic Assessment has been prepared by consultants to support the planning proposal request and it considers that the proposed parking provisions and internal road system would adequately meet the demands of the proposed cemetery. Public access to the subject land is proposed via a roundabout on St Andrews Road, and an additional service access is proposed north of the main entry. It is noted that additional accesses to the subject site would be required in the future as the site develops.

St Andrews Road is a no through road and does not link with Camden Valley Way, and thus traffic movements on this road are currently low. However, further improvements would be required to St Andrews Road if, and when, connection to Camden Valley Way was completed. The Preliminary Traffic Assessment considers that the projected vehicle generation can be accommodated on the existing roundabouts on St Andrews Road with Spitfire Drive and Campbelltown Road, with no mitigation required.

However, Council’s technical officers advise that if Council deems it appropriate to proceed with this proposal then further information would be required including:

- projected vehicle generation on a number of other intersections on St Andrews Road, eg Ballantrae Drive (east and west), Aberdeen Road, Midlothian Road
- more detailed traffic survey and traffic movement work for all intersections.

It is important to note, however, that the relevant engineering staff do not object to the proposal proceeding, subject to the outcome of these further investigations.

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### **Stormwater Drainage and Watercourse Assessment**

A Flood Impact Assessment Report has been prepared by consultants to support the planning proposal request and it considers that localised flooding is limited to the watercourses and within the riparian zones, and that there is no increase of flood risk down-stream of the site. It notes that the proposed cemetery development is most likely to provide more pervious/landscaped areas than impervious, therefore reducing any flooding impact down-stream and within the site. It is also noted that the burial sites are planned to be located within the sloping areas of the site, and therefore not likely to be subject to flooding.

There are a number of farm dams and watercourses on the subject site which are noted in the request for a planning proposal as being retained, and for waterfront land to be protected in accordance with the NSW Office Water Controlled Activities on Waterfront Land - Guidelines for Riparian Corridors on Waterfront Land (July 2012).

### **Geotechnical Assessment**

The Geotechnical Assessment prepared by consultants to support the planning proposal request considers that the proposed cemetery will not cause any serious impact on slope stability, soil erodibility or contamination of the local streams. However, it is noted that further geotechnical investigation would be required at any development application stage.

### **Heritage – Non Indigenous**

The subject site forms part of the original land associated with the property known as Varro Ville. Although the homestead of Varro Ville is not part of this planning proposal request, it is listed on the State Heritage Register and as an item of environmental heritage within Campbelltown Local Environmental Plan – District 8 (Central Hills Lands), and is surrounded by the subject land. The original outbuildings of the Varro Ville property are located within the subject site, but are not currently listed on any heritage register. The proposed staging plan for the planning proposal at Attachment 3 identifies a heritage curtilage around the Varro Ville homestead which includes identified elements of the original Varro Ville estate eg the outbuildings, evidence of former vineyards, original carriageway, etc. The heritage curtilage has not been included as a specific stage in the staging plan, as it is recognised that significant investigation of this area will be required to ensure appropriate conservation and management of the cultural assets, prior to the consideration of any future uses within the curtilage.

Specifically the planning proposal request recognises the overall importance of the heritage significance of the subject site and thus proposes the following:

- A conservation management plan should be prepared for the estate
  - A historic archaeological assessment should be undertaken to determine the archaeological potential and significance of the site
  - A structural assessment of the outbuildings should be undertaken
  - The historic setting of Varro Ville should be retained and conserved and remain able to be interpreted as part of the cultural landscape
  - Significant views and vistas to and from Varro Ville and the estate (including those to and from Bunbury Curran Hill, views to and from St Andrews Road and views to other historic properties including Macquarie Fields House and Robin Hood Farms) should be retained and conserved
-

- Significant landscape features including the dams, the former carriageway and remnant vineyard terracing should be retained and conserved
- Significant outbuildings should be retained and conserved
- The archaeological resource should be conserved. Works may be subject to approvals and should be undertaken in accordance with the recommendations of the required Historical Archaeological Assessment and any Aboriginal Archaeological or Heritage Assessments.”

As previously noted, the Varro Ville homestead site is listed on the State Heritage Register, but does not include any of the original outbuildings, etc. Council has on a number of occasions since the year 2000, requested the NSW Heritage Office to review the existing curtilage to include the outbuildings, but to date this has not occurred. Council staff understand that the Heritage Council has “resolved to investigate expansion of the State Heritage Register curtilage around Varro Ville to include the outbuildings located on the Varro Ville estate and to request Campbelltown City Council to consider the status of the outbuildings on the Varro Ville estate in relation to the Local Environmental Plan”. As has been made clear to the Heritage Council previously, it is not considered appropriate for Council to amend the curtilage of the Varro Ville homestead in draft Campbelltown Local Environmental Plan 2013, until the Heritage Council amends the curtilage on the Register.

### **Heritage – Aboriginal**

An Aboriginal Heritage Due Diligence Assessment has been prepared which identifies the recording of 8 Aboriginal sites within the subject land, and also identifies areas where Aboriginal objects are likely to occur. The assessment notes that an Aboriginal Archaeological Survey Report prepared in accordance with the NSW Office of Environment and Heritage Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales would be required at the development application stage. However, on advice from Council that the comments of the Aboriginal community would assist Council in its consideration of this planning proposal request, the consultants have undertaken the fieldwork for Stage 1 of the Aboriginal Survey Report in the company of a representative of the Cubbitch Barta Native Title Claimants Aboriginal Corporation (Ms Glenda Chalker).

Ms Chalker has not indicated any objection to the planning proposal request. However, Ms Chalker has advised that it would be appropriate “that the whole of the area should have a complete Aboriginal Heritage Assessment carried out now, not any time in the future as each stage is developed. This will give a much better picture of the whole area up front, instead of a little piece at a time.” It is therefore recognised whilst there is potential for significant Aboriginal cultural heritage on the subject site, more investigative work would need to be undertaken if Council decides to support this planning proposal request.

### **Servicing**

Initial investigations have indicated that the subject site can be serviced with water, sewer, electricity and telecommunications. However, further confirmation would be required prior to any public exhibition of this planning proposal, should Council deem it appropriate to proceed.

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### **Need for a cemetery**

Included in this request for a planning proposal is a Cemetery Demand Assessment prepared by the proponent's consultants Urbis, which concludes that there is a strong need for future cemetery space within the Macarthur Region. The request has identified a catchment area for the proposed cemetery as including the Campbelltown, Liverpool and Camden LGAs. The closest cemeteries to the subject site are the Forrest Lawn Cemetery (Camden), Camden General Cemetery, Liverpool General Cemetery, Liverpool Catholic Cemetery and the Kemps Creek Catholic Cemetery. There is no existing general cemetery within the Campbelltown LGA. The Cemetery Demand Assessment indicates that Sydney's cemeteries are expected to be at full capacity within the next 30 years, and that the Macarthur Region specifically will experience a growing demand for burial spaces and lack of accessible supply.

It is important to note that the Minister for Primary Industries announced significant reforms to cemetery management in NSW last year, which resulted in the public exhibition of an Exposure Draft of the Cemeteries and Crematoria Bill 2013, and subsequently the *Cemeteries and Crematoria Act 2013*. One of the main outcomes of the *Cemeteries and Crematoria Act 2013* is to ensure that sufficient land is acquired and/or allocated for cemetery and crematoria services. The *Cemeteries and Crematoria Act 2013* also provides for the establishment of the Cemeteries Agency (a NSW Government agency), which will be led by an independent Board with powers to address (amongst other things) "the pressing problem of diminishing cemetery space".

The Minister has also advised "that south-western Sydney will require a significant amount of new cemetery space in the medium to long term" and specifically with regard to this planning proposal request, the Minister has stated the following in correspondence to the proponent:

"I understand that the proposed cemetery at Varroville will yield approximately 100,000 interment sites and is expected to have a useful life exceeding 100 years. This would be an excellent outcome for the people of south-western Sydney and for the State generally".

### **Submissions**

Council has not invited any comments from the community or government agencies with regard to this planning proposal request. Nonetheless, Council has received the following submissions with regard to this matter:

#### **1. Carmel of Mary and Joseph, St Andrew Road, Varroville**

The Carmelite Nuns object to the development of a cemetery on the subject land because such a proposal "jeopardises the Scenic Hills because it makes the whole district vulnerable to further attempts to industrialise and or commercialise the area". The nuns also are concerned by the impacts on Varro Ville house and its surrounds.

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## **2. Mount Carmel Priory, St Andrews Road**

The Discalced Carmelite Friars community “affirms its desire that the integrity of the Scenic Hills be preserved for the people of Campbelltown” and supports “the provisions of the current zoning of the land as Environmental Protection – Scenic”. It is also “particularly concerned in regard to the impact of the proposed development on the resale value of Varroville House”.

## **3. Heritage Council – NSW Office of Environment & Heritage**

As stated previously, notwithstanding that Council has not invited submissions or comments on the planning proposal request, Council has received an individual submission by the Heritage Council/NSW Office of Environment and Heritage to notify that it does not support “the planning proposal for Macarthur Memorial Park.”

The Heritage Council has advised the following:

- “1. It has resolved to investigate expansion of the State Heritage Register curtilage around Varroville to include the outbuildings
2. It has resolved to request Council to consider the status of the outbuildings in relation to the Local Environmental Plan (LEP)
3. It does not believe that the proposed cemetery usage is compatible with the open space rural character of the Scenic Hills, and such usage contradicts the aims and objectives of the existing LEP and zoning of the land
4. Considers that the cemetery use constitutes “commercial premises” which are contrary to the objectives of the LEP and zoning of the land
5. Considers that the best conservation outcome for the landscape is the ongoing rural use of the site, and that the proposed concept design for a cemetery is incompatible with the predominantly rural character of the Scenic Hills and the subject land
6. Considers that “a statement of significance should be prepared for the Varroville Estate in its entirety to assist understanding and appropriate management of the place”
7. Considers that a number of documents should be prepared to inform decision making including a conservation management plan, historical archaeological assessment, structural assessment of the outbuildings, and identification of all significant views
8. On the basis of the above issues the Heritage Council does not support the planning proposal request.”

Attachment 5 provides a copy of all submissions.

Please note that if Council decides to support this planning proposal request and the Gateway Panel grants its approval, then Council would need to undertake full consultation with the community and relevant public authorities in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*. It is anticipated that this will be a lengthy process and may take up to twelve months to complete.

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### **Discussion and Evaluation (Assessment)**

Council over the years has had to deal with a number of development proposals that would have impacted upon the rural landscape character of the Scenic Hills. As noted above, the current planning provisions list a number of land uses that Council could be asked to consider (by means of determination of a development application) under Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) that would have potential to significantly impinge on the visual character of the area.

Effectively the only sure way to protect the Scenic Hills asset would be for it to be in public ownership for use by the community as passive open space. Unfortunately, that scenario is not an option for Council, as it would be financially prohibitive. Thus Council must use what powers it has to retain the landscape qualities of the Scenic Hills, for the benefit of the community, through planning controls.

This planning proposal request for a multi denominational cemetery recognises the objectives of the current zoning of the subject land, and has included a master plan which aims to address these objectives. The built structures (eg: chapels, condolence rooms and administration buildings) are proposed to be located at the base of the escarpment in a non-prominent location, and being in the escarpment area will need to be constructed of dark and low reflective materials. The burial areas are proposed to respond to the site by being integrated into the landform, eg: monumental graves would be concealed in landscaped screened rooms and placed furthest away from the main roads, and would be limited in height to a maximum of 1.5 metres. These types of constraints on the extent, location, scale and form of any future development on the land, can be addressed by the inclusion of special provisions as part of any amendment to the planning instrument applying to the land, should Council decide to support this proposal.

The following is an extract from the proponents master plan accompanying the planning proposal request which indicates how the objectives of the current zoning are proposed to be addressed:

- “Setting the land aside for perpetuity as an open space which retains and enhances the scenic environment. The proposal retains the existing landform and protected vegetation on it, whilst committing to improve the quality of both the Moist Shale Woodland and the Cumberland Plain Woodland over time
  - Retaining the land as a green belt, providing contrast to the urban areas of Campbelltown, Camden and Liverpool by providing a development which offers 93.9% green/vegetated areas and only 6.1% built/hard surfaces, most of which are access roads
  - Retaining views of and access to a green space by offering 37 hectares (33% of the site) of unimpeded passive recreation space which will benefit the community in perpetuity
  - Maintaining the land for the purpose of providing recreation that requires large areas of open space by offering a “park-like” site with 99.8% open space in perpetuity, ie only 0.2% for buildings on the site
  - Limiting development and retaining the native vegetation within the Escarpment Protection Area, by offering, within the protection zone, a proposal which removes only 2.6% of the native vegetation
-

- Providing enhanced additional vegetation solutions, within the Escarpment Protection Area. Any significant vegetation removal (however limited) has been assessed by our ecologist and will be replaced in the riparian zones, to ensure that overall, there is no loss of vegetation to the community
- Avoiding building within the Escarpment Protection Zone where possible (only one cluster of six small buildings and one concealed depot and a small welcome kiosk proposed in this zone), all of which represent only 0.2% of the total surface area
- Limiting the height of all buildings (whether in the Escarpment Protection zone or not) by setting them into the hillside, using non-reflective and transparent materials and keeping them within the prescribed 7.6m maximum height above ground level
- Ensuring stability of all slopes steeper than 1:6 on site. It should be noted that the site has many areas steeper than 1:6, all of which occur naturally on site. There are no plans to significantly disturb the existing slopes nor provide extensive cut and fill on site.

As the proposal is mostly landscaped, the majority of the development will be invisible from the Campbelltown urban areas. The main building facilities have been located at the northern end on a sloping part of the site in a way that they will largely blend into the existing landscape. As demonstrated by the sketch computer modelling, the roads and buildings are unlikely to be visible from the Hume Highway and the urban areas of Campbelltown beyond. The visual impact of the landscape and buildings on the Scenic Hills is therefore deemed to be nil."

It is recognised that if this planning proposal request were to proceed then the Varro Ville homestead would be surrounded by a cemetery. Whilst it is noted that the request acknowledges the significance of the homestead, it will still be imperative, if Council decides to support this proposal, to include provisions to ensure that the integrity of the historic Varro Ville homestead and its setting are protected. However, the planning proposal request aims to retain and conserve the historic outbuildings associated with the Varro Ville homestead, the original carriageway to the house, the historic vineyard terraces and historic dams. The request also includes a buffer area around the Varro Ville homestead, as defined on the staging plan, where further archaeological investigation will be undertaken prior to consideration of any future development within this area. It is considered that this buffer area could provide Council with the opportunity to ensure the ongoing integrity of the Varro Ville homestead and its immediate setting.

It is also noted that the Heritage Assessment included in the planning proposal request recommends the preparation of a conservation management plan and historic archaeological assessment for the subject site, structural assessment of the outbuildings and identification of all significant views. This recommendation is synonymous with the list of documents that the Heritage Council in its submission considered should be prepared to inform any "decision about land use, zoning and future change".

## **Conclusion**

It is considered that there is merit in this planning proposal request for the following reasons:

- The rural landscape character of the Scenic Hills can generally be maintained in conjunction with the development of a cemetery. The topography of the site would remain, and the views into and out of the site would not be compromised by obtrusive development to any noticeable degree
-

- The historic dams, the former carriageway and original outbuildings to the Varro Ville homestead and remnant vineyard terracing are proposed to be retained and conserved
- A heritage curtilage buffer is proposed around the Varro Ville homestead
- The subject land would be open to the public to benefit from the extensive vistas that it provides to both the Blue Mountains and the Sydney CBD, in a passive rural landscape setting
- The provision of a cemetery within the Macarthur Region would help to fulfil the need for new cemetery space in south-western Sydney as recognised by the State Government, and would also provide the local community with more accessible interment options
- The area of the subject land currently zoned 6(c) Open Space (Regional) would not be developed for burial or interment of ashes development.

If Council decides to support this planning proposal request, then it would be necessary for further technical documentation to be prepared, including, more detailed information with regard to issues relating to aboriginal heritage, non-indigenous heritage, traffic and transport, flora and fauna, and servicing (eg water, sewer, electricity, telecommunications) and any additional matters requested by the Department of Planning and Infrastructure's Gateway Panel.

Staff have prepared a draft planning proposal based on the information provided by the applicant and additional matters as deemed necessary, for Council's consideration for endorsement and subsequent lodgement with the Department of Planning and Infrastructure for determination by the Gateway Panel. Please see a copy of the draft planning proposal marked attachment 6.

Upon receipt of a draft planning proposal that has been endorsed by Council, the Department of Planning and Infrastructure's Gateway Panel will issue a determination which will specify whether the proposal should proceed, and if so under what circumstances. Generally, if the proposal is supported by the Panel then the determination will advise what studies will be required, which State or Commonwealth Public Authorities will need to be consulted, and the times within which the various stages of the procedure for the making of the proposed LEP amendment are to be completed. As such if the draft planning proposal is supported by both the Council and the Gateway Panel, then a further report would be prepared for Council's consideration, prior to the public exhibition of any planning documentation for this proposed LEP amendment.

### **Officer's Recommendation**

1. That Council endorse the draft planning proposal, generally in accordance with attachment 6, which aims to amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to permit the development of a cemetery on Lot B DP 370979, Lot 22 DP 564065 and Lot 1 DP 218016 St Andrews Road, Varroville, and lodge with the Department of Planning and Infrastructure for determination by the Gateway Panel.
  2. That Council advise the applicant of Council's decision.
-

**Committee Note:** Ms Kirkby, Mr Gibbs, Father Maunder and Sister Kramer addressed the Committee in objection to the proposal.

Mr McLeay and Mr Hoy addressed the Committee in support of the proposal.

**Committee's Recommendation: (Kolkman/Oates)**

That Council not support the planning proposal request to permit the development of a cemetery on Lot B DP 370979, Lot 22 DP 564065, and Lot 1 DP 218016 St Andrews Road, Varroville.

**CARRIED**

Voting for the Committee's Recommendation were Councillors: Greiss, Kolkman, Lound, Matheson, Oates, Rowell and Thompson.

Voting against the Committee's Recommendation: Mead.

**Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Committee's Recommendation be adopted.

**Council Resolution Minute Number 26**

That the Committee's Recommendation be adopted.

Voting for the Council Resolution were Councillors: Borg, Dobson, Glynn, Greiss, Hawker, Kolkman, Lound, Matheson, Oates, Rowell and Thompson.

Voting against the Council Resolution were Councillors: Lake and Mead.

**Note:** Councillor Brticevic was not in attendance at the meeting during debate and voting on this item.

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## **2.7 Coal Seam Gas Community Information Forums - Ministerial Response**

### **Reporting Officer**

Manager Sustainable City and Environment

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### **Attachments**

1. Council's letter to the NSW Premier regarding the Coal Seam Gas Community Information Forums – 29 August 2013 (contained within this report)
2. Response to Council's letter from the Minister for Planning and Infrastructure – 28 January 2014 (contained within this report)

### **Purpose**

To advise Council that the Minister for Planning and Infrastructure has responded to its letter regarding Council's Coal Seam Gas Community Information Forums, and to outline the main aspects of the response.

### **History**

Council at its meeting held 13 August 2013 considered a report on the outcomes of the Coal Seam Gas (CSG) Community Information Forums held in February 2013. A draft letter to the NSW Premier, outlining the issues raised at the forums, was attached for Council's consideration and endorsement. At this meeting Council resolved:

That Council endorse the draft letter to the NSW Premier, requesting the NSW Government consider the key issues raised at the coal seam gas community information forums in its deliberations on the Camden Gas Project and coal seam gas developments within or impacting on the Campbelltown Local Government Area.

On 29 August 2013 the endorsed letter was forwarded to the NSW Premier.

### **Report**

On 28 January 2014 Council received a response from the Minister for Planning and Infrastructure (see attachment 2).

The response acknowledges the issues raised at the forums and while it does not respond specifically to each issue, it outlines the initiatives being undertaken by the NSW Government to regulate and manage the mining and coal seam gas industries, including:

- appointing the Environment Protection Authority as the lead regulator of environmental and health effects of CSG activity
-

- prohibiting evaporation ponds and the use of BTEX chemicals (benzene, toluene, ethylbenzene and xylenes) in drilling and in fracking fluids
- establishing CSG exclusion zones, banning new coal seam gas activities, within two kilometres of existing residential areas
- establishing an Office of CSG to regulate non-environmental issues relating to CSG activity
- development of an Aquifer Interference Policy to afford protection to NSW's crucial water resources, including groundwater systems
- a review of existing CSG activities by the NSW Chief Scientist and Engineer, including impacts of these activities on water catchments
- increased and upfront land owner and community consultation through the development of community consultation guidelines and the establishment of a Land and Water Commissioner.

It should be noted that in January 2014 the Coal Seam Gas exclusion zones were expanded to cover future residential growth areas (including the South West Growth Centre), selected rural villages and critical industry clusters.

Further information about the regulatory and policy framework is available at:  
<http://www.nsw.gov.au/strategicregionallanduse>

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Thompson/Lound)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 23**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1



29 August 2013

The Hon. B O'Farrell  
Premier of NSW  
Level 40 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2001

Dear Premier

### **Coal Seam Gas Community Information Forums**

Council recently facilitated a series of coal seam gas community information forums for the Campbelltown community. The forums were designed to inform the local community on coal seam gas processes, planning issues and potential impacts on human health and the environment. The forums were attended by approximately 1000 people, including representatives from community groups and all levels of government.

At its meeting on 13 August 2013, Council considered a report regarding the outcomes of the forums. Following consideration of the report Council resolved to:

*'Request that the NSW Government consider the key issues raised at the coal seam gas community information forums in its deliberations on the Camden Gas Project and coal seam gas developments within or impacting on the Campbelltown LGA.'*

The key issues raised across the forum sessions by the local community have been identified as:

- inadequacy of baseline data and the risks of the project to the local environment
- the capacity for the local community to influence the decision of the Government in regard to the Camden Gas Stage 3 Project Application
- lack of and inadequacy of consultation by AGL with the community
- lateral subsurface drilling underneath urban areas and the reasons for the project being located within an urbanised area
- fugitive methane emissions associated with coal seam gas extraction activities
- the type and nature of chemicals being used as drilling additives and any hydraulic fracturing operations as well as associated risks of these activities to the local environment and well-being of the local community

- the regulatory environment for coal seam gas extraction activities and its adequacy in protecting the local community from potential impacts associated with the Camden Gas Project.

A copy of the questions and answers from each of the panel discussions is attached for your information. Council requests that the expressed concerns of the Campbelltown community be considered by the NSW Government particularly in regard to potential implications for existing and new urban release areas (such as Menangle Park and Gilead).

If you would like to discuss matters contained in this correspondence, please contact me on (02) 4645 4659.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Tosi', with a long horizontal flourish extending to the right.

Paul Tosi  
General Manager

## ATTACHMENT 2



**The Hon Brad Hazzard MP**  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on Infrastructure NSW

Mr Paul Tosi  
General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

13/18117

*Paul*  
Dear Mr Tosi

JAN28'14 08:00:23 RCVD

I refer to your letter concerning Council's coal seam gas community information forums and the AGL Camden Gas Project, and apologise for the delay in replying. I note the issues raised in the forum summary report enclosed with your letter. I understand that AGL suspended its application for Stage 3 of the Camden Gas Project so it could carry out further research and community consultation.

The NSW Government has established a suite of initiatives to address concerns regarding mining and CSG, many of which were raised during council's forums. These initiatives include the stringent regulation of the potential environmental and health impacts associated with CSG activities including:

- the Environment Protection Authority is now the lead regulator of environmental and health effects of CSG activity;
- an Office of CSG has been established to regulate non-environmental issues around CSG activity, such as occupational health and safety;
- evaporation ponds and the use of BTEX chemicals in fracturing fluids have been banned, and codes of practice have been developed for hydraulic fracturing and well integrity, following an independent expert review led by the NSW Chief Scientist and Engineer; and
- an Agricultural Impact Statement (AIS) is required at both the exploration and development application stages for CSG activities.

All new coal seam gas activity is now prohibited in and within two kilometres of all R1, R2, R3, R4 and RU5 zones across NSW as well as the Sydney North West and South West Growth Centres. A new Gateway process has been introduced in the Upper Hunter and New England North West regions to provide an independent, scientific and upfront assessment of how a coal mining or CSG proposal on strategic agricultural land will impact the agricultural values of the land. It will consider proposals at a very early stage, before a development application can be lodged.

A further amendment to the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (Mining SEPP) was on public exhibition from 4 October to 8 November 2013. This amendment proposes to extend the CSG exclusion zones to the equine and viticulture critical industry clusters in the Upper Hunter region, and to land in and within two kilometres of future residential growth areas and additional

rural villages. It also proposes a State wide map of biophysical strategic agricultural land which, when finalised, will mean the Gateway process applies to mining and coal seam gas proposals across NSW.

In addition, the Aquifer Interference Policy has been introduced State wide. This policy will protect the State's crucial water resources by setting minimal impact considerations against which the NSW Office of Water will assess the potential impacts of all proposals on the State's groundwater systems.

All existing CSG activity in the State will be reviewed by the NSW Chief Scientist and Engineer. The independent review will continue into 2014, and will include impacts on water catchments.

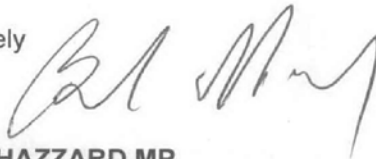
Finally, there will be greater emphasis on upfront consultation with landowners and communities. Community consultation guidelines have been developed to ensure communities are both aware of and consulted on new licence applications. A new Land and Water Commissioner has been appointed to restore community confidence in the processes governing exploration activities and to oversee land access agreements between landholders and miners.

All of the Strategic Regional Land Use Policy documents discussed above, as well as further information about the Land and Water Commissioner, Aquifer Interference Policy and CSG activities, can be found at the following website:

<http://www.nsw.gov.au/strategicregionallanduse>

Should you have any further enquiries about this matter, I have arranged for Mr Chris Wilson, Executive Director — Development Assessment Systems and Approvals, of the Department of Planning and Infrastructure, to assist. Mr Wilson can be contacted on 02 9228 6192.

Yours sincerely



**HON BRAD HAZZARD MP**  
**Minister**

24.1.14

## **2.8 Campbelltown Main Street Association**

### **Reporting Officer**

Director Planning and Environment

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### **Attachments**

1. A copy of the financial statements of the Campbelltown Main Street Association Inc. for the financial year ending 30 June 2013 (distributed under separate cover)
2. Responses to enquiries of other Councils and their involvement in Main Street activities (distributed under separate cover)

### **Purpose**

To provide Council with information relating to the operation of the Campbelltown Main Street Association Inc. and present options for Council's future involvement with the organisation.

### **History**

At its meeting on 15 October 2013 Council resolved:

1. That a report be prepared to assess the success of the Campbelltown Main Street Association with regard to:
    - Encouraging Campbelltown CBD businesses to be members of the Campbelltown Main Street Committee
    - Obtaining financial and in-kind support from business houses in the Campbelltown CBD to conduct promotions and marketing and other initiatives to assist business generation in the Campbelltown CBD
    - Applying for any available grant funding to support these initiatives
    - Involvement in any initiatives to attracting new business and grow existing business in the Campbelltown CBD
    - Working with Council, government agencies, the Campbelltown Chamber of Commerce, and other community organisations to promote the interests of the Campbelltown CBD
    - Provide information on the expenditure of membership funds, the expenditure of Council's contribution and expenditure of funds gained from any other revenue sources.
  2. That the report also provide for Council's consideration options for Council's future involvement with the Campbelltown Main Street Committee having regard to the existing and various other business models which currently exist between Councils and Main Street or like organisations elsewhere in the Sydney Metropolitan area.
-

## **Report**

### **Background**

The Campbelltown Main Street Association Inc. was established in or around 1993 and is understood to have been developed to support the continued viability of the Campbelltown CBD in the face of the retail growth of Macarthur Square regional shopping centre, located approximately one kilometre away from the Campbelltown CBD.

The original president of the Campbelltown Main Street Committee was local solicitor, Mr John Marsden. The current President of the Committee is Ms Elyse Whyte who is a current partner of Marsdens Law Group.

### **Main Street Committee Structure – Summary**

The Campbelltown Main Street Committee was incorporated as an association under the Associations Incorporation Act 1984 (as amended).

The Campbelltown Main Street Association has a fee paying membership and an elected Executive Committee.

The organisation currently has some 70 members that are business houses (the majority of which) located in the vicinity of Queen Street between Bradbury Avenue and Broughton Street.

There is also a small number of additional members which are listed as community representatives or Council representatives.

In previous years, Council has voted to be represented on the Campbelltown Main Street Executive Committee by two Councillors although in the current year (2013-2014) Council is solely represented by the Director of Environment and Planning, who also holds an office bearer position on the Executive Committee.

Each membership attracts a membership fee which is currently listed at \$50.00 per annum.

The Executive Committee comprises a number of positions as follows:

- President
- Vice President
- Treasurer
- Secretary
- Office Bearers

All of these positions are undertaken in a non–paid voluntary capacity.

The Committee conducts Annual General Meetings as per statutory requirements and the Association's financial statements are audited annually.

The Executive Committee meets bimonthly in the rooms of the Marsdens Law Group at Dumaresq Street in Campbelltown.

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The Campbelltown Main Street Association employs a part time Main Street Coordinator for 32 hours per week. The Coordinator operates out of an office located in Queen Street.

The only two sources of direct funding for the association are an annual contribution by Council and membership fees.

All salary and related costs, rent and outgoings in addition to events, marketing and promotional activities are met from these two sources. On a small number of occasions, members make a small additional financial contribution to attend special meetings where a meal is provided.

In addition to that provided above, a Main Street Ambassador (MSA) is separately employed by the Council to work primarily in the Campbelltown, Ingleburn and Glenfield CBD's. The MSA is employed to provide a link between the various business houses and Council in relation operational and non-operational issues that arise within the centres. Such issues include that of car parking, waste and litter removal and graffiti attack. A close working relationship exists between the MSA and the Campbelltown Main Street Coordinator (Coordinator).

#### **Response to Council Resolution 1 - Information Requested by Council**

**i. Encouraging Campbelltown CBD businesses to be members of the Campbelltown Main Street Committee**

Both the Coordinator and the President of the committee spend time with the assistance of other volunteers, undertaking activities geared towards enhancing the organisation's membership. These activities range from doorknocking new businesses, co-ordinating business networking events, conducting special 'introduce a member' functions such as the annual Christmas meeting, telephone follow ups and media interviews.

Additional volunteer support is provided by the members in promoting Main Street during times of which major events are held. These include the Fisher's Ghost Festival, Christmas and Easter promotions and the like.

These activities have helped increase membership from 40 to 70 members since 2011.

**ii. Obtaining financial and in-kind support from business houses in the Campbelltown CBD to conduct promotions and marketing and other initiatives to assist business generation in the Campbelltown CBD**

The business house membership fee for the Campbelltown Main Street Committee is \$50 per annum which was increased from \$25 in 2010. Business houses provide additional volunteer contributions throughout the year during particular events and promotions.

Income from members fees are used towards advertising and promotion, as well as the other operational costs of the Association.

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**iii. Applying for any available grant funding to support these initiatives**

No government funding is available for advertising or the promotion of business that the Main Street Coordinator is aware of. Recent contact has been made with the NSW Community Relations Commission to explore funding opportunities for special events that could be conducted by Campbelltown Main Street. These events include the hosting of seminars/training; multi-cultural forums, local festivals and events with a community focus.

**iv. Involvement in any initiatives to attract new business and grow existing business in the Campbelltown CBD**

The Campbelltown Main Street Association is involved in or initiates a number of promotional events from year to year. These events have a Campbelltown CBD focus and have two main objectives being:

- a. improving the trading prospects of existing businesses in the CBD
- b. enhancing the exposure of Campbelltown Business Centre and its attractiveness as a place to visit and shop, to a wider population.

These main objectives are aimed at promoting the image of the CBD and improving the vitality and community visitation to the Campbelltown Business Centre.

Events that the Campbelltown Main Street Association has been involved in over the last twelve months include:

- Festival of Fisher's Ghost
    - Street parade
    - Street fair
    - Shop window decorating competition
  - Christmas Celebrations
    - Campbelltown and Camden Band
    - Shop Window decorating competition
    - Santa on Queen Street promotion
  - Easter Celebrations
    - Shop Window decorating competition
    - Easter Baskets
  - Wizard of Oz on Queen Street
  - Welcome Spring promotion
  - Safety BBQ
  - Focus on Fraud Function in conjunction with Campbelltown Police
-



**v. Working with Council, Government Agencies, the Campbelltown Chamber of Commerce, and other community organisations to promote the interests of the Campbelltown CBD**

As part of its ongoing work to improve the Campbelltown CBD, the Main Street Association looks to achieve a wider involvement with other agencies and actively liaises with:

- Campbelltown Council (officers and Councillors)
- Local Member of Parliament
- Campbelltown Police Force
- Campbelltown Chamber of Commerce
- Community organisations including schools, Macarthur Diversity Services, Macarthur Disability Services

The Main Street Association could be seen as an independent conduit to government agencies, advocating on behalf of the CBD and its business houses over matters that include:

- Council - defects in footpaths, shopfront conditions including awnings in disrepair, traffic signage and management, drainage, waste storage, public health matters, busking, public nuisances and planning enquiries
- Police – crime, safety and intelligence

Through regular attendance at the Main Street Committee meetings by representatives of the Local Police Command, the Council and the Campbelltown Chamber of Commerce and Industry, stronger relationships and more effective lines of communication have developed in responding to a range of matters specific to each of the organisations.

**vi. Provide information on the expenditure of membership funds, the expenditure of Council's contribution and expenditure of funds gained from any other revenue sources**

Council's cash contribution to the Main Street Association is combined with income derived from membership fees. This forms the basis of the operating budget.

Primarily, the expenditure of funds is allocated to four main areas:

- coordinator's employment costs
- office space rent
- operational outgoings (utilities etc.)
- events
- promotional sponsorship
- marketing, advertising, printing etc. (Main Street and Business House Members)

A copy of the financial statements of the Campbelltown Main Street Association Inc. for the year ending 30 June 2013 is shown under attachment 1.

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### **Response to Council Resolution 2 - Options for Councils Future Involvement with the Main Street Associations**

There are a range of options available to the Council with respect to its future involvement with the Campbelltown Main Street Association. Each of those options is dependent upon Council determining whether it wishes to:

- continue to make a financial contribution to the Association
- expand or decrease its financial contribution
- have a greater and more formal role in the setting of operational and strategic business priorities for the Association
- be directly responsible for the conduct of the day to day business of the Association

In considering the above, regard should be given to:

- the capacity of the Main Street Association to continue without Council's support and the potential consequences of the Main Street Association being discontinued through a reduced level of available resources
- the comparative ability of nearby regional shopping centres to self-promote and the advantage that those centres have over a local CBD in terms of their natural potential to draw customers
- the unwritten value that Council's participation in the Main Street Association is worth in providing a level of confidence for the various business houses in the CBD and future investment in the CBD

In a wider and more strategic sense, it is unlikely at this stage to be sufficient business momentum and confidence (within the CBD) to generate additional membership income without the assistance of the Council.

However, should the transition of the old CBD precinct into a higher density living and a commercial 'hub' start to form within the next two-three years, Council could at that time consider options that may be available within increased development and could assist in funding the Campbelltown Mainstreet Association.

For the Councils information, attachment 2 provides a snap shot of responses from a number of the larger Councils within the wider Sydney area, in which it is revealed that various Main Street models (and none) exist, and that it would appear that not one model is the same.

Having regard to the above and the information within the attachments provided, it is suggested that the options before the Council in terms of its involvement with the Campbelltown Main Street Association are:

1. do not change current funding and administrative arrangements
  2. continue with the current funding and administrative arrangements for the short term (Council continues to be represented on the Executive Committee) and review the model again in one-two years, at which time consideration be given alternative sources of funding should higher levels of development proceed. This would require formal endorsement by Council at that time
-

3. reconsider the level of Council's involvement with the Campbelltown Main Street Association
4. take a more direct/formal role in the day to day running the Main Street Association as part of its normal operations

### **Officer's Recommendation**

That Council consider future involvement with the operation of the Campbelltown Main Street Association having regard to the options outlined within the body of the report.

### **Committee's Recommendation: (Kolkman/Oates)**

That Council continue to support the Campbelltown Main Street Association for the balance of this term of Council.

### **Amendment: (Rowell/Mead)**

That in considering the options outlined in the report, Council cease direct funding of the Campbelltown Main Street Association from the 2014-2015 financial year.

**WON** and became the Motion

**CARRIED**

### **Council Meeting 11 March 2014 (Greiss/Matheson)**

That in considering the options outlined in the report, Council cease direct funding of the Campbelltown Main Street Association from the 2014-2015 financial year.

### **Amendment: (Oates/Kolkman)**

That a decision in this matter be deferred and representatives from the Main Street Association be invited to attend and address a future briefing evening.

**LOST**

### **Council Resolution Minute Number 23**

That in considering the options outlined in the report, Council cease direct funding of the Campbelltown Main Street Association from the 2014-2015 financial year.

A **Division** was called in regard to the Resolution for Item 2.8 - Campbelltown Main Street with those voting for the Motion being Councillors Borg, Dobson, Greiss, Hawker, Lake, Matheson, Mead, Rowell and Thompson.

Voting against the Resolution were Councillors Bricevic, Glynn, Kolkman, Lound and Oates.

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### **3. DEVELOPMENT SERVICES**

#### **3.1 Development Services Section Statistics - January 2014**

##### **Reporting Officer**

Manager Development Services

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##### **Attachments**

Development Services application statistics for January 2014 (contained within this report)

##### **Purpose**

To advise Council of the status of development and other applications within the Development Services section.

##### **Report**

In accordance with Council's resolution of 23 August 2005, that Councillors be provided with regular information regarding the status of development applications, the attachment to this report provides details of key statistics for January 2014 as they affect the Development Services section.

##### **Officer's Recommendation**

That the information be noted.

##### **Committee's Recommendation: (Oates/Thompson)**

That the Officer's Recommendation be adopted.

##### **CARRIED**

##### **Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

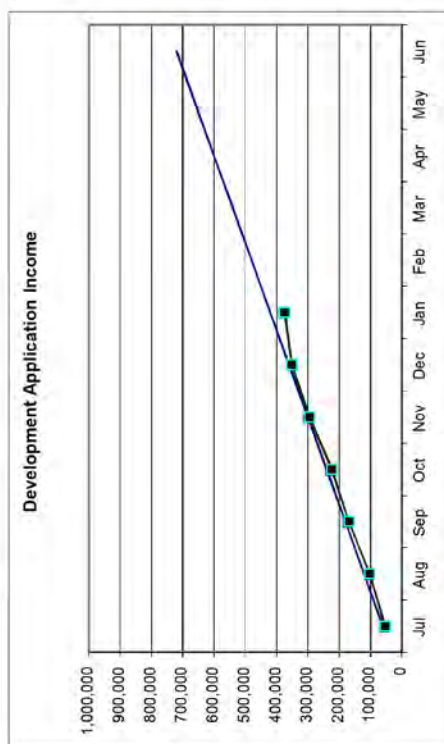
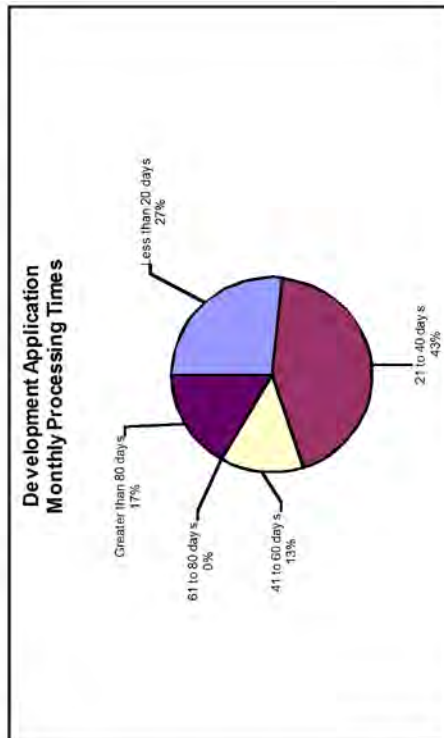
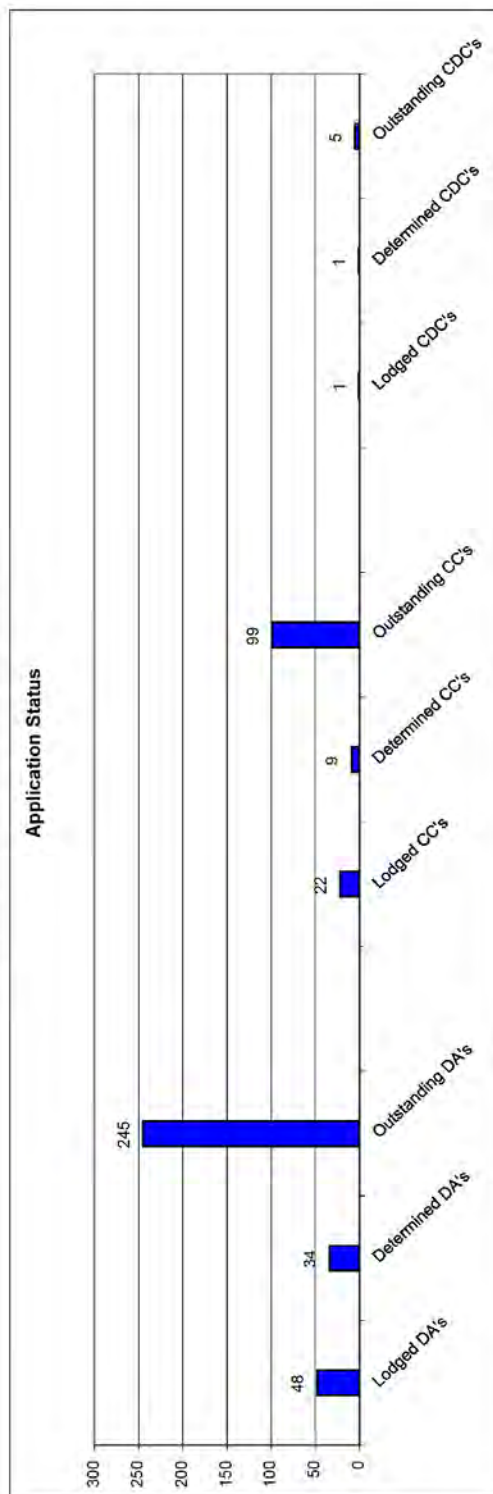
##### **Council Resolution Minute Number 23**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

DEVELOPMENT SERVICES SECTION  
 MONTH AT A GLANCE – January 2014



3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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**3.2 No. 19 Broadhurst Road, Ingleburn - Construction, fitout and use of a single tenancy industrial type building with mezzanine office area, car parking, fencing, earthworks and retaining walls**

**Reporting Officer**

Manager Development Services

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**Attachments**

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Site plan (contained within this report)
4. Elevations (contained within this report)
5. Landscape plan (contained within this report)

**Purpose**

To assist Council in its determination of the subject development application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

<b>Property Description</b>	Lot 205, DP 787308 – No. 19 Broadhurst Road, Ingleburn
<b>Application No.</b>	537/2013/DA-I
<b>Applicant</b>	Roblan Property Pty Ltd
<b>Owner</b>	Roblan Property Pty Ltd
<b>Provisions</b>	Campbelltown 2025 Looking Forward State Environmental Planning Policy (Infrastructure) 2007 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Campbelltown (Urban Area) Local Environmental Plan 2002 State Environmental Planning Policy No. 1 – Development Standards Campbelltown (Sustainable City) Development Control Plan 2009 Development Control Plan No. 87 – Public Notification and Public Exhibition Policy Campbelltown City Council Section 94A Development Contributions Plan
<b>Date Received</b>	15 March 2013

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### 3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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## Report

Development Consent is sought for the construction, fit out and use, of a single tenancy industrial type building, (a gross floor area of approximately 1,100m<sup>2</sup>), with associated office areas, car parking, fencing, earthworks and retaining walls.

The site is rectangular in shape and has a total site area of approximately 5,998m<sup>2</sup> and has a 13.2m wide transmission easement which runs along the rear portion of the site. The site adjoins the Main Southern Railway Line and other industrial lots.

The proposed tool and stamp making facility, involves the manufacturing, maintenance and warehousing, of metal stamping dies, moulds, springs, pressed metal punches and brushes, using a series of milling machines, cutters, grinders and saws. The application details that all equipment operate at noise levels of less than 85 dBA.

The proposed hours of operation are:

- Mondays to Sundays – 7:00am to 7:00pm

This development application is required to be reported to Council due to an objection to a development standard under Clause 37 – Setbacks within Industrial Areas, of Campbelltown (Urban Area) Local Environmental Plan 2002. An objection to a development standard, pursuant to State Environmental Planning Policy 1 – Development Standards, has been submitted with the application. Despite the fact that this type of development could be determined under delegated authority, the decision on whether to allow a variation to a development standard included in an environmental planning instrument can only be made by the full Council.

## 1. Vision

### Campbelltown 2025 Looking Forward

‘Campbelltown 2025 Looking Forward’ is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- responds to what Council understands people want the City of Campbelltown to look, feel and function like
- recognises likely future government policies and social and economic trends
- sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

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The strategic directions relevant to this application are:

- growing the Regional City
- building a distinctive Campbelltown sense of place
- creating employment and entrepreneurial opportunities.

The proposed development is generally consistent with these directions.

Some of the relevant desired outcomes of the strategic directions included in Campbelltown 2025 include:

- urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable
- an impression of architecture that engages its environmental context in a sustainable way
- development and land use that matches environmental capacity and capability.

The proposed development has been assessed giving regard to Campbelltown 2025 Looking Forward. It is considered that the Development Application is generally consistent with the Vision's desired outcomes when giving regard to the design and level of impact on adjoining development and the locality.

## **2. Planning Provisions**

The development has been assessed in accordance with the heads of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters the following issues have been identified for further consideration.

### **2.1 State Environmental Planning Policy (Infrastructure) 2007**

Pursuant to clause 85 and clause 86 of the State Environmental Planning Policy (Infrastructure) 2007, written notice of the application has been provided to RailCorp (rail authority for the adjacent rail corridor).

The reasons for the notification include the proximity of the development site to an electrified rail corridor, the proposed metal building materials to be used, and that the proposal involves the penetration of ground to a depth of at least 2 metres on land within 25 metres of a rail corridor.

RailCorp did respond to the Council referral and raised no object to the proposed development subject to the inclusion of specific conditions relating to drainage the environment and pollution. These have been included within the recommended conditions of consent at attachment 1.

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## **2.2 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment**

The proposal does not conflict with any of the relevant provisions of Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment, and is therefore considered acceptable in this regard.

## **2.3 Campbelltown (Urban Area) Local Environmental Plan 2002**

The subject site is zoned 4(a) General Industry under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002). The proposed warehouse type development is permissible within the zone and is considered to be consistent with the following objectives of the zone:

- (a) to encourage activities that will contribute to the economic and employment growth of the City of Campbelltown
- (b) to allow a range of industrial, storage and allied activities, together with ancillary uses, the opportunity to locate within the City of Campbelltown
- (c) to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

Consequently the proposal satisfies the provisions of clause 12 of LEP 2002 and Council can grant development consent should it deem appropriate to do so.

However, sub-clause 37(a) of LEP 2002, states that other than for development for the purposes of landscaping, access roads and/or off-street parking, development consent must not be granted for development on land within Zone 4(a) or 4(b), where the land is located within 30m of the Main Southern Railway Line.

The development application as lodged proposes to erect a building that has setback of only 19.39m from the Main Southern Railway Line and as such, does not comply with the 30m setback provisions of sub-clause 37(a) of LEP 2002.

The applicant acknowledges this non-compliance within the application and included a formal objection to the subject development standard pursuant to the relevant provisions of State Environmental Planning Policy No. 1 – Development Standards (SEPP 1).

In this regard, the applicant seeks Council's approval to vary the development standard on the grounds that complying with the standard, would be unreasonable in the circumstances of the case. The SEPP 1 variation is discussed in more detail below.

Further to the above, sub-clause 37(d) of LEP 2002, requires that development consent not be granted (other than in relation to the use of land for landscaping, for access roads and for off street parking), on any land within Zone 4(a) or 4(b) which is within 10 metres of any other road (i.e. Broadhurst Road). The proposed building is setback 18.645 metres from Broadhurst Road, thereby complying with the provisions of Sub-clause 37(d) of LEP 2002.

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## 2.4 State Environmental Planning Policy No. 1 – Development Standards

State Environmental Planning Policy No. 1 – Development Standards (SEPP 1) aims to provide flexibility in the application of planning controls operating by virtue of development standards, in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary.

SEPP 1 provides opportunities for objections to development standards to be considered outside the framework of the respective Environmental Planning Instrument standard, which in this instance, is the 30m minimum setback requirement to the Main Southern Railway Line specified under sub-clause 37(a) of LEP 2002.

As stated previously, the application was accompanied by a formal SEPP 1 objection (attached) seeking a variation to the 30m setback standard.

The objectives of SEPP 1 are to provide flexibility in the application of development standards, where strict compliance can be shown to be unreasonable or unnecessary in the circumstances, or would hinder the attainment of the objectives specified in Section 5 (a) (i) and (ii) of the *Environmental Planning and Assessment Act 1979*.

The relevant objectives of Section 5 of the *Environmental Planning and Assessment Act 1979*, are:

“(a) to encourage:

- (i) the proper management development and conservation of natural and man-made resources, including agricultural land, natural areas, forest, minerals, water cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment
- (ii) the promotion and co-ordination of the orderly and economic use and development of land”

When putting aside the non-compliance with the relevant setback standard, it is considered that the proposal is generally consistent with these objectives.

As stated, the subject application seeks a variation to the provisions of sub-clause 37(a) of LEP 2002, to allow the proposed building to encroach within the 30 metres Main Southern Railway Line setback. The proposed building is setback 19.39 metres from the Main Southern Railway Line, which equates to a variation to the relevant standard by approximately 10.6 metres or in other words, a variation of approximately 35% to the standard.

The accompanying objection to the development standard, lodged under the provisions of SEPP 1, seeks to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved, notwithstanding the non-compliance with the standard.

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The objection provided the following reasons:

- i. The proposed landscape screening across the rear of the building will ensure that the visual appearance of the building, when viewed from the Main Southern Railway corridor is acceptable
- ii. Despite the reduced rear building setback, the area at the rear of the site is not required for car parking or heavy vehicle manoeuvring
- iii. The proposed non-compliance does not result in any inconsistencies with the objectives of the zone in which the site is located, or the assumed objectives of the rear building setback development standard
- iv. The non-compliance does not directly result in any adverse environmental impacts in terms of the building being out of context with the prevailing bulk and scale of industrial development in the locality
- v. The proposal will provide a high quality industrial development that is sympathetic to and in keeping with the existing and desired future character of the area
- vi. The scale and nature of the non-compliance does not give rise to any matter of State or Regional significance, nor does it adversely affect the public interest
- vii. The style, scale and built form of the building and associated landscaping will reflect and complement the existing and likely future 'built environment' and desired character of the area
- viii. The landscape screening proposed across the rear of the building will soften the visual impact of the building when viewed from the Main Southern Railway corridor
- ix. The proposal will have a positive impact on the streetscape character of the locality
- x. The proposal is generally consistent with the aims and objectives of Campbelltown (Urban Area) Local Environmental Plan 2002
- xi. The proposal is generally consistent with the objects of the *Environmental Planning and Assessment Act 1979*, in particular, the orderly and economic use and development of land and ecological sustainable development.

In providing further support for the SEPP 1 objection, the proposal includes landscaping along the railway interface in order to reduce the chance of graffiti attack on the wall presenting to the railway corridor, and to reduce the visual impact of the proposed building when viewed from within the rail corridor.

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With respect to the question of what would be a satisfactory width of landscaping, advice from Council's horticultural officers has been provided that confirms that a minimum width of 5 metres would be required in order to ensure a sufficient depth and density of planting could be achieved.

Further to this and when giving regard to the known constraints of the land and specifically, the 13.2 metres wide transmission easement at the rear of the property, the proposed setback of 19.39 metres would still allow for 6.2 metres of landscaping in the case that the whole of the landscaped area was clear of the easement. In this regard, where the Council was of a mind to approve the application, it would be considered appropriate to require that the landscaping be kept clear of the easement so as not to impede access along the easement for the relevant authority. This point has been included in the recommended conditions of consent.

When considering such a variation, and on the grounds presented, the risk of setting a precedent must also be considered, as does the consequence of a precedent if one is set.

In this regard, it is noted that there are 11 undeveloped industrial allotments adjacent to the subject site (along Broadhurst Road) with similar attributes to that of the subject site, including the 13.2 metre wide transmission easement and a common boundary with the Main Southern Railway Line. Accordingly, it is brought to the Councils attention that should the above SEPP 1 objection be approved, it is likely (given the grounds on which this objection has been presented), that such an approval would be considered a precedent which in turn, would be likely to invite future development applications objecting to the same standard for the same reasons.

Notwithstanding this, it is considered possible that with well considered alternate controls, the objective of screening the hard surfaces of the industrial buildings and the softening the visual aspect from the rail corridor can be achieved, whilst allowing development within the 30 metre setback area.

Although it may be argued that some of the reasons provided as justification for the variation attempt to uphold the objectives of clause 37(a) of the LEP 2002, it may also be argued that the reasons provided are not be sufficient on their own to justify such a variation. Although this maybe the case, there are other matters that should be considered prior to the Council making a decision on whether to approve such a variation or not.

A discussion on these matters is provided later in this report.

## **2.5 Campbelltown (Sustainable City) Development Control Plan 2009**

The following compliance table details the assessment of the proposal in accordance with the relevant requirements of the Campbelltown (Sustainable City) Development Control Plan 2009.

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

Section	Control	Requirement	Proposed	Compliance
2.4 (b)	Rain Water Tanks	A 10,000L rain water tank shall be provided for all new buildings containing a roof area of between 1,001m <sup>2</sup> and 5,000m <sup>2</sup> .	The proposal includes two 5,000L aboveground rain water tanks.	Yes
2.5	Landscaping	Provision of a detailed landscape plan, which shall enhance the visual character of the development and complement the site, and enhance the existing indigenous flora and fauna characteristics of a site wherever possible.	The application has been accompanied by a detailed landscaped plan, which includes various indigenous plantings.	Yes. However, additional planting is required for the full width of the allotment for a minimum depth of 5.0m and clear of the transmission easement.
2.12 (1) (c)	Fencing	Commercial and industrial fencing shall be a maximum 2.4m in height.	The proposal includes 2.4m high front fencing and 2.1m high rear fence.	Yes
2.12 (1) (e)	Fencing	Fencing on corner allotments shall not obstruct the sight distance of traffic entering or within an intersection or roundabout.		NA
2.15	Waste Management	Provision of a detailed Waste Management Plan.	The proposal has been accompanied by a detailed Waste Management Plan.	Yes
6.3.1 (a) (i)	Building Design	Provision of vertical and / or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses.	The front contains vertical and horizontal variations.	Yes
6.3.1 (a) (ii)	Building Design	Articulate architectural details around doors, windows front facades, roofs and entrances.	The design is of a high quality / contemporary architectural design incorporating various elements of architectural interest.	Yes
6.3.1 (a) (iii)	Building Design	Articulate walls through the use of texture, colour, material changes, shadow lines and other facade treatments, at least every 15m.	The front facade is treated / varied at least every 15m.	Yes
6.3.1 (a) (iv)	Building Design	At least 50% of the total surface area of the front elevation to be constructed of masonry material.	Approximately 80%	Yes
6.3.1 (b)	Building Design	Buildings on corner allotments shall be designed to address both street frontages.		NA

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Section	Control	Requirement	Proposed	Compliance
6.3.1 (c)	Building Design	Buildings shall be predominantly single storey in height (excluding basements, mezzanines and offices).	The proposal is single storey in height.	Yes
6.3.1 (d)	Building Design	Mezzanines and / or offices shall not comprise more than 30% (combined) of the gross floor area of the building (or each unit in a complex).	Approximately 11%	Yes
6.3.1 (e)	Building Design	No building shall rely upon a required path of egress (as defined within the BCA) over adjoining private land.	Egress is provided directly to the adjacent Road Reserve.	Yes
6.3.1 (f)	Building Design	No building or structure shall be erected within a right of carriage way or easement.	The proposed layout has regard to the easement located on the site.	Yes
6.3.1 (g)	Building Design	A schedule of proposed colours, materials and finishes shall accompany all development applications for new industrial buildings.	The proposed finishes are of earthy tones and include elements of varied texture.	Yes
6.3.1 (h)	Building Design	The main entry to the building shall be easily identifiable from the street and directly accessible from the front of the building.	The main entry to the building is easily identifiable from the street and is directly accessible from the front of the building.	Yes
6.3.2 (a) (i)	Building Setbacks	30m from the Main Southern Railway Corridor.	19.39m	No Subject to decision of Council
6.3.2 (a) (iii)	Building Setbacks	10m from Broadhurst Road.	18.645m	Yes
6.3.2 (b)	Building Setbacks	Buildings adjoining residential zones shall be setback a minimum of 10m.		NA
6.3.3 (a)	Fences	Fencing in industrial developments shall be of recessive colours, palisade design, or plastic coated and framed chain wire with a maximum height of 2.4m, unless required as part of an acoustic solution.	The proposal includes 2.4m high, black powder coated, palisade style front fencing and 2.1m high, black powder coated, palisade style fencing to the rear.	Yes
6.4.1 (a)	Car Parking and Access	Off street parking and loading shall be designed in accordance with Australian Standard AS 2890.1 and 2	Parking and loading facilities have been designed in accordance with	Yes. Furthermore a condition has been included within the recommendation

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Section	Control	Requirement	Proposed	Compliance
		(as amended).	Australian Standard AS 2890.	requiring compliance with such.
6.4.1 (c)	Car Parking and Access	<ul style="list-style-type: none"> <li>a minimum of two spaces per unit, plus</li> <li>one space for every 100m<sup>2</sup> of leasable floor area for buildings up to 2,000m<sup>2</sup>, and</li> <li>one space per 35m<sup>2</sup> for any office area.</li> </ul> <p>Equating to 20 spaces</p>	20 spaces	Yes
6.4.1 (e)	Car Parking and Access	Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point movement to enter and exit the site in a forward direction.	The proposal provides for adequate onsite manoeuvring.	Yes
6.4.1 (f)	Car Parking and Access	No car parking spaces or manoeuvring areas shall occupy more than 50% of the required front setback area.	Car parking and manoeuvring areas occupy 50% of the required front setback area.	Yes
6.4.1 (g)	Car Parking and Access	No car parking spaces shall be designed in a stacked configuration.	None of the car parking spaces are of a stacked configuration.	Yes
6.4.1 (i)	Car Parking and Access	Each site shall have a maximum of one ingress and one egress for heavy vehicles (combined or separated). Though each site may have an additional ingress / egress for cars (and other light vehicles).	The proposed layout includes a driveway for ingress and a driveway egress purposes.	Yes
6.4.1 (j)	Car Parking and Access	A minimum of 10% of the required car parking spaces, including disabled spaces, shall be located within close proximity to the main pedestrian entry to the building.	In excess of 50% of the car parking spaces, including the disabled space, are located adjacent to the main entry to the building.	Yes. Furthermore, a condition has been included within the recommendation requiring the disabled space to be appropriately marked and maintained, at all times.
6.4.2 (a)	Loading and Unloading	Each industrial factory / unit shall be provided with a loading bay.	The proposed layout includes a loading bay within the building.	Yes
6.4.2 (b)	Loading and Unloading	Provision shall be made for all loading and unloading to	The proposal provides for	Yes

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Section	Control	Requirement	Proposed	Compliance
		take place wholly within the site.	adequate loading and unloading areas on the site.	
6.4.2 (c)	Loading and Unloading	No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways.	The proposed loading bay does not conflict with car parking or landscaped areas.	Yes
6.4.2 (d) (ii)	Loading and Unloading	Each industrial building having a leasable floor area of more than 1,500m <sup>2</sup> shall provide a loading area to allow for a heavy rigid vehicle to manoeuvre on site.	Manoeuvring areas are provided for heavy rigid vehicles.	Yes
6.4.3 (a)	Access for People with Disabilities	Industrial developments shall comply with the minimum access requirements contained within the BCA and Australian Standard 1428 – Design for Access and Mobility (as amended).	Consideration of the proposal indicates that the proposal has the potential to satisfy such requirements.	Yes. Furthermore a condition has been included within the recommendation requiring the provision of details (prior to the issuing of a Construction Certificate) demonstrating compliance with the relevant requirements of the BCA and AS 1428 – Design for Access and Mobility.
6.5 (a)	Landscaping	A detailed landscape plan and report shall be prepared by a suitably qualified person and submitted with all development applications for the construction of industrial buildings.	The application was accompanied by a detailed landscape plan.	Yes
6.5 (b) (i)	Landscaping	Landscaping shall be provided to a minimum of 50% of each required setback area located along the full width of each street frontage (other than vehicle driveways).	Landscaping has been dedicated to approximately 50% of the required front setback area.	Yes
6.5 (b) (ii)	Landscaping	Landscaping shall be provided to a minimum of 50% of each required setback area located along the full width of setbacks of sites adjoining open space, residential and / or commercial areas.		NA
6.7 (a)	Industrial	Industrial developments shall	The proposed layout	Yes



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Section	Control	Requirement	Proposed	Compliance
	Waste Management	make provision for an enclosed on site waste and recycling facility that has adequate storage area to accommodate the waste generated from the development.	makes suitable provision for the storage of waste within the building.	
6.10 (a)	Multi Unit Complexes	Each industrial unit proposed on land zoned 4(a) General Industry under Campbelltown (Urban Area) LEP 2002, shall have a minimum LFA of 400m <sup>2</sup> .	The building has a leasable floor area of approximately 1.430m <sup>2</sup> .	Yes

### 3. Planning Assessment

Notwithstanding the setback variation sought by the applicant, the proposed development is considered to be of a high quality design, in terms of its architectural form, and the type of materials and finishes used. Moreover, the overall design provides sufficient on-site manoeuvring and car parking facilities for future occupants.

The landscaping proposed for the street frontage and along the railway corridor interface will result in a softening of the hard edges of the building, as it will also help reduce the visual massing of the building. The added vegetation along the railway interface will also help protect against graffiti attack.

As previously outlined, should Council approve the SEPP 1 variation sought by the applicant, it is highly likely that the decision would be considered a precedent and future development applications seeking similar setback variances would be difficult to defend.

This would specifically apply to the existing vacant industrial allotments to the subject sites south (11 in total), as well as the developed allotments to the north of the subject site. It should be noted that the location of the buildings on each of the northern allotments comply with the 30 metre setback standard.

#### Background to clause 37

As background, the industrial setback controls stipulated under clause 37 of LEP 2002 came into force with the gazettal of the LEP in 2002.

Clause 37 of LEP 2002 (and in particular clause 37(a)) specifically stated the following:

Consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4 (a) or 4 (b) which is within:

- (a) 30 metres of the main southern railway line, the South Western Freeway, Ben Lomond Road between Pembroke Road and the Main Southern Railway Line, Campbelltown Road, Henderson Road, Pembroke Road, Rose Payten Drive or Williamson Road

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- (b) 15 metres of Airds Road (but in respect of Lot 2 DP 605327, the 15 metres is to be measured from the alignment of Airds Road as existing prior to the dedication of the road widening shown on DP 605327), Badgally Road, Ben Lomond Road between Campbelltown Road and the Main Southern Railway Line, Blaxland Road between Campbelltown Road and Rose Street, the south eastern side of Blaxland Road between Rose Street and Lot 5 DP 538258, Blaxland Road between Lot 5 DP 538258 and Narellan Road, Devon Road, Grange Road, Plough Inn Road between Campbelltown Road and Hollylea Road, Sussex Street or Swaffham Road
- (c) 8 metres of the north western side of Blaxland Road between Rose Street and Lot 5 DP 538258
- (d) 10 metres from any other road.

Part of clause 37(a) specifies that land within Zone 4 (a) or 4 (b) which is within 30 metres of the main southern railway line can only be used for landscaping, access roads and off street parking.

Although this standard is found within LEP 2002, it should be noted that the standard is also found within Part 7 of the Campbelltown (Sustainable City) Development Control Plan 2012 as a building setback control.

LEP 2002 does not explicitly outline the objectives of the setback standard, however, the objectives for setting back industrial buildings 30 metres from the railway line are generally:

- to provide spatial relief and visual interest for passing train passengers
- to enable the sections of properties adjacent to the railway line to be sufficiently landscaped
- protection of developments along the rail corridor from graffiti attack

Since the adoption of the industrial setback standards within the LEP 2002, there have been numerous requests from developers to vary the subject rail corridor control to enable the construction of buildings within the setback area in order to gain a greater return from their land.

Given that the subject standard is found within an Environmental Planning Instrument such as LEP 2002, variations to this standard requires a developer to make an objection pursuant to State Environmental Planning Policy 1 – Development Standards (SEPP1), outlining why compliance with the standards would be unreasonable or unnecessary.

Guidelines issued by the Department of Planning and Infrastructure specify that unless the variation is less than 10% of the standard (in this case it is approximately 35%), an application that proposes to vary the setback standard using a SEPP 1 objection is required to be determined by the full Council and not under delegated authority.

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#### **Reason for Change**

Given the number of requests and reasons behind these requests, it may be reasonable to consider permanently varying the standard. It is often argued that by not allowing the development of land within 30 metres of the main southern railway line, valuable land is effectively sterilised, thereby reducing the full economic and employment potential of these properties. For example, on a typical industrial property with a depth of 80 metres, the subject setback control can result in up to 38% of the property being constrained and unable to be used for economic development and employment purposes.

This figure can also increase when required setbacks from roads are taken into consideration. These setback standards can and do ultimately conflict with the overarching objectives of the zone and that of delivering useful employment lands and lands that can be (but for a setback standard) developed to their full potential.

This raises the question of what Council can do to further stimulate development of industrial lands, while at the same time upholding the intent of the 30 metre setback standard when it was made. In this regard it is considered that with appropriate alternate controls, it is possible to still uphold the objective behind the setback standard and achieve a development outcome that improves the economic and employment potential of the city.

In a typical industrial development (including those directly adjoining the railway line) the car parking would normally be located at the front of the property, and as close as possible to the street. This enables the efficient movement of vehicles into and out of the property and reduces the extent of hardstand areas required to be constructed. Landscaping is typically located in front of the car parking area(s) to soften the development's visual impact. Unless the development site has an irregular shape, there is no compelling reason to locate landscaping, access roads and off street parking within the rear portion of the site adjacent to the railway line (as developers are encouraged to do under clause 37 of LEP 2002).

A review of industrial developments located along the rail corridor has found that most have their car parking areas and landscaping at the front of the property. The rear of these properties is often used for the storage of equipment, machinery and stock (often contrary to the approved configuration of the site), and these storage areas are highly visible from the rail corridor, which again is contrary to one of the objectives of the standard, being to provide visual interest for train passengers.

The tendency for businesses to use the 30 metre setback area for storage is understandable, given that in the case of allotments adjacent to the rail corridor, such a large portion of the site is unable to contain a building. Of course there are many who see these large setback areas as "wasted valuable space". Whilst the setback standard within LEP 2002 envisages a landscaped corridor along the railway line, in reality this has not transpired, as there is no standard within the LEP 2002 or Development Control Plans that requires the area between industrial buildings and the railway corridor to be landscaped. This is a matter that could be addressed through a general variation to the setback standards along the rail corridor in addition to the requirement for the planting of a densely vegetated screen of a specified width between the rail corridor and the building.

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#### **Vision - Campbelltown 2025 - Looking Forward**

'Campbelltown 2025 Looking Forward' is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- Responds to what Council understands people want the City of Campbelltown to look, feel and function like
- Recognises likely future government policies and social and economic trends
- Sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

The strategic directions relevant to this matter are:

- Growing the Regional City
- Creating education, employment and entrepreneurial opportunities

It is arguable that clause 37 in its current form, in so far as it relates to setbacks from the main southern railway line, does not to the fullest of extent compliment these strategic directions. Such deep setback requirements result in the sterilisation of a significant amount of useable industrial land, and a subsequent reduction in the development potential of several industrial properties. As a result, the potential for industrial properties adjacent to the railway line to provide employment and entrepreneurial opportunities is reduced. This in turn has an influence on Campbelltown's growth as a Regional City.

#### **Standard Instrument Local Environmental Plan**

Council is currently preparing a draft Local Environmental Plan that will conform to the Standard Instrument LEP template. The setback controls of clause 37 of the LEP 2002 are not intended to be transferred to the new LEP, as advice from the NSW Department of Planning and Infrastructure has been received to the effect that it is more appropriate to include non-core standards such as setbacks in Development Control Plans rather than Local Environmental Plans. As such, it is expected that once Council's new LEP is adopted and the current LEP is repealed, the railway setback standard in question will not be a 'development standard' within the meaning of the *Environmental Planning and Assessment Act 1979*. This means that following the making of the new LEP, a SEPP 1 objection will not be required to accompany an application that seeks to vary the same standard.

Given this, any assessment and consideration of the proximity of development to the rail corridor (after the making of the LEP) will be subject to some flexibility as DCPs (although generally enforceable) are now considered to have the weight of a guide. In addition, applications that seek to vary the standard will not be required to be reported to the full Council for determination. Hence, the future ability to strictly enforce such a setback standard will be limited, if not lost.

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#### **Complying Development**

On 22 February 2014, further amendments to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 came into force. These amendments have the effect of allowing private certifiers to issue approvals (Complying Development Certificates) for new industrial and warehouse buildings, subject to compliance with a set of standards outlined in the SEPP.

One of the standards that new industrial and warehouse buildings must comply with relates to building setbacks from a railway corridor. The relevant standard in this regard states:

*“If the development is carried out on a lot that has a boundary with a railway corridor, the new building or addition and any ancillary development must be located at least 3 metres from that boundary”*

This means that subject to the proposed building complying with all of the standards outlined in the Codes SEPP, developers will be able to obtain approval from a private certifier to construct a new industrial building within 3.0 metres of the main southern railway line, without Council's involvement and without having to give consideration to any development standards within Council's Local Environmental Plan.

However, it must be remembered that not all industrial building proposals will be able satisfy the requirements of the Codes SEPP, and therefore will not be able to be assessed/approved under the rules of the Codes SEPP. In these cases, a Development Application will be required to be lodged with the Council where the proposal will need to satisfy Council's relevant controls which would include any railway setback standard set by the Council.

#### **A New Approach**

Whilst the main objective of the 30 metre setback standard is considered sound and reasonable, the practical implications of its strict implementation is often seen as overly restrictive and a constraint to further high quality development along the corridor. In view of the economic argument in favour of allowing more of the industrial land to be built upon, it is considered that the objectives of the setback standard can still be upheld where the rail corridor setback standard was reduced and a greater focus placed on the landscaping/screening of the setback area.

In this regard, it is considered that a 5 metre building setback from the railway corridor would provide adequate area for the planting of a dense vegetative screen between the building and the corridor so as to ensure visual relief for train passengers and limit opportunities for graffiti attack on the wall of the building (or internal fence as the case may be). In order to allow flexibility in how these setback areas are to be landscaped, it is considered appropriate that the overarching objective of the setback standard be retained and that for all industrial development along the rail corridor, the approval would be subject to the development proposal providing a substantial landscaped screen of a width of 5 metres and mature height that adequately screens the adjacent building from the rail corridor. Accordingly, in lieu of the current 30 metre setback standard, it is considered that to enable further development of the lands along the rail corridor, Council could allow a general variation to the standard and implement the following as an alternative:

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Buildings/structures/uses of land within the 4(a) and 4(b) zones shall be located a minimum of 5 metres from the Main Southern Railway Corridor. A vegetated screen/landscape area of a width of 5 metres is to be constructed for the full width of the property between the rail corridor boundary and the building. Where the site is constrained by way of easement or other restriction along the rail corridor boundary, the 5 metre wide landscaped area is to be constructed clear of the easement or restriction. The vegetated screen shall be densely landscaped with trees and plants selected from the Campbelltown Native Gardening Guide. Landscaping shall be designed to provide a vegetative screen of sufficiently mature density that results in the satisfactory screening of the development from the railway corridor. If in the opinion of Council the proposed landscaping is insufficient, the provisions of Clause 37 of the LEP 2002 will continue to apply.

Where the standard above was adopted as part of a general variation to clause 37 (i.e. in the case that the variation was to be applied indiscriminately to all future applications), an applicant would still be required to submit a SEPP 1 objection to the standard where the proposed building setback was less than 30 metres from the railway line. However, in the case that an exemption was obtained from the Director General Planning and Infrastructure, such an application could be dealt with more expediently under delegated authority, rather than being reported to the full Council.

#### **Implementation**

In November 2008, NSW Planning Circular PS 08-14 advised Councils that all development applications with SEPP 1 objections seeking variations greater than 10% must be reported to Council for determination. It is understood that a small number of Councils have obtained limited and specific exemptions to this requirement and that these exemptions were obtained by making a written application to the Department of Planning and Infrastructure.

These limited exemptions relate to a specific development type and specific development standard. In addition, as part of the limited exemption, these Councils are required to review these specific development types and associated specific development standards as part of the preparation of their new Standard Instrument LEP. These limited exemptions have only been supported in cases where there has been a clear and demonstrated need for and benefit from an exemption.

If Council was to form the view that a permanent variation to clause 37 (a) of the LEP 2002 is appropriate, it would be considered prudent to also seek a general exemption from the 10% rule (for this matter only) from the Department of Planning and Infrastructure. The exemption would allow Council officers to approve (where appropriate) industrial buildings with setbacks to the railway line of less than 30 metres, without the need for each development application having to be reported to the full Council for determination.

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### **Public Participation where Council vary a standard**

Given that the proposed changes being discussed would not constitute an amendment to an Environmental Planning Instrument or Development Control Plan, but rather a general variation to a control, it is not considered necessary to publicly exhibit the variation.

Notwithstanding this, Council has an obligation to notify all SEPP 1 objections that have been approved by the Council. This is already a process that is carried out by Council staff. A SEPP 1 register is held on Council's web site which shows all previous SEPP 1 approvals granted over the past few years.

### **3.1 Campbelltown City Council Section 94A Development Contributions Plan**

Development contributions are applicable the subject development in accordance with the relevant provisions of the Campbelltown City Council Section 94A Development Contributions Plan and accordingly, a condition has been included within the recommended draft conditions of consent at attachment 1.

### **3.2 Consultation**

The application was referred to Council's Development Engineer and Council's Building Certification Unit, for comment. No objections were raised, subject to the inclusion of conditions, which have been included within the recommendation.

## **4. Public Participation**

In accordance with the requirements of Campbelltown Development Control Plan No. 87, the development application was not required to be notified.

## **5. Conclusion**

Apart from the variation to the rear setback, the proposal generally complies with the relevant planning provisions and overall, is considered to be a satisfactory development response for the subject land.

When having regard to the proposed position of the building and its physical proximity to the railway line, it is considered that the building is still well placed and should not overbear the railway line.

Having regard to the applicants request for a variation to the 30 metre setback standard, despite the arguable lack of justification provided by the applicant in support of the variation sought, it is considered that at a more general policy level, preventing the construction of buildings within 30 metres of the main southern railway line effectively sterilises a large amount of valuable industrial employment-generating land that would otherwise provide benefit to the Campbelltown area. Although the objective behind the 30 metre setback standard is considered sound and reasonable, it is considered that when having regard to all matters (including sterilisation of land), the standard does not result in the most effective outcomes.

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In this regard, it is considered that a 5 metre setback from the railway line would be a more appropriate standard in that the reduced setback will enable land holders to use their land more effectively, as would the 5 metre setback provide sufficient width to cater for a dense landscaped screen between the rail corridor and the development.

Further to this, as the setback controls of clause 37 are not intended to be transferred to the future Standard Instrument Local Environmental Plan, any future numerical standard stipulating a setback from the railway line will be articulated within Council's future Development Control Plans (DCP). Accordingly, as all DCPs are now considered guides, Council's power to enforce such a standard will be less than that currently available to it under the LEP 2002. In addition and despite Council's controls, recently adopted amendments to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 will allow new industrial and warehouse buildings to be constructed within 3 metres of boundaries with railway lines.

Having regard to the above, it is recommended that the Council approve the general variation to the rail corridor setback standard within clause 37(a) of LEP 2002 and approve the SEPP 1 objection provided in support of the subject development application, utilising its 'Assumed Concurrence' power delegated by the Director General Planning and Infrastructure, and approve the development application subject to the draft conditions at attachment 1 of this report.

### **Officer's Recommendation**

1. That Council approve a permanent variation to Clause 37(a) of Campbelltown (Urban Area) Local Environmental Plan 2002, reducing the minimum setback for buildings within the 4(a) and 4(b) zones from any property boundary shared with the main southern railway line from 30 metres to a minimum of 5 metres.
  2. That subject to the approval of recommendation one, a suitably dense vegetative buffer of a height and density to Council's satisfaction, with a width of 5 metres and for the full length of the property's common boundary with the rail corridor, be provided between the boundary of the rail corridor and the development of all allotments seeking the above variation.
  3. That subject to the approval of recommendation one, all vegetative buffers be constructed clear of any existing easement or right of carriageway, and that the building setback be designed to accommodate the cumulative width of the easement and vegetative buffer.
  4. That subject to the approval of recommendation one, the Council approve Development Application No. 537/2013/DA-I, for the construction, fit out and use, of a single tenancy industrial building, with mezzanine office area, car parking, fencing, earthworks and retaining walls, at No. 19 Broadhurst Road, Ingleburn, subject to the draft conditions within Attachment No. 1.
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5. That the option to rely upon and enforce the existing provisions of Clause 37(a) of Campbelltown (Urban Area) Local Environmental Plan 2002 be retained.
6. That subject to the approval of recommendation one, Council write to the Director General Planning and Infrastructure advising of Council's resolution.
7. That subject to the approval of recommendation one, Council write to the Director General Planning and Infrastructure seeking a general exemption from the requirement for the full Council to determine future SEPP 1 objections to the 30 metre rail corridor setback standard (Clause 37(a)) where the variation sought exceeds 10% of the standard.
8. That any approved general variation to Clause 37(a) of Campbelltown (Urban Area) Local Environmental Plan 2002 be incorporated into future editions of Council's Sustainable City Development Control Plan.
9. That subject to the approval of recommendation one, Council write to all owners of industrial lands adjacent to the main southern rail line advising them of the resolution of Council.

**Committee's Recommendation: (Kolkman/Thompson)**

That the Officer's Recommendation be adopted.

**CARRIED**

Voting for the Committee's Recommendation were Councillors: Greiss, Kolkman, Lound, Matheson, Mead, Oates, Rowell and Thompson.

Voting against the Committee's Recommendation: nil

**Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 27**

That the Officer's Recommendation be adopted.

Voting for the Council Resolution were Councillors: Borg, Dobson, Glynn, Greiss, Hawker, Kolkman, Lake, Lound, Matheson, Mead, Oates, Rowell and Thompson.

Voting against the Council Resolution: nil.

**Note:** Councillor Brticevic was not in attendance at the meeting during debate and voting on this item.

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## **ATTACHMENT 1**

### **Recommended Conditions of Consent**

#### **GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

#### **1. Approved Development**

The development shall be carried out in accordance with the approved plans prepared by POD Building Design, listed below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Drawing No.	Date Received by Council
612A-1 (Amendment: A)	17 September 2013
612A-2 (Amendment: B)	16 January 2014
612A-3 (Amendment: A)	17 September 2013
612A-4 (Amendment: B)	16 January 2014
612A-5 (Amendment: B)	16 January 2014
612A-6 (Amendment: B)	16 January 2014
612A-7 (Amendment: B)	16 January 2014
612A-11 (Amendment: A)	17 September 2013

#### **2. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. The applicant shall obtain a construction certificate for the particular works
- b. The applicant shall appoint a principal certifying authority
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

#### **3. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia. In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

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#### **4. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

#### **5. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

#### **6. Landscaping**

- a. The provision and maintenance of landscaping shall be generally in accordance with the approved landscape plan, prepared by Greenplan, submitted to Council on 17 September 2013, including the engagement of a suitably qualified landscape consultant / contractor for landscaping works. All landscaping along the rail corridor shall extend for the full width/length of the rail corridor interface.
  - b. All plants shall be vigorous and well established, free from disease and pests, of good form, consistent with species or variety, hardened off, not soft or forced, with large healthy root systems with no evidence of root curl, restriction or damage.
  - c. All trees are to be staked and tied with a minimum of three hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.
  - d. Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths and driveways.
  - e. Minimum 75mm depth of organic mulch shall be placed within an area 500mm radius from the base of each tree. Mulch shall be free from deleterious and extraneous matter, including soil, weeds, rocks, twigs and the like and shall be placed so that it is not in contact with the stem of the plant.
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- f. A suitable mix of plant species (trees and shrubs) shall be provided along the rail corridor screen to ensure that the built works are satisfactorily screened from the view of people within the adjacent rail corridor.
- g. All approved landscaping shall be maintained by the owner/operator of the site so as to maintain compliance with this consent at all times.

**7. Engineering Design Works**

The design of all engineering works shall be carried out in accordance with the requirements set out in the Campbelltown (Sustainable City) DCP - Volumes 1 and 3.

**8. RailCorp – Drainage**

Given the development sites' location next to the rail corridor, drainage from the development must be adequately disposed of / managed and not allowed to be discharge into the corridor, unless prior approval has been obtained from RailCorp.

**9. RailCorp – Environment**

During all stages of the development, environmental legislation and regulations will be complied with.

**10. RailCorp – Environmental Harm**

During all stages of the development, extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

**11. RailCorp – Pollution**

During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

**12. Driveway**

The gradients of driveways and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 and AS 2890.2 (as amended).

The driveway area shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

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**13. Car Parking Spaces**

25 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890 (as amended).

**14. Lighting**

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of Australian Standard 4282 (as amended) so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

**15. Rain Water Tank(s)**

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

**16. Security Fencing**

All security fencing shall be established behind the required landscape areas and not on the road alignments. No barbed wire style fencing is to be erected in a location that can be seen from a public place.

**17. Operating Hours**

The use of the premises shall be limited to:

Monday to Friday	7.00am - 6.00pm
Saturday	8.00am - 1.00pm
Sunday	closed

**18. Emissions**

The use of the premises shall comply at all times with the requirements of the *Protection of the Environment Operations Act 1997*.

**19. Noise and Vibration**

In the event of a noise or vibration problem arising, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

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**20. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

**21. Storage of Goods**

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

**22. Rubbish / Recycling Storage**

Rubbish and recycling, and associated bins shall be stored within the building at all times.

**23. Retail Sales**

The direct retail sale of goods from the premises is prohibited.

**24. Graffiti Removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

**25. Advertising Signs – Separate DA Required**

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

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## **26. Utility Servicing Provisions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

## **27. Sydney Water Stamped Plans**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

## **28. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

## **29. Waste Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, the relevant provisions of Council's Waste Management Plan is to be completed to the satisfaction of Council.

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**30. Geotechnical Report**

Prior to Council or an accredited certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

**31. Soil and Water Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

**32. Stormwater Management Plan (Development)**

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to the existing pit located within the front boundary of the site connecting to the piped drainage system in Broadhurst Road. All proposals shall comply with the requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3.

**33. Certification of Retaining Structures**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall engage a suitably qualified structural engineer to design the proposed retaining walls. A report detailing the construction requirements shall identify all measures necessary to construct the retaining walls.

Upon completion of construction and prior to the principal certifying authority issuing an occupation certificate, the retaining wall shall be certified by a structural engineer that the structures have been constructed in accordance with the design, and a copy of all documents shall be submitted to Council for its records.

**34. Dilapidation Report**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all buildings on lands that adjoin the subject works.

**35. Work on Public Land**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

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**36. Work outside the Site Boundary**

Prior to Council or an accredited certifier issuing a construction certificate, engineering plans for any work outside the site boundary to be submitted to Council for approval. All works shall comply with Council's Campbelltown (Sustainable City) DCP 2009 volume 2 and shall be inspected by Council at all stages of construction.

A compliance certificate for the work shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

Council assessment and inspection fees, apply to the above requirements.

**37. Design for Access and Mobility**

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

**38. RailCorp – Electrolysis Risk Report**

Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

**39. Section 94A Developer Contribution - Community Facilities and Services**

Prior to Council or an accredited certifier issuing a Complying Development Certificate or a Construction Certificate (or where a Construction Certificate is not required, a Subdivision Certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the Campbelltown City Council Section 94A Development Contributions Plan.

For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is greater than \$100,000 but less than \$500,000, provide a Cost Summary Report by a person who, in the opinion of the Council, is suitably qualified to provide a Cost Summary Report (Cost Summary Report Template 1). All Cost Summaries will be subject to indexation on a quarterly basis relative to the Consumer Price Index - All Groups (Sydney) where the contribution amount will be based on the indexed value of the development applicable at the time of payment; or
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- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the Consumer Price Index All Group Index Number for Sydney have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under "Developer Contributions" on Council's web site ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)) or can be collected from Council's Planning and Environment Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

**Note:** This condition is only applicable where the total development value exceeds \$100,000.

## **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

### **40. Erosion and Sediment Control**

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

### **41. Erection of Construction Sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
  - b. Stating that unauthorised entry to the work site is prohibited; and
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- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- d. Stating the approved construction hours in which all works can occur.
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**42. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

**43. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

**44. Vehicular Access during Construction**

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

**45. Public Property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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**46. Footpath and Vehicular Crossing Levels**

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

**47. Hoarding / Fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the *Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

**48. RailCorp – Fencing**

Prior to the commencement of works, appropriate fencing shall be installed along the rail corridor to prevent unauthorised access to the rail corridor. Details of the type of fencing and the method of erection are to be to RailCorp's satisfaction, prior to the fencing work being undertaken. RailCorp may provide supervision, at the developer's cost, for the erection of the new fencing.

**DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

**49. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 4.00pm
Sunday and public holidays	No Work.

**50. Erosion and Sediment Control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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**Note:** On the spot penalties up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.

**51. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

**52. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook). Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

**53. Excess Material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

**54. Earth Works/Filling Works**

All earthworks, including stripping, filling, and compaction shall be:

- a. Undertaken in accordance with Council's 'Specification for Construction of Subdivisional Roads and Drainage Works' (as amended), AS 3798 'Guidelines for Earthworks for Commercial and Residential Development' (as amended), and approved construction drawings;
  - b. Supervised, monitored, inspected, tested and reported in accordance with AS 3798 Appendix B 2(a) Level 1 and Appendix C by a NATA registered laboratory appointed by the applicant. Two collated copies of the report and fill plan shall be forwarded to Council; and
  - c. Certified by the laboratory upon completion as complying, so far as it has been able to determine, with Council's specification and AS 3798.
-

3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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**55. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with Australian Standard AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

**56. Compliance with Council Specification**

All design and construction work shall be in accordance with:

- a. Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Council's Campbelltown (Sustainable City) DCP - Volumes 1 and 3;
- c. Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian Standards and State Government publications.

**57. Footpath**

The footpath adjoining the subject land shall be regraded, topsoiled and turfed in accordance with levels to be obtained from Council. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to existing footpath levels.

**58. Industrial / Commercial Driveway and Layback Crossing**

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's Industrial/Commercial Vehicle Crossing Specification and Campbelltown (Sustainable City) DCP - Volumes 1 and 3.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

**59. Associated Works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

**60. Completion of Construction Works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

#### **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

**Note:** For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

##### **61. Section 73 Certificate**

Prior to the principal certifying authority issuing an occupation certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

##### **62. Completion of External Works Onsite**

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

##### **63. Final Inspection – Works as Executed Plans**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council two copies of a work as executed plan certified by a qualified surveyor, which is in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and the requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3 (as amended).

##### **64. Restoration of Public Roads**

Prior to the principal certifying authority issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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## **65. Public Utilities**

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

## **66. Council Fees and Charges**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

## **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979*, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

### **Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The *Environmental Planning and Assessment Act 1979* requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

### **Advice 2. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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A tree is defined as a perennial plant with self-supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *Noxious Weeds Act* (NSW).

**Advice 3. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the Building Code of Australia (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

**Advice 4. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

**Advice 5. Inspections – Civil Works**

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
  - i. Direction/confirmation of required measures.
  - ii. After installation and prior to commencement of earthworks.
  - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- d. FINAL INSPECTION – All outstanding work.

**Advice 6. Salinity**

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Campbelltown (Sustainable City) DCP - Volumes 1 and 3.

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

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**Advice 7. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

**Advice 8. Smoke Free Environment Act**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the Smoke Free Environment Regulations 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

**Advice 9. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

**Advice 10. Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995* (Cth) and is liable for prosecution.

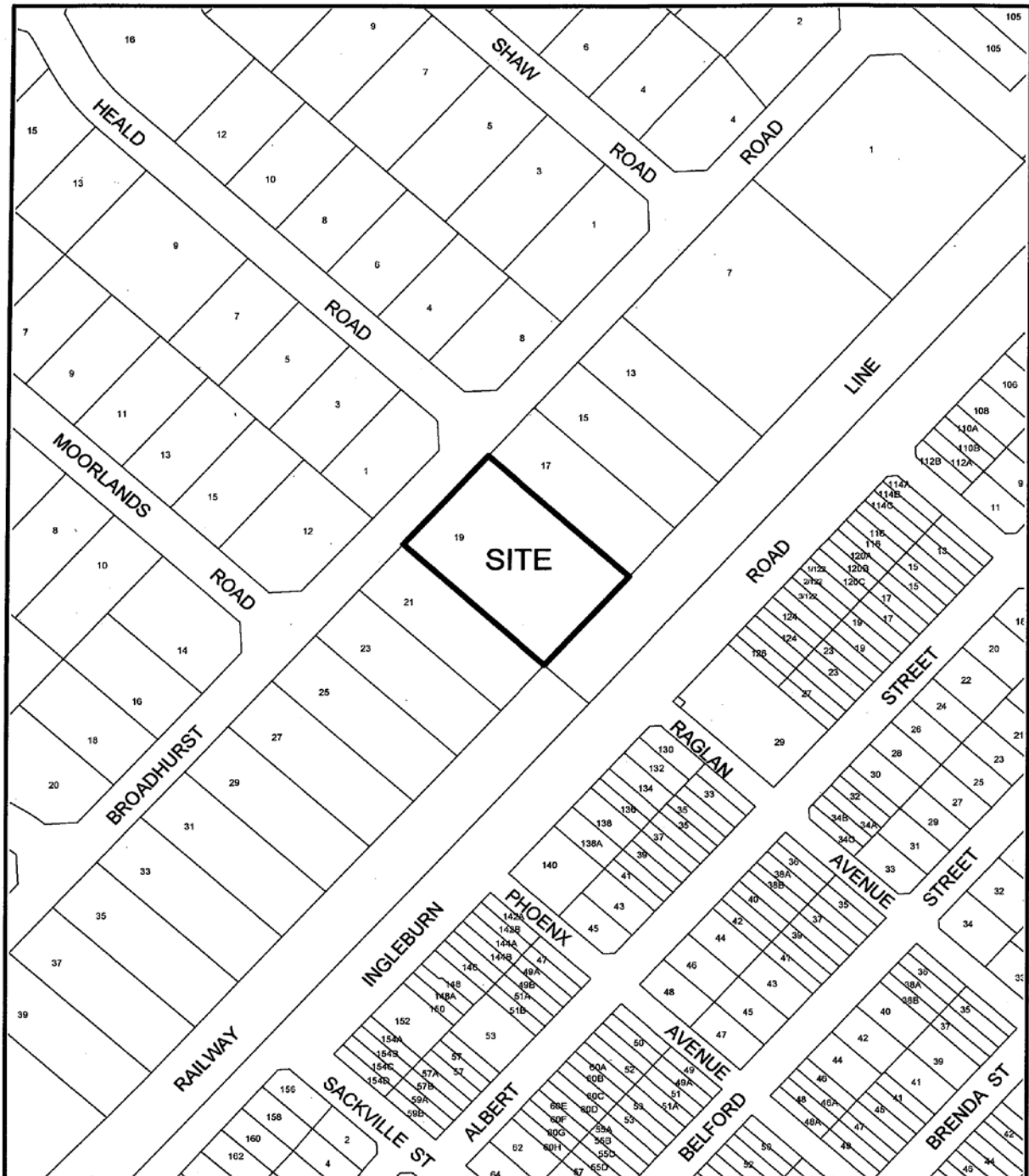
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

**END OF CONDITIONS**

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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

## ATTACHMENT 2



### LOCALITY PLAN

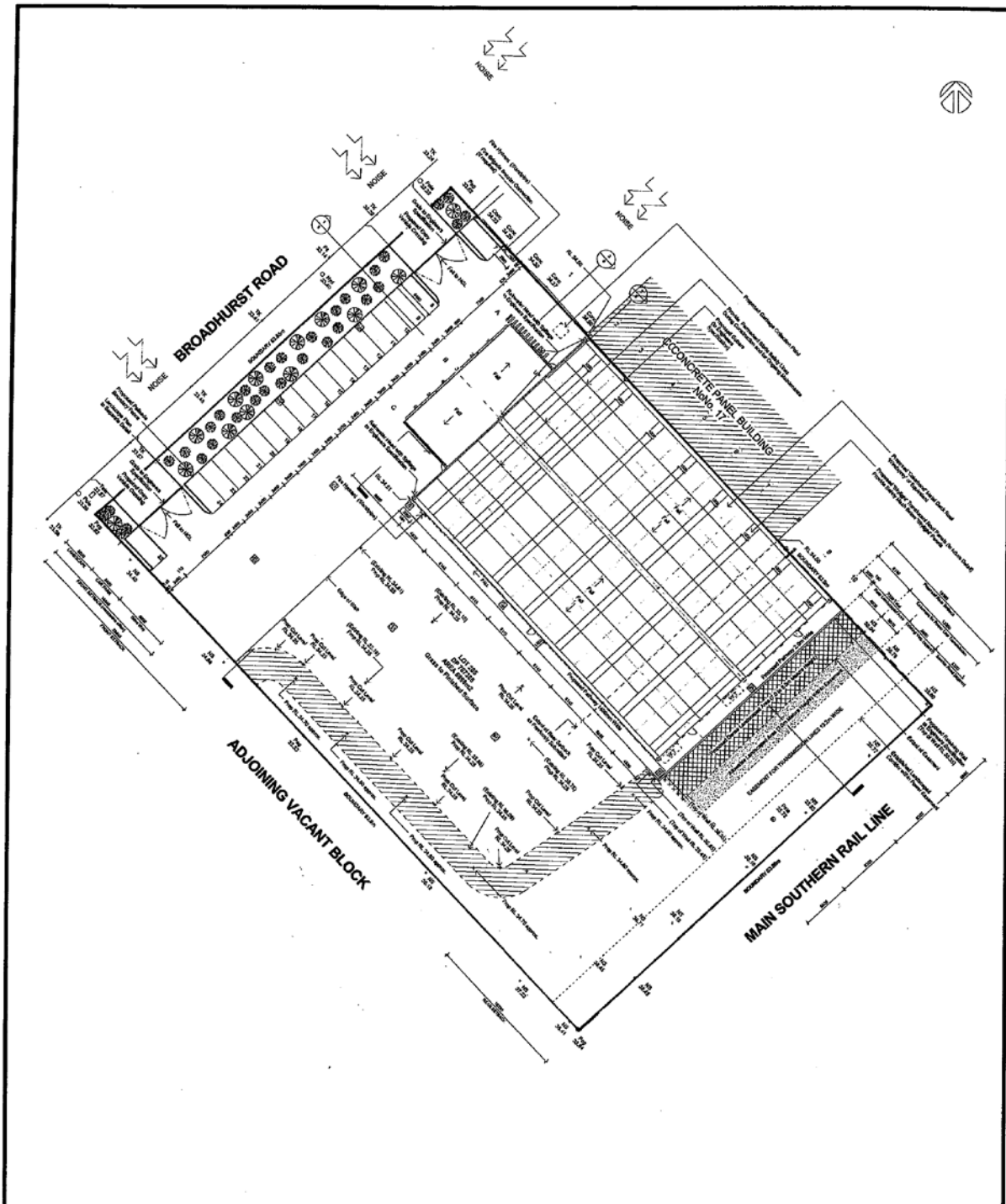


**SUBJECT:** CONSTRUCTION, FIT OUT AND USE OF AN INDUSTRIAL TYPE BUILDING.

LOT 205 DP 787308 - No. 19 BROADHURST ROAD, INGLEBURN.

3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

## ATTACHMENT 3



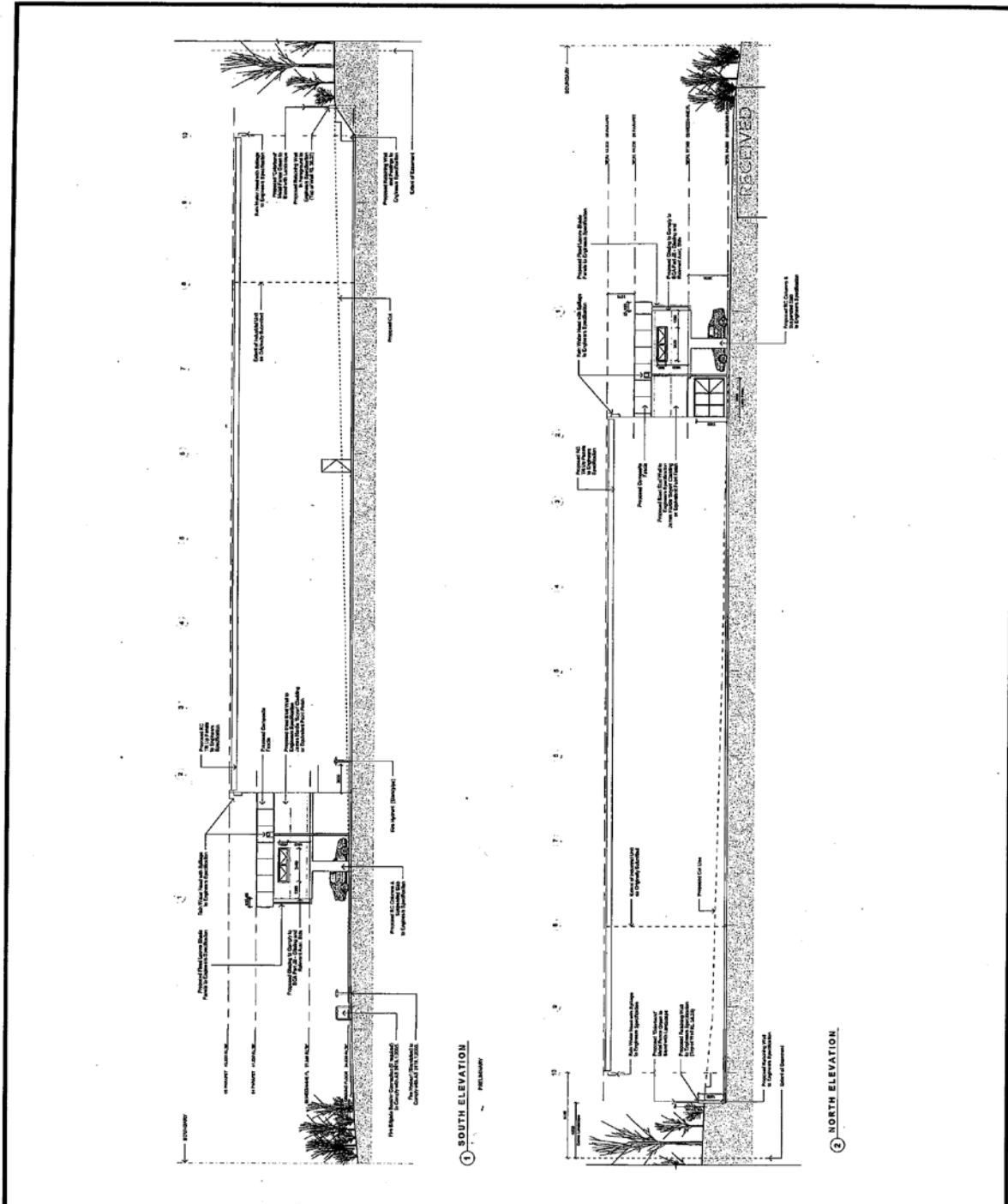
### SITE PLAN

**SUBJECT:** CONSTRUCTION, FIT OUT AND USE OF AN INDUSTRIAL TYPE BUILDING.

LOT 205 DP 787308 - No. 19 BROADHURST ROAD, INGLEBURN.

3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

## ATTACHMENT 4

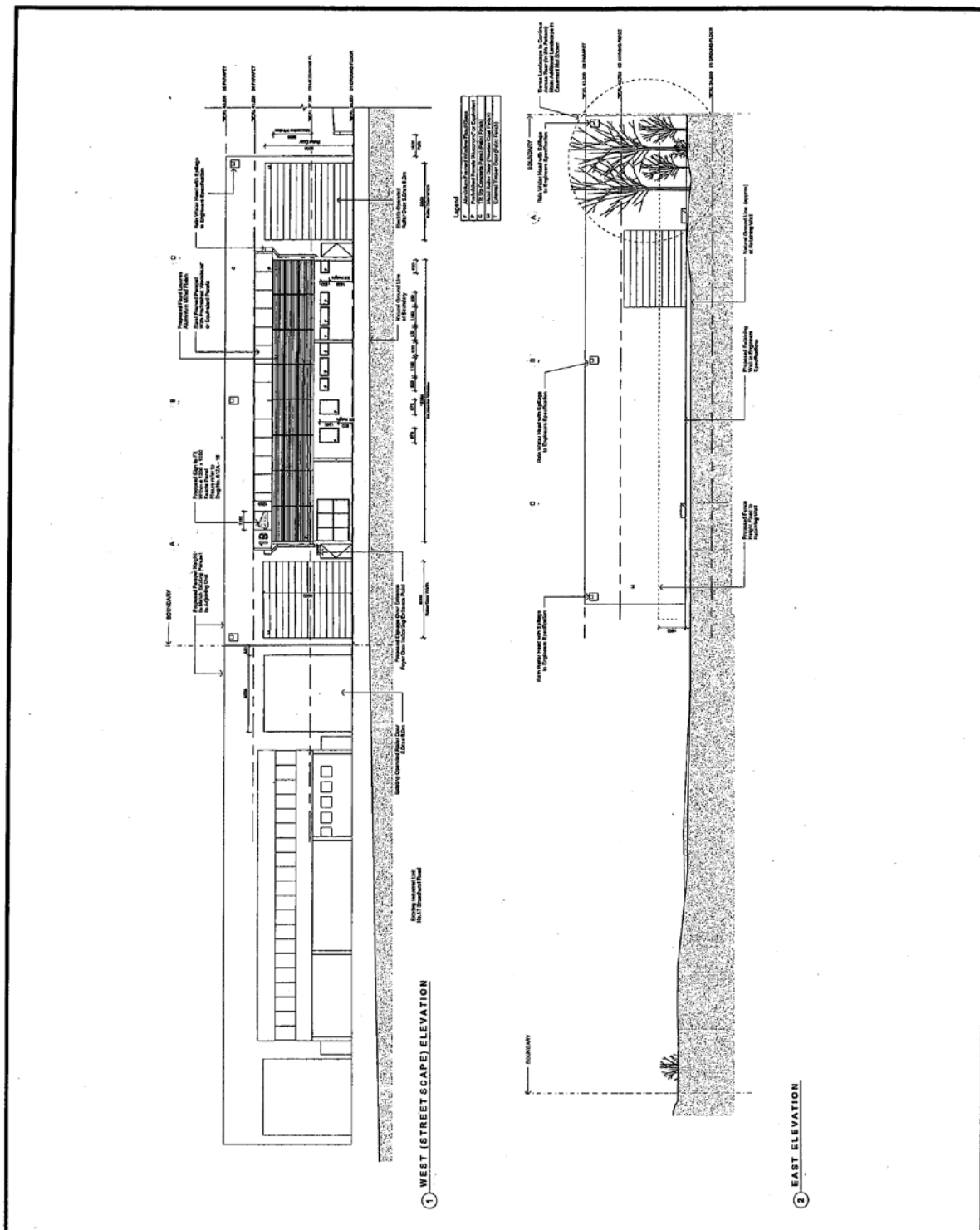


## ELEVATIONS

**SUBJECT:** CONSTRUCTION, FIT OUT AND USE OF AN INDUSTRIAL TYPE BUILDING.

LOT 205 DP 787308 - No. 19 BROADHURST ROAD, INGLEBURN.

3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls



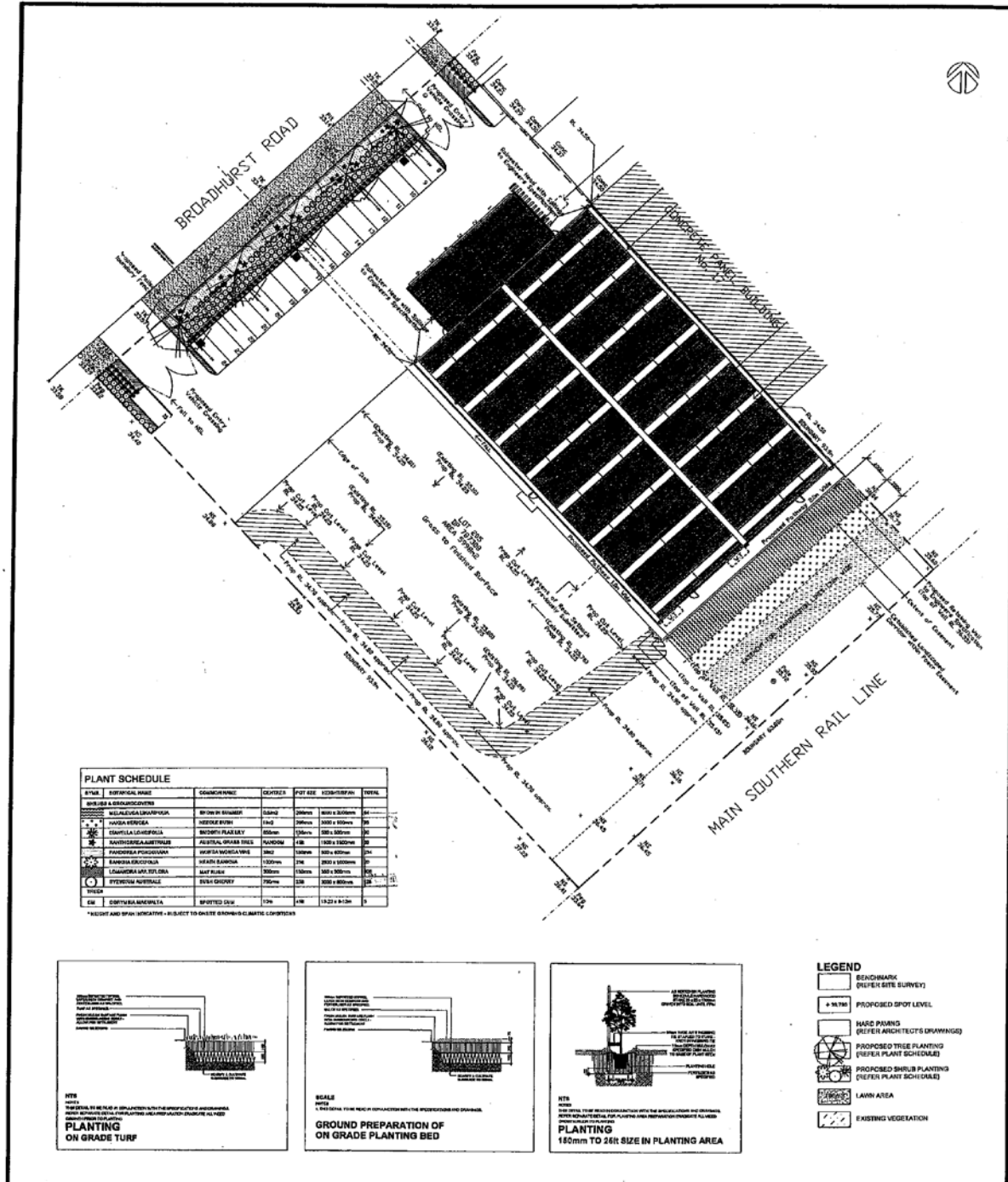
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3.2 No. 19 Broadhurst Road, Ingleburn - Construction, Fitout And Use Of A Single Tenancy Industrial Type Building With Mezzanine Office Area, Car Parking, Fencing, Earthworks And Retaining Walls

## ATTACHMENT 5



## LANDSCAPE PLAN

**SUBJECT:** CONSTRUCTION, FIT OUT AND USE OF AN INDUSTRIAL TYPE BUILDING.

LOT 205 DP 787308 - No. 19 BROADHURST ROAD, INGLEBURN.

### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

### 3.3 No. 13 Austool Place, Ingleburn - Construction of an industrial building and hardstand area and use of the premises for construction plant and equipment hire

#### Reporting Officer

Manager Development Services

#### Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality Plan (contained within this report)
3. Site Plan (contained within this report)
4. Elevations (contained within this report)
5. Floor Plan (contained within this report)
6. Landscape Plan (contained within this report)
7. Fence Details (contained within this report)

#### Purpose

To assist Council in its determination of the subject Development Application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This development application is required to be reported to Council due to an objection to a development standard under Clause 37 – Setbacks within Industrial Areas, of Campbelltown (Urban Area) Local Environmental Plan 2002. An objection to a development standard, pursuant to State Environmental Planning Policy 1 – Development Standards, has been submitted with the application. Despite the fact that this type of development could be determined under delegated authority, the decision on whether to approve a variation to a development standard included in an environmental planning instrument can only be made by the full Council.

<b>Property Description</b>	Lot 7 DP 1071594 No. 13 Austool Place, Ingleburn
<b>Application No</b>	1657/2013/DA-I
<b>Applicant</b>	Apex Building Systems Pty Ltd
<b>Owner</b>	Roblan Property Pty Ltd
<b>Provisions</b>	Campbelltown 2025 - Looking Forward State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy 1 – Development Standards Campbelltown (Urban Area) Local Environmental Plan 2002 Campbelltown (Sustainable City) Development Control Plan 2012
<b>Date Received</b>	6 August 2013



### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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## Report

This application proposes the construction of an industrial building and hardstand area at the abovementioned address and use of the premises for construction plant and equipment hire.

The proposed development would consist of:

- A workshop and washbay building with a floor area of 775m<sup>2</sup>
- A ground floor office and amenities area of 205m<sup>2</sup>
- A gravel roadbase hardstand area for storage/display of equipment
- 28 car parking spaces
- Landscaping within the front setback of the site and within the southeastern portion of the site adjacent to the Main Southern Railway Line
- Use of the premises for the hire of construction equipment, including the storage of the machinery within the proposed hardstand area.
- Construction of a 3.6 metre high screen wall comprised of panels alternating between decorative colorbond and steel horizontal girt screening, to block the view of the proposed outdoor storage area from the Main Southern Railway Line and Milton Park.
- Landscaping between the 3.6m high screen and the rail corridor
- Business identification signage

The subject site is vacant and has an area of 8,495m<sup>2</sup> with a curved frontage to Austool Place of 23.15 metres. The site is adjoined to the northeast and southwest by vacant industrial allotments, and to the southeast by the Main Southern Railway Line.

## 1. Vision

### Campbelltown 2025 - Looking Forward

'Campbelltown 2025 Looking Forward' is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- Responds to what Council understands people want the City of Campbelltown to look, feel and function like
- Recognises likely future government policies and social and economic trends
- Sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

The strategic direction relevant to this application is:

- Creating education, employment and entrepreneurial opportunities
-

### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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The application is consistent with the above strategic direction as the proposal would provide employment opportunities within the construction industry, and would permit the construction of an industrial development that would support the creation of employment opportunities as part of the operation of business that will operate from the site.

The relevant desired outcome of the strategic directions included in Campbelltown 2025 is:

- Development and land use that matches environmental capacity and capability

The application is consistent with the above desired outcome as the proposed building's built form responds well to the site's context and constraints, and the proposed development would not result in any unreasonable aesthetic impacts upon the public domain.

## 2. Planning Provisions

The development has been assessed in accordance with the heads of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for further consideration.

### 2.1 State Environmental Planning Policy (Infrastructure) 2007

Given that the site is located immediately adjacent to a rail corridor (The Main Southern Railway Line) that is used by electric trains and that the proposed development involves the placing of a metal finish on a structure, pursuant to the requirements of Clause 85 and 86 of State Environmental Planning Policy (Infrastructure) 2007, written notice was sent to RailCorp notifying it of the development proposed adjacent to its corridor.

RailCorp has since responded to the notice, and subject to the inclusion of specific conditions, raised no objection to the proposal. As requested, the conditions specified by RailCorp have been included within the recommended conditions of consent in attachment 1.

### 2.2 State Environmental Planning Policy 1 – Development Standards (SEPP 1)

SEPP 1 provides flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objectives specified in section 5(a)(i) and (ii) of the *Environmental Planning and Assessment Act 1979*.

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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SEPP 1 applies to this application, as the applicant seeks to vary Clause 37 of Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP), which states that consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4(a) or 4(b) which is within 30 metres of the Main Southern Railway Line. The subject site is zoned 4(a) and the application proposes building works (a screening wall) within 30 metres of the site's property boundary with the Main Southern Railway Line, and therefore fails to comply with Clause 37 of the CLEP. The proposal involves the construction of a 3.6 metre high screening wall comprised of panels alternating between decorative colorbond and steel horizontal girt screening. The proposed wall would be located 10 metres from the boundary of the property with the Main Southern Railway Line. The wall is proposed as a response to Council's requirement that outdoor storage areas must not be visible from public spaces. It would act to screen the view of the proposed outdoor storage of equipment from the Main Southern Railway Line and from Milton Park.

Clause 6 of SEPP 1 states that where development could, but for any development standard, be carried out under the Act, the person intending to carry out that development may make a development application in respect of that development, supported by a written objection that compliance with that development standard is unreasonable or unnecessary in the circumstances of the case, and specifying the grounds of that objection.

The applicant has submitted a written objection pursuant to State Environmental Planning Policy 1 – Development Standards, arguing that compliance with the 30 metre setback control in question would be unreasonable and unnecessary. The arguments made by the applicant in this regard are the following:

- The proposed screen wall will obscure public view of the proposed display area for vehicles/machinery, as the height of the wall has been designed in consideration of the projected line of sight of train passengers
  - The area between the proposed screen wall and the railway line is to be substantially landscaped in accordance with a landscape design prepared by a landscape architect. This will assist in the prevention of graffiti attacks
  - Constructing the screen wall 30 metres from the railway line (in strict compliance with the standard) would result in the sterilisation of 3,270m<sup>2</sup> of industrial land (or 38% of the total site area), which would be unreasonable
  - The setback of the proposed screen wall is sufficient to enable views of the proposed outdoor storage areas to be obscured from public view (which will mitigate any potential aesthetic impacts of the development as viewed from the Main Southern Railway Line and Milton Park). Therefore strict compliance with the standard would be unnecessary.
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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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Under Clause 7 of SEPP 1, where the consent authority is satisfied that a SEPP 1 objection is well founded and is also of the opinion that granting of consent to that development application is consistent with the aims of the SEPP (outlined in the first paragraph of this section), it may, with the concurrence of the Director General of the Department of Planning and Infrastructure, grant consent to that development application notwithstanding the development standard that is the subject of the objection. It should be noted that consent authorities may assume the Director General's concurrence in relation to all development applications except for some dwelling and subdivision proposals on rural and non-urban land. In this regard, Council can assume the Director General's concurrence in respect of the SEPP 1 objection in this instance, as the objection is considered to be well founded.

Clause 8 of SEPP 1 stipulates that the matters which shall be taken into consideration in deciding whether concurrence should be granted (or assumed) are:

- (a) whether non-compliance with the development standard raises any matter of significance for State or regional environmental planning
- (b) the public benefit of maintaining the planning controls adopted by the environmental planning instrument

In regard to point (a), the non-compliance does not raise any matters of state or regional planning significance. In regard to point (b), the public benefit of maintaining the 30 metre setback control outlined by CLEP 2002 would be minimal, considering that if the 30 metre setback control was to be strictly enforced in relation to the proposed screen wall, 38% of the area of the site would be needlessly sterilised and would have no practical use. This is considered unreasonable and reduces the extent of the land that can be reasonably and viably developed. In addition, when viewed from the railway line or Milton Park, the site would have an awkward appearance as it would contain a large vacant area, which would have the potential to become overgrown.

It is therefore considered that the proposed (non-compliant) setback would achieve a better aesthetic and functional outcome for the development than if the setback for the screen wall was increased to 30 metres, and therefore, an improved community and economic benefit would be achieved by varying the control.

In the case of this development, it needs to be clear that the use of the land within the 30m setback also needs to be considered.

Guidelines for varying development standards prepared by the Department of Planning outline a five part test issued by the Land and Environment Court for consent authorities to consider when assessing an application to vary a standard to determine whether the objection to the development standard is well founded. An assessment of the objection against this five part test is outlined below. It should be noted that not all of the points are necessarily applicable to an application.

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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1. The objectives of the standard are achieved notwithstanding non-compliance with the standard.

In this case, there are no specific objectives that relate to the standard in question; however the relevant zone objective for the 4(a) zone to which the setback standard is considered to relate is the following:

“To encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development”

It is considered that this objective is satisfied despite the proposed setback non-compliance, as the reduced setback does not prevent the overall development from having a high quality design that addresses the streetscape and its surroundings well.

It is considered that the non-compliant setback of the proposed screen wall would result in a better aesthetic outcome than would strict compliance with the setback standard. If the 30 metre setback standard were to be strictly enforced, the site would have an awkward appearance when viewed from the railway line or Milton Park as it would contain a large vacant area, which would have the potential to become overgrown.

The proposed 10 metre setback however would result in the screen wall being constructed adjacent to the top of a battered slope area that forms the south-eastern edge of the site adjacent to the railway line, and dense landscaping on the sloped area between the wall and the railway line. This configuration gives the development a much better presentation when viewed from the Main Southern Railway Line and from Milton Park than would a larger setback area and vacant space.

The functionality of the site would be greatest if the setback standard were to be varied, and in fact the optimal functionality of the proposed development is arguably dependent on the setback standard being varied. Therefore the objective most relevant to the standard being varied is considered to be satisfied notwithstanding non-compliance with the standard.

2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

The understood purpose of the standard, being to encourage a high quality standard of development, is relevant to the development, however as discussed above, the zone objective most relevant to the standard is considered to be satisfied despite the numerical non-compliance.

3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.

It is considered that the underlying object or purpose of the 30 metre setback development standard is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development. If the 30 metre setback control was to be strictly enforced, the site would have an awkward appearance when viewed from the railway line or Milton Park as it would contain a large vacant area, which would have the potential to become overgrown.

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In addition, enforcing strict compliance with the 30 metre setback control would detrimentally affect the functionality of the site, given that a compliant setback would result in a significant amount of the site being sterilised and having no practical use.

It is considered that the proposed non-compliant setback would achieve a better aesthetic and functional outcome for the development site than if the setback for the proposed screen wall was increased to 30 metres. Therefore, the objective most relevant to the standard, being to encourage high quality and functional development, would be thwarted if compliance was strictly enforced, and as such, given the circumstances of the case, compliance with this standard may be reasonably argued to be unreasonable.

Having regard to the use of the 20m area behind the proposed screen wall, it is not considered unreasonable for that area to be used as a normal operational area, given the proposed erection of the wall and provision of landscaping along the rail corridor interface will effectively obscure any activities within the main part of the site, and therefore any visual impact from the site.

4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.

It is not considered that the setback standard has been abandoned by continually allowing variations to the standard in question. Council has on occasion granted variations to the setback standards stipulated under Clause 37 of the CLEP where the variation has been justified by a sound objection submitted under SEPP 1.

In the present case, the proposed variation is justified on the basis that the proposed development would satisfy the objectives of the standard notwithstanding numerical non-compliance with the standard, and that strict compliance with the standard in question would result in a less desirable built form than if the standard was to be varied as proposed. Supporting the applicant's objection would not undermine Council's ability to consistently enforce the CLEP's setback controls.

5. Compliance with the development standard is unreasonable or inappropriate due to the existing use of land and the current environmental character or the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

The existing use of land and the environmental character of the land is not a relevant factor in the consideration of this objection.

In consideration of the five part test for evaluation of the objection to the setback development standard in question, it is considered that the circumstances of the case warrant the variation of the standard, and that the reduced setback should be accepted.

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#### 2.3 Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP)

- The subject site is zoned 4(a) - General Industry Zone under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. The proposed development is defined as “plant hire” and is permissible with Council’s development consent within the zone
- The proposal is consistent with several zone objectives, particularly:
  - (a) to encourage activities that will contribute to the economic and employment growth of the City of Campbelltown
  - (b) to allow a range of industrial, storage and allied activities, together with ancillary uses, the opportunity to locate within the City of Campbelltown
  - (c) to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development
  - (d) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development
  - (e) to ensure development will not be carried out unless the consent authority is satisfied that the processes to be carried on, the transportation to be involved, or the plant, machinery or materials to be used, do not interfere unreasonably with the amenity of the area.
- Clause 31 of the CLEP outlines controls for outdoor advertising and is relevant to the application as the proposed development incorporates business identification signage. Pursuant to clause 31(2)(b), business identification signage may be erected without consent. The application proposes the construction of a sign within the front setback of the site, which would identify the name of the business and the occupation carried out on the site, and is therefore a business identification sign. Accordingly, the proposed sign is exempt and does not require further assessment
- Clause 37 of the CLEP states that consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4(a) or 4(b) which is within 30 metres of the Main Southern Railway Line. The subject site is zoned 4(a) and the application proposes building works (a screening wall) within 30 metres of the site’s property boundary with the Main Southern Railway Line, and therefore fails to comply with Clause 37 of the CLEP

The applicant has submitted an objection pursuant to State Environmental Planning Policy 1 – Development Standards, arguing that compliance with the 30 metre setback control in question would be unreasonable and unnecessary. This aspect of the application has been discussed in detail in a previous part of this report, and is briefly discussed below. The arguments outlined within the applicant’s SEPP 1 objection are the following:

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- the proposed screen wall will obscure public views of the display of vehicles/machinery, as the height of the wall has been designed in consideration of the projected line of sight of train passengers
- the area between the proposed screen wall and the railway line is to be substantially landscaped in accordance with a landscape design prepared by a landscape architect. This will assist in the prevention of graffiti attacks
- constructing the screen wall 30 metres from the railway line (in strict compliance with the standard) would result in the sterilisation of 3,270m<sup>2</sup> of industrial land (or 38% of the total site area), which would be unreasonable
- the setback of the proposed screen wall is sufficient to enable views of the proposed outdoor storage areas to be obscured from public view (which will mitigate any potential aesthetic impacts of the development as viewed from the Main Southern Railway Line and Milton Park). Therefore strict compliance with the standard would be unnecessary.

Assessment of the applicant's objection to the development standard against the relevant parts of SEPP 1 and the associated guidelines as outlined above has revealed the following outcomes:

- Council can assume the Director General's concurrence in respect of the SEPP 1 objection in this instance
  - the non-compliance does not raise any matters of state or regional planning significance
  - the public benefit of maintaining the 30 metre setback control outlined by CLEP 2002 would be minimal, and a greater public benefit would be achieved by varying the control
  - in consideration of the five part test for evaluation of the objection to the setback development standard in question, it is considered that the circumstances of the case warrant the variation of the standard, and that the reduced setback should be supported by Council.
- Clause 60 of the CLEP applies to the subject site. It states that despite any other provision of the plan, consent must not be granted at any time before 1 March 2007 to development, other than development for the purposes of the design, testing, manufacture, repair and ancillary support services associated with specialist tool making, on the land to which this clause applies. This application does not contravene this provision, as the specified date (1 March 2007) has passed.
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## 2.4 Campbelltown (Sustainable City) Development Control Plan 2012

### Part 2 - Requirements Applying to All Types of Development

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

**Views and vistas** – The subject site is highly visible from the Main Southern Railway Line that is adjacent to the site, as well as Milton Park, which is located across the rail line from the site. Accordingly, the applicant was required to incorporate into the proposal a screening device and landscaping at the rear of the property so that the outdoor storage area associated with the proposed development would not be visible from either of these two public areas. The applicant has proposed a 3.6 metre high wall comprised of panels alternating between decorative colorbond and steel horizontal girt screening. Dense landscaping comprising a variety of native plants and trees is proposed on the railway side of the wall to soften the aesthetic impact of the wall when viewed from the Main Southern Railway Line and Milton Park.

**Sustainable building design** – A 10,000 litre rainwater tank is required to be provided. The application proposes to install six 16,000 litre rainwater tanks. In addition, translucent sheeting is to be provided as part of the surface of the roof of the building to help maximise internal natural lighting.

**Landscaping** – A landscape plan prepared by a landscape designer has been submitted with the application. Landscaping is proposed within the front setback of the development facing Austool Place and along the rear boundary of the site facing the Main Southern Railway Line. All species of trees and plants have been selected from the Campbelltown Native Gardening Guide. The proposed landscaping within the south eastern portion of the site (adjacent to the proposed screen wall) is sufficiently dense to soften the aesthetic impact of the wall when viewed from the Main Southern Railway Line and from Milton Park.

The application proposes to remove two existing street trees in order to construct the driveway and layback associated with the proposed development. Accordingly, a condition has been included in the recommended conditions of consent in Attachment 1, requiring the applicant to plant two new street trees to the satisfaction of Council.

**Cut, fill and floor levels** – A negligible amount of cut and fill is proposed on the site in order to provide a level building platform.

**Stormwater** – The application was referred to Council's Development Engineer, and was found to be satisfactory. Conditions of consent have been provided in this regard.

**Retaining Walls** – No retaining walls are proposed.

**Waste Management** – A Waste Management Plan has been submitted and is considered to be satisfactory.

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#### Part 7 – Industrial development

The application has been assessed against the relevant parts of Part 7 of Campbelltown Sustainable City DCP 2012.

Standard	Required	Proposed	Compliance
<b>Height</b>	Predominantly single storey, excluding offices and mezzanines	Single storey with mezzanine platform level	Yes
<b>Building design</b>	Vertical/horizontal offsets in wall surfaces	Vertical/ horizontal offsets in wall surfaces provided	Yes
	Articulate windows/ doors/roof /entrances	Windows/ doors/ roof /entrances articulated	Yes
	Articulate walls using change of texture, colour, materials every 15 metres	Walls articulated – different materials and colours	Yes
	Min. 50% of total surface area of front elevation to be constructed of masonry material	Greater than 50% of total surface area of front elevation to be constructed of masonry material	Yes
	Mezzanines/offices to be less than 50% of gross floor area of the ground floor of the building	Less than 50% of gross floor area of the ground floor of the building	Yes
	Offices shall not comprise more than 30% of the gross floor area of the building	20% of gross floor area of building	Yes
	Main entry identifiable from street	Walkway to entrance visible from street and driveway	Yes
<b>Setbacks</b>	30 metres to Main Southern Railway Line	10 metres	<b>No</b>
	10 metres to Austool Place	23.35 metres	Yes
<b>Car parking</b>	Minimum two spaces	28 spaces provided	Yes
	One space for every 100sqm of LFA up to 2000sqm (7.3 based on 731m <sup>2</sup> ), plus		
	One space per 35sqm		

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Standard	Required	Proposed	Compliance
	for any office area, lunch rooms, storage areas and the like (4.85 based on 170m <sup>2</sup> ), plus  One space per 300sqm of outdoor storage space (5 based on 1,470m <sup>2</sup> )  Total = 17  Vehicles must be able to enter and leave in a forward direction with max. three point turn  Car spaces / manoeuvring not to occupy more than 50% of required front setback  10% of required car spaces, including disabled spaces, located close to main pedestrian entry  Loading bay to be provided for a Medium Rigid Vehicle. Loading/unloading wholly within the site.  Each site shall have a: - maximum of one ingress and one egress for heavy vehicles (combined or separated); and  - each site may have an additional ingress/egress for cars (and other light vehicles).	28 spaces provided  All vehicles can manoeuvre on the site, and enter/leave in a forward direction  Car spaces / manoeuvring would occupy far less than 50% of required front setback  Greater than 10% of car spaces (including disabled space) are to be located close to main pedestrian entry  Sufficient loading space for Medium Rigid Vehicles  One ingress/egress point for heavy vehicles and cars  One ingress/egress point for heavy vehicles and cars	Yes  Yes  Yes  Yes  Yes  Yes
<b>Landscaping</b>	Landscaping must be provided to min. 50% of required setback area to street frontage  The first 3.0 metres of all required street front	Landscaping will be provided to more than 50% of required setback area	Yes

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Standard	Required	Proposed	Compliance
	landscaped area shall be planted of advanced canopy trees that are: i) a minimum of 2.0 metres in height with a minimum pot size of 400 litres at the time of planting; ii) of native species; and iii) planted /placed every 10 metres.  Site boundary landscaping of minimum 1.0 metre width shall be provided between the street boundary and the building line	Complies       Complies	Yes       Yes
<b>Fencing</b>	Max. 2.4m height  Palisade design (or plastic coated and framed chain wire)  Recessive colours  Fencing to be setback 3.0 metres from street property boundaries	2.1 metres high  Palisade design for front fence and framed chain wire for side and rear boundaries.  Black  Set back 3.0 metres	Yes  Yes  Yes  Yes
<b>Outdoor storage areas</b>	No outdoor storage shall occur without development consent  Outdoor storage areas shall not be located between the primary or secondary street boundary and any building on the allotment  Outdoor storage areas shall be adequately screened from public view  Goods and materials stored shall not be stacked higher than an approved screening	Outdoor storage of equipment is proposed  Outdoor storage areas not located between the street boundary and the building  Outdoor storage areas will be screened by screening wall and landscaping  A condition has been included in the recommended conditions of consent	Yes  Yes  Yes  Yes

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Standard	Required	Proposed	Compliance
	structure	requiring compliance	
	Screen fencing and structures shall be constructed of high quality materials that complement the buildings located on site	3.6 metre high wall comprised of panels alternating between decorative colorbond and steel horizontal girt screening	Yes
	All outdoor storage areas shall be sealed and drained to the storm water system in accordance with any environmental management requirements	Outdoor storage areas would be located on hardstand areas (compacted base material to be used; machinery would break concrete) and drain into stormwater pits	Yes A condition has been included that requires the surface to be maintained so as not to erode or cause sediment to be transported off site.
	Notwithstanding any other provision of this plan, no external storage of used unregistered motor vehicles, vehicle parts, used building materials, scrap products or other industrial waste shall be permitted	Used unregistered motor vehicles, vehicle parts, used building materials, scrap products or other industrial waste not proposed to be stored	Yes
	No above ground tanks or other storage facilities shall be erected within a required setback	No above ground tanks or other storage facilities located within setbacks	Yes
	Goods shall be stored above the flood planning level	Council's Technical Services section advised no flood level applies to site	Yes
<b>Industrial Waste Management</b>	Industrial development shall make provision for an enclosed on site waste and recycling facility that has adequate storage area to accommodate the waste generated from the development	Compliant waste storage area to be provided	Yes
	Adequate provision shall be made for the screening and storage of all industrial waste	The proposed waste storage area would be located behind the building	Yes

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Standard	Required	Proposed	Compliance
	behind the front building setback		
<b>Environmental Management</b>	All activities with the potential to pollute the stormwater system from a system failure shall be carried out within a covered and bunded area sited, designed and constructed to Council's satisfaction.	The proposed oil storage room is a covered and bunded area constructed of impervious materials	Yes
	All above ground liquid storage facilities, including waste shall be in a covered bunded area that is constructed of impervious materials.	The proposed oil storage room is a covered and bunded area constructed of impervious materials	Yes
	Above ground tanks shall be contained in a bunded area that: i) is at least 110% of the volume of the tank or the largest tank, where a group of tanks are enclosed; and	Proposed bunded area exceeds 110% of the largest tank to be stored	Yes
	ii) walls shall be at least 250mm in height.	Full height of bunded area is 750mm	Yes

#### Setback to Main Southern Railway Line

Consistent with the relevant provisions of the CLEP, Part 7 of the SCDP specifies that a building must be set back a minimum of 30 metres from the Main Southern Railway Line. The non-compliance with the setback standard has been discussed earlier in this report, and is considered to be satisfactory for the following reasons:

- The proposed screen wall will obscure public views of the display of vehicles/machinery, as the height of the wall has been designed in consideration of the projected line of sight of train passengers
- The area between the proposed screen wall and the railway line is to be substantially landscaped in accordance with a landscape design prepared by a landscape architect. This will assist in the prevention of graffiti attacks
- Constructing the screen wall 30 metres from the railway line (in strict compliance with the standard) would result in the sterilisation of 3,270m<sup>2</sup> of industrial land (or 38% of the total site area), which would be unreasonable

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- The setback of the proposed screen wall is sufficient to enable views of the proposed outdoor storage areas to be obscured from public view (which will mitigate any potential aesthetic impacts of the development as viewed from the Main Southern Railway Line and Milton Park). Therefore strict compliance with the standard would be unnecessary.

It is considered that the proposed variation would not detrimentally affect the amenity of the surrounding locality, and accordingly, it is recommended that the variation to Council's setback control be supported.

#### **4. Public Participation**

The application was not required to be publicly notified.

#### **5. Conclusion**

The application is generally consistent with the applicable environmental planning legislation and Council's Development Control Plans, with the exception of the proposed setback variation.

The proposed setback variation is considered justifiable on the basis that the proposed siting of the screen wall and the adjacent landscaping would contribute positively to the surrounding visual landscape, particularly when viewed from the Main Southern Railway Line and Milton Park, and that strict compliance with the 30 metre setback standard would result in a development with reduced architectural merit and functionality, and effectively render the site less than useful.

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is consistent with the relevant planning legislation.

#### **Officer's Recommendation**

1. That Council approve the applicant's objection pursuant to State Environmental Planning Policy 1 – Development Standards, in relation to the non-compliant setback from the site's property boundary with the Main Southern Railway Line (10 metres as opposed to 30 metres required under CLEP 2002).
  2. That Development Application No. 1657/2013/DA-I, proposing construction of an industrial building and hardstand area and use of the premises for construction plant and equipment hire, be approved subject to the recommended conditions contained in Attachment 1.
  3. That subject to the approval of recommendation No.1, Council write to the Director General Planning and Infrastructure advising of the Council's resolution.
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**Committee's Recommendation: (Kolkman/Lound)**

That the Officer's Recommendation be adopted.

**CARRIED**

Voting for the Committee's Recommendation were Councillors: Greiss, Kolkman, Lound, Matheson, Mead, Oates, Rowell and Thompson.

Voting against the Committee's Recommendation: nil

**Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 28**

That the Officer's Recommendation be adopted.

Voting for the Council Resolution were Councillors: Borg, Dobson, Glynn, Greiss, Hawker, Kolkman, Lake, Lound, Matheson, Mead, Oates, Rowell and Thompson.

Voting against the Council Resolution: nil.

**Note:** Councillor Brticevic was not in attendance at the meeting during debate and voting on this item.

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## ATTACHMENT 1

### Recommended Conditions of Consent

#### GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

#### 1. Approved Development

The development shall be carried out in accordance with the approved plans listed below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Drawing/Document No.	Prepared By	Date
1912/1B	Apex Building Systems	10 December 2013
1912/2	Apex Building Systems	28 June 2013
1912/3	Apex Building Systems	28 June 2013
1912/4	Apex Building Systems	5 July 2013
1912/5	Apex Building Systems	11 July 2013
1912/6	Apex Building Systems	24 July 2013
3440 Sheet 1	Monaco Designs	15 October 2013
1912/7A	Apex Building Systems	14 October 2013
1912/8	Apex Building Systems	10 December 2013
"Section Through Oil Store"	Apex Building Systems	Received 15 November 2013
"Schedule of Materials and Finishes"	Apex Building Systems	23 July 2013

#### 2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

#### 3. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/contractor for landscaping works.

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#### **4. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

#### **5. Switchboards/Utilities**

Switchboards, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

#### **6. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads
- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

#### **7. Advertising Sign**

- a. All signage is to be erected/supported in a safe and secure manner
  - b. At no time shall the intensity, period of intermittency and hours of illumination of the signage cause injury to the amenity of the neighbourhood
  - c. No signage on site shall flash, move or display electronic images
  - d. The advertising structure shall be maintained in a condition so as to not become unsightly so as to adversely affect the amenity of the surrounding area
  - e. The advertising sign/s and any associated structure must be removed and the building/site reinstated, within a period of three years from the date of consent or on the termination of the subject lease of the premises whichever is the lesser. If the advertising sign is to be retained after this period, a new development application must be lodged before the expiration of the consent for Council's consideration.
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#### **8. Approved External Storage of Goods**

All approved works, storage and display of goods, materials and any other item associated with the approved development must only be undertaken in accordance with the approved plans and documentation referred to in condition 1. Any external works or storage/display of goods, materials or any other item associated with the development undertaken in accordance with the approved plans, must be adequately screened from the public view at all times.

The outdoor storage of equipment and machinery shall not exceed the height of the approved screening wall.

#### **9. Security Fencing**

The front security fencing shall be established at a setback of 3 metres into the site and not on the road alignments. No barbed wire style fencing is to be erected in a location that can be seen from a public place.

#### **10. Bund Wall**

All liquid storage areas shall be bunded to prevent any spillage entering into the stormwater system. The bunded area shall provide a volume equal to a minimum of 110% of the largest container stored and graded to a blind sump so as to facilitate emptying and cleansing.

#### **11. Storage of Flammable and Combustible Liquids**

Flammable and combustible liquids shall be stored in accordance with Australian Standard 1940-(as amended) – The Storage and Handling of Flammable and Combustible Liquids.

#### **12. Graffiti Removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

#### **13. Unreasonable Noise, Dust and Vibration**

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

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In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

#### **14. Engineering Design Works**

The design of all engineering works shall be carried out in accordance with the requirements set out in the Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2.

#### **15. Operating Hours**

The use of the premises shall be limited to:

Monday to Friday	7.00am - 6.00pm
Saturday	7.00am - 1.00pm
Sunday	Closed

#### **16. Car Parking Spaces**

28 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

#### **17. Rubbish/Recycling Bin Storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

#### **18. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation
- b. Where necessary, underpin the adjoining premises to prevent any such damage

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

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**19. Rain Water Tank(s)**

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

**20. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. The applicant shall obtain a construction certificate for the particular works
- b. The applicant shall appoint a principal certifying authority
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

**21. RailCorp - Drainage**

Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from RailCorp.

**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

**22. RailCorp - Electrolysis Report**

Prior to the issue of a Construction Certificate the applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principle Certifying Authority with the application for a Construction Certificate.

**23. RailCorp - Risk Assessment/Management Plan**

Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to RailCorp for review and comment on the impacts on rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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#### **24. RailCorp - Aerial Operations**

Prior to the issuing of a Construction Certificate the Applicant is to submit to RailCorp a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

#### **25. RailCorp - Work within the Rail Corridor**

No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an agreement has been entered into with RailCorp. Where the applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp confirming that its approval has been granted.

#### **26. Utility Servicing Provisions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

**Note:** The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

#### **27. Sydney Water Stamped Plans**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

#### **28. Soil and Water Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

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3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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## **29. Stormwater Management Plan (Development)**

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to the Council stormwater system. All proposals shall comply with the Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2.

## **30. Work on Public Land**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

## **31. Work outside the Site Boundary**

Prior to Council or an accredited certifier issuing a construction certificate, engineering plans for any work outside the site boundary to be submitted to Council for approval. All works shall comply with Council's Campbelltown (Sustainable City) DCP 2009 volume 2 and shall be inspected by Council at all stages of construction.

A compliance certificate for the work shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

Council assessment and inspection fees, apply to the above requirements.

## **32. Section 94A Developer Contribution - Community Facilities and Services**

Prior to Council or an accredited certifier issuing a Complying Development Certificate or a Construction Certificate (or where a Construction Certificate is not required, a Subdivision Certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the Campbelltown City Council Section 94A Development Contributions Plan.

For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is greater than \$100,000 but less than \$500,000, provide a Cost Summary Report by a person who, in the opinion of the Council, is suitably qualified to provide a Cost Summary Report (Cost Summary Report Template 1). All Cost Summaries will be subject to indexation on a quarterly basis relative to the Consumer Price Index - All Groups (Sydney) where the contribution amount will be based on the indexed value of the development applicable at the time of payment; or
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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the Consumer Price Index All Group Index Number for Sydney have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under "Developer Contributions" on Council's web site ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)) or can be collected from Council's Planning and Environment Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

**Note:** This condition is only applicable where the total development value exceeds \$100,000.

### **33. Design for Access and Mobility**

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

### **34. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

### **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

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3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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**35. RailCorp - Access to the Rail Corridor**

Prior to the commencement of works, appropriate fencing shall be installed along the rail corridor to prevent unauthorised access to the rail corridor. Details of the type of fencing and the method of erection are to be to RailCorp's satisfaction prior to the fencing work being undertaken. RailCorp may provide supervision, at the developer's cost, for the erection of the new fencing.

**36. RailCorp - Boundary Survey**

Prior to the commencement of works, the applicant shall peg-out the common boundary with RailCorp's property and/or easement to ensure that there is no encroachment. This work is to be undertaken by a registered surveyor.

**37. Erosion and Sediment Control**

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

**38. Erection of Construction Sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**39. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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- a. A public sewer
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

#### **40. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

#### **41. Vehicular Access during Construction**

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

#### **42. Public Property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

#### **43. Footpath and Vehicular Crossing Levels**

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

#### **44. Hoarding/Fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with WorkCover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the *Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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#### **45. Fencing**

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

#### **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

#### **46. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No Work.

#### **47. Erosion and Sediment Control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

**Note:** On the spot penalties up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.

#### **48. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

#### **49. Protection of Existing Trees**

During construction, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of Council unless those trees are within three metres of the footprint of a building that has been approved by Council or identified on the approved plans as being removed.

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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All trees that are to be retained are to be protected by fencing, firmly staked within the drip line/ canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.

All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or garden beds or site rehabilitation. Non-salvable materials such as roots and stumps shall be disposed of to a waste management centre or other approved form.

#### **50. Excavation and Backfilling**

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. Must preserve and protect the building from damage
- b. If necessary, must underpin and support the building in an approved manner
- c. Must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

#### **51. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

#### **52. Certification of Location of Building during Construction**

Prior to the positioning of wall panels/ bricks or block work, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building.

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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#### **53. Certification of Location of Building upon Completion**

Upon completion of the building, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from boundaries.

#### **54. Certification of Levels of Building during Construction**

Prior to the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

#### **55. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

#### **56. Compliance with Council Specification**

All design and construction work, shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended)
- b. Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2
- c. 'Soils and Construction (2004) (Bluebook)
- d. Relevant Australian standards and State Government publications.

#### **57. Industrial/Commercial Driveway and Layback Crossing**

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's Industrial/Commercial Vehicle Crossing Specification and Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

#### **58. Associated Works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

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3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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## **59. Completion of Construction Works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

## **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

**Note:** For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

## **60. Section 73 Certificate**

Prior to the principal certifying authority issuing an occupation certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

## **61. Street Trees**

Two mature trees shall be planted within the Council verge area in front of the site. The location and species of the trees shall be to the satisfaction of Council.

## **62. Completion of External Works Onsite**

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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#### **63. Public Utilities**

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

#### **64. Industrial / Commercial Inter-Allotment Drainage**

Prior to the principal certifying authority issuing an occupation certificate, a work as executed plan for the drainage works shall be submitted demonstrating that inter-allotment drainage and associated easements, in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended), and with the design requirements of Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2 has been provided to industrial/commercial lots.

#### **65. Council Fees and Charges**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

#### **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979*, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

#### **Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The *Environmental Planning and Assessment Act 1979* requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000
  - b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works
  - c. Give Council at least two days notice prior to the commencement of any works
  - d. Have mandatory inspections of nominated stages of the construction inspected
  - e. Obtain an occupation certificate before occupying any building or commencing the use of the land.
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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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#### **Advice 2. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *Noxious Weeds Act* (NSW).

#### **Advice 3. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the Building Code of Australia (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

#### **Advice 4. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

#### **Advice 5. Inspection Within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

#### **Advice 6. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

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### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

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[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

#### **Advice 7. *Smoke Free Environment Act 2000***

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the Smoke Free Environment Regulations 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

#### **Advice 8. *Dial before you Dig***

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

#### **Advice 9. *Telecommunications Act 1997 (Commonwealth)***

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995* (Cth) and is liable for prosecution.

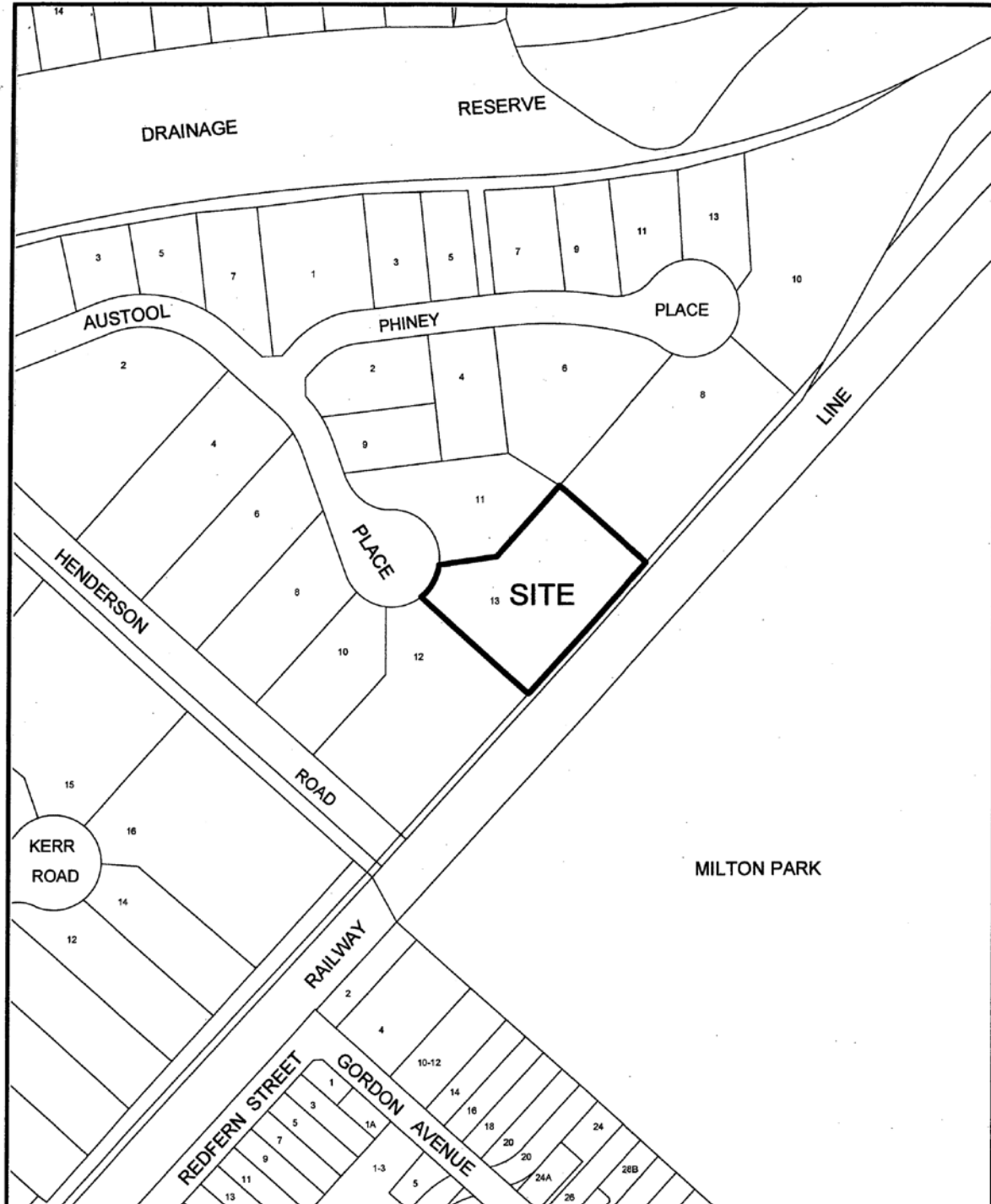
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

#### **END OF CONDITIONS**

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3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

## ATTACHMENT 2



### LOCALITY PLAN

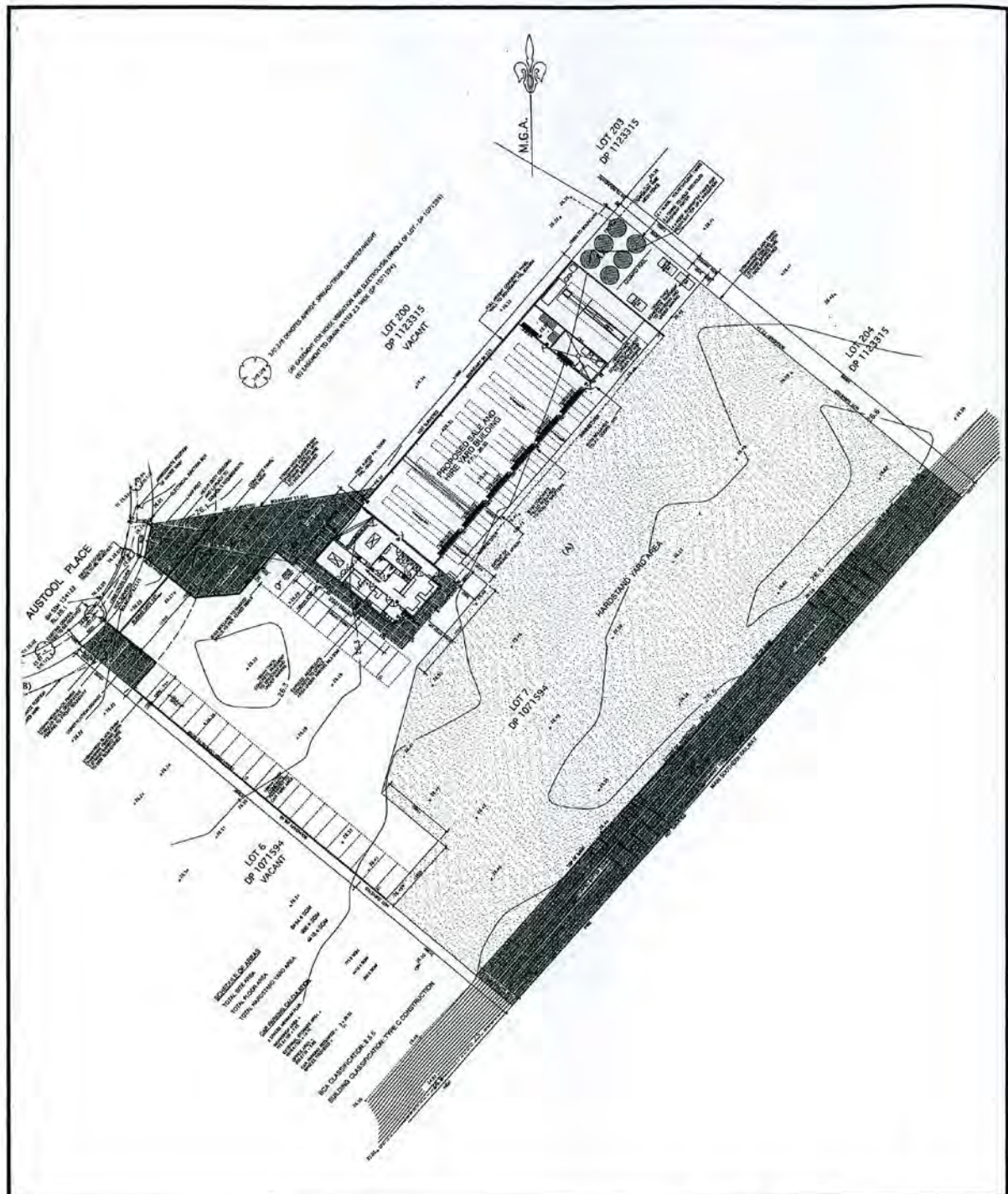


**SUBJECT:**

CONSTRUCTION OF AN INDUSTRIAL BUILDING AND HARDSTAND AREA  
AND USE OF PREMISES FOR CONSTRUCTION PLANT AND EQUIPMENT HIRE.  
LOT 7 DP 1071594 - No. 13 AUSTOOL PLACE, INGLEBURN

3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

## ATTACHMENT 3



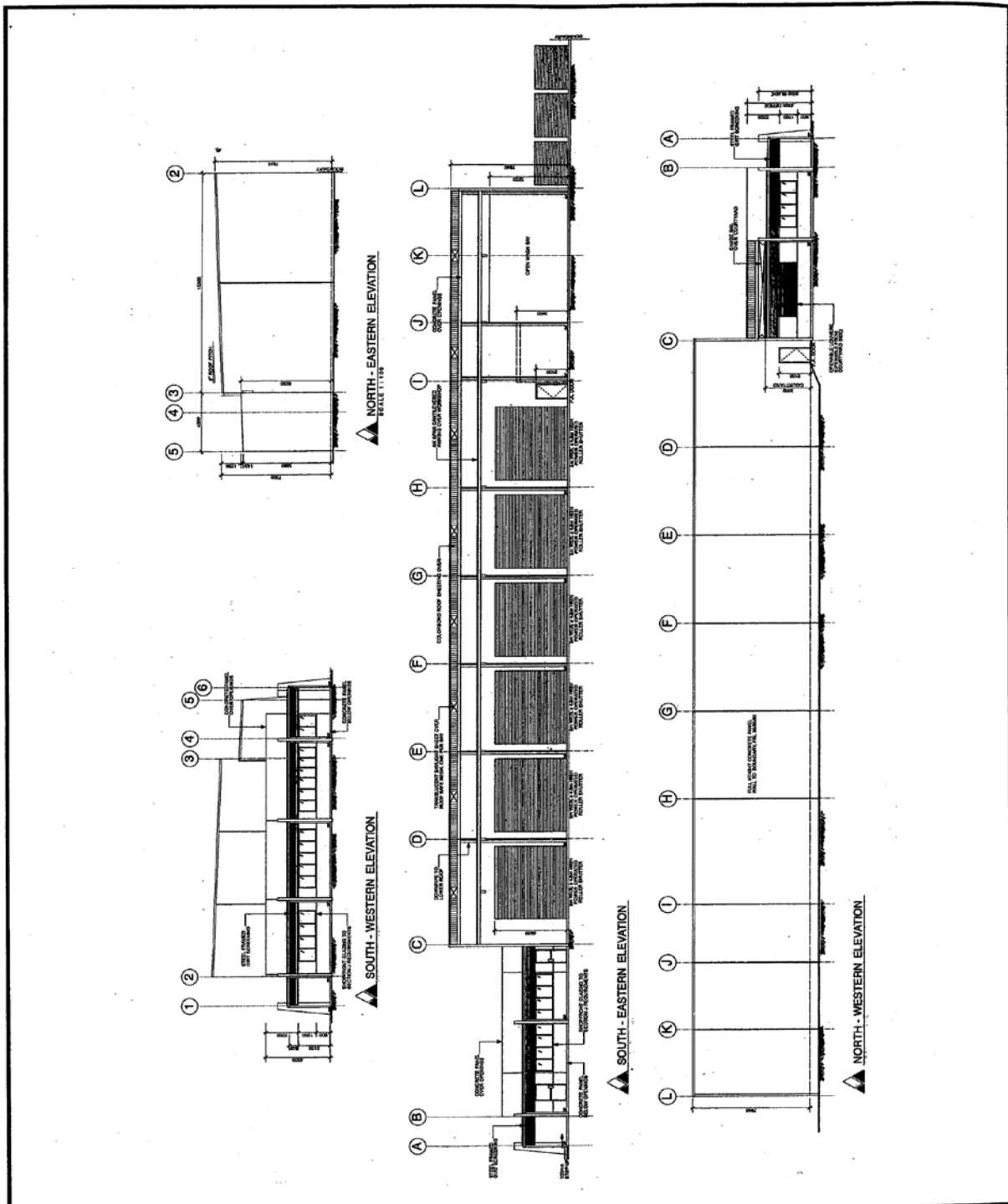
### SITE PLAN

**SUBJECT:**

CONSTRUCTION OF AN INDUSTRIAL BUILDING AND HARDSTAND AREA  
AND USE OF PREMISES FOR CONSTRUCTION PLANT AND EQUIPMENT HIRE.  
LOT 7 DP 1071594 - No. 13 AUSTOOL PLACE, INGLEBURN

3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

## ATTACHMENT 4



## ELEVATIONS

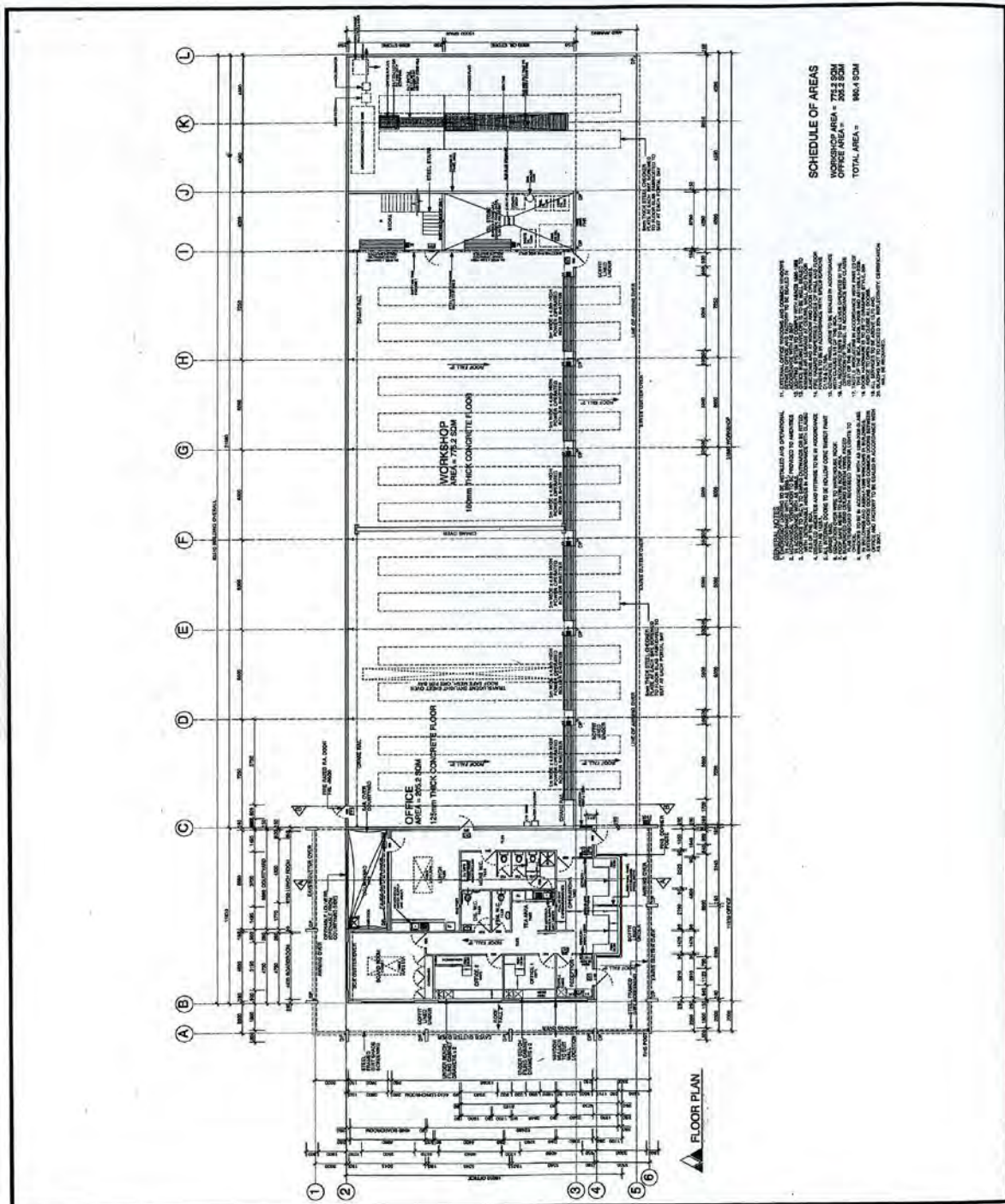
**SUBJECT:**

CONSTRUCTION OF AN INDUSTRIAL BUILDING AND HARDSTAND AREA  
AND USE OF PREMISES FOR CONSTRUCTION PLANT AND EQUIPMENT HIRE.  
LOT 7 DP 1071594 - No. 13 AUSTOOL PLACE, INGLEBURN



### 3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

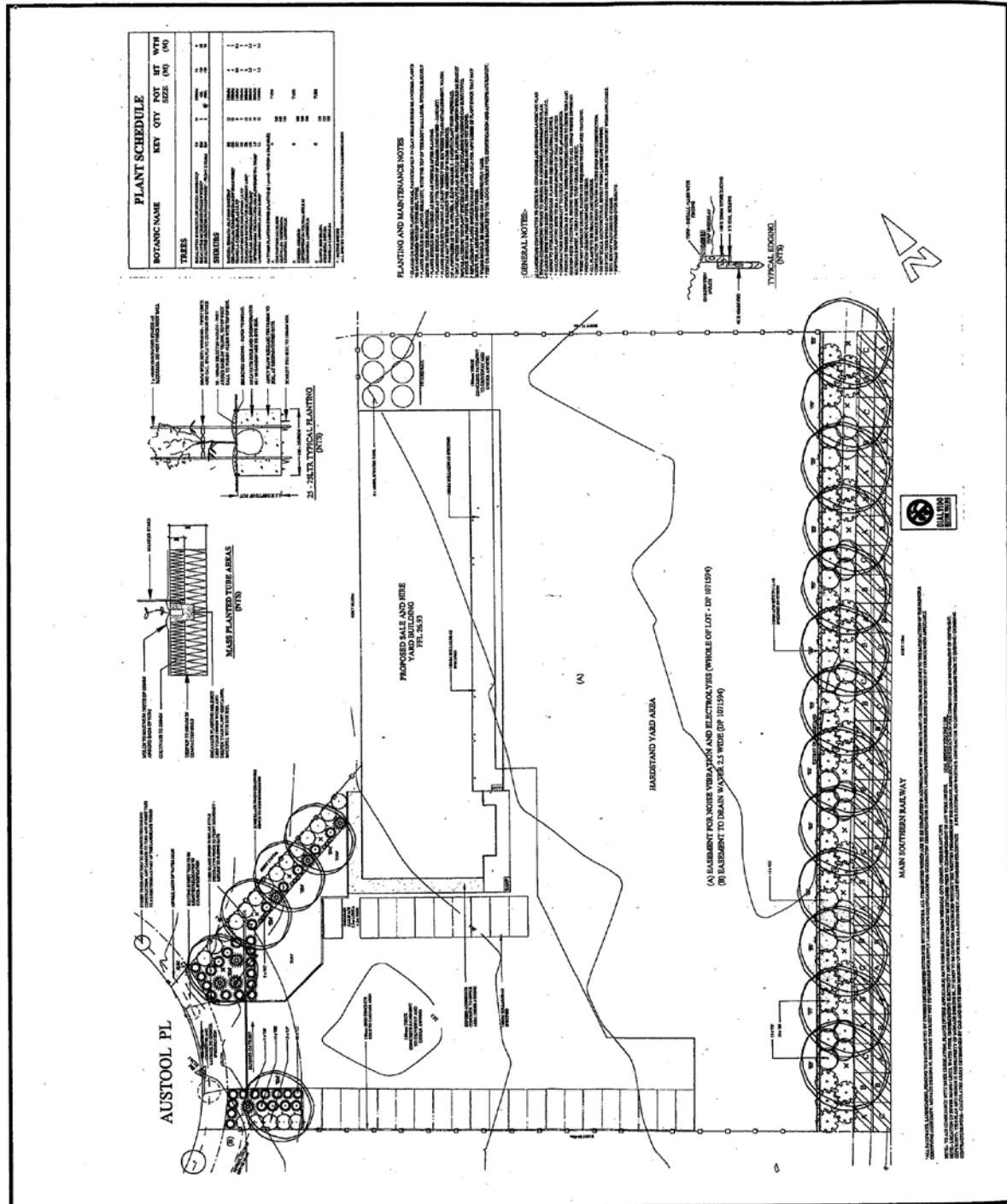
## ATTACHMENT 5



## FLOOR PLAN

### SUBJECT:

CONSTRUCTION OF AN INDUSTRIAL BUILDING AND HARDSTAND AREA  
AND USE OF PREMISES FOR CONSTRUCTION PLANT AND EQUIPMENT HIRE.  
LOT 7 DP 1071594 - No. 13 AUSTOOL PLACE, INGLEBURN

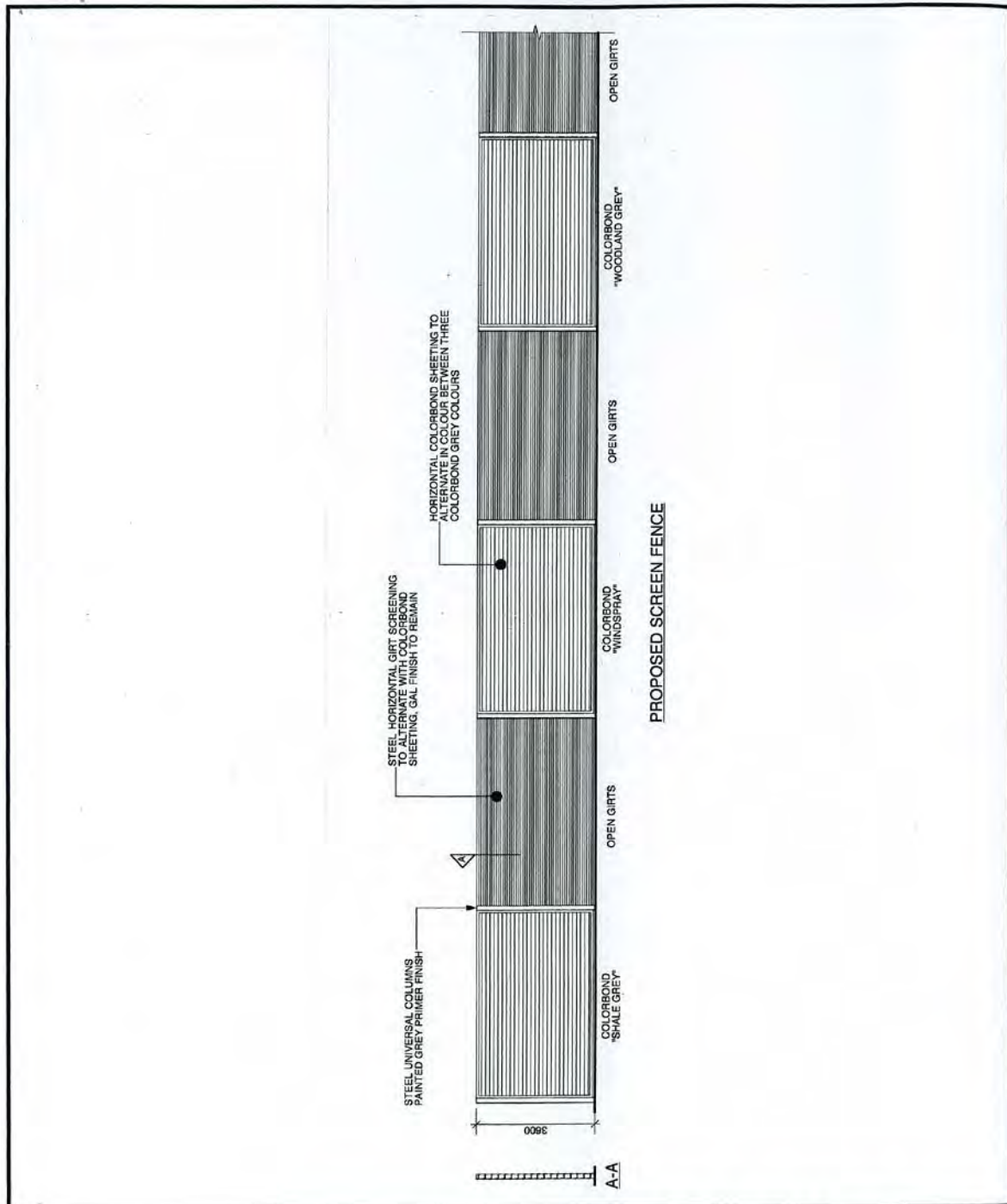


**SUBJECT:**

CONSTRUCTION OF AN INDUSTRIAL BUILDING AND HARDSTAND AREA  
AND USE OF PREMISES FOR CONSTRUCTION PLANT AND EQUIPMENT HIRE.  
LOT 7 DP 1071594 - No. 13 AUSTOOL PLACE, INGLEBURN

3.3 No. 13 Austool Place, Ingleburn - Construction Of An Industrial Building And Hardstand Area And Use Of The Premises For Construction Plant And Equipment Hire

## ATTACHMENT 7



### FENCE DETAILS

**SUBJECT:**

CONSTRUCTION OF AN INDUSTRIAL BUILDING AND HARDSTAND AREA  
AND USE OF PREMISES FOR CONSTRUCTION PLANT AND EQUIPMENT HIRE.  
LOT 7 DP 1071594 - No. 13 AUSTOOL PLACE, INGLEBURN

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## 4. COMPLIANCE SERVICES

### 4.1 Legal Status Report

#### Reporting Officer

Manager Compliance Services

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#### Attachments

Nil

#### Purpose

To update Council on the current status of the Planning and Environment Division's legal matters.

#### Report

This report contains a summary of the current status of the Division's legal matters for the 2013-2014 period as they relate to:

- The Land and Environment Court
- The District Court
- The Local Court
- Matters referred to Council's solicitor for advice.

A summary of year-to-date costs and the total number of matters is also included.

<b>1. Land and Environment Court Class 1 Matters – Appeals Against Council's Determination of Development Applications</b>
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<b>Total ongoing Class 1 DA appeal matters (as at 25/02/2014)</b>	<b>2</b>
<b>Total completed Class 1 DA appeal matters (as at 25/02/2014)</b>	<b>3</b>
<b>Costs from 1 July 2013 for Class 1 DA appeal matters:</b>	<b>\$23,391.38</b>

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<b>1 (a)</b>	<b>Yeugen KYSELOV</b>
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<b>Issue:</b>	Appeal against Council's refusal of Development Application No. 2159/2012/DA-RS for the construction of a detached dual occupancy with Torrens title subdivision.
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<b>Property:</b>	Lot 2736 DP 811889 No. 15 Nepean Towers Avenue, Glen Alpine
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<b>Property Owner:</b>	Mr Yeugen Kyselov
<b>Council File:</b>	No. 2159/2012/DA-RS
<b>Court Application:</b>	Filed on 18 October 2013 - File No. 10812/2013
<b>Applicant:</b>	Yeugen Kyselov
<b>Costs Estimate:</b>	\$18,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Final Costs:</b>	\$16,250.02
<b>Status:</b>	Completed
<b>Progress:</b>	Matter was before the Court for hearing on 22 and 23 January 2014, where on conclusion the Commissioner reserved judgement. On 29 January 2014 judgement was delivered dismissing the applicant's appeal and refusing Development Application 2159/2012/DA-RS for the construction of a detached dual occupancy development and subdivision of the property into two allotments.

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<b>1 (b)</b>	<b>Abdulhalim ELBAF &amp; Amne ELBAF</b>
<b>Issue:</b>	Appeal against Council's deemed refusal of a Building Certificate Application seeking to regularise building works, the subject of a disputed complying development certificate comprising a partly constructed residential dwelling and residential outbuilding and associated retaining walls, on the property.
<b>Property:</b>	Lot 1 DP 1039153 Zouch Road, Ingleburn.
<b>Property Owner:</b>	Mr. Abdulhalim Elbaf and Mrs Amne Elbaf
<b>Council File:</b>	No. 957/2013/BC-UW
<b>Court Application:</b>	Filed on 12 December 2013 - File No. 10969 of 2013
<b>Applicant:</b>	Abdulhalim Elbaf and Amne Elbaf
<b>Costs Estimate:</b>	\$10,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Costs to date:</b>	Nil
<b>Status:</b>	Ongoing – listed for directions hearing on 21 February 2014

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**Progress:** The Applicants have filed an appeal in the Land and Environment Court of NSW against Council's deemed refusal of a building certificate application seeking to regularise building works, the subject of a disputed complying development certificate comprising a partly constructed residential dwelling and residential outbuilding and associated retaining walls, on the property.

The appeal was before the court for first mention on 16 January 2014, where by consent, the proceedings were adjourned to 14 February 2014 for call over, in order to bring all three Class 1 appeal matters together and thereby give priority to Class 4 review matter of the disputed Complying Development Certificate listed under item 3(a) of this report.

The appeal was before the court on 14 February where, by consent, the proceedings were adjourned to 21 February 2014 for directions hearing. The adjournment was to allow the Applicant to file a Notice of Motion seeking orders that the proceedings be transferred to the Court's Residential List to enable the appeal to proceed separately to the Class 1 and Class 4 proceedings listed at items 2(a) and 3(a) respectively of this report.

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**1 (c)**

**Abdulhalim ELBAF & Amne ELBAF**

**Issue:** Appeal against Council's refusal of a modified development application seeking a review under section 82A of the *Environmental Planning and Assessment Act 1979* of development application No. 1458/2013/DA-DW for building works, the subject of a disputed complying development certificate comprising a residential dwelling and residential outbuilding and associated site works, on the property.

**Property:** Lot 1 DP 1039153 Zouch Road, Ingleburn.

**Property Owner:** Mr. Abdulhalim Elbaf and Mrs Amne Elbaf

**Council File:** No. 1458/2013/DA-82A

**Court Application:** Filed on 12 December 2013 - File No. 10970 of 2013

**Applicant:** Abdulhalim Elbaf and Amne Elbaf

**Costs Estimate:** \$10,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

**Costs to date:** Nil

**Status:** Ongoing – listed for directions hearing on 21 February 2014

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**Progress:**

The Applicants have filed an appeal in the Land and Environment Court of NSW against Council's refusal of a modified development application seeking a review under section 82A of the *Environmental Planning and Assessment Act 1979* of development application No. 1458/2013/DA-DW for building works, the subject of a disputed complying development certificate comprising a residential dwelling and residential outbuilding and associated site works, on the property.

The appeal was before the court for first mention on 16 January 2014, where by consent, the proceedings were adjourned to 14 February 2014 for call over, in order to bring all three Class 1 appeal matters together and thereby give priority to Class 4 review matter of the disputed Complying Development Certificate listed under item 3(a) of this report.

The appeal was before the court on 14 February where, by consent, the proceedings were adjourned to 21 February 2014 for directions hearing. The adjournment was to allow the Applicant to file a Notice of Motion seeking orders that the proceedings be transferred to the Court's Residential List to enable the appeal to proceed separately to the Class 1 and Class 4 proceedings listed at items 2(a) and 3(a) respectively of this report.

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<b>2. Land and Environment Court Class 1 Matters – Appeals Against Council's issued Orders / Notices</b>
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<b>Total ongoing Class 1 Order/Notice appeal matters (as at 25/02/2014)</b>	<b>1</b>
<b>Total completed Class 1 Order/Notice appeal matters (as at 25/02/2014)</b>	<b>0</b>
<b>Costs from 1 July 2013 for Class 1 Order/Notices appeal matters:</b>	<b>\$0.00</b>

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**2 (a)**

**Abdulhalim ELBAF & Amne ELBAF**

**Issue:**

Appeal against Council's Order 2 given under section 121B of the *Environmental Planning and Assessment Act 1979* requiring the building works, the subject of a disputed complying development certificate comprising a partly constructed residential dwelling and outbuilding and associated retaining walls, on the property be demolished.

**Property:**

Lot 1 DP 1039153 Zouch Road, Ingleburn.

**Property Owner:**

Mr. Abdulhalim Elbaf and Mrs Amne Elbaf

**Council File:**

No. 801/2013/N-EPA

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<b>Court Application:</b>	Filed on 6 December 2013 - File No. 10954 of 2013
<b>Applicant:</b>	Abdulhalim Elbaf and Amne Elbaf
<b>Costs Estimate:</b>	\$10,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Costs to date:</b>	Nil
<b>Status:</b>	Ongoing – listed for directions hearing on 4 April 2014
<b>Progress:</b>	<p>The Applicants have filed an appeal in the Land and Environment Court of NSW against Council's Order 2 given under section 121B of the Environmental Planning and Assessment Act 1979 requiring the building works, the subject of a disputed complying development certificate comprising a partly constructed residential dwelling and outbuilding and associated retaining walls, on the property be demolished.</p> <p>The appeal was before the court for first mention on 16 January 2014, where by consent, the proceedings were adjourned to 14 February 2014 for call over, in order to bring all three Class 1 appeal matters together and thereby give priority to Class 4 review matter of the disputed Complying Development Certificate listed under item 3(a) of this report.</p> <p>On 14 February 2014 the Court, by consent, adjourned the proceedings to 4 April for directions hearing.</p>

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<b>3. Land and Environment Court Class 4 Matters – Civil Enforcement in respect of non-compliance with Planning Law or Orders issued by Council</b>
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<b>Total ongoing Class 4 matters before the Court (as at 25/02/2014)</b>	<b>1</b>
<b>Total completed Class 4 matters (as at 25/02/2014)</b>	<b>1</b>
<b>Costs from 1 July 2013 for Class 4 matters</b>	<b>\$35,802.68</b>

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<b>3 (a)</b>	<b>Abdulhalim ELBAF &amp; Amne ELBAF</b>
<b>Issue:</b>	Appeal seeking judicial review of disputed complying development certificate No. CDC 0455/12 issued by the private certifier for the development comprising a residential dwelling and residential outbuilding and associated site works, on the property.
<b>Property:</b>	Lot 1 DP 1039153 Zouch Road, Ingleburn.
<b>Property Owner:</b>	Mr. Abdulhalim Elbaf and Mrs Amne Elbaf

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<b>Council File:</b>	No. 2491/2012/CDCPRI
<b>Court Application:</b>	Filed on 24 December 2013 - File No. 41030 of 2013
<b>Applicant:</b>	Abdulhalim Elbaf and Amne Elbaf
<b>Costs Estimate:</b>	\$10,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Costs to date:</b>	Nil
<b>Status:</b>	Ongoing – listed for further directions hearing on 4 April 2014.
<b>Progress:</b>	<p>The Applicants have filed an appeal in the Land and Environment Court of NSW seeking judicial review of disputed complying development certificate No. CDC 0455/12 issued by the private certifier for the development comprising a residential dwelling and residential outbuilding and associated site works, on the property.</p> <p>At the first mention on 7 February 2014 the proceedings were adjourned to 14 February for directions hearing.</p> <p>On 14 February 2014, the Court, by consent, adjourned the proceedings to 4 April 2014 for directions hearing.</p>

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<b>4. Land and Environment Court Class 5 - Criminal enforcement of alleged pollution offences and various breaches of environmental and planning laws</b>
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<b>Total ongoing Class 5 matters before the Court (as at 25/02/2014)</b>	<b>0</b>
<b>Total completed Class 5 matters (as at 25/02/2014)</b>	<b>0</b>
<b>Costs from 1 July 2013 for Class 5 matters</b>	<b>\$0.00</b>

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<b>5. Land and Environment Court Class 6 - Appeals from convictions relating to environmental matters</b>
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<b>Total ongoing Class 6 matters (as at 25/02/2014)</b>	<b>0</b>
<b>Total completed Class 6 matters (as at 25/02/2014)</b>	<b>0</b>
<b>Costs from 1 July 2013 for Class 6 matters</b>	<b>\$0.00</b>

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**6. District Court – Matters on Appeal from lower Courts or Tribunals not being environmental offences**

<b>Total ongoing Appeal matters before the Court (as at 25/02/2014)</b>	<b>0</b>
<b>Total completed Appeal matters (as at 25/02/2014)</b>	<b>1</b>
<b>Costs from 1 July 2013 for District Court matters</b>	<b>\$795.00</b>

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**7. Local Court prosecution matters**

The following summary lists the current status of the Division's legal matters before the Campbelltown Local Court.

<b>Total ongoing Local Court Matters (as at 25/02/2014)</b>	<b>4</b>
<b>Total completed Local Court Matters (as at 25/02/2014)</b>	<b>20</b>
<b>Costs from 1 July 2013 for Local Court Matters</b>	<b>\$2,200.00</b>

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<b>File No:</b>	LP26/13 – Penalty Notice Court Election
<b>Offence:</b>	Stop on path/strip in built-up area
<b>Act:</b>	<i>Road Rules 2008</i>
<b>Final Costs:</b>	\$0.00
<b>Status:</b>	Completed
<b>Progress:</b>	The matter was before the Court for hearing on 24 January 2014 where the defendant, Mukhlesur Rahman, entered a guilty plea with explanation. Having heard the facts and submissions the Magistrate found the offence proved and convicted the defendant imposing a fine of \$100 and an order for court costs of \$85.

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<b>File No:</b>	LP28/13 – Section 48 Penalty Notice Appeal
<b>Offence:</b>	Stand vehicle longer than allowed
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Costs to date:</b>	\$0.00
<b>Status:</b>	New matter.
<b>Progress:</b>	Listed for first mention on 11 March 2014.

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<b>File No:</b>	LP29/13 – Penalty Notice Court Election
<b>Offence:</b>	Stand vehicle in disabled persons space without authority
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Final Costs:</b>	\$0.00
	Completed.

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**Status:**

**Progress:** The matter was before the Court for mention on 14 January 2014 where the defendant entered a guilty plea with explanation. Having heard the facts and submissions the Magistrate found the offence proved and an order that the matter be dismissed without penalty under section 10(1)(a) of the *Crimes (Sentencing Procedure) Act 1999*.

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**File No:** LP30/13 – Penalty Notice Court Election  
**Offence:** Own dog uncontrolled in a public place – not dangerous dog

**Act:** *Companion Animals Act 1998*

**Final Costs:** \$0.00

**Status:** Completed.

**Progress:** The matter was before the Court for mention on 14 January 2014 where the defendant, Sharen Morton entered a guilty plea with explanation. Having heard the facts and submissions the Magistrate found the offence proved and convicted the defendant imposing a fine of \$100 and orders for court costs of \$85 and victim support levy of \$71.

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**File No:** LP01/14 – Penalty Notice Court Election  
**Offence:** Disobey No Stopping sign  
**Act:** *Road Rules 2008*

**Final Costs:** \$0.00

**Status:** New matter.

**Progress:** Listed for first mention on 25 February 2014.

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**File No:** LP02/14 – Penalty Notice Court Election  
**Offence:** Disobey No Parking sign – School Zone  
**Act:** *Road Rules 2008*

**Final Costs:** \$0.00

**Status:** New matter.

**Progress:** Listed for first mention on 4 March 2014.

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**File No:** LP03/14 – Penalty Notice Court Election  
**Offence:** Disobey No Parking sign – School Zone  
**Act:** *Road Rules 2008*

**Final Costs:** \$0.00

**Status:** New matter.

**Progress:** Listed for first mention on 11 March 2014.

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## 8. Matters referred to Council's solicitor for advice

Matters referred to Council's solicitors for advice on questions of law, the likelihood of appeal or prosecution proceedings being initiated, and/or Council liability.

**Total Advice Matters (as at 25/02/2014)**  
**Costs from 1 July 2013 for advice matters**

**7**  
**\$10,930.20**

## 9. Legal Costs Summary

The following summary lists the Planning and Environment Division's net legal costs for the 2012/2013 period.

Relevant attachments or tables	Costs Debit	Costs Credit
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$23,391.38	\$0.00
Class 1 Land and Environment Court - appeals against Orders or Notices issued by Council	\$0.00	\$0.00
Class 4 Land and Environment Court matters - non-compliance with Council Orders, Notices or prosecutions	\$35,802.68	\$0.00
Class 5 Land and Environment Court - pollution and planning prosecution matters	\$0.00	\$0.00
Class 6 Land and Environment Court - appeals from convictions relating to environmental matters	\$0.00	\$0.00
Land and Environment Court tree dispute between neighbours matters	\$0.00	\$0.00
District Court appeal matters	\$795.00	\$0.00
Local Court prosecution matters	\$2,200.00	\$0.00
Matters referred to Council's solicitor for legal advice	\$10,930.20	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$0.00	\$0.00
Costs Sub-Total	\$73,119.26	\$0.00
<b>Overall Net Costs Total (GST exclusive)</b>	<b>\$73,119.26</b>	



**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Thompson/Oates)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Greiss/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 23**

That the Officer's Recommendation be adopted.

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## **4.2 Macarthur Square Free Parking Agreement**

### **Reporting Officer**

Acting Manager Compliance Services

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### **Attachments**

1. Macarthur Square Parking Agreement Report to Council's Planning and Environment Committee 3 December 2013 (contained within this report)
2. Parking Ranger cost recovery details (contained within this report)

### **Purpose**

To provide additional information as requested by Council at the Ordinary Meeting of 10 December 2013 following its consideration of a report on a request from Macarthur Square Lend Lease to amend the existing Free Parking Area Agreement with Council to include the monitoring of loading docks, no stopping and no parking zones and non-designated areas of the Macarthur Square parking areas.

### **History**

A Free Parking Area Agreement has been in place between Council and Lend Lease Real Estate Investments Limited and GPT Funds Management Limited since 2011 that provides for Council to monitor and enforce disabled parking zones within the shopping centre car park areas.

Macarthur Square Lend Lease has written to Council requesting that Council alter the existing free parking area agreement for Macarthur Square to include an extension of Ranger enforcement of restricted car parking areas to include loading docks, no stopping and no parking zones and non-designated parking areas, in the interest of protecting public safety.

A report on this matter was presented to Council's Planning and Environment Committee at its meeting on 3 December 2013 and the Committee resolved:-

*"That a decision in this matter be deferred subject to the provision of a further report examining matters including the legal liabilities for Council staff, financial details outlining provision for full cost recovery and details relating to Council's existing parking enforcement activities on private property."*

Council at its Ordinary Meeting on 10 December 2013 adopted the above recommendation of the Planning and Environment Committee.

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## Report

The request by Macarthur Square Lend Lease to amend the Free Parking Area Agreement stems from concerns for public safety, particularly during busy shopping periods. It is evident that during congested parking periods, there is significant risk of pedestrian (particularly with the number of small children that frequent the shopping centre) or vehicle collision arising from illegally parked cars restricting the access to, and forward movement of, delivery trucks in and out of loading docks and the impeded movement of centre patron vehicles in and around car park areas.

It is important to note that the request for amendment of the Free Parking Area Agreement does not extend to the enforcement of time limit parking areas within the shopping centre car park areas and does not affect the current enforcement of disabled car parking spaces permitted under the Agreement.

Centre Management are restricted in their capacity to ensure the car parking areas are utilised effectively and in accordance with any sign posted conditions of use.

Council has advised that centre management have implemented a number of strategies without success to attempt to regulate and control illegal parking in loading zones and non-designated areas including the placement of notices on vehicle windscreens and the engagement of security staff for car park supervision and monitoring.

Centre management are limited in their ability to employ stronger measures to deal with parking offences, such as the practice of wheel clamping, as this practice is prohibited in NSW, unless the vehicle owner's permission to do so has been granted.

With respect to the land owner's capacity to employ other effective measures such as towing away a vehicle, the Traffic Act provides tow away powers, however these powers are only exercisable by the Police who may order the immediate tow away of an offending vehicle, in serious and urgent situations, where for example, a parked vehicle may be causing significant obstruction to traffic flow, or an immediate danger to pedestrians.

Alternatively, either the Council or the Police may order the impounding of a vehicle under the Impounding Act. Authorised impounding officers would need however to exercise caution by making at least some enquiries in an effort to identify and notify an offending vehicle owner before impounding a vehicle. This may unduly delay the impounding process by up to several days in some instances and therefore is not as effective as the immediate tow away provisions under the Traffic Act.

In response to the request for supplementary information to the 3 December 2013 Planning and Environment Committee Report the following additional information is provided.

### **(i) Legal Liability for Council staff.**

Under the terms of the existing Free Parking Area Agreement the landowner has responsibility to have in place insurance cover and indemnifies Council in respect of any claim for injury to Council staff or any third party to the value of \$20,000,000, or property damage to the property of Council or any third party to the value of \$1,000,000, in respect of its failure to properly maintain the car park areas, and except to the extent that the injury or damage is contributed to by the negligent act of Council.

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Similarly, under the terms of the existing Free Parking Area Agreement, the Council has responsibility to have in place insurance cover and indemnifies the landowner against claims for injury to Council staff or any third party, or property damage to the property of Council or any third party, up to a value of \$20,000,000 in respect of its enforcement of car park restrictions and except to the extent that the injury or damage is contributed to by the failure of the landowner to maintain the car park areas or other negligent act of the landowner.

**(ii) Cost recovery.**

In furnishing its request of Council to amend the Free Parking Area Agreement, Macarthur Square management have confirmed its willingness to contribute financially to additional surveillance activities associated with extending the existing Free Parking Area Agreement. In this regard, it is considered reasonable to levy an hourly rate on the land owner to recover the labour costs, incorporating 30% loading on top of the hourly employment cost, to cover associated on costs.

This rate is based on current parking officer pay rates and would be in the order of \$35 per hour per employee to provide the extended services. As patrols would generally be undertaken in pairs for (WHS reasons), the proposed rate per hour would be approximately \$70 per hour (see details outlined in attachment 2).

In addition to the above, Council retains the revenue raised from parking enforcement activities carried out under the terms of the free parking area agreement (less a small administrative fee of \$17.90 per penalty notice paid to the State Debt Recovery Office for fine administration) and this would not change under the proposed amendment to the agreement. The current base penalty notice amount is set at \$101, ensuring that Council would receive a minimum of \$83 per paid penalty issued.

**(iii) Council's existing car parking enforcement activities on privately owned land.**

Currently, Council is a party to Free Parking Area Agreements at Campbelltown Mall (disabled zones only) and Ingleburn Town Centre (all parking offences). In addition, Campbelltown Mall has previously expressed some interest in amending its existing parking area agreement to extend parking enforcement activities similar to that requested by Macarthur Square, however no formal approach has been forthcoming at this stage.

In addition to the above, enquiries were made of a number of other Sydney metropolitan Councils as to the nature of any existing free parking area agreement activities. A summary of results are summarised in the table below.

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Free Parking Area Agreement Survey			
Council	Free Parking Area Agreements with Private Land Owners	Offences enforced	Financial Arrangements
Penrith City Council	Yes. Numerous formal agreements, including Shopping Centres eg Nepean Village.	All Section 650 LGA parking offences, including time limit offences.	Fine revenue retained by Council.  Car parks maintained and signage installed and maintained by land owner.  No fee for service.
Sutherland Shire Council	Approximately 12 agreements in place, including Shopping Centres.	All Section 650 LGA parking offences, including time limit offences.	Fine revenue retained by Council.  Car parks maintained and signage installed and maintained by land owner.  No fee for service.  \$300 administrative fee charged to owner to set up agreement.
Hurstville City Council	Free Parking Area Agreement in place for Westfield Shopping Centre.	All Section 650 LGA parking offences, including time limit offences.	Fine revenue retained by Council.  No fee for service.
Liverpool City Council	Various Parking Area agreements in place with private car parks.	90% cover disabled spaces only. One agreement covers time limit offences.	Not disclosed by officer interviewed.
Fairfield City Council	No formal agreements in place.	N/A	N/A
Blacktown City Council	No formal agreements in place.	N/A	N/A

The above table indicates that of the Councils contacted, a number have free parking area agreements in place to monitor parking on privately owned car parks. In such situations, Council retains the revenue from parking enforcement, however no separate fee for providing the service applies, with the exception of Sutherland which charged a \$300 fee to cover administrative costs of preparing the agreement “in house” by their legal staff. The private landowner retains responsibility for maintaining the cost of the car park maintenance including signage and line marking as is the case with the existing Macarthur Square, Ingleburn Town Centre and Mall agreements.

#### (iv) Impact on existing activities

Council has two specialist parking enforcement Rangers who monitor the various on street and Council car park restricted parking areas. These officers also patrol school zones and participate in afterhours heavy vehicle parking patrols as part of compliance program activities with general duties Rangers.

Given the existing limited resources available for parking enforcement duties across the city, it is proposed that additional resources (funded by the proposed fee for service) would need to be engaged to undertake the parking area patrol commitments proposed under the extended parking area agreement. It is considered that patrols would typically be undertaken 2 hours per day Monday to Friday and randomly on weekends depending upon seasonal needs, for example at Christmas and other peak holiday periods.

Given the rising demands for parking (stemming largely from regional growth pressures and the increased reliance on Campbelltown as a regional shopping and transport hub) and the consequential need for increased enforcement heightened by the creation of additional restricted parking areas within the Campbelltown LGA, there may be some merit in considering the provision of additional parking enforcement resources beyond that required to specifically meet the Macarthur Square amended parking area agreement proposal.

Consideration could be given to engaging the services of an additional two full time parking officers which would be partially funded from the services provided to Macarthur Square, to address the growing demand for parking enforcement. These additional officers would be fully funded from enforcement activities (refer to details outlined in attachment 2) and enable greater capacity to monitor "hot spot" parking areas within the city, including major CBD locations, transport interchanges (particularly local rail stations at Campbelltown, Leumeah and Glenfield) and at Park Central. In addition, the engagement of these officers would provide increased capacity to resource existing School Zone and after hours Heavy Vehicle compliance programs.

## **Conclusion**

In view of the comparative survey results and further information contained in the body of the report together with the positive public safety benefit from increasing parking enforcement to regulate illegal parking in designated and non-designated parking areas within the Macarthur Square Shopping complex, and that Macarthur Square management have confirmed its willingness to contribute financially to additional surveillance activities, it is recommended that Council vary the existing Free Parking Area Agreement in accordance with the request by shopping centre management in their letter of 16 July 2013, subject to their agreement to finance patrol activities on a cost recovery and fee for service basis as outlined in this report.

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### **Officer's Recommendation**

1. That Council's General Manager be granted delegated authority to enter into an amended Free Parking Area Agreement with parties to the existing agreement to enable Council to enforce illegal parking in loading docks, no stopping and no parking zones and non-designated areas as requested by Macarthur Square Lend Lease in their letter to Council of 16 July 2013.
2. That the General Manager be authorised to negotiate terms of an amended agreement including a scheduled rate of financial contribution on a full cost recovery fee for service basis, with Macarthur Square management as part of finalising the amended Free Parking Area Agreement.
3. That the General Manager be granted delegated authority to enter into similar Free Parking Area Agreements to that referred to in item 1 above with other major shopping centres should Council receive further proposals.
4. That Council's General Manager be authorised to engage additional resources as appropriate to fulfil the regulatory enforcement service requirements of the amended Agreement referred to in item 1.

### **Committee's Recommendation: (Oates/Kolkman)**

1. That the information be noted.
2. That Council not extend the current free parking agreement with Macarthur Square or any other shopping centre.

### **Amendment: (Thompson/Rowell)**

1. That Council's General Manager be granted delegated authority to enter into an amended Free Parking Area Agreement with parties to the existing agreement to enable Council to enforce illegal parking in loading docks, no stopping and no parking zones and non-designated areas as requested by Macarthur Square Lend Lease in their letter to Council of 16 July 2013.
2. That the General Manager be authorised to negotiate terms of an amended agreement including a scheduled rate of financial contribution on a full cost recovery for service basis fee, exclusive of any fine income, with Macarthur Square management as part of finalising the amended Free Parking Area Agreement.
3. That Council's General Manager be authorised to engage additional resources as appropriate to fulfil the regulatory enforcement service requirements of the amended Agreement referred to in item 1.

**WON** and became the Motion

**CARRIED**

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### **Council Meeting 11 March 2014 (Greiss/Matheson)**

1. That Council's General Manager be granted delegated authority to enter into an amended Free Parking Area Agreement with parties to the existing agreement to enable Council to enforce illegal parking in loading docks, no stopping and no parking zones and non-designated areas as requested by Macarthur Square Lend Lease in their letter to Council of 16 July 2013.
2. That the General Manager be authorised to negotiate terms of an amended agreement including a scheduled rate of financial contribution on a full cost recovery for service basis fee, exclusive of any fine income, with Macarthur Square management as part of finalising the amended Free Parking Area Agreement.
3. That Council's General Manager be authorised to engage additional resources as appropriate to fulfil the regulatory enforcement service requirements of the amended Agreement referred to in item 1.

### **Council Resolution Minute Number 23**

1. That Council's General Manager be granted delegated authority to enter into an amended Free Parking Area Agreement with parties to the existing agreement to enable Council to enforce illegal parking in loading docks, no stopping and no parking zones and non-designated areas as requested by Macarthur Square Lend Lease in their letter to Council of 16 July 2013.
  2. That the General Manager be authorised to negotiate terms of an amended agreement including a scheduled rate of financial contribution on a full cost recovery for service basis fee, exclusive of any fine income, with Macarthur Square management as part of finalising the amended Free Parking Area Agreement.
  3. That Council's General Manager be authorised to engage additional resources as appropriate to fulfil the regulatory enforcement service requirements of the amended Agreement referred to in item 1.
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## ATTACHMENT 1



Planning and Environment Committee Meeting 3/12/13

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### **TITLE     Macarthur Square Free Parking Area Agreement**

#### **Reporting Officer**

Acting Manager Compliance Services

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#### **Attachments**

Correspondence from Macarthur Square Lend Lease of 16 July 2013 (contained within this report)

#### **Purpose**

To report on a request from Macarthur Square Lend Lease to amend the existing free parking area agreement with Council to include the monitoring of loading docks, no stopping and no parking zones and non-designated areas of the Macarthur Square car parking areas.

#### **History**

A Free Parking Area Agreement has been in place between Council and Lend Lease Real Estate Investments Limited and GPT Funds Management Limited since 2011 that provides for Council to monitor and enforce disabled parking zones within the shopping centre car park areas.

Macarthur Square Lend Lease has written to Council (Attachment 1) requesting that Council alter the existing free parking area agreement for Macarthur Square to include an extension of Ranger enforcement of restricted car parking areas to include loading docks, no stopping and no parking zones and non-designated parking areas in the interest of protecting public safety.

Council is also a party to Free Parking Area Agreements at Campbelltown Mall (disabled zones only) and Ingleburn Town Centre (all parking offences). Campbelltown Mall has previously expressed some interest in amending the existing parking area agreement to extend parking enforcement activities similar to that requested by Macarthur Square Management.

#### **Report**

The request by Macarthur Square Lend Lease to amend the free parking area agreement stems from concerns for public safety arising from illegally parked cars preventing the access to, and forward movement of, trucks in and out of loading docks and restricting the free movement of vehicles in and around car park areas.

The request for amendment of the free parking area agreement does not extend to the enforcement of time limit parking areas within the shopping centre car park areas and does

not affect the current enforcement of disabled car parking spaces permitted under the agreement.

Centre management have implemented a number of strategies without success to attempt to regulate and control illegal parking in loading zones and non-designated areas including the placement of notices on vehicle windscreens and the engagement of security staff for car park supervision and monitoring. This is understood to have prompted a written request from centre management to seek assistance from Council to expand its parking enforcement activities through a proposed amendment to the terms of the existing free parking area agreement.

Council retains the revenue raised from parking enforcement activities carried out under the terms of the free parking area agreement and this would not change under the proposed amendment to the agreement.

In addition, Macarthur Square management have confirmed its willingness to contribute financially to additional surveillance activities on an agreed hourly rate yet to be negotiated.

In view of the positive public safety benefit from increasing parking enforcement to regulate illegal parking in loading docks, no stopping and no parking zones, and non-designated parking areas, it is recommended that Council vary the existing free parking area agreement in accordance with the request by shopping centre management in their letter of 16 July 2013.

#### **Officer's Recommendation**

1. That Council's General Manager be granted delegated authority to enter into an amended Free Parking Area Agreement with parties to the existing agreement to enable Council to enforce illegal parking in loading docks, no stopping and no parking zones and non-designated areas as requested by Macarthur Square Lend Lease in their letter to Council of 16 July 2013.
2. That the General Manager be authorised to negotiate terms of our amended agreement including a suitable rate of financial contribution on a fee for service basis, with Macarthur Square management as part of finalising the amended Free Parking Area Agreement.
3. That Council's General Manager be granted delegated authority to enter into similar Free Parking Area Agreements to that referred to in item 1 above with other major shopping centre should Council receive further proposals.



16 July 2013

Mr P Tosi

Campbelltown City Council

DX 5114 Campbelltown

JUL 18 '13 08:08:15 RCUT

Dear Paul

We write to you with regard to the original agreement for the monitoring of the disable parking areas at Macarthur Square,

Over the last several months we have been experiencing many cars parked illegally in Loading Docks and non-designated areas of our car park that has become a major risk not only to property damage but also physical injury, due to the obstruction of the illegally parked vehicles.

We therefore would like to ask council if the existing agreement can be altered to include the monitoring of loading docks, no standing areas, no parking areas and non-designated areas to ensure the safety of all concerned, when in Macarthur Square Shopping Centre. We also request that the new agreement be placed under State Legislation and not the Local Government Act as this will have a far greater effect in dealing with illegally parked vehicles.

We attach a copy of our current agreement and photos of the illegally parked vehicles for your consideration on this matter.

Yours Sincerely

**Michael Figallo | Operations Manager | Macarthur Square | Lend Lease**

200 Gilchrist Drive, Campbelltown NSW 2560 Australia

T +61 2 4621 7207 | F +61 2 4628 4411 | M 0438 499 724

[michael.figallo@lendlease.com](mailto:michael.figallo@lendlease.com) | [www.macarthursquare.com.au](http://www.macarthursquare.com.au)



## ATTACHMENT 2

### Macarthur Square Free Parking Area Agreement Cost Recovery

<b>i. Parking Enforcement Service Cost Recovery</b>	
Parking Ranger (Grade 7) maximum hourly rate	\$26.87
30% Salary on costs (leave provisions, superannuation)per hour	\$8.06
Total hourly cost per Parking Ranger	<b>\$34.93</b>
Proposed parking enforcement service charge rate \$35/hour per Parking Ranger to fully recover costs.	
Patrols conducted with 2 Parking Rangers at a service charge rate of \$70/hour	

<b>ii. Recruitment of an additional 2 full time Parking Rangers</b>	
Parking Ranger Grade 7 (current maximum salary per annum)	\$53,097
30% Salary on costs (leave provisions, superannuation)	\$15,929
Total Salary cost per Parking Ranger (including salary and on costs)	\$69,026
Total cost (including salary on costs) for 2 Parking Rangers	<b>\$138,052</b>

<b>iii. Existing Parking Ranger Enforcement Income</b>	
Total value of car parking enforcement Penalty Notices issued by the two existing Parking Rangers for parking offences for 2013 Calendar year	<b>\$620,795</b>

## 5. GENERAL BUSINESS

Nil.

### Confidentiality Motion: (Kolkman/Rowell)

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Committee's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

**CARRIED**

## 18. CONFIDENTIAL ITEMS

### 18.1 Confidential Report Directors of Companies

#### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### 18.2 2014 Heritage Medallion

#### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
    - (iii) reveal a trade secret
-

There being no further business the meeting closed at 9.48pm.

G Greiss  
CHAIRPERSON

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# **Reports of the City Works Committee Meeting held at 7.30pm on Tuesday, 4 March 2014.**

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## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

### **Non Pecuniary – Significant Interests**

### **Non Pecuniary – Less than Significant Interests**

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<b>1.4</b>	<b>Park Central - Status Report</b>	<b>34</b>
<b>2.</b>	<b>OPERATIONAL SERVICES</b>	<b>36</b>
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**Minutes of the City Works Committee held on 4 March 2014**

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**Present**

Councillor P Lake (Chairperson)  
Councillor G Brticevic  
Councillor S Dobson  
Councillor W Glynn  
Councillor P Hawker  
Director Business Services - Mr M Sewell  
Acting Director Community Services - Mrs J Uluibau  
Acting Director City Works - Mr G Mitchell  
Acting Manager Assets and Supply Services - Mr W Miller  
Acting Manager Business Assurance - Mr C Taylor  
Acting Manager Compliance Services - Mr P Curley  
Manager Emergency Management and Community Safety - Mr R Blair  
Manager Executive Services - Mr N Smolonogov  
Manager Financial Services - Mrs C Mears  
Manager Healthy Lifestyles - Mr M Berriman  
Manager Information Management and Technology - Mrs S Peroumal  
Manager Library Services - Mr G White  
Manager Operational Services - Mr A Davies  
Manager Property Services - Mr J Milicic  
Manager Technical Services - Mr K Lynch  
Policy and Governance Coordinator - Ms J Warner  
Executive Assistant - Mrs D Taylor

**Apology (Brticevic/Hawker)**

That the apology from Councillor Borg be received and accepted.

**CARRIED**

**Note:** Councillor A Chanthivong has been granted a leave of absence from Council, incorporating all formal Council and Committee meetings until Tuesday 12 August 2014.

**Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Lake.

**DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this meeting.

**Pecuniary Interests**

Nil

**Non Pecuniary – Significant Interests**

Nil

**Non Pecuniary – Less than Significant Interests**

Nil

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## **1. TECHNICAL SERVICES**

### **1.1 Traffic Committee**

#### **Reporting Officer**

Manager Technical Services

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#### **Attachments**

1. Minutes of the Local Traffic Committee Meeting of 6 February 2014 (contained within this report)
2. Minutes of the Campbelltown Traffic Committee Meeting of 6 February 2014 (contained within this report)

#### **Purpose**

To seek Council's endorsement of the recommendations arising from the Local Traffic Committee and Campbelltown Traffic Committee meeting held on 6 February 2014.

#### **Report**

#### **RECOMMENDATIONS OF THE LOCAL TRAFFIC COMMITTEE ON 6 FEBRUARY 2014**

##### **Reports Listed for Consideration**

##### **LTC 14/1 Car Park Stage IV, Parkside Crescent, Park Central, Campbelltown - Signs and Line Markings**

1. That Council approves the attached Signs and Line Marking Plan (J12414) Car Park 3 and the raised pedestrian crossing on Parkside Crescent as described in the body of this report.
2. The parking bays in the car park on the left hand side be modified to 2.9 metres wide.

##### **LTC 14/2 Spitfire Drive and Thunderbolt Drive, Raby - Intersection and Speed Concerns**

1. That Council provide a kerb blister treatment at Spitfire and Thunderbolt Drive intersection.
  2. That Council provide a median island with kerb blisters along Spitfire Drive.
  3. That Council consult with the affected residents.
-

**LTC 14/3 Hurley Street, Campbelltown - Bend Improvements**

That Council approve the proposed improvements as stipulated in the body of the report and in the attached Plan (J12543).

**LTC 14/4 Fortune Street/Glory Road Intersection, Glenfield**

That Council install Give Way control in Fortune Street, Glenfield at its intersection with Glory Road.

**LTC 14/5 Glenfield Public School, Railway Parade, Glenfield - Pedestrian Access and Speed Control Devices**

1. That Council approves the Plan (J12542) for the proposed pedestrian refuge and other traffic facilities outside Glenfield Public School on Railway Parade, Glenfield as described in the body of this report.
2. That Council consults with the affected resident of Railway Parade, Glenfield in regards to the installation of the gateway entry and possible loss of one parking space.

**RECOMMENDATIONS OF THE CAMPBELLTOWN TRAFFIC COMMITTEE ON 6 FEBRUARY 2014**

**Reports Listed for Consideration**

**CTC 14/1 2013 Fatality Crash Consideration**

That the information be noted.

**CTC 14/2 Proposed Events for 2014**

1. That Council prepares and submits Special Event Transport Management Plans for the following events for RMS endorsement.
    - Songkran Fete 13 April 2014
    - ANZAC Day March 25 April 2014
    - Chemical Cleanout July 2014 - dates TBA
    - Fishers Ghost Festival 31 October to 9 November 2014
    - New Year's Eve Celebrations 31 December 2014
  2. That Council undertakes temporary road closures on affected streets as required for the events.
  3. That Council provides on-street advance notice signs of the road closures at least one week prior to the event and liaise with various stakeholders.
  4. Council advertise road closures 28 days prior to the event on its website and in local papers.
-

## **General Business**

### **CTC 14/3 Hume Highway and Narellan Road - Left Lane Exit Ramp**

That Council write to the Roads and Maritime Services requesting an urgent review of the left turn lane on the Narellan Road exit ramp from the M31 south bound with the view of extending the lane and request that the left lane be a left turn only lane.

### **CTC 14/4 Hyde Parade - Traffic movements**

That the Manager Technical Services discuss the request with Mr David Ball, Chairman of IRT Macarthur Residents Committee and report back to the next meeting of the Traffic Committee.

## **Officer's Recommendation**

That the recommendations of the Local Traffic Committee and Campbelltown Traffic Committee as detailed in the Minutes of the meeting held on 6 February 2014 be adopted.

### **Committee's Recommendation: (Glynn/Dobson)**

That the Officer's Recommendation be adopted.

## **CARRIED**

### **Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## **ATTACHMENT 1**



### **LOCAL TRAFFIC COMMITTEE MINUTES**

**6 February 2014**

#### **LOCAL TRAFFIC COMMITTEE**

Traffic matters related to the functions delegated to councils under the *Transport Administration Act 1988*.

## **Minutes Summary**

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LTC 14/1	<b>Car Park Stage IV, Parkside Crescent, Park Central, Campbelltown - Signs and Line Markings</b>	<b>5</b>
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6.	<b>LATE ITEMS</b>	<b>15</b>
	<b>No reports this round</b>	
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	<b>No reports this round</b>	
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	<b>No reports this round</b>	

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## **LOCAL TRAFFIC COMMITTEE MINUTES**

Traffic matters related to the functions delegated to Councils under the *Transport Administration Act 1988*.

### **Minutes of the Local Traffic Committee held on 6 February 2014**

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#### **1. ATTENDANCE**

##### **Campbelltown City Council**

Councillor G Greiss (Chairperson)  
Acting Director City Works (Mr G Mitchell)  
Manager Technical Services - Mr K Lynch  
Coordinator Traffic and Road Design - Mr A Arora  
Team Leader Traffic Investigation - Mr F Sirc  
Administrative Assistant - Miss L Radley

##### **Roads and Maritime Services**

Mr J Suprain

##### **Police Representatives**

Senior Constable M Davies  
Senior Constable M Cotton

##### **Bus Companies**

Busways – Mr S Grady

##### **Representatives of Local Members of Parliament**

Mr R James

##### **Others**

Mrs T Hagan, Principal - Glenfield Public School (LTC 14/4)  
Mr T Tesoro - Resident from Panorama Estate (LTC 14/4)

#### **Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Greiss.

#### **2. APOLOGIES**

Mr B East - Interline

#### **3. CONFIRMATION OF MINUTES**

The Minutes of the previous meeting held on 19 December 2013 were confirmed by the City Works Committee held on 4 February 2014 and adopted by Council at its meeting held on 11 February 2014.

#### **4. BUSINESS ARISING FROM MINUTES**

No reports this round

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## **5. REPORTS LISTED FOR CONSIDERATION**

### **LTC 14/1                      Car Park Stage IV, Parkside Crescent, Park Central, Campbelltown - Signs and Line Markings**

Previous Report:        LTC 13/27, 13/29  
Electorate:              Wollondilly  
Author Location:        Traffic and Road Design Unit

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#### **Attachments**

1. Locality Plan showing proposed additional public parking.
2. Signs and Line Marking Plan (J12414) Stage IV.

#### **Background (6/2/2014)**

The Traffic Committee at its meeting on 5 September 2013, the committee was briefed about the proposed traffic and pedestrian management in Parkside Crescent that included the addition of six proposed car parks. The report foreshadowed a program of a number of car parks and the approval of pedestrian crossings at two sites on Parkside Crescent.

The Committee is now presented with the detailed design of Stage IV, comprising of car park 3, a raised pedestrian crossing and signs and line markings for its concurrence.

1. Car park 3 comprises of thirteen off street parking spaces inclusive of two accessible spaces. This car park will be governed by ½ P period parking and the spaces are line marked for 90° angle parking.
  2. Provision of a raised pedestrian crossing has been made across Parkside Crescent adjacent to the car park. The crossing has kerb extensions matching the footpath levels across the road which would improve the line of sight for pedestrians to safely cross the road. The crossing has been designed in accordance with the Australian Standards.
  3. Stage IV includes road widening to Parkside Crescent by 1.5m and for a length of 85m. Adjustments and removal of the existing kerb and the drainage pits has been done in conjunction with car park. The edge of the existing parking lane will be maintained at this stage for a length of 85m by marking edge line E1 and C1 as shown in the attached plan. However, these lines will be amended to suit the Stage 5 road widening.
  4. Provision of additional street lights has been made at the pedestrian crossing as per the Australian Standards.
-

The plans also show the signs and line markings related to pedestrian management on the approach and departure side of the proposed raised pedestrian crossing.

### **Officer's Recommendation**

That Council approves the attached Signs and Line Marking Plan (J12414) Car Park 3 and the raised pedestrian crossing on Parkside Crescent as described in the body of this report.

### **Discussion (6/2/2014)**

The Manager Technical Services advised the Committee that the parking bays on the left hand side as you enter the car park would be modified to 2.9 metres wide instead of 2.7 wide as shown on the plan.

The Committee noted the change to the plan and supported the recommendation as presented.

### **Recommendation of the Local Traffic Committee**

1. That Council approves the attached Signs and Line Marking Plan (J12414) Car Park 3 and the raised pedestrian crossing on Parkside Crescent as described in the body of this report.
  2. The parking bays in the car park on the left hand side be modified to 2.9 metres wide.
-



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**LTC 14/2                      Spitfire Drive and Thunderbolt Drive, Raby -  
Intersection and Speed Concerns**

Previous Report:            LTC 09/01, LTC06/62, CTC 07/43, LTC 08/64

Electorate:                Camden

Author Location:        Traffic and Road Design Unit

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**Attachments**

Concept Plan (J12544) showing treatment of Spitfire Drive and Thunderbolt Drive.

**Background (6/2/2014)**

Council has received concerns from the community about speeding vehicles along Spitfire Drive and at its intersection with Thunderbolt Drive. There are also noise concerns caused by trucks travelling on this intersection and it is noted that a resident at this location is frequently troubled from the loud screeching sounds of turning vehicles.

Councils Local Traffic Committee has previously addressed reports on the speeding in Spitfire Drive. As its meeting of 2009 a number of recommendations were put to Council and accordingly various traffic calming measures have been installed. This includes edge line marking treatments, an on road cycle way and a pedestrian refuge in front of Mt Carmel school. Council had also sought assistance from NSW Police in programming speed tasking in Spitfire Drive.

In reviewing the accident history a comparison has been made between the five year period ending Dec 2007 and the five year period ending Jun 2012. The comparison shows that 23 crashes had occurred in Spitfire Drive in the period ending 2007 whereas 25 crashes had occurred in Spitfire Drive for the period ending Jun 2012. This shows that the number of accidents generally remained the same from the period of ending December 2007 and ending Jun 2012.

Due to the recent concerns raised by the community, Council has investigated Spitfire and Thunderbolt Drive intersection. Council had installed the CCTV camera to observe the driving behaviour of motorists. It is noted that some vehicles, especially trucks are driving over the edge lanes when turning right from Thunderbolt Drive onto Spitfire Drive.

Council officers propose that the following recommendations be made to improve safety and resident amenity (as shown in the Concept Plan J12544):

- Provide a kerb blister treatment adjacent to No. 107 Spitfire Drive at the Spitfire Drive and Thunderbolt Drive 'T' intersection. This action will require motorists to slow down and delineate them when turning right out of Thunderbolt Drive onto Spitfire Drive. This action may also help to ease the sounds caused by vehicles turning out of this intersection.
-

- Provide a median island along with kerb blisters on both sides of the road, north of Spitfire Drive. This slow point will act to narrow the through carriageway, creating a roadway restriction requiring vehicles to reduce their speed.

### **Officer's Recommendation**

1. That Council provide a kerb blister treatment at Spitfire and Thunderbolt Drive intersection.
2. That Council provide a median island with kerb blisters along Spitfire Drive.
3. That Council consult with the affected residents.

### **Discussion (6/2/2014)**

The Committee discussed the matter and supported the recommendations as presented.

### **Recommendation of the Local Traffic Committee**

1. That Council provide a kerb blister treatment at Spitfire and Thunderbolt Drive intersection.
  2. That Council provide a median island with kerb blisters along Spitfire Drive.
  3. That Council consult with the affected residents.
-



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**LTC 14/3                      Hurley Street, Campbelltown Bend Improvements**

Previous Report:            Nil  
Electorate:                Campbelltown  
Author Location:        Traffic and Road Design Unit

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**Attachments**

Hurley Street and Broughton Street speed improvements Plan (J12543)

**Background (6/2/2014)**

Concerns have been raised by the community regarding the numerous incidents of motorists losing control at the bend of Hurley Street and Broughton Street, Campbelltown, especially during rainy periods.

Council officers have inspected the site and have observed the current conditions which are as follows:

1. The bend is quite sharp upon approach.
2. The current speed limit is 60 km/hr on Hurley Street with a recommended 25km/hr around the bend.
3. There is an existing "REDUCE SPEED" sign on Hurley Street approaching the bend and Chevron Alignment Markers (G9-243) at the bend.

Council officers propose that the following improvements be made to enhance the safety of the motorists passing through the bend (as shown in the attached plan);

1. Mark transverse lines as a perceptual slow point for a length of approximately 51m in the north bound lanes. The spacing of these transverse lines reduces, so that drivers who fail to slow down see the transverse lines passing at an increased rate, consequently the drivers reaction is to slow down in order to see the lines pass by at a more constant rate.
  2. Mark the words "SLOW DOWN" on approach to the transverse lines to convey a warning message to motorists before approaching the bend.
  3. Incorporate the "SLIPPERY" (W5-20) sign in conjunction with the relevant supplementary "WHEN WET" (W8-7) sign, located 60m in advance of the bend. This is to warn motorists that there may be a reduced skid resistance along this section of the roadway when wet. This is being installed as an additional precautionary warning sign.
  4. Provide anti-skid treatment to the existing pavement surface at the bend.
  5. The existing "REDUCE SPEED" (G9-9) sign shall be relocated 60m in advance of the proposed warning sign in accordance with the Australian Standards.
-

6. Replace Chevron Alignment Markers (G9-243) with Chevron Alignment Markers (D4-6) on the approach direction of the bend, which are larger in size and would be visible from a distance.

### **Officer's Recommendation**

That Council approve the proposed improvements as stipulated in the body of the report and in the attached Plan (J12543).

### **Discussion (6/2/2014)**

The Committee discussed the matter and supported the recommendation as presented.

### **Recommendation of the Local Traffic Committee**

That Council approve the proposed improvements as stipulated in the body of the report and in the attached Plan (J12543).

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**LTC 14/4                      Fortune Street/Glory Road Intersection, Glenfield**

Previous Report:        LTC 11/34  
Electorate:              Macquarie Fields  
Author Location:        Traffic and Road Design Unit

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**Attachments**

Location sketch plans showing Fortune Street Give Way control proposal.

**Background (6/2/2014)**

Following an inspection of constructed traffic control facilities in Stage 1 development of Glenfield Chase Subdivision Council Officers noticed a Y intersection that is not clear to which particular leg motorists have right of way.

Following further investigations it is recommended that Give Way control be introduced on Fortune Street, which would give way to traffic on Glory Road. The Give Way control and 10m double barrier line is to be provided as per Roads and Maritime Services Delineation Guidelines.

**Officer's Recommendation**

That Council install Give Way control in Fortune Street, Glenfield at its intersection with Glory Road.

**Discussion (6/2/2014)**

The Committee discussed the matter and supported the recommendation as presented.

**Recommendation of the Local Traffic Committee**

That Council install Give Way control in Fortune Street, Glenfield at its intersection with Glory Road.

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**LTC 14/5                      Glenfield Public School, Railway Parade, Glenfield -  
Pedestrian Access and Speed Control Devices**

Previous Report:            Nil  
Electorate:                Macquarie Fields  
Author Location:        Traffic and Road Design Unit

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**Attachments**

Concept Plan (J12542) showing the proposed devices and line marking at Glenfield Public School, Railway Parade, Glenfield.

**Background (6/2/2014)**

Council is in receipt of requests from both Glenfield Public School and its Parents and Citizens (P&C) Association seeking a pedestrian refuge on Railway Parade outside Glenfield Public School, Glenfield due to safety concerns about the children crossing the road.

Following the concerns Council Officers had organised a meeting with the School Principal and the representatives of P&C Association where the issues were addressed. It was advised that due to the new estate developments north of the school along Glenfield Road, more children have enrolled into this school and further enrolments are likely to continue. As there is no effective pedestrian facility at this location, the parents are concerned about the safety of their children crossing the road especially in the afternoons to catch a bus.

It was also advised that the motorists took little notice of the 40km/hr speed limit in this school zone and as a result, Council's Road Safety Officer had checked the speed of vehicles during school zone times and has affirmed the concerns raised by parents.

Upon further investigations and consultation with the school Principal, Council has developed a concept plan (attached) with the following recommendations;

- Provide gateway entry devices comprising of kerb side blister, speed cushion and concrete island south of Chesham Parade. The slow point will reduce the width of the road and would hence require motorists to reduce their speed when entering the school zone. It is anticipated that there will be a loss of one parking space adjacent to 48 Railway Parade. It is noted that this is a corner property with both vehicle and pedestrian access being mainly from Chesham Parade. Council will consult with the affected residents.
  - Provide a pedestrian refuge with kerb side blisters to cater primarily for school children walking to the bus stop. This will act as a staging area for pedestrians to take refuge and cross the road safely. The facility will also act as a slow point to ensure vehicles decrease their speed on approach. It is anticipated that there will be loss of approximately two parking spaces.
-



- Along the south bound lane, relocate the existing bus zone 12m further south of the proposed pedestrian refuge.
- To guide and control speeding vehicles, it is proposed to create lane width of 4.0m, kerbside parking of 3.0m wide and mark BB lines on Railway Parade between Trafalgar Street and Chesham Parade.
- Along the northbound lane, 30m past the roundabout with Trafalgar Street, incorporate 2P parking 84.5m in length followed by 28m long 'No Parking' zone with school timings. Remove the existing 39.5m long bus zone on south of the refuge island and create a new bus zone of 24m length north of the refuge island. This modification would result in a gain of 3 parking spaces.

### **Officer's Recommendation**

1. That Council approves the Plan (J12542) for the proposed pedestrian refuge and other traffic facilities outside Glenfield Public School on Railway Parade Glenfield, as described in the body of this report.
2. That Council consults with the affected resident of Railway Parade, Glenfield in regards to the installation of the gateway entry and possible loss of one parking space.

### **Discussion (6/2/2014)**

#### **Representation to the Committee**

The School Principal addressed the Committee regarding her concerns for the safety of the students when crossing Railway Parade in the afternoon. The students have to cross the road to access the route bus service and there is no safe place for them to cross outside the school. The Principal advised that staff will be assisting the students across Railway Parade, when the refuge is installed.

The School Principal informed the Committee that due to the new Panorama Estate enrolments have increased by 25% and with 200 new homes about to be built in the area the enrolments will keep increasing. This means that more students will need to be transported by bus to and from school and will require safe access to the bus stop on the other side of Railway Parade adjacent to the school.

The resident representative from Panorama Estate advised the Committee that there is currently a mini bus that comes into the estate but it is cost prohibitive to use it as a school service. However the route buses that pick up near Glenfield Public School do not enter the estate and therefore the students are dropped off on Glenfield Road and have to walk into the estate.

The Roads and Maritime Services representative advised two new bus stops have now been installed on Glenfield Road, Glenfield. One is located on the north west side of Atlantic Boulevard on Glenfield Road and the other is south east of Atlantic Boulevard on Glenfield Road. The School Principal acknowledges that these stops had recently been installed.

The School Principal concluded by saying that the school supports Council's recommendation as described in the body of the report.

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### **Committee only**

The Manager Technical Services advised that Council's Road Safety Officer (RSO) has undertaken speed tasking along Railway Parade in the school zone during the 40km/h school zone period. It was noted from these results that there is a significantly high number of motorists speeding during school zone times. Due to the results Council is proposing traffic calming devices to help slow motorists down and is also seeking NSW Police to undertake further speed tasking in the area.

It was also noted prior to Christmas, NSW Police undertook speed tasking in the area after being notified by Council's RSO.

The Committee discussed the matter and supported the recommendations as presented.

### **Recommendation of the Local Traffic Committee**

1. That Council approves the Plan (J12542) for the proposed pedestrian refuge and other traffic facilities outside Glenfield Public School on Railway Parade Glenfield, as described in the body of this report.
2. That Council consults with the affected resident of Railway Parade, Glenfield in regards to the installation of the gateway entry and possible loss of one parking space.

### **6. LATE ITEMS**

**No reports this round**

### **7. GENERAL BUSINESS**

**No reports this round**

### **8. DEFERRED ITEMS**

**No reports this round**

There being no further business the meeting closed at 9.48am.

G Greiss  
CHAIRPERSON

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## **ATTACHMENT 2**



### **CAMPBELLTOWN TRAFFIC COMMITTEE MINUTES**

**6 February 2014**

#### **CAMPBELLTOWN TRAFFIC COMMITTEE**

Traffic related items to Council requiring technical advice and are outside of the Delegation functions issued to councils by the Road and Maritime Services.

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## Minutes Summary

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## **CAMPBELLTOWN TRAFFIC COMMITTEE MINUTES**

Traffic related items to Council requiring technical advice and are outside of the Delegation functions issued to Councils by the Road and Maritime Services.

**Minutes of the Campbelltown Traffic Committee held on 6 February 2014**

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### **1. ATTENDANCE**

#### **Campbelltown City Council**

Councillor G Greiss (Chairperson)  
Acting Director City Works - Mr G Mitchell  
Manager Technical Services - Mr K Lynch  
Coordinator Traffic and Road Design - Mr A Arora  
Team Leader Traffic Investigation - Mr F Sirc  
Administrative Assistant - Miss L Radley

#### **Roads and Maritime Services**

Mr J Suprain

#### **Police Representatives**

Senior Constable M Davies  
Senior Constable M Cotton

#### **Bus Companies**

Busways – Mr S Grady

#### **Representatives of Local Members of Parliament**

Mr R James

### **Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Greiss.

### **2. APOLOGIES**

Interline - Mr B East

### **3. CONFIRMATION OF MINUTES**

The Minutes of the previous meeting held on 19 December 2014 were recommended by the City Works Committee held on 4 February 2014 and adopted by Council at its meeting held on 11 February 2014.

### **4. BUSINESS ARISING FROM MINUTES**

No reports this round

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## **5. REPORTS LISTED FOR CONSIDERATION**

### **CTC 14/1                      2013 Fatality Crash Reports**

Previous Report:            CTC 12/38  
Electorate:                All Electorates  
Author Location:        Traffic and Road Design Unit

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### **Attachments**

Nil

### **Background (6/2/2014)**

During 2013 Council received preliminary fatal crash reports from the Centre for Road Safety for specific accidents occurring in the Campbelltown Local Government area, which include the following:

1.    3 April 2013 at 1:50pm: involving a westbound motorcyclist on Menangle Road colliding with a bus turning right out of Geary Street.
2.    5 June 2013 at 2:55pm: an eastbound passenger vehicle on Fitzgibbon Lane collided with a southbound rigid truck on Appin Road.
3.    10 June 2013 at 10:40am: a northbound car lost control in Dickens Road hitting a pedestrian on the nature strip on the opposite side of the road near the intersection with Nell Place, Ambarvale.
4.    30 June 2013 at 00:09am: a northbound car being pursued by Police on the Hume Highway lost control into a guardrail as it exited the off ramp to Campbelltown Road, Denham Court.
5.    4 August 2013 at 6:20pm: a southbound motorcyclist (with pillion) travelling straight on Campbelltown Road collided with a right turning car at the signal intersection of Ingleburn Gardens Drive, Bardia
6.    3 October 2013 at 11:33am: a pedestrian stepped off the eastern footpath into Johnson Road into the rear of a southbound semi-trailer, 25m south of Frost Road, Campbelltown.
7.    11 October 2013 at 2:05pm: a southbound car on the Hume Highway crashed into a guardrail north of Narellan Road.
8.    3 December 2013 at 2:10pm: a truck and trailer heading southbound on the Hume Highway jack knifed colliding with 5 other cars, north of Narellan Road.

The preliminary reports suggest that there were 8 fatalities in the above listed accidents, however, the data set of information will not be formalised until the end of 2014.

### **Officer's Recommendation**

That the information be noted.

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## **CTC 14/2                      Proposed Events for 2014**

Previous Report:            CTC 12/14, 12/23, 12/32, 12/33, 23/34

Electorate:                Campbelltown

Author Location:        Traffic and Road Design Unit

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### **Attachments**

1. Songkran Fete
2. ANZAC Day March
3. Road closure plan for Chemical Cleanout
4. Road closure plan for Fisher's Ghost Street Parade
5. Road closure plan for Street Fair
6. Traffic management plan for Bland Street, Bradbury
7. Road closure plan for Christmas Carols
8. Road closure plan for New Year's Eve celebrations

### **Background (6/2/2014)**

The following community events are generally held on an annual basis which requires road occupancy for holding the event.

#### **1. Songkran Fete - Junction Road, Leumeah**

The Buddhist Foundation has been organising this Fete annually within their grounds. Off street parking is provided in Leumeah High School and Biehler Reserve and traffic control is used to allow the pedestrians to cross Junction Road. Tentative date for the 2014 event is 13 April 2014 from 9.00am to 4.30pm.

The event is classified as **Class 2** and requires Council to submit a Special Event Transport Management Plan (SETMP) to Roads and Maritime Services (RMS) for endorsement. There is no change to the traffic management plan of the previous year. Updated SETMP for 2014 is attached, refer Attachment 1.

#### **2. ANZAC Day March - Queen Street, Campbelltown**

The ANZAC Day parade will be held on Friday 25 April 2014 in Queen Street, Campbelltown. This is an annual event and is categorised as Class 2 requiring submission of a Special Event Transport Management Plan to the RMS for endorsement.

The Parade involves the following temporary road closure which are in line with last year's event:

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**A. Closures between 8.00am and 9.00am**

- Queen Street - between the Town Hall Theatre and the southern alignment of Cordeaux Street.
- Allman Street - between Queen Street and the Allman Street car park (known as Carberry Lane)

**B. Closures between 8.45am and 9.15am**

- Queen Street - between Cordeaux and Broughton Street - Westbound traffic in Cordeaux Street will be turned around at the Carberry Lane roundabout or redirected south down Carberry Lane.

Road closures are proposed as the following intersections:

- Cordeaux Street - west of Carberry Lane
- Railway Street - east of Short Street
- Queen Street - south of Broughton Street
- Howe Street - south of Broughton Street

**3. Chemical Cleanout - Junction Road, Ruse**

Council in association with the Department of Environment, Climate Change and Water has been organising this event at the Council's Effluent Disposal Facility (EDF) in Junction Road, Leumeah for a number of years. Tentative date for the 2014 event is July 2014 (days TBA) from 9.00am to 3.30pm.

Council undertakes traffic management during the event and normal traffic is restored at the end of each day. The event is classified as **Class 2**. This requires Council to submit Special Event Transport Management Plan (SETMP) to RMS for endorsement. There is no change to the traffic management plan of the previous year. Updated SETMP for 2014 is attached, refer Attachment 1.

**4. Fishers Ghost Festival - Campbelltown**

This is an iconic event of the Campbelltown LGA which has been happening for more than 50 years. The two week 2014 event will commence on 31 October 2014 and concludes on 9 November 2014. During this period a number of events take place at a number of different venues. The following three events require road closures as two are on-road events and the third is to provide safe access and exit from the off-street venue.

Street Parade	1 November 2014
Street Fair	8 November 2014
Carnival	31 October to 2 November and 7 to 9 November 2014

This is a **Class 2** event required submission of Special Event Traffic Management Plan for RMS for endorsement.

**Street Parade - Queen Street, Campbelltown**

Street Parade commences from Broughton Street and travel southward in Queen Street to terminate in Camden Road. This event is scheduled for Saturday 1

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November 2014 and will commence at 1.00pm to conclude by 4.30pm. Proposed road closure and time of operation will be in line with the 2013 event. Roads affected by closures are indicated in Attachment 2. Traffic management measures for this year's event remains unaltered from the 2013 event.

Council will be seeking NSW Police Assistance for traffic management at the Hurley Street and Camden Road intersection as in 2013.

#### **Street Fair - Queen Street, Campbelltown**

Activities of the Street Fair will be around Mawson Park precinct. Culture events will be held in the park and stalls will be located on the adjoining streets. The 2014 event is scheduled for Saturday 8 November 2014. The activities will commence at 7am and conclude by 4pm. Roads affected with road closures are indicated in Attachment 3. No changes are proposed to the 2013 traffic management plan for the 2014 event.

#### **Carnival - Bradbury Oval, Bradbury**

This is an off-street event which includes Fisher's Gig, rides, live entertainment and fireworks. The event happens on both weekends, Friday to Sunday. The event timings are:

Friday	6pm to 11pm
Saturday	2pm to 11pm
Sunday	2pm to 9.30pm

Traffic management will affect Bland Street only. Access to Bradbury Oval is only via The Parkway. Additional exit only access is provided through Bland Street, which is a narrow residential street. Traffic management measures restrict on-street parking, Refer Attachment 4.

In addition temporary 'No Stopping' restrictions are provided at the Lawn Avenue and The Parkway intersection and additional disabled spaces in the Bradbury Oval.

Council Rangers will enforce parking restrictions and the NSW Police assistance will be requested, as in previous years, for enforcing No Stopping restrictions along Moore Oxley Bypass.

#### **5. Christmas Carols - Art Gallery Road, Campbelltown**

Council proposes its annual Christmas Carols event on Saturday 6 December 2014 at the Campbelltown Art Centre. This requires temporary road closure of Art Gallery Road between Old Menangle Road and the roundabout adjacent to the Aqua Fit Centre. The road closure is proposed from 12.00pm to 12.00am midnight (Attachment 5).

The proposed event is categorised as **Class 3** as the event does not impact on local or major traffic and transport systems or disrupt non-event community in the immediate vicinity. A Special Event Transport Management Plan (SETMP) for this event is not required to be submitted to the RMS.

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Council will liaise with Campbelltown Catholic Club and access for emergency vehicles will be maintained through road closures.

#### **6. New Year's Eve Celebrations - Koshigaya Park, Campbelltown**

The 2014 New Year's Eve celebrations will be held on Wednesday 31 December 2014 in Koshigaya Park, Campbelltown. This is an annual event and is categorised as **Class 2** requiring submission of Special Event Transport Management Plan to the RMS for endorsement.

The event involves following road closures which is similar to last year's event:

- Camden Road - from the roundabout at the Catholic Club access to Hurley Street
- Hurley Street - from Camden Road to the Campbelltown Mall access road roundabout
- Kellicar Road - from Camden Road to Narellan Road

The road closures are planned to commence from 6.00pm and continue until 12.30am. The event is proposed to commence at 7.00pm with fireworks at 9.00pm and midnight.

As in previous years bus companies will be required to re-route their services. Council Rangers and NSW Police will enforce alcohol free areas.

#### **Officer's Recommendation**

1. That Council prepares and submits Special Event Transport Management Plans for the following events for RMS endorsement.

• Songkran Fete	13 April 2014
• ANZAC Day March	25 April 2014
• Chemical Cleanout	July 2014 - dates TBA
• Fishers Ghost Festival	31 October to 9 November 2014
• New Year's Eve Celebrations	31 December 2014
2. That Council undertakes temporary road closures on affected streets as required for the events.
3. That Council provides on-street advance notice signs of the road closures at least one week prior to the event and liaise with various stakeholders.
4. Council advertise road closures 28 days prior to the event on its website and in local papers.

#### **Discussion (6/2/2014)**

The Committee discussed the matter noting that the road closures are consistent with previous years with no changes and supported the requirements associated with the event.

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The Manager Technical Services advised the Committee that Council will prepare a separate report back to the Committee should there be significant traffic changes made to any of the events.

The Committee discussed the matter and supported the recommendations as presented.

### **Recommendation of the Campbelltown Traffic Committee**

1. That Council prepares and submits Special Event Transport Management Plans for the following events for RMS endorsement.

- |                               |                               |
|-------------------------------|-------------------------------|
| • Songkran Fete               | 13 April 2014                 |
| • ANZAC Day March             | 25 April 2014                 |
| • Chemical Cleanout           | July 2014 - dates TBA         |
| • Fishers Ghost Festival      | 31 October to 9 November 2014 |
| • New Year's Eve Celebrations | 31 December 2014              |

2. That Council undertakes temporary road closures on affected streets as required for the events.
3. That Council provides on-street advance notice signs of the road closures at least one week prior to the event and liaise with various stakeholders.
4. Council advertise road closures 28 days prior to the event on its website and in local papers.

### **6. LATE ITEMS**

**No reports this round**

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## **7. GENERAL BUSINESS**

### **CTC 14/3                      Hume Highway and Narellan Road - Left Lane Exit Ramp**

Previous Report:            Nil  
Electorate:                All Electorates  
Author Location:        Traffic and Road Design Section

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#### **Attachments**

Nil

#### **Background (6/2/2014)**

The Busways representative expressed concerns regarding the left hand slip lane off the Hume Highway (M31). He advised the Committee that traffic coming off the Freeway turning left onto Narellan Road holds up the traffic wanting to turn right onto Narellan Road.

It was suggested that the left turn lane be extended to help ease traffic build up onto the Hume Highway. It is noted that the pavement is constructed but the line marking excludes drivers from using the section of road. By realigning the line marking an extra approximately 80m of lane could be achieved. It was recommended that the left lane be a left turn only to help keep traffic flowing along the exit ramp.

The Roads and Maritime Services (RMS) representative suggested that this lane configuration may be in place to allow for a safe passage for cyclists past the off ramps. He advised the Committee he would follow this up with other RMS staff.

The Manager Technical Services advised that Council would write to the Roads and Maritime Services requesting an urgent review of the left turn lane on the exit ramp with the view of extending the lane and requesting that the left lane be a left turn only lane.

The Committee discussed the matter and supported as presented.

#### **Recommendation of Campbelltown Traffic Committee**

That Council write to the Roads and Maritime Services requesting an urgent review of the left turn lane on the Narellan Road exit ramp from the M31 south bound with the view of extending the lane and request that the left lane be a left turn only lane.

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**CTC 14/4      Hyde Parade - Traffic movements**

Previous Report:      Nil

Electorate:            Campbelltown Electorate

Author Location:      Traffic and Road Design Section

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**Attachments**

Nil

**Background (6/2/2014)**

The Chairperson advised of a letter he has received from Mr David Ball, Chairman of IRT Macarthur Residents Committee requesting that the traffic movement into Hyde Parade be reviewed.

The Manager Technical Services advised he would discuss the request with Mr Ball and report back to the next meeting of the Traffic Committee.

**Recommendation of Campbelltown Traffic Committee**

That the Manager Technical Services discuss the request with Mr David Ball, Chairman of IRT Macarthur Residents Committee and report back to the next meeting of the Traffic Committee.

**8. DEFERRED ITEMS**

**No reports this round**

There being no further business the meeting closed at 10.10am.

G Greiss  
CHAIRPERSON

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1.2 Cleopatra Reserve, Rosemeadow - Improvement Of Water Quality - Acceptance Of Funding

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**1.2 Cleopatra Reserve, Rosemeadow - Improvement of Water Quality - Acceptance of Funding**

**Reporting Officer**

Manager Technical Services

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**Attachments**

Nil

**Purpose**

To advise Council of a successful funding application secured through the Local Land Services Greater Sydney (previously Sydney Metropolitan Catchment Management Authority) for the installation of a stormwater improvement device at Cleopatra Reserve, Rosemeadow.

**Report**

Council Officers from Planning and Environment and City Works have been developing a staged water quality system for the basins downstream of Mandurama Reserve. Council was previously successful in obtaining a grant for Stage 1 works and has recently been advised that funding has been secured for Stage 2 stormwater improvement device.

Stage 2 of Council's program is to retrofit an existing stormwater basin with a constructed wetland to assist in the improvement of water quality within the Spring Creek catchment area. The Water Sensitive Urban Design device will reduce pollutant load from the water exiting Lake Mandurama (immediately upstream of the site), from stormwater drains entering the site and from overland flows. This will assist in the reduction of the overall pollutant load entering the Georges River further downstream.

The grant funding totals \$53,000 (GST ex) and Council will contribute \$50,000 (GST ex) from the Stormwater Levy Program for 2014-2015.

**Officer's Recommendation**

That Council accept the grant offer of \$53,000 from Local Land Services Greater Sydney to construct a water quality device in Cleopatra Reserve, Rosemeadow.

**Committee's Recommendation: (Hawker/Glynn)**

That the Officer's Recommendation be adopted.

**CARRIED**

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**Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## **1.3 2014 Floodplain Management Association Conference**

### **Reporting Officer**

Manager Technical Services

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### **Attachments**

Conference Program (to be tabled)

### **Purpose**

To advise Councillors of the 2014 Floodplain Management Authorities (FMA) Conference.

### **History**

The FMA Annual Conference is held at various locations around Australia and brings together various organisations to share information on flood mitigation activities, to share information, flood mitigation techniques and flood management practices.

Campbelltown Council has been a significant beneficiary of funds from the State and Federal governments for flood mitigation works and flood studies, and has been a member of the FMA since 1982.

Councillor Dobson is Council's nominated representative to the FMA.

### **Report**

The 2014 Conference is being held at Deniliquin and commences on 20 May 2014 and concludes on 23 May 2014.

The theme of this year's Conference will be "Of Utes and Flooding Rains" and will include issues about flooding and methods to reduce inundation by flood.

There is an important topic at this year's Conference which focuses on community engagement and consultation which is of particular interest to Council, as this is the next stage in the finalisation of Council's Flood Risk Management Plan.

### **Attendance**

It is proposed that Councillor Dobson, as Council's delegate to the FMA, attend the Conference together with the Manager Technical Services and the Coordinator Stormwater and Structural Design and expenses be met in accordance with Council's Policy.

An invitation to attend the Conference was also extended to other Councillors.

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### **Officer's Recommendation**

1. That Councillor Sue Dobson attend the FMA Conference as Council's delegate together with any interested Councillors.
2. That the Manager Technical Services and Coordinator Stormwater and Structural Design be approved to attend the FMA Conference.
3. That expenses be met in accordance with Council's policy.

### **Committee's Recommendation: (Brticevic/Glynn)**

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## **1.4 Park Central - Status Report**

### **Reporting Officer**

Acting Director City Works

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### **Attachments**

Nil

### **Purpose**

To inform Council of the status of the construction process undertaken for Park Central.

### **History**

At a briefing to Council in May 2013 Council resolved to undertake works to improve Park Central's parking facilities. On the 11 June 2013, Council approved a resolution for the construction of additional parking locations at Park Central as mentioned below.

Council identified an additional five parking areas of the park enhancement that will increase the onground parking from the current number of 126 spaces to a total of 276 spaces from these five parking locations and the widening of Parkside Crescent from Centennial Drive to the NSW Ambulance station. This activity will provide the capability of running a future bus service.

### **Report**

Construction of Stage 1 and Stage 2 car parks (43 spaces – 3 hour limit) which are located adjacent to the children's playground was commenced in August 2013 and completed in November 2013.

Construction of Stage 3 which is located along Centennial Drive (30 spaces - 3 hour limit) was commenced in November 2013 and completed in December 2013.

Construction of Stage 4 Parkside Crescent which is located opposite the private hospital (12 spaces - 30 minute short term parking only) has commenced and it is expected that the car park and pedestrian crossing will be completed by the end of February 2014.

Construction of Stage 5 Parkside Crescent, opposite Rizal Street (30 spaces – 3 hour limit) will commence in March 2014 and will be completed in April 2014.

The road widening of Parkside Crescent will commence in March 2014 and is expected to be completed by May 2014.

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Council staff have been monitoring the new car parks and the turnover rate of spaces is very satisfactory. Council has also received favourable comments from the community on the new car parks with particular reference to the minimal impact to the park.

As the balance of the works at Park Central continue, further reports will be provided to Council on customer feedback and construction timelines.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Hawker/Dobson)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## **2. OPERATIONAL SERVICES**

**No reports this round**

## **3. ASSETS AND SUPPLY SERVICES**

### **3.1 T13/23 Road Pavement Works**

#### **Reporting Officer**

Acting Manager Assets and Supply Services and Manager Operational Services

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#### **Attachments**

The following confidential attachments have been distributed to Councillors under separate cover as numerous tenderers have indicated that the contents of their tender are commercial-in-confidence:

Evaluation and Pricing Matrices

#### **Purpose**

To advise Council of the tenders received for the provision of road pavement works and recommend that Council accepts a number of tenders under a panel arrangement.

#### **History**

Council has an existing Contract for the provision of road pavement works which is due to expire and needs to be renewed.

As the expenditure over the term of the contract historically exceeds the legislative threshold of \$150,000 Council must invite tenders for a new contract.

#### **Report**

The services required under this contract were divided into 12 components as follows:

- Supply Only Asphaltic Concrete
  - Supply and Lay Asphalt Concrete
  - Milling and Edge Milling
  - Mill and Fill
  - Heavy Patching
  - Cementitious Stabilisation
-

- Foam Bitumen Stabilisation
- Supply and Spray Bitumen
- Pavement Rejuvenation and Microsealing
- Microsurfacing
- Crack Sealing
- Pavement Marking and Removal.

### **Legislation**

This tender process was conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy and Procedures.

### **Contract Expenditure**

Funds for these works are allocated in Council's budget.

### **Contract Term**

The term for this contract will be for a period of two years with an option for extension for a further 12 months.

### **Advertising of Tenders**

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 18 and 25 November 2013. Tenders were also advertised on Tenderlink and Council's website. The Ingleburn and Campbelltown Chambers of Commerce and Industry were notified.

### **Tenders Received**

Tenders closed on Tuesday 10 December 2013. Seventeen on-time responses were received from the following organisations:

- All State Linemarking Services Pty Ltd
  - Asphalt Laying Services Pty Ltd
  - Atlantis Group of Companies Pty Ltd
  - Avijohn Contracting Pty Ltd
  - Bernipave Pty Ltd
  - Borthwick and Pengilly Asphalts Pty Ltd
  - Combined Traffic Management Pty Ltd
  - Complete Linemarking Services Pty Ltd
  - Downer Infrastructure t/as Downer EDi Works Pty Ltd
  - Fulton Hogan Industries Pty Ltd
  - Ozpave Australia Pty Ltd
  - Roadworx Group Pty Ltd
  - SRS Road Services Pty Ltd
  - Stabilised Pavements of Australia Pty Ltd
  - State Asphalt Services Pty Ltd
  - Wollongong Linemarking Services Pty Ltd
  - Workforce Road Services Pty Ltd.
-

Tenderers could tender for one or more of the components.

### **Tender Document**

Organisations were requested to submit the following information with their tender response:

- nomination of requirements, by nominating which components they are tendering for
- company details
- company experience, particularly as they relate to the Services
- details of recent similar works
- details of subcontractors and their experience, particularly as they relate to the Services
- details of available resources including plant, equipment and staff
- references
- pricing
- insurances
- environmental practices
- WHS management systems
- conflict of interest declaration
- additional terms of contract, if proposed.

### **Evaluation Process**

The Evaluation Panel, consisting of officers from Operational Services, Asset Services and Communications and Marketing evaluated the tenders against the following weighted assessment criteria:

- company experience and subcontracting
- capability and resources
- suitability pricing.

The Evaluation Panel used Council's standard 0-10 scoring system for all non-pricing criteria with 10 being the highest score.

The Work Health and Safety and Environmental Practices criteria were assessed on the basis of unsatisfactory, satisfactory or exceptional.

The scoring of tendered prices was determined by comparing a basket of most commonly utilised services.

### **Recommendation of the Evaluation Panel**

The Evaluation Panel recommended a number of companies as a panel arrangement to provide the Services.

### **Supply Only Asphaltic Concrete**

The following organisations submitted a tender for this component:

- Asphalt Laying Services Pty Ltd
  - Avijohn Contracting Pty Ltd
  - Bernipave Pty Ltd
-

- Borthwick and Pengilly Asphalts Pty Ltd
- Fulton Hogan Industries Pty Ltd
- State Asphalt Services Pty Ltd.

State Asphalt Services Pty Ltd and Fulton Hogan Industries Pty Ltd are recommended as they provided the best overall response to Council.

Asphalt Laying Services Pty Ltd, Bernipave Pty Ltd and Borthwick and Pengilly Asphalts Pty Ltd are not recommended as they did not provide satisfactory experience in the provision of similar services.

Avijohn Contracting Pty Ltd was deemed non-conforming as they did not submit pricing for this requirement.

### **Supply and Lay Asphalt Concrete**

The following organisations submitted a tender for this component:

- Asphalt Laying Services Pty Ltd
- Avijohn Contracting Pty Ltd
- Bernipave Pty Ltd
- Borthwick and Pengilly Asphalts Pty Ltd
- Fulton Hogan Industries Pty Ltd
- Ozpave Australia Pty Ltd
- State Asphalt Services Pty Ltd.

Due to the possibility of an increase in capital works within the contract period, the Tender Evaluation Panel deemed it appropriate that access to a large panel of contractors would be beneficial to Council.

All tenders received for this requirement, are recommended. All tenderers provided satisfactory responses to Council requirements including competitive pricing.

### **Milling and Edge Milling**

The following organisations submitted a tender for this component:

- Bernipave Pty Ltd
- Borthwick and Pengilly Asphalts Pty Ltd
- Fulton Hogan Industries Pty Ltd
- Ozpave Australia Pty Ltd
- Roadworx Group Pty Ltd
- State Asphalt Services Pty Ltd.

Due to the possibility of an increase in capital works within the contract period, the Tender Evaluation Panel deemed it appropriate that access to a large panel of contractors would be beneficial to Council.

All tenders received for this requirement, are recommended. All tenderers provided satisfactory responses to Council requirements including competitive pricing.

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### **Mill and Fill**

The following organisations submitted a tender for this component:

- Asphalt Laying Services Pty Ltd
- Avijohn Contracting Pty Ltd
- Bernipave Pty Ltd
- Borthwick and Pengilly Asphalts Pty Ltd
- Fulton Hogan Industries Pty Ltd
- Ozpave Australia Pty Ltd
- Roadworx Group Pty Ltd
- State Asphalt Services Pty Ltd.

Due to the possibility of an increase in capital works within the contract period, the Tender Evaluation Panel deemed it appropriate that access to a large panel of contractors would be beneficial to Council.

All tenders received for this requirement, are recommended. All tenderers provided satisfactory responses to Council requirements including competitive pricing.

### **Heavy Patching**

The following organisations submitted a tender for this component:

- Asphalt Laying Services Pty Ltd
- Avijohn Contracting Pty Ltd
- Bernipave Pty Ltd
- Borthwick and Pengilly Asphalts Pty Ltd
- Ozpave Australia Pty Ltd
- Roadworx Group Pty Ltd
- State Asphalt Services Pty Ltd.

Bernipave Pty Ltd, Borthwick and Pengilly Asphalts Pty Ltd, Roadworx Group Pty Ltd and State Asphalt Services Pty Ltd are recommended as they:

- provided satisfactory details outlining their company experience, particularly as they relate to the Services
- provided satisfactory details of recent similar contracts
- provided satisfactory details their capability and resources
- provided exceptional work, health, safety and environmental system documentation
- tendered competitive pricing to Council.

Asphalt Laying Services Pty Ltd, Avijohn Contracting Pty Ltd and Ozpave Australia Pty Ltd are not recommended as they tendered a more expensive price than the recommended tenderers. The Evaluation Panel did not consider there to be any advantage to Council for the increased cost.

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### **Cementitious Stabilisation**

The following organisations submitted a tender for this component:

- Downer Infrastructure t/as Downer EDi Works Pty Ltd
- Roadworx Group Pty Ltd
- Stabilised Pavements of Australia Pty Ltd.

All tenders received for this requirement, are recommended. All tenderers provided satisfactory responses to Council requirements including competitive pricing.

### **Foam Bitumen Stabilisation**

The following organisations submitted a tender for this component:

- Downer Infrastructure t/as Downer EDi Works Pty Ltd
- Stabilised Pavements of Australia Pty Ltd.

Stabilised Pavements of Australia Pty Ltd is recommended as they:

- detailed satisfactory experience in the provision of similar services
- provided satisfactory details of their capability and resources
- submitted satisfactory work, health, safety and environmental documentation
- provided the cheapest price to Council.

Downer Infrastructure t/as Downer EDi Works Pty Ltd is not recommended as they tendered a more expensive price than the recommended tenderer. The Evaluation Panel did not consider there to be any advantage to Council for the increased cost.

### **Supply and Spray Bitumen**

The following organisations submitted a tender for this component:

- Asphalt Laying Services Pty Ltd
- Borthwick and Pengilly Asphalts Pty Ltd
- Downer Infrastructure t/as Downer EDi Works Pty Ltd
- Fulton Hogan Industries Pty Ltd
- SRS Road Services Pty Ltd
- State Asphalt Services Pty Ltd.

Borthwick and Pengilly Asphalts Pty Ltd, Downer Infrastructure t/as Downer EDi Works Pty Ltd, Fulton Hogan Industries Pty Ltd, SRS Road Services Pty Ltd, State Asphalt Services Pty Ltd are recommended for this requirement, as they provided satisfactory responses to Council requirements including competitive pricing.

Asphalt Laying Services Pty Ltd is not recommended as they did not demonstrate satisfactory experience or capability for this requirement.

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### **Pavement Rejuvenation and Microsealing**

The following organisations submitted a tender for this component:

- Downer Infrastructure t/as Downer EDi Works Pty Ltd
- SRS Road Services Pty Ltd.

Downer Infrastructure t/as Downer EDi Works Pty Ltd provided the best response to Council with their nominated product, Liquid Road, and is recommended for the provision of this requirement as they:

- detailed satisfactory experience in the provision of similar works, utilising the nominated product, including to Council
- provided satisfactory details of their capability to complete the works to Council's standard.

Downer Infrastructure t/as Downer EDi Works Pty Ltd also nominated other products, ASPEN and Masterseal. Downer Infrastructure t/as Downer EDi Works Pty Ltd did not provide substantiated details of satisfactory experience in the application of these products.

SRS Road Services Pty Ltd is not recommended as they did not provide substantiated details of satisfactory experience in application of their nominated product.

### **Microsurfacing**

Downer Infrastructure t/as Downer EDi Works Pty Ltd was the only tenderer for this requirement.

Downer Infrastructure t/as Downer EDi Works Pty Ltd is recommended as they:

- provided satisfactory details outlining their company experience, particularly as they relate to the Services
- provided satisfactory details of recent similar contracts
- provided satisfactory details their capability and resources
- provided satisfactory work, health, safety and environmental system documentation
- tendered competitive pricing to Council.

### **Crack Sealing**

The following organisations submitted a tender for this component:

- Bernipave Pty Ltd
- SRS Road Services Pty Ltd

SRS Road Services Pty Ltd is recommended as they:

- provided satisfactory details outlining their company experience, particularly as they relate to the Services
  - provided satisfactory details of recent similar contracts
  - provided satisfactory details their capability and resources
  - provided exceptional work, health, safety and environmental system documentation
  - tendered competitive pricing to Council.
-



Bernipave Pty Ltd is not recommended as they tendered a more expensive price than the recommended tenderers. The Evaluation Panel did not consider there to be any advantage to Council for the increased cost, and therefore not considered any further.

### **Pavement Marking and Removal**

The following organisations submitted a tender for this component:

- All State Linemarking Services Pty Ltd
- Asphalt Laying Services Pty Ltd
- Atlantis Group of Companies Pty Ltd
- Combined Traffic Management Pty Ltd
- Complete Linemarking Services Pty Ltd
- Wollongong Linemarking Services Pty Ltd
- Workforce Road Services Pty Ltd.

All State Linemarking Services Pty Ltd and Workforce Road Services Pty Ltd are recommended as they:

- provided satisfactory details outlining their company experience, particularly as they relate to the Services
- provided satisfactory details of recent similar contracts
- provided satisfactory details their capability and resources
- provided satisfactory work, health, safety and environmental system documentation
- tendered competitive pricing to Council.

Asphalt Laying Services Pty Ltd is not recommended as they:

- did not provide satisfactory details of their company experience
- did not provide satisfactory details of their capability and resources
- tendered a more expensive price than the recommended tenderers. The Evaluation Panel did not consider there to be any advantage to Council for the increased cost, and therefore not considered any further.

Atlantis Group of Companies Pty Ltd, Combined Traffic Management Pty Ltd, Complete Linemarking Services Pty Ltd and Wollongong Linemarking Services Pty Ltd are not recommended as they tendered a more expensive price than the recommended tenderers. The Evaluation Panel did not consider there to be any advantage to Council for the increased cost, and therefore not considered any further.

### **Assurance of the Process Undertaken**

In accordance with Council's Procurement Procedures, a Tender Review Panel, consisting of members of Council's Executive reviewed the Tender to assure the process was undertaken in a manner that was fair, transparent and resulted in the best value outcome to Council.

### **Management of Proposed Contract**

The Contractors will be subject to contract management and safety reviews throughout the duration of the contract in accordance with Council's contract management requirements.

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## Officer's Recommendation

1. That Council accept the offers as detailed below for the provision of road pavement works for Council assets for a period of two years with an option of extension for a further 12 months:

Component	Recommended Tenderers
Supply Only Asphaltic Concrete	State Asphalt Services Pty Ltd Fulton Hogan Industries Pty Ltd
Supply and Lay Asphalt Concrete	Asphalt Laying Services Pty Ltd Avijohn Contracting Pty Ltd Bernipave Pty Ltd Borthwick and Pengilly Asphalts Pty Ltd Fulton Hogan Industries Pty Ltd Ozpave Australia Pty Ltd State Asphalt Services Pty Ltd
Milling and Edge Milling	Bernipave Pty Ltd Borthwick and Pengilly Asphalts Pty Ltd Fulton Hogan Industries Pty Ltd Ozpave Australia Pty Ltd Roadworx Group Pty Ltd State Asphalt Services Pty Ltd
Mill and Fill	Asphalt Laying Services Pty Ltd Avijohn Contracting Pty Ltd Bernipave Pty Ltd Borthwick and Pengilly Asphalts Pty Ltd Fulton Hogan Industries Pty Ltd Ozpave Australia Pty Ltd Roadworx Group Pty Ltd State Asphalt Services Pty Ltd
Heavy Patching	Bernipave Pty Ltd Borthwick and Pengilly Asphalts Pty Ltd Roadworx Group Pty Ltd State Asphalt Services Pty Ltd
Cementitious Stabilisation	Downer Infrastructure t/as Downer EDi Works Pty Ltd Roadworx Group Pty Stabilised Pavements of Australia Pty Ltd
Foam Bitumen Stabilisation	Stabilised Pavements of Australia Pty Ltd
Supply and Spray Bitumen	Borthwick and Pengilly Asphalts Pty Ltd Downer Infrastructure t/as Downer EDi Works Pty Ltd Fulton Hogan Industries Pty Ltd SRS Road Services Pty Ltd State Asphalt Services Pty Ltd
Pavement Rejuvenation and Microsealing	Downer Infrastructure t/as Downer EDi Works Pty Ltd
Microsurfacing	Downer Infrastructure t/as Downer EDi Works Pty Ltd
Crack Sealing	SRS Road Services Pty Ltd
Pavement Marking and Removal	All State Linemarking Services Pty Ltd Workforce Road Services Pty Ltd

2. That the Contract documents be executed under the Common Seal of Council.
3. That the unsuccessful Tenderers be notified of the results of tender process.

**Committee's Recommendation: (Hawker/Glynn)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## **3.2 T13/24 Plant and Equipment Hire**

### **Reporting Officer**

Manager Assets and Supply Services and Manager Operational Services

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### **Attachments**

The following confidential attachments have been distributed to Councillors under separate cover as numerous tenderers have indicated that the contents of their tender are commercial-in-confidence:

Evaluation and Pricing Matrices

### **Purpose**

To advise Council of the tenders received for plant and equipment hire and recommend that Council accept the tender submitted by a number of organisations across the range of services as a panel contract arrangement.

### **History**

Council sought tenders for the hire of plant and equipment in August/September 2012. Shortly following the closure of tenders, administrative issues led to a review of Council's procurement procedures in seeking quotations for these types of works. This review led to a delay in the evaluation and awarding the contract. With the procurement review nearing completion, Council, at its meeting on 15 October 2013, resolved to decline to proceed with the previous tender process and invite fresh tenders for consideration.

All organisations who had previously tendered were personally notified of this Request for Tender.

### **Report**

Council's plant and equipment requirements are as follows:

- Backhoe
- Bogie Trucks (12T-15T bogie tipper and 25T-33T bogie tipper and trailer)
- Excavator (3-5T, 5-10T, 10-18T and 18-25T)
- Grader (8-10ft blade and 12-14ft blade)
- Skidsteer
- Water Tankers (10,000L - 15,000L and >15,000L).

All plant was requested to be provided with an operator.

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## **Legislation**

This tender process was conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy and Procedures.

## **Contract Expenditure**

Funds for these works are allocated in Council's Assets and Supply Services' and Operations' budgets.

## **Contract Term**

The term for this contract will be for a period of two years with an option for extension of 12 months exercisable at Council's absolute discretion.

## **Advertising of Tenders**

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 25 November 2013 and 2 December 2013. Tenders were also advertised on Tenderlink and Council's website. The Ingleburn and Campbelltown Chambers of Commerce and Industry were notified.

## **Tenders Received**

Tenders closed on Tuesday 17 December 2013. Seventeen on-time responses were received from the following organisations:

- A and C Plant Hire Pty Ltd
  - AB11 Group Services Pty Ltd
  - Allards Plant Hire Pty Ltd
  - Barnes Contracting Pty Ltd
  - Carrycall Tipper Hire Pty Ltd
  - Earth Civil Contracting Pty Ltd
  - E & B Tipper Hire Pty Ltd
  - Edscog Pty Ltd
  - Hanna Bros Plumbing Pty Ltd
  - I.W Contracting Pty Ltd
  - Michael G Everingham Contracting Pty Ltd
  - Nauneet Singh t/as Singh's Earthworks
  - Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
  - Raygal Pty Ltd
  - Roadworx Group Pty Ltd
  - Supreme Earthmoving Pty Ltd
  - W & R Hayes Pty Ltd.
-

### **Tender Document**

Organisations were requested to submit the following information with their tender response:

- nomination of requirements
- experience, capability and subcontracting
- specifications of equipment
- price
- insurances
- work health and safety management system
- environmental practices
- conflict of interest declaration
- collusive submission declaration
- additional terms of contract protecting the tenderers' business requirements.

### **Evaluation Process**

The Evaluation Panel, consisting of officers from City Works, Operational Services and Financial Services, evaluated the tenders against the following weighted evaluation criteria:

- experience of the company
- specifications of equipment
- price for provision of the equipment.

The Evaluation Panel used Council's standard 0-10 scoring system for all non-pricing criteria with 10 being the highest score.

The Work Health and Safety and Environmental Practices criteria were assessed on the basis of unsatisfactory, satisfactory or exceptional.

The scoring of tendered prices was determined based on the hourly rate for provision of the equipment. The hourly rate was required to include all associated hiring costs e.g. floatage, travel and site establishment fees. The minimum hire period is four hours for all equipment, excluding the 10T-18T Excavator and 18T-25T Excavator. For these items of plant the minimum hire period is eight hours.

### **Number of Plant Required**

Council detailed in the Request for Tender document that it anticipated that it would award the contract to more than one Tenderer as a panel arrangement to enable Council to access the following number of plant and equipment under each requirement from more than one source:

- 1 x Backhoe
  - 2 x 12T-15T Bogie Tipper
  - 2 x 25T-33T Bogie Tipper and Trailer
  - 2 x 3-5T Excavators
  - 1 x 5-10T Excavator
  - 1 x 10-18T Excavator
  - 1 x 18-25T Excavator
-

- 1 x 8-10ft blade Grader
- 1 x 12-14ft blade Grader
- 1 x Skidsteer
- 1 x 10,000L - 15,000L Water Tanker
- 1 x >15,000L Water Tanker.

The Request for Tender reserved the right to amend the number of contracts awarded after consideration of the tenders received.

### **Shortlisting Process**

The Request for Tender detailed that a short-listing process may occur in which Council may, at its absolute discretion, exclude a Tender from further consideration at any stage of the RFT process if:

- a) It is found not to comply with the Conditions of Tendering
- b) It is evaluated as not meeting or addressing a criteria
- c) If it is found to be unacceptable in terms of effectiveness against the evaluation criteria
- d) It is evaluated as representing a greater than acceptable price
- e) It is found to be presenting unacceptable risk
- f) It is evaluated as not achieving a satisfactory standard.

Following the evaluation, a shortlisting process was undertaken whereby all organisations that were deemed unacceptable in terms of effectiveness against the evaluation criteria were extracted from further evaluation.

### **Recommendation of the Evaluation Panel**

#### **Backhoe**

The following organisations tendered for this requirement:

- AB11 Group Services Pty Ltd
- Edscog Pty Ltd
- I.W Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Roadworx Group Pty Ltd.

During the shortlisting process AB11 Group Services Pty Ltd were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation.

For the Backhoe requirement, Edscog Pty Ltd and I.W Contracting Pty Ltd provided the best overall response to Council. The Evaluation Panel determined it appropriate to recommend the contract for the Backhoe requirement be awarded to both companies due to their equally high standard of response and competitive pricing.

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### **Bogie Tipper (12T-15T)**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd
- Carrycall Tipper Hire Pty Ltd
- Earth Civil Contracting Pty Ltd
- E & B Tipper Hire Pty Ltd
- Edscog Pty Ltd
- Hanna Bros Plumbing Pty Ltd
- Michael G Everingham Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Raygal Pty Ltd
- Supreme Earthmoving Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- AB11 Group Services Pty Ltd
- Carrycall Tipper Hire Pty Ltd
- Earth Civil Contracting Pty Ltd
- Michael G Everingham Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.

Supreme Earthmoving Pty Ltd's tender was deemed non-conforming as they quoted an additional cost for float/travel on each item of plant. This is contrary to Council's requirement which stated that the hourly rate must be inclusive of all associated hiring costs e.g. travel, floatage and site establishment.

E & B Tipper Hire Pty Ltd and Edscog Pty Ltd provided the best overall response to Council and are recommended for this component.

### **Bogie Tipper and Trailer (25T-33T)**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
  - AB11 Group Services Pty Ltd
  - Allards Plant Hire Pty Ltd
  - Carrycall Tipper Hire Pty Ltd
  - Earth Civil Contracting Pty Ltd
  - E & B Tipper Hire Pty Ltd
  - Hanna Bros Plumbing Pty Ltd
  - Michael G Everingham Contracting Pty Ltd
  - Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
  - Raygal Pty Ltd
  - Supreme Earthmoving Pty Ltd.
-



During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- AB11 Group Services Pty Ltd
- Carrycall Tipper Hire Pty Ltd
- Earth Civil Contracting Pty Ltd
- Michael G Everingham Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.

Supreme Earthmoving Pty Ltd's tender was deemed non-conforming as it quoted an additional cost for float/travel on each item of plant. This is contrary to Council's requirement which stated that the hourly rate must be inclusive of all associated hiring costs e.g. travel, floatage and site establishment.

E & B Tipper Hire Pty Ltd and Raygal Pty Ltd provided the best overall response to Council and are recommended for this component.

#### **Excavator 3T-5T**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd
- Earth Civil Contracting Pty Ltd
- E & B Tipper Hire Pty Ltd
- Hanna Bros Plumbing Pty Ltd
- I.W Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Roadworx Group Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.

E & B Tipper Hire Pty Ltd and I.W Contracting Pty Ltd provided the best overall response to Council and are recommended for this component.

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### **Excavator 5T-10T**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd
- Earth Civil Contracting Pty Ltd
- Hanna Bros Plumbing Pty Ltd
- Michael G Everingham Contracting Pty Ltd
- Nauneet Singh t/as Singh's Earthworks
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Roadworx Group Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.

Nauneet Singh t/as Singh's Earthworks provided the best overall response to Council and are recommended for this component.

### **Excavator 10T-18T**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd
- Edscog Pty Ltd
- Hanna Bros Plumbing Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Roadworx Group Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.

Edscog Pty Ltd provided the best overall response to Council and are recommended for this component.

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### **Excavator 18T-25T**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd
- Hanna Bros Plumbing Pty Ltd
- I.W Contracting Pty Ltd
- Michael G Everingham Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Roadworx Group Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd
- Hanna Bros Plumbing Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.

Roadworx Group Pty Ltd provided the best overall response to Council and are recommended for this component.

### **Grader (8-10ft blade)**

The following organisations tendered for this requirement:

- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd
- Earth Civil Contracting Pty Ltd
- Edscog Pty Ltd
- Roadworx Group Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd.

Allards Plant Hire Pty Ltd's tender was deemed non-conforming for the Grader requirement only. Allards indicated that they intended to tender for this requirement by checking the requisite box in the tender, however, did not complete the pricing schedule for this component.

Edscog Pty Ltd provided the best overall response to Council and are recommended for this component.

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### **Grader (12-14ft blade)**

The following organisations tendered for this requirement:

- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd
- Earth Civil Contracting Pty Ltd
- Roadworx Group Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- AB11 Group Services Pty Ltd
- Earth Civil Contracting Pty Ltd.

Allards Plant Hire Pty Ltd's tender was deemed non-conforming for the Grader requirement only. Allards indicated that they intended to tender for this requirement by checking the requisite box in the tender, however, did not complete the pricing schedule for this component.

Roadworx Group Pty Ltd provided the best overall response to Council and are recommended for this component.

### **Skidsteer**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd
- Barnes Contracting Pty Ltd
- Earth Civil Contracting Pty Ltd
- E & B Tipper Hire Pty Ltd
- I.W Contracting Pty Ltd
- Hanna Bros Plumbing Pty Ltd
- Michael G Everingham Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Raygal Pty Ltd
- Roadworx Group Pty Ltd
- Supreme Earthmoving Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- AB11 Group Services Pty Ltd
  - Earth Civil Contracting Pty Ltd
  - Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.
-

Supreme Earthmoving Pty Ltd's tender was deemed non-conforming as it quoted an additional cost for float/travel on each item of plant. This is contrary to Council's requirement which stated that the hourly rate must be inclusive of all associated hiring costs e.g. travel, floatage and site establishment.

Barnes Contracting Pty Ltd provided the best overall response to Council and are recommended for this component.

**Water Tanker (10,000-15,000L)**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd
- Barnes Contracting Pty Ltd
- Earth Civil Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire
- Raygal Pty Ltd
- Roadworx Group Pty Ltd
- W & R Hayes Pty Ltd.

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Barnes Contracting Pty Ltd
- Earth Civil Contracting Pty Ltd
- Orangeville Enterprises Pty Ltd t/as Orangeville Plant Hire.

W & R Hayes Pty Ltd provided the best overall response to Council and are recommended for this component.

**Water Tanker (>15,000L)**

The following organisations tendered for this requirement:

- A and C Plant Hire Pty Ltd
  - AB11 Group Services Pty Ltd
  - Allards Plant Hire Pty Ltd
  - Raygal Pty Ltd
  - W & R Hayes Pty Ltd.
-

During the shortlisting process the following organisations were deemed as unacceptable in terms of effectiveness against the evaluation criteria and were extracted from further evaluation:

- A and C Plant Hire Pty Ltd
- AB11 Group Services Pty Ltd
- Allards Plant Hire Pty Ltd.

W & R Hayes Pty Ltd provided the best overall response to Council and are recommended for this component.

### Summary of Recommendation

Following the evaluation process, the Evaluation Panel deemed the following tenderers submitted the best overall response for the corresponding requirement with competitive pricing:

<b>Plant</b>	<b>Recommended Tenderer</b>
Backhoe	Edscog Pty Ltd
Backhoe	I.W Contracting Pty Ltd
Bogie Trucks – Tipper Only (12-15T)	E & B Tipper Hire Pty Ltd
Bogie Trucks – Tipper Only (12-15T)	Edscog Pty Ltd
Bogie Trucks – Tipper and Trailer (25-33T)	E & B Tipper Hire Pty Ltd
Bogie Trucks – Tipper and Trailer (25-33T)	Raygal Pty Ltd
Excavator (3-5T)	I.W Contracting Pty Ltd
Excavator (3-5T)	E & B Tipper Hire Pty Ltd
Excavator (5-10T)	Nauneet Singh t/as Singh's Earthworks
Excavator (10-18T)	Edscog Pty Ltd
Excavator (18-25T)	Roadworx Group Pty Ltd
Grader (8-10ft blade)	Edscog Pty Ltd
Grader (12-14ft blade)	Roadworx Group Pty Ltd
Skidsteer	Barnes Contracting Pty Ltd
Water Tanker (10,000L – 15,000L)	W & R Hayes Pty Ltd
Water Tanker (>15,000L)	W & R Hayes Pty Ltd

Reference checks were conducted in relation to each recommended tenderer to confirm their satisfactory standard of service and particularly confirmed the adequacy of the tenderer's WHS documentation and performance.

The Evaluation Panel assessed the WHS documentation submitted by Barnes Contracting Pty Ltd and Nauneet Singh t/as Singh's Earthworks to be unsatisfactory. The Contract Manager will work with all successful organisations to ensure their WHS documentation is satisfactory prior to commencement of any work.

### Tenders Not Recommended

All other tenderers are not recommended as they either:

- did not provide sufficient information on their nominated staff
- failed to provide satisfactory details of the specifications of their equipment
- did not demonstrate sufficient experience in similar works
- tendered pricing which was not as competitive as the recommended tenderer.

### **Assurance of the Process Undertaken**

In accordance with Council's procurement procedures, a tender review panel, consisting of members of Council's Executive, reviewed the tender to assure the process was undertaken in a manner that was fair, transparent and resulted in the best value outcome to Council.

Council's Internal Auditor was appointed as Probity Advisor at the commencement of the tender process and provided a report following the conclusion of the process, assuring the Council that there were not any probity concerns.

### **Management of Proposed Contract**

The Contractors will be subject to contract management and safety reviews throughout the duration of the contract in accordance with Council's contract management requirements.

### **Officer's Recommendation**

1. That Council accept the offer of Barnes Contracting Pty Ltd for the Skidsteer component for a period of two years with an option for extension of 12 months.
  2. That Council accept the offer of Edscog Pty Ltd for the Backhoe, Bogie Trucks – Tipper Only (12-15T), Excavator (10-18T) and Grader (8-10ft blade) components for a period of two years with an option for extension of 12 months.
  3. That Council accept the offer of E & B Tipper Hire Pty Ltd for the Bogie Trucks – Tipper Only (12-15T), Bogie Trucks – Tipper and Trailer (25-33T) and Excavator (3-5T) components for a period of two years with an option for extension of 12 months.
  4. That Council accept the offer of I.W Contracting Pty Ltd for the Backhoe and Excavator (3-5T) component for a period of two years with an option for extension of 12 months.
  5. That Council accept the offer of Nauneet Singh t/as Singh's Earthworks for the Excavator (5-10T) component for a period of two years with an option for extension of 12 months.
  6. That Council accept the offer of Raygal Pty Ltd for the Bogie Trucks – Tipper and Trailer (25-33T) component for a period of two years with an option for extension of 12 months.
  7. That Council accept the offer of Roadworx Group Pty Ltd for the Grader (12-14ft blade) component for a period of two years with an option for extension of 12 months.
  8. That Council accept the offer of W & R Hayes Pty Ltd for the Water Tanker (10,000L - 15,000L) and Water Tanker (>15,000L) components for a period of two years with an option for extension of 12 months.
  9. That the Contract documents be executed under the Common Seal of Council.
  10. That the unsuccessful Tenderers be notified of the results of tender process.
-

**Committee's Recommendation: (Brticevic/Dobson)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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### **3.3 Water Stations across Local Government Area**

#### **Reporting Officer**

Acting Manager Assets and Supply Services

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#### **Attachments**

Photographs of Water Stations (contained within this report)

#### **Purpose**

At Council's meeting of 11 February 2014 a report was requested outlining the locations of water stations (bubblers) and if Council has any plans to extend this initiative across the Local Government Area.

#### **History**

Currently a number of water stations are installed in various Council buildings and parks across the Local Government Area.

The water stations that are installed in Council buildings are the refrigerated type units. A number of these units are installed in kitchens and lunchroom areas.

The water stations that are installed in parks, leisure centres and recreational locations are external insulation type models typically known as bubblers/drinking stations.

#### **Report**

Council's Asset Management system records details of all bubbler/water stations across the Local Government Area. Typically these units are installed on a needs basis, as listed below, at locations that support large family group outings or at reserves that have barbecue and picnic facilities.

- The Gordon Fetterplace Aquatic Centre
  - Macquarie Fields Leisure Centre
  - Macquarie Fields Indoor Sports Centre
  - Eagle Vale Central
  - Bon Wrightson Reserve
  - Macquarie Fields Skate Park
  - Marsden Park
  - Redfern Park
  - Robinson Park
  - Koshigaya Park
  - Valley Vista.
-

Bubblers/water stations will be considered as part of planning for reserve upgrades based on utilisation and/or community requests.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Glynn/Brticevic)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1











## **4. EMERGENCY SERVICES**

### **4.1 SES Quarterly Activity Report**

#### **Reporting Officer**

Manager Emergency Management and Community Safety

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#### **Attachments**

Nil

#### **Purpose**

To inform Council of the activities of the Campbelltown State Emergency Service (SES) for the quarter ending December 2013.

#### **Report**

##### **Emergency Requests**

There were 172 requests for assistance with 654 volunteer hours logged in this quarter. The unit was fully operational on six occasions. Tasks involved were the tarping of roofs, making trees safe and general assistance to residents and commercial premises due to heavy rain, wind and local flooding. Local rivers were monitored by Council and the Police and other local SES units were kept informed of the flood levels on the Georges and Nepean rivers.

##### **Community Events**

The State Emergency Services volunteers assisted and/or participated in the following events:

- Men and Machines (Community Engagement Event at Cobbitty)
- Handover of Vehicles Ceremony (Council ownership to SES)
- Fisher's Ghost Parade
- Multicultural Neighbour Aid Awareness Forum
- Fisher's Ghost Street Fair
- Spanish Neighbourhood Aid Group Awareness Forum
- Neighbourhood Awareness Forum
- TAFE trailer handover (new trailer donated by Wetherill Park TAFE)
- Gift of Time
- Ambarvale High School Awareness Program
- New Year's Eve at Koshigaya Park BBQ.

A total of 876 volunteer hours of activity were logged.

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### **Other Events Attended**

- Campbelltown Challenge (SES Quadrant Exercise).

A total of 1106 volunteer hours were logged.

### **Conference and Meeting Attendance**

A number of volunteers participated in planning meetings including the following:

- Media and Community Engagement meetings at Sydney Southern Region Headquarters
- Swift Water Techniques meetings at Sydney Southern Region Headquarters
- Senior Management meeting
- South West Area Training meeting for Training Co-ordinator
- Team leaders meeting
- LEMC meeting
- Meeting with Council
- Peer support meetings
- Flood Rescue Boat meetings.

Regional and Section Heads Meetings were also attended.

A total of 195 volunteer hours were logged.

### **Training**

The following training was undertaken this quarter:

- Participating in a Rescue Operations
- NSW SES Fundamentals (for new members)
- Flood Boat Rescue and Swift Water Technicians
- Fit for Task (Fitness assessments for Flood Rescue and Swift Water Operators)
- Chainsaw tree felling
- First Aid
- Storm and Water Damage
- Cadet Training.

Due to new Training Resource Kits, many members were involved in trialling and reviewing these new resources.

A total of 2483 volunteer hours were logged.

### **Involvement in Other Units through Assessing and Training**

Four SES members were involved in training and assessing for other Sydney Southern Region Units on a number of occasions. These included Drive Fundamentals and Communications. The units that were assisted included Camden and other Sydney Southern Region based units.

A total of 12 volunteer hours were logged.

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### **Police Assistance**

Seven members were involved in an exercise at the airport with NSW Police.

A total of 77 volunteer hours were logged.

### **Rural Fire Service Assistance**

A total of 54 members were involved in assisting the Rural Fire Service during bushfires in October. Members were deployed to the Blue Mountains and to Wingecarribee to provide support in doorknocking and evacuations.

A total of 699 volunteer hours were logged.

### **Out of Area Assistance**

17 members were involved in out-of-area assistance to Sutherland and Coffs Harbour due to storms in those areas.

A total of 324 volunteer hours were logged.

### **Administration and Maintenance Hours**

A total of 713 hours for maintenance and administration outside of normal SES training.

### **Certificates attained for Training Qualifications**

A total of six certificates were attained by members in this three month period.

### **SES Presentation of Awards**

An awards ceremony was held on Saturday 21 December 2013 to recognise some of the achievements of the SES volunteers. The ceremony was attended by the Acting Commissioner State Emergency Service, Campbelltown City Council's Mayor, Councillors, Manager Emergency Management and Community Safety and staff.

Recipients of the awards included:

#### **Long Service Awards – 15 Years**

Richard O'Neill  
Cheryl Ackermann

#### **Long Service Awards – 5 Years**

Bobbie Lee Webster  
Joel Harris  
Kaamilah Davids  
Riyaan Davids

#### **Above and Beyond Awards**

Richard O'Neill  
Peter Bentley  
Sandra Denny  
Phil Potbury

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**Rookie of the Year**

Fran Davis  
Tristan Ditcher

**Promotions**

Bruce Chaplin – Public Information Officer

**Total volunteer hours for this quarter: 7139**

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Hawker/Dobson)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## **4.2 Local Emergency Management Committee - Deputy Chair**

### **Reporting Officer**

Manager Emergency Management and Community Safety

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### **Attachments**

Nil

### **Purpose**

To inform Council of the staff of the Campbelltown Local Emergency Management Committee.

### **Report**

To meet Campbelltown Council's obligations under Section 28 of the State Emergency and Rescue Management Act (SERM ACT) Council must nominate a senior representative of Council to Chair the Local Emergency Management Committee (LEMC). This position has the authority of Council to co-ordinate the use of Council resources in the prevention of, preparation for, response to and recovery from emergencies.

Section 409 of the State Emergency Management Plan requires the General Manager to be the Chair of the LEMC. A deputy Chairperson is also required in the event the chairperson is unavailable. The arrangement relating to General Manager's chairing the LEMC was put in place by the NSW Government in late 2012. In most cases with metropolitan councils the General Manager delegated the position of chairperson. Campbelltown has followed the NSW Government guidelines and the General Manager attends the LEMC meetings as often as possible. The appointment of the Manager Emergency Management and Community Safety as Deputy Chair is considered most appropriate.

Council is also required to provide executive support to the LEMC and the Local Emergency Operations Controller. The person providing this executive support is known as the Local Emergency Management Officer (LEMO). The LEMO is not a member of the LEMC and does not have the Authority to co-ordinate the use of Council resources.

To ensure Campbelltown Council can meet its obligations a Deputy Chair position has been created and the Alternate LEMO position has been updated.

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The current arrangements are:

Name	Title	LEMC Position
Paul Tosi	General Manager	LEMC Chairperson
Richard Blair	Manager Emergency Management and Community Safety	Deputy Chair
Kevin Lynch	Manager Technical Services	LEMO
Alan Davies	Manager Operations	Alternate LEMO

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Glynn/Brticevic)**

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 29**

That the Officer's Recommendation be adopted.

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## **5. GENERAL BUSINESS**

### **5.1 Update on Spring Farm Link Road Connection**

#### **Committee's Recommendation: (Lake/Brticevic)**

That Council write to the NSW Minister for Roads and Ports, Minister for Transport for NSW and NSW Minister for Planning and Infrastructure requesting an update on the proposed Spring Farm link road connection from Camden Bypass to Menangle Road.

**CARRIED**

#### **Council Meeting (Lake/Hawker)**

That the Committee's Recommendation be adopted.

#### **Council Resolution Minute Number 29**

That the Committee's Recommendation be adopted.

#### **Confidentiality Motion: (Glynn/Dobson)**

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Committee's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

**CARRIED**

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## **19. CONFIDENTIAL ITEMS**

### **19.1 Confidential Report Directors of Companies**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

There being no further business the meeting closed at 7.51pm.

P Lake  
CHAIRPERSON

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# **Reports of the Community Services Committee Meeting held at 5.30pm on Tuesday, 4 March 2014.**

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## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

### **Non Pecuniary – Significant Interests**

### **Non Pecuniary – Less than Significant Interests**

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
<b>1.</b>	<b>COMMUNICATIONS AND MARKETING</b>	<b>3</b>
<b>1.1</b>	<b>Australia Day 2014 post event report</b>	<b>3</b>
<b>2.</b>	<b>COMMUNITY RESOURCES AND DEVELOPMENT</b>	<b>6</b>
<b>2.1</b>	<b>2014 Indent Funding Submission - Update</b>	<b>6</b>
<b>2.2</b>	<b>2014 National Youth Week</b>	<b>8</b>
<b>2.3</b>	<b>Campbelltown Place Management Project</b>	<b>10</b>
<b>3.</b>	<b>CULTURAL SERVICES</b>	<b>13</b>
<b>3.1</b>	<b>Australia Council for the Arts - Indigenous Experimental Arts Fund</b>	<b>13</b>
<b>3.2</b>	<b>TV Moore Exhibition - Campbelltown Arts Centre Visual Arts Program</b>	<b>15</b>
<b>3.3</b>	<b>2014 Local Government Arts and Culture Awards</b>	<b>17</b>
<b>3.4</b>	<b>'Transforma' a partnership project with C3West</b>	<b>19</b>
<b>3.5</b>	<b>2014 Museums Australia Multimedia and Publication Design Awards</b>	<b>21</b>
<b>4.</b>	<b>EDUCATION AND CARE SERVICES</b>	<b>23</b>
<b>4.1</b>	<b>Mobile Toy and Book Library Funding</b>	<b>23</b>
<b>4.2</b>	<b>Amarina Early Learning Centre</b>	<b>25</b>
<b>5.</b>	<b>HEALTHY LIFESTYLES</b>	<b>27</b>
<b>5.1</b>	<b>Bicycle Education and Road Safety Centre School Holiday Program</b>	<b>27</b>
<b>6.</b>	<b>LIBRARY SERVICES</b>	<b>29</b>
<b>6.1</b>	<b>Open Universities Australia - Library Connect Program</b>	<b>29</b>
<b>7.</b>	<b>GENERAL BUSINESS</b>	<b>31</b>
<b>7.1</b>	<b>Centennial Stadium - Minto - Car Parking</b>	<b>31</b>
<b>20.</b>	<b>CONFIDENTIAL ITEMS</b>	<b>31</b>
	<b>No reports this round</b>	<b>31</b>

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## **Minutes of the Community Services Committee held on 4 March 2014**

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**Present**

- Councillor T Rowell (Chairperson)
- Councillor G Bricevic
- Councillor W Glynn
- Councillor D Lound
- Councillor A Matheson
- Councillor M Oates
- Councillor R Thompson
- General Manager - Mr P Tosi
- Acting Director Community Services - Mrs J Uluibau
- Director Planning and Environment - Mr J Lawrence
- Manager Community Resources and Development - Mr B McCausland
- Manager Communications and Marketing - Mrs B Naylor
- Manager Cultural Services - Mr M Dagostino
- Acting Manager Education and Care Services - Ms G Vickers
- Manager Healthy Lifestyles - Mr M Berriman
- Manager Library Services - Mr G White
- Manager Technical Services - Mr K Lynch
- Acting Manager Governance and Administration - Mr T Rouen
- Executive Assistant - Mrs K Peters

**Apology**      nil

### **Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Rowell.

### **Minutes Silence**

In acknowledgement of the passing of Coral Borg, the Chamber was upstanding to observe a one minute silence.

### **DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this meeting.

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## **1. COMMUNICATIONS AND MARKETING**

### **1.1 Australia Day 2014 post event report**

#### **Reporting Officer**

Manager Communications and Marketing

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#### **Attachments**

Nil

#### **Purpose**

To advise Council of the Australia Day celebrations that took place at Koshigaya Park, Campbelltown and the Greg Percival Community Centre and Hallinan Park, Ingleburn on Sunday 26 January 2014.

#### **Report**

Council held its annual Australia Day celebrations on Sunday 26 January 2014.

The Australia Day civic ceremony in Koshigaya Park, Campbelltown commenced at 8.00am. A purpose built marquee was erected in the park to accommodate up to 400 guests for the ceremony.

Prior to the presentation of the Australia Day Awards, the Glenfield Scouts raised the flags and the national anthem was performed by the Campbelltown Camden District Band.

The 2014 award categories included Citizen of the Year, Young Citizen of the Year, Sportsperson of the Year and Community Group Initiative of the Year. There were 29 nominations across the four categories, and although the number of nominations were lower than 2013, the quality of the nominations was very high.

Following the presentation of the awards, the Mayor conducted a citizenship ceremony for 57 people who now proudly call Australia home. A second citizenship ceremony was held at the Greg Percival Community Centre where 59 people received their Australian citizenship.

Rotary Club of Macarthur Sunrise provided a community BBQ at the conclusion of the ceremony at Koshigaya Park, while at Ingleburn, support was received from the Ingleburn CWA, who provided a free morning tea, and the Lions Club of Ingleburn who provided their traditional free sausage sizzle. Both proved very popular.

Council's events staff ran a number of free activities in Hallinan Park following the conclusion of the citizenship ceremony from 12 noon to 2.00pm. The activities included a thong throwing competition, egg and spoon races and a large inflatable slide.

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Entertainment in Hallinan Park was provided by the Macarthur Country Music Club. Approximately 200 people participated in the activities.

The afternoon event in Koshigaya Park proved to be very popular. The Rotary Club of Ingleburn ran a BBQ at Koshigaya Park from 4.00pm until 5.30pm. During this time, they provided a free sausage sizzle to more than 1,000 event attendees.

Free carnival rides were available from 4.00pm until 9.30pm. They were well utilised with consistent queues for the duration of the event. There were 17 stallholders at the event featuring food, drinks, merchandise and information based stalls.

The entertainment program continued through the night, featuring local performers, stage shows and popular Sydney bands.

The entertainment line-up commenced with the inaugural Macarthur Talent Showcase, a new version of the Youth Talent Quest that has been reducing in popularity over the past few years. Ten individuals and groups from across the region participated in the showcase, which included vocalists, musicians and dancers. This was followed by kids stage show, Blinky Bill's Singalong and Stars from Oz, an Australian music tribute show.

Sydney bands, Under Wraps and Endless Summer Party Band completed the stage line up, with the event concluding with a popular fireworks display.

Police and security guards reported that the event was incident free and positive feedback has been received about the event.

The event was delivered at a total cost of \$77,800, an increase on the budget of \$72,600 adopted as part of the 2012-2013 operational plan. This increase on the allocated budget is attributed to the addition of the Campbelltown formal proceedings.

An outline of expenditure and income is provided below.

**Expenses**

Production (audio visual and stage hire)	\$22,500.00
Equipment hire (marquees, fencing, lighting and toilets)	\$16,143.00
Entertainment/activities	\$10,685.00
Overtime (events and operations staff)	\$6680.00
Contractor (electrical, cleaning and fireworks)	\$6520.00
Carnival hire	\$5000.00
Advertising	\$4119.00
Security and first aid	\$2050.00
Donations for provision of BBQs and morning tea	\$4350.00
Miscellaneous (printing, gifts, cake, consumables)	\$1553.00

**Income**

Stallholder fees	\$1800.00
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**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Thompson/Glynn)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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## **2. COMMUNITY RESOURCES AND DEVELOPMENT**

### **2.1 2014 Indent Funding Submission - Update**

#### **Reporting Officer**

Manager Community Resources and Development

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#### **Attachments**

Nil

#### **Purpose**

To inform Council that the NSW Government through the 2014 Indent Partnerships Grants Program has approved \$5,000 for assistance towards Fisher's Gig and the All Ages Program.

#### **History**

Council at its meeting 12 November 2013 endorsed a submission to Music NSW to support the delivery of Fishers Gig 2014 and the All Ages Program.

#### **Report**

Indent is a project of MusicNSW that plays an important role in the development of all-ages entertainment and provides development support for youth entertainment across the state. Indent works directly with young people to empower them and help raise awareness of their needs, connecting them with support organisations in their community, providing opportunities, training and valuable experience and involving them in a range of tasks such as booking venues, liaising with police, managing security, organising public liability insurance, advertising and promotion.

Music NSW has confirmed that Council has been successful in receiving \$5,000 in funding towards this year's Fisher's Gig and the All Ages Program.

The funding will be used towards the cost of infrastructure and resources to hold the events.

#### **Officer's Recommendation**

That the information be noted.

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**Committee's Recommendation: (Oates/Thompson)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

---

## **2.2 2014 National Youth Week**

### **Reporting Officer**

Manager Community Resources and Development

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### **Attachments**

Nil

### **Purpose**

To advise Council that the 2014 National Youth Week will be celebrated across the Campbelltown Local Government Area from 4-13 April.

### **History**

National Youth Week is a joint Australian Government, State, Territory and Local Government initiative and is the largest celebration of young people in Australia. Thousands of young people aged 12-25 get involved in National Youth Week each year. National Youth Week is an opportunity for young people to share ideas, attend live events, and have their voices heard on issues that concern them, showcase their talents, celebrate their contribution to the community, take part in competitions and have fun.

### **Report**

The theme for this year's National Youth Week is 'Our Voice, Our Impact'. Council staff are currently finalising a comprehensive program of events with the assistance of local young people and youth services.

Council also offered partnership funding of up to \$500 per project to local youth groups and service providers to host a Youth Week event. Applicants needed to demonstrate that they could provide dollar for dollar funding or inkind support to the same value. Expressions of interest closed on 13 December 2013. The following project ideas were successful and have been developed in partnership with Council and are included in the program of events.

#### **Culture meets Culture**

A group of up to 20 Afghani young people will participate in a Bush Tucker Tour at Mount Annan Botanic Gardens on Saturday 5 April from 10.00am-2.00pm. The tour will offer an opportunity for Afghani young people to explore Aboriginal culture, the land and traditional Indigenous foods.

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### **In the Heart of the Community**

The Minto Youth and Employment Network Group will run a series of art workshops with young people from the Minto community on Thursday 3 and Friday 4 April to develop artworks with the theme 'What Minto Means to Me'. The workshops will provide young people an opportunity to express their voice about living in Minto. Completed artworks will be displayed at Minto Marketplace on Saturday 12 April 2014 from 10.00am to 1.00pm.

### **Adventurous Kids - Art Workshop**

Local young people will work with a group of young people with a disability, providing art instruction and peer mentoring on Saturday 5 and Sunday 6 April from 9.00am to 3.00pm. The group will create an artwork which will be displayed in Magnolia House youth space.

This year's Youth Week activities will be funded from a combination of a grant from Communities NSW and Council, as well as a range of in-kind contributions and support from local youth services and community groups.

The Youth Week program will be widely distributed and promoted across the Campbelltown Local Government Area through a variety of media formats including print, email networks and social media.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Glynn/Oates)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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## **2.3 Campbelltown Place Management Project**

### **Reporting Officer**

Manager Community Resources and Development

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### **Attachments**

Nil

### **Purpose**

To inform Council of activities and initiatives organised through the Place Management Project, a joint Housing NSW and Council initiative.

### **History**

Council at its meeting on 31 July 2012, Community Services Item - 2.3 Housing NSW Funding, accepted a contribution of \$120,000 over two years by Housing NSW towards community development projects across Rosemeadow/Ambarvale, Claymore and Macquarie Fields housing estates under Housing NSW's Community Regeneration Strategy.

### **Report**

The Place Management project has been designed to support the delivery of place-based programs and interventions in Claymore, Macquarie Fields and Rosemeadow/Ambarvale.

The objective of the project is to support the transition of Housing NSW regeneration initiatives through a place based approach; working with the community, key stakeholders and team members to develop projects and services which meet the projected needs of targeted community groups.

The project is informed by the Claymore and Macquarie Fields Regeneration Partnership Plans, the Rosemeadow Ambarvale Community Plan and Council's Community Strategic Plan.

Initiatives under the Place Management Project include:

#### **Pathways 2 Information 4 Everyone (P2I4E)**

P2I4E is an initiative that utilises volunteers and technology to reach the hard-to-reach people in the community and links them to relevant, up-to-date information when they need it.

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Local volunteers are trained to provide access to community information for residents through a P2I4E webpage based at a number of community host sites across the Campbelltown Local Government Area. P2I4E is currently established at host sites in Macquarie Fields, Airds, Minto and Ambarvale.

The project targets residents of areas across the five social housing areas, who are experiencing high unemployment and significant social disadvantage and aims to engage the most vulnerable residents with information to provide support and assist them engaging in their communities. Activities within the project include supporting and training resident volunteers; supporting host sites; and developing a P2I4E webpage and training package.

### **Resident Engagement and Participation Project**

The Resident Engagement and Participation project provides capacity building and training opportunities for volunteer groups and residents to encourage resident participation, and to strengthen and support existing community groups in Claymore, Macquarie Fields and Rosemeadow/Ambarvale to actively participate in their communities.

Project activities include a New Residents Welcome Kit in partnership with Housing NSW, a small grants project for existing community groups, and resident training on topics including active volunteering, first aid and governance.

### **Good Neighbour Project**

The Good Neighbour Project is designed to promote and showcase the local communities of Airds/Bradbury, Claymore, Macquarie Fields and Rosemeadow/Ambarvale.

A series of Good Neighbour Showcase events will be held to promote positive community spirit, and showcase the contribution of services, organisations, schools, community groups and residents in each of the four social housing areas of Airds/Bradbury, Claymore, Macquarie Fields and Rosemeadow/Ambarvale, which will include utilising part of the Macbeth Way for stalls.

The events are a joint Housing NSW and Council initiative, delivered in partnership with local community agencies, services, residents and community groups.

The events will focus on building the pride of the community and promoting good neighbours, and will include a Good Neighbour Recognition Ceremony celebrating the unrecognised contributions of local community members and neighbours.

Details of the events are as follows:

Rosemeadow/Ambarvale  
Wednesday 19 March 2014 (4.00pm-7.00pm)  
Macbeth Way Community Centre  
Macbeth Way, Rosemeadow

Airds/Bradbury  
Friday 11 April 2014 (4.00pm-7.00pm)  
AB Central, Riverside Drive, Airds

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Macquarie Fields  
Tuesday 15 April 2014 (10.00am-2.00pm)  
Billabong Community Centre Precinct/Salvation Army Community Centre  
Eucalyptus Drive, Macquarie Fields

Claymore  
Friday 16 May 2014 (3.30pm-6.30pm)  
Claymore Youth Centre

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Thompson/Matheson)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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### **3. CULTURAL SERVICES**

#### **3.1 Australia Council for the Arts - Indigenous Experimental Arts Fund**

##### **Reporting Officer**

Manager Cultural Services

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##### **Attachments**

Nil

##### **Purpose**

To seek Council's endorsement of a grant application to the Australia Council for the Arts through the Indigenous Experimental Arts Fund for up to \$30,000 funding towards Campbelltown Arts Centre's 2014 Contemporary Performance Program – 'One Billion Beats'.

##### **History**

Council at its meeting of 23 April 2013 was informed of the development and production of the multi-disciplinary music theatre work 'One Billion Beats'.

One Billion Beats refers to the heartbeats of one billion Indigenous people who lived before colonisation, weaving their stories through the landscape. Combining spoken word, poetry, music, song, contemporary theatre techniques and audio visual imagery, 'One Billion Beats' is an excavation of the historical representation of Aboriginal people in Australian film, interlaced with an autobiographical reflection by Dr Romaine Moreton on her experience of being both hostage and liberated from the constraints of Western paradigms in relation to Indigenous identity.

##### **Report**

Campbelltown Arts Centre proposes to submit an application for support from the Australia Council through the Indigenous Experimental Arts Fund towards final development of 'One Billion Beats' as part of the Contemporary Performance Program 2014.

Led by Aboriginal poet, film maker and academic Dr Romaine Moreton, the work combines spoken word poetry, music, song, contemporary theatre techniques and audio visual imagery to explore the historical representation of Aboriginal people in Australian film, and Moreton's own personal experience of Indigenous identity.

In 2014 the full artistic team will come together at Campbelltown Arts Centre for the first time, to unite the elements of the work. Funds from the Indigenous Experimental Arts Fund would facilitate a final development stage prior to presentation at Campbelltown Arts Centre in 2015.

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3.1 Australia Council For The Arts - Indigenous Experimental Arts Fund

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The Indigenous Experimental Arts Fund supports Indigenous led projects, which benefit the development of contemporary Indigenous media, interdisciplinary and hybrid art practitioners. This important one-off funding from the Australia Council for the Arts would allow Campbelltown Arts Centre to support Romaine Moreton and her artistic team to realise an ambitious project of national significance, and promote significant contemporary Indigenous artistic practice to the Campbelltown community.

**Officer's Recommendation**

1. That Council endorse the submission to the Australia Council for the Arts through the Indigenous Experimental Arts Fund for up to \$30,000 funding towards Campbelltown Arts Centre's 2014 Contemporary Performance Program – 'One Billion Beats'.
2. That subject to notification of success, the funding agreement from the Australia Council for the Arts be accepted and signed by the General Manager on behalf of Council.

**Committee's Recommendation: (Oates/Thompson)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

---

## **3.2 TV Moore Exhibition - Campbelltown Arts Centre Visual Arts Program**

### **Reporting Officer**

Manager Cultural Services

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### **Attachments**

Nil

### **Purpose**

To inform Council of a major solo exhibition, 'Rum Jungle' by Timothy John Vernon (TV) Moore which will be presented in March 2014, as part of Campbelltown Arts Centre's Visual Arts Program.

### **History**

Council at its meeting of 26 February 2013, Community Services - Item 3.3 - Arts NSW Funding – New Projects, endorsed \$50,000 funding from Arts NSW to support the creative development and public presentation of new works by TV Moore.

### **Report**

Campbelltown Arts Centre will be presenting a major solo artist exhibition that features new and existing works by Australian artist TV Moore. Since early 2000, TV Moore has been one of Australia's most prominent and exciting artists, consistently disrupting expectations and pushing the boundaries of his practice.

TV Moore's exhibition 'Rum Jungle' continues the artist's work with paint, video, film, photographic, and theatrical forms. Using psychological space, performance, narrative and non-narrative structures, Moore operates in a myriad of worlds where there are stories within stories, histories within histories.

During the exhibition there will be an artist talk that invites the public to meet and engage in a critical discussion about contemporary art. A series of workshops and school programs will also be facilitated during the exhibition.

The exhibition will be launched on Friday 28 March 2014 at 7.00pm and continue until Sunday 25 May 2014.

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**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Glynn/Thompson)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

---

### **3.3 2014 Local Government Arts and Culture Awards**

#### **Reporting Officer**

Manager Cultural Services

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#### **Attachments**

Nil

#### **Purpose**

To inform Council that a submission will be made to Local Government NSW for the 2014 Local Government Arts and Culture Awards.

#### **History**

The Local Government Arts and Culture Awards were initiated in 2003 and are held annually by Local Government NSW.

Campbelltown Arts Centre has previously had much success in being commended in these Awards including the 'Campbelltown Intergenerational Aboriginal Project', 'Campbelltown Arts Centre Cultural Program', 'News from Islands' and for 'Matthew and others Journeys with Schizophrenia'.

#### **Report**

The Local Government Arts and Culture Awards recognise the arts and cultural initiatives of NSW Councils that were predominantly delivered during the 18 months spanning Sunday 1 July 2012 and Tuesday 31 December 2013.

This year Campbelltown Arts Centre will enter under the following categories:

##### **Participation in Arts and Culture**

Aboriginal Arts and Cultural Development (One Billion Beats)  
Accessibility in the Arts Performance (Macarthur with Kevin Jackson)  
Multicultural Arts (Towards the Morning Sun)

##### **Developing Arts and Culture**

Visual Arts and Gallery Initiatives (Towards the Morning Sun)

##### **Places for Arts and Culture**

Public Art and Place Making (Temporary Democracies)

##### **Leading Arts and Culture**

Creative Community Engagement and Collaboration (Temporary Democracies, Towards the Morning Sun).

---

Nominations for the Awards opened on 31 January and closed 28 February 2014. Finalists will be invited to present at the two day Local Government Arts and Culture Summit to be held Monday 26 – Tuesday 27 May 2014 at NSW Parliament House, Sydney.

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Matheson/Lound)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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### **3.4 'Transforma' a partnership project with C3West**

#### **Reporting Officer**

Manager Cultural Services

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#### **Attachments**

Nil

#### **Purpose**

To inform Council of the partnership project with C3West, 'Transforma', which will be presented in Airds from February-April 2014.

#### **History**

Council at its meeting of 13 August 2013, Community Services - Item 3.7 C3West – Campbelltown Arts Centre Visual Arts Program, was advised of the C3West project.

C3West is a long term project that aims to develop new ways to working with art, commerce and the community by aligning business strategies with arts practices in a process of engagement for mutual benefit in Western Sydney. The project reflects a proposal discussed between the Museum of Contemporary Art and Campbelltown Arts Centre in 2012 responding to the Upper Georges River Catchment.

#### **Report**

'Transforma' is a seven week residency project by New Zealand-based artist Michel Tuffery. Located in Airds in south-western Sydney, 'Transforma' has four main components: The retrieval of cars dumped in the Woolwash area of the Upper Georges River, an outdoor sculpture studio located in the car park of the Airds Shopping Centre, an art station located in the Airds Shopping Centre and a series of public programs culminating in a major public event.

This project is a C3West project commissioned by Campbelltown City Council (on behalf of the Upper Georges River Urban Sustainability Program), and Museum of Contemporary Art. 'Transforma' has been specifically devised to raise local awareness of the links between river health and behaviours such as arson, dumping and littering, and is the culmination of three extended residencies by Tuffery in the area.

On Saturday 22 February 2014, abandoned cars were retrieved from the Woolwash area. The operation involved motorised winches and 8 – 10 cars were removed from the river banks. For the duration of the residency, Michel Tuffery and his team will transform the retrieved car pieces into 'Transforma', a major work of sculpture. The artist proposes to donate the sculpture to Airds High School.

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There will also be a series of public events that will accompany the sculpture development. On Saturday 1 March 2014, 'Transforma' will host a barbecue for the local community from 11.00am. This event will provide a communal moment for locals to share with Michel Tuffery their feelings for the river and their local environment as well as the 'Transforma' program.

On Wednesday 19 March 2014, the 'Transforma' - Our river community meeting will take place from 11.00am-2.00pm. Up to fifteen speakers, including local community leaders and environmental experts will participate in the event.

On Saturday 12 April 2014 the 'Transforma' public event will take place from 4.30pm-7.00pm. This large scale event for both the local and the wider community will feature a live performance, an exhibition of the works produced in the woodblock workshop, video projections of the car retrieval and the development of Tuffery's major sculpture.

The Museum of Contemporary Art has provided all funding for the project. Council has provided in kind support in terms of gallery space and staff time to develop the project.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Glynn/Lound)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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### **3.5 2014 Museums Australia Multimedia and Publication Design Awards**

#### **Reporting Officer**

Manager Cultural Services

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#### **Attachments**

Nil

#### **Purpose**

To inform Council that a submission will be made to Museums Australia for the 2014 national Multimedia and Publication Design Awards (MAPDA).

#### **Report**

The MAPDA were established by Museums Australia to celebrate excellence in design and communication in the museum and cultural sector across Australia.

Campbelltown Arts Centre has previously been successful in these awards, winning several awards and receiving highly commended certificates since entering in 2006.

This year the Arts Centre will enter under the following categories:

#### **Invitation**

2013 'The Social' exhibition

2013 'Catching Light' exhibition

#### **Poster**

2013 'The Social' exhibition

2013 'Catching Light' exhibition

Shortlisted entries will be posted on the Museums Australia website from early April 2014 and be on exhibition at Launceston during the Museums Australia National Conference. The MAPDA ceremony will be held on Saturday 17 May, 2014. Winning entries will be published in the Winter 2014 issue of Museums Australia Magazine and on the Museums Australia website.

#### **Officer's Recommendation**

That the information be noted.

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**Committee's Recommendation: (Thompson/Lound)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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## **4. EDUCATION AND CARE SERVICES**

### **4.1 Mobile Toy and Book Library Funding**

#### **Reporting Officer**

Manager Education and Care Services

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#### **Attachments**

Nil

#### **Purpose**

To seek Council's endorsement of \$10,000 funding from The Benevolent Society to enable the Mobile Toy and Book Library to provide two Specific Skills programs for the Claymore community in 2014.

#### **Report**

The Benevolent Society has offered Council funding of \$10,000 from the 2013-2014 Communities for Children Brokerage Funding to support the Mobile Toy and Book Library to provide projects under the Society's Early Years Strategy.

The Early Years Strategy provides projects that increase the early childhood development and educational outcomes of children aged 0-5 years that complement existing programs in Claymore.

The funding would allow Council's Mobile Toy and Book Library to implement two Specific Skills programs for children living in the Claymore and surrounding areas.

The Fine Motor Skills Program would provide structured weekly sessions during Term 1, 2014, enabling children to practice skills and demonstrate improved competency in the areas of pencil grasp, scissor skills, muscle tone, hand preference, index finger isolation and strength, hand eye and bi lateral coordination; attending to and completing a task, wrist extension, visual perception, posture and upper body strength.

The PALS Program (Playing and Learning to Socialise) would be delivered through weekly sessions during Term 2, 2014, enabling children to learn about and demonstrate improved competency in the areas of greeting others, taking turns, talking and listening; taking turns at play, sharing, asking for help, identifying feelings, empathy, overcoming fear and anxiety, managing frustration, calming down and speaking up.

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These programs would be delivered by Mobile Toy and Book Library Early Childhood Educators, in partnership with a Psychologist from Area Health as well as an Occupational Therapist. The programs would target families with children aged 4-5 years who will be attending school in 2015 primarily addressing four key domains of early childhood development, including social competence and emotional maturity, language and cognitive skills, communication skills and general knowledge.

### **Officer's Recommendation**

1. That Council accept the funding of \$10,000 from The Benevolent Society to enable the Mobile Toy and Book Library to provide two Specific Skills programs to the Claymore community in 2014.
2. That the Communities for Children Partner Agreement with The Benevolent Society be signed by the General Manager on behalf of Council.

### **Committee's Recommendation: (Lound/Brticevic)**

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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## **4.2 Amarina Early Learning Centre**

### **Reporting Officer**

Manager Education and Care Services

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### **Attachments**

Nil

### **Purpose**

To advise Council of a recent visit to Amarina Early Learning Centre (ELC) in Airs by an international delegation to share teaching practices.

### **Report**

On 10 December 2013, Amarina ELC was awarded the Excellent rating by the Australian Children's Education and Care Quality Authority (ACECQA). The Centre is the fifth service in the country, the first in New South Wales and the first Council operated service to ever be awarded the Excellent rating by ACECQA. The Excellent rating is the highest rating a service can achieve under the National Quality Framework for Early Childhood Education and Care.

Representatives from FROEBEL Australia and its German parent company FROEBEL e.V., including the company's German chief executive officer and its Istanbul, Turkey, chief executive officer, visited Amarina ELC on 14 February 2014 to see its nationally recognised programs.

FROEBEL Australia is a not-for-profit organisation which was established in Sydney in 2009 and operates two bilingual English-German education and care services in Alexandria and North Sydney. FROEBEL e.V is one of the most highly regarded education and care service providers in Germany that operates 125 early learning centres with more than 11,000 children and 2,000 employees, many of them being Australian and New Zealand early childhood teachers.

Educators at Amarina Early Learning Centre were able to showcase the service to the delegation whilst also gaining insight into FROEBEL's bilingual services across the world. The FROEBEL delegation was happy to offer an online partnership between their staff and the team at Amarina ELC to strengthen the professional education and care services relationship.

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The visit provided a unique opportunity to exchange information and ideas with a leading global provider, with a focus on further improving outcomes for children.

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Brticevic/Lound)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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## **5. HEALTHY LIFESTYLES**

### **5.1 Bicycle Education and Road Safety Centre School Holiday Program**

#### **Reporting Officer**

Manager Healthy Lifestyles

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#### **Attachments**

Nil

#### **Purpose**

To notify Council of the School Holiday Program provided at Campbelltown Bicycle Education and Road Safety Centre from 2 – 28 January 2014.

#### **History**

Campbelltown Bicycle Education and Road Safety Centre was established 25 years ago in 1989. The Centre provides road safety educational programs for preschool, primary and secondary schools. The Centre also conducts programs for students with special needs.

The centre is available for private hire seven days a week. Open Days are held on Sundays throughout the year and during school holidays from 10.00am to 3.00pm.

During the 2012/2013 financial year, a total of 7800 visitors attended the Centre. Two hundred private hire bookings, approximately four bookings per weekend were made and 2000 school students attended educational programs.

#### **Report**

The aim of the School Holiday Program, which commenced in 2011, is to increase the community's awareness of Campbelltown Bicycle Education and Road Safety Centre and to assist parents in keeping their children active during school holiday periods.

Activities provided included a skills circuit and ramp which tested children's balance and turning points on a bike; a jumping castle and an education competition which required children to ride around the track to gain answers to complete the quiz.

This year 1527 visitors attended the Centre during the 20 open days in January compared with 1426 for the same period in 2013.

In addition to an increase in group and school bookings, the Centre has also experienced an increase in private bookings for events and birthday parties with bookings now being taken for dates in 2015.

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The Centre's programs are regularly reviewed to ensure they meet the needs of the community as well as complementing school and educational requirements.

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Matheson/Lound)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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## **6. LIBRARY SERVICES**

### **6.1 Open Universities Australia - Library Connect Program**

#### **Reporting Officer**

Manager Library Services

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#### **Attachments**

Nil

#### **Purpose**

To advise Council that Campbelltown City Library Service will be joining the Connect Library Program with Open Universities Australia (OUA).

#### **Report**

OUA Connect Library Program is an initiative which provides study support to students undertaking courses through Open Universities Australia. OUA provides support and training assistance to libraries participating in the programme to more effectively help students and to improve educational outcomes.

OUA is a leader in online/distance learning for students and offers access to courses from over 20 leading University and TAFE providers. OUA has over 60,000 students in Australia and internationally, studying across a range of disciplines.

Through the Connect Library Program, Council's libraries will receive training and assistance to support OUA students in the local area. Staff will then be able to assist with accessing online resources, library resources, research skills, basic IT assistance as well as other information about support services for OUA students.

A range of promotional materials about the program will be supplied by OUA and information sessions for local students will be held during March 2014.

#### **Officer's Recommendation**

That the information be noted.

#### **Committee's Recommendation: (Thompson/Lound)**

That the Officer's Recommendation be adopted.

**CARRIED**

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**Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 30**

That the Officer's Recommendation be adopted.

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## **7. GENERAL BUSINESS**

### **7.1 Centennial Stadium - Minto - Car Parking**

#### **Committee's Recommendation: (Oates/Brticevic)**

That a report be presented examining the provision of appropriate parking for patrons of Centennial Stadium, Minto.

#### **CARRIED**

#### **Council Meeting 11 March 2014 (Rowell/Matheson)**

That the Committee's Recommendation be adopted.

#### **Council Resolution Minute Number 30**

That the Committee's Recommendation be adopted.

## **20. CONFIDENTIAL ITEMS**

### **No reports this round**

There being no further business the meeting closed at 5.57pm.

T Rowell  
CHAIRPERSON

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# **Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 4 March 2014.**

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## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

### **Non Pecuniary – Significant Interests**

### **Non Pecuniary – Less than Significant Interests**

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
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21.3	12 Browne Street, Campbelltown	61

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**Minutes of the Corporate Governance Committee held on 4 March 2014**

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**Present**

His Worship the Mayor, Councillor C Mead  
Councillor S Dobson (Chairperson)  
Councillor G Greiss  
Councillor P Hawker  
Councillor R Kolkman  
Councillor P Lake  
Director Business Services - Mr M Sewell  
Acting Director City Works - Mr G Mitchell  
Acting Manager Assets and Supply Services - Mr W Miller  
Acting Manager Business Assurance - Mr C Taylor  
Manager Emergency Management and Community Safety - Mr R Blair  
Manager Executive Services - Mr N Smolonogov  
Manager Financial Services - Mrs C Mears  
Manager Operational Services - Mr A Davies  
Manager Property Services - Mr J Milicic  
Manager Waste and Recycling Services - Mr P Macdonald  
Human Resources Coordinator - Ms N Minns  
Policy and Governance Coordinator - Ms J Warner  
Executive Assistant - Mrs D Taylor

**Apology (Lake/Hawker)**

That the apology from Councillor Borg be received and accepted.

**CARRIED**

**Note:** Councillor A Chanthivong has been granted a leave of absence from Council, incorporating all formal Council and Committee meetings until Tuesday 12 August 2014.

**Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Dobson.

**DECLARATIONS OF INTEREST**

Declarations of Interest were made in respect of the following items:

**Pecuniary Interests**

Nil

**Non Pecuniary – Significant Interests**

Nil

**Non Pecuniary – Less than Significant Interests**

Councillor Hawker - Item 1.2 - Local Government NSW - Request for Assistance with Legal Costs - Councillor Hawker advised that he is a member of Local Government NSW.

Councillor Greiss - Item 1.2 - Local Government NSW - Request for Assistance with Legal Costs - Councillor Greiss advised that he is a member of Local Government NSW.

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## **1. GOVERNANCE AND ADMINISTRATION**

### **1.1 Local Government (Early Intervention) Act 2013**

#### **Reporting Officer**

Acting Manager Governance and Administration

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#### **Attachments**

Nil

#### **Purpose**

To advise Council of the development of an "Improvement and Intervention Framework for NSW Councils" to support the Minister for Local Government and the Division of Local Government to identify appropriate intervention and improvement strategies for Councils.

#### **History**

Council was advised at its meeting of 3 September 2013 that following consultation with Local Government NSW, the *Local Government (Early Intervention) Act 2013* was assented on 25 June 2013.

#### **Report**

Council has been advised that an "Improvement and Intervention Framework for NSW Councils" has been developed to support the Minister for Local Government and Division of Local Government to identify appropriate intervention and improvement strategies for councils. The Framework will allow councils to more clearly understand when the Minister and Division will intervene, and what action will be undertaken to address issues of underperformance.

The *Local Government (General) Regulation 2005* now includes criteria that must be considered in determining whether to issue a performance improvement or suspension order.

Further detailed information is available at the 'Improvement and Intervention Framework - Councils in NSW' webpage on the Division's website at [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au). It is also intended that this matter will be the subject of a briefing to council by Council's legal consultant in the near future.

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**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Lake/Kolkman)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

---

## **1.2 Local Government NSW - Request for Assistance with Legal Costs**

### **Reporting Officer**

Acting Manager Governance and Administration

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### **Attachments**

Nil

### **Purpose**

To advise Council that a request has been received from Local Government NSW asking for Council's assistance towards the cost of legal expenses incurred by Canterbury City Council.

### **Report**

Local Government NSW has written to Council seeking assistance in respect of legal costs incurred by Canterbury City Council in an appeal to the Supreme Court of NSW.

The matter concerns a land locked piece of land that was purchased by a private owner with no legal access to a public road. The land was previously owned by the RTA, who informed Canterbury City Council of their intention to sell the land to the adjoining owner. In 2006 the land was subject to a LEP that rezoned the land as residential and included a provision requiring the land have suitable road access before any approval could be given.

The RTA proceeded to sell the property on the open market without consulting Canterbury City Council. The new owner contacted the Council and sought an easement to the public road over land zoned as Open Space and classified as Community land. Canterbury City Council informed the owner that it did not have the power to do this. The owner then made an application to the Supreme Court of NSW to impose an easement over the Council land, which was granted.

Canterbury City Council has argued that, if allowed to stand, the decision will lower the bar for people seeking easements over community land and that the decision could have major adverse implications for other councils in terms of undermining their attempts to protect public recreation land from alienation for private purposes.

The former Association's Joint Committee approved the application for legal assistance as it complied with the provisions of the Legal Assistance policy.

Campbelltown City Council's voluntary contribution towards the legal costs would be \$651.24.

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It has been Council's policy in the past to support actions that affect Local Government and as this action does have relevance to Council it is recommended that Council contribute to legal costs in this matter.

### **Officer's Recommendation**

That Council support Canterbury City Council and forward the contribution of \$651.24 toward legal expenses as outlined in the body of the report.

### **Committee's Recommendation: (Kolkman/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

Councillor Mead asked that his name be recorded in opposition to the resolution in regard to Item 1.2 - Local Government NSW - Request for assistance with Legal Costs.

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## **2. PROPERTY SERVICES**

**No reports this round**

## **3. FINANCIAL SERVICES**

### **3.1 Investment report - January 2014**

#### **Reporting Officer**

Manager Financial Services

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#### **Attachments**

Investment portfolio performance as at 31 January 2014 (contained within this report)

#### **Purpose**

To provide a report outlining Council's investment portfolio performance for the month of January 2014.

#### **Report**

Council invests any surplus funds that become available through the financial instrument designated by the Ministerial Order from the Division of Local Government. The *Local Government Act 1993* and the *Local Government (General) Regulation 2005* require a monthly investment report be presented to Council.

Council's Investment Portfolio as at 31 January 2014 stood at approximately \$88m. Funds are currently being managed both by Council staff and Fund Managers and are in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

#### **Portfolio Performance**

Directly managed investments show an outperformance of the 90 day bank bill index benchmark by more than 100 basis points for the reporting period.

<b>Monthly annualised return</b>		<b>January</b>
Council Managed Funds		4.06%
Benchmark: 90 Day Bank Bill Index		2.69%

---

Investment returns can fluctuate during any one reporting period based on market perceptions, or as in the case of funds under management, changes in asset classes. As such, any measurement of performance is better reflected over a rolling 12 month period to average out any fluctuations in monthly performance. Council's total investment portfolio has outperformed the benchmark on average over the last 12 months.

Rolling year to date return	January
Council Managed Funds	4.33%
Benchmark: 90 Day Bank Bill Index	2.79%

Council's portfolio as at 31 January 2014 is diversified with 70% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 22% in floating rate notes which gives Council a set margin above either 30 or 90 day bank bills, 7% in fixed rate bonds, 1% in funds in a short term at call account and a National Australia Bank offset facility which expires in June 2014.

Maturity profile	31 January
Short term at call	\$1,184,853
1 – 3 months	\$0
3 – 6 months	\$32,832,384
6 – 12 months	\$48,025,184
12 months +	\$6,000,000

All investments are placed with approved deposit taking institutions. No funds are placed with any unrated institutions.

Credit exposure	31 January
AAA to AA-	78%
A+ to A-	17%
BBB+ to BBB-	5%
Other approved deposit taking institutions	0%

### Economic outlook

The Board of the Reserve Bank of Australia (RBA) left the cash rate unchanged at its present level of 2.5% at its meeting held 4 February, which was in line with market expectations. The statements of monetary policy have, in recent months, had the same overtone that the Board would remain open to the possibility of further interest rates cuts, however, the statement issued on 4 February did provide a subtle but key change to this sentiment, namely:

'In the Board's judgement, monetary policy is appropriately configured to foster sustainable growth in demand with inflation outcomes consistent with the target. On present indications, the most prudent course is likely to be a period of stability in interest rates'.

This more balanced stance suggests that interest rates will remain at their present level during 2014.

### **Summary**

Council's investment portfolio continues to outperform the benchmark of the 90 day bank bill index. The Local Government Investment Guideline leaves little scope for the enhancement of Council's investment portfolio with the various investment products being offered. However, to enhance the portfolio, advantage is taken on the length of maturity of the investment given the rating of the institution, as well as reviewing any new investment products offered in consultation with Council's financial advisor, Spectra Financial Services.

Regular liaison with Council's external financial advisor assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio, while minimising the risk associated with this strategy.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO

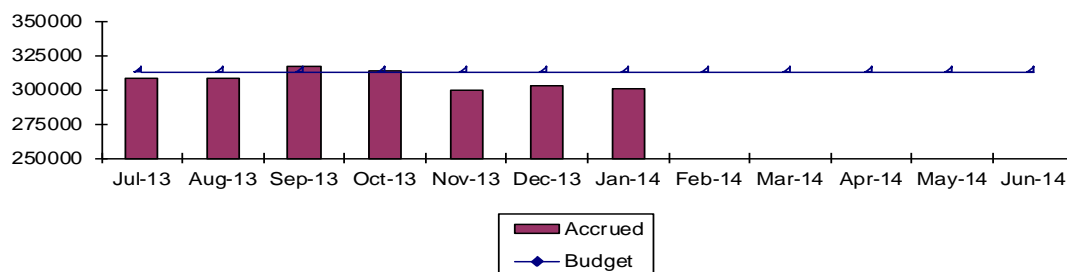
Summary January 2014

Benchmark UBS Warburg 90 Day Bank Bill Index  
Portfolio Balance \$88,042,421.52

Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.23%	2.69%
Total Portfolio	0.34%	4.05%
<i>Performance to Benchmark</i>	+ 0.12%	+ 1.35%
Portfolio - Direct Investments	0.34%	4.06%
<i>Performance to Benchmark</i>	+ 0.12%	+ 1.37%
Short Term Call Account	0.25%	2.90%

□

#### Monthly Interest

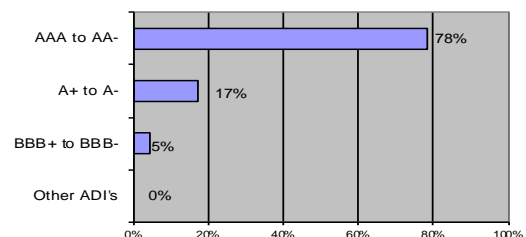


#### Year to Date Performance

#### Credit Exposure

Rolling 12 Month Period  
4.33% Council Managed Funds  
2.79% Benchmark

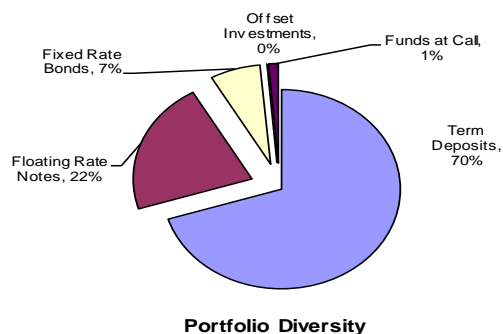
Interest Budget to Actual  
Budget to Period \$2,187,500  
Accrued to Period \$2,150,209



#### Securities

#### Institutions

□



	Amount Invested	% Portfolio
Funds at Call	\$ 1,184,853.27	1%
NSW Treasury	\$ 4,140,000.00	5%
National Australia Bank	\$ 26,728,940.27	30%
ANZ Bank	\$ 3,500,000.00	4%
Westpac Bank	\$ 13,166,533.25	15%
St George Bank	\$ 3,510,773.30	4%
Commonwealth Bank	\$ 12,500,000.00	14%
Bank Western Australia	\$ 4,187,925.08	5%
AMP Bank	\$ 5,000,000.00	6%
Suncorp Metway	\$ 7,123,396.35	8%
Bendigo/Adelaide Bank	\$ -	0%
Bank of Queensland	\$ 3,000,000.00	3%
ME Bank	\$ 4,000,000.00	5%
	<b>\$88,042,421.52</b>	<b>100%</b>



## **3.2 Monthly Rates Summary - January 2014**

### **Reporting Officer**

Manager Financial Services

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### **Attachments**

1. Monthly rates summary (contained within this report)
2. Actual to budget result (contained within this report)
3. Rates statistics (contained within this report)

### **Purpose**

This report details the Rates and Charges levy and monthly cash collections result as at 31 January 2014.

### **Report**

Rates and Charges levied to the end of January 2014 were \$83,740,539, representing 99.44% of the budget amount.

Rates and Charges collected to the end of January totalled \$49,142,111. In percentage terms this amount represents 57% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 57.6%.

The February quarterly rate instalment notices were issued on 14 January 2014 to 48,336 ratepayers. Ratepayers continue to register to receive their annual and instalment notices via email with 1341 ratepayers now registered for eRates.

Debt recovery action during the month involved the issue of 522 letters of demand on ratepayers who had either not cleared their debt or made a suitable payment arrangement before 19 January 2014. Formal recovery action has been commenced by way of Statement of Claim against 236 ratepayers who had either failed to maintain arrangements or had not responded to previous correspondence. In addition, 16 Writs were served on ratepayers who failed to respond to the Statement of Claim.

Ratepayers who purchased property since the February quarterly instalment notices were served have been issued a 'Notice to new owner' letter. This letter advises ratepayers of the annual amount levied and any balance unpaid since settlement occurred. During the month, 48 of these notices were sent to ratepayers.

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**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Hawker/Greiss)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### RATES SUMMARY

#### STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2013	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,489,704.10	47,270,559.50	1,337,365.64	504,197.69	48,927,095.65	27,517,949.18	21,409,146.47	349,015.60	21,758,162.07
BUSINESS	468,656.67	15,748,637.33		71,319.42	16,288,613.42	9,506,897.71	6,781,715.71		6,781,715.71
BUSINESS - IND	3,940.83	0.00		87.10	4,027.93	1,081.44	2,946.49		2,946.49
FARMLAND	12,880.47	363,957.78	884.94	208.42	376,161.73	225,190.18	150,971.55	154,066.65	305,038.20
MINING	0.00	13,929.61		0.00	13,929.61	13,929.61	0.00		0.00
LOAN	243,314.66	4,120,949.70		8,397.92	4,372,662.28	2,451,474.94	1,921,187.34	48,667.65	1,969,854.99
F5 ACCESS RAMPS	764.21	0.00		13.09	777.30	45.24	732.06		732.06
MAIN STREET	40.12	0.00		0.00	40.12	0.00	40.12		40.12
TOTAL	\$3,219,301.06	\$67,518,033.92	\$1,338,250.58	\$584,223.64	\$69,983,308.04	\$39,716,568.30	\$30,266,739.74	\$551,749.90	\$30,818,489.64
GARBAGE	735,268.06	15,890,129.91	797,487.68	29,688.80	15,857,599.09	8,883,316.48	6,974,282.61		6,974,282.61
SANITARY	0.00	0.00		0.00	0.00	0.00	0.00		0.00
STORMWATER	51,164.38	900,011.30		1,497.32	952,673.00	542,225.73	410,447.27		410,447.27
GRAND TOTAL	\$4,005,733.50	\$84,308,175.13	\$2,135,738.26	\$615,409.76	\$86,793,580.13	\$49,142,110.51	\$37,651,469.62	\$551,749.90	\$38,203,219.52

Total from Rates Financial Transaction Summary	37,833,872.31
Overpayments	-369,347.21
Difference	0.00

#### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	776,026.05
Rate accounts greater than 12 months less than 18 months in arrears	131,333.46
Rate accounts greater than 18 months in arrears	45,775.27
TOTAL rates and charges under instruction with Council's agents	\$953,134.78

## ATTACHMENT 2

### COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL RECD.	% RAISED
RESIDENTIAL	46,699,900	46,699,900	47,270,560	(570,660)	101.22%
BUSINESS	15,792,500	15,792,500	15,748,637	43,863	99.72%
FARMLAND	415,500	415,500	363,958	51,542	87.60%
MINING	15,000	15,000	13,930	1,070	92.86%
LOAN	4,176,500	4,176,500	4,120,950	55,550	98.67%
TOTALS	67,099,400	67,099,400	67,518,034	(418,634)	100.62%
INTEREST CHARGES	368,900	368,900	129,208	239,692	35.03%
LEGAL COSTS RECOVERED	710,000	710,000	462,623	247,377	65.16%
PENSIONERS - Sec 575	(1,735,300)	(1,735,300)	(1,775,038)	39,738	102.29%
PENSIONERS - Sec 582	0	0	(360,700)	360,700	0.00%
PENSIONERS SUBSIDY	953,500	953,500	976,271	(22,771)	102.39%
SUB TOTAL	67,396,500	67,396,500	66,950,397	446,103	99.34%
DOMESTIC WASTE CHARGES	15,566,800	15,566,800	15,483,240	83,560	99.46%
COMMERCIAL WASTE CHARGES	358,800	358,800	406,889	(48,089)	113.40%
STORMWATER MNGMNT	894,000	894,000	900,011	(6,011)	100.67%
GRAND TOTALS	84,216,100	84,216,100	83,740,539	475,561	99.44%

### COLLECTIONS AS A % OF:

	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED
RESIDENTIAL	56.24%	58.21%		
BUSINESS	58.37%	60.37%	RATES	58.82%
FARMLAND	59.87%	61.87%	WASTE	55.90%
LOAN	56.06%	59.49%	STORMWATER	60.25%
ALL RATES	56.75%	58.82%	TOTAL RATES & CHARGES	58.73%

## ATTACHMENT 3

### RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Jan-13
Rate Notices	48,779	121		238			165						88
Electronic - DoH	5,655												42,014
Instalment Notices				42,363			42,019						5,602
Electronic - DoH				5,703			6,317						
Missed Instalment Notices			7,916			6,949							
- Pensioners > \$15.00			489			436							
Notice to new owner	169	91	41	71	41	39	48						37
7-day Letters - Council Issued			1,755			1,901							
- Pensioners > \$500.00			124			99							
7-day Letters - Agent Issued			698				522						607
Statement of Claim	235	31	19	248	20	15	236						252
Judgments	20	81	21	19	65	9	21						32
Writs	23	44	53	9	15	37	16						37
eRates	1,163	1,309	1,327	1,331	1,335	1,337	1,341						1,223
Arrangements	382	297	385	334	277	389	373						353

### 3.3 Sundry Debtors Report - January 2014

#### Reporting Officer

Manager Financial Services

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#### Attachments

1. Debtors summary to 31 January 2014 (contained within this report)
2. Ageing of sundry debts to 31 January 2014 (contained within this report)

#### Purpose

To provide a report detailing the amount outstanding by type and age for sundry and miscellaneous debts for the period ending 31 January 2014.

#### Report

Debts outstanding to Council as at 31 January 2014 are \$1,589,360, reflecting a decrease of \$482,735 since December 2013. The ratio of outstanding debts to current invoices has increased from 42% in November to the current level of 64%. This debtor management ratio is a measure of the effectiveness of recovery efforts, however is impacted by Council policies as well as economic and social conditions.

#### Invoices raised – January 2014

During the month, 830 invoices were raised totalling \$525,735. The majority of these are paid within a 30 day period, however those that remain unpaid from previous periods for longer than 90 days are detailed at the end of this report. The most significant invoices raised during the month have been in the following areas:

Various Sundry Items – \$226,309 – the main invoices relate to:

NSW Community Options - ComPacks Program 1 July 2013 to 31 December 2013	\$149,692
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Land and building rentals – \$120,997 – the main invoices relate to:

Glenquarie Hotel Pty Ltd – monthly rental Glenquarie Shopping Centre, Macquarie Fields	\$24,018
Nuvezo Pty Ltd – monthly rental Dumaresq Street Cinema	\$22,229
Aldi Stores (A Limited Partnership) – monthly rental Macquarie Fields	\$22,064
Caltex Oil Australia Pty Ltd – monthly rental Macquarie Fields	\$15,062
Mycorp Group Pty Ltd – monthly rental Macquarie Fields	\$13,344
Macarthur Community Options - monthly rental Campbelltown	\$11,917

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Waste collection services – \$52,781 – three main invoices relate to:

G & G Waste Services – effluent for December 2013	\$28,350
Remondis Australia Pty Ltd – effluent for December 2013	\$18,567
Veolia Water Network Services – effluent for December 2013	\$5,864

Corporate administration – \$43,712 – the main invoices relate to:

Old Town Hall 530A - recovery of outgoings	\$5,353
YMCA NSW South West Office - recovery of outgoings	\$4,759
St Marys Eagle Vale Soccer Club - recovery of outgoings	\$4,334
YMCA Minto- recovery of outgoings	\$3,214
Macarthur District Soccer Football Association - recovery of outgoings	\$2,671
South West Sydney Regional Advisory Council - recovery of outgoings	\$2,206
YMCA of Sydney - recovery of outgoings	\$2,251
Debtor 673327 - recovery of outgoings	\$1,707
Muru Nanga Mai Inc - recovery of outgoings	\$1,492
Campbelltown & District Softball Association - recovery of outgoings	\$1,494
Rotary Club of Campbelltown - sponsorship of Photography Award 2013 Fishers Ghost Art Award	\$1,100

Receipts to the value of \$1,008,469 have been received during the period, the most notable in the following areas:

Corporate administration	\$275,534
Various sundry items	\$200,431
Government and other Grants	\$163,625
Land and building rentals	\$117,401
Waste collection services	\$81,961

### Sundry debts outstanding – 31 January 2014

Debts exceeding 90 days of age totalled \$740,139 as at 31 January 2014. The major invoices relating to this balance include:

Description	Date Invoiced	Balance
Roads & Maritime Services - repair grant for Ben Lomond Road, Blaxland Road and Gilchrist Drive, payment expected February 2014	18/10/13	\$330,000
Coal & Allied – 2013 Parliament of NSW Aboriginal Art Prize Partnership Contribution, payment expected February 2014	20/09/13	\$63,250
NSW Land and Housing Corporation – Campbelltown Arts Centre Aboriginal arts project, payment expected February 2014	25/06/13	\$50,000
Remondis Pty Ltd – effluent for August 2013, payment expected February 2014	12/09/13	\$33,983

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Rightline Plumbing – footpath restoration Park Central Campbelltown, account has been referred to Council agents for debt recovery action February 2014	25/07/13	\$29,372
G & G Waste Services - effluent removal for September 2013, payment expected February 2014	09/10/13	\$27,560
Debtor 68316.9 - retaining wall between Lot 1451 DP 703487, 2 and 4 Brownlow Place, Ambarvale. Debtor is maintaining arrangement to pay \$450 per month as approved by Council	09/06/10	\$16,006

Debt recovery action is undertaken in accordance with Council's Sundry Debtor Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 60 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 10 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

During the month, 19 accounts progressed to recovery action. The defaulting debtors were issued a letter of demand on Council's letterhead, advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agents.

Council's agents were instructed to proceed with two Judgments for unpaid license fees.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

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### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Lake/Kolkman)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### *DEBTORS SUMMARY 1 January 2014 to 31 January 2014*

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/12/2013	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/01/2014	% DEBT RATIO
Corporate Administration	586,057	43,712	275,534	354,236	22.29%
Abandoned Items	10,680	0	1,737	8,944	0.56%
Child Care Debts	18,710	0	0	18,710	1.18%
Community Bus	143	0	0	143	0.01%
Tennis Court Hire	0	0	0	0	0.00%
Sportsground and Field Hire	79,301	3,983	36,076	47,207	2.97%
Government and other Grants	626,538	0	163,625	462,913	29.13%
Public Hall Hire	25,501	11,694	18,956	18,238	1.15%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	62,298	120,997	117,401	65,895	4.15%
Healthy Lifestyles	2,499	28,294	28,215	2,577	0.16%
Library Fines and Costs	174,497	0	0	174,497	10.98%
Shop Licence Fees	39,666	525	6,894	33,297	2.09%
Pool Hire	26,498	158	15,544	11,112	0.70%
Private Works	56,217	0	26,333	29,884	1.88%
Road and Footpath Restoration	53,629	13,226	11,174	55,681	3.50%
Shop and Office Rentals	18,666	24,056	24,588	18,133	1.14%
Various Sundry Items	97,184	226,309	200,431	123,062	7.74%
Waste Collection Services	233,094	52,781	81,961	203,915	12.83%
	<b>2,072,095</b>	<b>525,735</b>	<b>1,008,469</b>	<b>1,589,360</b>	<b>100%</b>

## ATTACHMENT 2

### AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 January 2014

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	78,777	2,794	149,030	123,635	354,236	118,852
Abandoned Items	0	0	0	8,944	8,944	10,680
Child Care Debts	18,710	0	0	0	18,710	0
Community Bus	89	54	0	0	143	0
Sportsground and Field Hire	372	10,712	9,670	26,453	47,207	22,177
Government and other Grants	0	47,850	35,063	380,000	462,913	50,000
Public Hall Hire	5,508	4,399	3,272	5,059	18,238	4,195
Health Services	0	0	0	350	350	350
Land and Building Rentals	46,306	1,199	359	18,032	65,895	18,923
Healthy Lifestyles	1,605	397	0	576	2,577	636
Library Fines and Costs	174,497	0	0	0	174,497	0
Shop Licence Fees	167	2,919	2,905	27,306	33,297	29,350
Pool Hire	365	8,615	226	1,905	11,112	1,941
Private Works	1,189	0	0	28,695	29,884	31,153
Road and Footpath Restoration	8,434	0	5,229	42,019	55,681	42,019
Shop and Office Rentals	12,873	3,217	893	1,151	18,133	0
Various Sundry Items	73,874	4,754	33,090	11,345	123,062	50,327
Waste Collection Services	52,451	57,748	29,045	64,670	203,915	63,752
	<b>435,783</b>	<b>144,657</b>	<b>268,782</b>	<b>740,139</b>	<b>1,589,360</b>	<b>444,356</b>

### **3.4 Revised Policy - Investment**

#### **Reporting Officer**

Manager Financial Services

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#### **Attachments**

Revised Investment Policy (contained within this report)

#### **Purpose**

To seek Council's endorsement of the revised Investment Policy.

#### **History**

The abovementioned policy was adopted by Council on 3 August 1984 and was last reviewed on 10 April 2012. The policy is now due for review in accordance with the Records and Document Management Policy.

#### **Report**

The abovementioned policy has been reviewed in accordance with Council's Record Management Policy, the adopted procedure for Policy Development and Review and the Investment Policy Guidelines issued by the Division of Local Government (DLG) in May 2010.

Council maintains an Investment Policy in accordance with best practice recommended by the DLG. A monthly report is provided to Council outlining the performance of Council's investment portfolio.

In conducting a review of Council's financial instruments and debt structuring, advice is sought from Council's external financial advisor, Spectra Financial Services. Council has maintained a conservative approach to the structure of the investment portfolio while taking the opportunity, after reviewing the risk profile and advice from Spectra Financial Services to enhance the performance of returns with various products that become available, such as floating rate notes or longer term fixed bonds.

The abovementioned Investment Policy has been reviewed and found that no changes were required. It is now recommended that the policy be adopted and a new review date set.

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### **Officer's Recommendation**

1. That the revised Investment Policy as attached to this report be adopted.
2. That the Policy review date be set at 31 March 2015.

### **Committee's Recommendation: (Kolkman/Greiss)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Dobson/Thompson)**


That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

 <b>campbelltown</b> city council		<b>POLICY</b>
Policy Title	Investment Policy	
Related Documentation	Accounting Practices Statement	
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i> <i>Local Government General Regulation 2005</i> Ministerial Investment Order Local Government Code of Accounting Practice and Financial Reporting Australian Accounting Standards Division of Local Government Circulars	
Responsible Officer	Manager Financial Services	

**Policy details may change prior to review date due to legislative changes etc, therefore this document is uncontrolled when printed.**

### Objectives

To maximise earnings through a diversified portfolio invested in approved investments that recognise Council's planning and cash flow forecasts.

To minimise the risk of loss of principal through a policy based on high credit levels (counterparty risk) and diversification.

To seek to ensure earnings are positive over the life of the investment.

To minimise the risk of loss (both principal and interest) through clear management procedures and investment discretions.

To provide a planning framework for ongoing monitoring and review of Council's investments and its policy.

To consider investment management in the wider context of Treasury Risk Management.

### Policy Statement

Interest on these investments represents a significant contribution to the total income of Council and it is essential that Council has clear policy guidelines as to how funds can be invested. While the *Local Government Act 1993 – Order* (relating to investments by Councils) is quite explicit as to the types of institutions with which Council can invest, there are nevertheless variations in the financial ratings of these institutions and the types of investments that can be purchased, which are not explained. This policy aims to clearly state the institutions with which Council can invest the



maximum proportion of funds that may be placed with individual organisations and the types of investments entered into.

### **Scope**

This policy applies to Investment monies built up through:

- General unrestricted reserves created through rate income and other revenue sources exceeding (re)current expenditure, sale of properties and other assets
- Restricted reserves that accrue through contributions under Section 94 of the *EPA Act*
- Internally restricted reserves
- Restricted reserves accruing through special purpose grants, donations etc
- Loan proceeds drawn down awaiting expenditure
- Timing differences within the year between rate receipts and expenditures.

### **Definitions**

Working Funds	Maturities up to 180 days
Contingent Reserves	Maturities 6 months to 24 months
Core Holdings	Maturities beyond 24 months

### **Legislative Context**

Council's power to invest is derived from Section 625 of the *Local Government Act 1993*, as amended by the *Statute Law (Miscellaneous Provisions) Act 2000* – which limits investments to only those that the Minister approves.

#### *The Local Government Act*

Section 625 (2) of the Act provides that:

"Money may be invested only in a form of investment notified by order of the Minister published in the Gazette"

Investments previously authorised under the *Trustee Act* are no longer available to Council.

The current Ministerial order – 12 January 2011.

### **Principles**

#### Authority for Investment

Investment of Council funds is limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government in accordance with the following guidelines:

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### Guidelines

a) Authorised Investments

- i) Public funds or securities issued by or guaranteed by the Commonwealth, State of the Commonwealth or a Territory
- ii) Debentures or securities issued by a Council (within the meaning of the *Local Government Act 1993* (NSW))
- iii) Interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit taking institutions (as defined by the *Banking Act 1959 (Cwlth)*), but excluding subordinated debt obligations
- iv) Bills of exchange which have maturity dates of not more than 200 days; and if purchased for value confers on the holder in due course the right of recourse against a bank which has been designated as an authorised deposit taking institution by the Australian Prudential Regulation Authority (APRA)
- v) Deposits with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

b) Council's Own Direct Investments

Council's policy is to only invest with the four major tier one Australian trading banks and their subsidiaries, as well as other tier two publicly listed Australian banks, in term deposits and senior debt instruments in accordance with the Ministerial order.

Investments in other tier two Australian banks are not to exceed twelve months in duration, be limited to 5% of the portfolio per institution to a maximum of 20% of the portfolio for this group and each institution must have a short term Standard & Poor's rating of not less than A-1 or A-2.

Council may take the opportunity to allocate core funds in longer term investments such as floating rate notes and fixed rate bank bonds. This will depend on the interest rate outlook and be based on Council's cash flow forecast and the need to hold contingent reserves.

**Short Term Rating** (0-365 days) means the institution's capacity to repay debt in the short term. Example of short term paper are:

- i) Commercial Bills
- ii) Certificate of Deposits
- iii) Term Deposits
- iv) Bill Lines and
- v) 11am Deposits etc.

**The Short Term Rating Order** (as defined by S&P Australian Ratings) is:

- A1+ extremely strong degree of safety regarding timely payment
- A1 a strong degree of safety
- A2 a satisfactory capacity for timely payment

**Long Term Paper** is usually Bonds, Government and Semi-Government Securities etc. The rating order is:

- AAA } an extremely strong capacity to repay debt
  - AAA- }
  - AA+ }
  - to } a very strong capacity to repay debt
  - AA- }
-



A+ }  
to } a strong capacity to repay debt  
A- }

BBB+ }  
to } an adequate capacity to repay debt  
BBB- }

#### Quotations on Investments

Not less than three quotations shall be obtained from authorised institutions whenever an investment is proposed. The best quote on the day will be successful after allowing for administrative and banking costs, as well as having regard to the limits set above.

### General Policy Guidelines

#### Diversification

Diversification is used to spread risk through utilisation of maximum percentage investment limits to the following:

- Individual Institutions (varies per credit rating)
- Credit Rating Bands (eg, AAA v A) - these are Standard & Poors Long Term ratings (or Moody's or Fitch equivalents).

These limits are as per the following schedule:

Credit Rating of Institution (Standard & Poors)	Maximum % of Total Investments	Maximum % with one Institution	Maximum Term
AAA An extremely strong capacity to pay	100%	45%	5 yrs
AA+, AA, AA- A very strong capacity to pay	100%	40%	5 yrs
A+, A, A- A strong capacity to pay	60%	20%	1 yr
<b>Standard &amp; Poor's Short Term Rating</b> A-1 strong capacity to pay A-2 satisfactory capacity to pay	20%	5%	1 yr

#### Authorised Investments

Major trading banks (MTB's) refer only to ANZ Banking Group Ltd, Commonwealth Bank of Australia, National Australia Bank and Westpac Banking Corporation.

Wholly-owned bank subsidiaries of MTB's refer to Bankwest (CBA) and St George Bank (Westpac). Both bank subsidiaries carry the same short and long term credit ratings as their parent (A1+ / AA) but neither is guaranteed by their parent.

Other ADI's refer to those intermediaries listed at any time on APRA's website, <http://www.apra.gov.au/adi/pages/adilist.aspx>. Listed Australian banking entities include Bank of Queensland, Suncorp Metway, Bendigo and Adelaide Bank and Macquarie Bank.

#### **Maturities**

Working funds representing Council's liquidity requirements are managed so as to minimise the use of expensive overdraft to meet Council's day to day trading needs. An amount of at least \$3m or 5% of the value of the total investment portfolio must be accessible within seven days.

Funds may be invested for a period up to five years. Investments exceeding a term of 12 months will only be placed with tier one institutions or wholly owned subsidiaries thereof, provided the institution is authorised under the current Ministerial Investment Order, and the subsidiary's rating from Standard and Poors, Moody's or Fitch is at least equivalent to its parent tier one institution rating.

The maturity allocation of core funds, and whether fixed or floating rates, will be determined by the interest rate outlook and be apportioned based on Council's cash flow forecast in conjunction with Council's Financial Advisor, Spectra Financial Services.

#### **Independent Financial Advice**

New Investment instruments that are promoted by an appropriately rated Financial Institution must be the subject of a review by Council's independent financial advisor. Funds may not be placed in any new financial product before this review has been completed.

#### **Review of Investment Portfolio Performance**

Council is presented with a monthly report on the performance of each fund/product that makes up Council's Investment portfolio. In conjunction with Spectra Financial Services, the Investment Policy will be reviewed at least annually or as required in the event of legislative changes.

#### **Benchmarks**

Cash	Reserve Bank Cash Reference Rate
Direct Investments	UBS 90 Day Bank Bill Index

#### **Responsibility**

Manager Financial Services, Finance & Tax Accountant, and other authorised signatories.

#### **Effectiveness of this Policy**

This policy will be reviewed annually in accordance with Regulations and Departmental Guidelines to ensure its continuing suitability and effectiveness. Records of reviews shall be maintained.

### **END OF POLICY STATEMENT**

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## **3.5 Bulk Mail Outs**

### **Reporting Officer**

Manager Financial Services

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### **Attachments**

Detailed list of bulk mail outs (contained within this report)

### **Purpose**

To provide an outline of the cost to Council of bulk mail outs since September 2012.

### **History**

At the Corporate Governance Committee Meeting held on 4 February 2014, a report was requested outlining the cost to Council of any bulk mail outs undertaken during the current term of Council.

### **Report**

Throughout the year, Council sends bulk mail outs via Australia Post for a variety of activities and legislative requirements. A detailed list is provided as an attachment.

### **Rates Notices**

In accordance with section 710 of the *Local Government Act 1993*, the majority of rates notices are distributed to ratepayers via post. Currently, 1341 residents have nominated to receive their rates notices electronically. Due to the large volume of rates notices for Housing NSW, these notices are issued in an electronic batch file each quarter.

### **Compass and Community Report**

The Compass magazine is distributed to households four times a year and has been developed to promote Council's current services and activities to the community and to provide a positive image for Council and the City. It features articles on Council's services and facilities, upcoming events and initiatives, contact details and photographs of Councillors, a what's on listing and Council news briefs.

Council also provides audio CDs for residents with visual impairment. The CDs contain a recorded version of the current edition of Compass and are available free of charge at Council's libraries for residents to either take home or listen to in the sound lounge at the HJ Daley Library. The sound file is also available on Council's website.

The Community Report is distributed annually to provide a summary of the achievements and financial results for the year.

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### **Arts Centre**

The Campbelltown Arts Centre continues to use hard copy mail for audiences who do not effectively communicate electronically, such as seniors, Heritage Week audiences, Aboriginal and Torres Strait Islander communities, under privileged communities and those funding bodies who require hard copy invites. The Campbelltown Arts Centre also continues to post material for events that such as an entry form including a map for Fisher's Kids and entry forms primarily sent to rural areas of Australia for the Parliament of NSW Aboriginal Art Prize and Fisher's Ghost. Campbelltown Arts Centre has also taken steps to decrease the amount of hard copy mail with the introduction of electronic entry forms last year.

### **Health Tips Brochure**

The Health Tips brochure is distributed three times a year to a pre-defined mailing list and includes community preventative health information linked specifically to Council events and healthy lifestyles initiatives eg, Learn to Swim, Challenge Walk, fun runs, obesity assistance services.

Overall Council expended \$194,840 on bulk mail outs for the period September 2012 to January 2014.

Council is committed to increasing the use of its technology to reduce the amount spent on printing and mail outs however anticipates bulk mail outs will still be required to inform and engage with residents who do not interact via technology.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Mead/Kolkman)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### Bulk Mail Outs

Mail Outs	Cost	Units	Month	Destination
Special Rate Variation Newsletter	\$ 11,034.02	55,422	Dec-13	Entire LGA
Rates Missed Instalment Notices	\$ 3,454.76	7,028	Dec-13	
Compass and Community Report	\$ 16,708.23	111,719	Nov-13	Entire LGA
Special Rate Variation Newsletter	\$ 2,711.82	5,100	Nov-13	Ratepayers outside LGA
Arts Centre	\$ 685.00	721	Oct-13	Arts Centre Pre-defined mailing list
Rates 2 <sup>nd</sup> Instalment Notices	\$ 17,920.11	36,465	Oct-13	
Rates Missed Instalment Notices	\$ 3,905.45	7,943	Sep-13	
Waste calendars - biennial	\$ 3,900.00	55,708	Aug-13	Residential homes in LGA
Arts Centre	\$ 874.00	920	Sep-13	Arts Centre Pre-defined mailing list
Compass	\$ 7,390.00	55,679	Aug-13	Entire LGA
Health Tips Brochure	\$ 800.35	1,314	Aug-13	Pre-defined mailing list including schools, GPs, child care centres etc
Arts Centre	\$ 586.00	488	Aug-13	Arts Centre Pre-defined mailing list
Arts Centre	\$ 944.00	787	Jul-13	Arts Centre Pre-defined mailing list
Rates Annual Notice (1st Instalment)	\$ 19,233.46	41,774	Jul-13	
Rates Missed Instalment Notices	\$ 3,481.95	7,823	Jun-13	
Arts Centre	\$ 487.00	541	Jun-13	Arts Centre Pre-defined mailing list
Compass and Special Edition - Swimming Pool	\$ 14,810.91	111,594	May-13	Entire LGA
Arts Centre	\$ 416.00	737	May-13	Arts Centre Pre-defined mailing list
Arts Centre	\$ 151.40	268	Apr-13	Arts Centre Pre-defined mailing list
Rates 4 <sup>th</sup> Instalment Notices	\$ 15,248.33	34,278	Apr-13	
Rates Missed Instalment Notices	\$ 2,938.08	6,781	Mar-13	
Arts Centre	\$ 1,444.00	1641	Mar-13	Arts Centre Pre-defined mailing list
Arts Centre	\$ 305.00	347	Feb-13	Arts Centre Pre-defined mailing list
Arts Centre	\$ 744.00	1573	Feb-13	Arts Centre Pre-defined mailing list
Compass	\$ 7,393.17	55,702	Feb-13	Entire LGA
Health Tips Brochure	\$ 909.26	1,527	Feb-13	Pre-defined mailing list including schools, GPs, child care centres etc
Campbelltown City Challenge Walk	\$ 242.55	460	Feb-13	Past participants of Challenge walk and Fishers Ghost Fun Run
Arts Centre	\$ 356.12	307	Jan-13	Arts Centre Pre-defined mailing list
Rates 3 <sup>rd</sup> Instalment Notices	\$ 14,937.70	34,493	Jan-13	
Rates Missed Instalment Notices	\$ 2,993.57	6,910	Dec-12	
Compass and Community Report	\$ 15,713.64	110,767	Nov-12	Entire LGA
Arts Centre	\$ 530.10	91 parcels	Nov-12	Arts Centre Pre-defined mailing list
Arts Centre	\$ 232.00	418	Nov-12	Arts Centre Pre-defined mailing list
Arts Centre	\$ 1,622.70	1834	Oct-12	Arts Centre Pre-defined mailing list
Rates 2 <sup>nd</sup> Instalment Notices	\$ 16,036.36	34,833	Oct-12	
Rates Missed Instalment Notices	\$ 3,240.41	7,472	Sep-12	
Arts Centre	\$ 459.00	824	Sep-12	Arts Centre Pre-defined mailing list
	<b>\$ 194,840.45</b>			



## **3.6 Quarterly Budget Review Statement as at 31 December 2013**

### **Reporting Officer**

Manager Financial Services

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### **Attachments**

Quarterly Budget Review Statement for the period 1 October 2013 to 31 December 2013  
(contained within this report)

### **Purpose**

A quarterly financial review has been conducted on the original income and expenditure estimates presented in the 2013-2014 budget. The adjustments relating to the review of the original budget allocations are presented for Council's consideration.

### **Introduction**

The current planning and reporting framework for NSW Local Government has a greater focus on financial sustainability. In an effort to achieve consistency in reporting between councils, the Division of Local Government introduced a set of minimum requirements and predefined templates to assist councils in meeting their legislative obligations. Collectively, these documents are known as the quarterly budget review statement (QBRS). The latest QBRS under the reporting framework is attached.

### **Report**

In accordance with Clause 203 of the *Local Government (General) Regulations 2005*, the Responsible Accounting Officer is required to prepare a quarterly budget review of income and expenditure estimates and submit a report to Council. The QBRS must also include an opinion of the Responsible Accounting Officer concerning the financial position of Council. This report provides an overview of the results of the financial review for the quarter ended 31 December 2013.

In June 2013, Council adopted a balanced budget for 2013-2014. There is no proposed change to the budget result in this review.

The recommended movements relating to income and expenditure are summarised in the attachment and details of significant items greater than \$20,000 are listed in the body of this report for Council's consideration.

In the October to December quarter, Council considered a number of reports that either required an adjustment to budget estimates or requested that consideration be given to funding programs. The recommendations from these reports have been included in this review.

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The following items are detailed with corresponding adjustments recommended following the completion of the quarterly financial review:

**Swimming Pool Inspection Program (1157) - \$25,000 increase in expenditure**

Council has recently employed three new staff to administer and carry out the requirements of the new swimming pool inspection regulations. Part of the establishment of this program has been the requirement to engage consultants to convert the swimming pool register, and also costs involved in fitting out the new staff accommodation.

**Airds Housing Estate (1801) - \$50,000 decrease in expenditure**

The Arts Centre has received funding for the Airds Housing Estate Project as well as allocated funds from Council. There has been a delay in commencing this project and the Council funds allocated for this year's budget have been transferred to other projects. It is proposed to reallocate these funds in a future budget. The funds will be utilised for the exhibition program, the school holidays program and the Fisher's Ghost Art exhibition.

**Indigenous Art Prize Tour (1807) - \$20,000 increase in expenditure**

The Indigenous Art Prize Tour has been run annually for several years. In recent years the exhibition has received grant funding and has grown in size as result. Additional expenses have been incurred this year as a result of a change to the prize guidelines which allowed artists to enter more than one piece of artwork, resulting in additional exhibition costs.

**Pacific Communities Strategy (1822) - \$33,500 increase in expenditure**

The Pacific Communities Strategy is a project administered by the Arts Centre. The project has exceeded the budgeted funds by the above amount. The increase is mainly due to exhibition and transportation costs which was greater than was originally anticipated.

**Bridge Maintenance Control Account (2235) - \$1,500,000 increase in expenditure**

As previously reported to Council, this adjustment is the finalisation of funds required for the construction of the Leumeah Pedestrian Railway Overbridge. The allocation has been sourced from reserve funds held over from the income received from the sale of Council land to Railcorp, which was acquired as part of the southern freight line project.

**3425 - Rates-General Purpose Revenue (3425) - \$53,500 increase in income**

During the current financial year there have been several supplementary rate levies issued as a result of the subdivision of land parcels. This has generated additional rating income. These additional funds have been utilised to offset various adjustments throughout the budget.

**Summary**

As reported to Council in previous years, the financial objective has been to budget a surplus to improve Council's liquidity ratio. As Council is aware, the liquidity ratio has improved to a satisfactory level and as such, a balanced budget is proposed for the 2013-2014 financial year.

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As per the Responsible Accounting Officer's statement, the 2013-2014 results continue to support Council's sound financial position in the short to medium term. During 2013-2014, Council will further refine its financial strategy in line with the development of the 10 year Long Term Financial Plan, required by the Integrated Planning and Reporting Framework and determine the most appropriate and financially responsible action for future periods.

### **Officer's Recommendation**

That the adjustments recommended in the Quarterly Budget Review Statement be adopted.

### **Committee's Recommendation: (Lake/Hawker)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

### **Report by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Campbelltown City Council for the quarter ended 31/12/13 indicates that Council's projected financial position at 30/6/14 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:

  
Corinne Mears

Responsible Accounting Officer

date: 17.2.14

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

Campbelltown City Council

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 December 2013

**Income & Expenses - Council Consolidated**

(\$'000's)	Original Budget 2013/14	Approved Changes			Revised Budget 2013/14	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Other than by QBRs	Sep QBRs	Dec QBRs					
<b>Income</b>									
Rates and Annual Charges	82,044	0	-	-	82,044	164	1	82,208	81,988
User Charges and Fees	10,088	(26)	27	-	10,089	251	2	10,340	6,690
Interest and Investment Revenues	4,119	-	-	-	4,119	(110)	3	4,009	2,418
Other Revenues	3,991	(78)	(33)	-	3,881	65	4	3,945	2,690
Grants & Contributions - Operating	26,783	281	(5,153)	-	21,911	3	5	21,914	14,948
Grants & Contributions - Capital	1,700	66	-	-	1,766	-	-	1,766	8,124
Net gain from disposal of assets	-	-	-	-	-	-	-	-	-
<b>Total Income from Continuing Operations</b>	<b>128,725</b>	<b>244</b>	<b>(5,159)</b>	<b>-</b>	<b>123,810</b>	<b>373</b>		<b>124,182</b>	<b>116,858</b>
<b>Expenses</b>									
Employee Costs	58,351	156	(262)	-	58,244	(468)	6	57,776	32,181
Borrowing Costs	899	-	-	-	899	-	-	899	663
Materials & Contracts	22,087	2,031	97	-	24,216	362	7	24,578	10,890
Depreciation	26,297	-	-	-	26,297	-	-	26,297	5,875
Legal Costs	974	1	3	-	978	66	8	1,044	535
Consultants	526	446	4	-	976	42	9	1,018	620
Other Expenses	31,067	367	178	-	31,613	378	10	31,991	18,153
Net Loss from disposal of assets	-	-	-	-	-	-	-	-	-
<b>Total Expenses from Continuing Operations</b>	<b>140,201</b>	<b>3,001</b>	<b>20</b>	<b>-</b>	<b>143,222</b>	<b>379</b>		<b>143,601</b>	<b>68,917</b>
<b>Net Operating Result from Continuing Operation</b>	<b>(11,476)</b>	<b>(2,758)</b>	<b>(5,179)</b>	<b>-</b>	<b>(19,413)</b>	<b>(7)</b>		<b>(19,419)</b>	<b>47,941</b>
Discontinued Operations - Surplus/(Deficit)					-	-		-	
<b>Net Operating Result from All Operations</b>	<b>(11,476)</b>	<b>(2,758)</b>	<b>(5,179)</b>	<b>-</b>	<b>(19,413)</b>	<b>(7)</b>		<b>(19,419)</b>	<b>47,941</b>
<b>Net Operating Result before Capital Items</b>	<b>(13,176)</b>	<b>(2,824)</b>	<b>(5,179)</b>	<b>-</b>	<b>(21,179)</b>	<b>(7)</b>		<b>(21,185)</b>	<b>39,817</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/13 and should be read in conjunction with the total QBRs report

Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

**Income & Expenses Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes	Details
1	During the current financial year there have been several supplementary rate levies issued as a result of subdivided land, which has generated additional rating income.
2	Additional user charge income generated from the learn to swim programs and usage of Library equipment. Additional income generated from rental properties, both new and existing.
3	Anticipated reduction in the income received from interest charged on outstanding rates and charges as a result of lower interest rates and arrears balances.
4	Additional income received from the operation of the Sports Stadium while hosting a recent soccer match (part offset by additional expenses).
5	Minor variations in Development Services income generated from development activity.
6	There have been several staff vacancies in various sections of Council. Some of these savings have utilised to engage consultants/hired personnel, thereby reducing the employee costs.
7	Increase in contractor costs due to contract staff being used to fill vacancies, capital budget used to fund operational program, increase in costs at the Sports Stadium and additional works at the Arts Centre.
8	Minor adjustments to expenditure allocations - Funding required for legal advice provided, including the outsourcing of the Animal Management centre.
9	Consultants have been engaged to carry out required work such as conducting training on new software and performance management.
10	Movements in Other Expenses have occurred due to additional use of hired personnel in various Sections, increase in expenditure on various Arts Centre projects and increases in public utility charges at various centres.

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**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

Campbelltown City Council

**Capital Budget Review Statement**

Budget review for the quarter ended 31 December 2013

**Capital Budget - Council Consolidated**

(\$000's)	Original Budget 2013/14	Approved Changes				Revised Budget 2013/14	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs					
<b>Capital Expenditure</b>										
New Assets										
- Plant & Equipment	321	1,350	1,827	-	-	3,498	-	-	3,498	6,106
- Land & Buildings	-	-	-	-	-	-	-	-	-	-
- Other	-	-	-	-	-	-	-	-	-	-
Renewal Assets (Replacement)										
- Plant & Equipment	3,421	-	-	-	-	3,421	-	-	3,421	521
- Office Equipment/Furniture & Fittings	523	199	8	-	-	730	(129)	1	601	303
- Land & Buildings	2,278	2,934	34	-	-	5,246	60	2	5,306	2,716
- Roads, Bridges, Footpaths	9,745	3,477	89	-	-	13,310	1,445	3	14,755	11,763
- Stormwater/Drainage	-	551	-	-	-	551	-	-	551	1,219
- Other Assets	360	-	-	-	-	360	-	-	360	127
Loan Repayments (Principal)	3,776	-	-	-	-	3,776	-	-	3,776	2,321
<b>Total Capital Expenditure</b>	<b>20,424</b>	<b>8,511</b>	<b>1,958</b>	<b>-</b>	<b>-</b>	<b>30,892</b>	<b>1,376</b>		<b>32,268</b>	<b>25,076</b>
<b>Capital Funding</b>										
Rates & Other Untied Funding	9,933	250	(495)	-	-	9,688	(115)	4	9,573	7,459
Capital Grants & Contributions	1,700	66	-	-	-	1,766	-	-	1,766	8,124
Reserves:										
- External Restrictions/Reserves	100	2,702	-	-	-	2,802	-	-	2,802	809
- Internal Restrictions/Reserves	1,071	5,493	-	-	-	6,564	1,491	5	8,055	807
New Loans	5,000	-	-	-	-	5,000	-	-	5,000	5,000
Receipts from Sale of Assets										
- Plant & Equipment	2,015	-	1	-	-	2,016	-	-	2,016	373
- Land & Buildings	600	-	2,452	-	-	3,052	-	-	3,052	2,500
- Other Assets	5	-	-	-	-	5	-	-	5	5
<b>Total Capital Funding</b>	<b>20,424</b>	<b>8,511</b>	<b>1,958</b>	<b>-</b>	<b>-</b>	<b>30,892</b>	<b>1,376</b>		<b>32,268</b>	<b>25,076</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	<b>-</b>	<b>(0)</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/13 and should be read in conjunction with the total QBRs report

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

Budget Variations being recommended include the following material items:

[illegible]

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

Campbelltown City Council  
**Cash & Investments Budget Review Statement**

Budget review for the quarter ended 31 December 2013

**Cash & Investments - Council Consolidated**

(\$000's)

**Externally Restricted <sup>(1)</sup>**

Stormwater Managemnt  
Specific Purpose Grants  
Specific Purpose Contributions  
Developer Contributions - S94  
Developer Contributions - Other  
Domestic Waste Management  
Self Insurance Workers Compensation Claims  
**Total Externally Restricted**

(1) Funds that must be spent for a specific purpose

**Internally Restricted <sup>(2)</sup>**

Property Development  
Committed Works  
Self Insurance Workers Compensation Claims  
Replacement of Plant and Vehicles  
Committed Works funded by Loans  
Employee Leave Entitlements  
Environmental Sustainability  
Asset Replacement  
Olympic Ambassador  
Insurance Claims - Excess  
Local Government Elections  
Other  
**Total Internally Restricted**

(2) Funds that Council has earmarked for a specific purpose

**Unrestricted (ie. available after the above Restrictions)**

**Total Cash & Investments**

	Opening Balance 2013/14	Movement in Reserves			Current Balance 2013/14	Projected Movement Dec Qtr	Notes Projected Year End Balance	Actual YTD figures
		Income/ Expenses	Transfers to/from	Works in Kind				
	242	-	(44)	-	198	-	198	198
	6,900	-	(5,489)	-	1,411	-	1,411	1,411
	5,834	-	(663)	-	5,172	-	5,172	5,172
	5,786	2,487	(6,992)	5,635	6,917	-	6,917	6,917
	878	157	-	-	1,035	-	1,035	1,035
	2,284	-	-	-	2,284	-	2,284	2,284
	3,340	-	-	-	3,340	-	3,340	3,340
	<b>25,264</b>	<b>2,644</b>	<b>(13,187)</b>	<b>5,635</b>	<b>20,356</b>	<b>-</b>	<b>20,356</b>	<b>20,356</b>
	12,373	-	-	-	12,373	-	12,373	12,373
	1,856	-	(261)	-	1,594	-	1,594	1,594
	2,495	-	-	-	2,495	-	2,495	2,495
	2,348	-	76	-	2,424	-	2,424	2,424
	2,568	-	(208)	-	2,360	-	2,360	2,360
	10,577	-	-	-	10,577	-	10,577	10,577
	405	-	-	-	405	-	405	405
	15,387	-	1,050	-	16,437	-	16,437	16,437
	90	-	5	-	95	-	95	95
	3,784	-	751	-	4,535	-	4,535	4,535
	39	-	200	-	239	-	239	239
	125	0	-	-	125	-	125	125
	<b>52,046</b>	<b>0</b>	<b>1,614</b>	<b>-</b>	<b>53,660</b>	<b>-</b>	<b>53,660</b>	<b>53,660</b>
	10,328	-	-	-	22,018	-	22,018	22,018
	<b>87,638</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>96,034</b>	<b>-</b>	<b>96,034</b>	<b>96,034</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 31/12/13 and should be read in conjunction with the total QBRS report



Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

**Cash & Investments Budget Review Statement**

**Comment on Cash & Investments Position**

The recommended variations and projected position will not impact on Council's management plan.

**Investments**

Investments have been invested in accordance with Council's Investment Policy.

**Cash**

The Cash at Bank figure included in the Cash & Investment Statement totals \$96,033,881

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
The date of completion of this bank reconciliation is 31/12/13

**Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

**\$ 000's**

Cash at Bank (as per bank statements)		6,633,366
Investments on Hand		88,998,524
less: Unpresented Cheques	(Timing Difference)	(49,630)
add: Undeposited Funds	(Timing Difference)	29,054
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	(471,389)
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	893,956
less: Unidentified Deposits (not yet actioned)	(Require Investigation)	
add: Unidentified Outflows (not yet actioned)	(Require Investigation)	
<b>Reconciled Cash at Bank &amp; Investments</b>		<b>96,033,881</b>
<b>Balance as per Review Statement:</b>		<b>96,033,881</b>
Difference:		-

**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes Details**

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Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

**Key Performance Indicators Budget Review Statement - Council specific KPI's**

Budget review for the quarter ended 31 December 2013

(\$000's)	Current Projection Amounts 13/14	Indicator 13/14	Original Budget 13/14	Actuals Prior Periods 12/13	11/12
-----------	--	--------------------	-----------------------------	-----------------------------------	-------

The Council monitors the following Key Performance Indicators:

<b>1. Current Ratio</b>					
Current assets	105,611	3.16 : 1	3.00 : 1	3.03 : 1	2.72 : 1
Current liabilities	33,466				

To assess the adequacy of working capital and the ability to satisfy obligations in the short term.

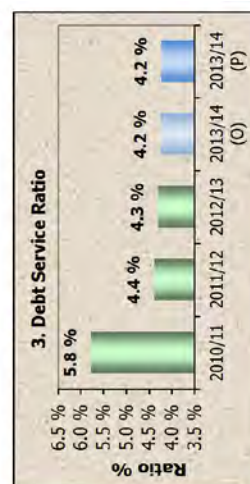
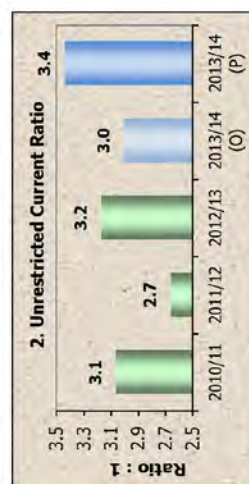
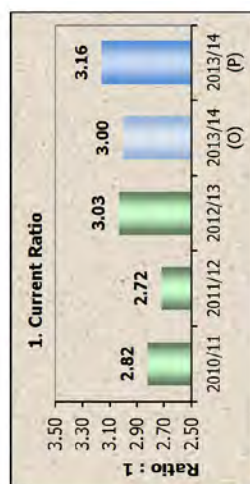
<b>2. Unrestricted Current Ratio</b>					
Current assets less all external restrictions	85,255	3.4 : 1	3.0 : 1	3.2 : 1	2.7 : 1
Current liabilities less specific purpose liabilities	24,824				

To assess the adequacy of working capital and the ability to satisfy obligations in the short term from the unrestricted activities of Council.

<b>3. Debt Service Ratio</b>					
Debt service cost	4,675	4.2 %	4.2 %	4.3 %	4.4 %
Income from continuing operations*	110,847				

To assess the impact of loan principal and interest repayments on discretionary revenue.

\* excluding capital items and specific purpose grants & contributions





Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

**Key Performance Indicators Budget Review Statement - Council specific KPI's**

Budget review for the quarter ended 31 December 2013

(\$000's)	Current Projection Amounts Indicator 13/14 13/14	Original Budget 13/14	Actuals Prior Periods 12/13 11/12
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The Council monitors the following Key Performance Indicators:

<b>4. Rate Coverage Ratio</b>			
Rates and annual charges	82,332	63.7 %	59.9 % 57.7 %
Income from continuing operations	124,182		

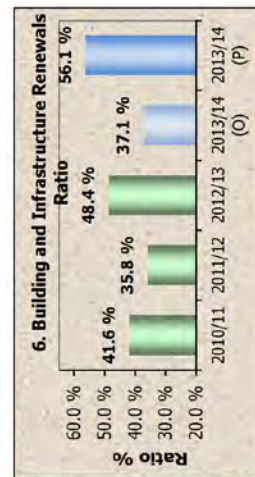
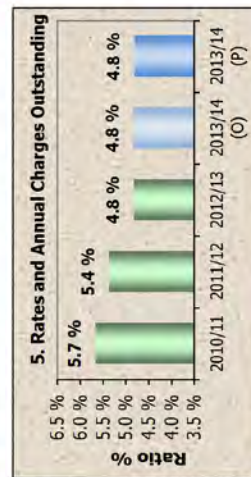
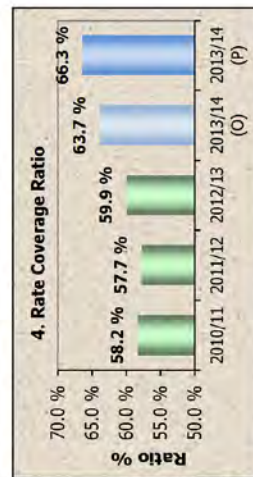
To assess the degree of dependence upon rates and annual charges as well as the security of Council's income.

<b>5. Rates and Annual Charges Outstanding</b>			
Rates and annual charges outstanding	3,952	4.8 %	4.8 % 5.4 %
Rates and annual charges collectible	82,208		

To assess the impact of uncollected rates and annual charges on liquidity and the adequacy of recovery efforts.

<b>6. Building and Infrastructure Renewals Ratio</b>			
Asset renewals	14,755	56.1 %	48.4 % 35.8 %
Depreciation, amortisation and impairment	26,297	37.1 %	

To assess the rate at which assets are being renewed against the rate at which they are depreciating.



**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

Campbelltown City Council

**Contracts Budget Review Statement**

Budget review for the quarter ended 31 December 2013  
**Part A - Contracts Listing** - contracts entered into during the quarter

Contractor	Contract detail & purpose	Procurement Process Undertaken	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
<b>EXPENDITURE \$50,000 - \$150,000</b>						
Virtual Machine Technology Pty Ltd	Q13/16 Storage Area Network Maintenance	LGP Quotation	01/10/13	12 Months	Y	
The Trustee for Dad & Dave's Turf Unit	Q13/19 Supply and Lay Turf at Campbelltown Stadium	Selective Quotation	01/11/13	Until Completion	Y	
Trust t/as Dad and Dave's Turf				3 years maintenance following installation		
FE Technologies Pty Ltd	Q13/17 Glenquarie Library RFID System	LGP Quotation	27/11/13	Until Completion	Y	
Tony Pollard Electrics Pty Ltd t/as Transelect	Q13/15 Street Lighting Eagle Vale Drive	Public Quotation	31/10/13	Until Completion	Y	
	Q13/11 Remove Existing Platform and Design and Construct Viewing Platform at Eagle Farm Reserve	LGP Quotation	02/10/13	Until Completion	Y	
Scully Outdoor Designs Pty Ltd	Q13/10 Supply and Installation of Playground Equipment at Kenny Reserve	LGP Quotation	08/10/13	Until Completion	Y	
Austek Constructions Pty Ltd t/as Austek Play						
	Q13/10 Supply and Installation of Playground Equipment at Bellevue Park and Trobriand Park	LGP Quotation	08/10/13	Until Completion	Y	
Australasian Playgrounds Pty Ltd t/as A-Play	Q13/10 Supply and Installation of Playground Equipment at Digger Black Reserve	LGP Quotation	08/10/13	Until Completion	Y	
Hansen Pty Ltd as Trustee for The Hansen f				3 years maintenance following installation		
ATI Australia Pty Limited	Q13/14 Supply and Installation of Microwave Link	LGP Quotation	17/11/13	Until Completion	Y	
<b>EXPENDITURE \$150,000 - \$300,000</b>						

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/13 and should be read in conjunction with the total QBRs report



Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

**Contracts Budget Review Statement**  
**Comments & Explanations relating to Contractors Listing**

**Notes Details**

1 Contract Price is per service therefore the contract value is an estimation only

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Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/13 to 31/12/13

**Consultancy & Legal Expenses Budget Review Statement**

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	619,903	Y
Legal Fees	534,792	Y

**Definition of a consultant:**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

**Comments**

Expenditure included in the above YTD figure but not budgeted includes:

**Details**

NA

4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

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## **4. HUMAN RESOURCES**

### **4.1 Revised Policy - Workplace Harassment, Bullying and Violence (to be renamed as the Inappropriate Workplace Behaviour Policy)**

#### **Reporting Officer**

Manager Human Resources

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#### **Attachments**

Inappropriate Workplace Behaviour Policy (contained within this report)

#### **Purpose**

To seek Council's endorsement of the revised policy.

#### **History**

The Workplace Harassment, Bullying and Violence policy was adopted by Council on 31 May 2011 and is now due for review in accordance with the Records and Document Management Policy.

#### **Report**

The Workplace Harassment, Bullying and Violence policy has been revised in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

The impetus for this policy review was recent changes to the *Sex Discrimination Act 1984* which were effective 1 August 2013. These changes specified that it is unlawful under federal law to discriminate against a person on the grounds of their sexual orientation, gender identity and intersex status. Same-sex couples have now been protected from discrimination under the new definition of 'marital or relationship status' which was previously marital status. These specific changes are reflected in the definition of discrimination.

In reviewing the policy to include these legislative changes further amendments were made as follows:

- the title was changed to reflect the fact that there are numerous forms of inappropriate workplace behaviour specifically identified under various legislation. These include discrimination, harassment, bullying, violence and victimisation and are too numerous to list in a policy title
-

#### 4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

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- reference to Council's EEO Policy was made in the 'Related Documentation' section
- any reference to 'Occupational Health and Safety' has been changed to Work Health and Safety to reflect the new *Work Health and Safety Act 2011*
- any reference to 'employees' has been changed to 'workers' to reflect the new *Work Health and Safety Act 2011*
- the scope has been made clearer by articulating that it applies to all Council workplaces as well as work related functions/conferences etc
- the definitions have been rearranged into alphabetical order
- the definition of 'bullying' has been expanded to provide examples of what bullying is not, as articulated in the national '*Guide for Preventing and Responding to Workplace Bullying*' November 2013
- the definitions of 'worker' and 'discrimination' have been included
- the definition of 'harassment' has been expanded to incorporate associated Acts
- the definition of 'victimisation' has been included
- where any reference is made in a sentence to 'harassment, bullying and violence' this has been extended to include 'discrimination' and 'victimisation'
- under the heading 'legislative context' the legal responsibility of Council and individual employees under the *Anti-Discrimination Act 1977* is further clarified by explaining 'vicarious liability' and 'aiding and abetting'
- point 14 of the principles refers to 'aiding and abetting'
- numerous changes have been made to the content further to legal advice (see below).

Subsequent to making the above amendments, legal advice was sought from Sparke Helmore lawyers with regards to the overall provisions of the policy. Their additional advice has been incorporated as follows:

- the policy has been amended so as not to use language and terminology that is absolute (for example, rather than committing Council to 'ensure' that something occurs, rephrasing the statement to say 'take all reasonable steps to allow....'). The purpose of this is to avoid creating additional and unreasonable obligations for Council under the policy.

The above changes have been highlighted in the attached policy.

### **Officer's Recommendation**

1. That the revised Inappropriate Workplace Behaviour Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 June 2016.

### **Committee's Recommendation: (Hawker/Greiss)**

That the Officer's Recommendation be adopted.

**CARRIED**

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**Council Meeting (Dobson/Thompson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 31**


That the Officer's Recommendation be adopted.

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#### 4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

## ATTACHMENT 1

		<b>POLICY</b>
Policy Title	Inappropriate Workplace Behaviour	
Related Documentation	Grievance and Dispute Handling Authorised Statement Grievance and Dispute Handling Procedure Work Health and Safety Policy Critical Incident Management Authorised Statement Critical Incident Management Procedure Code of Conduct Workplace Investigation Authorised Statement Disciplinary Action Authorised Statement Equal Employment Opportunity Policy	
Relevant Legislation/ Corporate Plan	Local Government (State) Award Work Health and Safety Act 2011 NSW Anti-Discrimination Act 1977 NSW Industrial Relations Act 1996 Race Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Age Discrimination Act 2004 (Cth)	
Responsible Officer	Manager Human Resources	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

### Objectives

To affirm Council's commitment to providing a workplace free from behaviours that is unlawful or inappropriate, including discrimination, harassment, bullying, violence or victimisation.

### Policy Statement

Council is committed to providing a harmonious work environment that is free from discrimination, harassment, bullying, violence and victimisation. This behaviour is not condoned or tolerated by Council. Such behaviour constitutes misconduct, breaches Council's Code of Conduct and may also be unlawful.

### Scope

This policy applies to all workers and Councillors in any of Council's workplaces which includes but is not limited to: conferences, training courses, workshops, business or field trips and any other work function such as Christmas parties and farewells.

#### 4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

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### Definitions

#### Bullying

Workplace bullying is a form of harassment, and is the repeated, unreasonable behaviour directed towards a worker or group of workers that creates a risk to their health, safety and welfare (including psychological welfare). It is most often an abuse of power. Workplace bullying may involve:

- Behaviour aimed to demean, humiliate or intimidate workers either as individuals or as a group;
- The less favourable treatment of a person by another in the workplace, beyond that which may be considered reasonable and appropriate workplace practice;
- Unwelcome and unreasonable behaviour that creates a hostile, uncomfortable atmosphere leading to stress;

Examples of such behaviour may include, but is not limited to:

- Continual unjustified and unnecessary comments about a worker or colleague, their work or capacity for work;
- Continual ignoring or exclusion of a worker, colleague or group of workers or colleagues from normal conversation, work assignments, work-related social activities and networks;
- Unreasonable demands and impossible targets;
- Phone calls, letters or emails which are threatening, abusive or offensive;
- Taking deliberate advantage of a lack of understanding or knowledge due to inexperience;
- Restrictive and petty work rules;
- Being intentionally overworked and being forced to stay back or perform additional tasks;
- Unjustified open or implied threats of demotion, dismissal or disciplinary action;
- Constant criticism or denigration of a worker(s) or colleague(s) in front of others;
- Denying access to training or promotion opportunities

These examples are indicative rather than exhaustive.

#### What bullying is not

Bullying should not be confused with the legitimate exercise of managerial or supervisory authority. It is not bullying for a Supervisor, within the framework of Council policies and procedures, to counsel a staff member on their performance or institute proceedings for unsatisfactory performance, misconduct or dismissal with complaints from others.

It is not bullying for staff to express differences of opinion or difficulties they may have with another staff member provided it is done in the appropriate manner.

An isolated incident of the behaviour described in the definition above may be in breach of the Code of Conduct, but as a once-off incident it is not necessarily considered to be bullying.

Examples of what bullying is not may include, but is not limited to:

- Allocating work to a worker;
  - Rostering and allocating working hours;
  - Transferring a worker;
  - Implementing organisational change;
  - Deciding not to select a worker for promotion;
  - Setting performance goals, standards and deadlines;
  - Performance management ;
  - Informing a worker about unsatisfactory performance;
  - Informing a worker about inappropriate behaviour;
  - Constructive feedback and downsizing
-



#### 4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

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**Discrimination**

Discrimination occurs when someone is treated unfairly because they happen to belong to a particular group of people or have a particular characteristic. Discrimination can be "direct" or "indirect".

Direct discrimination is treating someone unfairly compared to someone else in the same or similar circumstances.

Indirect discrimination means a requirement (or rule) that is the same for everyone but has an effect or result that is unequal and unreasonable having regard to the circumstances.

The grounds for discrimination include:

- A person's sex;
- Gender identity;
- Sexual orientation;
- Intersex status;
- Pregnancy;
- Breastfeeding;
- Race (including colour, nationality, descent, ethnic or ethno-religious background);
- Age;
- Marital or relationship status;
- Homosexuality;
- Disability;
- Transgender status;
- Carers' responsibilities; or
- If a person has an infectious disease.

**Harassment**

Harassment means unsolicited and unwelcome behaviour which may cause offence or distress to its recipients, and which creates an intimidating, hostile or offensive work environment. Harassment is unlawful when the harassment occurs in relation to any of the grounds for discrimination under the Anti-Discrimination Act 1977 and associated acts as identified above under the definition of "discrimination".

Acts or behaviour that may appear to be humorous and/or insignificant to one person may be offensive or disturbing to another. Harassment is defined by reference to the nature and consequences of the behaviour, not the intent of the initiator (NSW Anti-Discrimination Act 1977). Harassment in the workplace may include, but is not limited to:

- Coercive behaviour to control, influence or affect the career or job of a person;
- Offensive jokes, suggestions or derogatory comments;
- The distribution or display of offensive or obscene material;
- Sending derogatory or offensive material through email;
- Stereotyping, or making assumptions about a person's behaviour, values, culture and abilities;
- Intimidation;
- Abuse or assault.

**Sexual Harassment**

Sexual harassment is unsolicited and unwelcome sexist or sexual behaviour or activity that the recipient sees as offensive and/or distressing. Sexual harassment may include, but is not limited to:

- Offensive or smutty jokes;
  - Personally offensive verbal comments;
  - Comments or teasing about a person's alleged sexual activities or personal life;
  - Persistent unwelcome social invitations or telephone calls from work mates at home or at work;
-

#### 4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

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- Being followed home from work;
- Posters of a sexual nature in the workplace;
- Physical contact such as frequent brushing against a person, touching, pinching, patting or putting an arm around someone when it is unwelcome;
- Offensive hand or body gestures;
- Sexual harassment, assault or rape.

##### **Victimisation**

Victimisation may occur when someone exploits or treats another person unfairly. In the workplace it may include:

- Bullying and intimidation by co-workers
- Being denied a promotion or being moved to a position with lower responsibility
- Dismissal from employment
- Being refused further work

Victimisation is unlawful under Anti-discrimination legislation

##### **Violence**

For the purposes of this policy Council identifies workplace violence as violence committed against a worker by a member of the public.

Violence can be described as the attempted or actual exercise by a person of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe they are at risk of injury.

Violence includes verbal and emotional threats, and physical attack to an individual's person or property by another individual or group.

##### **Worker**

A person as defined under the Work Health and Safety Act 2011 is a "worker" if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:

- A worker;
- A contractor or subcontractor;
- A worker of a contractor or subcontractor;
- A worker of a labour hire company who has been assigned to work in the person's business or undertaking;
- An outworker;
- An apprentice or trainee;
- A student gaining work experience;
- A volunteer;
- A person of a prescribed class.

##### **Legislative Context**

##### **Legal Consequences of Workplace Discrimination, Harassment, Bullying, Violence and Victimisation**

- Workers that discriminate, harass or bully may, in addition to disciplinary penalties, be prosecuted under the NSW Anti-Discrimination Act 1977, the Race Discrimination Act 1975, the Sex Discrimination Act 1984, the Age Discrimination Act 2004 or the Disability Discrimination Act 1992.
  - Under the Work Health and Safety Act 2011, a workplace in which discrimination, harassment, bullying, violence and victimisation is tolerated or condoned is not a safe working environment and could result in criminal charges.
-



#### 4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

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- Under S104 of the NSW Industrial Relations Act 1996, if the worker alleges that their resignation as a result of bullying conduct was a “constructive dismissal”, they may succeed in a claim of unfair dismissal.
- Under the Anti-Discrimination Act 1977, an employer may be legally responsible for discrimination and harassment which occurs in the workplace or in connection with a person's employment unless it can be shown that ‘all reasonable steps’ have been taken to reduce this liability. This legal responsibility is called ‘vicarious liability’.
- Under the Anti-Discrimination Act 1977, a person may be seen as ‘aiding and abetting’ where they cause, instruct, induce, aid or permit another person to do an act that is unlawful. This includes observing an unlawful act and not reporting it to the relevant person.
- Physical assault constitutes a criminal offence.

#### **Discrimination, harassment, bullying, violence and victimisation may occur between:**

- Co-workers;
- A supervisor and a subordinate, that is, people using the power of their position to exercise control over another person;
- A worker and a member of the public
- A worker and a Councillor.

#### **Principles**

1. All workers shall ensure their behaviour is appropriate and in accordance with this and other relevant Council policies and procedures.
  2. Directors, Managers, Coordinators, Supervisors and Team Leaders shall take reasonably practicable steps to prevent discrimination, harassment, bullying, violence and victimisation in workplaces under their control.
  3. Council will make every reasonable effort to distribute and publicise this Policy Statement throughout the organisation and elsewhere as appropriate.
  4. All workers will be provided with awareness and prevention training in workplace discrimination, harassment, bullying, violence and victimisation.
  5. Council will take all allegations of workplace discrimination, harassment, bullying, violence and victimisation seriously and take action to promptly address the matter, including measures to prevent the potential for such behaviour to reoccur.
  6. Council will deal with complaints of workplace discrimination, harassment, bullying, violence and victimisation in accordance with the Grievance and Dispute Handling Procedure. With regard to workplace violence, Council will endeavour where appropriate or possible to settle all complaints within the workplace.
  7. Nothing in this policy will be construed as excluding the involvement of any external body competent to deal with alleged workplace discrimination, harassment, bullying, violence or victimisation.
  8. Management will identify hazardous work areas and implement control measures to prevent or minimise the risk of workers being exposed to specific hazards such as acts of violence from members of the public.
  9. Workers should report all work areas which they consider may be a high risk area for workplace violence to their supervisors.
  10. Victims of workplace discrimination, harassment, bullying, violence or victimisation will be provided with access to appropriate counselling, mediation and other forms of worker assistance.
  11. Complainants will be given as much protection as possible to avoid victimisation or retaliation. If an investigation results in the transfer or relocation of a worker or workers, the complainant will not be transferred or relocated without their agreement.
  12. If it has been found that a worker has been subjected to workplace discrimination, harassment, bullying, violence or victimisation in the course of their engagement with Council, all attempts shall be made to minimise any potential disadvantage to the worker.
  13. Any worker found to be responsible or complicit in discrimination, harassment, bullying, violence or victimisation may be subjected to disciplinary action up to and including termination of their employment.
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#### 4.1 Revised Policy - Workplace Harassment, Bullying And Violence (To Be Renamed As The Inappropriate Workplace Behaviour Policy)

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14. Those in authority who knowingly tolerate such behaviour are also guilty of misconduct and could be held legally liable under the principles of vicarious liability and/or aiding and abetting.
15. Council shall take all reasonable steps to keep complaints and information obtained in the course of any subsequent investigation confidential.

#### Responsibility

##### General Manager

- Take all reasonable step to allow Council to meet its commitment to this policy.
- Foster the development of a culture within Council that is respectful of individual workers, and discourages discrimination, bullying, harassment, violence and victimisation of any sort.
- Act in a manner which provides an example of good and acceptable workplace behaviour.
- Commit adequate resources and staffing for the effective implementation of this policy.
- Encourage all Directors, Managers, Coordinators, Supervisors and Team Leaders to commit to a workplace that is safe and free from workplace discrimination, harassment, bullying, violence and victimisation.

##### Directors, Managers, Coordinators, Supervisors and Team Leaders

- Take all reasonable steps to prevent workplace discrimination, harassment, bullying, violence and victimisation.
- Provide leadership by treating all workers with dignity, respect and compassion.
- Act in a manner consistent with this policy and Council's Code of Conduct.
- Actively promote this policy so that workers are aware they do not have to be the recipients of workplace discrimination, harassment, bullying, violence and victimisation, and so that workers are aware of the procedures to deal with these types of behaviour if they occur.
- Consult with relevant workers, health and safety representatives, equal employment opportunity representatives and Council's Employee Assistance Provider (EAP) to develop strategies to prevent or minimise the incidence of workplace discrimination, harassment, bullying, violence and victimisation.
- Provide information, instruction and support training to workers about Council's policies and procedures in relation to workplace discrimination, harassment, bullying, violence and victimisation.
- Promptly deal with complaints of workplace discrimination, harassment, bullying, violence and victimisation in a sensitive and unbiased manner and resolve them with the assistance of relevant people.

##### Human Resources

- Communicate and assist in educating workers on this policy.
- Provide assistance in the resolution of complaints where appropriate.

##### Contact Officers

- Fulfil their obligations under Council's Grievance and Dispute Handling Procedure.

##### Workers

- Ensure that they take the appropriate steps to protect themselves from workplace discrimination, harassment, bullying, violence and victimisation if it exists in the workplace.
- Ensure that they do not adversely affect the health, safety and welfare of others by engaging in workplace discrimination harassment, bullying, violence and victimisation.
- Help to eliminate workplace discrimination, harassment, bullying, violence and victimisation by:
  - Refusing to join in with discriminatory, harassing or bullying actions/behaviours;
  - Supporting others to say "no" to discriminatory, harassing or bullying actions/behaviours, and;
  - Reporting instances of workplace violence where they witness it occurring.

#### END OF POLICY STATEMENT

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## **5. INFORMATION MANAGEMENT AND TECHNOLOGY**

**No reports this round**

## **6. GENERAL BUSINESS**

### **6.1 Business Paper Attachments**

#### **Committee's Recommendation: (Mead/Greiss)**

That all attachments referenced in the agenda, but not included in the agenda are either:

- i. placed on Council's website on the same webpage as the agenda or
- ii. referenced on the website on the same webpage as the agenda with reason given why the attachment can not be publicly available, and whether or not it can be viewed in person at Council.

**CARRIED**

#### **Council Meeting (Dobson/Thompson)**

That the Committee's Recommendation be adopted.

#### **Council Resolution Minute Number 31**

That the Committee's Recommendation be adopted.

### **6.2 Charities/not-for profits Operating in Campbelltown**

#### **Committee's Recommendation: (Mead/Greiss)**

That a report be presented detailing Council regulations, forms and processes that not-for-profits and charities are typically required to complete to run public activities and fundraisers in Campbelltown. The report should also include:

- i. aspects such as cost, required notice time/typical time to approve, and whether such regulations are mandated by law or at the discretion of council.
- ii. suggestions for ways that Council could streamline its processes and regulation to reduce any burden on charities/not-for-profits operating in Campbelltown.

**CARRIED**

#### **Council Meeting (Dobson/Thompson)**

That the Committee's Recommendation be adopted.

#### **Council Resolution Minute Number 31**

That the Committee's Recommendation be adopted.

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## **6.3 Local Government NSW - Legal Matters**

Council at its meeting of 5 June 2012 resolved:

That Council submit a motion to the 2012 Local Government Conference asking the Local Government Association to consider establishing a reserve fund for legal costs to assist member Councils in defending matters before the Administrative Decisions Tribunal.

The motion was submitted and subsequently carried at the conference. Council has not been formally advised of the Association's determination.

### **Committee's Recommendation: (Lake/Dobson)**

That Council write to Local Government NSW asking for the outcome of the 2012 Local Government Conference resolution that the Local Government Association be asked to consider establishing a reserve fund for legal matters referred to Local Government NSW for funding.

**CARRIED**

### **Council Meeting (Dobson/Thompson)**

That the Committee's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Committee's Recommendation be adopted.

## **6.4 Advertising of Council Facilities**

### **Committee's Recommendation: (Greiss/Hawker)**

That a report be presented outlining the feasibility of compiling short video clips to be loaded on Council's website to promote Council's outstanding recreational facilities.

**CARRIED**

### **Council Meeting (Dobson/Thompson)**

That the Committee's Recommendation be adopted.

### **Council Resolution Minute Number 31**

That the Committee's Recommendation be adopted.

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### **Confidentiality Motion: (Kolkman/Lake)**

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Committee's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

**CARRIED**

## **21. CONFIDENTIAL ITEMS**

### **21.1 Grant of Easement for sewer purposes - Hephher Road, Campbelltown**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

### **21.2 Confidential Report Directors of Companies**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
-

### **21.3 12 Browne Street, Campbelltown**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

There being no further business the meeting closed at 6.00pm.

S Dobson  
CHAIRPERSON

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## **REPORTS FROM OFFICERS**

### **8. REPORT OF GENERAL MANAGER**

**No reports this round**

### **9. REPORT OF DIRECTOR BUSINESS SERVICES**

#### **9.1 Progress Report: Amounts Expended on Providing Facilities and Payment of Expenses - Mayor, Deputy Mayor and Councillors February 2014**

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#### **Attachments**

Nil

#### **Report**

On 19 February 2013, Council reviewed its policy concerning payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors.

Section 217 (a1) of the *Local Government (General) Regulation 2005* requires councils to include additional information for inclusion in annual report:

- (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
  - (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs)
  - (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes
  - (iii) the attendance of councillors at conferences and seminars
  - (iv) the training of councillors and the provision of skill development for councillors

- (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses
- (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses
- (vii) the expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions.

These expenses are calculated on a monthly basis and reported to Council. Expenses as at February 2014 were as follows:

### **Expenses**

1.	<b>Training Seminars and Conferences</b> Cost for February 2014.	\$15,816
2.	<b>Staff</b> Personal Secretary for the Mayor on a shared basis with the General Manager, together with Receptionist shared with Corporate Services. Apportioned cost for February 2014.	\$4180
3.	<b>Stationery and Postage</b> Cost of Mayoral and Councillors' stationery, business cards and postage expenses. Approximate cost for February 2014.	\$3
4.	<b>Periodicals</b> Cost of annual subscriptions. Cost for February 2014.	\$477
5.	<b>Meals</b> Provision of meals in conjunction with Council and Committee Meetings and Inspections. Cost for February 2014.	\$3765
6.	<b>Refreshments</b> Provision of refreshments in the Mayor's Suite and Councillors' Lounge and Civic Receptions. Cost for February 2014.	\$68
7.	<b>Insignia of Office</b> Replacement costs Mayoral robes, chain, badge and name plates. Cost for February 2014.	\$747

- |    |  |       |
|----|--|-------|
| 8. | <b>Travelling Expenses for Use of Private Vehicle</b><br>Reimbursement of travelling expenses on authorised Council business.<br>Claims submitted for February 2014. | \$974 |
|----|--|-------|

## **Provision of Facilities**

- |    |   |        |
|----|---|--------|
| 1. | <b>Accommodation</b><br>Office located on the Third Floor of the Administration Building - costs are included in total maintenance and operating expenses of the Administration Building and apportioned on an area basis (3.5%).<br>Cost for February 2014.  | \$6340 |
| 2. | <b>Communication System</b><br>Mobile telephone, personal computer or a laptop, personal digital assistant and combined printer, copier, scanner, facsimile machine and telephone answering machine provided for the Mayor and Councillors.<br>Cost of equipment for February 2014 in accordance with Councillors Policy. | \$1909 |
| 3. | <b>Office Equipment</b><br>Facsimile machines, photocopier and telephone facilities for the Mayor and Councillors at the Civic Centre. Cost for February 2014.  | \$421  |
| 4. | <b>Council Vehicle</b><br>Costs associated with the use of Council vehicles by the Mayor and Councillors on authorised Council business. All usage is subject to the prior approval of the Mayor. Cost for February 2014.   | Nil    |
| 5. | <b>Internet Facilities</b><br>Costs associated with the provision of internet facilities in accordance with Council's Policy. Cost for February 2014.   | \$1022 |
| 6. | <b>Care Expenses</b><br>Costs associated with care arrangements including childcare expenses and the care of elderly, disabled and/or sick immediate family members.<br>Cost for February 2014.   | \$162  |

The total cost for the payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors for February 2014 amounted to \$35,884.

## **Officer's Recommendation**

That the information be noted.

**Council Meeting 11 March 2014 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 32**

That the Officer's Recommendation be adopted.

## **9.2 Reports Requested**

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### **Attachments**

Status list of reports requested (contained within this report)

### **Report**

Attached for the information of Councillors is a status list of reports requested of Council as at 11 February 2014.

### **Officer's Recommendation**

That the information be noted.

### **Council Meeting 11 March 2014 (Glynn/Kolkman)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 33**

That the Officer's Recommendation be adopted.

## ATTACHMENT 1

### Reports Requested as at 11 February 2014

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
14.2.12 RK 3494184	CCS20.1 - Report on the proposal to establish a Trust to facilitate future bequests and donations to the Campbelltown Arts Centre. <b>Comment:</b> A briefing was held on 19.11.13. Awaiting advice from Council's Solicitors.	CS	June 2014
26.2.13 PH 3326065	CG8.2 - Report on the feasibility of renaming the Macquarie Fields Swimming Centre (when all works are complete) or other places of significance in honour of Kevin Wheatley VC or Ray Simpson VC.	CS	June 2014
26.3.13 BT 3355998	CS6.3 - Report investigating the feasibility of providing an alternative drop off point closer to the main entrance of the Campbelltown Arts Centre to accommodate the elderly and disabled.	CS	June 2014
26.3.13 PL 3356012	CS6.4 - That a detailed report be presented outlining the quality and possible need for an upgrade on the current lighting (including current environmental lighting) of all sporting fields in the Campbelltown LGA and that the report include total costing.	CS	June 2014
18.6.13 GB 3450837	CS6.1 - report on the Poseidon Drowning Detection System (currently in use by Blacktown Council at the Stanhope Gardens Leisure Centre) in relation to its cost, benefits for saving lives and the possibility of fitting/retrofitting the system in Councils leisure facilities	CS	June 2014
16.7.13 MO 3483181	CS3.1 - Further report analysing the impact of the changes to the Arts Funding Program when information becomes available.	CS	November 2014
13.8.13 PH 3512590	CG8.1 - Report outlining feasibility of renaming Campbelltown showground.	CS	April 2014



<b>*Date of Decision *Mover *DocSet</b>	<b>Item/Comments</b>	<b>Div.Resp</b>	<b>Comp Date</b>
10.9.13 MO 3547252	CS6.1 - Report updating the status for the installation of No Smoking signage at sporting and public places where smoking is prohibited and also include other educational initiatives that Council could undertake.	CS	April 2014
13.8.13 TR 3512711	CS4.2 - Report exploring the feasibility of alternate models of temporary fencing that are more robust yet removable within 24 Hours which may present a compromise to address the concerns of both sporting groups and the local community.	CS	April 2014
15.10.13 BT	CS4.5 - Further report on 2013-14 Sport and recreation Participation and Facility Program Round 1 once successful projects have been announced by the Office of Communities - Sport and Recreation	CS	June 2014
12.11.13 GB 3560252	CCS20.1 - Further report within 12 months reviewing progress and advising Council of further means of adapting to the new funding agreements for Aged and Disability funding.	CS	November 2014
10.12.13 WG 3650256	CS3.4 - Further report analysing the impact of the 'Arts and Cultural Policy' when information becomes available in 2014.	CS	November 2014
10.12.13 CM 3650066	CG8.1 - Report regarding the possibility of a naming rights sponsorship for Campbelltown Sports Stadium.	CS	May 2014
11.02.14 FB 3707460	NoM15.1 - That a report be presented to Council on the feasibility of providing library services across all areas of the local government area.	CS	July 2014
11.02.14 MO 3714105	CCS20.1 - That a report be presented at the end of the 2014 season comparing the financial returns with the previous returns from 2013 regarding the Wests Tigers proposed hire fee.	CS	November 2014

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
16.10.12 PL 3197155	<p>CG8.4 - Report examining the feasibility of installing CCTV capabilities in the Campbelltown CBD, with installation locations to be determined in conjunction with Campbelltown Police.</p> <p>The report to also outline the costs associated with the installation, maintenance and monitoring of the system and detail any government grants available to assist in the installation of a CCTV system.</p> <p><b>Comment:</b> Council has been successful in obtaining a grant for the funding of CCTV in the Campbelltown/Ingleburn CBD areas. The grant will not be provided until the 2014-15 financial year</p>	CW	June 2014
21.5.13 WG	CW5.2 - Report investigating the implementation of new signage detailing Council contact telephone numbers and incorporating area reference numbers for its parks and recreation areas along with the cost and timeframe to implement it.	CW	May 2014
13.8.13 MO 3512874	PE5.1 - Report regarding the location/condition of the current suburb signage and investigating the potential of extending the program to other suburbs that were not included in the initial program.	CW	May 2014
12.11.13 WG 3563387	CW1.2 - Further report on the findings of the Expressions of Interest for footpath reconstruction in Queen St Campbelltown.	CW	June 2014
11.02.14 GB 3714235	<p>CW5.1 - That a report be presented outlining locations of water stations and any proposed expansion of this initiative across the Local Government area.</p> <p><b>Comment:</b> Reported Item 3.3 City Works Committee 4 March 2014</p>	CW	

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
26.2.13 PL 3326067	CCG21.2 - Report in regard to a Licence Agreement with the Town Hall Theatre Group Incorporated for the use of the Town Hall Theatre.	BS	April 2014
26.3.13 GB 3349952	NofM15.1 - Report providing options for a review of MACROC's functions, responsibilities, key performance indicators and Charter.	BS	May 2014
18.6.13 PL 3450946	CG3.1 - Further report following expressions of interest on the ground lease in Blaxland road.	BS	August 2014
10.9.13 FB 3547400	CG2.1 - Further report outlining final projects and associated costings regarding commemoration of the First World War and the Centenary ANZAC Day. <b>Comment:</b> Presented at the Briefing evening held 18 February 2014. Further Briefing to be presented once cost is established.	BS	
10.9.13 PH 3547390	CG8.1 - Report investigating the feasibility of establishing a Civil Engineering Scholarship at UWS for students who reside in the Campbelltown LGA called the JE Hely Scholarship.	BS	June 2014
15.10.13 CM	CG2.2 - Further report on alternatives for the conduct of the 2016 Local Government Election.	BS	April 2014
10.12.13 CM 3650065	CG8.2 - Report regarding the potential of opening a café or similar outlet at the HJ Daley Library premises and more broadly any other potential commercial ventures which could be collocated within existing Council services.	BS	April 2014
11.02.14 PH 3689752	CG4.9 - That a further report be presented to Council following the submission being lodged regarding the review of prices for land valuation services provided by Valuer-General to councils.	BS	April 2014
11.02.14 CM 3714317	CG8.1 - That a report be presented outlining the cost to Council of any bulk mail outs undertaken during this term of Council. <b>Comment:</b> Reported Item 3.5 Corporate Governance Committee 4 March 2014	BS	

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
13.12.11 BT 3421776	2.4PE - Further Report detailing the outcome of all submissions received as a result of the public exhibition of all Menangle Park documentation.	PE (EP)	April 2014
13.12.11 RK 3421767	2.5PE - Report following the exhibition period detailing all submissions and the outcomes of the exhibition - Draft Macarthur Precinct DCP.	PE (EP)	May 2014
5.6.12 RK 3068270	PE5.2 - Report outlining the role, procedures and limits of authority of the Land and Environment Court in so far as they affect amendments to development applications made as part of the Court proceedings.	PE (DS)	April 2014
20.11.12 TR 3211517	PE2.10 - Further report detailing the administrative and assessment procedures associated with Pre-Gateway and Gateway Reviews - re amendments to the Local Environment Plan making process. <b>Comment:</b> Reported Item 2.3 Planning and Environment Committee 4 March 2014	PE (EP)	
18.12.12 AM	PE2.5 - Further report on outcome of the public exhibition of proposal to name reserve within the 'Vista' development, Glenfield.	PE (EP)	May 2014
18.6.13 RK 3451045	PE2.4 - Report identifying what impact the creation of the Local Land Services will have on the Campbelltown LGA.	PE (EP)	April 2014
16.7.13 RK 3483315	PE4.1 - Further report to review implementation of the draft Swimming Pool Barrier Inspection Program including the cost and resourcing implications after 12 months of the programs implementation.	PE (CS)	December 2014
15.10.13 TR	PE5.2 - Report examining the success of the Main Street Committee and options for Council's future involvement. <b>Comment:</b> Reported Item 2.8 Planning and Environment Committee 4 March 2014	PE (DPE)	
12.11.13 RK 3598138	PE4.3 - Further report on establishment of the Alcohol Free Zones in Glen Alpine and Minto (Zone 2) following receipt of submissions.	PE (CS)	June 2014

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
10.12.13TT R 3650360	PE2.6 - Further report re proposed amendment to LEP 2002 re No 194 Campbelltown Road Denham Court.	PE (EP)	April 2014
10.12.13 GG 3650347	PE4.2 - Further report to consider the adoption of the Second Hand Clothing Bin Policy following Public Exhibition.	PE (CS)	April 2014
10.12.13 BT 3650346	PE4.6 - Further report examining matters including the legal liability for Council staff, financial details outlining provision of full cost recovery and detail relating to Councils existing parking enforcement activities on private property <b>Comment:</b> Reported Item 4.2 Planning and Environment Committee 4 March 2014	PE (CS)	
11.02.14 BT 3714449	PE5.2 - That a detailed report be presented: <ul style="list-style-type: none"> <li>i. outlining the entire history of the Interim Occupation Certificate that was issued to Nustas Demolition and Excavation, Ingleburn.</li> <li>ii. detailing all complaints and actions that Council has taken in regards to the complaints.</li> </ul>	PE (CS)	April 2014

## **10. REPORT OF DIRECTOR CITY WORKS**

### **10.1 City Works Activity Report**

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#### **Attachments**

Activity Report.

#### **Report**

Works activities are proceeding to program and on demand and are outlined in the Activity Report. Statistics on graffiti are also presented in the Activity Report. It should be noted that the Activity Report continues to be reviewed to better reflect the areas and program/projects being undertaken by Council.

#### **Officer's Recommendation**

That the information be noted.

#### **Council Meeting 11 March 2014 (Kolkman/Mead)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 34**

That the Officer's Recommendation be adopted.

# ATTACHMENT 1

## GRAFFITI

The schedule below provides details of the number of square metres of graffiti removed from Council's public facilities in the various suburbs by Council's contractor.

Facility	Jan to Mar 2012	Apr to June 2012	Jul to Sept 2012	Oct to Dec 2012	Jan to Mar 2013	Apr to Jun 2013	Jul to Sep 2013	Oct to Dec 2013	Jan 2014	Feb 2014
Campbelltown	263	225	138	211	137	219	232	159	63	5
Ruse	154	96	114	5	169	3	21	86	40	14
Kentlyn	0	0	0	0	0	0	0	0	0	0
Airds	243	618	902	724	851	347	1230	1541	213	0
St Helens Park	31	0	0	56	0	12	60	0	0	0
Rosemeadow	11	0	293	37	45	16	37	120	0	97
Ambarvale	0	5	0	58	23	34	39	122	115	17
Woodbine	0	1	0	0	70	0	0	0	0	0
Claymore	70	74	16	38	12	59	22	171	0	0
Eschol Park	36	20	7	8	59	13	10	58	10	37
Kearns	0	0	0	0	0	0	0	0	0	0
Raby	1	1	159	0	116	0	0	65	0	0
St Andrews	0	23	1	0	22	0	49	143	0	0
Bow Bowling	0	0	0	0	0	0	0	0	0	0
Minto	40	114	44	190	766	309	176	832	36	64
Ingleburn	459	200	207	229	738	702	648	436	112	0
Macquarie	145	171	124	186	253	215	213	530	38	141
Glenfield	274	310	289	361	397	498	310	215	103	57
Blair Athol	0	0	0	0	0	0	0	0	0	0
Bradbury	78	6	166	0	0	82	45	40	0	0
Total m <sup>2</sup>	1805	1864	2460	2110	3658	2510	3092	4518	730	432

During the reporting period 5 Graffiti Removal Kits have been requested by the Community.

Jan to Mar 2012	Apr to June 2012	Jul to Sept 2012	Oct to Dec 2012	Jan to Mar 2013	Apr to Jun 2013	Jul to Sep 2013	Oct to Dec 2013	Jan 2014	Feb 2014
37	17	25	16	26	22	11	15	3	5

Council's Graffiti Action Teams have undertaken a number of tasks in addition to the above activity information. In reference to the Operational Maintenance Area map in this report, the Graffiti Action Team has for the period undertaken the following graffiti tasks to various Council assets.

Area	Jan to Mar 2012	Apr to June 2012	Jul to Sept 2012	Oct to Dec 2012	Jan to Mar 2013	Apr to Jun 2013	Jul to Sep 2013	Oct to Dec 2013	Jan 2014	Feb 2014
Area 1	1382	1118	1422	1139	1290	1830	1860	2366	145	357
Area 2	917	1281	1463	790	1254	2155	2064	1645	170	267
Area 3	647	1364	1081	671	585	617	487	552	75	185
Area 4	1965	1407	1967	1422	1660	1836	2142	1199	161	245
Total	4911	5240	5933	4022	4789	6438	6553	5782	531	1054

**OPERATIONAL SERVICES SECTION (Reporting period 27 January to 23 February 2014)**

**OPEN SPACE**

Activity	Area 1	Area 2	Area 3	Area 4	Total
Servicing of Parks and Reserves Sites	53	61	28	31	174
Road Verges – Sites	32	30	27	25	114
Community/Childcare Centre's - Sites	10	8	4	0	22
Servicing Laneways – Sites	29	33	90	0	152
Litter/Rubbish Pickup	67	53	5	14	139
Herbicide Spraying (hrs)	37.5	28.5	10.5	0	76.5
Mulching (cm <sup>3</sup> )	0	0	0	0	0
Garden Maintenance	0	0	0	0	0
Garden Refurbishment	0	0	0	0	0
Top Dressing (hrs)	0	0	0	0	0
Aeration of Fields	0	0	0	0	0
Sharps Pickup	0	0	0	0	0
Pathway Requests	3	8	0	0	11
Tractor Road Verge (Sites)	15	18	13	15	61
Tractor Servicing Parks and Reserves	35	30	27	25	117
Cemetery	0	0	0	0	0
Fire Hazard Reduction	0	0	0	0	0
Road Crews Servicing Parks	0	0	0	0	0
Refilling of Sandpits	0	0	0	0	0

**HORTICULTURE**

Activity	Area 1	Area 2	Area 3	Area 4	Total
Servicing of Parks and Reserves Sites	32	26	23	17	98
Road Verges – Sites	16	16	18	5	55
Community/Childcare Centre's – Sites	3	0	0	0	3
Cemetery	0	0	0	0	0
Tractors Servicing Sporting Fields	15	22	12	14	63
Litter/Rubbish Pickups (hrs)	34	27	37	36	134
Herbicide Spraying (hrs)	22	25	33	29	109
Mulching – Quantity M <sup>3</sup>	80	30	20	80	210
Garden Maintenance – Sites	32	9	35	45	121
Garden Refurbishment – Sites	1	4	3	2	10
Top Dressing – Sites (tonne)	5	6	13	8	32
Aeration of Fields – Sites	17	16	4	4	41
Sharps Pickups – Quantity	0	0	0	0	0
Miscellaneous Requests (hrs)	0	0	0	0	0
Refilling of Sandpits	0	0	0	0	0
Plumbing	17	16	0	0	33
Fit Goal post sleeves	0	0	0	0	0
Cricket Wicket Maintenance	27	16	20	32	95



## HORTICULTURE ACTIVITIES

### Macquarie Fields Swimming Centre

Additional planting of approximately 50 advanced native species was undertaken within the newly established gardens on the eastern side of the Swimming Centre.

### Replacement Planting Queen Street Campbelltown

A super advanced native Cabbage Palm was recently planted within the garden area near the intersection of Queen and Cordeaux Street. This was to replace an established tree that had been damaged as a result of a motor vehicle accident during the latter part of 2013.

### Parklands Childcare Centre

Refurbishment landscaping works was recently carried out at the childcare centre where a number of old and dead plants were replaced. Approximately 120 assorted species were used as part of the refurbishment works.

### Leumeah Pedestrian Bridge Gardens

Landscape planting of newly established gardens on the eastern side of the bridge is currently in progress where approximately 170 advanced native species will be used.

### Eagle Vale Drive Landscaping

Delivery of approximately 900 assorted plant species was recently received for the planting out of the three newly constructed median areas and the western side verge area of Eagle Vale Drive between Epping Forest Drive and Wynn Street.

### Sporting Field Activities

- Aeration and fertilization of all ovals, sporting fields and major parks within the LGA
- Commenced installation of soccer goal posts
- Returfing of various sporting fields
- Recycle topdressing of various sporting fields
- Heavy aeration at Seddon Park by Council Contractors
- Flood lighting unit installed at Rosemeadow sports field
- Installation of irrigation system at Macquarie Fields Leisure Centre
- Installation of two new light poles and fittings at Coronation Park Netball

## COUNCIL TREE INSPECTIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Contract	14	3	9	8	34
Council	29	38	39	43	149
Termites	3	0	1	0	4
Plumber - Sewer Chokes	0	0	0	0	0
N/A	6	1	3	6	16
HOLD	3	1	1	3	8
Total	55	43	53	60	211

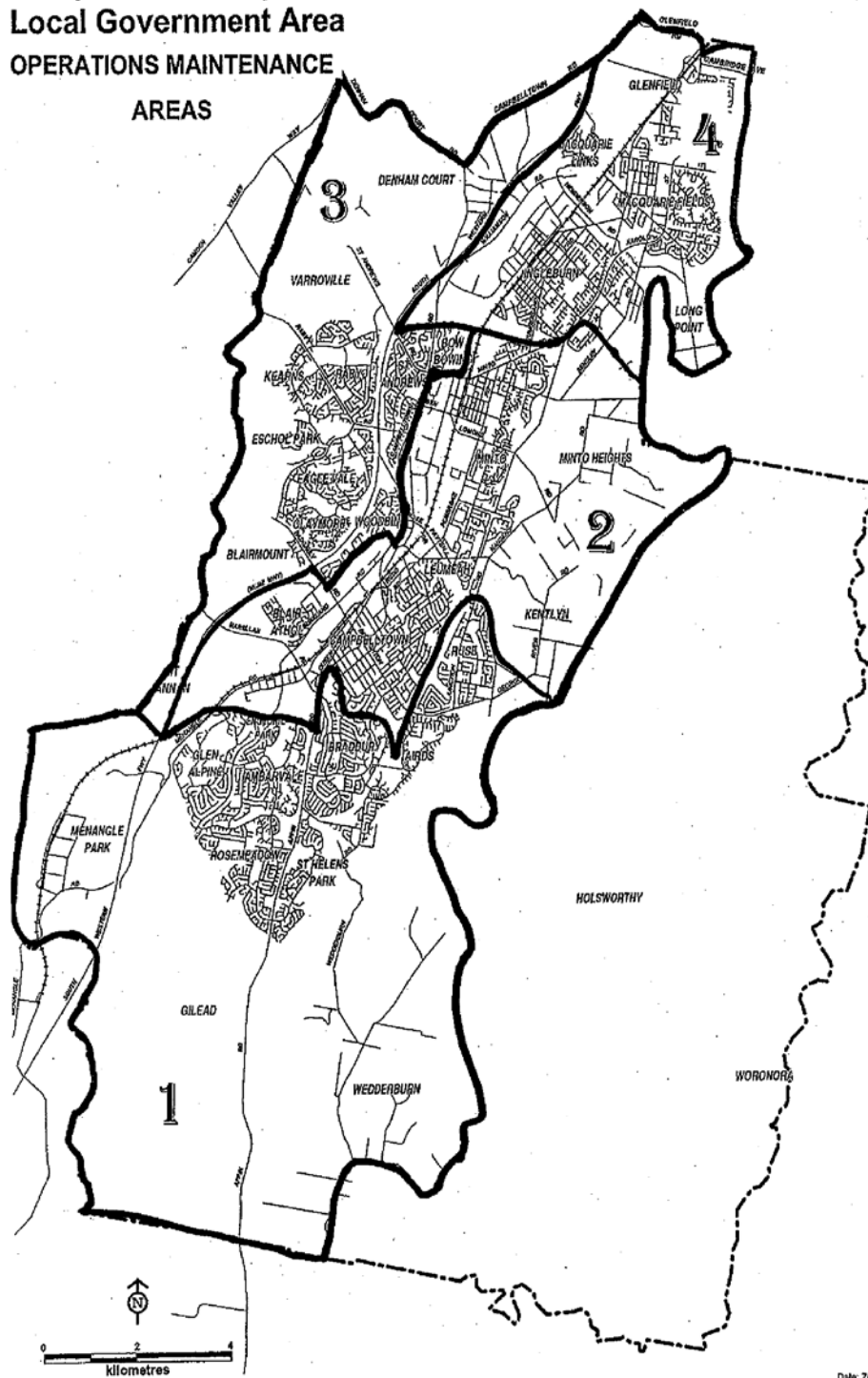
## PRIVATE PROPERTY TREE INSPECTIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Private Trees	27	18	15	27	87

**Campbelltown City Council  
Local Government Area**

**OPERATIONS MAINTENANCE**

**AREAS**



Date: 7/5/2003

## ROADS AND DRAINAGE

### A. ROADS AND FOOTPATHS

This resource has been Heavy Patching for the month of February 2014. 2 days were lost to wet weather, 10 tonnes of road base was used on various road works, tar patching crew were combined with heavy patching over February.

Activity	Area 1	Area 2	Area 3	Area 4	Total
Road repairs (heavy patching) m <sup>2</sup>	67	161	35	20	283
Road restorations m <sup>2</sup>	0	14	0	0	14
AC Base Course Total (tonne)	14	29	15	7	65

### B. ROADS RESERVE OPENING & RESTORATIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Vehicle crossings constructed	10	12	14	20	56
Telstra Inspections	2	4	7	10	23
Sydney Water inspections	8	10	12	10	40
Integral inspections	6	4	7	5	22
Gas Inspections	8	10	12	4	34
Customer requests	0	0	2	1	3

### C. COMMUNITY RESPONSE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Cleaning of gross pollutant trash	1	2	1	0	4
Pits cleaned by hand or suction	194	75	189	45	503
Tail out drains/headwalls	0	12	0	1	13
Removal of waste matter (cubic)	5	104	43	0	152
Flushing of stormwater lines(linear)	1060	870	960	690	3580
Underpass (drainage) cleaning	0	0	0	0	0
Trip hazards/footpath hazards	13	20	1	15	49
Dead animals removed	5	7	5	21	38
Parra webbing drainage	0	0	0	0	0
Sign retrievals and straightening	0	0	9	1	10
Syringes	24	140	0	17	181
Deliver and set up at venues	0	0	1	11	12
Paver repairs m <sup>2</sup>	80	8	23	2	113
Oil/ Paint Spill/Debris on Road	2	16	0	4	22
Median Cleaning/Poisoning	150	1055	189	3200	4594
Guide Posts	0	0	0	1	1
Total	1534	2309	1421	4008	9272

### D. STREET ACCESSORIES - Sign Manufacturer

Activity	Area 1	Area 2	Area 3	Area 4	Total
Regulatory	2	11	3	1	17
Street signs	5	13	2	34	54
Community signs	6	6	6	6	24
Ordinance signs	1	18	2	20	41
Various council signs	0	35	0	0	35
Various council stickers	0	0	0	0	0
Warning signs	0	0	4	0	4
Council special events	0	12	0	0	12
Directional	0	4	4	0	8
Banners	0	19	0	0	19
Various Stickers	0	40	8	0	48
Total	14	158	29	61	262

**Sign Erection**

Activity	Area 1	Area 2	Area 3	Area 4	Total
Works orders (traffic)	0	0	1	0	1
Bollards replacement and repair	22	7	7	3	39
Street signs	12	10	7	27	56
Community signs	5	15	3	6	29
Ordinance	0	0	4	3	7
Regulatory	52	53	54	33	192
Graffiti Removal m <sup>2</sup>	0	8	2	1	11
Warning Signs	10	9	3	7	29
Install various banners	1	0	0	2	3
Line Marking/Car Park	24	0	0	0	24
Directional	11	9	2	0	22
Total	137	111	83	82	413

**Minor Patching**

Activity	Area 1	Area 2	Area 3	Area 4	Total
Pot holes (number)	153	474	78	334	1039
Edge breaks m <sup>2</sup>	10	91	8	32	141
Restorations m <sup>2</sup>	0	0	0	0	0
Car parks pot holes	0	50	7	25	82
Trip Hazard Footpaths	0	0	20	0	20
Total	163	615	105	391	1282

**E. FOOTPATH RECONSTRUCTION PROGRAM 2013 – 2014**

Stage 1 - Complete  
 Stage 2 - Complete  
 Stage 3 – 30% complete

**F. NEW FOOTPATH CONTRUCTION PROGRAM 2013- 2014**

60% complete

**G. KERB AND GUTTER RECONSTRUCTION 2013 – 2014**

Stage 1 - Complete  
 Stage 2 - 90% complete  
 Stage 3 – Pending

**H. ANNUAL BAULKS PROGRAM**

70% complete

**I. ROAD REHABILITATION PROGRAM 2013 - 2014**

Sealing - Complete  
 Micro-sealing – 90% complete  
 Rejuvenation – 90% complete

**J. OPERATIONS MINOR WORKS**

**Retaining Wall Extension and Associated Landscaping Campbelltown Road**  
 Clean and sealing of wall completed. Planting pending

**Thunderbolt Drive Cycleway and Footpath**  
 99% complete

**Thomas Rose Drive Cycleway and Footpath**  
 30% complete

**St Helens Park Fire Trail Maintenance**  
Complete

**St Johns Road Traffic Island**  
Complete

**Broughton Street Youth Centre Basket Ball and Hand Ball Courts and Gardens**  
90% complete

**Japanese Garden Brick Wall Extension**  
50% complete

**Leumeah Stadium Footbridge Civil Works**  
50% complete

**Woodhouse Drive Pedestrian Improvements**  
30% complete

**Airds and Culverstone Road Roundabout Reconstruction**  
15% complete

**K. CAPITAL WORKS**

**Parkside Crescent Car Park**  
Stage 4 – 50% complete. Delays due to inclement weather

**Eagle Vale Drive Road Widening Stage 2**  
Planting of median pending

**PLUMBERS ACTIVITIES REPORT**

Irrigation Works - Council's irrigation team has been involved in maintenance activities and system checks across the LGA, works have involved changing sprinkler heads, repairing leaks, pump systems, damaged pipes, and wiring problems and testing of systems.

**WORKSHOP ACTIVITIES REPORT**

Vehicles/Plant and Equipment, reported here, are items that have accrued abnormal downtime due to awaiting parts/service from suppliers or priorities.

Plant No	Item	Reason - Area of Repair	Repairer	Down Time Hrs
9203.01	Reach Mower	Damage to boom arms	CCC Workshops and supplier	160Hrs
9527.02	JCB backhoe	Transmission fault	CCC Workshops and supplier	160hrs
9703.02	Ford tractor	Accident damage	CCC Workshops	40hrs

The following is a breakdown of the work performed since the last report 27 January 2014 – 23 February 2014.

9203.01	Reach mower booms damaged during operation. Parts arrived from overseas and have been fitted. Reach mower has been reassembled, tested and is back in service.
9527.02	JCB backhoe had a transmission fault and required a full rebuild. The unit was sent to the supplier for repairs.

<b>9703.02</b>	Ford tractor sustained damage to the front wheel hub. Parts have been sourced and awaiting delivery.
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All previous reported repairs have been completed and vehicles/plant are back in service.

Tyre Repairs	75
Services carried out	32
Repairs to trucks	71
Repairs to heavy plant	19
Repairs to trailers	17
Tractors/implements	30
SES repairs	3
RFS repairs	9
Small plant repairs	57
Repair to cars	14
Repairs to mowers	72
Repairs to sweepers	9
Pathway requests (completed)	31

Of the reported repairs above 52 were out in the field.

Workshops Solar panels have currently added 37,770 kWh back to the grid.

The Workshop has also carried out the following duties:

- Manufacturing and repair of various gates, locks and lock boxes around Campbelltown
- Various pit cover manufacture and repairs
- Repairs to various fences
- Manufacture of drain covers
- Manufacture of baulks and bollards
- Goal post modifications at Coronation Park

## **HAZARD REDUCTION PROGRAM**

### **Hazard Reduction Burning**

No hazard reduction burning has been conducted in the reporting period.

### **Asset Protection Zones (APZ)**

Works to create an asset protection zone within Smiths Creek Reserve along the entire length of the western interface of have progressed well; the first stage has been completed for this financial year with 551 metres of APZ installed totalling over 9000sq m of treated area protecting 65 assets.

### **Fire Trails**

Fire trail civil maintenance has been completed along St Helens Park trail BD 1.2 and BD 1.3. The works began 3 February and were completed within two weeks.

Initial site inspections have determined the severe degradation of the fire trail requires a very large amount of base material to be brought in to build the eroded parts of the trail up, level with the surrounding environment.

The fire trail has been formed to meet the recommended guidelines set by the Bushfire Coordinating Committee and as such utilises rollovers and dish drains to assist with drainage and prevent erosion. The gradient section of the trail has a capping of about 100 – 150mm of stabilised sandstone, to prevent future erosion.

Civil maintenance works have also started on Westmorland fire trail KN 1.12.

KN 1.12 had a degraded steep section identified for maintenance; works started on 10 February and is ongoing.

### **Mechanical Works**

Nine hazard reduction slashing sites were completed in the reporting period, totalling an area of 9.428 hectares with over 237 assets protected.

## **ASSET AND SUPPLY SERVICES**

### **Procurement and Contract Management Services**

#### **Tenders/Quotes/Expressions of Interest and Agreements:**

##### **Currently being prepared**

- EOI14/01 Garden and Handyman Service for Private Properties Enforcement of Orders
- Q13/23 Flood Light Fittings at Campbelltown Athletics Track
- Q14/02 Demolition of Three Buildings
- Q14/04 Microsoft Licence Agreement (Quotations sought through Local Government Procurement Panel Contract)
- Q14/05 Supply of iPads (Quotations sought through Local Government Procurement Panel Contract)
- Q14/06 Mowing Services for Lynwood Park Tip and Sita Depot
- Q14/07 Pavement Investigation and Design
- T14/04 Cash Collection Services
- T14/08 Solar Heating Macquarie Fields Pool

##### **Currently Advertised**

- T14/05 Pest Control
- T14/06 Swimming Pool Maintenance
- T14/07 Agency Payments
- Q13/31 Sporting Fields Flood Lighting Audit

- Q14/03 Supply and Deliver Tractors (Quotations sought through Local Government Procurement Panel Contract)

#### **Currently Under Evaluation**

- T13/22 Management of the Animal Care Facility
- Q13/27 Water Quality Monitoring
- T14/03 Supply and Installation of Gross Pollutant Trap
- Q13/29 Supply and Delivery of five 4 Tonne Trucks (Quotes sought from Local Government Procurement panel contract)

#### **ASSET MANAGEMENT**

##### **Roads**

- Council's Road Program for 2014-2015 has been determined.
- Local Road Defect Inspection is 91% completed.
- Falling Weight Deflectometer Testing for 2014-2015 programs is 80% completed.
- Geotechnical Investigation for 2014-2015 road programs is 80% completed.
- Rural Road Rehabilitation Program 2013-2014 which includes Spray Sealing at Taber Street, Cummins Road, Eagleview Road, Bensley Road and Katanna Road is 100% completed.

##### **Car Parks**

- Council's Car Park Program for 2014-2015 has been determined.

##### **Bridges and Culverts**

- Council's Bridge and Culvert Program for 2014-2015 has been determined.
- Level 1 Inspection for road bridges, pedestrian bridges and major culverts is 38% completed.
- Level 2 Inspection for six road bridges and ten pedestrian bridges is 76% completed.
- Gilchrist Drive Bridge fixed and finger joints replacement work is approximately 70% completed.

##### **Kerb and Gutter**

- 25 Kerb and Gutter segments have been inspected primarily in Glenfield.
- Council's Kerb and Gutter Program for 2014-2015 has been determined.



- Stage 2 Kerb and Gutter, 2013-2014 reconstruction program is 90% completed.
- Stage 3 Kerb and Gutter, 2013-2014 reconstruction program has been awarded.

#### **Stormwater**

- 97 Detention basins, 38 pits and 28 pipes in Minto, Claymore, Eagle Vale, Macquarie Fields and Campbelltown have been inspected.
- 19 pits, 24 pipes and 9 detention basin structure in Woodbine, Raby and Claymore have been entered into Council's Asset Management systems.
- 2014-2015 annual Stormwater Program has been determined.
- Specification for 2013-2014 Stage 2, concrete repairs have been prepared.

#### **Footpath Reconstruction**

- Footpath Reconstruction Program Stage 3 has been issued, with 30% of work completed.
- 80% of Minto's footpaths have been inspected, with all defects mapped and actions entered into Council's Asset Management system.

#### **Parks and Public Spaces**

- Three coloured shade sails have been installed at the south end of Campbelltown Bike Education Centre which covered the asphalt area. The shade sail over playground equipment and starting point has been removed due to condition assessment with new sails to be installed early March 2014.
- New 10 x 5 metre viewing platform has been installed at Eagle Farm Reserve (Duck Pond). Landscaping including large rocks and native plants are to be installed early March 2014.

#### **Building Inspections**

- Building Inspections have been carried out at Gilchrist, Bensley and Riley Park Pump Sheds with all conditions, actions and cost estimates updated into Council's Asset Management System.

#### **Playground Equipment**

- Playground repairs have been carried out at Mawson Park, Koshigaya Park, Abington Reserve, Ambarvale Cottage (Yummy Café), and Reserve No. 4 (Gabun Gujaaja).
- Playground refurbishments have been completed at Bellevue Reserve and Kenny Reserve.
- Playground Design for Campbelltown Bike Educational Centre has been awarded to Moduplay.

### **Internal Assets – Electrical Testing and Tagging**

- Electrical equipment has been tested and tagged at Minto Early Learning Centre with all items updated into Council's Asset Management system.

### **Asset Management System, Grants and Reports**

- Fuel efficiency and utilisation report for January 2013 has been sent.
- Conquest III testing is completed.
- Conquest III training to Conquest users has begun.

### **BUILDING MAINTENANCE/CONSTRUCTION PROGRAM**

#### **Building Program Maintenance**

- Perimeter fencing around Eagle Vale Neighbourhood Centre is now complete. Upgrade of the fencing was required for security purposes.
- Glenquarie Library re-carpeting is now complete. Works were carried out after hours over a two week period.
- New shower partitions are on order for Kooringa Reserve amenities. Works are due to commence on 10 March.
- Plans have been drawn up for the following facilities: Rosemeadow Amenities, Hazlet Oval awning and slab, Art Centre Workshop 4, Civic Centre Customer Service security door, SITA partial roof heightening, Campbelltown Library refurbishment of existing toilets, Civic Hall disable toilet and Macquarie Fields Indoor Sports toilet refurbishment.
- A new split system air conditioning unit has been installed at Macarthur Community Options.
- Approvals are currently being obtained for the demolition of a number of other facilities which include Bob Prenter Cottage, Macquarie Fields Hall, Resource Building located in the Civic Centre precinct and the SITA cottage.
- Works are commencing at Eagle Vale Neighbourhood Centre which include, painting, carpentry work to fascia and internal doors. Works are expected to be completed mid March 2014.
- Three new garage door electric motors are being installed to the SES building. Works are due for completion mid March 2014.
- Orders have been raised for new strip drains to be installed to all change rooms at Eagle Vale Leisure Centre. Works are due to commence mid-March 2014.

#### **Major Projects**

##### **Macquarie Fields Pool Upgrade**

- Macquarie Fields splash pad and 50 meter pool project is now completed. The official opening occurred on 1 March, 2014.

#### **Reactive Maintenance Requests**

267 Building maintenance requests were received and actioned during the month of February, 2014.

## **FACILITIES SUPPORT**

- A new CCTV Camera has been installed in the Art Centre Café. This was installed after consultation with the police and due to ongoing vandal damage and break-in occurring in the Café area.
- The maintenance of all Security and CCTV installations is being undertaken with a report on the condition of the systems being provided.
- The changeover to the cleaning schedule from Summer to Winter at all sporting facilities is being undertaken with the new schedule to be in place by the end of the month.

<b>Customer Requests</b>	
Sporting Clubs with overdue keys	25 clubs with 195 keys outstanding
Key extension, issues, alarm codes and access	525
Request for access to Council Reserves	6

## **11. REPORT OF DIRECTOR COMMUNITY SERVICES**

**No reports this round**

## **12. REPORT OF DIRECTOR PLANNING AND ENVIRONMENT**

**No reports this round**

## **13. QUESTIONS WITHOUT NOTICE**

### **13.1 Questions Without Notice**

1. Councillor Glynn noted that there was an article in the Sydney Morning Herald on Tuesday 11 March 2014 regarding a new facebook style application that encourages increased communication with ratepayers and residents.

Councillor Glynn noted that Housenet.com.au is an application that connects residents with each other improving service to ratepayers and social cohesion. Content can be modified by authorised users.

Councillor Glynn asked the General Manager if he could arrange for a presentation of this application at a future briefing evening.

The General Manager advised that he will investigate the application and present the matter at a future briefing evening.

2. Councillor Dobson asked the Director Planning and Environment if she could be provided with an update in relation to a previous request for a report regarding downsizing/sell off/auction of community owned parks and open spaces deemed underutilised within the Local Government Area.

The Director Planning and Environment advised that he is currently considering the draft open space review report and it is scheduled to be presented to Councillors prior to the end of the financial year.

3. Councillor Dobson asked the General Manager if she could be provided with responses to the following questions:

- who was the Planning Minister in 2007?
- who was the Housing Minister in 2007?
- what year was the Riverside Hotel lease put out to auction?
- what was the price?
- for how many years was the lease given?
- why didn't the Department of Housing in the new concept plan for Airds purchase the lease?
- was the length of the lease dated far beyond the redevelopment?
- does the present holder of the lease also hold a business interest inside the Airds Shopping Village?
- the proposed cutting on Campbellfield Road through to Riverside Drive does this place this company on both sides of new cross roads in the new concept plan for Airds Bradbury?
- in the taking of the present location of Kevin Wheatley Reserve and the Smiths Creek area for development does this put the Ruse Hotel and shops within a three minute drive of the Airds CBD?
- are the Airds Hotel, Ruse Hotel and shops owned by the same company?

- is this company going to purchase Airds Shopping Village when the Campbellfield Road extension is approved?
- is or was since, 2007 the Airds Village Shopping Centre put on the market for approximately \$6m?
- is this the current price tag its real value or its value after the Campbellfield Road extension puts the shopping centre on new cross roads in the CBD of Airds?
- is Kevin Wheatley prime real estate and what is the independent value?
- what would the independent market pay for real estate in Airds sold as a Greenfields development?
- will the hotels be the only ones in the long term to profit from the extension of Campbellfield Road, cut through Kevin Wheatley at huge long term costs to both Smiths Creek its integrated sensitive environment, pond, swampy land, koalas and other wildlife including the loss of the significant community asset Kevin Wheatley?
- with our population to almost double in the next 50-60 years, what is the long term cost both socially and in dollar value to the community owned assets with the decimation of Smiths Creek, the reserves and parks in Airds and Bradbury?
- what are the holistic costs for the extension of Campbellfield and College Roads?
- has the company or companies who own the hotels in Airds and Ruse donated major funds to the ALP and/or any other political party that sit in this Chamber?
- are we going to get another plan for a hotel and shops in Badgally Reserve, Badgally Road, Blairmount with the Claymore redevelopment?

The General Manager advised that he will investigate the issues raised by Councillor Dobson and will provide a response as requested.

4. Councillor Thompson asked the Acting Director City Works if he could be provided with an update in regard to a previous request with a report on shared zones.

This issue was reported to Council at the City Works Committee Meeting 14 May - Item 1.1 Traffic Committee - CTC-13/13 - 2013 where it was resolved that further investigations outlining possible options for changes in the shared zone prior to a further report to Council. The Acting Director City Works indicated that he will investigate the status of this request.

5. Councillor Thompson noted that in the past there have been issues with white ant infestations at a number of Council facilities and asked the Acting Director City Works if he could be provided with information regarding what Council has in place to prevent such occurrences.

The Acting Director City Works advised that there is a schedule in place for regular pest control services at community facilities and that he will discuss the details with Councillor Thompson.

6. Councillor Thompson asked the Acting Director City Works if he could be provided with an update regarding the upgrading of shower facilities at Macquarie Fields Leisure Centre.

The Acting Director City Works advised that the upgrading of the shower facilities at Macquarie Fields Leisure Centre is not proposed for the current financial year, however may be considered in the next budget.

7. Councillor Greiss referred to the recent opening of the Macquarie Fields Leisure Centre splash park and noted that irrespective of the gloomy weather the event was very successful and the facility has been well planned and received. Councillor Greiss passed on his congratulations to all staff involved in the design, construction and opening of the facility.
8. Councillor Rowell asked the Acting Director City Works if he could be provided with an update with regard to:
  - replacing the causeway at Wedderburn with a bridge
  - access via Blackburn Road to Appin Road
  - has any Government funding been provided in the past for any improvements for Wedderburn and if so have they been expended?
  - could Council inform the residents of any future work to be carried out

The Acting Director City Works advised that he will investigate the issues raised and provide a response to Councillor Rowell.

## **15. NOTICE OF MOTION**

### **15.1 Wrecking Yards in the Campbelltown Local Government Area**

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Councillor Greiss has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 11 March 2014.

That a report be presented to Council in relation to authorised and unauthorised wrecking yards which exist in the Campbelltown Local Government Area and include information regarding planning and compliance controls and any other associated matters relating to these types of activities.

#### **Council Meeting 11 March 2014 (Greiss/Borg)**

That the Recommendation be adopted.

#### **Council Resolution Minute Number 35**

That the Recommendation be adopted.



## 15.2 Proposed amendment to Council's Code of Conduct

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Councillor Kolkman has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 11 March 2014.

That Council's Code of Conduct be amended to reflect the contents of the *Local Government Act 1993* as it relates to the nominated role of the Mayor

Specifically the Act specifies as follows:

### ***Local Government Act 1993 No.30***

Current version for 3 January 2014 - Chapter 9 - Part 2 - Division 2

#### **Division 2 - The Mayor**

##### **225 The Mayor**

An area must have a Mayor who is elected in accordance with this Division.

##### **226 What is the role of the Mayor?**

The role of the Mayor is:

- to exercise, in cases of necessity, the policy making functions of the governing body of the Council between meetings of the council
- to exercise such other functions of the council as the council determines
- to preside at the meetings of council
- to carry out the civic and ceremonial functions of the Mayoral office.

Consistent with bullet point two above, Council's Code of Conduct should affirm that the Mayor is Council's senior public figure and in that role represents the views of Council.

The Code of Conduct should stipulate that until such time as Campbelltown City Council has a popularly elected Mayor, the Councillor elected Mayor:

- is required to represent the majority view of Councillors and that:
  - where the Mayor has a different political or policy position to the majority of Councillors, the Mayor may decline to speak in support of a position adopted by the majority of Councillors but he or she may only further their personal political or policy views as an individual Councillor outside of the role of Mayor
  - in expressing or pursuing his or her own personal or political views the Councillor who, for the time being occupies the role of Mayor, may not use the title of the Mayor in any way in that process.

## **Council Meeting 11 March 2014 (Kolkman/Brticevic)**

That the Recommendation be adopted.

### **LOST**

A **Division** was called in regard to the Motion for Item 15.2 - Proposed Amendment to Council's Code of Conduct with those voting for the Motion being Councillors: Borg, Brticevic, Glynn, Kolkman and Oates.

Voting against the Motion were Councillors: Dobson, Greiss, Hawker, Lake, Lound, Matheson, Mead, Rowell and Thompson.

It was **Moved** Councillor Greiss, **Seconded** Councillor Borg that the following item of Urgent General Business be accepted.

1 The Motion on being Put was **CARRIED**.

## **16. URGENT GENERAL BUSINESS**

### **16.1 Removal of Trees - Campbelltown Mall**

It was **Moved** Councillor Greiss, **Seconded** Councillor Borg that having regard to the urgent report prepared by the Acting Director City Works in relation to the removal of two Lemonscented Gum Trees located adjacent to the external food court at the Campbelltown Mall approval be granted for the trees to be removed.

2 The Motion on being Put was **CARRIED**.

# RESOLUTIONS FROM THE CONFIDENTIAL SECTION OF THE ORDINARY MEETING OF COUNCIL HELD 11 MARCH 2014

## Confidentiality Recommendation

It was **Moved** Councillor Kolkman, **Seconded** Councillor Griess that the Council in accordance with Section 10 of the *Local Government Act 1993*, resolve to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Council's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

## Planning and Environment Committee

### 18.1 Confidential Report Directors of Companies

#### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

#### Council Meeting (Greiss/Thompson)

That the information be noted.

#### Council Resolution Minute Number 39

That the information be noted.

### 18.2 2014 Heritage Medallion

#### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
  - (iii) reveal a trade secret

#### Council Meeting (Lake/Hawker)

That Council endorse the recommendation of the Heritage Protection Sub Committee in regard to the awarding of the 2014 Heritage Medallion.

#### Council Resolution Minute Number 39

That Council endorse the recommendation of the Heritage Protection Sub Committee in regard to the awarding of the 2014 Heritage Medallion.

## **City Works Committee**

### **19.1 Confidential Report Directors of Companies**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

#### **Council Meeting (Lake/Dobson)**

That the information be noted.

#### **Council Resolution Minute Number 39**

That the information be noted.

## **Community Services Committee**

### **No reports this round**

## **Corporate Governance Committee**

### **21.1 Grant of Easement for sewer purposes - Hephher Road, Campbelltown**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

#### **Council Meeting (Kolkman/Dobson)**

1. That Council approval be granted for an easement for sewer purposes over its land at Campbelltown described as Lot 38 in DP 1113810 on the terms as outlined in the body of this report
2. That all documentation associated with the creation of the easement be executed under the Common Seal of Council if required.

#### **Council Resolution Minute Number 39**

1. That Council approval be granted for an easement for sewer purposes over its land at Campbelltown described as Lot 38 in DP 1113810 on the terms as outlined in the body of this report
2. That all documentation associated with the creation of the easement be executed under the Common Seal of Council if required.

## **21.2 Confidential Report Directors of Companies**

### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### **Council Meeting (Lake/Matheson)**

That the information be noted.

### **Council Resolution Minute Number 39**

That the information be noted.

## **21.3 12 Browne Street, Campbelltown**

### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

### **Council Meeting (Lake/Kolkman)**

1. That Council provide approval to enter into a lease with any suitable tenant on the terms outlined in this report for 12 Browne Street, Campbelltown.
2. That all documentation associated with the lease be executed under the Common Seal of Council.

### **Council Resolution Minute Number 39**

1. That Council provide approval to enter into a lease with any suitable tenant on the terms outlined in this report for 12 Browne Street, Campbelltown.
2. That all documentation associated with the lease be executed under the Common Seal of Council.