

Minutes of the Ordinary Meeting of the Campbelltown City Council held on 17 November 2015

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

Also in Attendance

Koshigaya Exchange Employee - Masakazu Higuchi

Acknowledgement of Land

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

Council Prayer

The Council Prayer was presented by the General Manager.

Address from staff exchange employee - Mr Masukazu Higuchi

Koshigaya staff exchange employee Mr Masukazu Higuchi made the following address to Council expressing his gratitude for the hospitality he has been given during his stay in Campbelltown.

Good evening, everyone. I would like to thank you for welcoming me to Campbelltown and for the hospitality you have shown me during my stay. I arrived in Campbelltown on Saturday 26 September and have enjoyed everything and had many good experiences in Campbelltown and Australia.

There are many differences between two local governments and I have learnt so much during my time in Campbelltown that I can take back to Koshigaya.

Thank you very much

Masukazu Higuchi

1. APOLOGIES

It was **Moved** Councillor Greiss, **Seconded** Councillor Kolkman that the **APOLOGY** from Councillors Lake and Thompson be received and accepted.

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

2. CONFIRMATION OF MINUTES

2.1 Minutes of the Ordinary Meeting of Council held 27 October 2015

It was **Moved** Councillor Kolkman, **Seconded** Councillor Dobson that the Minutes of Ordinary Meeting of Council held 27 October 2015 copies of which have been circulated to each Councillor, be taken as read and confirmed.

206 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 Chanthivong advised that he is a Member of the NSW Parliament and if he considers there may be a perceived conflict necessitating him to declare an interest, he will do so and if appropriate, leave the Chamber.

Councillor Brticevic advised that he is an employee of the NSW Police Force and if he considers there may be a perceived conflict necessitating him to declare an interest, he will do so and if appropriate, leave the Chamber.

Councillor Borg - Planning and Environment - Item 3.4 - Use of an existing golf safety screen and alterations to an existing golf tee - Campbelltown Golf Course No.1 Golf Course Drive, Glen Alpine - Councillor Borg advised that he is a life member of Campbelltown Catholic Club and he will leave the Chamber and not take part in debate nor vote on the matter.

Councillor Borg - Corporate Governance - Item 23.2 - EOI for Lease of Ingleburn Occasional Care Facility - Councillor Borg advised that one of the parties is known to him.

Councillor Hawker - Planning and Environment - Item 3.4 - Use of an existing golf safety screen and alterations to an existing golf tee - Campbelltown Golf Course No.1 Golf Course Drive, Glen Alpine - Councillor Hawker advised that one of the Directors is known to him and that he will remain in the Chamber.

Other Disclosures - nil

4. MAYORAL MINUTE

No mayoral minute this round

5. PETITIONS

No Petitions this round

6. CORRESPONDENCE

6.1 Kangaroo March

Attachments

Copy of letter from the Kangaroo March Centenary Re-enactment Association (contained within this report)

Letter from the President of the Kangaroo March Centenary Re-enactment Association thanking Council for the assistance and support for the Valedictory Commemoration.

Officer's Recommendation

That the letter be received and the information be noted.

Council Meeting 17 November 2015 (Rowell/Matheson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 207

That the Officer's Recommendation be adopted.

ATTACHMENT 1



KANGAROO
MARCH A CENTURY ON

OCT 26 '15 07:59:38 RCVD

KANGAROO MARCH CENTENARY
RE-ENACTMENT ASSOCIATION INC.
INC 1300195(NSW)
PO BOX 3048
EXETER NSW 2579

22nd October 2015

The Mayor, Paul Hawker
Campbelltown City Council
Queen & Broughton Streets
Campbelltown NSW 2560

Dear Paul,

Where do we start? The Valedictory Commemoration which your Council staff put together for the finale of our 36 day odyssey was simply superb! We marched up Queen Street and there it was in Mawson Park – professionally co-ordinated, run and utterly seamless. Mick Sewell, Amanda King, and Tracey were all so very obliging. The printed Programme that was such a lovely memento was beautifully produced too. The Campbelltown and Camden Band were the ideal accompaniment. So Angela, who researched the Kangaroos' Stories, crafted our Commemorative Ceremonies and is our Singer, was delighted.

Then her husband, David, looking after logistics for the March, had an excellent liaison with your Traffic Planning team. The Police on bikes were much in evidence to keep the public safe. Although Bubba, the horse that did every step of the 36 days with my Light-horseman colleague, Neil Hughes, is as amiable as it is possible for a horse to be.

Thank you for your welcoming words, and also for inviting our Patron, Dr Nelson, to address the gathering. We very much appreciated your hosting a reception afterwards. Regrettably, Jan and I were unable to attend as her father was *in extremis* – he passed away 10:30 that evening, so we were anxious to be back in the Highlands in time, and we were.

Campbelltown Council has been a major player in our event since the beginning. When we held the Launch of the project in Wagga Wagga in December 2013, the support started then with seed funding which we so desperately needed. So, Campbelltown City Council has been in it from the start. And not only that, but one of your fellow Councillors has been a contributor to our website and Bulletins from time to time. As well, the Campbelltown & Airds Historical Society, under Kay Hayes' aegis, has been as helpful as they could be to track down Kangaroos. The WWI Honour Rolls have had a dusting off and have re-emerged for historical research, and visibility. A great outcome.

With sincere gratitude,

Graham Brown
President

I GO OUT TO RETURN BY COURAGE AND FAITH

6.2 St Andrews Road Varroville

Attachments

1. copy of letter from Roads and Maritime Services (contained within this report)
2. copy of Council's letter to the Minister for Roads, Maritime and Freight (contained within this report)

Response from the Roads and Maritime Service to Council's letter to the Minister for Roads Maritime and Freight confirming the Roads and Maritime Service has no plans to convert St Andrews Road near Varroville into a sub-arterial road.

Officer's Recommendation

That the letter be received and the information be noted.

Council Meeting 17 November 2015 (Oates/Kolkman)

1. That the letter be received and the information be noted.
2. That Council again seek further clarification from the Minister that there are no plans to open up St Andrews Road from Camden Valley way to Campbelltown Road.

Council Resolution Minute Number 208

1. That the letter be received and the information be noted.
2. That Council again seek further clarification from the Minister that there are no plans to open up St Andrews Road from Camden Valley way to Campbelltown Road.

ATTACHMENT 1



Transport
Roads & Maritime
Services

ML15/09603

Ms Lindy Deitz
Acting General Manager
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

OCT20'15 08:14:22 RCVD

Dear Ms Deitz

Thank you for your correspondence to the Minister for Roads, Maritime and Freight about St Andrews Road and an extension from Camden Valley Way to Campbelltown Road. The Minister has asked me to respond on his behalf.

I confirm Roads and Maritime Services has no plans to convert St Andrews Road, near Varroville, into a sub-arterial road.

If you have any further questions, Mr Colin Langford, Acting Regional Manager Sydney at Roads and Maritime, would be pleased to take your call on (02) 8849 2339. I hope this has been of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read "S Head".

14 OCT 2015

Steven Head
Acting Chief Operating Officer

Roads & Maritime Services

Level 9, 101 Miller Street, North Sydney NSW 2060 |
Locked Bag 928, North Sydney NSW 2059 |

www.rms.nsw.gov.au | 13 22 13

ATTACHMENT 2



31 August 2015

The Honourable Duncan Gay MLC
Minister for Roads, Maritime and Freight
GPO Box 5341
SYDNEY NSW 2001

Dear Minister

St Andrews Road, Varroville - Extension from Camden Valley Way to Campbelltown Road

At Council's meeting of 18 August 2015 a Notice was Motion regarding the above issue was considered and it was resolved to write to you seeking confirmation that the NSW Government has no plans to open up St Andrews Road from Camden Valley Way to Campbelltown Road.

Your advice on any future plans involving the possible extension of St Andrews Road, Varroville would be appreciated.

If you require any further information please contact the Director City Works, Wayne Rylands, on 4645 4636.

Yours sincerely

A handwritten signature in black ink, appearing to read "L Deitz".

Lindy Deitz
Acting General Manager

Ref: Res16.1 - 18.8.15

Reports of the Planning and Environment Committee Meeting held at 7.30pm on Tuesday, 10 November 2015.

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 10 November 2015

Present

Councillor G Greiss (Chairperson)
Councillor R Kolkman
Councillor M Oates
Councillor T Rowell
Councillor R Thompson
General Manager - Mrs L Deitz
Director Strategy - Mr J Lawrence
Acting Director Planning and Environment - Mr J Baldwin
Manager Community Resources and Development - Mr B McCausland
Manager Compliance Services - Mr P Curley
Manager Waste and Recycling Services - Mr P Macdonald
Acting Manager Development Services - Mr B Leo
Manager Environmental Planning - Mr A Spooner
Manager Property Services - Mr J Milicic
Manager Governance and Risk - Mrs M Dunlop
Executive Assistant - Mrs K Peters

Apology

(Rowell/Thompson)

That the apology from Councillor Lound and Matheson be received and accepted.

CARRIED

Also in Attendance

Koshigaya Exchange Employee - Masakazu Higuchi

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

1. WASTE AND RECYCLING SERVICES

No reports this round

2. ENVIRONMENTAL PLANNING

2.1 Naming of a reserve on Atlantic Boulevard, Glenfield

Reporting Officer

Manager Environmental Planning

Attachments

Location plan (contained within this report)

Purpose

To seek Council's endorsement to publicly exhibit the proposed name of Budbury Reserve, for a reserve located on Atlantic Boulevard in Glenfield.

History

Following a request from the executive committee of the Vista community scheme, Council at its meeting of 18 December 2012 (Planning and Environment Committee Item 2.5 - Naming of a reserve within the 'Vista' development, Glenfield), resolved to exhibit Yandel'ora Reserve as the proposed name for this reserve for a period of 28 days following its transfer into Council ownership. The name had been suggested to the executive committee of the Vista community scheme as a possible reserve name by the then chief executive officer (CEO) of the Tharawal Local Aboriginal Land Council (TLALC). Yandel'ora was understood to mean 'may there be peace between peoples' in the local aboriginal dialect. However, as there had recently been a change of CEO at the TLALC, Council also resolved to write to the TLALC seeking formal endorsement of the name Yandel'ora Reserve.

Before this proposed reserve name was placed on public exhibition, correspondence was received from the Geographical Names Board of NSW (GNB) indicating that it was unlikely that the Board would approve this name due to the presence of an existing Yandel'ora Reserve in the suburb of Mount Annan within the adjoining Camden local government area. The proposed reserve name was therefore amended to Yandel'ora Park to address the issue of uniqueness.

Council, at its meeting of 21 May 2013, considered a further report on this matter (Planning and Environment Committee Item 2.5 - Naming of a reserve within the 'Vista' development, Glenfield), and resolved to exhibit Yandel'ora Park as the proposed name for this reserve for a period of 28 days.

Council also wrote to the TLALC on 3 June 2013 and this naming proposal was placed on public exhibition on 12 June 2013. On 11 July 2013 Council received correspondence from the acting CEO of the TLALC stating that the land council strongly opposed the proposed reserve name. In light of this objection, and in accordance with the GNB guidelines for place naming which state that the Board will not consider any naming proposals which have Aboriginal origins without the agreement of the local Aboriginal land council, Council was unable to proceed with this naming proposal and requested that the TLALC suggest an alternative name for use in the naming of this reserve.

On 26 June 2015, Council received correspondence from the CEO of the TLALC suggesting 'Budbury' be considered as an alternative name for this reserve.

Report

The reserve which is the subject of this naming proposal comprises Lot 2 in DP 1149933 and is located on Atlantic Boulevard in Glenfield, as shown in the attachment. Ownership of this reserve was transferred to Council on 26 February 2013.

As suggested by the TLALC, the proposed name for this reserve is Budbury Reserve. Budbury was a famous Dharawal Cubbitch Barta man who was closely associated with Charles Throsby's property of 'Glenfield'. In her book 'Campbelltown - The Bicentennial History', Carol Liston states that in 1814, Budbury acted as a guide for John Warby and later as an interpreter for a group of local farmers near Camden. With rising tensions between European settlers and the local Aboriginal people in February 1816, Budbury and a number of other Dharawal people took refuge at Glenfield. A few months later Budbury, along with Bundle from the Dharawal and John Warby, acted as guides for Captain James Wallis who was in command of a group of soldiers sent to the Airds and Appin Districts.

From the beginning Wallis found Warby an unwilling and uncooperative guide. Warby then refused to take responsibility for Budbury and Bundle and, after a forced march through the rain, allowed both Dharawal guides to 'escape' with their blankets. Following the Appin Massacre on 17 April 1816, Wallis sent a detachment of soldiers to ambush Budbury, his former Dharawal guide, but the country was so rugged that they had little chance of catching up with him. By 1821 Budbury was considered by the Europeans as the leader of the aboriginal people of the Cowpastures and he was a familiar visitor to the Macarthurs at Camden Park. He is formerly recorded in 1833, aged 45, on a roll-call of Dharawal people at Campbelltown and in the Cowpastures who received blankets.

As the reserve subject of this report is located within the original boundary of the 'Glenfield' property, Budbury Reserve is considered by Council staff to be an appropriate name. It is therefore recommended that this proposed reserve name be publicly exhibited by Council for 28 days to allow for community feedback.

Should no objections be received during this period, it is also recommended that Council complete the next step in the formal naming process by forwarding an application to the GNB to have Budbury Reserve assigned as the geographical name for the subject reserve. Should any objections be received during the exhibition period, a further report will be presented to the next available Council meeting.

Officer's Recommendation

1. That Council endorse the name Budbury Reserve for the reserve within the Vista community development on Atlantic Boulevard, Glenfield, for public exhibition for a period of 28 days.
2. That should no objections to this naming proposal be received during the public exhibition period, Council submit an application to the Geographical Names Board of NSW to have the name Budbury Reserve assigned as the geographical name for this reserve.

Committee's Recommendation: (Thompson/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 209

That the Officer's Recommendation be adopted.

ATTACHMENT 1



2.2 Proposed Road Names for use within the Claymore Urban Renewal Project

Reporting Officer

Manager Environmental Planning

Attachments

List of proposed road names for use within the Claymore Urban Renewal project area (contained within this report)

Purpose

To seek Council's endorsement to publicly exhibit proposed road names to be used within the Claymore Urban Renewal project area.

History

The Claymore Urban Renewal Project was approved by the then Minister for Planning and Infrastructure on 24 May 2013. Council has now received a request from UrbanGrowth NSW, on behalf of Housing NSW, seeking approval for the use of particular road names in the naming of the new roads which will be created by this renewal project.

Report

It has been Council's protocol for some time to select specific themes in an effort to harmonise road names within suburbs and development areas.

Council at its meeting on 19 October 1976 approved 64 road names for use within the suburb of Claymore, drawn from the theme of the names of Australian artists. All of these approved road names were subsequently used in the naming of streets within the Claymore area. Urban Growth NSW has requested that this theme be continued in the naming of new streets proposed to be created by this current renewal project. Additional proposed road names drawn from this theme are shown in the attachment to this report.

These proposed road names comply with the requirements of the NSW Address Policy and the NSW Addressing User Manual which were adopted by the Geographical Names Board of NSW on 31 March 2015.

Division 2 of Part 2 of the Roads Regulation 2008 (the Regulation) outlines the procedure that Council must follow when naming public roads under its control. In accordance with these procedures, Council must publicly exhibit the proposed road names in local newspapers for a period of 28 days and notify Australia Post, the Registrar General, the Surveyor General and all emergency services specified by the Regulation of its intention to name new roads.

Subject to Councils endorsement to public exhibit the proposed road names, should no objections be received from the public or authorities prescribed in the Regulation as a result of the exhibition of this proposal, it is recommended that Council complete the road naming process by publishing a notice of these new road names in the NSW Government Gazette. Should any objections be received during the exhibition period, a further report will be presented to the next available Council meeting.

Officer's Recommendation

1. That Council approve the proposed road names listed in the attachment to this report for use within the Claymore Urban Renewal Project area.
2. That Council publicly exhibit its proposal to use these road names for a period of 28 days by placing advertisements in local newspapers and notifying the authorities prescribed by the Roads Regulation 2008.
3. That should no objections to the proposal to use the exhibited road names be received during the exhibition period, Council publish notice of the new road names in the NSW Government Gazette.

Amendment: (Oates/Kolkman)

1. That Council approve the proposed road names (including first and surname) listed in the attachment to this report for use within the Claymore Urban Renewal Project area.
2. That Council publicly exhibit its proposal to use these road names for a period of 28 days by placing advertisements in local newspapers and notifying the authorities prescribed by the Roads Regulation 2008.
3. That should no objections to the proposal to use the exhibited road names be received during the exhibition period, Council publish notice of the new road names in the NSW Government Gazette.

LOST

Committee's Recommendation: (Rowell/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Amendment: (Oates/Borg)

1. That Council approve the proposed road names (including first and surname) listed in the attachment to this report for use within the Claymore Urban Renewal Project area.
2. That Council publicly exhibit its proposal to use these road names for a period of 28 days by placing advertisements in local newspapers and notifying the authorities prescribed by the Roads Regulation 2008.
3. That should no objections to the proposal to use the exhibited road names be received during the exhibition period, Council publish notice of the new road names in the NSW Government Gazette.

Council Resolution Minute Number 209

That the above amendment be adopted.

A **Division** was called in regard to the Resolution for Item 2.2 - Proposed Road Names for use within the Claymore Urban Renewal Project with those voting for the Motion being Councillors Borg, Brticevic, Chanthivong, Dobson, Glynn, Hawker, Kolkman, Lound and Oates.

Voting against the Resolution were Councillors Greiss, Matheson, Mead and Rowell.

ATTACHMENT 1

List of proposed road names

Road Name	Origin
Arkley	Howard Arkley (5 May 1951 – 22 July 1999) Australian artist born in Melbourne known for his airbrushed paintings of houses, architecture and suburbia.
Crowley	Grace Crowley (28 May 1890 – 21 April 1979) Born at Forrest Lodge, Barraba, in north-western New South Wales, she had an extraordinary career spanning over five decades. She was best known for her cubist paintings of the 1920s and 1930s.
Dowie	John Dowie (15 January 1915 – 19 March 2008) Australian painter, sculptor and teacher, he was born in the suburb of Prospect in Adelaide, South Australia, and studied architecture at the University of Adelaide.
Glover	John Glover (18 February 1767 – 9 December 1849) An English-born Australian artist during the early colonial period of Australian art. He has been dubbed "the father of Australian landscape painting".
Hart	Pro Hart (30 May 1928 – 28 March 2006) Australian artist, born in Broken Hill, New South Wales, who was considered the father of the Australian Outback painting movement and his works are widely admired for capturing the true spirit of the outback.
Hester	Joy Hester (21 August 1920 – 4 December 1960) Australian artist who played an important role in the development of Australian modernism.
Jackson	James R Jackson (1882-1975) Australian painter, best known for his paintings of views of Sydney harbour and the Great Depression.
Lawrence	George Lawrence (1901–1981) Regarded as one of the foremost painters in the impressionist style.
Minns	Benjamin Edwin Minns (17 November 1863 – 21 February 1937) Recognised as one of Australia's foremost water-colourists, he also drew for the Sydney Mail and regularly contributed to The Bulletin.
Molvig	Jon Molvig (27 May 1923 – 15 May 1970) An Australian expressionist artist, considered a major developer of 20th-century Australian expressionism.
Officer	Edward Officer (19 September 1871 – 7 July 1921) An Australian artist and inaugural president of the Australian Art Association.
Olley	Margaret Olley (24 June 1923 – 26 July 2011) One of Australia's most loved artists, she was the subject of more than 90 solo exhibitions. Her work concentrated on still life and in 1997 a major retrospective of her work was organised by the Art Gallery of New South Wales. She received the inaugural Mosman Art Prize in 1947.

2.3 Greater Macarthur Land Release Investigation

Reporting Officer

Manager Environmental Planning

Attachments

1. Greater Macarthur Vision to 2036 (contained within this report)
2. Menangle Park and Mount Gilead Structure plan (contained within this report)
3. Land suitability for the Menangle Park and Mount Gilead Priority Precinct (contained within this report)
4. Biodiversity Constraints (contained within this report)

Purpose

The purpose of this report is to:

1. provide Council with an overview of the Greater Macarthur Land Release Investigation (including the Preliminary Strategy and Action Plan) and the potential implications for the Campbelltown Local Government Area (LGA) and Council
2. seek Council's in principle support for the Greater Macarthur Land Release Investigation, and in particular the preliminary Strategy and Action Plan, subject to a number of matters being addressed
3. endorse the matters raised in this report for inclusion within a Council submission to the NSW Department of Planning and Infrastructure on the Greater Macarthur Land Release Investigation documentation that has been publicly exhibited

History

In December 2014, the NSW Government released 'A Plan for Growing Sydney' which identifies how Sydney can create additional housing stock, (33,200 new homes annually to meet projected population growth to 2036). This metropolitan planning strategy also addresses employment opportunities and infrastructure delivery, while seeking to protect the significant and iconic natural environment and improving the liveability of the city.

As part of meeting this challenge, the NSW Government has indicated that it will maintain its continued investment in the North West and South West Priority Growth Areas along with priority urban renewal precincts and prioritise increasing the rate of housing delivery in new urban release areas.

Within 'A Plan for Growing Sydney', the Greater Macarthur was identified as a potential area where urban development could potentially occur in order to cater for the growing population of Sydney. This metropolitan strategy committed the NSW Government to examine in more detail the suitability of urban development in the Greater Macarthur.

NSW Department of Planning and Environment has progressed work on this initiative since the release of 'A Plan for Growing Sydney' late last year, and on 22 September 2015 a preliminary assessment of the suitability and infrastructure capacity of the Greater Macarthur area was released for public comment.

The Greater Macarthur Land Release Investigation - Background

The Greater Macarthur Land Release Investigation (the Investigation) identifies certain land that is suitable for future urban development, the infrastructure required to support sustainable growth, and how the Greater Macarthur could be connected to jobs and other services within the greater metropolitan Sydney area. The Investigation documentation includes a 'Preliminary Strategy and Action Plan' to assist in the delivery of new urban development within the Menangle Park/Mt Gilead Priority Precinct as well as the Wilton Priority Precinct.

A range of technical studies have been undertaken as part of the Investigation supporting the declaration of Menangle Park/Mt Gilead and Wilton as Priority Precincts. These studies include:

- Biodiversity Assessment
- Bushfire Preliminary Asset Protection Zone Assessment
- Economic and Employment Analysis
- Heritage Analysis
- Housing Market Needs Analysis
- Resource Mining Framework
- Services Infrastructure Assessment
- Social Infrastructure Assessment
- Water Management Assessment
- Strategic Transport Plan

The Greater Macarthur Land Release Investigation has recognised immediate opportunities to deliver up to a total of 34,700 homes in the Menangle Park/Mt Gilead Priority Precinct and within a new town at Wilton.

Beyond 2036 it is noted that there may be potential to accommodate further opportunities to provide an additional 33,100 homes and strategic employment opportunities, supported by the construction of the Outer Sydney Orbital, an upgraded Hume Highway interchange and Maldon-Dombarton freight rail line.

The NSW Government has indicated that a coordinated approach to land use planning and infrastructure delivery will be required to achieve the desired outcomes for Menangle Park/Mt Gilead and for the proposed new town at Wilton. The planning vision for Greater Macarthur will be implemented by:

- identifying Menangle Park, Mt Gilead and Wilton as Priority Growth Areas by including them in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP)
-

- investigating the declaration of Menangle Park, Mt Gilead and Wilton as Special Infrastructure Contribution Areas (SIC) to coordinate the funding and delivery of infrastructure that is necessary to support growth in these areas
- continuing to work closely with Wollondilly Shire Council, Campbelltown City Council, and across NSW Government agencies to facilitate outcomes that deliver new communities with homes, jobs, infrastructure and services while protecting the environment and natural resources.

Councillors were provided with a briefing on the Greater Macarthur Land Release Investigation (the investigation) by the Director Strategy on 29 September 2015.

On 23 October 2015, Council staff met with representatives of NSW Planning and Environment for the inaugural meeting of the Greater Macarthur Steering Group, which will oversee planning for the implementation of the Menangle Park and Mt Gilead Priority Growth Areas. Council is represented on the Steering Group by the Director Strategy, Acting Director Planning and Environment and the Manager Sustainable City and Environment. At this meeting Council staff secured an extension of time until 18 November 2015 to lodge Councils submission to the public exhibition of the investigation.

This report provides an outline of the investigation documentation and expresses in principle support for the Preliminary Strategy and Action Plan that deal specifically with the Menangle Park/Mt Gilead Precinct, subject to a range of matters raised in the report being addressed by the NSW Government. The report concludes by recommending that Council make a submission to the NSW Department of Planning and Environment.

Report

Whilst the Greater Macarthur Land Release Investigation (the investigation) discussed the attributes of the Menangle Park, Mt Gilead and Wilton as Priority Areas, this report will focus on those areas located within the Campbelltown Local Government Area i.e. Menangle Park and Mt Gilead. The vision for Greater Macarthur to 2036 is shown in attachment 1.

Menangle Park and Mt Gilead Priority Precinct – Structure Plan

The Menangle Park/Mt Gilead Priority Precinct (the precinct) has an area of approximately 3,601ha and is characterised by relatively flat terrain with a flood plain associated with the Nepean River covering the south-west portion of the precinct. The precinct is also characterised by gorges adjoining the Nepean River and its tributaries, and rolling hills in the eastern portion of the precinct. The Menangle Park and Mt Gilead Structure Plan (the plan) is shown in attachment 2.

The investigation has identified that the precinct has the opportunity to be released for urban development for the following reasons:

- it is an extension of Sydney's metropolitan urban area south of Campbelltown
 - the land in the Precinct is relatively unencumbered by constraints to development
 - there are less requirements for substantial transport and utility infrastructure upgrades when compared to other parts of the Greater Macarthur Area, as the precinct could connect to the existing transport and service infrastructure at Campbelltown
-

- it has relatively direct access to the Campbelltown - Macarthur Regional City and other strategic employment areas in Western Sydney
- the location of the precinct makes it suitable for a range of employment generating uses, including retail and subregional industries
- there is significant private sector interest, with planning proposals at advanced stages
- Sydney Water is progressing servicing strategies for these planning proposals and the proponents have made some 'in principle' commitments to fund and/or deliver other required infrastructure

The precinct has a total of 849ha of land suitable for residential development, with a further 363ha which is currently encumbered but could possibly be developed, subject to further examination in accordance with the principles outlined in the Investigation. These combined areas are anticipated to accommodate approximately 18,100 new dwellings (suitable land 12,700 and encumbered land 5,400). The precinct has a total of 15ha of unencumbered land suitable for employment uses, with a further 9ha of encumbered land with potential to be developed for employment related purposes.

It is proposed that the precinct will contain four centres being:

- Mt Gilead – a local centre with approximately 10,000-20,000sqm of employment Gross Floor Area (GFA)
- Menangle Park – a local centre with approximately 20,000-30,000sqm of employment GFA
- Glenlee – a village centre with approximately 5,000sqm of employment GFA
- Gilead – a village centre with approximately 5,000-10,000sqm of employment GFA.

Land suitability for the Menangle Park/Mt Gilead Priority Precinct (upon which the above estimates have been based) is shown in attachment 3. The extent and density of future potential urban development is subject to further detailed transport assessment.

The Preliminary Strategy and Action Plan list the following actions to deliver future urban development in the precinct:

- upgrade the Hume Highway between Picton Road and Raby Road
- rezoning land for 4,900 homes through the Mt Gilead and Menangle Park planning proposals by the end of 2015, with the first new houses possible within two years
- upgrades to Appin Road to provide direct connections to Campbelltown-Macarthur Regional City Centre
- construction of the Spring Farm Link Road and new access ramps to the Hume Highway, to help ease congestion on Narellan Road
- provision of a north-south bus priority corridor to promote public transport links to the Campbelltown – Macarthur Regional City Centre
- further investigation of the extension of the Sydney Trains electrified rail network to Menangle Park to integrate this area with the suburban rail network
- further release of land to provide up to 13,200 homes, in addition to the homes proposed for Mt Gilead and Menangle Park by current planning proposals

The investigation acknowledges that infrastructure requirements will need to be delivered through an appropriate mechanism, which could take the form of a Special Infrastructure Contribution (SIC) at no cost to government or a series of planning agreements entered into between the Minister for Planning and the relevant proponents.

The exhibited documentation indicates that the preferred rezoning process is a state-led rezoning through an amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the SEPP) as this process:

- a. gives the precincts priority growth area status and makes use of the established Growth Centres implementation process administered by the Department of Planning and Environment;
- b. enables opportunity for a whole precinct to be comprehensively planned, rather than relying on individual planning proposals;
- c. provides the potential for acceleration of housing supply through fast tracking preparation of the SEPP amendment; and
- d. allows the State Government to coordinate agency input on complex planning issues such as mining, transport and infrastructure.

There are four existing planning proposals currently being dealt with by Council that deal with land that is located within the Menangle Park/Mt Gilead Precinct being:

- Menangle Park Urban Release Area which proposes 3,400 residential lots – this proposal came off public exhibition in February 2013 and has not progressed due to unresolved funding issues relating to regional infrastructure including the Spring Farm Link Road, on and off ramps to the M31 and the upgrade of Menangle Road
- Part of the Glenlee Employment Lands Planning Proposal which is a proposed rezoning of 110ha of land currently zoned non-urban (the site is split across Campbelltown and Camden LGAs) – technical studies are being prepared to enable this proposal to progress to public exhibition
- The Mt Gilead Urban Release Area which proposes 1,700 residential lots – this proposal came off public exhibition on 30 June 2015 and has not progressed due to issues relating to regional infrastructure (Appin Road)
- The South Campbelltown Urban Release area which proposes up to 12,000 residential lots – this proposal was deferred by Council at its meeting on 6 May 2014 pending the outcome of the Greater Macarthur Land Release Investigation.

Menangle Park/Mt Gilead Priority Precinct - Investigation of Existing Values and Constraints

The investigation's Preliminary Strategy and Action Plan includes a structure plan for the Menangle Park/Mt Gilead Priority Precinct which was based on the findings of a number of technical studies examining the existing values and constraints within the investigation area. A brief summary of these investigations is provided below:

Waterways and Flooding

The investigation identified land at Menangle Park that is within the 100 year Average Recurrence Interval

Comment: It is noted that flood impact on future urban areas has been considered as part of the previous detailed investigations for the Menangle Park Urban Release Area.

Biodiversity and Bushfire

The Investigation categorised 'biodiversity constrained' land into a number of categories (see attachment 4) which include:

- waterways
- high Constraint Biodiversity
- moderate Constraint Biodiversity
- ecologically Endangered Community
- bio-banking Sites
- Hawkesbury Nepean Corridor and Priority Conservation Lands.

Comment: After reviewing these constraint categories, it is recommended that the Hawkesbury Nepean Corridor and Priority Conservation Lands as shown in attachment 4 be expanded to include all existing east-west fauna corridors between the Georges and Nepean Rivers to the south of Noorumba Reserve in order to ensure the long-term protection of current significant vegetation corridors. The proposed widths of these corridors should also be reviewed and adjusted as necessary to ensure they are sufficient to enable safe migration of Koala and other fauna between the two river systems.

Mining

The investigation quantifies the existing and proposed long-wall mining and existing coal seam gas extraction activity within the precinct.

Comment: The only current remaining long-wall mining activity within the Campbelltown LGA (Longwall 38) is located just outside the investigation study area at Wedderburn. Mining of Longwall 38 is expected to be completed by early 2016.

The existing and active coal seam gas wells within the LGA are located within the Menangle Park Urban Release Area. The Investigation identifies the following as encumbered land for development:

- land within 200 metres of an existing coal seam gas well
 - Rosalind Park Gas Plant.
-

Comment: The inclusion of a 200 metre development exclusion zone around existing coal seam gas wells provides direction to Council as to the management of potential land use interface issues, and assists with the resolution of this matter that was being dealt with as part of the Menangle Park Urban Release Area planning process. Previous advice from State Government agencies on how to manage the interface between existing coal seam gas wells and future encroaching urban development in Menangle Park was to 'assess the impact like any other industrial development.' Unfortunately a range of separation distances have been published within existing Guidelines and State Environmental Planning Policies varying from between 5 to 50 metres. Therefore, in light of the NSW Government's support of a 200m exclusion zone as part of the Investigation, it is suggested that the NSW Government amend all existing documents containing separation distances between existing Coal Seam Gas Wells and future residential development to one consistent standard.

There are three active coal seam gas wells within the Menangle Park Urban Release Area and the land on which they are located is currently proposed to be zoned RE1 – Public Recreation under a draft LEP amendment. As a result of the adoption of a 200m exclusion zone, a slight amendment to the land use zoning map would be required to ensure a 200m radius is provided between these wells and the adjoining proposed R2 – Low Density Residential zone.

Agriculture

Agriculture is a prominent land use in the study area. The Office of Environment and Heritage (OEH) has developed a Land and Soil Capability Assessment Scheme to facilitate the assessment of land and soils for agricultural uses.

The capability of land to sustain a range of land uses and management is ranked in eight classes. "Class 1" and "Class 2" land are the highest value agricultural lands as they can be used for intensive vegetable production.

Comment: There is no Class 1 land located within in the precinct. The Class 2 land in the precinct is currently being used for grazing and the irrigation of modified pastures and not for any higher value activities such as vegetable production. The proposed Menangle Park Urban Release Area draft LEP amendment and Mt Gilead Urban Release Area Planning Proposal both considered the impacts of urban development upon agricultural land as part of their detailed investigations. Any further proposals within the precinct will need to consider the impact of development upon agriculture.

Heritage

The investigation area contains a number of significant heritage items and conservation areas with Aboriginal and European significance at both a state and local level. It is important that the values of these items and conservation areas are conserved in order to preserve the character of the area and its history. Where particular heritage items or conservation areas are considered to have high significance, future development is required to:

- a. integrate with the character of these items/areas;
- b. incorporate adaptive reuses; or
- c. provide sufficient curtilage to avoid diminishing their significance.

Comment: The existing planning proposals before Council for Menangle Park and Mt Gilead have considered in detail both Aboriginal and European heritage and the specialist supporting studies suggest that these lands can be developed in a sympathetic nature. Site specific heritage impact assessments will be required to be undertaken for all further proposals and at development application stage to determine the appropriate treatment of heritage items and conservation areas.

Landscape Character

The investigation classified the land within the study area into ten distinctive landscape units based on topography; vegetation; drainage patterns; geology; and land use patterns. These areas were assessed on their scenic quality and 'absorptive' capability, with the absorptive capability of the land being a test of how well a landscape setting is able to accommodate change or development, and is generally applied at a broader scale as opposed to localised visual modifications.

There are three distinct landscape units occur within the part of the Menangle Park/Mt Gilead Priority Precinct. Menangle Park contains Unit 2 – Scenic Hills and Unit 7 – Open Pastoral Valley while Mt Gilead is wholly classified Unit 8 - Open Pastoral Uplands.

Comment: The scenic quality and adsorptive capability of these landscape units ranges from low to moderate and are characteristic of previously cleared and altered landscapes. With the exception of parts of landscape Unit 2, these areas could be developed without specific restriction of visual qualities. This issue has been considered as part of detailed investigations into the Menangle Park Urban Release Area and will be considered for any future proposals.

Air Quality

The investigation documentation states that photochemical smog (ozone) and particle pollution currently continue to exceed national air quality standards in the Sydney basin, including in the Macarthur region, with poor air quality on 4 to 11 days per year over years 2010 to 2014.

Comment: Despite this and noting that air quality issues were the major reason why earlier and previous iterations of the Macarthur South Urban Land Release did not proceed, the Investigation does not appear to have included a detailed air quality assessment. In addition, the cumulative impact of other urban release areas and the proposed Western Sydney Airport upon the formation, distribution and dispersion of ozone needs to be understood.

The investigation proposes to manage air quality issues through the establishment of a priority growth area air technical working group consisting of representatives from the Department of Planning and Environment, the NSW Environment Protection Authority and the Office of Environment and Heritage to inform ongoing planning decisions.

Therefore it is not considered unreasonable to request further information from the NSW Government to help determine what current baseline air quality data and resources will be available for the priority growth area air technical working group to determine future air quality impacts and mitigation strategies appropriate for the Greater Macarthur Land Release.

Existing and Planned Service Infrastructure Capacity

There is currently capacity within the existing infrastructure to service the proposed Menangle Park/Mt Gilead Planning urban land releases, however further investigations and funding will be required to service the remainder of the precinct with water, sewer, electricity, gas, telecommunications, schools, health and medical facilities, emergency services, cultural facilities, justice services, cemeteries, sporting and recreation facilities.

Key Transport Infrastructure

The investigation documentation relevant to the Menangle Park/Mt Gilead Priority Precinct highlight the need for major (regional) transport infrastructure to deliver urban growth which includes:

- construction of the Spring Farm Link Road and new access ramps to the Hume Hwy to help ease congestion on Narellan Road, and linking Spring Farm to Appin Road
- upgrades to Appin Road to provide direct connections to Campbelltown/Macarthur (to 4 lane arterial standard between Rosemeadow and the southern edge of the precinct at Mt Gilead)
- upgrade of Menangle Road
- upgrade of the Hume Hwy between Picton Road and Raby Road
- construction of a bus priority corridor
- investigation of the feasibility of the electrification of the Southern Highlands Railway Line to Menangle Park.

Comment: The recognition of the need to provide the above transport related infrastructure in order to deliver planned urban growth within Menangle Park/Mt Gilead is welcomed. This recognition acknowledges the importance of providing efficient, convenient and safe connectivity between these new urban areas and the Campbelltown/Macarthur Regional City Centre and other metropolitan destinations, where key and higher order facilities such as public hospitals, tertiary education facilities, retail shopping facilities, sport and cultural infrastructure are located. These connections are also critical for access to strategically significant employment opportunities for the residents of new dwellings proposed for the Menangle Park/Mt Gilead Precinct.

Without the provision of this level of enhanced accessibility, many thousands of proposed new households could be argued to be disadvantaged.

Council staff have also identified that there may be an opportunity to co-ordinate the proposed investigation of the electrification of the T2 Southern Railway Line from Macarthur Station to Menangle Park Station with the Government's current considerations relating to the potential extension of the South west Rail Link from Narellan to the T2 Southern Line. Therein lies some potential for planning for improved connectivity between the Menangle Park/Mt Gilead Precinct and Campbelltown/Macarthur, the proposed Western Sydney Airport and the Broader Western Sydney Employment Area.

Additional and Principal Comments on the Menangle Park/Mt Gilead Priority Precinct Structure Plan

Structure Plan's inconsistency with existing planning proposals

The Menangle Park/Mt Gilead Structure Plan as shown in attachment 2 is not consistent with the detailed planning work already undertaken as part of the draft LEP amendment for the Menangle Park Urban Release Area and the Mt Gilead and Glenlee Planning Proposals. For example the Glenlee Planning Proposal seeks rezoning of land for employment/industrial purposes, while the Menangle Park and Mt Gilead Structure Plan shows this land as 'developable land' (residential).

Further the structure plan shows a proposed town centre and proposed bus priority corridor over land in Mt Gilead which is proposed under the current Planning Proposal to be zoned residential and open space.

These anomalies need to be addressed by the structure plan.

Rezoning Process

The investigation indicates that the preferred rezoning process is a state-led rezoning through an amendment to State Environmental Planning Policy (Sydney Region Growth Centres), 2006, however this does not acknowledge that the Menangle Park draft LEP amendment and the Mt Gilead Planning Proposal are at an advanced stage and (subject to regional infrastructure funding resolution) could be rezoned sooner via the existing planning proposal process.

Commitment to Fund Regional Infrastructure

The investigation indicates that the preferred approach to funding the nominated range of infrastructure requirements will need to be delivered through an appropriate mechanism, which could take the form of a SIC at no cost to government or a series of planning agreements entered into between the Minister for Planning and the relevant proponents.

The Preliminary Strategy and Action Plan states:

"A Special Infrastructure Contribution will create a framework to share the costs and co-ordinate delivery of major new transport and community infrastructure"

Whilst it is understood that a SIC levy on new development and VPAs are amongst a range of options to fund the required infrastructure upgrades, Council must be assured that the appropriate level of infrastructure is in place, where it is needed, in a timely manner. Indeed, the Preliminary Strategy and Action Plan further states:

“Before rezoning takes place, an appropriate mechanism will need to be in place to secure infrastructure needed to support growth”.

At this stage, no such ‘appropriate mechanism’ has been confirmed to fund the delivery of the required regional level infrastructure.

In this regard, the proponents of the Mt Gilead Planning Proposal have recently lodged a Regional Voluntary Planning Agreement with the NSW Department of Planning and Environment to fund the portion of the required Appin Road upgrade attributable to its development. However to date, it is understood that the NSW Government/Department of Planning and Environment has not committed to either funding or delivering the balance of the cost of the required upgrading works to Appin Road.

Without this matter being resolved the Mt Gilead Urban Release Area should not be rezoned. A similar scenario can be put forward for the Spring Farm Link Road and its significance in terms of progressing the Menangle Park Urban Release Area rezoning.

At the least, Council is encouraged to seek a formal commitment by the NSW Government confirming that it will ensure the timely delivery of the required key infrastructure items for the Menangle Park/Mt Gilead Precinct, as listed in the Investigation documentation.

Greater Macarthur Strategic Transport Plan

While the Investigation was placed on public exhibition on 29 September 2015, one of the major contributory studies the Greater Macarthur Strategic Transport Plan was not released for public comment until 27 October 2015. While this reduced time frame has not allowed a detailed assessment of this document it is apparent that there are anomalies between its findings and the Investigations actions. For example the Investigation lists as one of its actions to ‘Further investigate the extension of the Sydney Trains electrified rail network to Menangle Park to integrate this area with the suburban rail network’, however the Greater Macarthur Strategic Transport Plan indicates that the extension is not feasible.

Notwithstanding this initial indication, a new station at Menangle Park on an electrified system is seen to be a logical and strategically critical component of the Glenfield to Macarthur Urban Renewal Corridor considerations, with associated higher urban densities in close proximity to employment land at Glenlee and a potential junction to connect the T2 and T5 lines with the proposed expanded Southwest Rail Link to Narellan and onto the Western Sydney Airport.

Air Quality

Further information is required from the NSW Government to determine what current baseline air quality data and resources are available for the priority growth area air technical working group to determine future air quality impacts in the absence of a detailed technical report.

Biodiversity

The Hawkesbury Nepean Corridor and Priority Conservation Lands as shown in attachment 4 should be expanded to include all existing east-west fauna corridors between the Georges and Nepean Rivers to the south of Noorumba Reserve in order to ensure the long-term protection of current vegetation corridors. The proposed widths of these corridors should also be reviewed and adjusted as necessary to ensure they are sufficient to enable safe migration of Koala and other fauna between the two river systems.

Coal Seam Gas

The NSW Government amend all existing documents containing separation distances between existing coal seam gas wells and residential areas to one consistent standard.

Economic Development and Employment Development

There is a significant dependence upon new households settling within the Macarthur Urban Investigation Area (both the Menangle Park/Mt Gilead and Wilton Precincts), accessing the majority of their employment needs in areas outside of the Investigation area. Such an example is the Campbelltown/Macarthur Regional City Centre.

Hence there is a need for Council to secure arrangements with the NSW Government to ensure efficient, convenient and safe connectivity between these new neighbourhoods and the Campbelltown/Macarthur Regional City Centre. Notwithstanding, it is considered a matter of the highest priority that a higher level of attention is paid to the planning for and support of the creation of new jobs and further sustainable employment growth within the Campbelltown/Macarthur Regional City Centre. Consistent with the policy position set out in 'A Plan for Growing Sydney', it is recommended that Council seek the assistance of the Government in preparing an economic and employment development strategy specifically for the Macarthur Urban Investigation Area, which includes as a centrepiece, the generation of new knowledge jobs around the proposed education/health precinct at Campbelltown/Macarthur.

Conclusion

The nomination of new areas for future urban development within the Greater Macarthur Land Release Area will stand to strengthen the significance of The Macarthur Region as a metropolitan scale urban growth area.

The Greater Macarthur Urban Land Release project, if planned and managed appropriately, supported by integrated infrastructure planning, funding and delivery will add value to the future capacity of Campbelltown-Macarthur to develop as a true Regional City Centre, growing as a major focus of higher level services and facilities – both private and public, and as the major transport node and employment/economic hub for South West Sydney.

Connectivity of new residential neighbourhoods with employment opportunities and higher level services and facilities will be a critical challenge.

The success and longer term sustainability of the Greater Macarthur Land Release depends to no small degree on the commitment by the NSW Government to assure the community that the required regional level infrastructure as set out in the Investigation documentation, will be in place, where it is needed and in a timely manner, and to demonstrate that these outcomes will be secured by an appropriate funding and delivery mechanism.

The creation of employment opportunities for the residents of the Greater Macarthur Land Release Areas must be a major priority for Government to address, and in partnership with Council. The enhanced support of Government by working closely with Council and key business and institutional stakeholders to bring to life the educational/health precinct at Campbelltown/Macarthur is one significant opportunity that should be seriously examined with a view to job creation, to offset the traditional jobs deficit ordinarily and historically created through the 'greenfield' model of urban development.

It is recommended that Council endorse a submission to the NSW Department of Planning and Environment that offers Council's support in principle for the proposed Greater Macarthur land release project including in particular, the Preliminary Strategy and Action Plan as it relates to the Menangle Park/Mt Gilead Priority Precinct, subject to the matters raised in this report being satisfactorily addressed.

Officer's Recommendation

1. That Council express in principle support for the Greater Macarthur Land Release Investigation, subject to the matters outlined in the report being addressed.
2. That Council forward a submission on the Investigation (and its supporting documents) to the NSW Department of Planning and Environment consistent with the matters outlined in the report.

Committee Note: Ms Maroun and Mr Lonza addressed the Committee.

Amendment: (Kolkman/Oates)

1. That Council express in principle support for the Greater Macarthur Land Release Investigation, subject to:
 - a) the early implementation of a fully funded infrastructure plan
 - b) a job creation strategy to cater for the increased population.
2. That Council requests a specific timeline for the provision of infrastructure and the job strategies as outlined in a) and b) above.
3. That Council forward a submission on the investigation (and its supporting documents) to the NSW Department of Planning and Environment consistent with the matters outlined in the report.

LOST

Committee's Recommendation: (Rowell/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

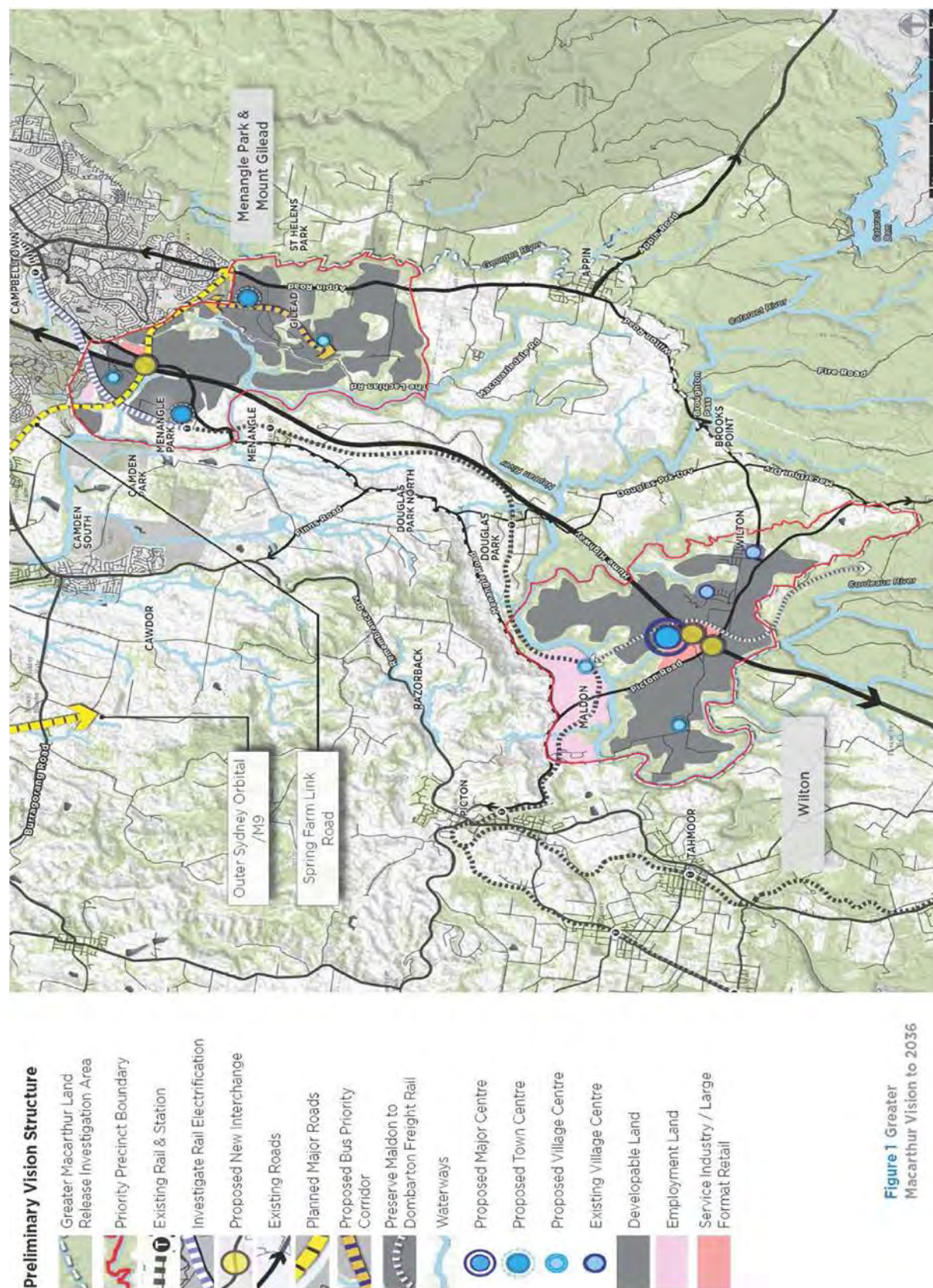
Amendment: (Kolkman/Oates)

1. That Council express in principle support for the Greater Macarthur Land Release Investigation, subject to:
 - a) the early implementation of a fully funded infrastructure plan
 - b) a job creation strategy to cater for the increased population.
2. That Council requests a specific timeline for the provision of infrastructure and the job strategies as outlined in 1. a) and b) above.
3. That Council forward a submission on the investigation (and its supporting documents) to the NSW Department of Planning and Environment consistent with the matters outlined in the report.

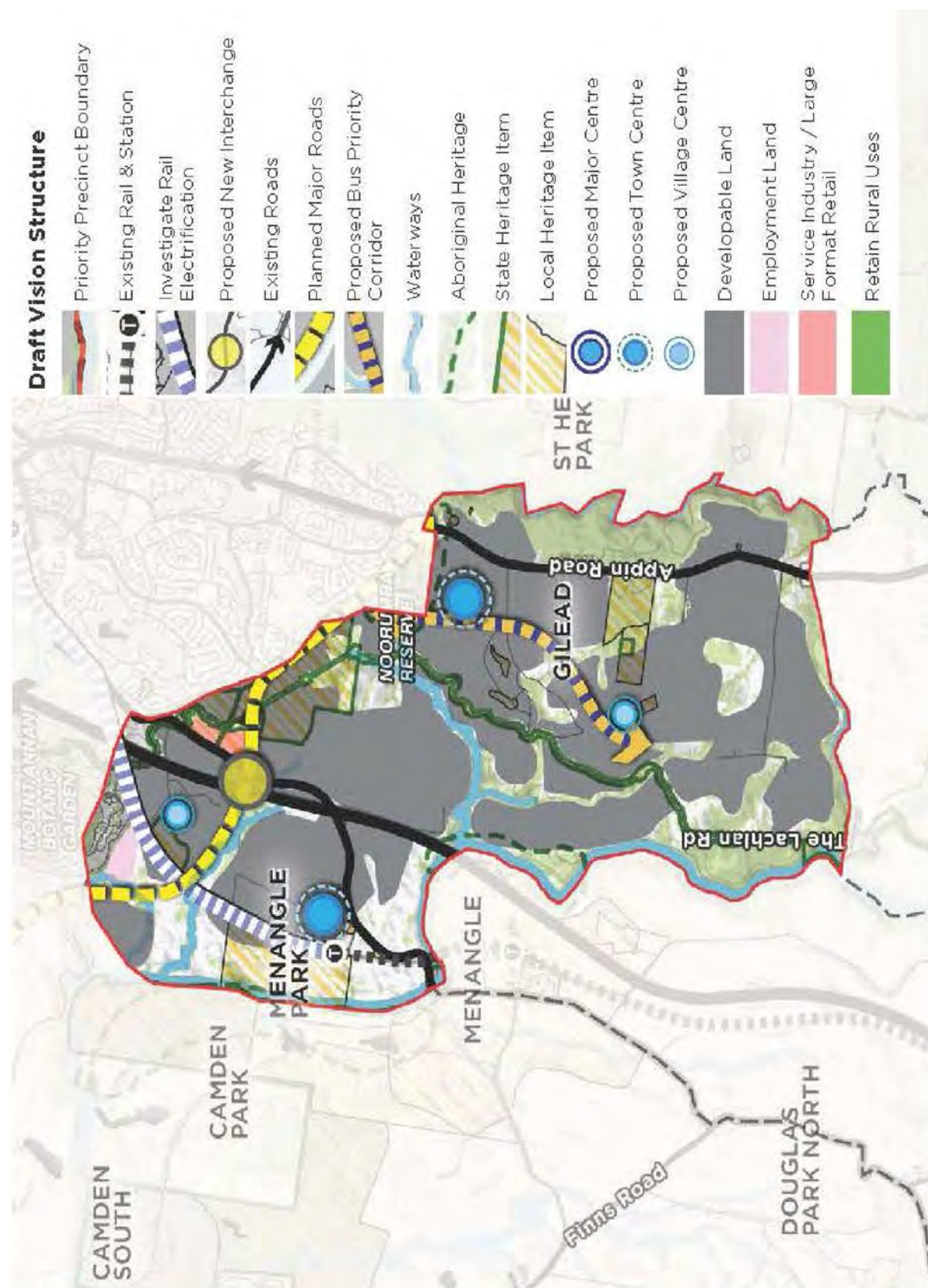
Council Resolution Minute Number 209

That the above amendment be adopted.

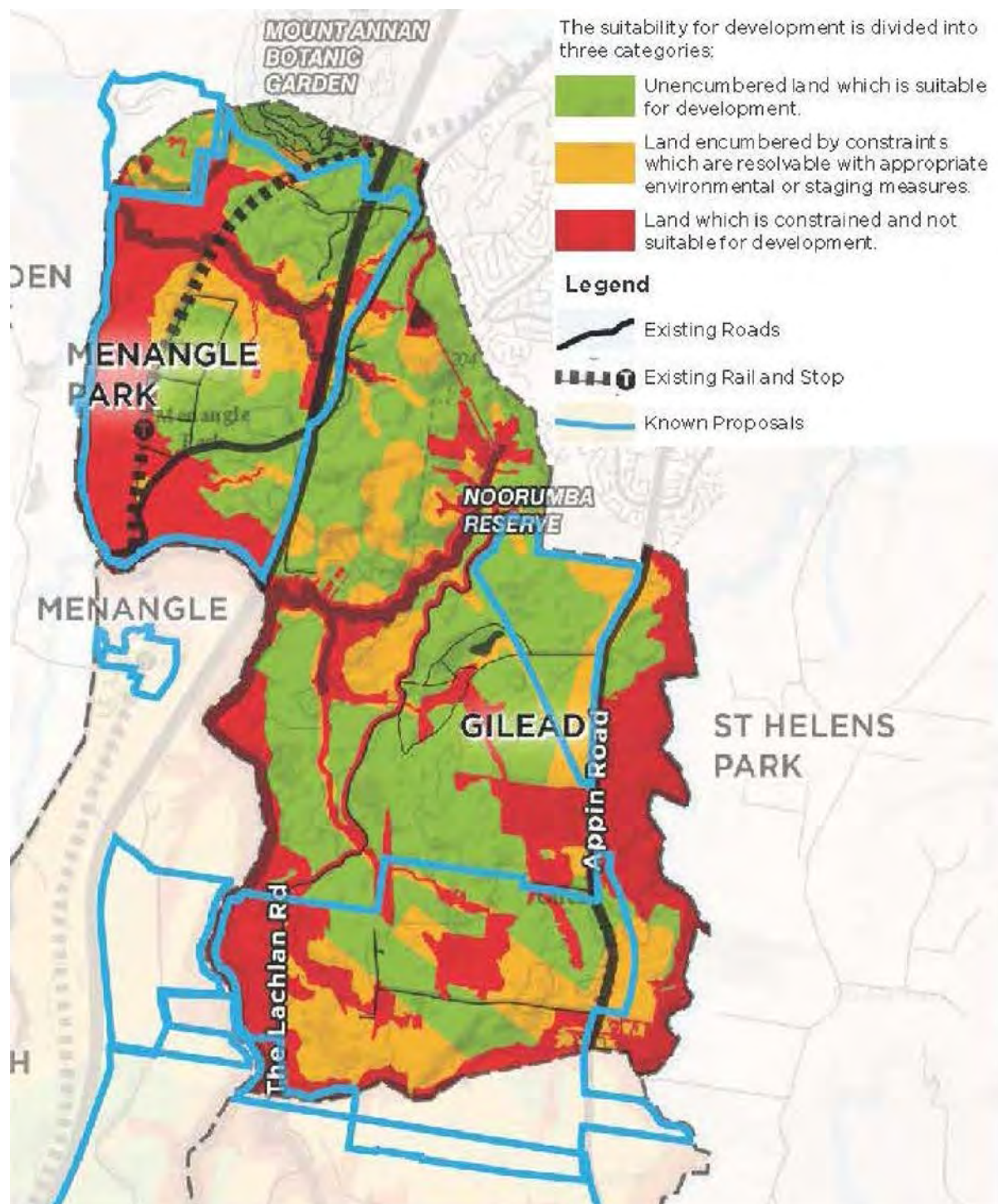
ATTACHMENT 1



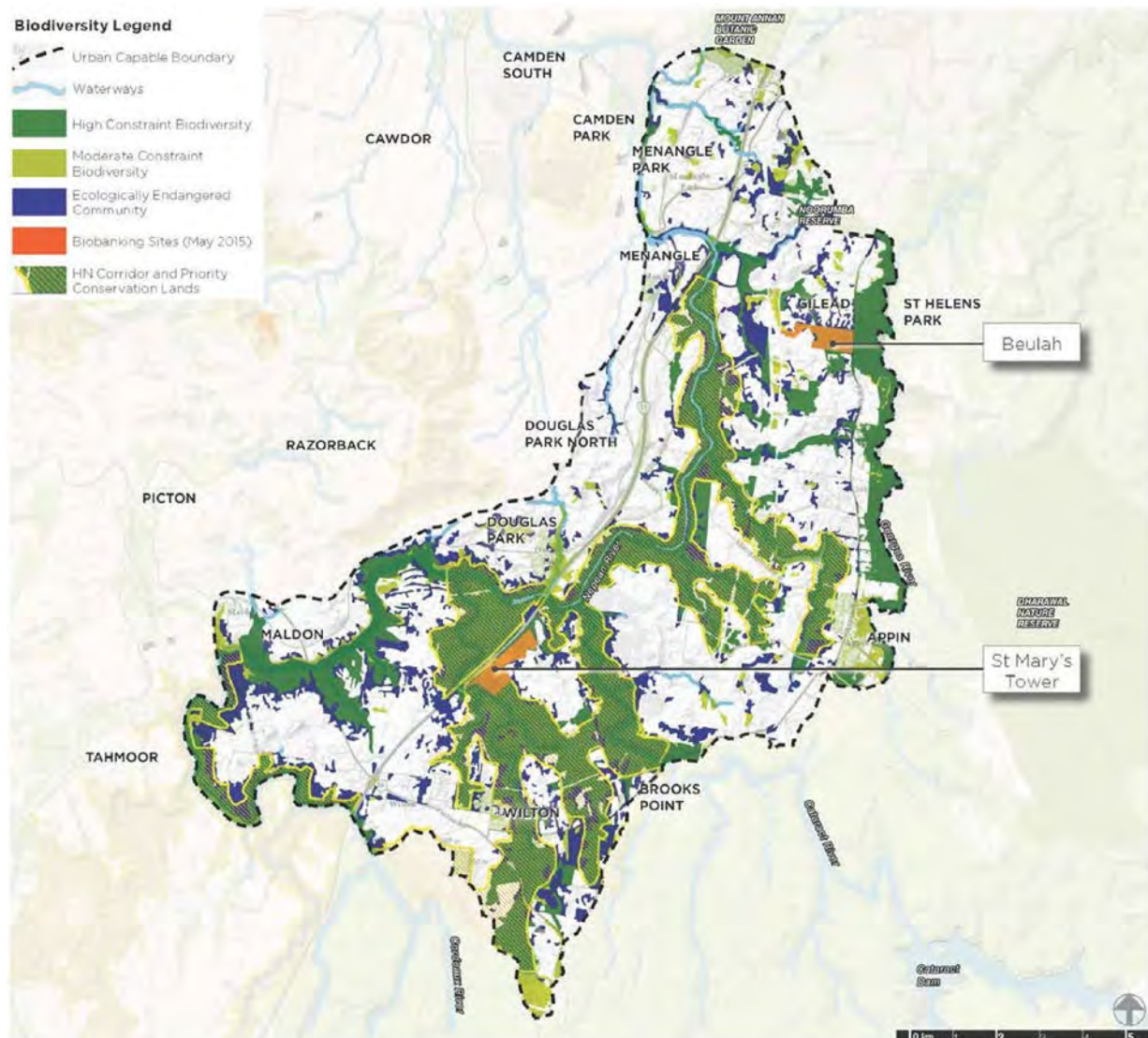
ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4



2.4 Trial Indian Myna Bird Action Program

Reporting Officer

Manager Environmental Planning

Attachments

Nil

Purpose

To update Council on the outcomes of the trial Indian Myna Bird Action Program and to seek Council's approval to continue with the delivery of the program.

History

Council at its meeting held 1 July 2014, Council considered a report regarding the proposal for a trial Indian Myna Bird Action Program. The report reviewed the effectiveness of Council's previous Indian Myna trap lending program and through the initiation of the trial Indian Myna Bird Action Program, proposed alternative opportunities for the control of Indian Myna birds and ongoing community education throughout the Campbelltown Local Government Area (LGA). The program proposed to incorporate educational workshops for interested community members, focusing on promoting simple methods that can reduce Indian Myna bird breeding and feeding opportunities and demonstrating effective trapping and humane euthanasia methods. In addition Council would work in partnership with three local Men's Sheds, from which traps could be produced and sold.

At this meeting Council resolved:

1. That a trial Indian Myna Bird Action Program, as outlined in the report, be initiated for a 12 month period from September 2014, and at the conclusion of the trial a further report be presented to Council outlining the results of the trial program.
2. That the funds allocated for the Myna Bird Traps be \$600.

Report

Council's trial Indian Myna Bird Action Program was officially launched at Riverfest on 30 August 2014. Following this, the first educational workshop was held on the 24 October 2014. Workshops were held approximately every three weeks alternating between three different venues across the Campbelltown LGA: St Helens Park Community Hall, Hurley Park Community Hall and Glenquarie Neighbourhood Centre.

In accordance with Council's resolution, all materials required for trap construction were provided by Council to the three local Men's Sheds to assist with the establishment of the program. Traps were sold through the workshops at a price of \$50 each which allowed for a small profit for the Men's Sheds to enable them to fund their operations. A total of 170 traps have been sold under the trial program.

To date 435 residents have participated in one of the 18 education workshops delivered under the trial program. At the workshops residents were provided with monitoring and data collection sheets for submission to Council to report on the number of Indian Myna birds captured and euthanised under the program. From the 29 people (~7%) who submitted their monitoring and data collection sheets, it was reported that a total of 449 Indian Myna birds were euthanised. However, it is highly likely that the total number of euthanised Indian Myna birds was far higher given the low percentage of participants who reported on their actions during the period of the program.

As the program has progressed, participation in the workshops has decreased slightly, however Council continues to receive enquiries from residents.

Conclusion

In comparison to Council's previous trap lending program, the trial Indian Myna Bird Action Program has engaged a significantly larger number of community members. Council officers have spent a total of 72 hours facilitating and delivering educational workshops which equates to at least 6.2 Indian Myna birds trapped and euthanised per hour of staff input. This is in comparison to the previous program which resulted in the trapping and euthanasiation of only 0.3 birds for every hour of staff time.

As an additional benefit, the relationship developed between Council and the participating Men's Shed's has been a huge success with future opportunities for collaboration with other community environmental education and sustainability programs being investigated.

Therefore, and in consideration of the above, it is proposed that the program continue with workshops being delivered quarterly or on an as needed basis, where community interest warrants additional workshops. It is envisaged that promotional activities will be undertaken prior to scheduled education workshops to generate interest in the program and maximise the effectiveness of the workshops.

Officer's Recommendation

That the Indian Myna Bird Action Program continue to be implemented into the future on an as needed basis and that information outlining the results of the program be submitted to Council via the annual State of the Environment report.

Committee's Recommendation: (Thompson/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 209

That the Officer's Recommendation be adopted.

3. DEVELOPMENT SERVICES

3.1 Development Services Section Statistics September 2015

Reporting Officer

Acting Manager Development Services

Attachments

Development Services application statistics for September 2015 (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 September 2015 as they affect the Development Services section.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Oates/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Greiss/Kolkman)

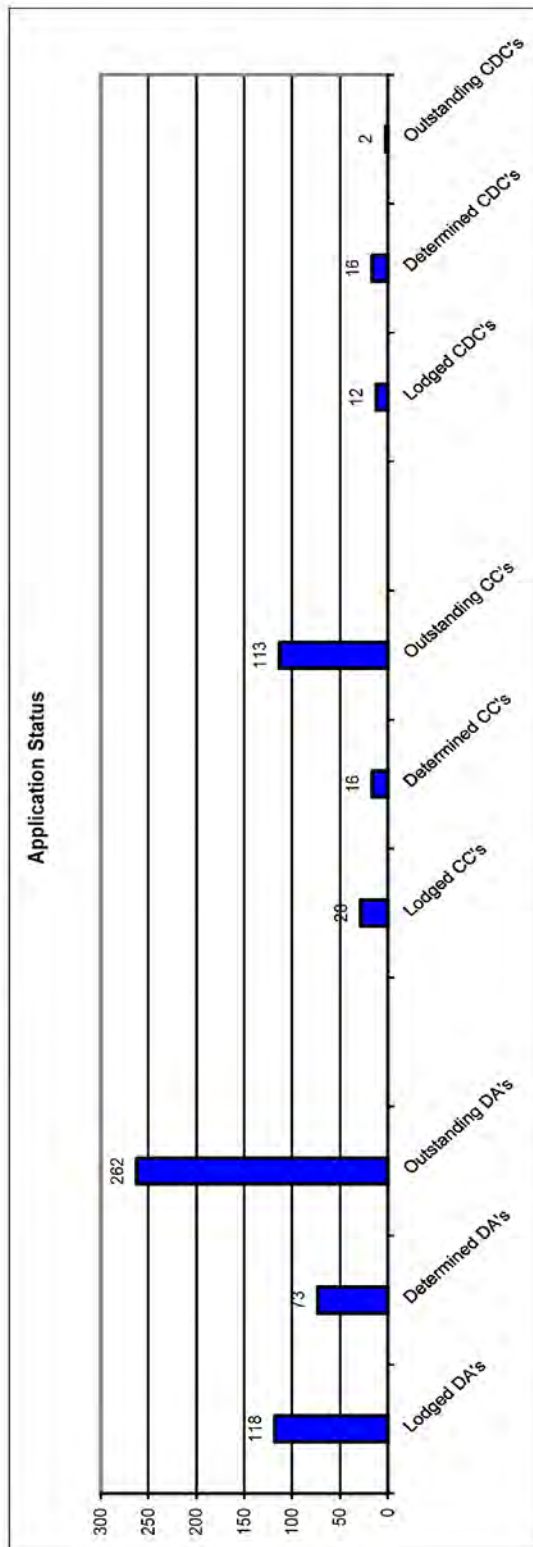
That the Officer's Recommendation be adopted.

Council Resolution Minute Number 209

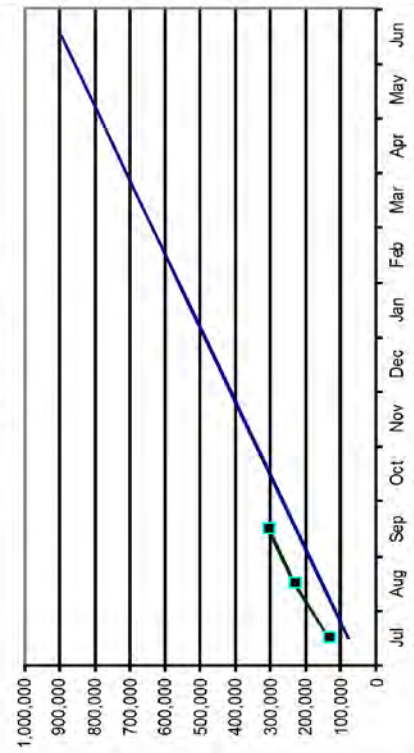
That the Officer's Recommendation be adopted.

ATTACHMENT 1

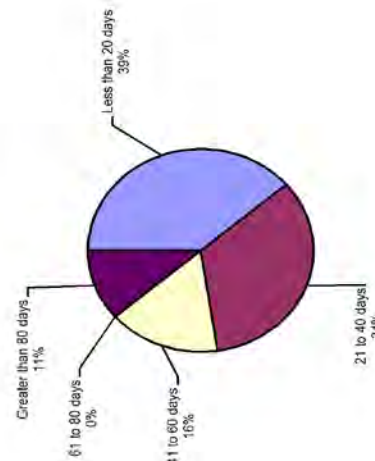
DEVELOPMENT SERVICES SECTION MONTH AT A GLANCE – September 2015



Development Application Income 2015/2016



Development Application Monthly Processing Times



3.2 Council's Monitoring And Reporting Obligations Of Variations To Development Standards Allowed Under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

3.2 Council's Monitoring and Reporting obligations of Variations to Development Standards allowed under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

Reporting Officer

Acting Manager Development Services

Attachments

SEPP 1 variations approved for the period July to end September 2015 (contained within this report)

Purpose

To advise Council of development applications approved for the period 1 July 2015 to 30 September 2015 that involved a variation of a development standard allowed under the relevant provisions of the State Environmental Planning Policy No. 1 - Development Standards (SEPP 1 applications).

Report

In accordance with the NSW Department of Planning and Environment's (DPE) requirement for all SEPP 1 applications to be reported to Council, the attachment to this report provides details of all SEPP 1 applications that were determined within the period stated above.

Further to the above, a copy of the attachment to this report was included in the quarterly report to the DPE and the information is also made available to the public under the SEPP 1 register on Council's website.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Kolkman/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

3.2 Council's Monitoring And Reporting Obligations Of Variations To Development Standards Allowed Under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 209

That the Officer's Recommendation be adopted.

3.2 Council's Monitoring And Reporting Obligations Of Variations To Development Standards Allowed Under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

ATTACHMENT 1

SEPP 1 Variations 1 July to 30 September 2015

Council DA reference number	Lot number	DP number	Apartment/ Unit number	Street number	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined dd/mm/yyyy
Nil															

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

3.3 Construction of a six storey residential flat building containing 69 residential apartments, two levels of basement car parking and associated landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

Reporting Officer

Acting Manager Development Services

Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Elevations (contained within this report)
4. Floor plans (distributed under separate cover – confidential – for privacy reasons these plans are not available to the public)
5. Landscaping plan (distributed under separate cover – confidential – for privacy reasons these plans are not available to the public)
6. Notification plan (distributed under separate cover – confidential – for privacy reasons this plan is not available to the public)

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* (the Act).

Property Description	Lots 82, 83 and 84 DP 7496, Nos. 37, 39 and 41 Chamberlain Street, Campbelltown
Application No	2946/2014/DA-RA
Applicant	Capital Developments Pty Ltd
Owner	Suzanne Hayden, Lawrence Hayden, Chamberlain Developments Pty Ltd
Provisions	Campbelltown 2025 – Looking Forward State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development State Environmental Planning Policy (Infrastructure) 2007 Campbelltown (Urban Area) Local Environmental Plan 2002 Draft Campbelltown Local Environmental Plan 2014 Campbelltown (Sustainable City) Development Control Plan
Date Received	4 December 2014

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

Report

Council has received a development application for the construction of a residential flat building containing 69 residential apartments, two levels of basement car parking with 93 car parking spaces and associated landscaping at Nos. 37, 39 and 41 Chamberlain Street, Campbelltown.

The Site and Surrounds

The site is located at Nos. 37-41 Chamberlain Street, Campbelltown. The land has a frontage to Chamberlain Street of 60.345 metres, depth of 45.72 metres and an overall area of 2759sqm. The site currently contains two dwellings and associated outbuildings over the three allotments. No. 41 Chamberlain Street is currently a vacant allotment.

Land to the north contains a six storey mixed used development that includes ground floor commercial activity. Adjoining and nearby land to the south and west of the subject site includes a funeral home at No. 43 Chamberlain Street and low to medium density residential development having one to two storeys in height.

Land across the road from the subject site, to the east and south east, includes a pre-school at No. 36 Chamberlain Street as well as low to medium density residential development. A six storey residential flat building is currently under construction at Nos. 38-42 Chamberlain Street.

The Proposal

The proposed development seeks the demolition of existing dwellings and associated outbuildings to facilitate the construction of a six storey residential flat building comprising 69 apartments and two levels of basement car parking providing 86 resident and seven visitor spaces.

A description of the proposed building and works proposed is as follows:

- excavation of the site and site works
- construction of a six storey residential apartment building
- 69 residential units comprising:
 - 9 x 1 bedroom units
 - 7 x 2 bedroom adaptable units
 - 53 x 2 bedroom standard units
- car parking for 93 car parking spaces over two basement levels
- central ground floor communal area of 108sqm
- ground floor communal area containing barbeque, cabana and other outdoor furniture
- indoor communal area on top floor of 70sqm

The proposed residential apartments provide a mix of unit types with each apartment being provided with private open space areas through balconies and/or ground level courtyards.

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Each apartment typically contains bedrooms, bathroom/ensuite, kitchen, built-in wardrobes, a linen closet and combined living/dining areas as well as an internal laundry.

The proposed design of the building includes contemporary articulation and façade treatments with a roof feature to add visual interest.

Landscaping is proposed along the perimeter of the building as well as on the street frontages and side and rear boundaries, through the use of trees, shrubs and groundcovers, as well as providing planter beds and turf where required.

Strata subdivision has not been requested at this stage and as such could be the subject of a separate development application to Council.

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 directions relevant to this application are:

- growing the regional city
- creating education, employment and entrepreneurial opportunities.

The application is consistent with the above strategic directions as the proposal would provide a housing product that would enable the city to grow by providing housing opportunities as well as providing employment opportunities within the construction industry.

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
- development and land use that matches environmental capacity and capability.

The proposed development is generally consistent with the relevant desired outcomes within Campbelltown 2025 specifically in relation to providing a development that is functional and of a high quality design, and one that matches the environmental capacity and capability of the site.

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2. Planning Provisions

2.1 State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) was gazetted on 26 July 2002 and applies to the development of new residential flat buildings (clause 4(1)(a)). SEPP 65 defines a residential flat building as:

“A building that comprises or includes:

- a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level)
- b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops).

but does not include a Class 1a building or a Class 1b building under the Building Code of Australia.”

The proposed development constitutes a residential flat building for the purposes of SEPP 65.

Clause 30(2) of SEPP 65 requires a consent authority, in determining a development application for a new residential flat building, to take into consideration:

- a) The advice of a Design Review Panel constituted under Part 3 of the Policy
- b) The design quality of the development when evaluated in accordance with the design quality principles (Part 2 of the Policy)
- c) The publication 'Residential Flat Design Code'.

As Council has never established a Design Review Panel, and therefore for the purpose of this application, the Council is only required to consider the design quality principles and the Residential Flat Design Code.

Clauses 9 to 18 contain the design quality principles of the Policy. The following discussion sets out an assessment of the development proposal in terms of these principles and an assessment against the 'Residential Flat Design Code'.

Principle 1 – Context

Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

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Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

Comment – In precincts undergoing a transformation, the desirable future character of the neighbourhood is considered and complimented by the proposed design.

The objective is to ensure that the design of residential apartments is carried out in a consistent manner with streetscape and residential amenity outcomes as the key focus. Compliance with the planning guidelines will ensure the proposed development is in context with the future character of the region.

The design seeks to provide a fragmented and modulated treatment to the façade and roof profile to maintain a low-scale of development that will remain sympathetic to the established residential bulk and scale of the area, while it is in a state of transition.

Principle 2 – Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

Comment – The height of a development has a major impact on the physical and visual amenity of an area. The height controls are defined by the impact upon the solar access, residential amenity, setting, topography and heritage impacts of the site within its context.

The height proposed should ensure that the development responds to the desired scale and character of the street and local area. The proposed height should allow reasonable solar access to all developments and the public domain. The proposed height is within the maximum height prescribed by the DCP.

Street setbacks establish the front building alignment. The controls over these distances create the proportions of the street and contribute to the public domain by enhancing streetscape.

The street setback also controls the street character and the continuity of street facades. Street setbacks enhance the setting for the building and provide for landscape areas, entrances and deep-soil zones.

The proposed setbacks have been developed to provide a satisfactory distance from surrounding boundaries, to form active street frontages, adequate open space areas for communal recreation spaces and to ensure the development addresses the parameters such as privacy, acoustic transmission control and open space.

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Principle 3 – Built Form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Comment – The design of the building elements in the articulation zone utilises a segmented contemporary style with a number of building elements being used to provide the strong architectural character proposed for the development. The use of varying setbacks provides vertical segmentation, with balconies, awnings and roof structures providing a contrasting horizontal segmentation.

The segmentation of the façade provides an articulation of the built form and provides for a reduction in bulk and scale of development.

The selection of colours and materials enhances the segmented appearance and provides distinct yet harmonious building facades to inter-relate and provide a dominant façade to the street frontages.

Principle 4 – Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

Comment – The proposed density of the development has been determined by a number of design factors contained in the various planning guidelines. Density is the ultimate result of applying the recommended building height, floor space ratio and landscaped areas with the appropriate building separation and setback distances. By complying with the planning controls, the appropriate density is achieved.

Principle 5 – Resource, Energy and Water Efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

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Comment – The proposed building achieves an acceptable level of energy efficiency. Several of the apartments utilise a design enabling cross-ventilation. Energy efficient appliances and water saving devices are also to be fitted. The application was accompanied by a BASIX certificate, which demonstrates that the building reached the required water and energy usage savings. The waste management plan detailed for the site facilitates the collection and storage of recyclables as per Council's policy.

Principle 6 – Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

Comment – A range of deep soil plantings have been catered for across the site, utilising trees with mature heights of up to 20 metres. Planting zones vary across the site based on soil depth dictated by the location of basement beneath parts of the ground floor common areas.

Communal and pedestrian areas are provided with an aesthetic mixture of all-weather hard surfaces, communal lawn, ground covers, shrubs and trees.

Principle 7 – Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

Comment – The design of the proposed residential units generally provides good internal and external amenity by their siting and placement of windows and sliding doors. Balcony areas connect to living areas and are considered satisfactory, providing privacy and solar control by way of being recessed into the main building. SEPP 65 also requires a minimum floor to ceiling height of 2.7 metres, which is standard in all apartments. Solar access has been provided to each of the apartments via balconies accessed via living areas and in some of the units a second balcony is proposed adjacent to a bedroom.

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Principle 8 – Safety and Security

Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

Comment – The building presents an active façade to Chamberlain Street, with good views for residents to and from their particular lobby or unit as they access their building from street level.

Basement car parking will be a secure location. Details in relation to the security arrangement will be confirmed prior to issue of a construction certificate.

Principle 9 – Social Dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

Comment – The location of new residential development within a location providing the necessary infrastructure creates a viable choice in the residential market satisfying an established need and demand.

The location of this development provides a number of new dwellings with architectural style and character within a precinct that provides immediate access to community services, retail, recreation and medical services.

The location of the adjoining public open spaces will provide the development with large areas for passive and active recreation activities. The local parks accommodate a number of playing fields, children's play areas, landscaped areas, outdoor dining and seating areas.

Principle 10 – Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

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Comment – From a street presentation perspective, the proposed development comprises a pleasing mix of building elements, textures, materials and colours that would integrate and contribute positively to the Chamberlain Street streetscape. Similarly, the internal design and structure of the development would establish a desirable built form and environment. The proposed development therefore satisfies the required aesthetic design quality principle.

Provisions of Residential Flat Design Code

The proposed development has been evaluated against the various provisions of the Residential Flat Design Code (RFDC) in accordance with Clause 30(2)(c) of SEPP 65.

An assessment summary against relevant portions of the Code is provided below.

It should be noted that the RFDC is a set of guidelines and need not be strictly complied with in every circumstance. Where the current proposal departs from these guidelines, the objectives of the recommended standards have been met.

Primary development controls

Numeric requirement	Objectives	Comment
Building height No numeric requirement stipulated – use Council's DCP height standard. Design practice notes provided.	To ensure development responds to the desired scale of the area. To allow daylight access to development and the public domain.	Complies with Council's Sustainable City Development Control Plan (SCDCP).
Building depth Generally 18m although buildings may be deeper if adequate light and ventilation is supplied to units.	To ensure the bulk of development is compatible with desired future development. To allow for solar access and natural ventilation. To provide for dual aspect apartments.	The buildings' maximum depth is 18m and therefore complies. However, the Code states that "freestanding buildings may have a greater depth if they achieve satisfactory ventilation and daylight penetration". The building is considered satisfactory in that regard. Apartments are provided with adequate light and ventilation, with most having a north-south orientation.
Building separation Rises with building height – 12m up to four storeys and 18m for up to eight storeys.	To provide for deep soil zones and stormwater management. To control overshadowing of adjacent properties. To provide visual and acoustic privacy.	The building is considered to have an acceptable separation to adjoining residential flat building.

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Numeric requirement	Objectives	Comment
Side and rear setbacks No numeric requirement stipulated. Design practice notes provided.	To provide for deep soil planting areas. To minimise the impact of the development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings. To maximise building separation to provide visual and acoustic privacy.	The proposed development has a minimum rear setback of 6m at ground level and 9m at the sixth floor.
Street setback No numeric requirement stipulated. Design practice notes provided.	To create a clear transition between public and private space. To allow an outlook and surveillance of the street. To allow for streetscape character.	Setback from the street is considered to be acceptable with private balconies and courtyards at ground level.

Site design

Numeric requirement	Objectives	Comment
Deep soil zones No requirement stipulated. Design practice notes provided.	To assist in the management of the water table. To improve the amenity of developments through the retention and/or planting of large and medium size trees.	The plan maximises areas provided for deep soil planting and introduces several large trees to the landscaping of the site.
Fences and walls No numeric requirements stipulated. Design practice notes provided.	To define the boundaries between areas having different functions or owners. To provide privacy and security. To contribute positively to the public domain.	The development proposes a 1.8m high fence on the side and rear boundaries. The fencing and walls are considered appropriate to define the boundaries of the development.
Landscape design No numeric requirements stipulated. Design practice notes provided.	To improve stormwater quality. To improve urban air quality. To add value to residents' quality of life within the development. To improve the solar performance of the development.	A comprehensive landscaping plan has been prepared for the development. The plan maximises areas provided for deep soil planting and would introduce several large trees at the site, which will ultimately assist in improving solar conditions and provide habitat for birds.

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Numeric requirement	Objectives	Comment
<p>Orientation</p> <p>No numeric requirements stipulated. Design practice notes provided.</p>	<p>To optimise solar access to residential apartments and adjacent buildings.</p> <p>To improve the thermal efficiency of new buildings.</p> <p>To contribute positively to the desired streetscape.</p>	<p>The building is orientated as best as possible having regard to the existing street. A BASIX certificate has been submitted with the application which demonstrates satisfactory energy and thermal comfort savings have been made. Apartments have been provided with balconies and windows to gain access to natural light.</p>
<p>Stormwater management</p> <p>No numeric requirements stipulated. Design practice notes provided.</p>	<p>To minimise the impact of residential flat development and associated infrastructure on the health and amenity of natural waterways.</p>	<p>An area of deep soil planting is provided in the development. Stormwater capture and management complies with Council's Sustainable City DCP Vol. 3.</p>
<p>Safety</p> <p>No numeric requirement stipulated. Design practice notes provided.</p>	<p>To ensure that residential flat developments are safe and secure for residents and visitors.</p> <p>To contribute to the safety of the public domain.</p>	<p>Crime Prevention Through Environmental Design (CPTED) principles used throughout the development, including lighting, territorial reinforcement of entry and street areas, safe basement car parking area.</p>
<p>Visual privacy</p> <p>No numeric requirement stipulated. Design practice notes provided.</p>	<p>To provide reasonable levels of visual privacy.</p> <p>To maximise views and outlook from principal rooms and private open space, without compromising visual privacy.</p>	<p>Balconies have been aligned to reduce overlooking.</p> <p>Fixtures to balconies such as screens are sometimes used to reduce overlooking potential.</p>
<p>Building entry</p> <p>No numeric requirement stipulated. Design practice notes provided.</p>	<p>To create entrances that provide a desirable residential identity for the development.</p> <p>To orient visitors.</p> <p>To contribute positively to the streetscape.</p>	<p>Separate entries provided for vehicles and pedestrians to increase safety.</p> <p>Visitor entry from street clearly defined and easily accessible.</p>
<p>Car parking</p> <p>No numeric requirement stipulated. Design practice notes provided.</p>	<p>To minimise car dependency for commuting and to promote alternative means of transport.</p> <p>To provide adequate car parking.</p> <p>To integrate the location and design of car parking with the building and its location.</p>	<p>Car parking would be provided in a two level basement, with minimal impact on the street.</p> <p>The development provides 93 spaces which is considered acceptable in this instance.</p>

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Building design

Numeric requirement	Objectives	Comment
<p>Apartment layout</p> <p>"Rules of thumb" provided for depth, width and area.</p>	<p>To ensure that the spatial arrangement of apartments is functional and well organised.</p> <p>To ensure that apartment layout provides a high standard of residential amenity.</p> <p>To accommodate a variety of household activities and needs.</p>	<p>Single aspect apartments are generally located on the northern facing side of the building to maximise solar penetration.</p> <p>Window location and size maximise solar penetration. Apartments comply with BASIX requirements for energy efficiency and thermal comfort. Apartment sizes generally comply "rule of thumb" requirements. Depth of apartments complies with "rule of thumb".</p>
<p>Apartment mix</p> <p>Design practice notes provided.</p>	<p>To provide a diversity of apartment types, which cater for different household requirements now and in the future.</p> <p>To maintain equitable access to new housing by cultural and socio-economic groups.</p>	<p>Building contains a mix of one and two bedroom units.</p> <p>Complies with Council's SCDGP.</p>
<p>Balconies</p> <p>Design practice notes provided.</p> <p>"Rules of thumb" provided.</p>	<p>To provide all apartments with open space.</p> <p>To ensure that balconies are integrated into the overall architectural form and detail of the building.</p> <p>To ensure that balconies are functional.</p> <p>To contribute to the safety and liveliness of the street by allowing for casual overlooking.</p>	<p>Balconies meet minimum depth requirement in the "rules of thumb".</p> <p>Balconies are all directly accessible from living areas.</p> <p>Balconies would provide casual surveillance of the street.</p>
<p>Ceiling heights</p> <p>"Rules of thumb" provided</p>	<p>To increase the sense of space in apartments.</p> <p>To promote the penetration of light into the depths of apartments.</p> <p>To achieve quality interior spaces while considering the external building form requirements.</p>	<p>The building complies with the "rules of thumb". A minimum ceiling height of 2.7m would be provided to each unit.</p>

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Numeric requirement	Objectives	Comment
<p>Ground floor apartments</p> <p>No numeric requirements stipulated. Design practice notes provided.</p>	<p>To contribute to the desired streetscape of an area and to create active safe streets.</p> <p>To increase the housing and lifestyle choices available in apartment buildings.</p>	<p>Ground floor units provided with terraces and screened from the street by landscaping.</p> <p>Landscaping would provide views to and from the apartment building at street level. Variations in ground height increase privacy and allow for casual surveillance.</p>
<p>Mixed Use</p> <p>No numeric requirements stipulated. Design practice notes provided</p>	<p>Mix of uses that complement and reinforce the character and function of the area.</p> <p>Flexible layouts to promote variable tenancies or uses.</p> <p>Legible circulation systems by isolating commercial service requirements, demarcated residential entries, distinguishing commercial and residential entries for safety reinforcement.</p>	<p>No mixed use/commercial tenancies proposed.</p>
<p>Circulation</p> <p>"Rule of thumb" provided. Design practice notes provided.</p>	<p>To create safe and pleasant spaces for the circulation of people and their personal possessions.</p> <p>To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.</p>	<p>The number of units accessed from each corridor complies with the Code's "rule of thumb" ie. less than 8 units accessed from each corridor.</p> <p>Corridors are wide and would allow for the movement of furniture.</p>
<p>Storage</p> <p>Numeric "rules of thumb" provided. Design practice notes provided.</p>	<p>To provide adequate storage for everyday household items within easy access of the apartment.</p> <p>To provide storage for sporting, leisure, fitness and hobby equipment.</p>	<p>"Rules of thumb" in Code are mirrored in Council's SCDP. The building complies with the requirements.</p>

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Building amenity

Numeric requirement	Objectives	Comment
Acoustic privacy No numeric requirement stipulated. Design practice notes provided.	To ensure a high level of amenity by protecting the privacy of residents.	Busy, noisy areas have been located adjacent to each other within units. Bedrooms kept away from mechanical plant. Party walls between units minimised as much as possible.
Daylight access Design practice notes provided and rules of thumb.	To ensure that daylight access is provided to all habitable rooms. To provide adequate levels of ambient lighting and minimise the need for artificial lighting during the day. To provide residents with an opportunity to adjust the quantity of daylight to suit their needs.	All living areas provided with windows. Awnings provided to some windows at balconies to provide for shading during summer.
Natural ventilation Rules of thumb provided. Design practice notes provided.	To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air. To provide natural ventilation to non-habitable rooms where possible. To reduce energy consumption.	Majority of units provide cross ventilation opportunities.
Facades Design practice notes provided. No numerical requirements stipulated.	To promote high architectural quality in residential flat buildings. To ensure that new developments have facades which define and enhance the public domain and desired street character. To ensure that building elements are integrated into the façade design.	The buildings have been provided with an array of architectural treatments to enhance its appearance from the street and surrounding properties. Design elements such as varying colours, projecting fin walls, varying materials and balconies have been provided to break up the building mass, along with the separation of the three towers.

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Building performance

Numeric requirement	Objectives	Comment
Energy efficiency No numeric requirement stipulated. Design practice notes provided.	To reduce the necessity for mechanical heating and cooling. To minimise greenhouse gas emissions.	Passive solar design initiatives incorporated into the building. It meets BASIX requirements for water, energy and thermal comfort requirements, which were not in place at the time the Flat Design Code was prepared.
Waste management No numeric requirement stipulated. Design practice notes provided.	To avoid the generation of waste through design, material selection and building practices. To plan for the types and amount of waste to be generated during demolition and construction. To encourage waste minimisation, including source separation, reuse and recycling.	A waste management plan has been submitted with the application. The plan details how collection and disposal of recyclables will be provided in the building. Separation of general waste and recyclables will also be provided to reduce potential contamination of recycling collection.
Water conservation Design practice notes provided. Rules of thumb provided.	To reduce mains consumption of potable water. To reduce the quantity of urban stormwater runoff.	Energy efficient appliances and taps/showerheads to be provided throughout the building. BASIX water reduction targets satisfied.

The building is considered to be generally compliant with the objectives and controls within the SEPP and its accompanying Design Code.

2.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) requires residential development to nominate and incorporate sustainability commitments to reduce water and energy consumption.

In accordance with the BASIX SEPP mandatory sustainability commitments required in the accompanying BASIX Certificate have been included in the architectural plans. The proposed development will therefore satisfy the BASIX SEPP.

2.3 Campbelltown (Urban Area) Local Environmental Plan 2002

The site is zoned 10(a) Regional Comprehensive Centre under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. "Residential flat buildings" are permissible with Council's consent in the 10(a) zone.

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The proposal is consistent with several zone objectives, particularly:

- (a) To encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities.

A further objective of the zone is:

“to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development”.

In this regard, the application is for a permissible residential flat development located in a locality undergoing transition within the regional centre.

2.4 Draft Campbelltown Local Environmental Plan 2014

Council's Draft Campbelltown Local Environmental Plan 2014 has been considered in the assessment of the proposed development. The draft planning instrument was placed on public exhibition between 12 June 2014 and 8 August 2014. The draft instrument is yet to be gazetted.

Under the draft planning instrument the site is zoned R4 High Density Residential. Residential flat buildings are permitted with consent in the zone.

The development is complementary to several zone objectives, including:

- to provide a mixture of compatible land uses
- to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling
- to provide a focal point for commercial investment, employment opportunities and centre-based living
- to encourage the development of mixed-use buildings that accommodate a range of uses, including residential, and that have high residential amenity and active street frontages
- to facilitate diverse and vibrant centres and neighbourhoods.

Accordingly the proposal is considered to be consistent with the draft planning instrument's zone objectives.

Clause 4.3 Heights of Buildings intends to nominate building heights to reflect the intended scale of development appropriate to the locality and the proximity within and to business centres and transport facilities.

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The draft instrument nominates maximum building height of 19 metres in the zone. The proposed height of the building, excluding the roof feature, is 17.8 metres with the additional height provided by roof feature it equals the maximum building height of 19 metres.

2.5 Campbelltown (Sustainable City) Development Control Plan 2014 (SCDCP)

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 proposed development would not obstruct views of any of Campbelltown's important views and vistas.

Sustainable Building Design – A BASIX certificate has been submitted for the proposed apartment building demonstrating that the relevant water, energy and thermal comfort targets will be met.

Landscaping – A landscape plan has been prepared by a landscape architect, incorporating some species from the Campbelltown Native Gardening Guide. The application provides an adequate amount of endemic landscaping, which surrounds the boundaries of the site.

Cut, Fill and Floor Levels – Any excavation within the zone of influence of any other structure requires a dilapidation report demonstrating that adequate ameliorative measures are to be implemented to protect the integrity of any structure. A condition requiring a dilapidation report to be obtained has been recommended.

Stormwater – The application was referred to Council's Development Engineer, and conditions of consent were provided. Council's Technical Services section advised that the proposal was satisfactory in terms of potential flooding impact.

Retaining Walls – In the case of retaining walls constructed to support proposed basement levels on the allotment, the cut is located a minimum 1200mm from the land's side boundary and 2000mm from the rear boundary. The proposed development is compliant with the SCDCP's minimum control of 450mm.

Security – The proposed development is satisfactory with regard to security. Appropriate delineation between public and private space would be provided, and casual surveillance opportunities have been incorporated into the design.

Waste Management – A Waste Management Plan for construction and operation of the development has been submitted and considered satisfactory in this instance.

Part 5 – Residential Apartment Building Development

The below table illustrates the proposal's assessment against the relevant provisions of SCDCP having regard to residential apartment building development:

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			Campbelltown (Sustainable City) Development Control Plan Residential Flat Developments	
SECTION	CONTROL	PROPOSAL	REQUIREMENT	COMPLIES
5.4.1(a)	Lot Size	2759m ²	Minimum 1250m ²	Yes
5.4.1(b)	Lot Width	60.345m	Minimum 30m	Yes
Schedules of SCDCP	Height	six storeys	six storeys	Yes
5.4.2(a)(i)	Front Setback	Minimum 5.5m	Minimum 5.5m	Yes
5.4.2(a)(ii)	Side and Rear Setback	Minimum 6m	6m from the side and rear boundaries for any residential component	Yes
5.5.1(b)	Mixed Use Buildings	No commercial component	Mixed use development shall incorporate retail and/or commercial uses at least at ground levels	NA
5.4.3(a)	Bedroom configuration	One bedroom units - 9 (13%) Two bedroom units - 60 (87%) Three bedroom units - nil	Minimum 5% units are one bedroom or studio apartments	Yes
5.4.3(b)	Adaptable Dwellings	Seven adaptable apartments - 10%	Minimum of 10% units shall be adaptable	Yes
5.4.3(c)	Apartment size	One bedroom – between 60-64m ² Two bedroom – between 90 -95m ² Three bedroom - nil	One bedroom – min 60m ² Two bedroom - min 90m ² Three bedroom – min 125m ²	Yes Yes NA
5.4.3(d)	Apartments serviced by lobby	Lobbies service no more than six apartments	Maximum eight units per lobby	Yes
5.4.3(e)	Lifts	Lifts provided	Lifts provided for buildings of three or more storeys	Yes
5.4.3 (f)	Lift Access	No lift services more than 50 apartments	No more than 50 dwellings be accessible to a single lift	Yes
5.4.3(g)		Access to lifts considered appropriate Two lifts provided	Access to lifts shall be direct and illuminated	Yes
5.4.3(h)	Landscaped Open Space	25% of site available for deep soil planting	Minimum 15% of total site area must be provided for deep soil planting, or minimum of 25% of required open space area (whichever is greater)	Yes
	Endemic Species	Landscape plan provided	Detailed landscape design and landscape plan provided	Yes

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

			Campbelltown (Sustainable City) Development Control Plan Residential Flat Developments	
SECTION	CONTROL	PROPOSAL	REQUIREMENT	COMPLIES
5.4.3(i)	Incidentals Storage	Storage areas have been located within the basement	Each apartment shall be provided with storage facility within basement or the unit with a minimum capacity of: 6m ³ - studio 8m ³ - one bed unit 10m ³ - two bed unit 12m ³ - three bed unit 15m ³ - four bed unit	Yes
5.4.4(b)	Car Parking Dimensions	Minimum car parking dimensions 2.5m x 5.5m	Minimum of 2.5m x 5.5m	Yes
5.4.4(c)	Driveways	Location of driveway acceptable	Shall be not located within 6m of any un-signalised intersection	Yes
5.4.4(d)	Traffic Impact Assessment Report	Traffic impact assessment report provided	For development incorporating 20 or more dwellings, a traffic impact assessment report shall be provided	Yes
5.4.4(f)	Basement Car Parking	All car parking is provided at basement level	Development containing three or more storeys shall provide all car parking at basement level	Yes
5.4.4(h)	Car Parking - Residential	Proposal contains: Seven visitor spaces on basement 1 36 residential spaces basement 1 50 spaces on basement 2 93 total	One underground space per unit, plus one space for every four dwellings, plus one visitor space for every 10 dwellings	Yes
5.5.4(a)	Car Parking - Retail/Commercial		In addition, the development shall provide one car parking space per 25m ² of leasable at ground level and 35m ² at upper levels for all retail and/or commercial parts of the building (Nil commercial floor space with proposal) Total required = 93.15	
5.4.4(i)	Stacked Parking	No stacked car parking spaces proposed	No required car parking shall be in a stacked configuration	Yes
5.4.4(j)	Bicycle Storage	Appropriate bicycle storage proposed (14 bike storage spaces)	Bicycle storage at a rate of one space per five dwellings	Yes
5.4.5(a)	Orientation	Buildings and apartments orientated in a northerly	Buildings shall be orientated and sited to maximise northern sunlight to internal living and open spaces	Yes

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

			Campbelltown (Sustainable City) Development Control Plan Residential Flat Developments	
SECTION	CONTROL	PROPOSAL	REQUIREMENT	COMPLIES
5.4.5(b)	Solar Access	Adjoining land to south comprises of a funeral home. In the event the building reverts to a dwelling, 20m ² of solar access can be achieved	A minimum of 20m ² of the required private open space on adjoining land shall receive three hours of continuous solar access between 9.00am and 3.00pm on 21 June	Yes
5.4.6(a)	Private Open Space	All apartments have a private courtyard or balcony	Apartments shall be provided with a private courtyard and/or balcony	Yes
5.4.6(b)	Balconies	Apartment balconies have areas of more than 8m ²	Area not less than 8m ² with a depth of 2m	Yes
5.4.7(a)	Ground Level Apartments	Ground level apartments have appropriate level of privacy	Ground level apartments shall be provided with a privacy screen	Yes
5.4.7(b)	Habitable Room	Habitable rooms and their windows are considered to be appropriately sited given the orientation of all apartments	No window of a habitable room or balcony shall directly face a window of another habitable room, balcony or private courtyard of another dwelling located within 9m of the proposed window	Yes
5.4.7(c)			Notwithstanding 5.4.7(b) a window may be permitted only where it is <ul style="list-style-type: none"> • Offset by 2m • Has a sill height of 1.7m • Is splayed • Contains translucent glazing • Is screened 	
5.4.7(d)	Balcony Design	It is anticipated that balconies have an appropriate outlook having regard to privacy	Notwithstanding 5.4.7(b), a balcony will be considered where the private open space is screened from view	Yes
5.4.8(a)	Communal recreation facilities	A recreation room is provided for residents of the development	Recreation room and, bbq/outdoor area minimum 50sqm per 50 dwellings or part thereof Communal recreation facilities shall not be located within primary or secondary setback	Yes
5.4.8(b)		A communal recreation area of approximately 108m ² is provided and is not located within primary setback Outdoor bbq area is proposed		Yes

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

			Campbelltown (Sustainable City) Development Control Plan Residential Flat Developments	
SECTION	CONTROL	PROPOSAL	REQUIREMENT	COMPLIES
5.4.9.1(a)	Waste Management	Development provides for general waste bins and bins for recyclable waste	All buildings shall be provided with household garbage bins at the following rates: 240L bins/three dwellings or 1000L bulk bin/12 dwellings	Yes
5.4.9.1(b)		Compactors also included in waste management system Recyclables: one 240L bin per 6 units (12 bins – collected weekly) General waste: one 240L bin per 3 units (23 bins – collected weekly) Bins to be collected by private contractors. Scope exists on kerb should Council's waste contractor be required to collect bins in the future		
5.4.9.2(a)	Garbage Chutes	Proposal includes garbage chutes to bin storage rooms in basement Garbage chutes and their design considered satisfactory	All buildings with a rise of more than four storeys shall make provision for a household garbage chute on each level which is accessible for all occupants	Yes
5.4.9.2(b)			All garbage chutes shall have input points located within waste service rooms	
5.4.9.2(c)			Garbage chutes should not located adjacent to habitable rooms in each apartment	
5.4.9.2(d)			Garbage chutes shall feed into a garbage container or mechanical compaction located within bin storage room	
5.4.9.3(a)	Bin Storage Room	Waste bin storage rooms have been provided within basement level of development	The development shall make provision for an appropriately sized communal bin storage room	Yes
5.4.9.3(b)		Contains ventilation mechanism	The bin storage room/s shall be appropriately ventilated	Yes

The proposed development generally complies with the provision of SCDP.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

3. Planning Assessment

3.1 Impacts on Natural and Built Environment

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the development's potential impacts on the natural and built environment.

The scale, density and built form is considered generally satisfactory with respect to the context of the site and the desired future character of the area. The development is considered to be of high architectural quality that will not have any adverse impacts to the existing built environment.

It is considered that the scale and bulk of the development would not result in significant and unreasonable amenity impacts to the locality taking into account existing and future development.

The development application is accompanied by a Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd. The report considers the road network in the vicinity of the site, estimated the traffic generation potential and assesses the traffic implications of the development in terms of road network capacity.

In addition, the report considered the geometric design of the proposed car park facilities and their compliance with relevant codes and the adequacy of the number of off-street car parking provided.

The report concludes that the projected increase in traffic activity as a consequence of the development is minimal, is consistent with the zone objectives and would not have an unacceptable impact on traffic implications in the location.

The development is considered to provide a suitable number of on-site car parking spaces for both residents and visitors that is consistent with Council's SCDCP.

3.2 Social and Economic Impacts

It is anticipated that the development would contribute to the wider choice of housing available in Campbelltown and would provide a tangible social benefit. The scale and density of the development respects the identified desired planning outcome and takes advantage of nearby transport, commercial, retail, educational and other support services.

3.3 Site Suitability

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the suitability of the site for the proposed development.

The principal matters for attention are discussed in considering Campbelltown (Sustainable City) DCP and SEPP 65. It is considered that the site is suitable for the development of a residential apartment building given the land's zone and locality.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

4. Public Participation

4.1 Submissions

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider submission made to the proposal.

The application was notified and publicly exhibited between 19 January 2015 and 3 February 2015. The application was notified directly to nearby and adjoining owners and via public notice in local print and electronic media.

During this period Council did not receive any submissions objecting to the development.

4.2 The Public Interest

Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider the public interest in consenting to a development application.

The public interest is a comprehensive requirement that requires consent authorities to consider the long term impacts of development and the suitability of the proposal in a larger context. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the desired future outcomes expressed in SEPPs, LEPs and DCPs.

The application is considered to have generally satisfactorily addressed relevant design standard and controls required for such development.

5. Conclusion

Council has received an application for the construction of a residential flat building development at Nos. 37, 39 and 41 Chamberlain Street, Campbelltown. The proposed development's design incorporates 69 residential apartments in a six storey building, two levels of basement car parking for 93 car parking spaces and associated landscaping.

The development would be located in an area currently undergoing transition. Adjoining and nearby land comprises of low density residential housing as well as existing, and currently under construction, residential apartment buildings of similar scale.

The proposed development generally conforms to the requirements of SEPP 65, LEP 2002, draft LEP 2014, Council's Sustainable City DCP and recommended standards of the Residential Flat Design Code (RFDC).

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

It is considered the proposal results in generally acceptable planning outcomes for the site, given the desired character outcomes contained in the various planning controls and design guidelines, and as such, it is recommended that the application be approved subject to conditions.

Officer's Recommendation

That development application 2946/2014/DA-RA for the construction of a residential flat building containing 69 residential apartments, two levels of basement car parking with 93 car parking spaces and associated landscaping at Nos. 37, 39 and 41 Chamberlain Street, Campbelltown be approved, subject to conditions detailed within attachment 1.

Committee's Recommendation: (Kolkman/Rowell)

That the Officer's Recommendation be adopted.

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

Voting against the Committee's Recommendation was Councillor: Oates.

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 210

That the Officer's Recommendation be adopted.

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

Voting against the Council Resolution were Councillors: Brticevic and Oates.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

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 Design Cubicle Pty Ltd (and others), listed below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Plans prepared by Design Cubicle (architectural):

Drawing Number DA200, Job No. 140613, Date June 2014, Issue D
Drawing Number DA201, Job No. 140613, Date June 2014, Issue D
Drawing Number DA202, Job No. 140613, Date June 2014, Issue D
Drawing Number DA203, Job No. 140613, Date June 2014, Issue D
Drawing Number DA204, Job No. 140613, Date June 2014, Issue D
Drawing Number DA205, Job No. 140613, Date June 2014, Issue D
Drawing Number DA206, Job No. 140613, Date June 2014, Issue D
Drawing Number DA207, Job No. 140613, Date June 2014, Issue D
Drawing Number DA301, Job No. 140613, Date June 2014, Issue D
Drawing Number DA302, Job No. 140613, Date June 2014, Issue D
Drawing Number DA303, Job No. 140613, Date June 2014, Issue D
Drawing Number DA304, Job No. 140613, Date June 2014, Issue D
Drawing Number DA601, Job No. 140613, Date June 2014, Issue D

Plans prepared by United Consulting Engineers (concept stormwater and drainage)

Drawing Number 14MB6247/D01, Date 19.09.2015, Issue C
Drawing Number 14MB6247/D02, Date 19.09.2015, Issue C
Drawing Number 14MB6247/D03, Date 19.09.2015, Issue C
Drawing Number 14MB6247/D04, Date 19.09.2015, Issue C

Plans prepared by Vision Dynamics (landscape plan)

Drawing Number 14219DA1, Date 1 December 2014, Revision A

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

2. Roof Structure

The skillion roof structure over bedroom 1 of Unit 61 and bedroom 1 of Unit 68 shall be extended to protrude in line with the edge of the balconies on lower levels. These sections of skillion roof shall extend to a distance of 6 metres from the side boundaries. Plans shall be submitted to Council for written approval prior to issue of a construction certificate.

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.

4. Contract of Insurance (residential building work)

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This clause does not apply:

- a. to the extent to which an exemption is in force under Clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of that regulation
- b. to the erection of a temporary building.

5. Notification of *Home Building Act 1989* Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notice of the following information:

- a. In the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
-

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

- b. In the case of work to be done by an owner-builder:
 - i. The name of the owner-builder
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notification of the updated information.

6. 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. The landscape design shall incorporate a significant portion of native, low water demand plants.

7. 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.

8. Garbage Room

The garbage storage room identified on the approved plans shall:

- a. Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- b. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- c. A hose cock shall be provided within the room.
- d. Garbage rooms shall be vented to the external air by natural or artificial means.

9. Fencing

A 1.8 metre high fence shall be erected on the site's side and rear boundaries behind the front building alignment and between each required courtyard at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

10. Switchboards/Utilities/Air Conditioning Units

Switchboards, air conditioning units, 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.

11. Driveway

The gradients of driveway, sight distances at access driveway exit and manoeuvring areas shall be designed in accordance with Australian Standards AS 2890.1 and AS 2890.6 (as amended).

Driveways shall be constructed using decorative paving materials such as pattern stencilled concrete, coloured stamped concrete or paving bricks. The finishes of the paving surfaces are to be non-slip and plain concrete is not acceptable.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

12. Deliveries during Construction

Where possible, the loading and unloading of all materials and equipment shall be carried out upon the subject site.

If this is not possible due to the construction activities, the creation of a Work Zone may be necessary.

Should this be the case, an application to Council, at least eight weeks prior to the commencement of works, for the creation of a temporary Work Zone will be necessary.

13. 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.

14. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

15. 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.

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.

16. Flood Level Controls

This site is located within an area that has been identified as being at the risk of being affected by the 100 year ARI flood. The fill level control which affects this site is RL 71.3 metres AHD and RL 74.0 metres AHD at Northern end and Southern end respectively. The floor level control which affects this site is RL 71.6 metres AHD and RL 74.3 metres AHD at Northern end and Southern end respectively.

17. Engineering Design Works

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

18. Car Parking Spaces

93 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).

19. Basement Car Parking

The basement car parking area shall be fitted with secure roller shutter device and associated security keys to restrict access to the car park for residents and their visitors.

The ceiling of basement car parking levels is to be finished in white paint to increase the effectiveness of lighting.

20. Basement Parking

The applicant shall ensure that the basement car park complies with the requirements detailed in Section 4.13.8 of the Campbelltown Sustainable City DCP Vol. 3 (as amended).

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

21. Retaining Walls

All retaining walls adjacent to Council property or existing public infrastructure shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines.

Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

Where retaining structures exceed 600mm in height, they shall be designed by an appropriately qualified engineer. Upon completion, the retaining structures shall again be certified by an appropriately qualified engineer as having been constructed in accordance with the approved design.

22. Basement Storage Compartments

Storage compartments are to be provided within the basement levels in accordance with Council's (Sustainable City) Development Control Plan.

23. Air Conditioning Units

Air conditioning units shall not be affixed to external walls of the building or placed on balconies in such a manner they are visible from a public place.

24. Waste Collection

Kerb side waste collection from Chamberlain Street shall occur twice weekly. At any given time, a maximum of thirty 240L bins, both general waste and recyclable material, shall be placed in front of the subject property adjacent to the kerb for collection by a private contractor.

25. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

26. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation in accordance with Section 2.4.1 of Campbelltown (Sustainable City) Development Control Plan.

27. 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.

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.

28. 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.

29. Geotechnical Report

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

30. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

31. Parking Restrictions

Parking restrictions on garbage collection day shall be placed on the front section of Chamberlain Street. Plans shall be submitted to Council's Local Traffic Committee for approval.

32. Traffic Committee

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit plans and obtain approval from Council's Local Traffic Committee for the proposed line marking and/or sign posting and shall include on road parking restrictions for the control of parking on waste collection days.

33. Construction Traffic Management Plans

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare, and obtain approval from an accredited person, separate Construction Traffic Management Plans (CTMP's) for the excavation and construction stages of the development.

The CTMP's shall include details of, but not be limited to:

- a. the staging and timing of construction works
- b. perimeter fencing and hoarding requirements
- c. details of temporary vehicular entry points to the site
- d. provisions for pedestrian traffic and any diversions that are proposed
- e. hoisting arrangements for cranes, travel towers or lift operations
- f. numbers of vehicles used during the demolition stage, their proposed routes, turning paths and parking arrangements
- g. work zone requirements, if required
- h. traffic control associated with road occupancy and standing plant
- i. waste collection areas.

In preparing the CTMP's, the applicant shall address all relevant NSW road rules.

Copies of the approved CTMP's shall be kept on site for the duration of the works, in accordance with WorkCover Authority requirements and copies shall also be forwarded to Council for its records.

No CTMP's shall be approved unless it is endorsed by Council in writing. Management of the site may be subject to change at the Council's direction.

34. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

Floor levels of the building at Northern end and Southern end shall be at RL 71.6m AHD and RL 74.3m AHD minimum respectively.

Surface levels of all grated pits proposed within the site shall be designed to protect the site from any backwater effect from road drainage system.

Stormwater shall be conveyed from the site to a new grated kerb inlet pit to be constructed on Chamberlain Street, upstream to the proposed vehicular crossing. The new grated kerb inlet pit shall be connected to the existing grated street pit located in front of 31-35 Chamberlain Street via a minimum of 375 mm diameter pipe. All the details of the proposed works in the road reserve shall be submitted with relevant fees to Council for approval.

All proposals shall comply with the requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3 (as amended).

35. Existing Drainage

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit design details and related calculations for the analysis of the existing drainage system in Chamberlain Street, where it is proposed to discharge stormwater from the proposed development, to determine whether the existing system has sufficient capacity to adequately convey the increased flows.

36. Dilapidation Report

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all buildings in the vicinity of the subject works and for any other infrastructure that may be affected by the works on the subject site.

37. 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.

38. Clearance to the Services

The proposed vehicular crossing shall be located clear of the existing services and drainage pits located on the road reserve to the distances recommended in the Council specifications.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

39. 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 2014 Volumes 1 and 3 (as amended) 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.

40. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing Construction 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
- 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) or can be collected from Council's Planning and Environment Division during normal business hours.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

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.

41. 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.

42. 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.

43. Confirmation of Architectural Design

Prior to Council or an accredited certifier issuing a Construction Certificate, the designing architect shall provide written confirmation that the plans including external colours and finishes schedule submitted for approval to the Principal Certifying Authority for the release of Construction Certificate are in accordance with the approved development consent plans including external colours and finishes schedule. This written confirmation is to be forwarded to Council for written approval prior to release of the Construction Certificate.

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.

44. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

45. 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.

46. 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
- 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.

47. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

48. 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 and placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

49. Demolition Works

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and WorkCover NSW prior to the commencement of any works.

50. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

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.

51. Sydney Water

Prior to the commencement of any works on the land, 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 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.

52. Structural Engineer Details

Prior to the commencement of any works, the submission to the principal certifying authority of all details prepared by a practicing structural engineer.

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.

53. 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.

54. 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 \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

55. 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.

56. 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.

57. Fill Compaction Requirements

Any filling carried out on the site shall be compacted to a minimum dry density of 98% Standard Compaction. Density testing, which is to be certified by a qualified geotechnical engineer, shall be undertaken for every 300mm rise in vertical height, with test locations being selected randomly across the site. At least one test shall be taken for every 500m² of the filled area (minimum one test per 300mm layer).

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

58. 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.

59. Floor Level

The floor level of all habitable rooms shall be at RL 71.6m AHD and 74.3m AHD minimum at Northern end and Southern end respectively.

All regraded areas shall be free draining with a minimum grade of 2% falling away from the dwelling. Regraded areas shall not direct flows into adjoining lots.

60. Termite Control

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the principal certifying authority prior to the issue of an occupation certificate.

61. 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.

62. 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 that are considered to be unsafe and recover all reasonable costs incurred, from the applicant.

63. 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 - Volumes 1 and 3 (as amended)
 - c. Soils and Construction (2004) (Bluebook)
 - d. Relevant Australian Standards and State Government publications.
-

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

64. Footpath Kerb and Gutter

The applicant shall re-construct all damaged bays of concrete path paving and kerb and gutter, adjacent to the site, in Chamberlain Street. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3 (as amended).

65. Medium Density Driveway and Layback Crossing

The applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to the property, in accordance with Council's Medium Density Vehicle Crossing Specification and the Campbelltown (Sustainable City) DCP - Volume 3 (as amended).

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

66. 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.

67. Redundant Laybacks

All redundant laybacks shall be reinstated as conventional kerb and gutter, in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and the design requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3 (as amended).

68. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

69. Imported 'waste-derived' fill material

The only waste-derived fill material that may be received at the development site is:

- a. virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- b. any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

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: Under this subheading, for the purpose of issuing an occupation certificate, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

70. Section 73 Certificate

Prior to the principal certifying authority issuing an occupation certificate (or subdivision certificate, whichever shall occur first), 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 > 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.

71. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant SAA Codes and is structurally adequate.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

72. 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.

73. 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).

74. Restoration of Public Roads

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

75. 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.

76. House Numbers

Prior to the principal certifying authority issuing an occupation certificate all house numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

For all new additional lots created, please contact Council's Land Information Unit on 4645 4465 to ensure the correct house number is stencilled.

77. Line Marking / Sign Posting Documentation (development)

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council, for the Local Traffic Committee's records, two copies of the work as executed plans for the line marking / sign posting, undertaken in relation to the development. The information shown on the plan shall be in accordance with the recommendations of the Traffic Committee and shall note the date/s of installation.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

78. Termite Protection

Prior to the principal certifying authority issuing an occupation certificate, certification from a licensed pest controller shall be submitted certifying that the termite treatment has been installed in accordance with AS3660.1.

79. BASIX

Prior to the principal certifying authority issuing an occupation certificate, completion of all requirements listed in the relevant BASIX certificate for the subject development shall be completed/installed.

80. 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.

81. Consolidation of Allotment

Prior to Council or an accredited certifier issuing any Occupation Certificate, the applicant shall provide evidence that the allotments that are the subject of the application have been consolidated. The registered plan of consolidation as endorsed by the Registrar General shall be submitted to Council for information. Should the allotments be affected by easements, restrictions, or covenants, for which Council is the relevant authority to release, vary or modify, then the plan of consolidation must be endorsed by Council prior to lodgement with Land and Property Information NSW.

82. Public Indemnity Insurance – Onsite Waste Collection

The applicant to the development application indemnifies Council and its contractors and agents against any claims, proceedings, actions or demands arising from or in relation to any damage howsoever caused to the road surface, paving or drainage within the Development by the operation by Council or its contractors or agents in the collection of domestic waste except to the extent that such damage results from any misconduct or negligent act or omission of Council or its contractors or agents.

Prior to the issue of an occupation certificate, the applicant shall provide Council with a copy of its public liability insurance policy valid for 12 months to satisfy Council that in the event that such a claim arises, a public liability insurance policy is in place to respond to any claim arising. Each year the body corporate must furnish Council with a copy of its renewed public liability insurance policy valid for the next 12 months to satisfy Council that in the event that such a claim arises, a public liability insurance policy is in place to respond to any claim arising.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

83. Confirmation of Architectural Design

Prior to the principle certifying authority issuing an occupation certification, a written End Statement confirming that:

- a. The buildings have been constructed and finished in accordance with the approved development plan, including external colours and finishes shall be provided by the designing architect; and
- b. Written confirmation from the Council that the End Statement has been sighted and accepted by Council's Manager Development Services.

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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

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) and 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. Smoke Alarms

From 1 May 2006 all NSW residents must have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep.

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786.

Advice 5. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

Advice 6. 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 7. 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.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

- 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 8. 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 9. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

Advice 10. Salinity

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

Advice 11. 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 WorkCover 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
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call WorkCover Asbestos and Demolition Team on 8260 5885.

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

Advice 12. Rain Water Tank

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. NSW Health recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

Advice 13. 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 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 14. 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.

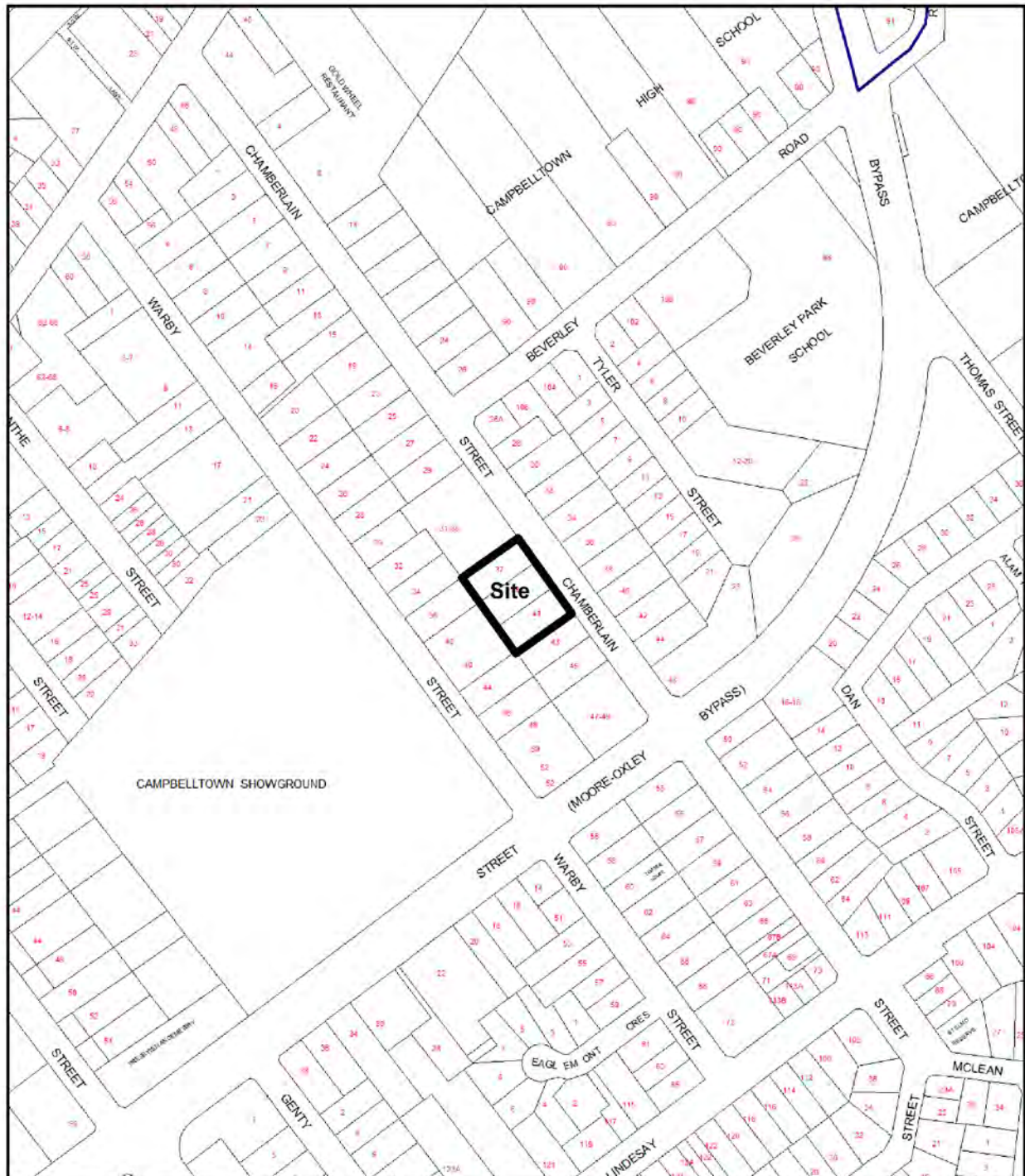
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity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

END OF CONDITIONS

3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

ATTACHMENT 2

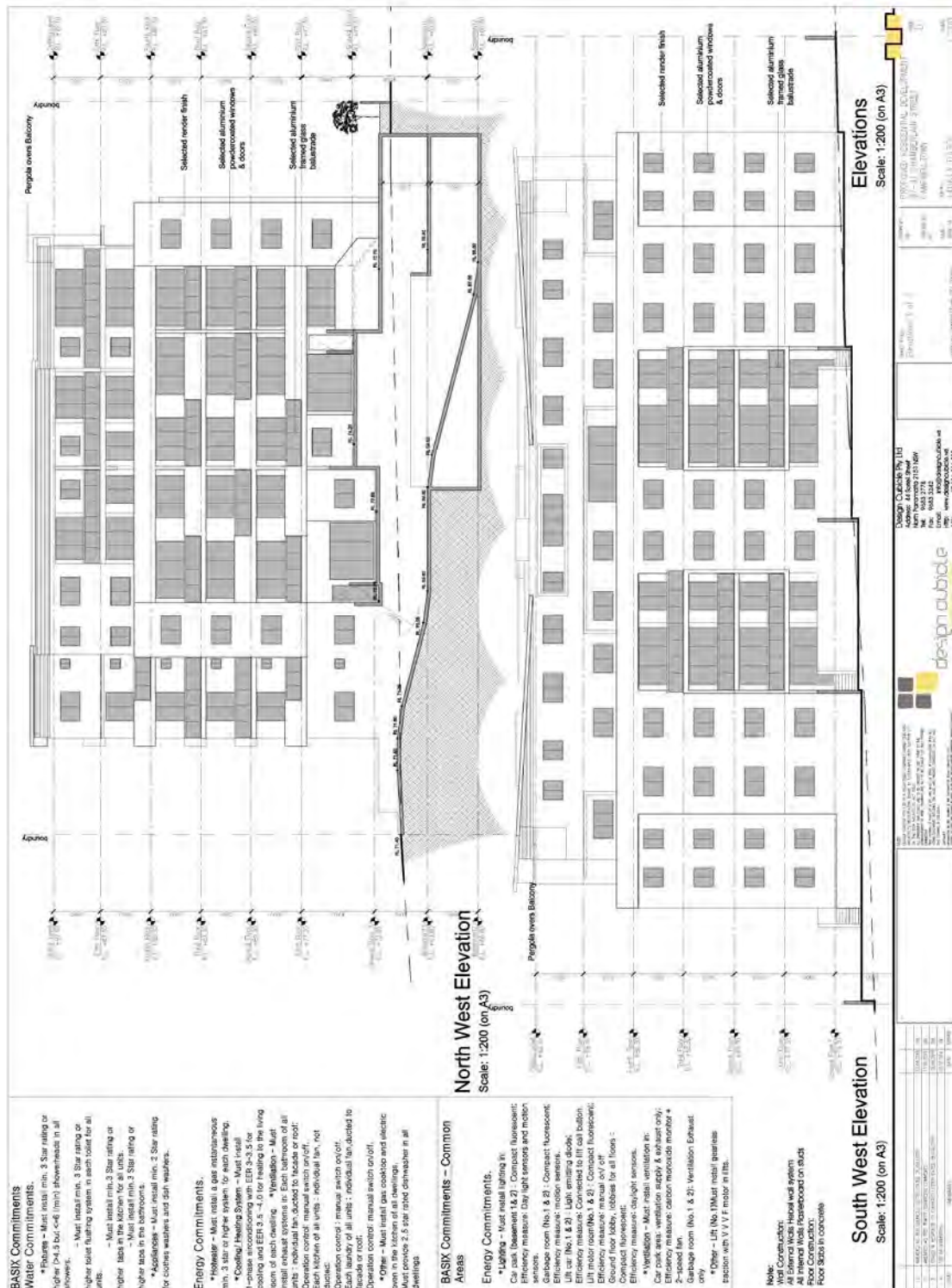
Locality Plan



3.3 Construction Of A Six Storey Residential Flat Building Containing 69 Residential Apartments, Two Levels Of Basement Car Parking And Associated Landscaping - Nos. 37-41 Chamberlain Street, Campbelltown

ATTACHMENT 3

Elevations



BASIC Commitments

- *Structures - Must install min. 3 Star rating or higher (2x4.5 bed <= 6m) showerheads in all showers.
- *Must install min. 3 Star rating or higher toilet flushing system in each toilet for all units.
- *Must install min. 3 Star rating or higher hot water tank in the kitchen for all units.
- *Must install min. 3 Star rating or higher tap in the bathroom.
- *Appliances - Must install min. 2 Star rating for clothes washers and dish washers.

Energy Commitments:

- *Hotwater - Must install a gas instantaneous min. 3 star or higher system for each dwelling.
- *Cooling/Heating System - Must install I-phase air conditioning with EER 3-3.5 for cooling and EER 3.5-4.0 for heating to the living room of each dwelling.
- *Ventilation - Must install exhaust systems in each bathroom of all units; individual fan ducted to facade or roof.
- *Operation control manual switch on/off.
- *Operation control manual switch on/off.
- *Each laundry of all units: individual fan ducted to facade or roof.
- *Other - Must install gas cooktop and electric oven in the kitchen of all dwellings.
- *Must provide 2.5 star rated dishwasher in all dwellings.

BASIC Commitments – Common Areas

Energy Commitments:

- *Lighting - Must install lighting in Car park basement (1 & 2). Compact fluorescent Efficiency measure: Day light sensors and motion sensors.
- *Garbage room (No. 1 & 2): Compact fluorescent Efficiency measure: motion sensor.
- *Lift car (No. 1 & 2): Light emitting diode bulb.
- *Lift motor room (No. 1 & 2): Compact fluorescent Efficiency measure: manual on/off.
- *Ground floor lobby, lobbies for all floors: Compact fluorescent.
- *Efficiency measure: daylight sensors.
- *Ventilation - Must install ventilation in Car park area: ventilation supply & exhaust only.
- *Efficiency measure: carbon monoxide monitor.
- *Garbage room (No. 1 & 2): Ventilation Exhaust only.
- *Other - Lift (No. 1) Must install fireproof isolation with VVVF motor in lifts.

Note:

- *Concrete canopy.
- All external walls have wall system.
- All internal walls frameboard on studs.
- Floor Constructed:
- Floor slab in concrete.

South East Elevation
Scale: 1:200 (on A3)

North East Elevation
Scale: 1:200 (on A3)

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

3.4 Use of an existing golf safety screen and alterations to an existing golf tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

Reporting Officer

Acting Manager Development Services

Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality/Site plans (contained within this report)
3. Photographs (contained within this report)
4. Report from golf safety screen installer – Country Club International (contained within this report)
5. Notification plan (distributed under separate cover - confidential – for privacy reasons this plan is not available to the public)

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*.

Property Description	Part Lot 993 DP 861788 – Campbelltown Golf Course, No. 1 Golf Course Drive, Glen Alpine
Application No.	2620/2015/DA-O
Applicant	Campbelltown Catholic Club
Owner	Campbelltown City Council
Provisions	Campbelltown 2025 Looking Forward Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Campbelltown (Urban Area) Local Environmental Plan 2002 Draft Campbelltown Local Environmental Plan 2014 Campbelltown (Sustainable City) Development Control Plan 2014 Campbelltown City Council Section 94A Development Contributions Plan
Date Received	18 September 2015

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

History

The subject application was reported to the previous Council meeting where the matter was deferred for an inspection. The inspection was undertaken of the subject site on Tuesday 3 November 2015 by Councillors and Council officers, with both the applicant and objectors invited to attend. The inspection was attended by representatives of the applicant as well as those supporting and objecting to the proposal.

The application is now presented to Council for its consideration.

Background

Development consent is sought for the use of an existing unauthorised golf safety screen and alterations to an existing golf tee (involving minor earthworks).

Since the commencement of the golf course in 1978, there has been a history of golf balls entering neighbouring residential properties alongside the 16th hole. Accordingly, approximately four years ago the tees of the 9th and 16th holes (originally parallel holes) were swapped resulting in these holes being played in a cross over configuration (see attachment 2). The arrangement significantly compromises the playability of the 16th hole and also resulted in a safety risk for golfers when moving across the playing line of either hole.

Following the withdrawal of a development application (DA No. 1692/2014) to establish a new 16th tee approximately 50m forward of the original 16th tee, the Campbelltown Golf Club undertook construction works for a golf safety screen, with a height of approximately 15m and a length of 44m without prior authorisation. The works have now been stopped and the area (including that of the original 16th tee) cordoned off and the 9th tee returned to its original location.

The subject application now seeks approval for the use of the unauthorised safety screen, along with minor earthworks to extend forward and to widen the original 16th tee.

The proposed arrangement would provide for the returning of the 16th tee to its original location, with the currently unauthorised safety screen being more effectively aligned, but higher and longer than the original 16th tee screen.

The currently erected safety screen consists of three poles with transparent polyester netting.

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.
-

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

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

The strategic directions relevant to this application are:

- growing the Regional City
- 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
- 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 not inconsistent with the Vision's desired outcomes when giving regard to the nature of development, the site context, design and level of impact anticipated to adjoining development in 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 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.

2.2 Campbelltown (Urban Area) Local Environmental Plan 2002

The subject site is zoned 2 (b) Residential, under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002.

The proposal involves relatively minor alterations to an existing golf course which has operated on the site since 1978.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

The proposal is considered to be consistent with the following objective of the 2 (b) Residential zone:

- (e) to allow development which:
 - (i) is compatible with residential use
 - (ii) is capable of visual integration with the surrounding buildings
 - (iii) serves the needs of the surrounding population without conflicting with the residential intent of the zone
 - (iv) does not place demands on services beyond the level reasonably required for residential use.

The proposal is considered to be not incompatible with the adjacent residential use, and will serve the needs of golfers in the local population without unduly impacting upon local services. Subject to the recommended conditions, the proposal is not expected to increase the overall use or demands upon the site which is not incompatible with the area, and is expected to result in a safer environment for both golfers and neighbouring residents.

2.3 Draft Campbelltown Local Environmental Plan 2014

The subject site is zoned R2 Low Density Residential, under the provisions of draft Campbelltown Local Environmental Plan 2014.

The proposal is consistent with the following objective of the R2 Low Density Residential zone:

To enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale.

It is considered that the proposal is not incompatible with the character of the locality being an interface between residential dwellings and the golf course, and the material used for the screen is not considered to result in a significant adverse impact on the surrounding neighbourhood. The placement of the safety screen will have beneficial impacts for not only golfers but also private residential properties that exist adjacent to the 16th fairway in that the frequency of golf balls entering those private properties will reduce as a result of the screens placement.

The following compliance table details the assessment of the proposal in accordance with the relevant requirements of the draft Campbelltown Local Environmental Plan 2014.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

Section	Control	Requirement	Proposed	Compliance
7.5 (2)	Earthworks	<p>Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:</p> <ul style="list-style-type: none"> (a) the likely disruption of, or any detrimental effect on, drainage patterns, riparian land, stored water, including groundwater related ecosystems, and soil stability, in the locality of the development, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the composition of the fill or the soil to be excavated, or both, including potential contaminants, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any environmentally sensitive area including heritage items, archaeological sites, heritage conservation areas, waterways or drinking water catchments. (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. 	It is considered that the associated earthworks are consistent with these matters.	Yes

2.4 Campbelltown (Sustainable City) Development Control Plan 2014

The following compliance table details the assessment of the proposal in accordance with the relevant requirements of the Campbelltown (Sustainable City) Development Control Plan 2014.

Section	Control	Requirement	Proposed	Compliance
2.7 (a)	Erosion and Sediment Control	An Erosion and Sediment Control Plan shall be prepared and submitted with a development application proposing construction and / or activities involving the disturbance of the land surface.	Not provided	No. However a condition has been included within the recommendation requiring the provision of such.
2.8.1	Cut and Fill	A Cut and Fill Management Plan shall be submitted with a development application where the development	Cut and fill details have been provided depicting the proposed finished ground levels.	Yes

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

Section	Control	Requirement	Proposed	Compliance
		incorporates cut and / or fill operations.		
6.7	Residential Interface	There are no specific controls which relate to this type of proposed development.	Notwithstanding this, it is noted that the proposal aims to improve the residential interface by improving safety for residents whilst maintaining views.	NA

2.5 Campbelltown City Council Section 94A Development Contributions Plan

Development contributions are not applicable pursuant to the provisions of the Campbelltown City Council Section 94A Development Contributions Plan as the value of the development is less than \$100,000 and is not considered to be intensification of the use of the site.

3. Planning Assessment

Appearance, location and height of the safety screen - The safety screen consists of three poles with transparent polyester netting which is of a recessive dark finish.

The safety screen is located in a similar position to the original screen located on the 16th tee, and generally maintains the setback provided to surrounding residential properties. The material of the safety screen is not considered to have a significant adverse impact on the neighbouring residential properties.

Safety - The skewed alignment of the safety screen causes the playing of the 16th hole at an angle further away from the neighbouring residential properties than that of the original screen.

The provision of a longer and higher screen than that previously on site, erected on a more divergent alignment, is considered an improvement from a safety perspective, making for a reduced likelihood of golf balls leaving the course or entering neighbouring properties. Moreover, it is considered that such provides an improvement from a player safety perspective in comparison to the previously utilised crossover arrangement.

Privacy - The returning of the 16th tee to its original location would return privacy levels to the level at which they were for many years.

Views - The safety screen consists of transparent polyester netting, and given its significantly larger dimensions than the original screen, extends well forward of the original safety screen position. However, the netting type used is not considered to have a significant adverse impact on the view lines from the directly adjacent residential properties.

Furthermore, in order to soften the visual appearance of the poles from the adjacent residential properties, it is recommended that landscaping be provided in this area. Accordingly a condition has been included within the recommendation requiring the provision of such.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

4. Public Participation

The application was publicly notified from 25 September 2015 through to 9 October 2015, in accordance with the requirements of the Campbelltown (Sustainable City) Development Control Plan 2012. During that time four submissions were received, which raised the following concerns:

Revisiting of the proposed arrangement in the event of an increased number of golf balls entering adjacent properties and the failure of the club to provide a report from golf course architect

Although a formal golfer impact study was not provided with the development application, it is acknowledged that the skewed alignment of the safety screen will cause shots played from the 16th tee to be played at an angle further away from the neighbouring residential properties than which the original screen provided for. Therefore as previously outlined it is considered that the current arrangement reduces the likelihood of golf balls played from the 16th tee leaving the course or entering neighbouring properties.

Quality of the plans and notations on plans in relation to previously proposed screens

Following the notification of the application additional information was provided on behalf of the applicant, which included clarification that the notations on the plans in relation to previously proposed screens, were only for information purposes. The plans provided show the existing safety screen and the area of works for the 16th tee-off area. Notwithstanding this, the conditions included within the draft consent limit the approval to the use of the erected safety screen and alterations to an existing golf tee.

Impact on views, and suggestion of deleting the forward portion of the screen and lower (excavating) the level of the tee

As previously outlined, while the safety screen consists of transparent polyester netting, given it is of a larger dimension than that of the original screen, the safety screen sits within the line of view when viewed from the directly adjacent residence (No. 50 Glen Alpine Drive).

Based on the details of the current development application, the deletion of the forward portion of the screen is not considered appropriate and would have a significantly adverse impact on the effectiveness of the safety screen and its ability to prevent errant golf balls played from the 16th tee, from landing in properties neighbouring the 16th fairway.

That the screen was constructed without approval and the potential structural inadequacies of the screen

Notwithstanding that which has been constructed without prior authorisation, this development application seeks to bring the unauthorised safety screen into order by way of obtaining Council's approval for the use of the safety screen.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

In this regard, an assessment of the development application has been undertaken and it is considered that the safety screen is permissible development and that the use of the safety screen can be approved by Council. However, where the Council issues development consent for the use of the safety screen, it is recommended that the consent be issued on a "Deferred Commencement" basis, subject to the applicant obtaining a Building Certificate under Section 149A of the *Environmental Planning and Assessment Act 1979*, which will require the formal demonstration of the structural adequacy of the screen.

The failure of the club to consult with adjoining residents and their actions in undertaking unauthorised works

Despite the Catholic Club undertaking building works prior to receiving formal approval, there is no statutory requirement for the Catholic Club to consult with adjoining residents.

5. Conclusion

An assessment of the subject development application has been undertaken and has found that the application has sufficient merit to gain approval. It is considered that the proposal complies with the planning provisions relevant to the proposal and will result in a significant improvement in safety for golfers and residents living adjacent to the 16th fairway.

During the public notification period, Council received four separate submissions, in which various issues of concern were raised. All concerns were considered as a part of the assessment of this development application and although the safety screen is located within a view line across of the golf course when viewed from No. 50 Glen Alpine Drive, it is considered unlikely that the safety screen and tee works will result in a significantly adverse environmental impact on the local area, subject to the confirmation of the screens structural integrity through the obtaining of a Building Certificate under Section 149A of the *Environmental Planning and Assessment Act 1979*.

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the matters discussed within this report, it is considered that the development application is worthy of approval subject to the recommended conditions contained in Attachment 1.

Officer's Recommendation

That Development Application No. 2620/2015/DA-O, for the use of an existing golf safety screen and alterations to an existing golf tee, at Campbelltown Golf Course, No. 1 Golf Course Drive, Glen Alpine, be approved subject to the attached conditions.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

Committee Note: Mr Price and Mr Ellis addressed the Committee.

Committee's Recommendation: (Kolkman/Thompson)

That the Officer's Recommendation be adopted subject to the amendment of condition 4b) as follows:

- 4b) The landscaping is to include dense mature plantings (trees and shrubs), with particular attention given to the screening of the poles when viewed from the adjacent residential properties and to the underside of the netting. Consultation is to be undertaken with the neighbours most affected (Mr Price) regarding the landscaped screening of the poles.

CARRIED

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

Voting against the Committee's Recommendation: nil.

Council Meeting 17 November 2015

Having declared an interest in regard to Item 3.4, Councillor Borg left the Chamber and did not take part in debate nor vote on this item.

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 211

That the Committee's Recommendation be adopted.

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

Voting against the Council Resolution was Councillors: Brticevic.

At the conclusion of the discussion regarding Item 3.4, Councillor Borg returned to the Chamber for the remainder of the meeting.

ATTACHMENT 1

Recommended Conditions of Consent

DEFERRED COMMENCEMENT

This is a "Deferred Commencement" consent that is granted subject to conditions under Section 80(3) of the *Environmental Planning and Assessment Act 1979* that the consent is not to operate until the applicant satisfies Campbelltown City Council (Council) as to the matters set out in the Schedule A below. The period within which the applicant must produce evidence to the Council sufficient enough to enable it to be satisfied as to the matters in Schedule A is six months.

If the applicant produces evidence to the Council within the period specified sufficient to enable the Council to be satisfied as to the matters set out in Schedule A below and the Council notifies the applicant in writing that it is satisfied as to the relevant matters, the development consent shall become operative subject to compliance with conditions outlined in Schedule 'B'.

Should the required information not be provided in the time period nominated above, the deferred commencement consent shall lapse.

SCHEDULE A

The conditions of Schedule 'A' are set out as follows:

This development consent shall not operate until such time as the following matters are satisfied to the written approval of Council:

Building Certificate

1. Applicant is to obtain from Council a Building Certificate under Section 149A of the *Environmental Planning and Assessment Act 1979*, certifying the work undertaken without prior development consent.

SCHEDULE B

The conditions of Schedule 'B' are set out as follows:

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.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

1. **Approved Development**

In accordance with the approved plan prepared by SMEC Australia Pty. Ltd, 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
--------------------	---------------------------------

77918.03.D01 (Revision: A)	8 October 2015
----------------------------	----------------

2. **Safety Screen**

The safety screen and the surrounding grounds are to be frequently maintained and kept to a high visual standard at all times.

3. **Existing Trees**

No approval is issued for the removal or pruning of any trees. Should tree removal or pruning be required, separate approval should be obtained from Council before commencing work.

4. **Landscape Plan**

- a. A Landscape Plan is to be prepared by a suitably qualified person, providing landscaping adjacent to the screen, and approved by the Manager Development Services.
- b. The landscaping is to include dense mature plantings (trees and shrubs), with particular attention given to the screening of the poles when viewed from the adjacent residential properties and to the underside of the netting.
- c. The landscaping is to consist of drought tolerant and locally endemic species approved by Council (i.e. contained within the Native Gardening Guide for the Campbelltown Local Government Area).

5. **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.

6. **No Signage or Banners**

No signage or banners are to be displayed on the safety screen at any time.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

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.

7. 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.

8. 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.

9. 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.

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.
-

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

- 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.

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 1993 (NSW)*.

Advice 3. 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 4. 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 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 5. 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

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

ATTACHMENT 2

Locality / Site Plans

Campbelltown Golf Course



3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

Locality / Site Plans

Campbelltown Golf Course



Campbelltown Golf Course



3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

ATTACHMENT 3

Photos

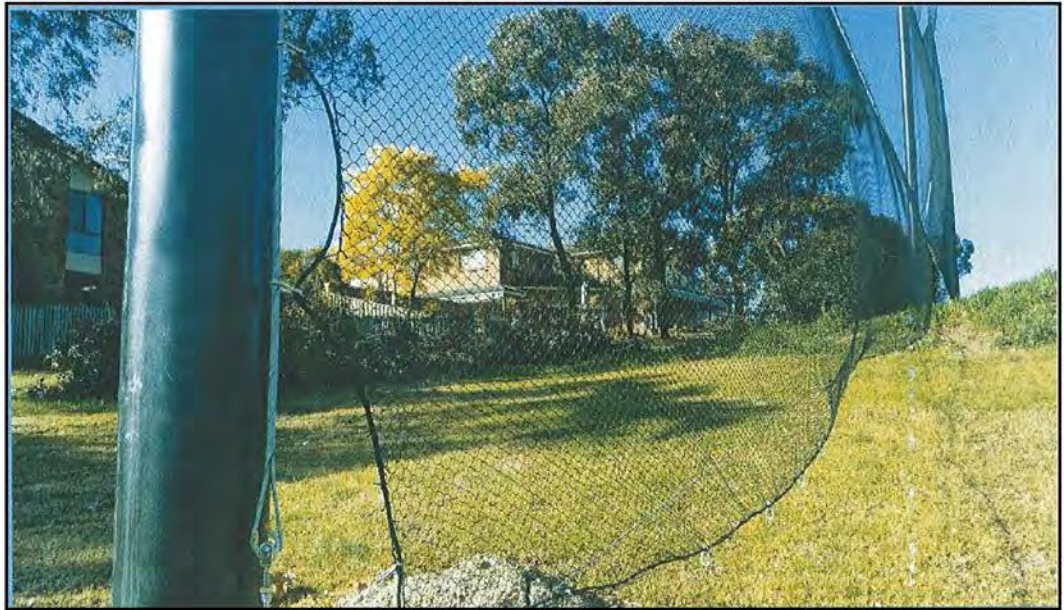
Campbelltown Golf Course



3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

Photos

Campbelltown Golf Course



ATTACHMENT 4

Tender Submission

For

Campbelltown Golf Club

To

**DESIGN AND INSTALL A GOLF
COURSE SAFETY SCREEN**

Presented to

Dave Turner

By



3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

INTRODUCTION

Country Club International was established in 1992 and has been at the forefront of developing designs and systems for high safety screens in Australia, New Zealand and South East Asia – particularly for sports fields, golf courses and ranges.

Much of the technology has originally been based on systems used in USA and Europe where extreme conditions have demanded “world’s best practice” in both design and componentry. In many ways CCI have now taken structural design of safety screens to another level again.

Country Club International are the exclusive importers of Redden #930 multifilament polyester barrier netting – regarded as the lightest and strongest net of its type. At 92% sheer it is also aesthetically better as it is almost translucent.

This quality and strength at such a low wind load rating (8%) has allowed design development to surpass anything ever seen here before, with screens up to 30 metres high – the tallest in Australia – using slender poles and wide pole spacing to significantly reduce the visual impact of the screens...

There is no greater example of Country Club’s motto *“Supplying the best. Nothing less”* than the work now being done by CCI in safety screens for the Golf and Sports industry.



Ringwood Golf Club – Melbourne At 30m tall this is the highest engineered fence in Australasia

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

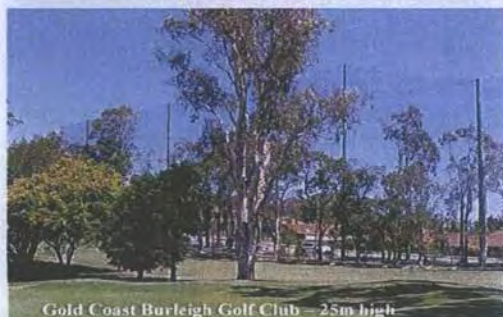
EXAMPLES OF COUNTRY CLUB INTERNATIONAL'S INSTALLATIONS



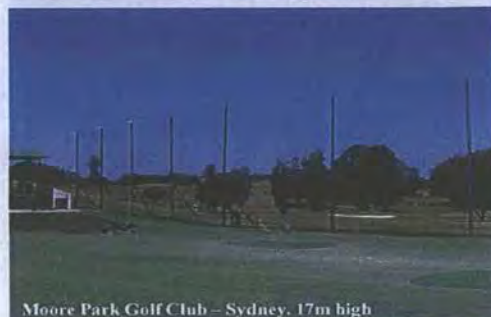
Ryde Parramatta Golf Club – Sydney, 30m high



Wollongong Golf Club – NSW, 20m high



Gold Coast Burleigh Golf Club – 25m high



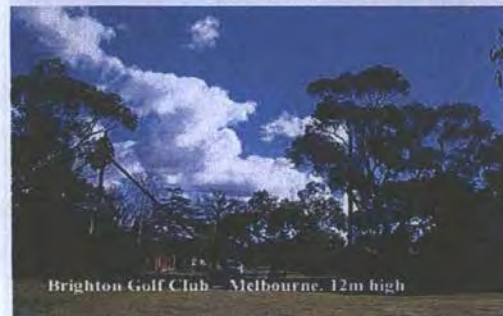
Moore Park Golf Club – Sydney, 17m high



Malvern Valley Golf Club – Melbourne, 18m high



Tempe Golf Range – Sydney, 15m high



Brighton Golf Club – Melbourne, 12m high



Commonwealth Golf Club – Melbourne, 18m high

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

NETTING

To effectively compare alternative fibre components used to manufacture sports netting you need to evaluate each fibre component and their properties using the following criteria in order of importance. This typical value chart was provided by the USA Cordage Institute Technical Service:

1: Resistance to Ultra Violet degradation from sunlight

- The ability of a fibre to retain its inherent qualities (strength and flexibility) after long exposure to sunlight:

BEST	Polyester
GOOD	Nylon
FAIR	Polypropylene

2: Breaking strength (both wet and dry)

- Not only should strength be considered but – more importantly – the ability of a fibre to retain a high percentage of its initial strength after being exposed to UV and water:

Breaking strength – dry (grams per denier)

7.8 – 10.4	Nylon
7.0 – 10.0	Polyester
6.5	Polypropylene

Wet strength compared to dry

100%	Polyester
100%	Polypropylene
85%-90%	Nylon

3: Water absorption

- If the fibre absorbs moisture such as condensation and rainfall, greater stress (weight) is put upon the fibre and structure:

0%	Polypropylene
<1%	Polyester
2%-8%	Nylon

4: Elongated creep under sustained workload

- If a fibre elongates it becomes weaker. Such elongation creates "droop" or "bagging" of the net:

Low	Polyester
Moderate	Nylon
High	Polypropylene

There is no doubt in the industry that polyester is by far the premium fibre to be used for high barrier netting. Cheaper polyethylene and polypropylene can be used to reasonable effect on lower nets but have a history of failure on high nets under adverse conditions. Nylon is simply not in consideration due to its ability to absorb water.



3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

Transparency is directly related to the wind load rating. Redden #930 and #940 polyester is rated at 8%. The result is clear.



Ryde Parramatta Golf Club



Newington Collage Sydney

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

WARRANTY

- Redden #930 has a 10 year pro rated warranty.
- Average field life for #930 has been demonstrated to be in the region of 10 – 15 years.
- All Redden netting is full UV treated.
- Calculated weight is 146 grams per sq.m (0.03 oz per sq. Ft.)
- Wind load rating #930 is 8%
- If the net is cut or damaged it will not unravel
- Redden #930 is a flat rashelle weave (Knotless)
- Porosity is less than 1%
- All cables, fittings and workmanship are covered by this term

MAINTAINENCE

There is little in terms of maintenance other than ensuring nets are clear of debris and are sufficiently clear of trees.

Replacement panels are custom made in the USA and are generally air freighted out due to their low weight.

All rigging is fixed and there is virtually no risk of failure. Components are kept in stock at Country Club at all times.

If required Country Club International would conduct an annual inspection of all netting, rigging and components. This would involve boom lift hire plus riggers – the costs of such to be passed on.



Geelong Baseball Club – 24m high

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

SPECIFICATION OF WORKS

At the request of Campbelltown Golf Club, Country Club International carried out an onsite inspection of the existing Safety Fence on the 16th Tee to provide a solution to stop errant golf balls from exiting the golf course in to the neighbouring properties.

With our experience in supplying and installing safety screens I believe there are two possible options in stopping golf balls from exiting the course.

- A) *Install a safety screen 100+ meters long x 12 meters in height adjacent to the fence line in between the golf course and the neighbouring properties.*
- B) *Remove the existing three chain wire mesh fences as they serve no purpose in solving the issue and are un-safe due to the multiple ricochet points.
Install a safety screen 40 meters long x 12 meters in height angled from the back right corner of the 16th Tee out toward the fairway to direct all shots off the Tee away from the neighbouring properties.*

Fence Location to be right hand side of the 16th Tee Par 4, protecting the neighbouring houses from errant golf balls exiting the golf course off the Tee as pictured below.



- Orange line represents proposed new safety screen.
- Blue line represents existing fence

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine



View from the back of the 16th Tee – Orange line represents proposed fence location. This will direct all Tee shots away from the neighbouring properties and towards the fairway. ALL existing chain wire mesh fences would not be required – therefore removing ricochet points and public liabilities.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

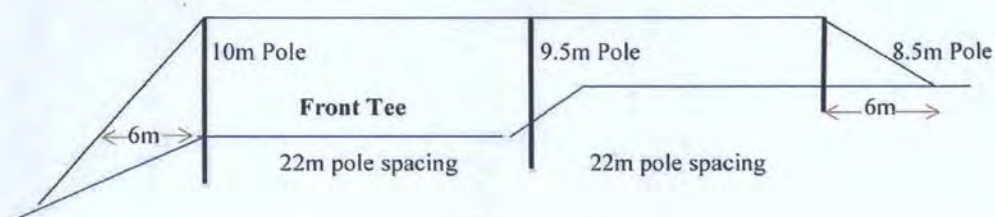
FENCE POSITIONING

Following an onsite meeting this week to mark out the proposed fence location some discussing was had regarding the final positioning of the screen.

With changes proposed to the back tee location and some reshaping of the complex that will create a middle teeing ground, this did pose the possibility for the need to move the screen further forward than originally planned to accommodate shots from this area.

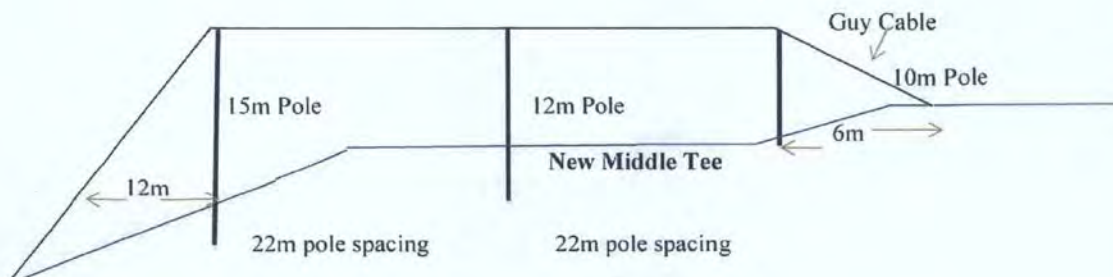
The image below indicates the proposed screen height and pole positioning in relation to our original plan however we would like to extend the spacing between poles to 22 metres and suggest two extra triangular nets be added to the structure.

Original Concept



Given the new teeing complex and slight change to the tee we propose moving the screen further forward in location. The screen would be the same length however given the gradient of the land we would require larger nets and poles to accommodate the area. Poles would be spaced at 22 metres intervals and we suggest two extra triangular nets be added to the structure in the guy cable areas...

New Proposed Concept

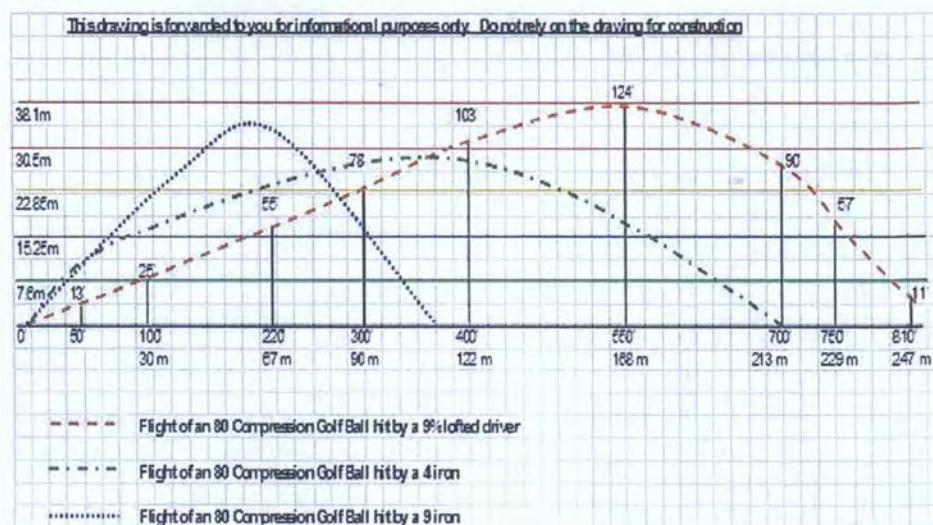


3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

To gather a better understanding of location please refer to the image below.



GOLF BALL TRAJECTORY STUDIES



Golf ball trajectory studies indicate that a well hit drive off a tee can reach 38-42 metres in height depending on atmospheric conditions. Typically, though, most shots are less than this – particularly errant ones as they tend to lose power.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

STRUCTURE

Poles: Steel corrosion proof painted black pole as per engineer's specifications.

Footings: Cage Bolt Configuration set at 2.5 – 3m depth – 600mm in diameter in 25 mpa concrete.

Netting: The netting would be the latest polyester Redden raschelle flat weave. At 92% sheer it is the lightest and strongest net available for this purpose.

Pole Spacing: 22 metres

Lower Cable: To be set at 300mm from ground level to allow for maintenance. This can be varied at request.

Rigging: Correct cabling is critical to structural rigidity and also how the net hangs as a "flat sheet" rather than a billowing sail. This system has been developed over many years and is world's best practice.



- Wire rope is never used. It will stretch and fray and is most prone to rust. We will use only high tensile galvanised hard drawn cable with the appropriate rated dead ends rather than wire rope, clamps or swages.
- All cable rigging supporting the net panels will be on the face of the poles. This provides the clean sheet effect rather than coming out from centre cables to go around the poles. It also ensures that no gap goes down either edge of the pole.
- Correct 1 bolt clamps, 3 bolt clamps, sheave wheels and turnbuckles are bolted to threaded mounts on the poles for total structural rigidity.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

PRICING

Installation of Safety Screens

Includes but not limited to all items listed, comprising:

- Site surveying including marking location of pier footings.
- Supply & installation of steel cages & cage bolts for footings where necessary.
- Drilling of all holes to be completed by CCI.
- Forming and pouring concrete pier footings
- Fabrication, supply & installation of poles
- Supply & installation of high tensile cable rigging
- Supply & installation of #930 polyester netting
- Site management & inspections
- Labour
- Equipment hire
- Freight & travel.
- As at this stage no Geotechnical Report has been provided the pricing assumes normal stable soil conditions with no rock or sub-terrainian water to interfere with the footings. No allowance has been made for sleeve casings if required due to major ingress of water, any increase in depth due to ground conditions or rock drilling as this will be completed by others.
- Spoil to be left on site – VENM only allowed for. If material is other than VENM then extra/over costs will apply.
- It is ultimately the responsibility of the Client to advise of any underground services that may be in the vicinity of the screen. We have, however, allowed for an independent and qualified company to scan for services below ground.
- All care will be taken of the turf conditions and where possible minimal movement of heavy machinery will occur however there is no allowance for ground matting or turf repair as this will be the responsibility of the club.
- It will be the clubs responsibility to mark and indicate any irrigation or services.
- The site will need to be clear of any trees within the new establishment location and this will be the responsibility of the club.

SUMMARY

In Country Club Internationals professional opinion with the proposed tee reshaping - changes, the golf hole playability, whilst providing the most sufficient protection to the neighbours within the area, we would like to revise our submission to consider the most preferred option to install the Safety Screen 44 metres in length with a maximum height of 15 metres.

We believe this will be the best structure to work within the clubs budget and the most suitable for this situation however would also like to indicate that safety screen's cant not always provide 100% protection in all cases.

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee - Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

CORPORATE SUMMARY

Country Club International is committed to Best Practice procedures to ensure professional customer service through Quality Assurance and Environmental Management systems, adopting best Safe Working Practices to the following standards:

ANZS/ISO9001:2000	Quality Management System			
ISO 14001	Environmental Management System			
INSURANCE	Company	Policy Number	Expiry	Cover
Public Liability	QBE Insurance	41 A001354PRL	18.12.2015	\$20million
Corporate Liability	QBE Insurance	41 A001354PRL	18.12.2015	
NSW WorkCover	QBE Insurance	1SFE001674GWC154	15.06.2015	
VIC WorkCover	Allianz	1176978	30.06.2015	

All relevant WHS manuals, policies and documentation are available for inspection.

REFERENCES

Recent references include:-

- Metropolitan Golf Club
- Ryde Parramatta Golf Club
- SEITA (East link Melbourne)
- Wembley Golf Complex
- Barden Ridge Driving Range
- The Australian Golf Club
- Moore Park Golf Club
- Wollongong University
- Malvern Valley Golf Course
- Dorset Golf Course
- City of Greater Geelong (Geelong Baseball)
- AbiGroup (Centenary Park Golf Course)
- Cabramatta Golf Club
- Richmond Soccer Club (VIC)



Moore Park Golf Range – 24m high x 100m long – Completed October 2014

3.4 Use Of An Existing Golf Safety Screen And Alterations To An Existing Golf Tee -
Campbelltown Golf Course No. 1 Golf Course Drive, Glen Alpine

TRADING TERMS

Our standard trading terms for custom work is 50% on placement of order, 25% on delivery of materials and 25% on completion of works.

Country Club International commits to ensure that all works are performed in accordance with all referenced Plans, Specifications and Standards specified in the Scope of Works.

Should the club wish to talk with any of our other recent previous client's then numbers and contact names can be made available upon request.

Yours Sincerely,

Tim Osmand

NSW Sales Representative

Mobile: 0415 193 213

Email: tim@countryclub.com.au

Web: www.countryclub.com.au

Please note: All intellectual property provided herein and in any subsequent correspondence from us or our contractors remains the property of Country Club International and the recipient acknowledges that nothing in any information provided by Country Club International confers or gives rise to any rights in or ownership of the intellectual property on or in favour of the recipient or any third party. The recipient must only use such Company intellectual property for the purposes of assessing the proposed works and for no other purpose whatsoever unless authorized in writing by Country Club International Pty. Ltd.



3.5 2016 Urban Development Industry of Australian Congress - Adelaide

Reporting Officer

Acting Director Planning and Environment

Attachments

UDIA Congress Program (contained within this report)

Report

The Urban Development Industry of Australia Congress (the UDIA Congress) for 2016 will be held in Adelaide for the period 8-10 March 2016. The theme for the three day Congress is 'BUZZAdelaide'. The program includes a number of informative speakers who will discuss the future of development in Australia. The program will include a number of tours of award winning urban developments in and around the Adelaide area.

As usual, the Congress will bring together politicians from all levels of government, developers, academics, practitioners and professionals from around Australia and abroad to hear and discuss leading practices in the development industry. The Congress will examine the challenges and opportunities facing Australia's land development sector and the wider property development industry as a whole. It provides a platform for industry to discuss the big issues and share best practice experiences.

Infrastructure planning and funding, housing supply, affordable housing, integrated land use and transport planning are certain to be major issues that will be raised at the congress. These are all issues that are relevant and critical to the successful future of Campbelltown and in that regard, it is considered important that the Council representatives attend the UDIA Congress as it will provide important first hand insight into how all levels of Government and the private sector are planning for the future growth in housing and population, which directly relate to the future planning outcomes for the Local Government Sector.

Most importantly, 2016 will see for the first time, Campbelltown City Council taking a more active role in the National Congress as it will participate as a Gold Member partner of the Congress. Among other things, Gold membership gives the Council access to a 3x3m marketing stall for the whole period of the Congress, sponsorship of one of the national awards, Council's logo displayed within the Congress program documents and within the official 2016 UDIA National Awards for Excellence award book.

This membership will provide the Council with a significant level of marketing exposure throughout the Congress period which is expected to uncover new and exciting collaborative opportunities from across Australia in areas such as sustainability, economic/business development, tourism and residential development growth.

Having regard to the above, it is considered appropriate and recommended that the General Manager or her nominee, the Director of Strategy, the Acting Director Planning and Environment, the Manager Executive Services and any interested Councillors be authorised to attend the 2016 UDIA Congress in Adelaide.

Councillors are advised of the scheduling conflict with Committee Meetings on 8 March 2016 and the UDIA Congress. To accommodate attendance at the UDIA Congress it is recommended that the March 2016 Committee Meetings be rescheduled to 15 March 2016 and the March Ordinary Council Meeting be rescheduled to 22 March 2016.

Officer's Recommendation

1. That the General Manager or her nominee, the Director of Strategy, the Acting Director Planning and Environment, the Manager Executive Services and any interested Councillors attend the 2016 UDIA Congress in Adelaide.
2. That all associated expenses be paid in accordance with Council's Policy.
3. That the March 2016 Committee Meetings be rescheduled to 15 March 2016 and the March Ordinary Council Meeting be rescheduled to 22 March 2016.

Committee's Recommendation: (Oates/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

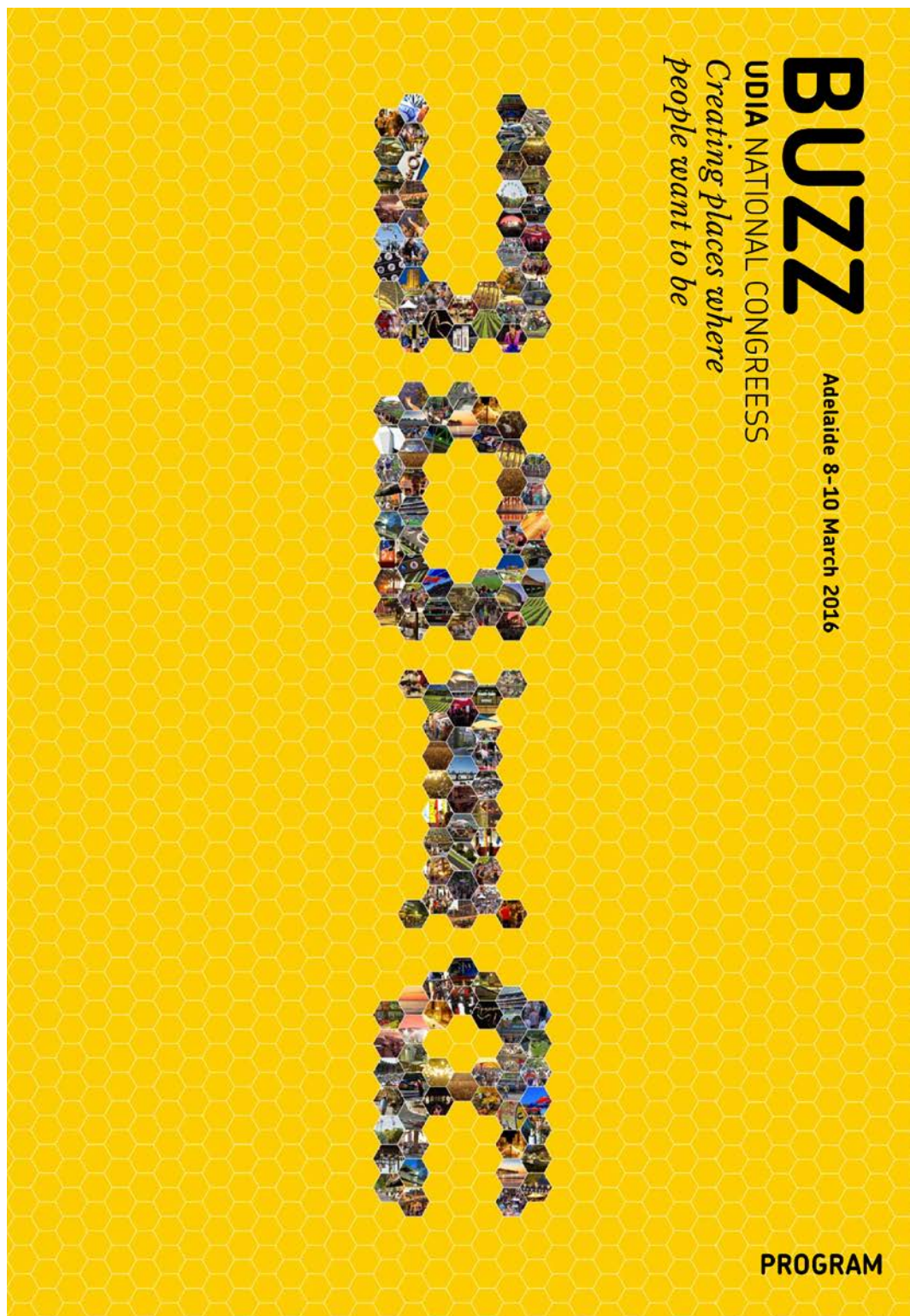
Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 209

That the Officer's Recommendation be adopted.

ATTACHMENT 1



SPONSORS

CONGRESS PARTNERS



PLATINUM PARTNERS



GOLD PARTNERS



SILVER PARTNERS



HOST - The Urban Development Institute of Australia (UDIA)

The UDIA is the peak body representing the property development industry throughout Australia. We are a not-for-profit industry body dedicated to the representation of Australia's development industry.

UDIA is a federation of five state associations which aims to secure the economic success and future of the development industry in Australia. UDIA seeks to create awareness that national prosperity is dependent on our success in housing our communities and building and rebuilding cities for future generations.

Our members cover a wide range of specialist and industry fields, including: Developers, Valuers, Planners, Engineers, Architects, Marketers, Researchers, Project Managers, Surveyors, Landscape Architects, Community Consultants, Environmental Consultants, Lawyers, Sales and Marketing Professionals, Financial Institutions, State and Local Government Authorities, and Product Suppliers.

To register online please visit
www.udiacongress.com.au



Adelaide offers all of the benefits of a large international metropolis without the problems of a huge city. Add its Mediterranean climate, ease of access, affordability, quality accommodation, excellent shopping options, and it's easy to see why conference delegates refer to Adelaide as "the perfect conference city".

Upon arrival at the international airport, delegates can check into their hotel inside half an hour, and enjoy the benefits of being opposite a world class convention centre and only a short distance from beautiful beaches and famous wineries.

Adelaide is the perfect opportunity to relax and play. Discover the local gourmet food and famed regional wines. Enjoy fun social events and adventurous outings. The unique wildlife parks, clean beautiful beaches, vibrant cafés, great dining, riverboats and dolphin cruises make Adelaide a great family holiday destination.

Some of the activities you can enjoy whilst visiting Adelaide include:

- Taking a winery tour of the Barossa Valley, Adelaide Hills or McLaren Vale regions; all which are within an hour's drive of the city-centre and produce some of the world's best wines.
- Visit the Adelaide Zoo and its famous pandas in the city centre, or Monarto Open-Plain Zoo, which is known as Australia's "Little Africa".

- Admire the nation's most comprehensive displays of indigenous culture at the SA Museum and see the nation's finest collection of early European settlement art at the Art Gallery of SA, both conveniently located on North Terrace in the city.
- Take a tram out to historic sea-side Glenelg.
- Visit the world famous Adelaide Central Markets, a foodie delight which is home to hundreds of stalls selling everything from fresh produce to cheese to chocolate and more!
- Hire a free bike to ride around the city.

March in Adelaide is also one of the busiest times of the year with our Congress being run simultaneously with the Adelaide Arts Festival, Fringe Festival, both world-renowned festivals of music, arts, live entertainment, food and fun. The Clipsal 500 V8 race, taking place a week before Congress, also adds to the atmosphere. All events are within walking distance of the conference venue, restaurants, entertainment and accommodation.

For further ideas and general tourism information, please visit www.southaustralia.com.



OPTIONAL Monday, 7 March 2016

Arrive a day before Congress begins and make the most of what Adelaide has to offer. Delegates can choose from:

Wine tasting in the Barossa

South Australia boasts five of Australia's most awarded wine regions. Travel with colleagues by coach to wineries in the Barossa for lunch.

A round of golf at Royal Adelaide

Join friends and colleagues at the traditional UDIA Congress Golf Classic at this famous golf club.

Cycling tours

Join the UDIA peloton and experience the best of Adelaide by bike! Two supported group ride options are available; choose from a challenging Adelaide Hills loop following several roads used in the Tour Down Under, or a flat beachside loop. Bring your own bike or hire 2016-spec bikes at a discounted rate.

DAY 1 Tuesday, 8 March 2016

9.00am-9.10am	Congress begins	12.50pm-2.00pm	Lunch
9.10am-9.30am	Address from the UDIA National President		A State of Excitement – the economic and cultural BUZZ that is Singapore
9.30am-9.50am	Representative of the Prime Minister of Australia		Celebrating its 50 th Anniversary of Independence in 2015, Singapore is a remarkable story of transformation from post-Colonisation to international powerhouse. What is it about this modern Asian country and its path to renewal.
9.50am-10.30am	Keynote Address: State of the Nation DR PHILIP LOWE, Deputy Governor of the Reserve Bank of Australia	2.00pm-2.40pm	LARRY NG LYE HOCK, Group Director -Architecture & Urban Design Excellence, Urban Redevelopment Authority (Singapore)
10.30am-11.00am	Morning Tea		
11.00am-11.15am	Release of the State of the Land Report <i>Charter Keck Cramer</i>	2.40pm-3.20pm	TBC
	Keynote Address: Planning the waterfront for a liveable city: the Toronto experience	3.20pm-3.50pm	Afternoon Tea
11.15am-12.00pm	Toronto's waterfront has long been held as a shining example of urban renewal. Once a dilapidated working harbour, the innovation and forward thinking have fostered a stunning transformation to a world class precinct with a unique vibe and exciting buzz. The lessons learned are not to be missed!	3.50pm-5.00pm	Panel Session: Delivering new suburban communities: infill to greenfields 3 @ 15 mins. presentations followed by 25 mins. discussion. ALAN ZAMMIT, NW Business Park JAMIE MCCLURG, Commercial & General (West) PETER MILLER, Satterley (Brighton)
	JOHN CAMPBELL, former CEO Toronto City's Waterfront Development Team, will present a fascinating international example of relevance to our own cities challenged by the need to renew.		
	Catalyst for change	6.30pm-8.30pm	Welcome Reception Adelaide Oval
12.00pm-12.50pm	Multi-purpose sports and entertainment infrastructure has the ability to transform cities culturally and economically. Using the Adelaide Oval redevelopment example for context, hear how a unique outcome was influenced by the experiences of the world's most successful venues and has delivered lasting economic benefit.	7.30pm-late	The Laneway Tour Young professionals tour of some city laneway attractions
	ANDREW DANIELS, CEO, Adelaide Oval Stadium Management Authority and ANDREW MCEVOY, Chair, SA Riverbank Authority Board will share their experiences from concept to delivery.		



CONGRESS PROGRAM

DAY 2 Wednesday, 9 March 2016

8.45am-9.00am

HON JOHN RAU
South Australia's Deputy Premier
Policy reform does create change

Bringing our streets and suburbs alive. The local relevance of vibrant and active communities from an international context.

9.00am-9.40am

Join us as we learn about the experiences of Washington DC from keynote speaker **BRIAN O'LOONEY, Design Principal of 'Community Architects', Torti Gallas.** As self-proclaimed 'reformers of suburbs', their application of New Urbanism principles has produced stunning outcomes.

Activation through urban design – case studies from Sydney

9.40am-10.05am

MICHELLE CRAMER from Hames Sharley shares contemporary experiences where good design facilitates the change needed to create the spaces we need, and the 'buzz' our communities demand.

The challenge of facilitating change: funding transformation in our urban core

10.05am-10.30am

KATE ROFFEY, CEO Committee for Melbourne, shares the challenges and successes of public/private partnerships in delivering best practise outcomes for our communities of the future.

Panel discussion: Ingredients for success and the catalysts for change to activate our communities

10.30am-11.00am

Panel Session with Q&A from the floor
BRIAN O'LOONEY
MICHELLE CRAMER
KATE ROFFEY

Administration announcements and summary of the day & evening.

11.00am-11.10am

Administration announcements and summary of the day & evening.

Morning Tea

11.10am-11.40am

Morning Tea

Study Tours

Four project based tours and a wine tasting tour option

TOUR 1: Mt. Barker: the pace of change in the Adelaide Hills
What's buzzing in the Hills?

Adelaide's newest growth node is on the rise with major planning reform paving the way for managed expansion.

TOUR 2: Lightsview & St. Clair (infill development)
What's buzzing in the 'burbs

Outstanding master planning for the rising density our capital cities need. Two quality projects will be viewed; Lightsview – an infill development that has achieved acclaim with National UDIA awards, including the 2014 president's Award; and St Clair to the cities west that showcases a vibrant mix of built form, public realm and transport connectivity.

TOUR 3: Tonsley & Bowden (Brownfield Development)

Innovation in mixed-use development as we view the stunning transformation of Tonsley, the former Mitsubishi Factory, 11km south of the CBD and Bowden; a TOD located on the former Clipsal site at the western edge of CBD.

TOUR 4: CBD walking tour

What's the city buzz? Adelaide hasn't seen so many cranes in the sky for years; new apartments, laneway activation, creation of new medical and education precincts has revitalised several precincts in the CBD. See it all close up...and bring your walking shoes!

TOUR 5: McLaren Vale wineries via Seaford Meadows/Heights
What's buzzing in the Vale

Enjoy the fruits of the South.

7.00pm-9.00pm

Social Night, Adelaide Fringe Club
Rundle Street East, Adelaide CBD.

BUZZADELAIDE

5

Program Brochure

CONGRESS PROGRAM

DAY 3 Thursday, 9 March 2016

8:55am - 9:00am	Administration announcements and summary of the day & evening	11:45am - 1:00pm	Big thinking, big ideas – and the little things that matter! To be confirmed
9:00am - 9:45am	Achieving synergies through the early delivery of public realm: Vitruvian Park (Dallas, USA) case study Join THOMAS LAMBERTH, Vice President, Development, UDR Dallas office, Vitruvian Park (US) as he details the achievement of this 50ha, 6,000 resident, new community.	2:20pm - 3:25pm	Reading the marketing, embracing the market, and delivering what it wants 3 @ 10 mins. presentations followed by 15 mins. Discussion. BRETT WILLIAMS, Connekt (Know the market) BRETT WILLIAMS, Martins Brand House (How to read the market) JOHN ECKERT, AVJennings (Design features of small lot housing)
9:45am - 10:30am	TBC	3:25pm - 4:00pm	Lift me up
10:30am - 11:00am	Morning Tea	4:00pm - 4:10pm	Launch of the 2017 Congress by UDIA (WA)
11:00am - 11:45am	Mayor's Forum – Progressive councils and their role in fostering innovative outcomes in new development Join Lord Mayors MARTIN HAESE (Adelaide) and ROBERT DOYLE (Melbourne) as they detail the strategic direction both Councils have adopted with their progressive view for new development in large cities.	4:10pm - 4:20pm	Congress closing
		7:00pm - Midnight	National Awards Gala Dinner Adelaide Convention Centre



CONGRESS SPEAKERS



DR PHILIP LOWE

DEPUTY GOVERNOR OF THE
RESERVE BANK OF AUSTRALIA

Keynote Address:
State of the Nation

Day 1 - Tuesday 8 March



BRIAN O'LOONEY

DESIGN PRINCIPAL OF 'COMMUNITY
ARCHITECTS', TORTI GALLAS

Bringing our streets and
suburbs alive. The local
relevance of vibrant and active
communities from an
international context.

Day 2 - Wednesday 9 March



JOHN CAMPBELL

FORMER CEO TORONTO CITY'S
WATERFRONT DEVELOPMENT TEAM

Keynote Address:
Planning the waterfront for a
liveable city: the Toronto
experience

Day 1 - Tuesday 8 March



MICHELLE CRAMER

DIRECTOR OF HAMES SHARLEY AND
PORTFOLIO LEADER OF URBAN
DEVELOPMENT

Activation through urban design
- case studies from Sydney

Day 2 - Wednesday 9 March



ANDREW DANIELS

CEO, ADELAIDE OVAL STADIUM
MANAGEMENT AUTHORITY

Catalyst for change - the
Adelaide Oval redevelopment
How it has delivered lasting
economic benefit

Day 1 - Tuesday 8 March



KATE ROFFEY

CEO COMMITTEE FOR MELBOURNE

The challenge of facilitating
change: funding transformation
in our urban core

Day 2 - Wednesday 9 March



ANDREW MCEVOY

CHAIR, SA RIVERBANK AUTHORITY
BOARD

Catalyst for change - the
Adelaide Oval redevelopment
How it has delivered lasting
economic benefit

Day 1 - Tuesday 8 March



THOMAS LAMBERTH

VICE PRESIDENT, DEVELOPMENT,
UDR DALLAS OFFICE, VITRUVIAN
PARK (US)

Achieving synergies through the
early delivery of public realm:
Vitruvian Park (Dallas, USA) case
study

Day 3 - Thursday 10 March



LARRY NG LYE HOCK

GROUP DIRECTOR-ARCHITECTURE &
URBAN DESIGN EXCELLENCE, URBAN
REDEVELOPMENT AUTHORITY
(SINGAPORE)

A State of Excitement - the
economic and cultural BUZZ that
is Singapore

Day 1 - Tuesday 8 March



ROBERT DOYLE

LORD MAYOR OF MELBOURNE

Mayors Forum - Progressive
councils and their role in
fostering innovative outcomes
in new development

Day 3 - Thursday 10 March

To register online please visit
www.udiacongress.com.au

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T. +61 8 8359 3000



Congress Organisers

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F. +61 8 8125 2233
E. conference@aomevents.com

4. COMPLIANCE SERVICES

4.1 Legal Status Report

Reporting Officer

Manager Compliance Services

Attachments

Planning and Environment Division Monthly Legal Matters Status and Costs Summary
(contained within this report)

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 2015-2016 period as they relate to:

- The Land and Environment Court
- The Supreme 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.

Note: The year to date cost totals itemised in sections one to seven inclusive of the report do not necessarily correlate with the costs to date total of individual matters listed in each section, as the costs to date total of individual matters shown refer to total costs from commencement of the matter, which may have commenced before 1 July.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Kolkman/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 209

That the Officer's Recommendation be adopted.

ATTACHMENT 1

1. Land and Environment Court Class 1 Matters – Appeals Against Council's Determination of Development Applications
--

Total ongoing Class 1 DA appeal matters (as at 14/10/2015)	3
Total completed Class 1 DA appeal matters (as at 14/10/2015)	1
Costs from 1 July 2015 for Class 1 DA appeal matters:	\$64,927.80

1 (a)	RAMM INVESTMENTS PTY LIMITED
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Issue:	An appeal against Council's refusal of development application No. 1473/2012/DA-MAH that sought consent for construction of 26 two-storey dwellings and construction of a cul-de-sac in Collis Place, Minto.
---------------	--

Property:	Lot 101 DP 1044069, 124 Minto Road, Minto.
------------------	--

Property Owner:	Ramm Investments Pty Limited
------------------------	------------------------------

Council File:	Development Application No: 1473/2012/DA-MAH
----------------------	--

Court Application:	Filed on 27 March 2015 - File No. 10275 of 2015
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Applicant:	Ramm Investments Pty Limited
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Costs Estimate:	\$25,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
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Costs to date:	\$21,183.65
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Status:	Ongoing – Proceedings to be discontinued subject to agreement on costs being reached.
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Progress:	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 1473/2012/DA-MAH that sought consent for construction of 26 two-storey dwellings and construction of a cul-de-sac in Collis Place, Minto. The matter was listed for first directions hearing on 24 April 2015.</p>
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On 24 April 2015, the Registrar made certain procedural directions and adjourned the proceedings to 14 May 2015 for section 34 conciliation conference.

On 14 May 2015, no agreement was reached at the conciliation conference; accordingly, the Commissioner made certain procedural directions and adjourned the proceedings to 21 May 2015, and then further adjourned the proceedings to 2 June 2015 for call over hearing listing before the Registrar.

On 2 June 2015, the Registrar made certain procedural directions and adjourned the proceedings to 4 and 5 August

2015 for directions hearing commencing on-site.

Matter was before the Court on 31 July for hearing the applicant's Notice of Motion seeking to amend the development application and vacate the hearing dates for 4 and 5 August 2015. The Commissioner ordered that the applicant's Notice of Motion is dismissed; and leave was granted for the applicant to discontinue the proceedings on the basis that the Respondent is not precluded from making an application seeking that the Applicant pays the Respondents costs of the proceedings.

1 (b)

FLIP OUT (CASTLE HILL) PTY LTD

Issue: An appeal against Council's refusal of development application No. 2014/2013/DA-C that sought consent for construction of fitout and use of premises for recreation facility.

Property: Lot 17 DP 1113810, 31 Mount Erin Road, Campbelltown.

Property Owner: Mr Vijay Sood and Mrs. Nutan Sood

Council File: Development Application No: 2014/2013/DA-C

Court Application: Filed on 19 May 2015 - File No. 10429 of 2015

Applicant: Flip Out (Castle Hill) Pty Ltd

Costs Estimate: \$20,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

Costs to date: \$7,351.03

Status: Ongoing – listed for mention on 8 October 2015.

Progress: The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2014/2013/DA-C that sought consent for construction of fitout and use of premises for recreation facility. The matter was listed for first directions hearing on 17 June 2015.

On 17 June 2015, the Registrar made certain procedural directions and adjourned the proceedings to 7 August 2015 for section 34 conciliation conference.

Conciliation conference is part-heard and was adjourned for mention on 8 October 2015 to allow the applicant to prepare amended plans addressing the issues discussed during the conference. Given the failure by the applicant to address issues raised during the conciliation conference it was terminated.

The proceedings have been listed for directions hearing on 29

October, 2015.

1 (c)	Multiplan Constructions Pty Ltd
Issue:	An appeal against Council's refusal of development application No. 2775/2014/DA-MAH that sought consent for construction of nine two-storey dwellings and associated strata subdivision.
Property:	Lot 36 DP 13118, 17 Lyndia Street, Ingleburn.
Property Owner:	Mr Ramy Maher Youssef and Mrs Nevine Magdy Youssef
Council File:	Development Application No: 2775/2014/DA-MAH
Court Application:	Filed on 22 September 2015 - File No. 10848 of 2015
Applicant:	Multiplan Constructions Pty Ltd
Costs Estimate:	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
Costs to date:	\$0.00
Status:	New matter – listed for call over on 22 October 2015.
Progress:	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2775/2014/DA-MAH that sought consent for construction of nine two-storey dwellings and associated strata subdivision.</p> <p>On 22 October, the proceedings were adjourned to 23 November, 2015 for a section 34 conciliation conference.</p>

2. Land and Environment Court Class 1 and 2 Matters – Appeals Against Notices, Orders, or Directions issued by Council

Total ongoing Class 1 and 2 appeal matters (as at 14/10/2015)	1
Total completed Class 1 and 2 appeal matters (as at 14/10/2015)	0
Costs from 1 July 2015 for Class 1 and 2 appeal matters:	\$0.00

2 (a)	FLIP OUT (CASTLE HILL) PTY LTD
Issue:	An appeal against Council's order 1 & 12 in the table to section 121B of the Environmental Planning and Assessment Act 1979 requiring the occupier Flip Out (Castle Hill) Pty Ltd to cease use of the property at 31 Mount Erin Road, Campbelltown, as a recreation facility and to restore the property to the condition it was prior to the unauthorised occupation.
Property:	Lot 17 DP 1113810, 31 Mount Erin Road, Campbelltown.
Property Owner:	Mr Vijay Sood and Mrs. Nutan Sood
Council File:	Council Order 503/2015/N-EPA
Court Application:	Filed on 19 May 2015 - File No. 10427 of 2015
Applicant:	Flip Out (Castle Hill) Pty Ltd
Costs Estimate:	\$20,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
Costs to date:	\$0.00
Status:	Ongoing – appeal adjourned until further direction pending outcome of appeal in respect of Development Application 2014/2013/DA-C – see item 1(b) of this report.
Progress:	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's order 1 & 12 in the table to section 121B of the Environmental Planning and Assessment Act 1979 requiring the occupier Flip Out (Castle Hill) Pty Ltd to cease use of the property at 31 Mount Erin Road, Campbelltown, as a recreation facility and to restore the property to the condition it was prior to the unauthorised occupation. The matter was listed for first directions hearing on 17 June 2015.</p> <p>On 17 June 2015, the parties, by consent, notified the Court that agreement had been reached to seek adjournment of the proceedings pending the outcome of the appeal in respect of Development Application 2014/2013/DA-C. The Registrar made those directions.</p>

3. Land and Environment Court Class 4 Matters – Civil Enforcement in respect of non-compliance with Planning Law or Orders issued by Council

Total ongoing Class 4 matters before the Court (as at 14/10/2015)	0
Total completed Class 4 matters (as at 14/10/2015)	0
Costs from 1 July 2015 for Class 4 matters	\$0.00

4. Land and Environment Court Class 5 - Criminal enforcement of alleged pollution offences and various breaches of environmental and planning laws

Total ongoing Class 5 matters before the Court (as at 14/10/2015)	0
Total completed Class 5 matters (as at 14/10/2015)	0
Costs from 1 July 2015 for Class 5 matters	\$0.00

5. Land and Environment Court Class 6 - Appeals from convictions relating to environmental matters

Total ongoing Class 6 matters (as at 14/10/2015)	0
Total completed Class 6 matters (as at 14/10/2015)	0
Costs from 1 July 2015 for Class 6 matters	\$0.00

6. Supreme Court of NSW – Contractual proceedings with WSN Environmental Solutions concerning South West Sydney Councils Resource Recovery Project

Total ongoing matters (as at 14/10/2015)	1
Total completed (as at 14/10/2015)	0
Costs contribution from 1 July 2015 for this matter	\$33,305.15

6 (a) CAMPBELLTOWN CITY COUNCIL AND OTHERS -v- WSN ENVIRONMENTAL SOLUTIONS PTY LTD.

Issue: Civil commercial proceedings concerning the South West Sydney Councils Resource Recovery Project Contract T05/17 for Processing Waste, Recyclables and Garden Organics with WSN Environmental Solutions Pty Ltd (WSN).

Court Case Number: 371801 of 2014

Case name: Campbelltown City Council and Others (other related Councils under the contract) -v- WSN Environmental Solutions Pty Ltd

Costs to date: \$80,980.89, being Campbelltown City Council's one-quarter part contribution to the overall legal costs.

Status: Remains Ongoing.

Progress: Matter considered before the Supreme Court NSW concerning contractual issues in respect of the South West Sydney Councils Resource Recovery Project Contract T05/17 between the joint party Councils of Campbelltown, Camden, Wollondilly and Wingecarribee for processing waste, recyclables and garden organics with the service contractor WSN Environmental Solutions Pty Ltd.

Matter finalised before the Court of Appeal and costs were awarded in Council's favour. Council's legal representatives to commence process of cost recovery. Details of costs settlement to be advised.

7. Local Court prosecution matters

The following summary lists the current status of the Division's legal matters before the Campbelltown Local Court.

Total ongoing Local Court Matters (as at 14/10/2015)	9
Total completed Local Court Matters (as at 14/10/2015)	21
Costs from 1 July 2015 for Local Court Matters	\$2,149.00

File No:	LP33 & 34/15 – Penalty Notice Court Election
Offence:	Unregistered dog x 2.
Act:	<i>Companion Animals Act 1998</i>
Final Costs:	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Completed – Matters withdrawn and dismissed.
Progress:	<p>Matter was before the Court for first mention on 18 August 2015, where the defendant did not enter a plea and sought an adjournment pending determination by Council of a representation in respect of the matters before the Court. The registrar adjourned the proceedings to 6 October 2015 for further mention. Subsequently, a further adjournment was granted to 13 October for plea/mention</p> <p>From inquiries made by Council in respect of the defendant's representation it became evident that the defendant was not the owner of the dogs at the time of the alleged offence and in fact ownership of the dogs had been transferred to other persons.</p> <p>On 13 October Council advised the Court that by consent application was made for the matters be withdrawn and dismissed.</p>

File No:	LP40/15 – Enforcement Order annulled - Penalty Notice referred back to Local Court for Hearing.
Offence:	Development not in accordance with consent (restrictions applicable to religious festival events held on the premises at 201 Eagleview Road, Minto)
Act:	<i>Environmental Planning & Assessment Act 1979</i>
Final Costs:	\$3,900.00 – Council's Legal and Policy Officer prepared the brief and instructed external solicitor to appear.

Status:	Completed – matter dismissed without penalty; order made that the defendant pay Council's legal costs.
Progress:	<p>The matter was before the Liverpool Local Court on 19 June 2015 for determination of an annulment application against the penalty notice enforcement order. The Magistrate after hearing submissions granted the application annulling the enforcement order and penalty notice. The defendant entered a not guilty plea to the alleged offence and the Magistrate adjourned proceedings to 27 August 2015 for hearing at the Campbelltown Local Court.</p> <p>The matter was before the Court for defended hearing on 27 August 2015 where the defendant, Shri Shiva Mandir Limited, changed their plea to guilty with explanation. After hearing the evidence and submissions the Magistrate found the offence proved and reserved judgement pending the outcome of the next scheduled festival on the premises (17-27 September) the outcome of which, it is anticipated, will assist the Court in determining the appropriate penalty to be imposed. The Magistrate adjourned the proceedings to 12 October 2015 for sentence.</p> <p>Matter was before the Court for sentence where Council reported that the defendant had satisfactorily complied with their obligations under the development consent in respect to the recently conducted Ganesh Festival held on the premises from 17-27 September 2015, with local residents advising that this festival was much better managed than in the past and had limited impact on them, particularly, the playing of the drums, which although audible, was controlled and caused no real disturbance compared with past experience when the drumming was loud, constant and offensive. Similarly, traffic control arrangements had been put in place, which compared to past events, negated the high traffic volumes and road and parking congestion previously experienced. Taking into account the actions by the defendant in positively demonstrating their ability to meet their obligations under the development consent, the magistrate found the offence proved and determined that the matter be dealt with without penalty; nonetheless, the Magistrate further determined that Council's application seeking an order for its legal costs to be paid by the defendant was appropriate in the circumstance,</p>

	accordingly such order was made in the sum of \$3,900.00.
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File No:	LP42/15 – Penalty Notice Court Election
Offence:	Disobey no parking control sign (school zone).
Act:	<i>Road Rules 2014</i>
Final Costs:	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Completed – Proved, determined without penalty.
Progress:	The matter was before the Court for first mention on 6 October 2015 where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved and determined the matter without penalty.

File No:	LP43/15 – Penalty Notice Court Election
Offence:	Stop on path/strip in built-up area.
Act:	<i>Road Rules 2014</i>
Final Costs:	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Completed – Fine and Court costs imposed
Progress:	The matter was before the Court for first mention on 6 October 2015 where the defendant, Patrizio Michel Frusciante, entered a guilty plea with explanation by written notice of pleading. After hearing the evidence and submissions the Magistrate found the offence proved and imposed a \$106.00 fine and made an order for Court costs in the sum of \$85.00.

File No:	LP44/15 – Penalty Notice Court Election
Offence:	Stand in disabled person parking space without authority displayed.
Act:	<i>Local Government Act 1993</i>
Costs to date:	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	New matter
Progress:	The matter was before the Court for first mention on 13 October, 2015 where the defendant Beejai

	Abrahams entered a plea of guilty and was fined \$250.
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File No:	LP45/15 – Penalty Notice Court Election
Offence:	Stand in disabled person parking space without authority displayed.
Act:	<i>Local Government Act 1993</i>
Costs to date:	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Ongoing – Hearing listing on 6 November 2015
Progress:	Matter was before the Court for first mention on 6 October 2015 where the defendant entered a not guilty plea. The registrar adjourned the proceeding to 6 November 2015 for hearing.

File No:	LP46/15 – Penalty Notice Court Election
Offence:	Disobey no-stopping sign.
Act:	<i>Road Rules 2014</i>
Costs to date:	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	New matter
Progress:	Listed for first mention on 27 October 2015.

File No:	LP47/15 – Penalty Notice Court Election
Offence:	Stand in disabled person parking space without authority displayed.
Act:	<i>Local Government Act 1993</i>
Costs to date:	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	New matter
Progress:	The matter was before the Court for first mention on 13 October where the defendant Mariella Desveaux entered a plea of guilty with explanation. After considering the evidence and submissions the Magistrate found the offence proved and determined the matter without penalty.

File No: LP48/15 – Penalty Notice Court Election
Offence: Disobey no-stopping sign (school-zone)
Act: *Road Rules 2014*

Costs to date: \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: New matter

Progress: The matter was before the Court for first mention on 20 October 2015 where the defendant Andrew Sukkar was fined \$400.

File No: LP49/15 – Penalty Notice Court Election
Offence: Disobey no-stopping sign (school-zone)
Act: *Road Rules 2014*

Costs to date: \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: New matter

Progress: Listed for first mention on 10 November 2015.

File No: LP50/15 – Penalty Notice Court Election
Offence: Not stand vehicle in marked parking space.
Act: *Local Government Act 1993*

Costs to date: \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: New matter

Progress: Listed for first mention on 3 November 2015.

File No: LP51/15 – Charge matter
Offence: Stop heavy/long vehicle longer than 1 hour
Act: *Road Rules 2014*

Costs to date: \$0.00 – Matter being dealt with by Council's Legal and Policy Officer.

Status: New matter

Progress: Listed for first mention on 24 November 2015.

File No: LP52/15 – Penalty Notice Court Election

Offence:	Own dog that attacked animal.
Act:	<i>Companion Animals Act 1998</i>
Costs to date:	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	New matter
Progress:	Listed for first mention on 3 November 2015.

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 14/10/2015)	3
Costs from 1 July 2015 for advice matters	\$5,717.60

9. Legal Costs Summary		
The following summary lists the Planning and Environment Division's net legal costs for the 2015/2016 period.		
Relevant attachments or tables	Costs Debit	Costs Credit
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$64,927.80	\$0.00
Class 1 and 2 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	\$0.00	\$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
Supreme Court hearing and appeal matters	\$33,305.15	\$0.00
District Court appeal matters	\$0.00	\$0.00
Local Court prosecution matters	\$2,149.00	\$100.00
Matters referred to Council's solicitor for legal advice	\$5,717.60	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$0.00	\$0.00
Costs Sub-Total	\$106,099.55	\$100.00
Overall Net Costs Total (GST exclusive)	\$105,999.55	

5. GENERAL BUSINESS

Nil.

Confidentiality Motion: (Thompson/Kolkman)

That the Committee in accordance with Section 10A 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

20. CONFIDENTIAL ITEMS

20.1 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

Motion: (Kolkman/Thompson)

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to re-open the meeting to the public.

CARRIED

There being no further business the meeting closed at 8.52pm.

G Greiss
CHAIRPERSON

Reports of the City Works Committee Meeting held at 7.30pm on Tuesday, 10 November 2015.

APOLOGIES

ACKNOWLEDGEMENT OF LAND

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

ITEM	TITLE	PAGE
1.	TECHNICAL SERVICES	3
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1.2	Wedderburn Access	17
2.	OPERATIONAL SERVICES	20
	No reports this round	20
3.	ASSETS AND SUPPLY SERVICES	20
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3.2	T15/26 Tree Pruning and Arboriculture Services	24
4.	EMERGENCY SERVICES	29
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5.	GENERAL BUSINESS	32
21.	CONFIDENTIAL ITEMS	32
21.1	Confidential Report Directors of Companies - City Works	32

Minutes of the City Works Committee held on 10 November 2015

Present

His Worship the Mayor, Councillor P Hawker
Councillor S Dobson (Chairperson)
Councillor F Borg
Councillor G Brticevic
Councillor A Chanthivong
Councillor W Glynn
Councillor P Lake
Councillor C Mead
Acting Director Community Services - Mrs J Uluibau
Director City Works - Mr W Rylands
Acting Manager Assets and Supply Services - Mr W Miller
Manager Emergency and Facility Management - Mr R Blair
Manager Executive Services - Mr N Smolonogov
Manager Financial Services - Mrs C Mears
Manager Healthy Lifestyles - Mr M Berriman
Manager Library Services - Mr G White
Manager Operational Services - Mr A Davies
Manager Technical Services - Mr K Lynch
Policy and Governance Coordinator - Ms J Warner
Executive Assistant - Mrs D Taylor

Apology Nil

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

1. TECHNICAL SERVICES

1.1 Traffic Committee

Reporting Officer

Manager Technical Services

Attachments

1. Minutes of the Local Traffic Committee Meeting of 15 October 2015 (contained within this report)
2. Minutes of the Campbelltown Traffic Committee Meeting on 15 October 2015 (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 15 October 2015.

Report

RECOMMENDATIONS OF THE LOCAL TRAFFIC COMMITTEE ON 15 OCTOBER 2015

Reports Listed for Consideration

LTC 15/22 Woodroffe Street, Minto - Proposed Traffic Calming

That Council approve the traffic calming concept plan for Woodroffe Street, Minto and proceed to detailed design and installation.

General Business

LTC 15/23 Delegation of Local Traffic Committee

That a report be presented to the Traffic Committee detailing possible changes to the current meeting format.

RECOMMENDATIONS OF THE CAMPBELLTOWN TRAFFIC COMMITTEE ON 15 OCTOBER 2015

CTC 15/24 Cary Grove and Saggart Field Road, Minto - B-Double route application

That Council approve the use of Cary Grove and Saggart Field Road (eastern leg), Minto as a 26m B-Double route with the condition of restricted hours between 6pm to 6am.

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 15 October 2015 be adopted.

Committee's Recommendation: (Hawker/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Dobson/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 212

That the Officer's Recommendation be adopted.

ATTACHMENT 1



LOCAL TRAFFIC COMMITTEE MINUTES

15 October 2015

LOCAL TRAFFIC COMMITTEE

Traffic matters related to the functions delegated to councils under the *Transport Administration Act 1988*.

Minutes Summary

ITEM TITLE

LOCAL TRAFFIC COMMITTEE MINUTES

- 1. ATTENDANCE**
- 2. APOLOGIES**
- 3. CONFIRMATION OF MINUTES**
- 4. BUSINESS ARISING FROM MINUTES**

REPORTS LISTED FOR CONSIDERATION

LTC 15/22 Woodroffe Street, Minto - Proposed Traffic Calming

6. LATE ITEMS

No reports this round

7. GENERAL BUSINESS

LTC 15/23 Delegation of Local Traffic Committee

8. DEFERRED ITEMS

No reports this round

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 15 October 2015

1. ATTENDANCE

Campbelltown City Council

Councillor Paul Lake (Chairperson)
Manager Technical Services – Mr Kevin Lynch
Coordinator Traffic and Road Design – Mr Ajay Arora
Senior Project Designer – Mrs Shalini Lokoju
Support Officer – Miss Leanne Abello

Roads and Maritime Services

Ms Kaye Russell

Police Representatives

Senior Constable Maree Davies

Bus Companies

Nil

Representatives of Local Members of Parliament

Nil

Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson Councillor Paul Lake

2. APOLOGIES

Police Representative - Sergeant Marcus Cotton
Busabout – Mr Stephen Burrridge (arrived at the conclusion of the meeting)
Interline – Mr Joe Oliveri
Representative of Local Member of Parliament – Mr R James
Team Leader Traffic Investigation – Mr Frank Sirc
Administrative Assistant – Mrs Sue Lambert

New Chairperson

Councillor Paul Lake advised the Committee that at Council's Extraordinary Meeting held on 22 September 2015 he was elected the new Chairperson for the Traffic Committee.

Councillor Lake advised the meeting that Councillor Greiss was unable to attend this meeting but asked that he thank the Committee for their service, support and commitment to the Committee.

3. CONFIRMATION OF MINUTES

The Minutes of the previous meeting held on 10 September 2015 were recommended by the City Works Committee on 20 October 2015 and adopted by Council on 27 October 2015.

4. BUSINESS ARISING FROM MINUTES

No reports this round

REPORTS LISTED FOR CONSIDERATION

LTC 15/22 Woodroffe Street, Minto - Proposed Traffic Calming

Previous Report: Nil
Electorate: Macquarie Fields
Author Location: Traffic and Road Design Unit

Attachments

1. Locality Plan
2. Speed survey results for Woodroffe Street
3. Concept plan

Background (15/10/2015)

Council has received numerous concerns from the local community regarding the safety of pedestrians in Woodroffe Street, Minto, due to speeding traffic.

Woodroffe Street links Gawler Avenue and Guernsey Avenue and borders the public reserve of Redfern Park (refer to Attachment 1). Redfern Park being a large park has become very popular with the local community because of facilities for children's play area, Ron Moore Community Centre and attached recreational facilities.

In response to community concerns, Council Officers had installed a traffic counter in Woodroffe Street. Although the results indicate that average traffic speeds equates to the general urban speed limit of 50kph, and the 85th percentile speed being 57kph, there were many incidences of speeds exceeding 80kph (refer to Attachment 2) which is a concern for the safety of children and pedestrians in the precinct.

As a result, Council Officers prepared a concept plan of traffic calming devices for Woodroffe Street (refer to Attachment 3) for resident consultation.

The main features of the concept plan are as follows:

1. Median treatment at the intersection of Gawler Avenue and Woodroffe Street. This includes a raised median in Woodroffe Street and mountable central medians in Gawler Avenue.
2. Mountable median treatment on all 3 legs at the intersection of Woodroffe Street and Macedon Street.
3. Speed cushion devices at two locations, approximately 70m apart in the midblock section of Woodroffe Street between Macedon Street and Guernsey Avenue.
4. The installation of double barriers lines for the whole length of Woodroffe Street and similar lines on the approaches to medians where required.

Consultation letters were sent to 36 residents in the vicinity of the proposed devices together with a copy of the concept plan for their comments. The consultation period, which

commenced on 8 September 2015 and closed on 22 September 2015, resulted in five responses. All five responses supported the proposal requesting that these traffic calming devices be installed as soon as possible.

In regards to the safety of vulnerable pedestrians using Redfern Park it is recommended that Council approve the concept plan for Woodroffe Street, Minto, and continue with the design of the traffic calming devices in accordance with Australian Standards and Roads and Maritime Service guidelines.

Officer's Recommendation

That Council approve the traffic calming concept plan for Woodroffe Street, Minto and proceed to detailed design and installation.

Discussion (15/10/2015)

The Committee discussed the matter and supported the recommendation as presented.

Recommendation of Local Traffic Committee

That Council approve the traffic calming concept plan for Woodroffe Street, Minto and proceed to detailed design and installation.

6. LATE ITEMS

No reports this round

7. GENERAL BUSINESS

LTC 15/23 Delegation of Local Traffic Committee

Previous Report: Nil

Electorate: All Electorates

Author Location: Traffic and Road Design Unit

Attachments

Section 5.3 from RMS document "Delegation to Councils for the Regulation of Traffic)

Discussion (15/10/2015)

A general discussion was held at the meeting as to alternate methods to a face to face meeting that could be used to facilitate the agenda in situations where the Agenda comprised a small number of items that were not complicated.

The RMS representative advised that under the delegation of the Local Traffic Committee that when Agendas only consist of minor issues a face to face meeting at Council need not be held. An electronic meeting between the Committee representatives is acceptable or a combination of face to face and electronic could be implemented. It was also highlighted that the interval between meetings could be extended.

It was discussed that Council would seek advice from the RMS representative, NSW Police representative and bus representatives prior to the meeting to seek any issues they wished to raise. These could be included in the electronic Agenda.

It was suggested that should Council receive objections or concerns to the recommendations of an item on the Agenda then the matter could be raised in a conference call between the Committee representatives.

The Committee representatives agreed in principal to the proposal.

The Chairperson supported the suggestion that future meetings could be held every six weeks instead of monthly.

Under Section 5.3.1 of the regulations advice of any meeting format changes should be discussed with the RMS prior to any final decision being made.

A further report will be prepared for the consideration of a future Traffic Committee outlining possible format meeting options.

Officer's Recommendation

That a report be presented to the Traffic Committee detailing possible changes to the current meeting format.

8. DEFERRED ITEMS

No reports this round

There being no further business the meeting closed at 9.20am.

P Lake
CHAIRPERSON

ATTACHMENT 2



CAMPBELLTOWN TRAFFIC COMMITTEE MINUTES

15 October 2015

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.

Minutes Summary

ITEM	TITLE
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CAMPBELLTOWN TRAFFIC COMMITTEE MINUTES	
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- | | |
|-----------|---|
| 1. | ATTENDANCE |
| 2. | APOLOGIES |
| 3. | CONFIRMATION OF MINUTES |
| 4. | BUSINESS ARISING FROM MINUTES |
| 5. | REPORTS LISTED FOR CONSIDERATION |

CTC 15/24	Cary Grove and Saggart Field Road, Minto- B -Double route application
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6.	LATE ITEMS
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No reports this round

7.	GENERAL BUSINESS
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No reports this round

8.	DEFERRED ITEMS
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No reports this round

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 **15 October 2015**

1. ATTENDANCE

Campbelltown City Council

Councillor Paul Lake (Chairperson)
Manager Technical Services – Mr Kevin Lynch
Coordinator Traffic and Road Design – Mr Ajay Arora
Senior Project Designer – Mrs Shalini Lokoju
Support Officer – Miss Leanne Abello

Roads and Maritime Services

Ms Kaye Russell

Police Representatives

Senior Constable Maree Davies

Representatives of Local Members of Parliament

Nil

Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson Councillor Paul Lake

2. APOLOGIES

Police Representative - Sergeant Marcus Cotton
Busabout – Mr Stephen BurrIDGE (arrived at the conclusion of the meeting)
Interline – Mr Joe Oliveri
Representative of Local Member of Parliament – Mr Ray James
Team leader Traffic Investigation – Mr Frank Sirc
Administrative Assistant – Mrs Sue Lambert

New Chairperson

Councillor Paul Lake advised the Committee that at Council's Extraordinary Meeting held on 22 September 2015 he was elected the new Chairperson for the Traffic Committee.

Councillor Lake advised the meeting that Councillor Greiss was unable to attend this meeting but asked that he thank the Committee for their service, support and commitment to the Committee.

3. CONFIRMATION OF MINUTES

The Minutes of the previous meeting held on 10 September 2015 were recommended by the City Works Committee on 20 October 2015 and adopted by Council on 27 October 2015.

4. BUSINESS ARISING FROM MINUTES

No reports this round

5. REPORTS LISTED FOR CONSIDERATION

CTC 15/24 Cary Grove and Saggart Field Road, Minto- B -Double route application

Previous Report: CTC 15/18, CTC 15/11, CTC 15/5 and CTC 14/8

Electorate: Campbelltown

Author Location: Traffic and Road Design Unit

Attachments

Nil

Background (15/10/2015)

The Traffic Committee at its meeting of 13 August 2015 addressed a report on an application by SX-Trailers for a 26m B-Double route on Cary Grove and Saggart Field Road (eastern leg), Minto to their business address at 24-26 Saggart Field Road. The Committee recommended that an onsite trial be undertaken by SX-Trailers with a 26m B-Double with the assistance of NSW Police.

It was previously discussed by the Committee that due to on-street parking, the applicant be asked to restrict their B-double access outside the business hours of 7am-4pm. Following further discussions, the applicant agreed to restrict operation hours between 6pm and 6am.

The Committee is advised that a trial was carried out on 15 September 2015 in the presence of NSW Police representatives from both the Macquarie Fields and Campbelltown Local Area Command together with Council Officers. Prior to the trial, SX-Trailers made arrangements with businesses on the bend of Saggart Field Road to remove on-street parking to assimilate evening parking conditions.

It was observed during the trial that the 26m B-double travelled clear of all kerbs and the central median in Cary Grove at its intersection with Saggart Field Road. The B-double was also able to satisfactorily negotiate the roundabout on Ben Lomond Road both for entry and exit from Cary Grove. No modifications are required to be undertaken on Council's assets when the street is clear of parking at the bend in Saggart Field Road.

In the knowledge that overflow on-street parking is not in great demand outside business hours, it is recommended that Cary Grove and Saggart Field Road be approved as a 26m B-double route for the restricted hours between 6pm to 6am.

Officer's Recommendation

That Council approve the use of Cary Grove and Saggart Field Road (eastern leg), Minto as a 26m B-Double route with the condition of restricted hours between of 6pm to 6am.

Discussion (15/10/2015)

The Committee discussed the matter and supported the recommendation as presented.

Recommendation of Campbelltown Traffic Committee

That Council approve the use of Cary Grove and Saggart Field Road (eastern leg), Minto as a 26m B-Double route with the condition of restricted hours between of 6pm to 6am.

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 9.05am.

P Lake
CHAIRPERSON

1.2 Wedderburn Access

Reporting Officer

Manager Technical Services

Attachments

Nil

Purpose

To provide Council with an update on the access to Wedderburn.

History

There has been a long history surrounding the access into Wedderburn, ever since the old Wedderburn Road Bridge and causeway was destroyed by flood in 1986. The causeway was replaced the following year, however the bridge has never been replaced.

Numerous possible solutions for better access into Wedderburn have been examined over time. Investigations accelerated in 2005 with the provision of a grant from the then Roads & Traffic Authority (now Roads and Maritime Services - RMS). Schemes for both Blackburn Road and Wedderburn Road were developed and considered by Council, however by 2007 Council decided not to proceed with any new or upgraded access for Wedderburn given the range and significance of other budget priorities. The RMS grant was subsequently foregone.

In August 2014 Council resolved for staff to prepare concept designs and cost estimates to extend Blackburn Road through to Appin Road.

A consultant was engaged to investigate concept designs for a bridge over the Georges River near to the existing fire trail on Blackburn Road. As part of preparing the design and associated report, the consultant was asked to take into consideration the following issues:

- Road corridor width
- Environmental impacts
- Flooding
- Mine subsidence
- Aesthetics.

At a briefing on 17 March 2015 Council was presented with a report indicating three possible options. Council determined that staff should proceed to obtain detailed concept reports on two of the options and preliminary price estimates were obtained.

When staff were provided with the consultant's preliminary estimates, there was consensus that the cost to extend Blackburn Road through to Appin Road may be cost prohibitive.

As such, senior management sought input from the consultant to review previous designs to upgrade the Wedderburn Causeway that could still operate in a 1 in 100 year storm event as an alternate option to improve access.

Report

At the Council briefing night of 3 November 2015 Council was presented with the findings of the Blackburn Road Extension consultant's report along with further information on the possible upgrade to the Wedderburn Causeway.

The consultant's report included the following costs and significant issues worthy of Council's consideration:

Blackburn Road

Estimated costs

The costs for the project included provision of a bridge, road construction, purchase of land, construction of a new intersection with Appin Road, geotechnical investigation, detailed environmental impact assessment and design for two options:

- | | | |
|----|--|---------|
| 1. | Concrete arch bridge with reinforce earth embankment | \$7.83m |
| 2. | Concrete span bridge | \$9.64m |

Environmental and heritage issues

A preliminary environmental assessment was carried out on the proposed location and it was determined that a full environmental and cultural heritage assessment would be required for the site.

It was also identified from the NSW Office of Environment and Heritage Bionet Wildlife Atlas that there were 375 threatened and protected species located within the area. It is understood that the area is also classified core Koala habitat.

From these findings it became clear that a full and detailed environmental impact assessment would need to be undertaken and that both State and Federal statutory requirements would need to be satisfied, prior to any works being commenced.

Wedderburn Causeway

As part of this investigation, Council specified that all design options had to be above the 1% annual exceedance probability (AEP) storm event (1 in 100 year), access was to be maintained, and that the project was to have the least possible environmental impact.

The consultant provided three options with estimates for the construction of the structures only:

- | | | |
|----|----------------------|--------|
| 1. | Concrete arch bridge | \$1.1m |
| 2. | Concrete span bridge | \$1.6m |
| 3. | Concrete culverts | \$0.8m |
-

All three options satisfied the design criteria set by Council. The third option was seen to have the least environmental impact with the shortest estimated construction time.

The Federal Government recently announced Round Two of the Bridge Renewal Program. Council applied for funding to upgrade the existing Wedderburn causeway. The funding submission is currently being reviewed and grants are expected to be announced before the end of this year. This funding agreement requires matching funding to be provided by Council. If received, the grant must be utilised by the end of 2018.

With the road works, design, investigation and structure construction expenses the concrete culvert option has been estimated to cost \$2.882m.

Considering the significant cost associated with the Blackburn Road and Bridge option and the potential extended timeframe in seeking environmental approvals, it is recommended that Council proceed with the upgrade of Wedderburn Causeway and not proceed with the Blackburn Road option.

Officer's Recommendation

1. That Council endorse the grant application to the Federal Government to upgrade the Wedderburn Causeway.
2. That should Council be successful in obtaining the grant, matching funding be provided to upgrade the Wedderburn Causeway prior to the end of 2018.

Committee's Recommendation: (Hawker/Lake)

1. That Council supports the construction of a new bridge, using option three of the report, across the Georges River to access Wedderburn.
2. That Council immediately commences the design phase of the bridge including the traffic plan using funds already allocated within the 2015-2016 budget.
3. That Council endorses the grant application to the Federal Government to upgrade the Wedderburn Causeway.
4. That should Council be successful in obtaining the grant, matching funding be provided to upgrade the Wedderburn Causeway prior to the end of 2018.

CARRIED

Council Meeting 17 November 2015 (Dobson/Glynn)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 212

That the Committee's Recommendation be adopted.

2. OPERATIONAL SERVICES

No reports this round

3. ASSETS AND SUPPLY SERVICES

3.1 T15/25 Special Event Audio Production and Staging

Reporting Officer

Manager Communications and Marketing and Acting Manager Assets and Supply Services

Attachments

The following confidential attachment has 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 Matrix

Purpose

To advise Council of the tenders received for special event audio and staging and recommend that Council accept the tender submitted by Mobile Stage Truck Pty Ltd.

History

Council's Communications and Marketing department identified a requirement for a contract for the provision of audio production and staging for Council's range of special events.

Report

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 one year with the option of two 12 month extensions to be exercised at Council's discretion.

Advertising of Tenders

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 3 and 10 August 2015. Tenders were also advertised on Tenderlink and Council's website. The Ingleburn and Campbelltown Chambers of Commerce and Industry were notified.

Tender Document

Organisations were requested to submit the following information with their tender response:

- company details
- references
- company experience, particularly as they relate to these services
- details of any subcontractors and their experience, particularly as they relate to the services
- staging and production experience
- specifications of equipment proposed to be used
- cancellation policy
- pricing
- insurances
- environmental practices
- Work Health and Safety management systems
- conflict of interest declaration
- collusive submission declaration
- additional terms of contract, if proposed.

Tenders Received

Tenders closed on Tuesday 25 August 2015. Six on-time responses were received from the following organisations:

- Catapult Creative Productions Pty Ltd
 - Forefront Productions ALV Pty Ltd
 - Fusion Entertainment Australia Pty Ltd
 - Hot Ice Production Services Pty Ltd
 - Mobile Stage Truck Pty Ltd
 - The Trustee for the TD Trust t/as Sound Agents.
-

Evaluation Process

The Evaluation Panel, consisting of officers from Communications and Marketing, Cultural Services and Technical Services evaluated the tenders against the following weighted assessment criteria:

- experience of the company and subcontracting
- staging and production experience
- specifications of equipment to be used
- cancellation policy
- suitability of quoted prices
- Work Health and Safety
- environmental commitment.

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 total price for provision of each of Council's special events over a three year period.

Recommendation of the Evaluation Panel

Mobile Stage Truck Pty Ltd provided the best response to Council and is recommended for the provision of audio production and staging as they provided:

- satisfactory details of their company experience, particularly as it relates to the Services
- satisfactory details of staging and production experience that meets Council's needs
- detailed specifications and maintenance information on the equipment proposed to be used for Council's events which meets Council's requirements
- a fair and competitive cancellation policy which provided flexibility to Council
- satisfactory Work Health and Safety and environmental systems documentation.

Tenders Not Recommended

Forefront Productions ALV Pty Ltd and The Trustee for the TD Trust t/as Sound Agents are not recommended as their:

- experience was not as detailed as the recommended organisation
- cancellation policy was not as suitable as the recommended organisation
- pricing was more expensive than the recommended organisation.

Hot Ice Production Services Pty Ltd and Catapult Creative Productions are not recommended as they:

- did not provide comprehensive details of their experience as it relates to the service
 - did not provide satisfactory details of their equipment.
-

Fusion Entertainment Australia Pty Ltd is not recommended as they tendered a more expensive price than the recommended organisation. The evaluation panel deemed there to be no benefit in recommending a more expensive organisation.

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 Contractor 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 Mobile Stage Truck Pty Ltd for the provision of special event audio production and staging for a period of one year with the option of two 12 month extensions.
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: (Borg/Brticevic)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Dobson/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 212

That the Officer's Recommendation be adopted.

3.2 T15/26 Tree Pruning and Arboriculture Services

Reporting Officer

Manager Operational Services and Acting Manager Assets and Supply Services

Attachments

The following confidential attachment has 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 Matrix

Purpose

To advise Council of the tenders received for tree pruning and arboriculture services and recommend that Council accept the tender submitted by a number of organisations as a panel contract arrangement.

History

Council currently has in place a panel contract for tree pruning and arboriculture services which is due to expire on 2 December 2015. As Council continues to utilise the panel contract and expenditure over the term of the contract exceeds the legislative threshold of \$150,000, Council invited tenders for the new contract.

Report

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 the option of two 12 month extensions to be exercised at Council's discretion.

Advertising of Tenders

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 4 and 11 August 2015. Tenders were also advertised on Tenderlink and Council's website. The Ingleburn and Campbelltown Chambers of Commerce and Industry were notified.

Tender Document

Organisations were requested to submit the following information with their tender response:

- Company details
- References
- Company experience, particularly as they relates to these services
- Details of any subcontractors and their experience, particularly as they relate to the services
- details of recent similar local government contracts
- resources including details of nominated staff and their qualifications and details of their commitment in the event of an emergency situation (storm)
- specifications of equipment
- detailed information in response to fictional scenarios including a visual tree assessment report, safe operating procedures, traffic control plans, site hazard and risk assessments and a list of work crews and plant and equipment required for each scenario
- a detailed quotation in response to fictional scenarios in accordance with the Tenderer's pricing schedule
- pricing
- insurances
- environmental practices
- Work Health and Safety management systems
- conflict of interest declaration
- collusive submission declaration
- additional terms of contract, if proposed.

Tenders Received

Tenders closed on Tuesday 25 August 2015. Twelve on-time responses were received from the following organisations:

- Above All Tree Services Pty Ltd
 - Amazon Tree Services Pty Ltd
 - Ascending Tree Services Pty Ltd t/as CPE Tree Services
 - Asplundh Tree Expert (Australia) Pty Ltd
 - BJ's Tipper Hire Pty Ltd t/as BJ's Tree Service
 - Citywide Service Solutions Pty Ltd t/as Citywide
 - CJ Murphy Tree Recycling Services Pty Ltd
 - Devivo Pty Ltd t/as Friendly Fred's Tree Services
 - Plateau Tree Service Pty Ltd
 - TreeServe Pty Ltd
 - Treeworks Pty Ltd t/as Waratah Tree Services
 - Woodnutt Enterprises Pty Ltd t/as Bohmers Tree Care.
-

Evaluation Process

The Evaluation Panel, consisting of officers from Operational Services and Community Resources and Development evaluated the tenders against the following weighted assessment criteria:

- experience of the company and subcontracting
- resources and equipment
- fictional scenario response
- suitability of quoted prices for fictional scenarios
- work health and safety
- environmental commitment.

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 combined quoted prices of the fictional scenarios.

Recommendation of the Evaluation Panel

The Evaluation Panel recommended three companies to act as a panel for the contract.

Ascending Tree Services Pty Ltd t/as CPE Tree Services is recommended as they provided:

- comprehensive details of the company experience in similar works, confirmed through satisfactory reference checks
- satisfactory details of staff including training records and qualifications
- satisfactory details of plant and equipment
- comprehensive documentation for the fictional scenarios
- suitable details of resources committed to Council in the event of an emergency situation
- satisfactory Work Health and Safety and environmental systems.

BJ's Tipper Hire Pty Ltd t/as BJ's Tree Service is recommended as they provided:

- comprehensive details of company experience in similar work, confirmed through satisfactory reference checks
 - comprehensive details of subcontractors
 - comprehensive details of staff, including qualifications and training
 - satisfactory response to an emergency situation
 - satisfactory details of plant and equipment
 - comprehensive documentation in response to the fictional scenarios
 - satisfactory Work Health and Safety and environmental systems.
-

TreeServe Pty Ltd is recommended as they provided:

- comprehensive details of company experience in similar work, confirmed through satisfactory history with Council
- satisfactory details of staff, including experience, qualifications and training
- satisfactory details of plant and equipment
- comprehensive documentation in response to the fictional scenarios
- satisfactory Work Health and Safety and environmental systems.

Tenders Not Recommended

- Above All Tree Services Pty Ltd is not recommended as they did not provide comprehensive information in relation to their company experience and their pricing for the fictional scenarios was more expensive than the recommended tenderers
- Amazon Tree Services Pty Ltd is not recommended as they did not provide comprehensive information in relation to their company experience and fictional scenarios. Their pricing for the fictional scenarios was more expensive than the recommended tenderers
- Asplundh Tree Expert (Australia) Pty Ltd is not recommended as they did not provide satisfactory details on their resources and fictional scenarios
- Citywide Service Solutions Pty Ltd t/as Citywide is not recommended as they did not provide satisfactory details on their resources and their response to the fictional scenarios was not as detailed as the recommended tenderers
- CJ Murphy Tree Recycling Services Pty Ltd is not recommended as their response to the fictional scenarios was not as detailed as the recommended tenderers
- Devivo Pty Ltd t/as Friendly Fred's Tree Services is not recommended as their response to the fictional scenarios and resources was not as detailed as the recommended tenderers
- Plateau Tree Service Pty Ltd is not recommended as they provided a more expensive price based on the fictional scenarios and their response to the fictional scenarios was not as detailed as the recommended tenderers
- Treeworks Pty Ltd t/as Waratah Tree Services were deemed as non confirming as they did not provide a response to the fictional scenario in accordance with the Request for Tender
- Woodnutt Enterprises Pty Ltd t/as Bohmers Tree Care is not recommended as their response to the fictional scenarios was not as detailed and was more expensive than the recommended tenderers.

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 Contractor 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 Ascending Tree Services Pty Ltd t/as CPE Tree Services for the provision of tree pruning and arboriculture services for a period of two years with the option of two 12 month extensions.
2. That Council accept the offer of BJ's Tipper Hire Pty Ltd t/as BJ's Tree Service for the provision of tree pruning and arboriculture services for a period of two years with the option of two 12 month extensions.
3. That Council accept the offer of TreeServe Pty Ltd for the provision of tree pruning and arboriculture services for a period of two years with the option of two 12 month extensions.
4. That the Contract documents be executed under the Common Seal of Council.
5. That the unsuccessful Tenderers be notified of the results of tender process.

Committee's Recommendation: (Brticevic/Hawker)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Dobson/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 212

That the Officer's Recommendation be adopted.

4. EMERGENCY SERVICES

4.1 State Emergency Services Quarterly Activity Report

Reporting Officer

Manager Emergency Management and Facility Services

Attachments

Nil

Purpose

To inform Council of the activities of the Campbelltown State Emergency Service for the quarter ending 30 September 2015.

Report

Emergency Requests:

A total of 54 requests for assistance requiring volunteer hours were completed during this quarter with the unit being fully operational on three occasions. Tasks involved tarping of roofs, making trees safe and general assistance to residents and commercial premises due to heavy rain, wind and local flooding.

Volunteer Numbers: **58** Volunteer Hours: **111**

Community Events

The State Emergency Services volunteers assisted and participated in the following events.

- Reserve Forces Services Day
- Leumeah High School visited LHQ for Science
- St Thomas Moore School Fete
- City to Surf
- Rosehill Race Day
- Riverfest
- Campbellfield School Fete
- Campbelltown Challenge.

Volunteer Numbers: **76** Volunteer Hours: **629**

Other Events Attended

Campbelltown Challenge Meetings
Bus Driver for Sydney Southern Region event

Volunteer Numbers: **39** Volunteer Hours: **81**

Conference and Meeting Attendance

A number of volunteers participated in planning meetings including the following:

- Team Leader Meetings
- Flood Rescue Meetings
- Training Coordinator Meeting and Conference
- Council Meetings
- LEMC Meetings
- Management Team Meetings
- Cadet Program Meetings.

Regional Meetings were also attended

Training:

Training in: Map Reading, Storm and Water Damage, Level 2 and Level 3 Flood Boat workshops, Rescue from Vehicles in Water, 4 Wheel Drive, Driver Training for Operational Vehicles for Upgrading Licences, Flood Rescue, Swift Water Awareness, Cadet Training, Participating in a Rescue Operation (PIARO), First Aid and Electrical Awareness Training, were covered this quarter.

Volunteer Numbers: **104** Volunteer Hours: **3233**

Involvement in Other units through Assessing and Training:

Members were involved in training and assessing for other units on a number of occasions. These included: Storm and Water Damage at Camden, Urban Search and Rescue for SSR Fundamentals at Campbelltown, beacon training at SSR and at Campbelltown, First Aid at Sutherland, First Aid at Campbelltown, and Participate in a Rescue Operation at City of Sydney and Bankstown.

Volunteer Numbers: **13** Volunteer Hours: **94**

Ambulance Assist:

Two members of the Swift Water Team were involved in assisting the NSW Ambulance in rescuing a person from falling off a cliff.

Volunteer Numbers: **2** Volunteer Hours: **4**

Administration and Maintenance Hours:

Administration and maintenance at the unit headquarters but outside of the normal SES training night.

Volunteer Numbers: **62** Volunteer Hours: **155**

Controller, Deputy Controllers, Catering, Operations and Administration Hours Outside of Sign on Book:

These are hours spent by these officers conducting SES business but not accounted for in the sign on book at headquarters.

Volunteer Numbers: **8** Volunteer Hours: **638**

Certificates attained for Training Qualifications:

Total number of certificates attained by members in this three months period.

45 certificates

Total Volunteer Hours for this Quarter: **4945**

Officer's Recommendation

1. That Council note the activities undertaken by the Campbelltown SES.
2. That Council thank the Campbelltown SES for the ongoing assistance they provide to the Campbelltown community.

Committee's Recommendation: (Lake/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Dobson/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 212

That the Officer's Recommendation be adopted.

5. GENERAL BUSINESS

Nil.

Confidentiality Motion: (Borg/Bricevic)

That the Committee in accordance with Section 10A 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 Confidential Report Directors of Companies - City Works

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

Motion: (Borg/Lake)

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to re-open the meeting to the public.

CARRIED

There being no further business the meeting closed at 8.18pm.

S Dobson
CHAIRPERSON

Reports of the Community Services Committee Meeting held at 5.30pm on Tuesday, 10 November 2015.

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 Community Services Committee held on 10 November 2015

Present

Councillor T Rowell (Chairperson)
Councillor G Bricevic
Councillor W Glynn
Councillor M Oates
Councillor R Thompson
General Manager – Ms L Deitz
Acting Director Community Services - Mrs J Uluibau
Director Strategy - Mr J Lawrence
Manager Communications and Marketing - Mrs B Naylor
Manager Community Resources and Development - Mr B McCausland
Manager Cultural Services - Mr M Dagostino
Manager Healthy Lifestyles - Mr M Berriman
Manager Library Services - Mr G White
Manager Technical Services - Mr K Lynch
Policy and Governance Coordinator - Ms J Warner
Education and Care Services Coordinator - Ms L Coghlan
Executive Assistant - Mrs K Peters

Apology

(Rowell/Oates)

That the apology from Councillor Lound and Matheson be received and accepted.

CARRIED

Also in Attendance

Koshigaya Exchange Employee - Masakazu Higuchi

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

1. COMMUNICATIONS AND MARKETING

No reports this round

2. COMMUNITY RESOURCES AND DEVELOPMENT

2.1 2015 Round Two Community Grants

Reporting Officer

Manager Community Resources and Development

Attachments

Copies of Grant Applications (distributed under separate cover - confidential due to privacy - not available to members of the public)

Purpose

To assist Council in its determination of applications for financial assistance under the Community Grants Program.

Report

Community groups may apply for a maximum of \$1,000 to develop and support local community programs and activities. Council has a total of up to \$8,000 to distribute in this funding round.

Advertisements were placed in local newspapers on 11 and 12 August as well as 18 and 19 August 2015 and circulated through community networks. A well-attended community information session was held on 31 August 2015 in Council's Staff Training Centre. All applicants were required to discuss their application with an appropriate Council Officer. A project planning workshop was also held on the 23 September for prospective applicants to assist with the project development processes. Support and advice was given to applicants prior to submission of the application to ensure the practicalities of the project are reflected in the application and the application is consistent with the guidelines of the program.

Community Grants applications closed on 9 October 2015 and 12 applications totaling \$10,171 were received.

A summary of the applications is below.

Applicant	Project	Amount (\$)
Afghan Fajar Association Incorporated	Water safety education program for CALD women	1,000.00
Campbelltown Bangla School	Equipment	1,000.00
Ingleburn Country Women's Association of NSW	Resources	206.00
Ingleburn Stitches	Materials and resources	1,000.00
Macarthur Autism Family Support Group	Promotional materials	243.00
Macarthur Interfaith Network	Promotional material and resources	841.00
Pacific-Care	Awareness raising, materials and resources	1,000.00
218 Army Cadets Campbelltown	Promotion and new cadet support	1,000.00
Tej Gyan Global Foundation	Equipment	1,000.00
The Autism Challenge	Promotional Material and resources	987.00
The Hub Community Services	Materials and resources	894.00
Winga Myamly Reconciliation Group	Resources for local Aboriginal entertainment	1,000.00
Total		10,171.00

All projects were assessed according to the criteria for funding as set out in Council's Community Grants Policy and Guidelines.

The following groups are recommended to receive funding for the following reasons:

Afghan Fajah Association- Funding is recommended for the implementation of a water safety program for women from culturally and linguistically diverse backgrounds. The women will pass the techniques onto their families.

Ingleburn Country Women's Association – Funding is recommended for equipment for this project to enhance fundraising activities and membership to the group. The group encourage women from the Local Government Area to participate and reduce social isolation.

Ingleburn Stitches – Funding is recommended for this project to purchase materials for the group. The group has members from a range of backgrounds who share their experiences and stories creating social cohesion.

Macarthur Inter-Faith Network – Funding is recommended for this project to promote and raise awareness of the network. The network encourages people from all backgrounds to build community cohesion and better community relations.

218 Army Cadets – Funding is recommended for promotional material and equipment to increase membership. Participation in the group supports disadvantaged young people to take part in healthy activities that they may not otherwise be able to afford.

Tej Gyan Global Foundation – Funding is recommended for this group to purchase a PA system to cater for the increase in community members participating in healthy activities.

The Autism Challenge – Funding is recommended for this group to purchase promotional materials for their fund raising events. Families with members who are on the autism spectrum participate in fundraising activities to support charities while raising awareness of the group across the community.

Winga Myamly Reconciliation Group – funding is recommended for this group to engage local Aboriginal performers to take part in the Appin Massacre Memorial 200th Anniversary on 17 April 2016. This is an important Macarthur area regional event and milestone.

The following groups are not recommended to receive funding for the following reasons:

Campbelltown Bangla School – funding is not recommended for this group as they received funding in Community Grants Round 2 in 2014 therefore are not eligible under the Community Grants Guidelines.

Macarthur Autism Family Support Group – funding is not recommended for this group as the application is similar to one that was funded in Community Grants Round 1 in 2014 therefore is not eligible under the guidelines.

The Hub Community Services – funding is not recommended for this group as they received funding in Community Grants Round 2 in 2014 therefore are not eligible under the Community Grants Guidelines.

Pacific-Care – funding is not recommended for this group. The proposed project will be duplicating the role of various interagencies across the LGA. Council officers will work with the group to provide information on services including the LINCIS website via Council's webpage and encourage links to local interagencies and networks for further development of the group.

Officer's Recommendation

That Council approve funding to the following groups under the Community Grants Program, with the amounts specified below.

Applicant	Project	Amount (\$)
Afghan Fajar Association Incorporated	Water safety education program for CALD women	1,000.00
Ingleburn Country Women's Association of NSW	Resources	206.00
Ingleburn Stitches	Materials and resources	1,000.00
Macarthur Interfaith Network	Promotional material and resources	841.00
218 Army Cadets Campbelltown	Promotion and new cadet support	1,000.00
Tej Gyan Global Foundation	Equipment	1,000.00
The Autism Challenge	Promotional Material and resources	987.00
Winga Myamly Reconciliation Group	Resources for local Aboriginal entertainment	1,000.00
Total		7,034.00

Committee's Recommendation: (Oates/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

2.2 2015 Get Active Macarthur

Reporting Officer

Manager Community Resources and Development

Attachments

Nil

Purpose

To provide information to Council on staff participation in the 2015 Get Active Macarthur Day event which was held on 10 September at the Minto Indoor Sports Centre.

Report

Get Active Macarthur is Macarthur Disability Services annual day celebrating diversity, encouraging experiences and creating opportunities for people with a disability. The day promotes active living, offering the ability to participate in a range of sporting and recreational activities. This year over 1,000 people attended the event including children and young people from local mainstream schools, special needs schools and disability programs.

Prior to the event, 11 Council staff who volunteered to assist on the day took part in Interactive Disability Awareness training to increase their awareness and skills in communication and interaction with people with disabilities. The training enabled staff to assist attendees with activities including wheelchair basketball, table tennis and balancing exercises.

Staff attended an evaluation session to discuss their observations on interaction and communication between people with a disability, members of the community and disability support staff, as well any barriers to interaction and communication that they experienced. Feedback from staff was very positive and will be incorporated into planning for the 2016 Get Active Macarthur Day event.

Council staff who participated in the 2015 Get Active Macarthur Day event received certificates of appreciation.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Thompson/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

2.3 International Day of People with Disability 2015

Reporting Officer

Manager Community Resources and Development

Attachments

Nil

Purpose

To provide an update on proposed activities for International Day of People with Disability (IDPwD) 2015.

History

IDPwD is an annual event held on 3 December that aims to celebrate the achievements and contributions people with disability make to the community as well as highlight the needs of people with disability, their families, their carers and the recognition of the organisations which assist and contribute to meeting and supporting those needs.

Report

As a lead up event to this year's International Day of People with Disability celebrations, Council in conjunction with Wesley Mission and The Festivalist featured a family-friendly program of award-winning Australian short films free of charge at Campbelltown Arts Centre on Wednesday 4 November 2015. The film 'Paper Planes' was shown with open caption and the other film with audio description. The event was attended by both local schools and residents.

The final Open Access Forum for 2015 will be held in Campbelltown Civic Hall on Wednesday 3 December 10:00am – 1.00pm and will celebrate International Day of People with Disability. The event will comprise of guest speakers, entertainment by people with disability, information stalls and launch of The Macarthur Access Group for Inclusive Communities (MAGIC). The MAGIC project, consisting of government and non-government organisations and explores localised approaches to service planning, design and development through creating a service network that will consolidate and strengthen existing supports, referral structures and services available in the community; create local standards for inclusion and integration of children and families with a disability in Macarthur that can be accessed by all.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Oates/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

2.4 16 Days of Action Initiatives - White Ribbon Day 2015

Reporting Officer

Manager Community Resources and Development

Attachments

Nil

Purpose

To provide Council with information regarding events and activities for the 16 Days of Action including White Ribbon Day 2015.

Report

The Campbelltown Domestic Violence Committee (CDVC) is auspiced by the Macarthur Legal Centre and convened by Campbelltown City Council.

It works towards the elimination of domestic violence through coordinated service provision and raising public awareness in Campbelltown.

Each year, the CDVC develops projects, activities and events to help raise awareness in the local community. These projects include Reclaim the Night, 16 Days of Activism and the White Ribbon campaign.

Since 1999 the 16 Days of Action campaign has been used as a strategy by individuals and groups around the world to call for the elimination of all forms of violence against women.

The campaign traditionally begins with White Ribbon Day on 25 November, which is the International Day for the Elimination of Violence against Women. Stop DV Day is celebrated on the first Friday of December each year and is a tribute to the people who have been affected by domestic violence.

White Ribbon Day is an annual event coordinated by men to increase public awareness of domestic violence in the community, with activities aiming to specifically engage males in the cause by asking them to wear a white ribbon showing their support for ending violence against women.

As part of the 16 Days of Action campaign Council staff have been working with various government and non-government organisations through the CDVC to support awareness raising projects and the development of advocacy working groups including the Campbelltown Men's White Ribbon Group.

The Campbelltown Men's White Ribbon Group will lead and coordinate a series of White Ribbon projects and events across the Campbelltown Local Government Area including the White Ribbon Convoy. The group will attend community events, to raise awareness of Domestic Violence across various suburbs on 25 November. A White Ribbon Day community event will be held in the afternoon at Mawson Park. The day provides an opportunity to share information and gain knowledge, as well as providing an opportunity to promote the Men's White Ribbon Group and encourage more men to support the continued work towards the elimination of domestic violence.

Campbelltown's White Ribbon ambassadors and a number of men within our community from a range of agencies, community groups and businesses will participate on the day.

Activities to mark White Ribbon Day will be conducted in partnership between Council and the CDVC.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Thompson/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

3. CULTURAL SERVICES

3.1 Arts NSW Triennial Funding Submission

Reporting Officer

Manager Cultural Services

Attachments

Nil

Purpose

To notify Council on the outcomes of Campbelltown Arts Centre's submission to Arts NSW for Triennial Program Funding to support the 2016-2018 operations and programs of the Campbelltown Arts Centre.

History

At its meeting of 19 May 2015, Council endorsed a submission be made to the NSW State Government's Triennial Arts Program funding stream requesting funding of \$400,000 per year for Campbelltown Arts Centre's 2016-18 program.

Report

Campbelltown City Council was invited to apply for the NSW State Government's Triennial Program Funding 2016–2018 which is available for arts and cultural organisations that are central to the cultural life of NSW. The program is only available to organisations that have demonstrated ongoing commitment to strategic partnerships and a demonstrated delivery of arts and cultural activities with emphasis on regionality strategy. This is the third consecutive invitation Campbelltown Arts Centre has had to apply for Triennial Funding, with the second three year funding cycle concluding in 2015.

On 15 October 2015, Arts NSW announced the results of its funding program, with a 40% funding increase for Western Sydney arts programs. Campbelltown Arts Centre was awarded \$450,000 per year over three years, delivered as part of the Arts NSW multiyear funding program. This represents an 88% increase on previous funding of \$240,000 per year awarded in 2013-2015, and a significant endorsement from the State Government of the contribution that Campbelltown Arts Centre is making to arts and cultural development within NSW.

The funding will further support the delivery of the principal annual artistic program and activities for the Centre's 2016-2018 programs. The increased funding will be allocated towards increased education, public programs and audience development activities designed to build local audiences and increase access to cultural activities for Campbelltown residents.

Officer's Recommendation

1. That the funding agreement from Arts NSW be accepted and signed by the General Manager on behalf of Council.
2. That Council write to the Deputy Premier and Minister for the Arts thanking the NSW State Government for their continued support and increase of funding for Campbelltown Arts Centre.

Committee's Recommendation: (Thompson/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

3.2 2016 National Trust Heritage Festival - Campbelltown Arts Centre

Reporting Officer

Manager Cultural Services

Attachments

Nil

Purpose

To advise Council of events that will be held at Campbelltown Arts Centre during the 2016 National Trust Heritage Festival.

History

The National Trust of Australia (NSW) coordinates the New South Wales Heritage Festival which will run from 16 April-29 May in 2016. The theme for 2016 is 'Discovery and Rediscoveries', an invitation to individuals and communities to re-explore their regions and learn something new about their past.

Complementing the New South Wales Heritage Festival is Australian Heritage Week which runs from 16–24 April 2016. This national annual event celebrates the place and stories that make Australia and Australians special.

Report

The National Trust Heritage Festival celebrates Australia's built, natural and cultural heritage and is a key event on the city's annual cultural calendar. Campbelltown City Council's Heritage Forum is held biennially as part of the Festival and involves the presentation of the Heritage Medallion.

The Heritage Medallion is awarded to an individual, business, community group, school or tertiary institution that has made a significant contribution to one or more of the following in the Campbelltown Local Government Area:

- the conservation of Campbelltown's built or natural heritage
 - increased community awareness about Campbelltown's built or natural heritage
 - facilitated community participation in planning the built environment
 - increased community awareness of built environment issues such as sustainability and the impact of the built environment on the natural environment.
-

The Heritage Forum to be held at Campbelltown Arts Centre is planned for Thursday 21 April 2016 at 7.00pm. The key component of this event will include the awarding of the Heritage Medallion, acceptance speech and panel forum. Campbelltown Arts Centre will coordinate the event and continue to use community oral histories as the foundation for the content of the Forum.

Nominations for the 2016 Heritage Medallion will open in late November 2015 and will be accepted from community members, independent organisations or individuals wishing to nominate themselves or another individual, business, community group, school or tertiary institution located within the Campbelltown Local Government Area.

A further report will be presented to Council advising of the nominations received for the 2016 Heritage Medallion.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Glynn/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

4. CUSTOMER SERVICE

No reports this round

5. EDUCATION AND CARE SERVICES

5.1 Education and Care Services partnership with University of Wollongong

Reporting Officer

Manager Education and Care Services

Attachments

Nil

Purpose

To advise Council of a new partnership between Education and Care Services and the University of Wollongong to implement the Leadership for Learning professional program for Council educators.

Report

Leadership for Learning program

The University of Wollongong has developed a fully funded comprehensive professional development program titled 'Leadership for Learning', which has been designed to enhance quality child outcomes. The program will include professional development for educators that focuses on instructional practices in teaching that build relationships, and on teaching practices that promote purposeful, deliberate and thoughtful decisions and actions.

The program will be fully funded by the NSW Department of Education and the University of Wollongong. Academics from the University College of London and the University of Wollongong will deliver training for key educators from Council's Education and Care services over a period of two years to strengthen their skills in relationships with children and teaching practices.

The Department of Education and Communities (DEC) will evaluate this professional development program for wider distribution and therefore educators will be required to participate in a comprehensive evaluation component, which will be conducted within their service. The effectiveness of the pilot program will also be assessed through a series of child development measures, conducted with individual children at the service.

The partnership with University of Wollongong will further demonstrate Campbelltown City Council's ongoing commitment to the delivery of high quality early learning services to the community and will benefit our services by giving our educators opportunities not offered to other services in the Campbelltown Local Government Area. This program will be at no cost to Council.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Glynn/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

5.2 Education and Care Services partnership with Western Sydney University

Reporting Officer

Manager Education and Care Services

Attachments

Nil

Purpose

To advise Council of a new partnership between Education and Care Services and Western Sydney University to support early childhood education students through the Early Childhood Tertiary Studies Pathway Program.

Report

Early Childhood Tertiary Studies pathway program

Western Sydney University has received funding from the NSW Department of Education to implement an Early Childhood Tertiary Studies Pathway Program. The focus of the program is to plan a seamless and integrated pathway between the Vocational Education and Training (VET) and Higher Education sectors in the area of early childhood education studies. The program will support aspiring education students, from school leavers to those engaged in the VET sector, to recognise their capacity for higher education and to gain a professional qualification as a teacher and leader in early childhood education.

The purpose of this project is to develop innovative arrangements that open up the possibility of higher qualifications in areas of early childhood studies to a group of young people and mature age students who may otherwise remain at the lower end of the qualifications and skills grading.

The work to develop the program will be facilitated by a partnership between Western Sydney University, and South Western Sydney Institute of TAFE in collaboration with industry partners Campbelltown City Council and KU Children's Services.

Council's Education and Care Services Acting Manager will participate in the program design. This participation in the scoping of the program will ensure that the needs of the workforce are addressed and that opportunities for significant periods of work-based learning across the integrated pathway can be planned.

As an industry partner, Council's Education and Care Services will accept pre service teachers for placement in Council's long day care services where they will gain practical experience while working towards their qualification. The students would be volunteers and this partnership will be implemented at no cost to Council.

Campbelltown City Council has a long history of supporting Western Sydney University with the placement of early childhood education students and this offer of industry partnership will further extend on the existing collaborative relationship and further demonstrate Council's ongoing commitment to the delivery of high quality early learning services to the community.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Oates/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

6. HEALTHY LIFESTYLES

6.1 Use of Public Open Space by Commercial Fitness Trainers

Reporting Officer

Manager Healthy Lifestyles

Attachments

1. Draft Policy - Use of Public Open Space by Commercial Fitness Trainers (contained within this report)
2. Commercial Fitness Trainers Guide (contained within this report)

Purpose

To seek Council's endorsement of the Use of Public Open Space by Commercial Fitness Trainers draft policy.

History

In response to an increasing number of user conflicts and requests from Commercial Fitness Trainers to use public open space to conduct their activities, a proposed Use of Public Open Space by Commercial Fitness Trainers draft policy was presented at a Council briefing on 2 September 2014.

Council resolved on 9 December 2014 that the draft policy be placed on public exhibition. This process was undertaken through advertising on Council's website, local newspapers, community forums and discussions with key stakeholders and community groups for a period of 28 days.

Council at its briefing on 30 June 2015 was presented with the feedback and suggested changes to the draft policy following the community consultation process.

Report

Council staff are regularly informed of unauthorised use of public open space by Commercial Fitness Trainers and conflicts between clubs, community members and providers. In addition, Council staff regularly receive requests from outdoor fitness providers seeking direction on how they can conduct fitness classes on Council land and public open space.

Currently, Council staff are providing generic direction aimed at best representing the interests of residents and to promote physical activity within the Local Government Area, although there is no formal policy in place. A number of residents have provided Council staff with feedback where there have been unreasonable impacts on the residents and other users of the parks, however staff have limited ability to resolve these issues without a policy.

The formation of the draft policy encompasses all the feedback received from both fitness trainers and residents to achieve the policy objectives:

1. to provide effective management of the use of Council's parks, public reserves, public open space and sporting grounds by Commercial Fitness Trainers
2. to minimise the impact of fitness training activities on Council's assets, protecting public infrastructure and addressing public risk concerns
3. to ensure overall equity of access for the community to Council's parks, public reserves, public open space and sporting grounds.

To achieve these objectives, the draft policy introduces a permit system that provides the authorisation for a Commercial Fitness Trainer to conduct business and receive payment from the community whilst using Council land. The proposed system also provides security to local residents as the permit system will provide Council the insurance details of the fitness providers and permit holders will be acknowledged on Council's website. This will allow residents to immediately check and have confidence that Commercial Fitness Trainers, who are running classes and receiving payment have the appropriate insurances and registration to protect them in the case of injury.

The permit fee is identified in Council's fees and charges. It is proposed that the permit fee remain at \$120 which was the advertised fee at the public exhibition and to maintain this fee until the entire policy is reviewed after 12 months of implementation. The outcome of the review would be reported to Council prior to a change of fee being considered as part of Council's budgeting process.

Council resolved to place the draft policy on public exhibition at its meeting on 9 December 2014 initially for 28 days. Due to the holiday period and the season changeover of sports grounds, Council officers continued to receive and record submissions until March 2015. Advertising was conducted using the local media, Fitness Australia website, Council's website and affiliated Facebook pages. Healthy Lifestyles also conducted a number of community information sessions as well as direct communication with major sporting associations and their clubs.

As a result of the exhibition process 37 written submissions were received covering a range of issues. The majority of comments were from current users of personal training services. The submissions were considered by Council officers, with reference to Fitness Australia, other Council policies and discussions with current Commercial Fitness Trainers.

There were similar comments in many of the submissions with the main points being in reference to:

Approved hours of operation

The draft policy states that Commercial Fitness Trainers have approval to operate on the prescribed public open space during the following hours:

- Daylight savings time - 6.00am until 8.30pm
- Non-daylight savings - 6.00am until 6.30pm (if adequate lighting is available).

There were requests in the submissions for the morning start times to be extended to 5.30am. There is currently a group running a 5.40am boot camp at Eschol Park and it was submitted that the earlier start could allow residents to participate in a fitness class and still be able to commute to the city for work.

Officers found that this class has been operating for a long time and Council has received no complaints from residents in relation to the activity being commenced at the earlier time. As such, it is recommended that the approved hours of operation be changed to:

- Daylight savings time - 5.30am until 8.30pm
- Non-daylight savings time - 5.30am until 6.30pm (if adequate lighting is available).

Floodlighting

The draft policy states that sportsground floodlighting cannot be used by Commercial Fitness Trainers. This is due to the fact that floodlights are paid for by the sporting clubs that hire the sportsgrounds.

There were requests in the submissions for commercial user groups to access floodlighting so their sessions can be held after sunset during the winter months.

Consideration was given to this request, however preference to sportsground usage is given to the structured sporting club that has a booking at the field. At the majority of Council's sportsgrounds there is no ability to activate individual light poles. Requests for lighting activation for a fitness training group may result in the costly and unnecessary activation of the floodlighting for the whole complex as well as uncertainty to who is paying the bill when there are multiple users at one time, and no formal contract or hire agreement entered into for the use of the particular land. Council is aware that providers are timing their sessions to correspond with clubs using lights.

Given the above, it is recommended that no change to floodlight activity is made to the draft policy and that this item be reviewed after 12 months of implementation and further consultation with fitness providers and sporting clubs be undertaken to better understand demand.

Use of amenities

Council currently has a number of parks where the toilet amenities are opened and closed each day by Council staff or security. Hirers of Council sportsgrounds are also given keys to amenities for that sportsground.

There were requests in the submissions for access to the toilet amenities to be provided to Commercial Fitness Trainers. In response to this, Council officers recommend that a change to the draft policy be made to include a list of parks where toilet amenities are opened each day, as well as a list of selected parks where keys to the toilet amenities can be provided to Commercial Fitness Trainers.

Exclusion Zone

The draft policy proposed that an exclusion zone of 50m from residential property be in place to ensure residents are not exposed to noise from fitness groups which can include repetitive noise generating activity.

There were requests in the submissions that this be reconsidered as many sporting fields are situated within 50m of residential properties. Consideration was also given to the community at Park Central, which is a popular location for Commercial Fitness Trainers. The areas used by Commercial Fitness Trainers within Park Central, was assessed and found to be within 50m of residential property.

In general discussions, there are a number of sports grounds/activities currently located within a distance of 30m from residential properties. Council has no records of complaints made and recommend this is an appropriate distance to trial and monitor any concerns raised.

In this regard, it is recommended that the Exclusion Zone be reduced to a minimum distance of 30m between the nearest private landowners boundary and the service being delivered.

Implementation

It is recommended that the draft policy become effective as of 1 March 2016.

The draft policy and the application process (subject to Council approval) will be advertised through newspaper advertisements, Fitness NSW, Council's website and social media pages. Fitness Australia will also assist with the advertisement process by way of communicating the adoption of the draft policy to all registered fitness providers. Notification can begin as soon as the draft policy is formally adopted and applications will be made available at the Civic Centre and Council's Leisure Centres. This application process can commence from 1 December 2015.

Officer's Recommendation

1. That the draft policy Use of Public Open Space by Commercial Fitness Trainers be adopted and become effective from 1 March 2016.
2. That subject to recommendation 1, the policy be reviewed annually with the first review date to be set at 31 March 2017.

Committee's Recommendation: (Oates/Glynn)

That the Officer's Recommendation be adopted.

CARRIED

Councillor Rowell asked that his name be recorded against this recommendation.

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 213

That the Officer's Recommendation be adopted.

A **Division** was called in regard to the Resolution for Item 6.1 - Use of Public Open Space by Commercial Fitness Leaders with those voting for the Motion being Councillors Borg, Brticevic, Chanthivong, Dobson, Glynn, Hawker, Kolkman, Lound and Oates.

Voting against the Resolution were Councillors Greiss, Matheson, Mead and Rowell.

ATTACHMENT 1

 campbelltown city council		POLICY Healthy Lifestyles
Policy Title	Use of Public Open Space by Commercial Fitness Trainers	
Related Documentation	Council's Commercial Fitness Trainers User Guide	
Relevant Legislation	In accordance with the provisions under Section 68, 94 and 100 in <i>The Local Government Act 1993</i>	
Responsible Officer	Manager Healthy Lifestyles	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To provide an effective management framework for the use of Council's parks, public reserves, public open spaces, and sporting grounds by Commercial Fitness Trainers.
2. To minimise the impact of commercial fitness activities on Council's assets, protecting public infrastructure, and addressing public risk concerns
3. To ensure the overall community's equity of access to Council's parks, public reserves, public open spaces, and sporting grounds.

Policy Statement

Campbelltown City Council actively promotes healthy activity and encourages residents to utilise local parks and infrastructure for exercise, leisure and family activity. Commercial Fitness Training has become one of the strongest growth sectors within the fitness industry. Outdoor fitness has significantly increased in recent years in the Campbelltown Local Government Area with Commercial Fitness Trainers utilising the parks, public reserves, public open spaces, and sporting grounds. The need to regulate use of public open space by all members of the community has been identified and this policy addresses the impact on the high level of use of Council's assets and public liability and risk concerns.

Scope

The policy for the 'Use of Public Open Space by Commercial Fitness Trainers' applies to Campbelltown City Council managing its public open space within the Local Government areas including all parks, public reserves, public open spaces, footpaths, cycleways, Simmo's Beach and sporting grounds. The scope of this policy refers to all fitness training activities conducted on these properties.

Definitions

- Commercial Fitness Trainers - trainers, instructors, group fitness operators or trainers that are operating or representing a business whether a sole trader, proprietary limited or company
- Fitness Trails/Zones – fixed fitness equipment provided by Council

Campbelltown City Council

- Fitness training activities – include aerobic activities, resistance training (with or without equipment), punch pad training (boxing and kick boxing), relaxation or lifestyle classes such as yoga or tai chi, circuit type classes or any combination of the above.
- Commercial Group Trainers - individuals providing fitness training, activities for a fee or payment.
- Commercial Fitness - a registered business providing fitness services.
- 30m Exclusion – A minimum distance of 30m must be maintained between the nearest private landowners boundary and the service being delivered
- Sporting Grounds – areas of public reserves where organised sports are played and where Council has developed facilities for such sports.
- Park – passive area on open space.
- Play spaces - open space that includes play experiences.
- Community land - is defined as Crown Land managed by Council.
- Permit Holder - shall mean a Commercial Fitness Trainers that have been granted a permit to conduct commercial fitness training on Council's public open space.
- Club - shall also infer Association and shall mean a group of people organised into a recognisable body to administer the playing of sport or recreation activities.
- Association - shall mean existing sporting associations governing the sport in this local government area.
- Policy - this refers to the Use of Public Open Space by Commercial Fitness Trainers.

Legislative Context

Related Legislation:

- Section 68, 626, 627, 632, 650 and 651 of the *Local Government Act 1993*
- *Road Rules 2008*
- *Work Health and Safety Act 2011 – NSW*
- *Crown Lands Act 1989*
- *Protection of the Environment Operations Act 1997*

Legal action can be brought under a range of legislation therefore the Council shall adopt practices that meet the requirements of potential legal action.

Principles

APPROVAL PROCESS

- Each Commercial Fitness Trainer covered by this policy requires approval pursuant to section 68 of the *Local Government Act 1993*. Each individual Commercial Fitness Trainer will require approval from Council before obtaining a permit to conduct commercial fitness training, for example one business employing six trainers will require six approvals, one in the name of each trainer on community land.
 - Each approved Commercial Fitness Trainer allocated an approval will be issued an ID card per financial year. The ID card must be produced on request from Council officers. The ID card is to be returned to Council if the approval to use public open space for Commercial Fitness Trainers is terminated or up for renewal.
 - If the applicant wishes to cancel their booking, they will need to give Council a minimum of two weeks notice in writing of intention to cancel.
 - Penalties may apply if the following offence(s) are committed:
 1. A Commercial Fitness Trainer is found to be using public open space for fitness training activities without Council approval
 2. An approved Commercial Fitness Trainer is not operating in accordance with the policy.
-

TERM OF APPROVAL

An approval will be valid for the current financial year expiring each year on 30 June. The approval will authorise each trainer to use public open space for fitness training activities strictly in accordance with this policy on a non-exclusive basis.

ISSUE OF APPROVAL

Applications for a Commercial Fitness Trainer approval will be assessed by Council officers taking into account the following factors:

- Evidence of the qualifications and insurance provided with the application
- Type of activities to be undertaken and the potential impact on the public asset, other users and neighbouring residents during the times requested
- Whether the activities will contribute to increasing congestion or user conflict in the areas requested
- Whether the proposed training site is within an exclusion zone.

In considering the above, Council officers may decide to approve or decline an application.

Approval to conduct fitness training activities within the Campbelltown Local Government Area is not transferable to any other Commercial Fitness Trainer. A Commercial Fitness Trainer can nominate a replacement person in case of illness or leave. To do so, the replacement Commercial Fitness Trainer must also have a valid and current permit from Campbelltown City Council prior to the scheduled session.

COMPLIANCE WITH TERMS AND CONDITIONS OF POLICY

Council approved Commercial Fitness Trainers must comply with the terms and conditions of the Policy for the Use of Public Open Space by Commercial Fitness Trainers. Breaches of the policy may be referred to Fitness Australia and may incur a warning and be subject to directions to cease fitness activities, a cancellation and termination.

APPROVED HOURS OF OPERATION

Commercial Fitness Trainers have approval to operate on the prescribed public open space during the following hours:

- Daylight savings time – 5.30am until 8.30pm
- Non-daylight savings – 5.30am until 6.30pm (if adequate lighting is available)

When conducting activities beyond daylight hours, Commercial Fitness Trainers must monitor and control risk to participants and ensure public safety is not impacted by their activities.

Failure to operate within these specified times will be dealt with in accordance with the Termination of Approval Clause.

SPORTSGROUND FLOODLIGHTS

Cannot be used by Commercial Fitness Trainers.

NUMBER OF TRAINERS

Based on Fitness Australia recommendations, registered Commercial Fitness Trainers should ensure that the group participant number allows for appropriate supervision and instruction for each individual during the group session.

OPEN SPACE AVAILABILITY

Council offers no guarantee or warranty that the public open space will be available at any time or suitable for use. Allocation of a Council permit does not give the permit holder exclusive use of the park. It is public open space and as such must be able to be used by the community.

TERMINATION OF APPROVAL

Council can terminate an approval to conduct fitness training activities on public open space in the following circumstances:

- The qualifications criteria are not complied with eg – no registration with Fitness Australia or equivalent body
- The approval holder has been issued three or more written warnings (this can include combination of penalty notices or written warnings), for non compliance with the policy.

Council will issue four weeks notice of termination in writing to the approved permit holder. The offending trainer will also be referred to Fitness Australia.

A Commercial Fitness Trainer whose permit has been terminated can appeal in writing to the General Manager, Campbelltown City Council PO Box 57, Campbelltown, NSW, 2560.

Permit fees will not be refunded if the agreement is terminated by Council as a result of breach of permit.

EXCLUDED AREAS

Commercial Fitness Trainers are not permitted to operate in areas of high activity and/or areas of cultural, environmental or natural significance. Specific areas where these activities are prohibited include:

- Koshigaya Park
- Mawson Park
- Raby Oval No 1
- Campbelltown Sports Stadium
- Campbelltown Showground
- Campbelltown Arts Centre
- Campbelltown Libraries
- Worrell Park
- Lynwood Park
- Within 10 metres of turf cricket wickets – Raby Sports Complex, Memorial Oval, Bradbury Oval, Jackson Park
- Baseball and Softball diamonds
- Playground areas (fenced)
- Trees/landscape areas
- Park furniture, picnic tables, shelters, seats and benches.
- Within 20 metres of memorials, playground equipment and public change rooms, toilets or kiosk areas.
- Leash free dog facilities
- Cemeteries
- Exclusive use of public outdoor fitness equipment in parks and reserves
- Stairways and pathways
- Within 30m of residential properties
- Sporting facilities (sports fields, netball courts) that are allocated to community groups and schools. Allocated community sporting groups and schools have the priority of use of sporting facilities.
- Any public or private car park, roadway, laneway or areas that are generally used by motor vehicles
- Commercial areas within the Campbelltown Local Government Area.

Council may nominate other exclusion zones during the life of this policy or approval term.

GROUPS EXEMPT FROM THIS POLICY

This policy does not apply to the following groups, however Council approval is required by these groups for use of Council owned and managed open space and active parks and reserves through Council's Healthy Lifestyle Section:

- Local sporting clubs and associations
- Local schools (recreation activities performed under the supervision of a Teacher)
- Corporate groups (businesses wishing to run events)
- Community training groups (where no participation fees are charged)
- Not-for-profit individual or small group exercise (eg tai-chi or meditative yoga or similar)
- Not-for-profit walking, jogging or cycling groups
- Defence Force activities including but not exercise to training drills, army reserves and exercise regimes, with prior approval from Council.

PERMISSIBLE ACTIVITIES UNDER THE POLICY (subject to Council approval)

Fitness training activities are limited to the normal activities of a registered Personal Trainer, Yoga teacher or the like which would include but is not limited to:

- Fitness sessions (with or without weights, fitballs, skipping ropes, etc)
- Boxing and pad training
- Organised aerobic activity
- Walking and running
- Not-for-profit Yoga, Tai Chi, and Pilates and like activities
- Circuit training
- A combination of any of the above
- Other pre-approved fitness activity
- Other appropriate cardio-vascular and muscular skeletal programs that are of benefit to a person's fitness including warming up and cooling down exercises.

PROHIBITED ACTIVITIES

The following fitness training activities are not permitted on Council public open space within the Campbelltown Local Government Area:

- Aggressive and intimidating activities
- Outdoor recreational or fitness activities conducted with amplified music or voice including megaphones or whistles
- Dragging tyres or other heavy items over any surfaces including sporting fields and parks
- Portable fitness equipment/machinery such as spin bikes, weight machines and rowing machines
- Group training with companion animals on or off leash
- Organised ball sports and competitions are restricted to designated ovals, sportsgrounds or courts, which are subject to the payment of applicable published fees and charges.

PERMIT FEES

- An annual permit fee is applicable under this policy.
 - Memberships are renewed on 31 March each year. Applications can be accepted after this and licence fees will be at a pro rata rate
 - Fees associated with a Commercial Fitness Trainer's permit will be in accordance with Council's Fees and Charges and are available on Council's website
 - No refunds will be given.
-

INSURANCE

Council approved Commercial Fitness Trainers must take out and maintain in their name or business name, for the duration of the term of the approval, public liability insurance for a minimum of \$20m (or such greater amount as Council may reasonably require) and produce documentary evidence of this at the time of application.

In addition, Council is to be added to the policy as an interested party.

QUALIFICATIONS

The following criteria must be met to be eligible for an approval to provide fitness training activities on community land or public open space in the Campbelltown Local Government Area. Evidence (a copy of all certificates to be provided with application) of the following must be provided with the application form (www.campbelltown.nsw.gov.au):

- Approved qualifications endorsed by Fitness Australia and/or VETAB providers such as TAFE, Universities and Nationally Recognised Training institutions/colleges
- A current Senior First Aid Certificate
- Proof of being a current registered professional with Fitness Australia or the relevant peak body
- Current Public Liability Insurance (certificate of currency) which indemnifies Campbelltown City Council to a minimum of \$20m and Professional Indemnity Insurance for the life of the permit approved.

The following criteria must also be met by Commercial Fitness Trainers who carry out Children's fitness training activities:

- Completed a Working with Children Check or provide a copy of their Blue Card.
- Provide a copy of certification in having completed an accredited course specific to Children's Fitness Training.

TERMS AND CONDITIONS

Under this policy Commercial Fitness Trainers approved by Campbelltown City Council must:

- Ensure that their clients do not use picnic tables and/or park furniture to store any bags or equipment that would leave members of the public unable to utilise these facilities
 - Ensure that any exercise equipment used does not create any hazards or obstruction
 - Vary or rotate their location for static and repeated training so as to reduce wear on turf
 - Not suspend boxing bags, kickboxing bags or any other training apparatus from trees and/or structure in public reserves
 - Always conduct themselves in a proper and orderly manner and be considerate to other users and adjacent residents
 - Ensure that any training group for which they are responsible, runs in single file when running on footpaths or in narrow areas
 - Not interfere with any Council approved or booked activities being carried out on any Council property. This includes the allocated community sporting use of sporting fields
 - Not display any advertising signage including banners, "A" frame signs or Pop Up Tents unless approved by Council
 - Ensure that the parks and associated facilities are left in a clean and tidy condition after use and all articles and items brought on to the property are removed and any damage is made good. Where this condition is breached, Council may carry out works to return the property to its original condition and recover the expense of doing so from the permit holder
 - Not create any noise from training activities that unreasonably disturbs other users and/or adjacent residents
 - Not fence or block off areas to the exclusion of the general public
 - Acknowledge Council will accept no responsibility or liability for any interruption to business caused by Council or any other authority carrying out any special event, filming or type of
-

- maintenance works on approved public open space sites, inclement weather or any other interruption to business however caused
- Observe the closing of open space areas due to wet weather. During periods of wet weather the Commercial Fitness Trainer is responsible for viewing Council's website to determine whether parks have been closed or by phoning Council's Healthy Lifestyles on 4546 4527. No activity is permitted if grounds are closed
 - Inspect the immediate area prior to commencing any fitness training activities, to ensure no hazards are evident and take appropriate action to remove those hazards or alternatively move to another training site (if appropriate) and without undue delay
 - Report to Council the hazards within 24 hours or matters observed during the training that may require Council's attention
 - Ensure all equipment used for training sessions is stored off site. The erection of structures for the storage of fitness equipment is not permitted
 - Ensure both themselves and participants park lawfully in designated parking areas and in accordance with parking control signs. Parking on grassed open space is not permitted and may incur penalties in accordance with sections 68, 632, 650 and 651 of the *Local Government Act 1993* and the *Road Rules 2008*
 - Indemnify Council against all damages, sums of money, cost, charges, expenses, actions, claims and demands which may be sustained or suffered or recovered or made against Council by any person for any loss of life or injury or damage any person may sustain due to the negligent act of a trainer whilst conducting training sessions
 - Comply with reasonable directions of Council's Rangers and other authorised Council officers in relation to any unacceptable practices, or to display evidence of the permit
 - Keep a log book of significant accidents and injuries occurring during training sessions and advise Council of any injuries incurred on Council's property by Commercial Fitness Trainers or customers.
 - Understand that the rights issued as part of the permit granted are not transferable.

Responsibility

Manager Healthy Lifestyles

Effectiveness of this Policy

The number of complying registered fitness providers, the communication between them and Council, and the level of fitness services and facilities provided to the community will measure the effectiveness of this policy and improve the management of the use of Council's open space.

END OF POLICY STATEMENT

ATTACHMENT 2

 campbelltown city council	Healthy Lifestyles PO Box 57 CAMPBELLTOWN NSW 2560 Phone (02) 4645 4527 Fax (02) 4645 4681
COMMERCIAL FITNESS TRAINERS USER GUIDE	

Council Policy

The Commercial Fitness Trainers User Guide is an extension to the City of Campbelltown Use of Public Open Space by Commercial Fitness Trainers Policy, as adopted on 10 November 2015. The policy provides the key principles by which the City of Campbelltown's parks, public reserves, public open space and sporting grounds are administered. The Use of Public Open Space by Commercial Fitness Trainers Policy will be reviewed on 31 March 2017. Any policy changes will appear in subsequent reprints of the Commercial Fitness Trainers User Guide.

Objectives

1. To establish guidelines for the use of public open space to Commercial Fitness Trainers.
2. To establish procedures for application, approval and renewal of permits to use public open space for fitness training activities.
3. To establish procedures for allocating public open space to monitor impact on residents and other users and ensure equity among Commercial Fitness Trainers.
4. To establish systems to ensure Commercial Fitness Trainers have relevant qualifications and sufficient insurances when using public open space.
5. To set out conditions of use of public open space by Commercial Fitness Trainers.

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1. Aim

The main aim of this guide is to bring all procedures relating to the use of public open space or Commercial Fitness Training into one document to support proper and equitable administration of Council's sporting facilities and monitor the impact on the community. The guide also

provides opportunities for a level of ongoing tenure for certain established groups to support forward planning opportunities.

2. Glossary of Terms

The following terms are used throughout this User Guide and have the stated meaning:

1. **Commercial Fitness Trainers** - trainers, instructors, group fitness operators or trainers that are operating or representing a business whether a sole trader, proprietary limited or company
2. **Fitness Trails/Zones** – fixed fitness equipment provided by Council
3. **Fitness training activities** – include aerobic activities, resistance training (with or without equipment), punch pad training (boxing and kick boxing), relaxation or lifestyle classes such as yoga or tai chi, circuit type classes or any combination of the above.
4. **Commercial Group Trainers** - individuals providing fitness training, activities for a fee or payment.
5. **Commercial Fitness** - a registered business providing fitness services.
6. **Sporting Grounds** – areas of public reserves where organised sports are played and where Council has developed facilities for such sports.
7. **Park** – passive area on open space.
8. **Play spaces** - open space that includes play experiences.
9. **Community land** - is defined as Crown Land managed by Council.
10. **Permit Holder** - shall mean a Commercial Fitness Trainers that have been granted a permit to conduct commercial fitness training on Council's public open space.
11. **Club** - shall also infer Association and shall mean a group of people organised into a recognisable body to administer the playing of sport or recreation activities.
12. **Association** - shall mean existing sporting associations governing the sport in this local government area.
13. **Policy** - this refers to the Use of Public Open Space by Commercial Fitness Trainers.

3. Area of Application

This User Guide shall apply to public open space within the boundaries of the Campbelltown City Council area that has been defined as acceptable for use of Commercial Fitness Trainers. A list of excluded areas is included in the List of Prohibited areas. *Refer to Appendix A.*

4. Application Process

1. Applicants must fill in the Application for Commercial Fitness Trainers. (*Refer to Appendix B*).
 2. Application must be submitted with the following essential criteria:
 - Photo Identification – eg; Drivers Licence, passport
 - Current Senior First Aid Certificate
 - Current Public Liability Insurance which indemnifies Campbelltown City Council to a minimum of \$20m with Council noted as an interested party.
 - Evidence of being a registered professional with Fitness Australia
 - Trainers who carry out children's fitness training activities will need to provide:
 - Provide Working with Children documentation
 - Provide a copy of certification in having completed accredited courses specific to children's fitness training
-

3. Council Officers will assess the application and applicants will be informed of the outcome within ten working days after submitting your application
4. If successful, a Tax Invoice will be issued for the annual permit fee currently \$120 (incl. GST)

Once the permit is paid an approval letter will be issued along with a permit and an identification card

5. Permits

- Permits are issued with an expiry date of 30 June each year
- Renewals for Permits can be issued each year prior to 30 June
- Where a trainer's insurance, first aid and/or registration expires before 30 June, evidence must be shown to Council to ensure permit is valid
- The permit and identification card must be carried with you at all times when conducting your activities. Campbelltown City Council Rangers and other authorised Council officers may check your identification during random visits.

6. Allocation of Open Space

- Council offers no guarantee or warranty that the public open space will be available at any time or suitable for use
- Priority over sportsgrounds is given to sporting clubs, schools and other users who have hired the fields
- Permit holders can request an area of open space in accordance with the times prescribed in the policy
- Council will be able to inform of any clashes with clubs, schools or user groups, as well as any other Commercial Fitness Trainers permit holders
- Council will liaise with all groups to manage to use and care of areas
- Council can refer enquiries received at Council to the closest registered fitness provider.

7. Permissible Activities

Fitness training activities are limited to the normal activities of a registered Personal Trainer, Yoga teacher or the like which would include but is not limited to:

- Fitness sessions (with or without weights, fitballs, skipping ropes, etc)
 - Boxing and pad training
 - Organised aerobic activity
 - Walking and running
 - Not-for-profit Yoga, Tai Chi, and Pilates and like activities
 - Circuit training
 - A combination of any of the above
 - Other pre-approved fitness activity
 - Other appropriate cardio-vascular and muscular skeletal programs that are of benefit to a person's fitness including warming up and cooling down exercises.
-

8. Number of Trainers

Based on Fitness Australia recommendations, registered Commercial Fitness Trainers should ensure that the group participant number allows for appropriate supervision and instruction for each individual during the group session.

9. Approved Hours of Operation/Activity Duration

Commercial Fitness Trainers have approval to operate on the prescribed public open space during the following hours:

- Daylight savings time – 5.30am until 8.30pm
- Non-daylight savings – 5.30am until 6.30pm (if adequate lighting is available)

When conducting activities beyond daylight hours, Commercial Fitness Trainers must monitor and control risk to participants and ensure public safety is not impacted by their activities.

Failure to operate within these specified times will be dealt with in accordance with the Termination of Approval Clause.

10. Prohibited Activities

The following Commercial Fitness Trainers activities are not permitted on public open space within the Campbelltown Local Government Area:

- Aggressive and intimidating activities
- Outdoor recreational activities conducted with amplified music or voice including megaphones or whistles
- Use of amplified music or audio (voice) equipment
- Dragging tyres or other heavy items over any surfaces including sporting fields and parks
- Portable fitness equipment / machinery such as spin bikes, weight machines and rowing machines
- Group training with companion animals on or off leash
- Organised ball sports and competitions are restricted to designated ovals, sportsgrounds or courts, which are subject to the payment of applicable published fees and charges

11. Non Compliance

- If a Commercial Fitness Trainer is not complying with the terms and conditions of this User Guide and Policy, including not producing a permit to an authorised Council officer, Commercial Fitness Trainers will be asked to cease activities and may be issued with an on the spot fine and/or incur other penalties in accordance with sections 68, 632, 650 and 651 of the *Local Government Act 1993*.
 - Council can revoke or terminate a permit to conduct Commercial Fitness Trainers on public open space in the following circumstance:
 - The qualifications criteria are not complied with eg – no registration with Fitness Australia or equivalent body; or
-

- The approval holder has been issued three or more written warnings (this can include combination of penalty notices or written warnings), for non compliance with the policy.

Council will issue four weeks notice of termination in writing to the approval holder. The offending trainer will also be referred to Fitness Australia.

A Commercial Fitness Trainer whose permit has been terminated can appeal in writing to the General Manager, Campbelltown City Council PO Box 57, Campbelltown, NSW, 2560.

Permit fees will not be refunded if the agreement is terminated as a result of breach of permit.

12. Groups Exempt from the Policy

This policy does not apply to the following groups, however Council approval is required by these groups for use of Council owned and managed land through Council's Healthy Lifestyle section:

- Local sporting clubs and associations
- Local schools (recreation activities performed under the supervision of a Teacher)
- Corporate groups (businesses wishing to run events)
- Community training groups (where no participation fees are charged)
- Not-for-profit individual or small group exercise (eg tai-chi or meditative yoga or similar)
- Not-for-profit walking, jogging or cycling groups
- Defence Force activities including; training drills, army reserves and exercise regimes, with prior approval from Council.

13. Terms and Conditions

Under this policy Commercial Fitness Trainers approved by Campbelltown City Council must:

- Ensure that their clients do not use picnic tables and/or park furniture to store any bags or equipment that would leave members of the public unable to utilise these facilities
 - Ensure that any exercise equipment used does not create any hazards or obstruction
 - Vary or rotate their location for static and repeated training so as to reduce wear on turf
 - Not suspend boxing bags, kickboxing bags or any other training apparatus from trees and/or structure in public reserves
 - Always conduct themselves in a proper and orderly manner and be considerate to other users and adjacent residents
 - Ensure that any training group for which they are responsible, runs in single file when running on footpaths or in narrow areas
 - Not interfere with any Council approved or booked activities being carried out on any Council property. This includes the allocated community sporting use of sporting fields
 - Not display any advertising signage including banners, "A" frame signs or Pop Up Tents unless approved by Council
 - Ensure that the parks and associated facilities are left in a clean and tidy condition after use and all articles and items brought on to the property are removed and any damage is made good. Where this condition is breached, Council may carry out works to return the property to its original condition and recover the expense of doing so from the permit holder
-

6.1 Use Of Public Open Space By Commercial Fitness Trainers

- Not create any noise from training activities that unreasonably disturbs other users and/or adjacent residents
 - Not fence or block off areas to the exclusion of the general public
 - Acknowledge Council will accept no responsibility or liability for any interruption to business caused by Council or any other authority carrying out any special event, filming or type of maintenance works on approved public open space sites, inclement weather or any other interruption to business however caused
 - Observe the closing of open space areas due to wet weather. During periods of wet weather the Commercial Fitness Trainer is responsible for viewing Council's website to determine whether parks have been closed or by phoning Council's Healthy Lifestyles on 4546 4527. No activity is permitted if grounds are closed
 - Inspect the immediate area prior to commencing any fitness training activities, to ensure no hazards are evident and take appropriate action to remove those hazards or alternatively move to another training site (if appropriate) and without undue delay
 - Report to Council the hazards within 24 hours or matters observed during the training that may require Council's attention
 - Ensure all equipment used for training sessions is stored off site. The erection of structures for the storage of fitness equipment is not permitted
 - Ensure both themselves and participants park lawfully in designated parking areas and in accordance with parking control signs. Parking on grassed open space is not permitted and may incur penalties in accordance with sections 68, 632, 650 and 651 of the *Local Government Act 1993* and the *Road Rules 2008*
 - Indemnify Council against all damages, sums of money, cost, charges, expenses, actions, claims and demands which may be sustained or suffered or recovered or made against Council by any person for any loss of life or injury or damage any person may sustain due to the negligent act of a trainer whilst conducting training sessions
 - Comply with reasonable directions of Council's Rangers and other authorised Council officers in relation to any unacceptable practices, or to display evidence of the permit
 - Keep a log book of significant accidents and injuries occurring during training sessions and advise Council of any injuries incurred on Council's property by Commercial Fitness Trainers or customers.
 - Understand that the rights issued as part of the permit granted are not transferable.
 - 30m Exclusion – A minimum distance of 30m must be maintained between the nearest private landowners boundary and the service being delivered
-


Appendix A – List of Excluded Areas

Commercial Fitness Trainers are not permitted to operate in areas of high activity and/or areas of cultural, environmental or natural significance. Specific areas where these activities are prohibited include:

- Koshigaya Park
 - Mawson Park
 - Raby Oval No 1
 - Campbelltown Sports Stadium
 - Campbelltown Showground
 - Campbelltown Arts Centre
 - Campbelltown Libraries
 - Worrell Park
 - Lynwood Park
 - Within 10 metres of turf cricket wickets – Raby Sports Complex, Memorial Oval, Bradbury Oval, Jackson Park
 - Baseball and Softball diamonds
 - Playground areas (fenced)
 - Trees/landscape areas
 - Park furniture, picnic tables, shelters, seats and benches.
 - Within 20 metres of memorials, playground equipment and public change rooms, toilets or kiosk areas.
 - Leash free dog facilities
 - Cemeteries
 - Exclusive use of public outdoor fitness equipment in parks and reserves
 - Stairways and pathways
 - Within 30m of residential properties
 - Sporting facilities (sports fields, netball courts) that are allocated to community groups and schools. Allocated community sporting groups and schools have the priority of use of sporting facilities.
 - Any public or private car park, roadway, laneway or areas that are generally used by motor vehicles
 - Commercial areas within the Campbelltown Local Government Area.
-

Appendix B

Application for Commercial Fitness Trainers

		HEALTHY LIFESTYLES Sport and Recreation	
APPLICATION FOR COMMERCIAL FITNESS TRAINER PERMIT			
<p style="text-align: center;"><small>Privacy Statement</small></p> <p>The information requested by Council on this form may constitute personal information under the Privacy and Personal Information Protection Act 1998. Council is allowed to collect the information from you to consider this matter. Supplying this information is voluntary. However if you cannot or do not wish to provide the information, we may not be able to consider the matter. If you need further details, please contact the Privacy Officer, Campbelltown City Council, cnr Queen and Broughton Streets, Campbelltown. Please note that information provided may be shared with Department of Human Services Community Services, the Police, other relevant agencies and educators, in accordance with applicable legislation.</p>			
NAME			
ADDRESS			
PHONE			
EMAIL			
COMPANY			
TRADING NAME			
ABN/ACN			
ADDRESS			
PHONE			
EDUCATION / QUALIFICATIONS			
FITNESS AUSTRALIA REGISTRATION NO		EXPIRY DATE	//
SENIOR FIRST AID		YES / NO	EXPIRY DATE //
PUBLIC LIABILITY INSURANCE		YES / NO	AMOUNT (MIN \$10M) \$
			EXPIRY DATE //
APPLICANT'S SIGNATURE		DATE	
OFFICE USE ONLY			
<small>(Originals to be sighted and copies retained by Council)</small>			
PHOTO ID (e.g. Drivers Licence / Passport)	<input type="checkbox"/>	PUBLIC LIABILITY INSURANCE	<input type="checkbox"/>
FIRST AID	<input type="checkbox"/>	FITNESS AUSTRALIA REGISTRATION	<input type="checkbox"/>
WORKING WITH CHILDREN DOCUMENTATION (if required)	<input type="checkbox"/>	APPROVED / NOT APPROVED	
PERMIT PAYMENT MADE	<input type="checkbox"/>	PHOTO PERMIT ISSUED	<input type="checkbox"/>
AUTHORISED OFFICER SIGNATURE		DATE	

Request to Use Park / Sportsground for Commercial Fitness Training

[illegible]

7. LIBRARY SERVICES

No reports this round

8. GENERAL BUSINESS

8.1 Historical Data and Photos

Councillor Oates referred to Council's historical data and photos (digital and hardcopy) and asked if Council has appropriate protection of these files including fire protection.

Council's Manager Library Services advised that Council's resources are backed up through servers and on cloud based systems. Hard Copy files are stored at an offsite location and would be protected by existing fire protection systems in place. Currently a Facilities Plan is being developed and this information will be incorporated into the plan.

Committee's Recommendation: (Oates/Glynn)

That the Facilities Plan include the following information regarding suitable protection methods for Council's historical data:

- a) what Council can do to improve protection of historical information
- b) what timelines are required for the improvement works to be completed
- c) all related costs involved.

CARRIED

Council Meeting 17 November 2015 (Rowell/Glynn)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 213

That the Committee's Recommendation be adopted.

22. CONFIDENTIAL ITEMS

No reports this round

There being no further business the meeting closed at 5.49pm.

T Rowell
CHAIRPERSON

Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 10 November 2015.

APOLOGIES

ACKNOWLEDGEMENT OF LAND

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

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23.2	EOI for Lease of Ingleburn Occasional Care Facility	102
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Minutes of the Corporate Governance Committee held on 10 November 2015

Present

His Worship the Mayor, Councillor P Hawker
Councillor C Mead
Councillor F Borg
Councillor G Greiss
Councillor R Kolkman
Councillor P Lake
Director Business Services - Mr M Sewell
Director City Works - Mr W Rylands
Acting Manager Assets and Supply Services - Mr W Miller
Acting Manager Education and Care Services - Mrs G Vickers
Manager Emergency Management and Facility Services - Mr R Blair
Manager Financial Services - Mrs C Mears
Manager Governance and Risk - Mrs M Dunlop
Manager Human Resources - Mr B Clarence
Manager Information Management and Technology - Mrs S Peroumal
Manager Operational Services - Mr A Davies
Manager Property Services - Mr J Milicic
Executive Assistant - Mrs D Taylor

Apologies (Greiss/Kolkman)

That the apologies from Councillors Chanthivong and Dobson be received and accepted.

CARRIED

Also in Attendance

Mr Bruce Hanrahan - Audit Committee Chairperson

Chairperson

His Worship the Mayor, Councillor Hawker, chaired the meeting.

Acknowledgement of Land

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

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 Borg - Item 23.2 - EOI for Lease of Ingleburn Occasional Care Facility - Councillor Borg advised that one of the parties is known to him.

Other Disclosures - Nil

1. GOVERNANCE AND RISK

1.1 Profile and Performance of the NSW Local Government Sector 2013-2014

Reporting Officer

Manager Governance and Risk

Attachments

Profile and Performance of the NSW Local Government Sector – Your Council Report (contained within this report)

Purpose

To provide an overview of the Office of Local Government Profile and Performance of the NSW Local Government Sector – Your Council Report.

History

Councils have been reporting on financial and other performance data for many years with the NSW Government collating the information provided into a comparative data publication. As part of the local government reforms currently taking place across the sector, the government has revised the format of the Comparative data publication and presented the first 'Your Council' report, as a new tool to build a picture of local government in NSW and assist councils to better serve their local communities in a more effective and sustainable way.

Report

The 'Your Council' publication provides information about local councils across NSW to assist local communities, the local government sector and government regulators understand how local government in NSW is performing as a whole, and how individual councils are performing over time and in comparison to similar councils.

A number of significant reforms have recently been undertaken in relation to local government in NSW. These include:

- the Independent Local Government Review Panel Final Report - Revitalising Local Government (October 2013)
 - Fit for the Future - A Road Map for Stronger, Smarter Councils - the Government's response to the Independent Local Government Review Panel Final Report
 - ongoing development of industry wide performance indicators via the Local Government Performance Measurement Framework.
-

In response to the Independent Local Government Review Panel recommendations, the Office of Local Government (OLG) developed criteria and certain benchmarks for a Fit for the Future council based on the work of Treasury Corporation (TCorp) and the Independent Panel and reviewed by the Independent Pricing and Regulatory Tribunal (IPART). As part of the reform program the OLG has also aligned the indicators presented in the 'Your Council' report with the Fit for the Future criteria and benchmarks.

The 'Your Council' publication presents the current set of indicators in two parts. The first part of the report presents an overview of the current status of the NSW local government sector. The second part presents each council's results against the indicators as time series data over the period 2012-2014.

The key performance measures in this report, when used on their own, do not give a full picture of a council's performance. Although they show differences between councils across the selected activity areas, they do not explain why these differences have arisen. Conclusions should not be drawn without further qualitative assessment.

The Australian Classification of Local Governments (ACLG) groups councils into 22 categories based on socioeconomic traits and their ability to deliver a range of services to the community. The OLG's publication allocates councils into 11 groups, as some of the ACLG groups contain either no NSW councils or only one or two, making NSW performance comparisons difficult.

Campbelltown is grouped with seven other large metropolitan fringe councils with populations in excess of 70,000 people – Blue Mountains, Gosford, The Hills, Hornsby, Liverpool, Penrith and Wyong.

This publication summarises the demographic and socio-economic information about each local government area and draws out key data on council demographics, financial sustainability, infrastructure, expenditure, rating, community leadership and core council services.

In comparing the data, it is important to note that the measures in the report do not give a full picture of a council's performance when used on their own. There may also be local circumstances or factors which can affect the results such as the demographic and socio-economic makeup of an area and the range of functions and services undertaken by each council.

Overview of NSW local government

The 'Your Council' publication highlights some points of interest and change in the NSW local government sector over the past 10 years:

- as an industry, local government is custodian of over \$139b worth of assets, it contributed more than \$7.5b to the economy during 2013-2014 and directly employs more than 45,000 people
 - employment in the sector (as measured by full time equivalents) has increased by 6% over past 10 year period
 - the number of people receiving the pensioner rate rebate increased over the past 10 years. This reflects the overall increase in the proportion of the NSW population aged over 65, which increased from 962,800 (13.8%) to 1,123,967 (15%) over the same period
-

- the total number of development applications determined was 42% lower in 2013-2014 than in 2005-2006 (when data was first collected). This is partially due to the use of council planning instruments being replaced with the Codes SEPP (State Environmental Planning Policy) for exempt and complying developments
- there has also been an increase in the number of private certifier determinations. Private Certifiers determined 24% of development in 2013-2014
- while the number of development applications determined has fallen since the collection of data in 2005-2006, the total value of approved developments has increased by 28.4% to \$25.689b
- the amount and scope of infrastructure provided by councils has also grown in the past 10 years, with councils adding over 1,854km of roads to their networks, and providing an additional 289 community centres and halls
- the number of public swimming pools under council ownership has fallen marginally, this may reflect a 'consolidation' toward larger centralised aquatic centres
- the number of councils recording an operating deficit before capital increased to 111 councils in 2013-2014, compared with 98 councils (64%) for 2012-2013, largely due to the decision of the Federal Government to roll back the advanced payments of the Financial Assistance Grants
- the total infrastructure backlog has fallen from approximately \$7.4b as at 30 June 2012 to \$5.5b as at 30 June 2014
- between 2009-2010 to 2013-2014, the total ordinary rates income from residential ratepayers increased an average of 3.7% per year, 4.1% from business, 3.1% from farmland and 10.3% from the mining category
- in 2013-2014, 23 councils were given approval to increase their rates by more than the rate peg limit.

Metropolitan fringe council comparison

As mentioned previously, Campbelltown is grouped with seven other large metropolitan fringe councils with populations in excess of 70,000 people – Blue Mountains, Gosford, The Hills, Hornsby, Liverpool, Penrith and Wyong.

The data publication highlights some points of interest for Campbelltown City Council compared to the other metropolitan fringe councils:

- Campbelltown's average residential rate is the second lowest of the metropolitan fringe group
- Campbelltown has the lowest domestic waste charge of the metropolitan fringe group
- the mean gross days taken to determine a Development Application has decreased from 100 days in 2012-2013 to 89 days in 2013-2014.

The following provides a snapshot of Campbelltown based on a set of performance indicators, in comparison with the metropolitan fringe group. The full publication can be accessed by copying and pasting the below link in to your web browser:

<https://www.olg.nsw.gov.au/public/my-local-council/yourcouncil-website>

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

Council	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Population	79,225	154,538	170,752	180,214	166,855	195,355	190,428	157,358
Number of Councillors	12	15	10	12	10	11	15	10
Number of Councillors /Population	6,602	10,303	17,075	15,297	16,686	17,760	12,695	15,736
Full Time Equivalent Staff	498	619	1,012	577	550	697	1,061	927
2013/14 Total Revenue from Continuing Operations (\$'000)	100,977	139,264	279,222	257,531	142,714	185,884	214,801	243,215
2013/14 Total Expenses from Continuing Operations (\$'000)	102,737	128,698	266,403	130,106	122,544	151,429	192,573	221,977
% Pensioner Residential rate	19	15	21	14	14	15	15	23
Population Density per capita/km2	55	495	181	458	361	640	471	213

	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Local population								
Population aged 19 and less (%)	25	29	25	28	26	30	28	27
Population aged between 20 & 60 (%)	51	55	49	53	54	56	56	48
Population aged over 60 (%)	24	16	26	19	20	14	16	25
Aboriginal & Torres Strait Islanders Pop'n %	1.7	3.2	2.2	0.4	0.4	1.5	3.0	3.7
Language other than English Pop'n %	5.1	25.2	5.3	28.5	28.4	49.8	14.6	4.0
Socio-Economic Index Rating	125	58	115	149	143	88	109	56

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

Local economy	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
% Rate Unemployment	5.8	6.5	5.1	4.5	5.0	7.5	6.6	7.9
Average taxable income (\$)	49,902	46,163	47,580	60,635	61,702	46,948	49,046	43,047
Average Household Size (Number)	2.5	2.9	2.5	3.1	2.9	3.2	2.9	2.5
Value of DAs Determined (\$'000)	111,011	310,277	314,799	797,553	565,892	620,587	519,669	419,497
Active Businesses in LGA	5,552	8,514	13,239	20,162	15,485	13,669	12,807	8,538
Largest Industry Employer	Education and training	Manufacturing	Health care/social assistance	Retail Trade	Health care/social assistance	Manufacturing	Manufacturing	Retail Trade

Public Facilities	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Number of Public Swimming Pools	5	3	10	1	3	3	2	4
Number of Public Halls	18	19	36	27	32	26	51	43
Number of Public Libraries	6	4	8	5	5	5	4	5
Open Public Space (ha)	6,556	1,100	30,768	1,240	860	1,599	880	28,285
Total Road Length (km)	741	705	1,142	982	669	853	1,069	1,037
Dwellings internet connected (%)	78	74	73	87	85	73	76	69

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Rating								
No of Residential Rating Assessment	34,283	51,920	67,441	54,188	54,464	58,756	64,800	61,846
Average Residential Rate (\$)	1,249	935	919	1,081	1,132	1,044	1,028	913
No. Farmland Assessment	138	66	329	404	308	153	387	130
Average Ordinary Farmland Rate (\$)	2,007	6,667	991	1,584	1,877	3,007	3,129	2,446
No. Business Assessments	1,317	2,805	3,224	3,782	2,573	3,179	3,236	2,613
Average Ordinary Business Assessment (\$)	2,866	5,993	2,618	1,827	3,255	5,804	6,257	3,662
No. Mining Assessments	0	3	0	0	0	0	0	5
Avg Ordinary Mining Rates (\$)	n/a	5,000	n/a	n/a	n/a	n/a	n/a	175,600
Avg domestic waste charge	337	283	389	418	381	339	342	462

	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Financial benchmarks								
% Own Source Revenue	83	73	83	63	84	71	73	87
% Grants Revenue	16	26	17	32	16	29	27	13
Operating Performance Ratio	-10.72	-2.92	-4.44	14.66	5.15	-6.79	-8.03	2.92
Unrestricted Current Ratio	1.91	3.44	2.15	12.56	1.79	2.32	1.10	1.56
Outstanding Rates and Annual Charges (%)	3.87	4.29	5.86	2.95	2.79	5.41	3.87	5.22
Debt Service Cover ratio	1.3	3.8	3.1	0.0	5.6	3.1	0.7	3.0
Debt Service Ratio	8.5	4.1	7.8	0.0	4.2	5.9	7.3	10.6
Cash Expense Cover Ratio	4.4	8.2	6.0	21.2	5.0	12.4	2.9	8.7

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Council services								
Governance & Admin Expenditure per capita (\$)	302	145	79	39	126	175	166	24
Environmental Expenditure per capita (\$)	369	151	314	167	202	155	158	230
Community Services & Education, Housing Expenditure per capita (\$)	83	150	111	187	122	112	159	125
Recreational & Cultural Expenditure per capita (\$)	181	170	162	106	108	88	140	134
Public Order, Safety & Health Expenditure per capita (\$)	119	40	47	27	24	22	55	55
Other Services Expenditure per capita (\$)	112	44	157	20	43	40	66	137
Library Services Expenditure per Capita (\$)	34	36	32	36	44	41	40	31
Library Circular per capita	7	4	5	8	8	4	4	5
% Recycling Rate	44	68	46	46	49	69	62	49
Mean gross days for DAs	81	89	64	82	89	104	71	41
No. of DAs determined	707	663	1,216	1,317	797	1,173	1,414	1,561
Companion Animals micro chipped and registered (%)	57	63	66	55	70	49	48	62
Companion Animals micro chipped (No.)	34,018	53,373	64,229	52,856	44,062	46,480	76,325	66,246

	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Community leadership								
Number of DAs Determined by Councillors	30	24	27	18	45	37	15	9
Audited Financial Statements Submitted on Time	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Number of Code of Conduct Complaints	1	1	1	2	0	0	1	6
Cost of dealing with Code of Conduct Complaints (\$)	5,605	41,952	1,200	5,786	0	0	5,023	2,000
Complaints Investigated for Breach (No.)	0	0	0	0	0	0	0	2
Equivalent Full Time Staff / Population	159	250	169	318	303	280	179	170

	Blue Mountains	Campbelltown	Gosford	The Hills	Hornsby	Liverpool	Penrith	Wyong
Council assets								
Roads, Bridges & Footpaths Expenditure per capita (\$)	98	96	147	140	65	143	227	165
Building & Infrastructure Renewal Ratio	34	60	82	237	76	84	61	102
Infrastructure Backlog Ratio	2	4	5	3	1	4	4	3
Asset Maintenance Ratio	103	86	71	194	79	85	119	100

Work is continuing by the government to further develop the indicators of council performance across key areas, as a result, the data reported will continue to evolve in future editions.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Hawker/Borg)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 214

That the Officer's Recommendation be adopted.

ATTACHMENT 1



**PROFILE & PERFORMANCE OF THE
NSW LOCAL GOVERNMENT SECTOR**

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Measuring Council Performance

MINISTER'S FOREWORD

The NSW Government and the local government sector are working together to strengthen local government in NSW. To have a strong future, we need strong councils providing the services and infrastructure communities need.

This work includes building a stronger set of local government performance indicators to provide NSW communities with a clear and balanced picture of how effectively and efficiently councils meet local needs.

Building a robust performance measurement framework for the local government sector is a large and important task that is being undertaken in stages.

To date, councils have told us that they support this work and that there is real value in using a consistent set of meaningful performance indicators to promote good practice and drive improvement in key areas.

The NSW Government is pleased to make the information about performance of councils available to their local community.

Ultimately this will empower communities and councils to work together to make the best possible decisions for their future in providing services and infrastructure.



THE HON

PAUL TOOLE MP

MINISTER FOR LOCAL GOVERNMENT

CHIEF EXECUTIVE'S MESSAGE

The Office of Local Government is pleased to present the Your Council performance report, as part of our continuing commitment to improve the quality and presentation of annual data collected from councils in NSW.

This Report provides community members with important information about how local government in NSW is currently performing and explains some of the drivers behind this performance.

The Office of Local Government has been working with the sector over the past year to help develop key performance indicators for local government, and this work will continue in 2015. These new performance measures will help councils across NSW to actively manage and improve their organisation's performance and be more accountable to their communities. I would like to thank those councils who have contributed their time and expertise to help to develop the new framework.

I would also like to thank those councils who have contributed to this publication. We will be making further improvements in the coming years and would welcome feedback from the community and councils on the usefulness of the performance measures and any improvements that could be made.



MARCIA DOHERTY
CHIEF EXECUTIVE
OFFICE OF LOCAL GOVERNMENT



Introduction

WHY MEASURE AND REPORT ON LOCAL COUNCIL PERFORMANCE?

Councils provide a wide range of services and manage many assets that people in local communities rely upon.

Communities need to have a clear, concise and meaningful picture of their council's performance across key areas to understand how effectively their council is working to look after public assets and deliver local services.

This report provides information in one place about local councils across NSW to help local communities, the local government sector and government regulators understand how well local government in NSW is performing as a whole, and how well individual councils are performing over time and in comparison to similar councils.

In particular, it provides the basis for communities to ask their councils questions about important performance areas such as community leadership, financial sustainability, asset maintenance and service delivery.

A REPORT IN TRANSITION

This first 'Your Council' Report, (formally The Comparatives Publication on NSW Local Government) is an important tool as we start to build a picture of local government in NSW. This is the 24th year of collecting performance data from councils.

Work is continuing to develop the best possible indicators of council performance across key areas. The data reported will continue to evolve in future editions.

WHAT IS DRIVING CHANGES TO THIS PUBLICATION?

Changes are being driven by local government reform currently occurring to help make local councils more effective and sustainable in the long term.

This work was triggered through a collaborative NSW Local Government project, Destination 2036, through which councils and the NSW Government agreed on a number of key actions, including the development of a new Local Government Performance Measurement Framework.

Since that time, the Independent Local Government Review Panel and Local Government Acts Taskforce have consulted widely with councils and the community and have provided reports with recommendations for reform to the NSW Government. These reports are publicly available on the Office of Local Government (the Office) website at www.olg.nsw.gov.au.

These reports, as well as an earlier NSW Auditor General's report of 2012, have highlighted the need for a core set of financial and non-financial indicators to provide a better picture of councils' overall performance to improve public accountability.

WHAT PROGRESS HAS BEEN MADE TO DEVELOP NEW PERFORMANCE MEASUREMENT INDICATORS?

The Office is continuing to work with local government to develop key performance indicators under a new Local Government Performance Measurement Framework.

The indicators will help communities to measure important aspects of a council's performance in the four key areas of:



Consultation feedback on a discussion paper, Strengthening Councils and Communities: Building a New Framework for Measuring Performance in Local Government, released between November 2013 and January 2014, has indicated strong support from the sector to develop a performance measurement system around these four key areas.

In particular, councils indicated support for a system that aligns with Integrated Planning and Reporting, provides trend data and meaningful comparison with like councils to help drive improvement, is flexible enough to take local differences and needs into account, and that minimises the overall reporting burden.

Four working groups of council and other experts have developed measures under the key areas of the framework. A fifth working group examined whether and how the NSW Government could coordinate a State-wide community satisfaction survey to feed into the Framework. A working paper will be released for feedback in relation to the performance management framework and indicators.

Consultation feedback is continuing to inform this work. A Strategic Steering Group, made up of senior local government and other representatives, is also providing input on the measures, including whether they provide a balanced picture of council performance that is meaningful and useful to local communities.

The end result will be a core, consistent set of key performance indicators to show a balanced picture of the financial and governance health of councils, how well they deliver functions and services and the management of assets across NSW.

The focus of this work is on using readily obtainable data. Future phases of work may need to occur to refine the Framework, fill data gaps and consider issues such as comparison groupings and benchmarking.

HOW HAVE COUNCILS BEEN CLASSIFIED AND GROUPED FOR COMPARATIVE PURPOSES?

Councils have been compared, where relevant, with the 'group average'. Council groups (referred to as OLG Groups) are based on the Australian Classification of Local Governments (ACLG) and are determined according to their socio-economic characteristics and their capacity to deliver a range of services to the community.^a

It should be noted that the groupings are based on broad demographic variables. There are often large differences between councils in the same group, as a result this information should not be used as a basis for individual council policy changes.

The Office and the local government sector recognise that the current OLG groupings of councils may need to be revised as part of the performance measurement work being undertaken and the outcomes of the current local government reform process.

DATA SOURCES

Data for this publication has been sourced from councils' financial statements and grants returns as well as a number of agencies including the Australian Bureau of Statistics (ABS), Department of Planning and Environment, State Libraries and NSW Office of Water.

From time to time, this data may be amended and updated, eg ABS population projections. These population projections are used in calculating the population change and the per capita results in a range of indicators. These figures may be subsequently amended by the ABS in future years. Where possible, the population results in our publications are amended.

The accuracy of this publication is largely dependent upon the accuracy and completeness of data returns lodged by councils. The Office does not separately audit the data but we do conduct extensive testing for validity and reasonableness and some data is from councils' audited financial statements.

^a NSW councils have been compiled into 11 groups instead of 22 categories because several of the ACLG categories contain either none or only one or two NSW councils.

IMPORTANT NOTE

The key performance measures in this report, when used on their own, do not give a full picture of a council's performance. Although they show differences between councils across the selected activity areas, they do not explain why these differences have arisen. Conclusions should not be drawn without further qualitative assessment.

When assessing or comparing the performance of councils, it is important to remember that local circumstances can influence how well a council provides its services. There are often good reasons why it is harder or more costly to provide certain services in some local government areas than in others, or why a different mix of services may be delivered. Each council makes its own decision about whether to provide a lower or higher level of services depending on local needs and priorities.

The figures are indicators only and conclusions should not be drawn without qualitative assessments being made. Members of the community are encouraged to contact their council if they would like any further details or explanations regarding individual results.

DO YOU HAVE ANY FEEDBACK?

If you have any feedback on this report, the framework or suggestions for suitable key performance indicators for future inclusion, please email the Office at yourcouncil@olg.nsw.gov.au.

The State of Local Government in NSW

A number of significant initiatives have recently been undertaken in relation to local government in NSW. These include:

The Independent Local Government Review Panel Final Report – Revitalising Local Government (October 2013)

Fit for the Future—A Road Map for Stronger, Smarter Councils—the Government's response to the Independent Local Government Review Panel Final Report

Ongoing development of industry-wide performance indicators via the Local Government Performance Measurement Framework



Each of these initiatives has given the Office and the State Government a direction for the way forward and to assist councils to become financially sustainable and deliver efficient services to their communities.

The NSW Government has a vision to rebuild our State and deliver a strong future for the people of NSW by having strong councils providing the services and infrastructure that communities need.

This part of the report presents an overview of the current status of the NSW local government sector.

NSW LOCAL GOVERNMENT AT A GLANCE

The local government sector comprises 152 general purpose councils and their physical size and population density characteristics vary, ranging from densely populated urban councils to remote, rural councils.

The largest council in area is Central Darling which covers **53,534km²**, with the smallest being Hunters Hill at **5.7km²**. Similarly, population size varies enormously with Urana Shire Council having **1,157 residents**, while Blacktown City Council has **325,185 residents**.

Local councils make a significant contribution to the NSW economy. As an industry, local government is custodian of over \$139 billion worth of assets, it contributed more than \$7.5 billion to the economy during 2013/14 and directly employs more than 45,000 people.

Table 1 outlines some of the changes that have occurred within the local government sector over the past 10 years, including changes in activities undertaken and services provided by councils.

There have been no amalgamations in the past 10 years, with the number of general purpose councils remaining at 152. The reduction in the total number of councillors during this time was due to some councils holding a referendum to reduce councillor numbers. Also in 2006 and 2011, legislation allowed councils to reduce councillor numbers without a referendum. Despite this, employment in the sector (as measured by full time equivalents) has increased by 6% over the same 10 year period.

The number of people receiving the pensioner rate rebate increased over the past 10 years. This reflects the overall increase in the proportion of the NSW population aged over 65, which increased from 962,800 (13.8%) to 1,123,967 (15%) over the same period.

The amount and scope of infrastructure provided by councils has also grown in the past ten years, with councils adding over 1,854km of roads to their networks, and providing an additional 289 community centres and halls. While the number of public swimming pools under council ownership has fallen marginally, this may reflect a 'consolidation' toward larger centralised aquatic centres.

Councils also undertake a large range of regulatory functions, including inspections of food and other premises, such as hairdressers and tattooists. These activities have grown significantly over the last 10 years, as reflected by the growth in the number of regulated establishments.

Another important role of councils relates to planning and development. In 2013/14, the total number of development applications determined was 42% lower than in 2005/06 (when data was first collected). This is partially due to the use of council Planning Instruments being replaced with the Codes SEPP (State Environmental Planning Policy) for exempt and complying developments. There has also been an increase in the number of private certifier determinations. Private Certifiers determined 24% of development in 2013/14.

It should be noted, however, that while the number of development applications determined has fallen since the collection of data in 2005/06, the total value of approved developments has increased by 28.4% to \$25,689 billion.

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

TABLE 1 NSW LOCAL GOVERNMENT INDICATORS OF CHANGE					% of Change 2004/05 to 2013/14	
	2004/05	2009/10	2013/14			
NSW Population	6,650,735	7,053,753	7,410,399			11.42%
Number of Councils	152	152	152			0.00%
Number of Councillors	1,567*	1,525 [#]	1,480**			-5.55%
Equivalent Full Time Staff	42,219	44,588	44,846			6.22%
Number of Pensioner Rebates	451,454	457,412	475,431			5.31%
Open Space (ha)	154,663	129,047	150,696			-2.57%
Public Pools	485	468	464			-4.33%
Community Centres & Public Halls	1,498	1,606	1,787			19.29%
Length of Roads (km)	163,782	165,052	165,636			1.13%
Number of DAs determined	105,225 ^{##}	71,550	60,791			-42.23%
Value of DAs determined	\$20 B ^{##}	\$17.03 B	\$25.69 B			28.44%
Number of Food Premises requiring inspection	39,503	42,566	45,103			14.18%
Levee Banks Maintained (km)	582	597	586			0.78%
Average Council Revenue Per Capita (\$)	951.61	1,338.72	1,518.18			59.54%
Average Council Expenses Per Capita (\$)	921.57	1,187.67	1,359.57			47.53%

* Following 2004 election
[#] Following 2008 election
^{##} Following 2012 election
 ** 2005/06



How is the NSW Local Government Sector Performing Financially?

OVERALL OPERATING RESULT

The Office monitors councils' financial performance against a range of indicators each year. These results had formed a large component of previous Comparative Information reports prepared by the Office.

Local Government entities are required by legislation to prepare annual audited financial statements. The financial statements must be independently audited and an audit opinion expressed on each report.

In 2012, the Office engaged NSW Treasury Corporation (TCorp) to undertake a financial sustainability review of all general purpose councils in NSW.

TCorp noted that, to address the expected continued deterioration in their financial position, councils will require extensive consultation processes with the community to consider a combination of revenue increases, expenditure reductions and service level reviews. Most councils have, during 2013/14, continued to actively address these issues by focusing on financial sustainability and improving their results.

The benchmarks adopted do not necessarily represent a pass or fail in respect of any particular area, and it is acknowledged that councils have significant differences in their size and population density.

Trends in results against the benchmarks are important, as well as the overall performance against all the benchmarks. It is also important to note that not one benchmark fits all. Detailed information regarding the benchmarks, quantitative measurement and definitions can be found on the Data Page of the website.

In response to the Independent Local Government Review Panel recommendations, the Office has developed criteria and certain benchmarks for a Fit for the Future council. These have been based on the work of TCorp and the Independent Panel and have been reviewed by the Independent Pricing and Regulatory Tribunal (IPART).

The Fit for the Future criteria and benchmarks align, in most instances, with the indicators presented in this report.



TABLE 2
 AVERAGE FINANCIAL RESULTS 2013/14

	State Average	Metropolitan*	Metropolitan Fringe*	Regional Town/City*	Large Rural*	Rural*	Benchmark
Operating Performance (%)	-8.76	-0.88	-5.31	-7.85	-12.92	-15.19	>0%
Cash Expenditure (months)	9.79	8.24	9.30	10.10	10.91	10.63	>3.0
Own Source Revenue (%)	70	83	74	74	65	55	>60%
Unrestricted Current Ratio	3.61	3.35	3.53	2.75	4.16	4.47	>1.5:1
Debt Service Ratio (%)	4.29	2.04	5.37	8.46	3.69	1.96	>0 - <20%
Debt Service Cover Ratio	82.69	272.13	2.70	3.58	13.79	111.87	>2.0
Rates & Annual Charges Outstanding (%)	6.25	3.40	4.67	5.49	7.27	10.28	<5% Metro <10% Rural

UNRESTRICTED CURRENT RATIO (UCR)

The unrestricted current ratio measures the adequacy of working capital and the ability of a council to satisfy its obligations in the short term. It does not include externally restricted activities such as water, sewer or specific grants and contributions. UCR is calculated by current assets less all external restrictions divided by current liabilities less specific purpose liabilities.

An UCR of 4.45 means that council has \$4.45 in unrestricted current assets to meet each \$1.00 of unrestricted current liabilities. A ratio of less than 1.5 is considered unsatisfactory and could indicate, along with other financial indicators, that the council may face some financial risk.

The State average has decreased from 4.0 in 2012/13 to 3.6 in 2013/14, with only the metropolitan councils improving slightly in 2013/14. UCRs ranged from 0.05 to 15.79.

OWN SOURCE REVENUE RATIO

Own source revenue ratio measures financial flexibility. It indicates the degree of reliance on external funding sources such as operating and capital grants and contributions received by councils. A council has improved financial flexibility with a higher level of own source revenue.

This ratio has seen an increase from 2013/14, with all regions improving. Own source revenue ranged from 29.8% to 92.9%, with 84% of councils reporting greater than 60% of own source revenue. This significant change can largely be attributed to the reduction in amount of FAGs received by councils in 2013/14, rather than an increase in own source revenue.

Own source revenue is calculated by total continuing operating revenue less all grants and contributions divided by total operating revenue including all grants and contributions.

RATES & ANNUAL CHARGES OUTSTANDING RATIO

This ratio assesses the impact of uncollected rates and annual charges on liquidity and the efficiency of councils' debt recovery. Some councils may have agreements in place to assist ratepayers in an attempt to reduce the debt owed to council. The ratio measures rates and annual charges outstanding against the total amount of rates and charges levied by council.

Councils' outstanding rates and annual charges ratio ranged from 0.63% to 19.2%. The average for all outstanding rates and annual charges was 6.5%. The benchmark for outstanding rates is <5% for city and coastal councils and <10% for rural areas.

The actual amount of rates and charges outstanding in the state has increased by 15% since 2009/10, although the total amount outstanding in 2013/14 reduced to \$285 million compared \$296 million in 2012/13.

Possible reasons for the increase in rates outstanding in recent years could be due to the prevailing economic climate, as well as the effectiveness of councils' debt recovery procedures and policies. Severe drought conditions within NSW over the past 10 years may have influenced the results. Councils should have a debt recovery policy and a hardship policy in place and should ensure that any outstanding amounts are actively pursued, in the context of the policies.

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

DEBT SERVICE COVER RATIO

The ratio measures the availability of operating cash to service debt including interest, principal and lease payments. Research commissioned by the Independent Local Government Review Panel found that generally NSW councils have comparatively low levels of debt. Councils have approximately twice as many financial assets as they do outstanding borrowings.

It appears that some councils may have a debt free policy, as well as significant capacity to repay additional debt, yet continue to report infrastructure backlogs. Nineteen councils reported they have no debt.

The ratio is calculated by operating results before capital, excluding interest, depreciation, impairment and amortisation divided by the principal repayments and interest costs.

The benchmark for this ratio is greater than 2.0. The higher the ratio, the greater the capacity for a council to take on and service additional debt. Metropolitan and Rural councils have the greatest capacity to repay additional debt, with the results for these councils well above the benchmark and the State average of 82.69.

DEBT SERVICE RATIO

Debt service ratio indicates the amount of general income that is used to repay debt and interest charges. This ratio forms part of councils' Fit for the Future assessment. Prudent and active debt management is a key part of a council's approach to both funding and managing infrastructure and services over the long term. Debt usage can also assist in smoothing funding costs and promoting intergenerational equity.

The repayment of debt costs ranged from 0% to 25% of councils' income. The benchmark is greater than 0% and less than 20%. All groups of councils reported results at the lower end of the benchmark, which indicates that most councils may be using debt to address infrastructure backlog. Metropolitan, Large Rural and Rural councils are below the state average result of 4.29%.

The debt service ratio is calculated by cost of debt service (interest and principal repayment) divided by total continuing operating revenue (excluding capital grants and contributions).

CASH EXPENSE RATIO

This ratio indicates the number of months a council can continue paying for immediate expenses without additional cash inflow.

The State average has improved in 2013/14 from 5.4 to 9.8 months. Metropolitan Fringe councils reported the greatest improvement from 3.1 in 2012/13 to 9.3 in 2013/14. The calculation of this ratio in 2013/14 included term deposits, which had been excluded previously and may be a contributing factor in the improvement.

The ratio is calculated by current year's cash and cash equivalent (including term deposits) divided by the cash flow payments of operating and financing activities.

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

REVENUE AND EXPENDITURE

Councils' total revenue including capital grants and contributions for 2013/14 was \$11.250 billion (operating revenue was \$9.715 billion) and total expenditure was \$10.075 billion.

The major source of revenue for councils is rates and annual charges. This includes residential, business, farming and mining rates, along with any special rates charged by councils. Annual charges include domestic waste, other waste charges, water, sewer and stormwater management. User charges and fees include activities such as water usage, drainage, parking fees, caravan parks, leisure centres, child and aged care services, building and regulatory services and private works.

Employee costs are the greatest expense to councils and include wages, salaries, leave entitlements, superannuation, workers compensation, fringe benefits and payroll tax.

into an operational expense. It reduces the value of assets as a result of wear and tear, age or obsolescence. Assets must be replaced or renewed at the end of their useful life.

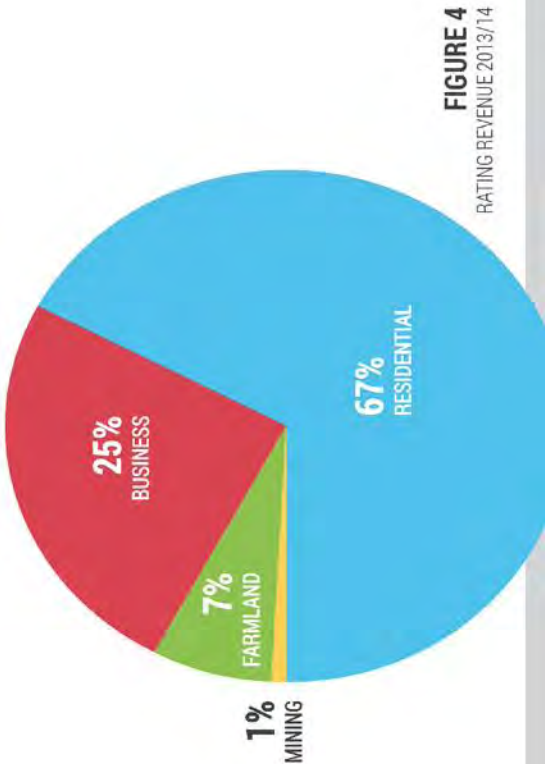
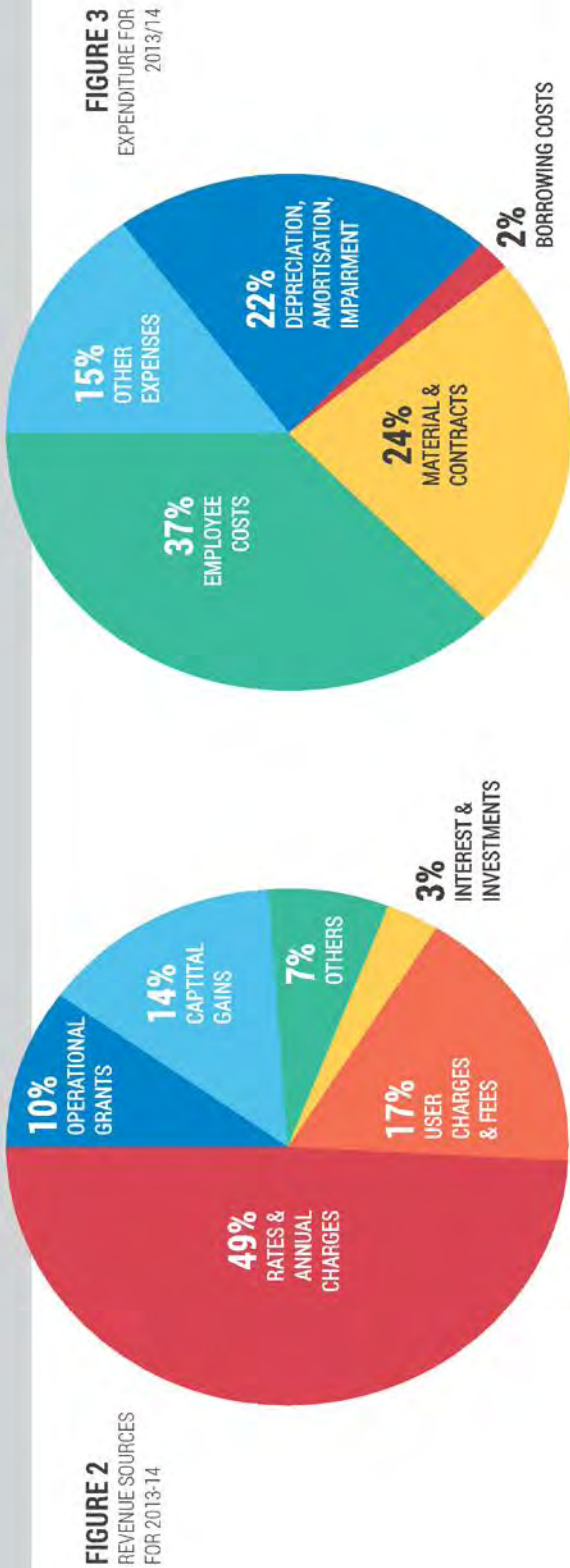
Materials and contracts is also a large expense item for councils. Materials and contracts consist of raw materials, contractor and consultancy costs, audit services and legal fees.

The 22% of expenditure on depreciation indicates the assumed amount of asset usage that has occurred during the year in the process of providing services.

Depreciation is a non cash expense that converts the capital cost of an asset

(\$M)	2010/11	2011/12	2012/13	2013/14
Total Assets	126,433	129,789	134,272	139,636
Total Liabilities	5,526	5,732	6,037	6,293
Total Net Infrastructure Assets	117,634	120,392	124,065	128,790
Borrowings	2,896	2,967	3,218	3,342
Cash & Investments	6,270	6,777	7,425	7,726
Total Revenue (excl capital grants and contributions)	8,811	9,340	9,653	9,715
Total Expenditure	9,343	9,607	9,905	10,075
Operating Results (before capital grants and contributions)	-532	-267	-252	-359

TABLE 3
NSW LOCAL GOVERNMENT,
KEY AGGREGATE FINANCIAL
RESULTS 2010/11 – 2013/14



1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

RATING REVENUE

All rateable land within a council area is to be categorised into one of four categories - residential, farmland, business or mining. The Local Government Act 1993 sets out the criteria councils are to apply when determining the appropriate category for land. Councils may also subcategorise parcels of land.

Rates may be calculated in one of three ways:

- entirely on the land value of the property
- on a combination of the land value of the property and a fixed amount per property
- entirely on the land value, but subject to a minimum amount.

Figure 4 illustrates the proportion of rating income councils received from each rating category in 2013/14. Residential properties contributed the largest share (67%), followed by business (25%). This distribution has been constant for a number of years.

The relative contribution by rating category varies significantly between councils, and is influenced by factors such as location, economic activity, council policies and land valuation.

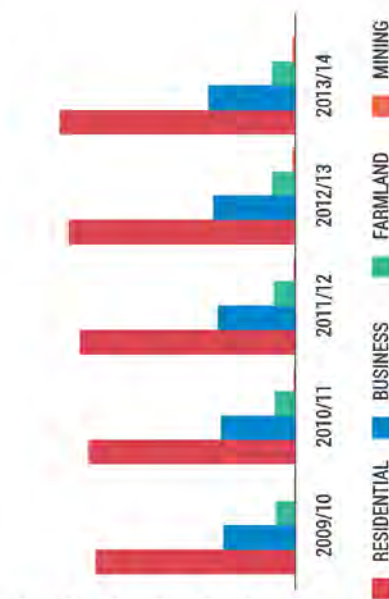
Councils may increase their general rates income each year by the rate-pegging limit, which is determined by the Independent Pricing and Regulatory Tribunal (IPART). For 2013/14, the limit was set at 3.4%. The rate peg applies to a council's total rating income, not to individual parcels of land. Rates for individual parcels will change depending on changes in the relative land value and the rating structure of a council. Councils may apply to IPART for a rate increase above the rate-pegging limit. In 2013/14, 23 councils were given approval to increase their rates by more than the rate peg limit. (See IPART's website for further details www.ipart.nsw.gov.au)

Figure 5 shows the change in total income from residential, farmland, business and mining rates categories over the five years 2009/10 to 2013/14.

Over this period:

- total rates income from residential ratepayers increased by 18.5% (an average of 3.7% per year)
- income from farmland properties increased by 15.3% (an average of 3.1% per year)
- income from the mining category increased by 51.6% (an average of 10.3% per year)
- total business income from rates increased by 21% (an average of 4.1% per year)

FIGURE 5
RATING REVENUE SOURCES
2009/10 – 2013/14



FINANCIAL PERFORMANCE

Table 4 shows an aggregate financial performance result for the NSW local government sector for 2013/14.

The table shows a reduction of \$375M from 2012/13 in the amount of operating grants and contributions paid, as well as a reduction of \$42M in interest revenue. These results have been influenced by the interest rates in the current economic climate, as well as the winding back of the FAGs payments.

Impairment expenses were also reduced by \$11M, possibly due to the reduction in the number of natural disasters occurring in 2013/14.

Income from continuing operations	(\$M)	Diff from 2013/14 - 2012/13 (\$M)
REVENUE		
Rates and annual charges	5,466	284
User charges and fees	1,965	120
Interest and investment revenue	356	-42
Other revenues	648	46
Grants & contributions provided for operating purposes	1,183	-375
Grants & contributions provided for capital purposes	1,535	149
OTHER INCOME		
Net gain from the disposal of assets	91	30
Net share of interests in joint ventures & associates using the equity method	6	-1
Total income from continuing operations	11,250	211
EXPENSES FROM CONTINUING OPERATIONS		
Employee benefits and on-costs	3,724	129
Borrowing costs	225	9
Materials and contracts	2,473	6
Depreciation and amortisation	2,183	21
Impairment	2	-11
Interest and investment losses	0	0
Net loss from the disposal of assets	71	-30
Net share of interests in joint ventures & associates using the equity method	1	0
Other expenses	1,396	46
TOTAL EXPENSES FROM CONTINUING OPERATIONS	10,075	170
OPERATING RESULTS FROM CONTINUING OPERATIONS	1,175	41
NET OPERATING RESULT FOR THE YEAR BEFORE CAPITAL GRANTS AND CONTRIBUTIONS	-359	-107

TABLE 4
WHOLE OF SECTOR FINANCIAL
PERFORMANCE 2013/14

Services Provided by Your Council

Councils provide a variety of services to residents, ratepayers and visitors to their area. Some of these services are provided on a user pays basis, while others are funded through a council's rating income and grants. Ultimately, the decision to provide a particular service and the level of this service is at the discretion of each council in consultation with the community.

KEY SERVICE TYPES

Table 5 describes the key service types provided by councils. A number of factors affect the delivery and efficiency of each service, while local policies also determine the level of services provided. Some of the factors determining the cost and range of these services include:

- the population mix
- the availability of funding
- socio-economic factors
- the number and range of services provided
- council's cost allocation practices
- council policies
- short term programs

TABLE 5
KEY SERVICES

SERVICE TYPE	DESCRIPTION OF SERVICE
Governance & Administration	Council's role as a democratic government, including elections, members' fees and expenses, meetings of councils and policy making committees, area representation and public disclosure and compliance, corporate support and other support services, engineering works and any council policy compliance.
Public Order, Safety & Health	Fire services, fire protection, emergency services, beach control, enforcement of local government regulations and animal control.
Environment	Noxious plants and insect/vermin control, environmental protection, solid waste management, street cleaning, drainage and stormwater management.
Community Services, Education & Housing	Administration and education, social protection (welfare), aged, disabled and children's services, public cemeteries and conveniences, street lighting, town planning and other community amenities.
Water & Sewer	The provision of water and sewer services.
Recreation & Culture	Libraries, museums, art galleries, community centres, halls and performing arts, sporting grounds and venues, swimming pools, parks and gardens and other sporting and recreation facilities.
Roads, Bridges & Footpaths	The provision of roads, bridges and footpaths.
Other Services	Services such as caravan parks, economic activities, agriculture, building control, aerodromes and communication.

EXPENDITURE ON SERVICES

Figure 6 provides an indication of the average relative breakdown of expenditure for NSW councils by service type.

On average, governance and administration represent the largest component at 17%, followed by roads, bridges and footpaths 16%, the environment 16% and recreation and culture 16%.

Some care needs to be exercised when drawing conclusions about these results. While water and sewer represents 10% of average expenditure, only 65% of councils provide these services. No metropolitan councils provide water and sewer and in some regional and rural areas, the services are provided by county councils. In addition, depending on councils' costing methods, the governance and administration category includes a range of indirect costs, such as payroll associated with providing other services.

In some cases, councils have made deliberate decisions to provide lower or higher levels of services, according to local needs.

These limitations do not, however, invalidate comparisons. Communities have the right to see how their councils compare with others and how efficiency, economy and resource allocation varies from council to council. Such comparisons provide communities and councils with the opportunity to question why such differences exist.

Ultimately, councils should know, and should be able to demonstrate to their community, that they are providing services effectively, efficiently and that such services meet their community's needs.

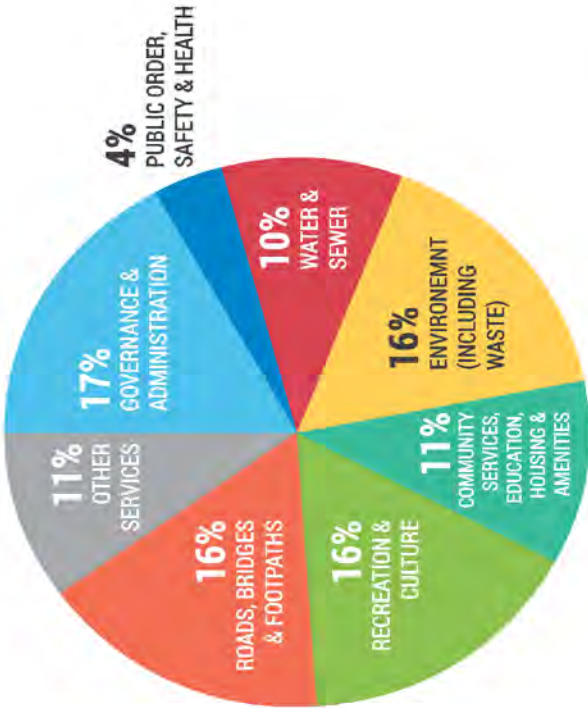


FIGURE 6
EXPENDITURE BY SERVICES 2013/14

Table 6 provides an overview of the average cost per capita of delivering core services, by the different council types:

Key observations are:

- Rural councils generally have far greater costs per capita due to their relatively smaller population.
- Road related expenditure is far greater in rural areas due to the significant larger road networks.

- Metropolitan and Metropolitan Fringe councils have lower per capita expenditure primarily due to economies of scale.
- Expenditure per capita can vary due to councils' decisions in relation to number and size of services provided.
- Metropolitan councils do not provide water and sewer services.
- Many rural councils provide 'Other Services' such as landing strips, aerodromes and agriculture services that are not provided by most other councils.

	Governance & Administration \$ per capita	Public Order, Safety, Health \$ per capita	Water & Sewer \$ per capita	Environment (including waste) \$ per capita	Community Services, Education, Housing & Amenities \$ per capita	Recreation & Cultural \$ per capita	Roads, Bridges & Footpaths \$ per capita	Other Services \$ per capita
State Average	227.24	61.49	140.42	218.71	145.87	216.14	219.16	131.65
Metropolitan	243.71	59.50	n/a	200.84	135.08	206.12	106.09	71.67
Metropolitan Fringe	129.30	45.34	120.34	194.32	140.06	172.72	154.02	74.63
Regional Town/City	223.24	60.75	299.41	260.87	139.88	248.21	293.72	182.96
Rural	714.91	184.80	454.25	231.84	384.32	340.26	1,336.61	742.27
Large Rural	362.14	110.93	424.95	227.78	230.68	258.62	711.76	407.77

TABLE 6
 PER CAPITA EXPENDITURE BY SERVICE TYPE 2013/14



ESTIMATED COST TO BRING ASSETS TO A SATISFACTORY STANDARD (BTS)

The improved information and greater focus on asset management has been reflected in a reduction in the estimated cost to bring assets to a satisfactory standard (referred to as the 'infrastructure backlog').

The total infrastructure backlog has fallen from approximately \$7.4 billion as at 30 June 2012 to \$5.5 billion as at 30 June 2014.

85 councils reduced their backlog amounts from the level reported in 2012/13. Backlog amounts ranged from \$45,000 to \$319 million.

Two councils did not report any backlog, with both reporting they have reduced their backlog to zero and one council's backlog remained the same. Conversely, 66 councils reported an increase in their backlog.

Each year the Office reviews significant changes in councils backlog estimates.

Councils are encouraged to continue to undertake community consultation in setting the level of service required for each class of asset when determining their budget.



ASSET MAINTENANCE EXPENDITURE

Asset maintenance is essential to ensure assets continue to meet their service delivery requirements. Councils are required to have asset management plans that set out annual maintenance requirements to keep assets at their existing condition. If actual maintenance expenditure is less than the estimated required annual maintenance a council may not be investing enough funds within the year to stop its infrastructure backlog from growing.

The average asset maintenance ratio has improved marginally from 91.1% in 2012/13 to 91.2% in 2013/14. A measure of 100% indicates council is investing sufficient funds to ensure the backlog does not increase.

The gap between actual maintenance and required maintenance indicates the difference between what individual councils' asset management plans project should be spent on infrastructure to keep it in its existing condition and what they actually spend. This data comes from Special Schedule 7 of the Annual Financial Statements. The Schedule is not required to be audited and some

councils do not include this data in their statements. In future years this information will be audited.

Shortfalls in maintenance expenditure for individual councils ranged from \$3,570 to \$24 million. 67% of councils reported a shortfall in asset maintenance expenditure with 10% of councils reporting an underspend of greater than \$5 million. The total net amount of this shortfall for all councils was \$234.2 million in 2013/14, compared to \$345.8 million in 2012/13. This reduction reflects both an increase in actual maintenance expenditure by councils (\$8.3 million) and a reduction in councils' estimated required annual maintenance (\$9.8 million).

Had the estimated required maintenance been fully implemented by all councils during the year, this would have had the effect of maintaining the infrastructure in the current condition. The cost of bringing councils' infrastructure to a satisfactory standard may increase as a result of any shortfall of actual maintenance to estimated maintenance. Figure 8 shows the difference between actual and required asset maintenance expenditure.

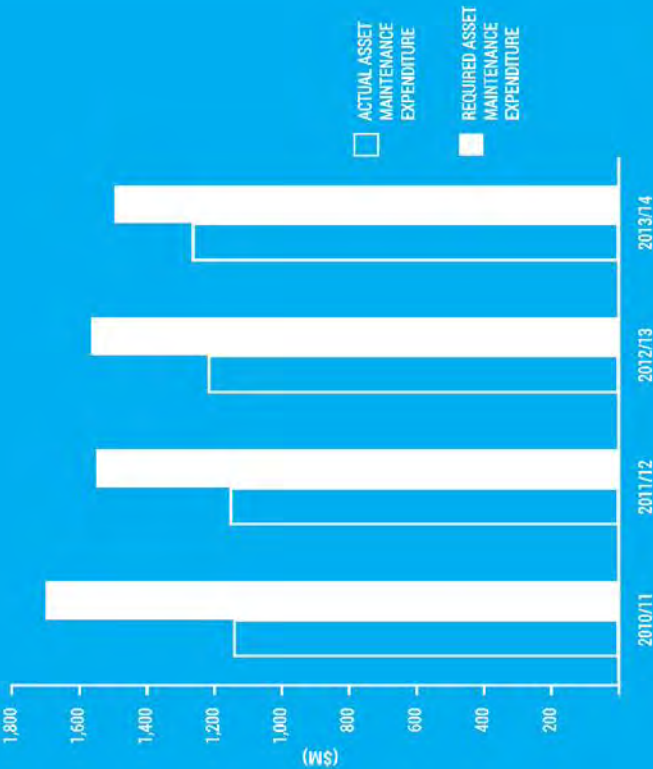


FIGURE 8
ACTUAL ASSET MAINTENANCE EXPENDITURE COMPARED TO REQUIRED ASSET MAINTENANCE EXPENDITURE

BUILDING AND INFRASTRUCTURE RENEWAL RATIO

The building and infrastructure renewal ratio assesses the rate at which assets are being renewed against the rate at which they are depreciating. Renewal is defined as the replacement of existing assets to equivalent capacity or performance capability, as opposed to the acquisition of new assets. A result of greater than 100 is considered satisfactory. It is calculated by the amount of asset renewal divided by the amount of depreciation.

The State average improved to 87% in 2013/14, with 47 (31%) councils reporting a result of 100% or greater.

While results below the benchmark generally indicate that councils need to increase funding on infrastructure renewal to maintain assets, renewal of assets depends on the types of services and level of services to be provided in the future, as well as the age and condition of the asset. Consequently the renewal expenditure may vary from year to year. This ratio needs to be considered in conjunction with other financial indicators in determining a council's financial position and sustainability.



INFRASTRUCTURE BACKLOG RATIO

The infrastructure backlog ratio shows the infrastructure backlog as a total written down value of a council's infrastructure. The ratio is calculated by the estimated cost to bring assets to a satisfactory standard divided by the written down value of the assets.

116 councils reported a backlog ratio of greater than 2%, where less than 2% is considered the benchmark. The infrastructure backlog ratios ranged from 0% to 84%, with the State average being 8.7%. This is a reduction from 10% in 2012/13. All regions except Rural councils reported an improvement in 2013/14.

- Table 7 provides a snapshot of the infrastructure results for 2013/14.
- Regional Town/City councils have the largest infrastructure backlogs in total dollar terms, with an average backlog of \$63.5 million, with Metropolitan Fringe councils having an average backlog of \$48.7 million
 - While Rural councils have the lowest backlog in total dollar terms, on a per capita basis their average backlog of \$3,616 per capita is above the State average
 - Large Rural councils have an average backlog per capita of \$2,675
 - Metropolitan councils have considerably lower infrastructure backlogs (\$314 per capita), primarily due to their larger populations and small road networks
 - In terms of annual maintenance, Regional Town/City councils are spending 83.6% of what they believe is required, compared with the State average of 91%
 - Metropolitan Fringe councils are spending 101.6% of the required maintenance expenditure.

TABLE 7
INFRASTRUCTURE RESULTS 2013/14

	NSW Average	Metropolitan	Metropolitan Fringe	Regional Town/City	Rural	Large Rural
Total Cost to bring to satisfactory condition (backlog)	\$36.04m	\$32.420m	\$48.676m	\$63.455m	\$10.886m	\$26.547m
Backlog per capita	\$739.61	\$314.24	\$357.60	\$1,137.13	\$3,616.08	\$2,675.28
Total Required Annual Maintenance	\$9,848m	\$11,894m	\$20,053m	\$15,489m	\$2,729m	\$5,193m
Total Actual Annual Maintenance	\$8,316m	\$10,325m	\$18,955m	\$12,001m	\$2,952m	\$4,441m
Difference between required and actual maintenance	\$1,532m	\$1,57m	\$1,098m	\$3,488m	\$136,917	\$751,942
Infrastructure Backlog (%)	8.7	6.5	5.4	7.6	7.8	12.4
Asset Maintenance (%)	91.2	91.8	101.5	83.6	97.2	91.4
Building & Infrastructure Renewal (%)	87.0	93.9	83.7	69.9	113.4	82.8

1.1 Profile And Performance Of The NSW Local Government Sector 2013-2014

Table 8 shows the aggregate financial position result for the NSW local government sector for 2013/14. There has been an increase in net assets of \$5M from 2012/13.

Current Assets	(\$M)	Diff from 2013/14 - 2012/13 (\$M)
Cash and cash equivalents	1,796	-632
Investments	4,136	641
Receivables	1,037	104
Inventories	192	-11
Other	38	-25
Non-current assets classified as held for sale	408	244
Total Current Assets	7,607	321
NON-CURRENT ASSETS		
Investments	1,853	297
Receivables	98	-75
Inventories	70	-3
Infrastructure, property, plant and equipment	128,790	4,724
Investment property	1,109	95
Intangible assets	105	7
Other	4	-1
Total Non-current Assets	131,970	4,985
Total Assets	139,576	5,305
CURRENT LIABILITIES		
Payables	1,209	91
Borrowings	299	10
Provisions	1,248	3
Total Current Liabilities	2,756	104
NON-CURRENT LIABILITIES		
Payables	20	-9
Borrowings	3,044	115
Provisions	473	46
Total Non-current Liabilities	3,537	152
Total Liabilities	6,293	256
Net Assets	133,283	5,049

TABLE 8
WHOLE OF SECTOR FINANCIAL
POSITION 2013/14

LOCAL INFRASTRUCTURE RENEWAL SCHEME (LIRS)

Investment in infrastructure has the capacity to stimulate and enhance the productivity of the economy in both the short and long term. It is an investment that has a multiplier effect throughout the economy, generating lasting economic, social and environmental benefits.

Traditionally, the focus on infrastructure asset management was the provision of new assets such as roads, water and sewerage networks, airports, entertainment centres and the like. However, it is becoming more and more apparent that it is no longer sustainable to

focus on meeting infrastructure needs through investment in the creation of new assets alone, without recognising the long-term lifecycle costs associated with the ongoing operation, maintenance and renewal of existing assets. As indicated, councils are struggling to keep up with maintenance and renewal of their assets to a level that is satisfactory to their community.

The Local Infrastructure Renewal Scheme (LIRS) provides councils with a subsidy in interest costs to make it affordable to take out major bank loans to assist councils with legitimate infrastructure backlogs to help meet the cost of financing renewals. LIRS is an important program for encouraging councils to manage and maintain local infrastructure.

This investment in debt funding has been proven to be far less expensive than paying for the long-term recurring maintenance requirements of deteriorating assets. Borrowings under LIRS can be for a maximum term of ten years.

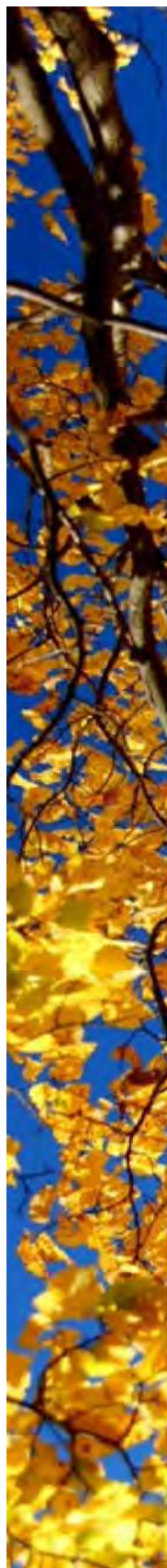
LIRS is a key part of the Government's commitment to address the infrastructure backlog faced by local governments, with the NSW Government committing \$120 million to the scheme. Local infrastructure is an important component of ensuring that NSW has strong and sustainable local communities.

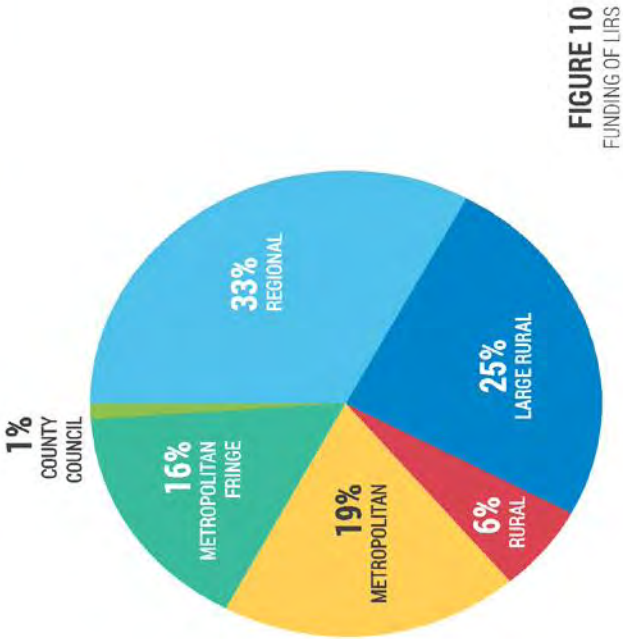
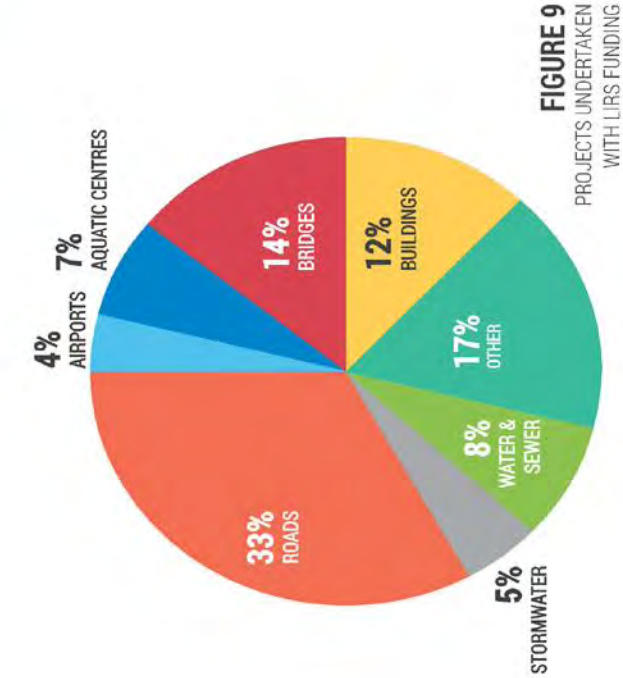
The funding for the 166 successful applications in Rounds 1, 2 and 3 will provide local communities with safer roads, bridges and footpaths, better

community halls and libraries, parks, sports fields and water and sewer facilities. This has unlocked more than \$800 million worth of investment.

The program has had a significant positive impact on regional and rural communities as it allows councils across the State to address their infrastructure backlog projects and provide much needed facilities to their communities.

Figure 10 shows the distribution of the 166 projects funded to date in terms of the percentage of projects in the different regions. 65% of the projects are within regional and rural council areas.





Achieving Community Outcomes

Each year this report focuses on trends and developments in key areas of local service delivery. Previously we have focused on waste and library services. This year's report focusses on planning and development activities.

PLANNING & DEVELOPMENT

The NSW Department of Planning & Environment compiled the 2013/14 Local Development Performance Monitoring Report (<http://www.datareporting.planning.nsw.gov.au>) providing comprehensive statistics about development in NSW, including annual information on the volume, value and type of development and council processing times. It is compiled using data supplied by local councils.

According to the report, in 2013/14, both the total number of development activity including Development Applications (DAs)* and complying development certificates (CDCs)* increased by 12% compared with 2012/13 and the total value of approved developments increased by 17% to \$28.69 billion worth of development.

The number of CDCs were the highest on record. CDCs now account for 29% of all development approvals (24,770 approvals).

The majority of developments approved were valued under \$1 million, 96% of DAs and 99% of CDCs. 56% of all approved development in NSW was in the Sydney region, with a total value of \$22 billion.



Development Activity

Overall residential development increased. Under the State Environmental Planning Policy (Affordable Rental Housing) 2009, approximately 2,000 new secondary dwellings (granny flats) DAs and CDCs were approved. Single new dwelling value increased by 18% to \$6.054, billion however new multi-unit development value decreased by 11% to \$3.804 billion. Infrastructure development value decreased significantly by 40% to \$194m, as did tourism development.

* Complying development is a form of planning approval that can be issued by an accredited certifier or a council in the form of a complying development certificate (CDC). This certificate combines approval for use of the land and building construction.

Development Application is an application for consent from a consent authority, eg council, to undertake works /development as is required by the Environmental Planning and Assessment Act 1979.



	<div data-bbox="408 1653 432 1897"> <h3>Determination Times</h3> </div> <div data-bbox="469 1525 762 1897"> <p>The average gross times for determining DAs was 70 days. More than half of all NSW councils (59%) had a median gross processing time for DAs of 40 days or less and 78% of councils achieved median net determination times of 40 days or less. Average gross time taken by councils to process CDCs (based on 142 councils) was 18 days.</p> <p>Based on the type of development in NSW, the average gross determining days for DAs are as follows:</p> <ul style="list-style-type: none"> • Residential - 65 days • Commercial / retail / office - 74 days • Infrastructure - 94 days • Community facility - 96 days • Industrial - 105 days • Subdivisions - 121 days • Tourist development - 157 days • Mixed use development - 159 days </div> <div data-bbox="469 1128 512 1494"> <p>The average gross time for all determinations varied as follows:</p> </div> <div data-bbox="531 1162 667 1473"> <ul style="list-style-type: none"> • Council staff - 62 days • Councillors - 170 days • Regional panels - 33 days • Independent panels - 164 days </div> <div data-bbox="694 1128 858 1494"> <p>Council staff made 73% of all DA and CDC determinations. Private certifiers determined 24% of development and Councillors determined 2% of development. Joint regional planning panels and independent panels determined just 1% of developments.</p> </div> <div data-bbox="885 1128 1007 1494"> <p>Councils determined 18.5% of CDCs and private certifiers determined 81.5%. Private certifiers now issue the majority of construction certificates, CDCs and occupation certificates.</p> </div> <div data-bbox="1034 1128 1225 1494"> <p>The number of council staff involved in DA processing across NSW was 1,021 in 2013-14. On average 60 DAs were determined by each full time council staff, however 12 councils recorded an average number of development determinations per full time staff of more than 100.</p> </div>
	<h3>ePlanning</h3>

In 2013, the NSW Government allocated \$30 million to the ePlanning program which involves the digitisation of planning services - transforming paper-based and face-to-face transactions to an online environment. In July 2014, a new ePlanning tool was launched to improve service delivery and transparency in the NSW planning system.

The new tools and services have been designed to make it easier for property owners, industry professionals and the community to interact with the planning system. The ePlanning program aims to make planning available online anywhere, at any time, helping industry, councils and the community to save time and money.

The ePlanning program is available at www.planning.nsw.gov.au/eplanning and is part of the NSW Government's strategy to make data openly available.

Stronger Community Leadership

This section of the report considers some key indicators in terms of how effectively councils' community leadership role is being performed.

FINANCIAL REPORTING

All councils and county councils must prepare financial reports each year. Councils must have these reports audited and submit them to the Office within 4 months of the end of the financial year. The preparation and submission of statements within the required timeframe is an important indication of good council governance.

Of the 152 general purpose councils, the 142 councils sent their reports on time for 2013/14.

Figure 11 shows the number of reports received on time and late from 2009/10 to 2013/14. The number of councils that submitted their reports on time is higher this year than the previous three years. Councils may apply for an extension to submit their financial statements (in extenuating circumstances).

In the NSW Auditor-General's Report—Financial Audit 2014, the Auditor General noted for 2013/14: *The timeliness of financial reporting improved across local councils, but further improvement is needed.**

*https://www.audit.nsw.gov.au/ArticleDocuments/346/01_Volume_Eleven_2014_Full_Report.pdf.aspx?Embed=Y

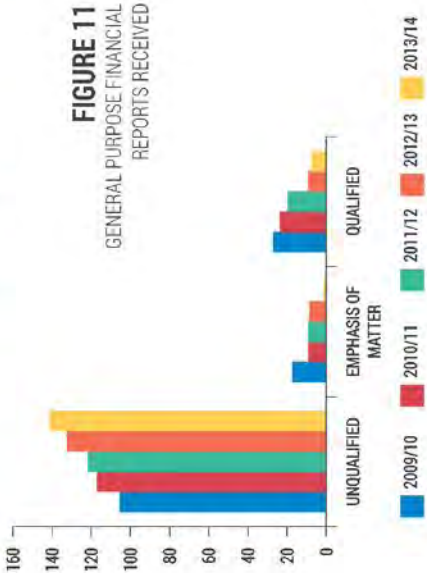
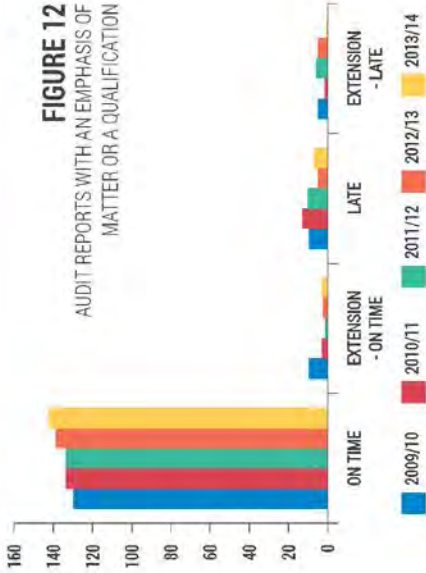


TABLE 9
REASONS FOR QUALIFICATIONS FOR 2013/14

REASON	DETAILS	NUMBER OF COUNCILS
Investments	Inability to obtain sufficient audit evidence as to value and recoverability of a portion of the investment portfolio	2
Assets	Recording of assets in the asset register system in the prior year resulted in numerous errors in infrastructure, property, plant and equipment, so the net value of assets was unable to be verified	1
	Inability to obtain sufficient audit evidence over the comparative figures presented	1
Timing	Financial statements submitted outside of the timeframe provided for in section 416 of the LGA	3
Going Concern	Deficit was reported, as well as current liabilities exceeding current assets. Also a breach of section 409(3) of the Act and cash shortages	1

TABLE 10
EMPHASIS OF MATTER REASONS FOR 2013/14

REASON	DETAILS	NUMBER OF COUNCILS
Infrastructure	Opening balance of infrastructure had not been determined in accordance with Local Government Code of Accounting Practice as a complete and comprehensive physical inspection of the infrastructure assets had not been conducted	1
Timing	Financial statements submitted outside of the timeframe provided for in section 416 of the LGA	1

AUDIT OPINION

A financial report audit provides reasonable assurance that in all material respect, the financial report has been prepared in accordance with the financial reporting framework. Following the audit, the Auditor provides an opinion on the audit.

This opinion can be unmodified, that is an unqualified report, which is also known as a clean opinion. The Auditor may however, provide a modified opinion. The modified opinion may be an emphasis of matter where a significant issue has been disclosed and needs to be drawn to the attention of the report user. A qualified opinion is when the auditor concludes that the financial report contains a material misstatement or the Auditor had been unable to obtain sufficient audit evidence.

The number of qualified audit reports has been reducing steadily since 2008/09. In 2013/14 there were 142

unqualified audit reports, 2 reports with an emphasis of matter and 8 that have been qualified. One of the qualified reports was recorded with a disclaimer of opinion. This was due to the auditor being unable to obtain sufficient appropriate audit evidence to base the opinion, and the possible effects on the financial report could be so material, misleading or incomplete. Table 9 lists the reasons that reports were qualified.

Table 10 lists the reasons that reports included an emphasis of matter. An emphasis of matter does not affect the auditor's opinion. It applies where future actions may resolve the matter or the matter is not under the direct control of the entity but may still affect the financial report.

Again, the Auditor General noted that the quality of reporting has improved over time, but further improvement is needed*.

*https://www.audit.nsw.gov.au/ArticleDocu-ments/316/01_Volume_Eleven_2014_Full_Report.pdf.aspx?Embed=Y



What is the code of conduct?

The Model Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions and assists them to:

- understand the standards of conduct that are expected of them
- enable them to fulfill their statutory duty to act honestly and exercise a reasonable degree of care and diligence
- act in a way that enhances public confidence in the integrity of local government
- provide local communities with a valuable insight into the performance of the governing bodies of their councils
- drive organisational and individual improvement through community awareness and media reports

What can code of conduct complaints tell us?

The numbers of code of conduct complaints received by a council about its councillors or the General Manager is often an indicator of the internal health of the organisation. Code of conduct complaints are often symptomatic of political infighting or interpersonal conflict.

The reporting of complaints statistics is an important accountability mechanism that provides local communities with a valuable insight into the performance of their councils. The reports also assists the Office to evaluate councils' implementation of the new Model Code framework and whether the framework has achieved its policy objectives.

Key Points

- Over 50% of councils received at least one code of conduct complaint
- 66% of all complaints were made to 24 councils
- The 20 councils with the greatest costs contribute to 69% of the costs incurred by all councils
- Where an investigation identified a breach, most were found to be a breach of the general conduct provisions
- Most recommendations made by a conduct reviewer or conduct review committee required the subject person to apologise to any person or organisation affected by the breach or be counselled for their conduct
- The Code of Conduct reporting period was 1 September 2013 to 31 August 2014 and includes County Councils.

	2014	2013	Difference
Total number of complaints	322	296	9%
Number of councils that received a complaint	88	76	16%
Number of complaints finalised in reporting period	291	311	-6%
Total cost of dealing with complaints	\$1,177,702	\$745,988	58%

TABLE 11
CODE OF CONDUCT STATISTICS 2012/13–2013/14

Trends

There has been a 58% increase in costs attributed to dealing with code of conduct complaints from 2013. Possible contributing factors include:

- 9% more complaints were received although 6% less were finalised
- more complaints were referred to a conduct reviewer
- being the second year of reporting, councils may now have a more reliable accounting system
- 15% of the total cost across the sector was incurred by one council
- The number of councils that have received complaints has increased

The General Manager and Mayor have resolved fewer complaints at the outset which may be due to:

- time constraints
- the complexity of the complaints
- efforts to maintain a good working relationship between councillors and the General Manager
- reluctance by Mayors and General Managers to directly involve themselves in the management of code of conduct complaints
- There is no significant change to the percentage of the number of complaints dealt with at the preliminary or investigation stages.

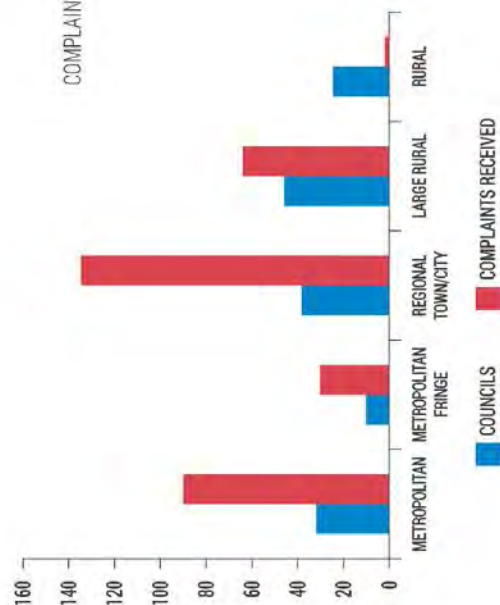
Complaints by Locality

Figure 13 shows that while councils within the Regional Town/City classification accounted for approximately 25% of councils, they received approximately 41% of complaints. Metropolitan councils also recorded a disproportionately high number of complaints. 2 county councils, which received complaints are not included in the chart below.

Cost

The total estimated cost attributed to dealing with code of conduct complaints by all councils increased to \$1,177,702 in 2013/14.

FIGURE 13
COMPLAINTS RECEIVED IN EACH CLASSIFICATION





ACCESS TO SERVICES

The Office of Local Government Locations		Office Hours	Alternate Media Publications
Nowra Office Levels 1 & 2 5 O'Keefe Avenue NOWRA NSW 2541 Locked Bag 3015 NOWRA NSW 2541 Phone 02 4428 4100 Fax 02 4428 4199	Sydney Office Level 9, 6 - 10 O'Connell Street SYDNEY NSW 2000 PO Box R1772 ROYAL EXCHANGE NSW 1225 Phone 02 9289 4000 Fax 02 9289 4099	Monday to Friday 8.30am to 5.00pm (Special arrangements may be made if these hours are unsuitable) All offices are wheelchair accessible.	Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact our Operations Group on 02 9289 4000 .



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1.2 2016 Sub Committee Meeting Dates

Reporting Officer

Manager Governance and Risk

Attachments

Nil

Purpose

To advise Council of the proposed 2016 meeting dates for Council sub committees and audit committee.

Report

Council is represented on seven internal sub committees and the audit committee.

Sub committees generally meet on a bi-monthly or quarterly basis on a designated evening or afternoon. In preparing the meeting schedule detailed below, every effort has been made to eliminate clashes between sub committee meetings and audit committee.

The sub committee meeting calendar has been prepared for the period up until September 2016. A new calendar will be prepared following the Local Government Election scheduled to be held 10 September 2016.

The following meeting calendar has been prepared for 2016 and is presented to Council for consideration.

Community Safety Sub Committee Thursday at 12.30pm 18 February 5 May 28 July	Campbelltown Arts Centre Sub Committee Wednesday at 6.00pm 2 March 8 June 31 August
Audit Committee Tuesday at 4.30pm 8 March 14 June	Heritage Protection Sub Committee Thursday at 6.00pm 25 February 26 May 18 August

Innovation and Performance Sub Committee Monday at 6.00pm 2 May	Sports Liaison Sub Committee Wednesday at 6.00pm 9 March
The following Sub Committee's meet as required: - Australia Day Awards - Glenalvon	

To assist with security measures all evening sub committee meetings held at the Civic Centre will commence at 6.00pm and conclude by 7.30pm.

Council is also represented on various statutory authorities and other organisations. When advice is received regarding the meeting dates, notification will be forwarded to all Councillors.

Officer's Recommendation

That the sub committee meeting calendar for 2016 be adopted.

Committee's Recommendation: (Borg/Lake)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Hawker/Borg)

That the Officer's Recommendation be adopted.

Amendment (Kolkman/Lound)

That the sub committee meeting calendar for 2016 be adopted with the following amendments:

- Audit Committee be held on 15 March 2016 instead of the 8 March 2016
- Sports Liaison Sub Committee be held on 16 March 2016 instead of the 9 March 2016.

Council Resolution Minute Number 214

That the above amendment be adopted.

2. PROPERTY SERVICES

No reports this round

3. FINANCIAL SERVICES

3.1 Investment report - September 2015

Reporting Officer

Manager Financial Services

Attachments

Investment portfolio performance for the month of September 2015 (contained within this report)

Purpose

To provide a report outlining Council's investment portfolio performance for September 2015.

Report

Council holds a number of reserves in order to fund significant future liabilities or future objectives. These liabilities include insurance claims, employee leave entitlements and asset replacement. In addition, Council is also required to hold funds that under the *Local Government Act 1993*, are not permitted to be used for any other purposes than those originally collected for. These include developer contributions, specific purpose grants, domestic waste management, contributions and stormwater management funds.

Council invests funds through the financial instrument designated by the Ministerial Order from the Office 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 30 September 2015 stood at approximately \$121m. 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 have consistently outperformed the AusBond bank bill index benchmark.

Monthly annualised return	September
Council Managed Funds	3.08%
Benchmark: AusBond Bank Bill Index	2.11%

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	September
Council Managed Funds	3.49%
Benchmark: AusBond Bank Bill Index	2.45%

Council's portfolio as at 30 September 2015 is diversified with 74% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 21% in floating rate deposits which gives Council a set margin above either 30 or 90 day bank bills, 4% in fixed rate bonds, 1% in funds in a short term at call account.

Maturity profile	30 September
Short term at call	\$1,013,327
0 – 3 months	\$21,768,490
3 – 6 months	\$57,268,948
6 – 12 months	\$35,655,148
12 months +	\$6,000,000

All investments are placed with approved deposit taking institutions. No funds are placed with any unrated institutions.

Credit exposure	30 September
AAA to AA-	60%
A+ to A-	33%
BBB+ to BBB-	7%
Other approved deposit taking institutions	0%

Economic outlook

The Board of the Reserve Bank of Australia left the cash rate unchanged, for the fifth consecutive month, at the present level of 2% at its 6 October 2015 meeting which was as the market expected.

The statement of monetary policy was relatively unchanged from previous months with the suggestion that the economy would be operating with a degree of spare capacity for some time and that domestic inflationary pressure is contained. Whilst some economists predict a further easing of monetary policy in coming months and a continued period of stability, mainly due to increasing unemployment rates and a further reduction in economic growth, most believe rates could begin to increase in the latter half of 2016, however this will be largely dependent on conditions in China and what affect that has domestically.

Summary

Council's investment portfolio continues to outperform the benchmark of the AusBond 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: (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Hawker/Borg)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 214

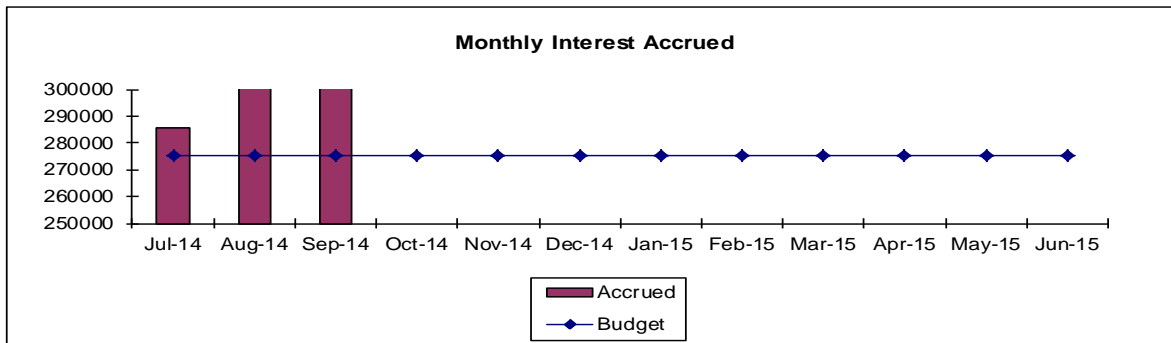
That the Officer's Recommendation be adopted.

ATTACHMENT 1

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary September 2015

Benchmark AusBond Bank Bill Index
Portfolio Balance \$121,705,913.10

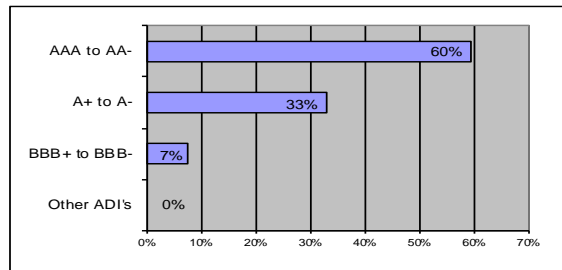
Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.17%	2.11%
Total Portfolio	0.25%	3.08%
<i>Performance to Benchmark</i>	+ 0.08%	+ 0.96%
Portfolio - Direct Investments	0.25%	3.08%
<i>Performance to Benchmark</i>	+ 0.08%	+ 0.97%
Short Term Call Account	0.20%	2.40%



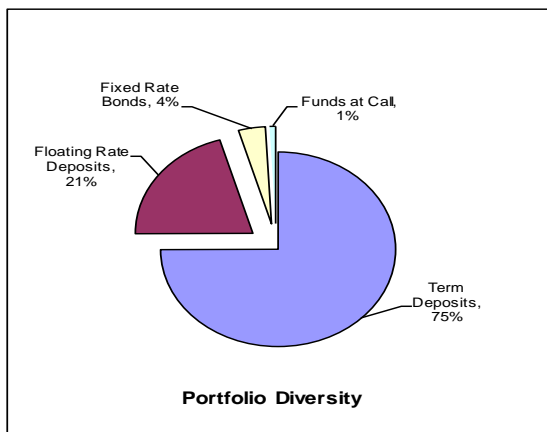
Year to Date Performance Credit Exposure (S&P Long Term Rating)

Rolling 12 Month Period
3.49% Council Managed Funds
2.45% Benchmark

Interest Budget to Actual
Average Budget to Period \$825,925
Actual Accrued to Period \$902,215



Securities Institutions



	Amount Invested	% Portfolio
NAB Funds at Call	\$ 1,013,327.35	1%
NSW Treasury	\$ 2,225,000.00	2%
National Australia Bank	\$ 38,940,527.84	32%
ANZ Bank	\$ 3,500,000.00	3%
Westpac Bank	\$ 5,328,451.17	4%
Commonwealth Bank	\$ 5,000,000.00	4%
Bank Western Australia	\$ 16,458,321.73	14%
AMP Bank	\$ 5,077,863.01	4%
Suncorp Metway	\$ 17,116,411.04	14%
Macquarie Bank	\$ 3,000,000.00	2%
Rural Bank	\$ 6,000,000.00	5%
Bank of Queensland	\$ 9,046,010.96	7%
Peoples Choice CU	\$ 2,000,000.00	2%
Credit Union Aust	\$ 3,000,000.00	2%
ME Bank	\$ 4,000,000.00	3%
Total	\$ 121,705,913.10	100%

3.2 Sundry Debtors Report - September 2015

Reporting Officer

Manager Financial Services

Attachments

1. Debtors summary to 30 September 2015 (contained within this report)
2. Ageing of sundry debts to 30 September 2015 (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 30 September 2015.

Report

Debts outstanding to Council as at 30 September 2015 are \$1,904,719 reflecting a decrease of \$206,808 since August 2015. The ratio of outstanding debts to current invoices has decreased from 48% in August to the current level of 29.5%. 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 – September 2015

During the month, 1296 invoices were raised totalling \$1,631,465. The majority of these are paid within a 30 day period. The most significant invoices raised during the month have been in the following areas:

Footpath and Road Restoration – \$538,379 – the main invoices relate to:

Silcar Pty Ltd & Thiess Services Pty Ltd – NBN various restorations within Campbelltown Local Government Area	\$392,174
Datateks – footpath restorations, Lindesay Street, Dan Street and Macquarie Street Campbelltown	\$13,547
Wavelength Pty Ltd - restoration - Moore Street and Allman Street, Campbelltown - Footpath Concrete	\$13,600
Lend Lease - road restoration - various locations - Queen Street, Campbelltown and Minto	\$59,642

Land and Building Rentals – \$131,225 – the main invoices relate to:

Aldi Foods Pty Ltd - monthly rental at Macquarie Fields	\$24,750
Nuvezo Pty Ltd - monthly rental Dumaresq Street Cinema	\$23,797
Glenquarie Hotel Pty Ltd - monthly rental Macquarie Fields	\$20,438
Caltex Oil Australia Pty Ltd - monthly rental Macquarie Fields	\$15,695
Mycorp Group Pty Ltd - monthly rental Macquarie Fields	\$13,878

Corporate Administration – \$405,280 – the main invoices relate to:

Roads and Maritime Services - purchase of Gross Pollutant Trap associated with temporary detention basin Glenfield Road, Glenfield associated with RMS road widening works	\$51,839
Western Sydney University - Contribution - Tutoring Agreement for Tutoring Programme 2015-2016	\$31,350
Commonwealth Bank of Australia - PC Equipment Finance - Tranche 3 of 2014-2015	\$236,150
Nine Network Australia - Community Event Sponsorship Agreement - 2015-2016	\$22,000
Refundable Bonds – Standing Plant (ie cranes, concrete pumping and scaffolding) times three	\$30,000

Sportsground and Field Hire - \$152,130 – the main invoices relate to:

Stadium Hire and Commission for August 2015	\$79,642
---	----------

Receipts to the value of \$651,365 have been received during the period, the most notable in the following areas:

Various Sundry Items	\$120,764
Healthy Lifestyles	\$110,155
Land and Building Rentals	\$79,930
Waste Collection Services	\$70,388
Government and other Grants	\$69,872
Road Restoration	\$68,859

Sundry debts outstanding – 30 September 2015

Debts exceeding 90 days of age totalled \$477,838 as at 30 September 2015. The major invoices relating to this balance include:

Description	Date Invoiced	Balance at 30 September 2015
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	\$6,556
Casper's Baseball Club - electricity charges. Club is experiencing financial difficulty, however have been making irregular payments to reduce the debt. Council continues to meet with club and Macarthur Baseball to resolve debt	17/12/12 to 17/06/15	\$6,878
Insight Mercantile Pty Ltd – abandoned motor vehicle, unable to locate owner of the vehicle. Finance company acknowledges Council's power to sell an encumbered vehicle. Sales agreement completed ready for disposal at the next available auction	18/07/14	\$2,799
GE Automotive – abandoned motor vehicle, unable to locate owner of the vehicle. Finance company acknowledges Council's power to sell an encumbered vehicle. Sales agreement completed ready for disposal at the next available auction	05/07/12	\$5,709
74366.6 - motor vehicle accident at the Animal Care Facility, no response to letters sent. Debtor has now been located and is in negotiation with Council's agent, legal action has commenced with a Statement of Claim being issued	05/06/14	\$1,981
Master Woodturning - Land value associated with walkway closure adjoining 37 Lancaster Street, Ingleburn. Payment is being held in trust by Council's solicitor and will be released to Council once plans have been registered with the Land Titles Office which may take up to three months	20/11/14	\$54,129
Jemena Gas Networks - Gas mains assessment for 2014-2015 (estimate)	30/06/15	\$61,000
Camden Council - Contribution to Annual Operating Costs MACROC 2015-2016. Payment expected end October 2015	31/07/15	\$86,530
Campbelltown Warriors Football Club - Community Building Partnership Program- Power upgrade to Worrell Oval – Change over in staff has delayed the process of payment, it is now expected to be paid by end of October 2015	24/06/15	\$143,000

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 90 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 14 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, six accounts 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 agent.

Council's agents were instructed to proceed with one Warrant of Apprehension for reimbursement of services not received to council and recovery of legal costs associated with matter.

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.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Lake/Borg)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Hawker/Borg)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 214

That the Officer's Recommendation be adopted.

ATTACHMENT 1

DEBTORS SUMMARY 1 September 2015 to 30 September 2015

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/08/2015	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/09/2015	% DEBT RATIO
Corporate Administration	203,146	405,280	46,637	561,789	29.49%
Abandoned Items	6,662	0	0	6,662	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	369	140	406	103	0.01%
Sportsground and Field Hire	61,941	152,130	110,155	103,916	5.46%
Government and other Grants	243,250	71,850	69,872	245,228	12.87%
Public Hall Hire	17,418	14,123	5,048	26,493	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	55,847	131,225	79,930	107,142	5.63%
Healthy Lifestyles	1,523	32,315	31,000	2,838	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	44,742	15,570	25,118	35,194	1.85%
Pool Hire	12,237	9,268	14,075	7,431	0.39%
Private Works	10,784	0	900	9,884	0.52%
Road and Footpath Restoration	67,092	538,379	68,859	536,612	28.17%
Shop and Office Rentals	19,853	29,701	8,212	41,341	2.17%
Various Sundry Items	152,225	90,761	120,764	122,222	6.42%
Waste Collection Services	47,149	140,722	70,388	117,482	6.17%
	2,111,527	1,631,465	651,365	1,904,719	100%

ATTACHMENT 2

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 September 2015

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due
Corporate Administration	346,436	43,284	12,812	159,258	561,789
Abandoned Items	0	0	0	6,662	6,662
Education and Care Services	18,710	0	0	0	18,710
Community Bus	89	14	0	0	103
Sportsground and Field Hire	40,870	21,329	27,978	14,496	104,673
Government and other Grants	33,000	33,760	0	178,468	245,228
Public Hall Hire	10,225	2,066	9,983	4,219	26,493
Health Services	0	0	0	350	350
Land and Building Rentals	99,788	1,608	1,141	4,605	107,142
Healthy Lifestyles	1,252	998	290	298	2,838
Licence Fees	4,532	4,540	3,302	22,820	35,194
Pool Hire	5,937	332	522	640	7,431
Private Works	1,189	0	0	8,695	9,884
Road and Footpath Restoration	61,767	452,239	18,017	4,589	536,612
Shop and Office Rentals	21,863	13,389	5,623	467	41,341
Various Sundry Items	27,119	18,545	4,285	72,272	122,222
Waste Collection Services	103,787	13,696	0	0	117,482
	737,129	605,799	83,953	477,838	1,904,719
					148,943

Previous Month 90+ days	16,845
	6,662
	0
	0
	11,942
	0
	4,462
	350
	0
	321
	21,700
	1,274
	9,595
	1,466
	0
	74,328
	0
	148,943

3.3 Quarterly Budget Review Statement as at 30 September 2015

Reporting Officer

Manager Financial Services

Attachments

Quarterly Budget Review Statement for the period 1 July 2015 to 30 September 2015
(contained within this report)

Purpose

A quarterly financial review has been conducted on the original income and expenditure estimates presented in the 2015-2016 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 Office 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 30 September 2015.

In June 2015, Council adopted a balanced budget for 2015-2016. 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 July to September 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.

The following items are detailed with corresponding adjustments recommended following the completion of the quarterly financial review:

Executive Services - \$60,000 increase in expenditure

Costs have been incurred during the process of replacing the retiring General Manager that were not included in the original budget. Also funds have been provided to engage a consultant to finalise the organisational structural review. This funding has been provided for by savings in other areas and an increase in Development Income.

Swimming Pool Inspection Program - \$60,000 decrease in income

The anticipated income generated from the inspection program has been reduced due to the State Government's decision to again defer the requirement for pool owners to obtain Certificates of Compliance for sold or leased properties.

On-Street Parking - \$50,000 increase in income

In the previous financial year additional staff were employed to increase resources to manage parking requirements of the City. This has enabled an amplified surveillance program to be activated, resulting in an increase in the income generated from parking fines. These additional funds have been utilised to offset the loss of budgeted swimming pool compliance certificate income.

Building Certification/Development Assessment Unit - \$246,900 increase in income

There has been a continued significant increase in development activity resulting in a marked increase in the number of planning and building developments in the Local Government Area this financial year. This has led to an increase in the funds received from development applications, damage inspection fees and construction certificates. These additional funds have been utilised to offset the financial assistance grant reduction and Executive Services operational expenditure.

Sanitary Waste Management - \$50,000 increase in income

The ongoing usage of the Sanitary Waste Facility by adjoining local government areas has seen a greater level of income being received than was anticipated when the original budget was being prepared.

Financial Assistance Grant - \$426,900 decrease in income

As previously advised to Council the federal government has instated a freeze on the indexation of the financial assistance grant. This, along with the redistribution of available funds in accordance with population growth changes has seen a reduction in the grant funds received by Council. This decrease in funding has been offset by increased development income and rates growth income.

Employee Leave Entitlements on Termination - \$100,000 increase in expenditure

There has been a number of long standing employees retire or resign from Council over the first quarter of this financial year. Many of these employees were entitled to significant leave entitlements on termination resulting in this required adjustment. Council has a Leave Entitlements Reserve to fund the leave entitlements of staff who are over 55 years of age. This adjustment can be funded from the reserve.

Rates-General Purpose Revenue - \$200,000 increase in income

The actual rates levied at the start of this financial year were greater than the amount that was calculated when the original budget was prepared. This has occurred due to changed circumstances such as additional ratepayers in the Local Government Area, new supplementary rate levies issued as a result of the subdivision of land parcels etc. This has generated additional rating income. These additional funds have been utilised to offset the reduction in financial assistance grant.

Summary

As reported to Council in previous years, the financial objective has been to budget a surplus to improve Council's liquidity ratio. The liquidity ratio has improved to a satisfactory level and as such, a balanced budget is proposed for the 2015-2016 financial year.

As per the Responsible Accounting Officer's statement, the 2015-2016 results continue to support Council's sound financial position in the short to medium term. During 2015-2016, 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: (Greiss/Borg)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Hawker/Borg)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 214

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

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 30/09/15 indicates that Council's projected financial position at 30/06/16 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: 27.10.15

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Campbelltown City Council

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2015

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2015/16	Approved Changes				Revised Budget 2015/16	Variations for this Sep Qtr	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than QBRS	Sep QBRS	Dec QBRS				
Income									
Rates and Annual Charges	94,933	-	-	-	-	94,933	200	95,133	94,999
User Charges and Fees	11,102	-	1	-	-	11,103	41	11,144	4,310
Interest and Investment Revenues	3,693	-	-	-	-	3,693	-	3,693	284
Other Revenues	4,926	-	-	-	-	4,926	962	5,888	3,730
Grants & Contributions - Operating	26,358	-	1,106	-	-	27,464	(101)	27,363	12,154
Grants & Contributions - Capital	2,453	15,391	-	-	-	17,844	-	17,844	1,778
Total Income from Continuing Operations	143,465	15,391	1,107	-	-	159,963	1,102	161,065	117,255
Expenses									
Employee Costs	62,373	313	193	-	-	62,879	28	62,907	18,868
Borrowing Costs	1,458	-	-	-	-	1,458	-	1,458	72
Materials & Contracts	23,927	2,862	(971)	-	-	25,818	14	25,832	5,198
Depreciation	25,918	-	-	-	-	25,918	-	25,918	3,726
Legal Costs	1,151	-	-	-	-	1,151	13	1,164	203
Consultants	951	1,143	-	-	-	2,094	65	2,159	311
Other Expenses	31,956	435	163	-	-	32,554	130	32,684	10,141
Total Expenses from Continuing Operations	147,734	4,753	(615)	-	-	151,872	250	152,122	38,519
Net Operating Result from Continuing Operation	(4,269)	10,638	1,722	-	-	8,091	852	8,943	78,736
Discontinued Operations - Surplus/(Deficit)	-	-	-	-	-	-	-	-	-
Net Operating Result from All Operations	(4,269)	10,638	1,722	-	-	8,091	852	8,943	78,736
Net Operating Result before Capital Items	(6,722)	(4,753)	1,722	-	-	(9,753)	852	(8,901)	76,958

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/15 and should be read in conjunction with the total QBRS report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Additional rates levied during the quarter due to changed circumstances such as additional ratepayers in the LGA, new supplementary rate levies issued as a result of the subdivision of land parcels etc.
2	Reduction in income from swimming pool inspection program. Increase in income from building certification fees, sanitary waste disposal and footpath reinstatements.
3	Increase in income from additional parking fine income due to increased surveillance activity and additional sales from the Minto One redevelopment. Reduction in the funds received towards the indigenous art prize.
4	Reduction in income from the financial assistance grant. Increase in income received from development application fees, section 149 certificates and contributions from other councils towards employees leave entitlements.
5	Variations in employee costs due to staff vacancies which in some case have been transferred to fund contract staff, as well as additional funds required to fund employee leave entitlements on termination.
6	Capital budget used to fund operational program such as footpath and kerb & gutter and transfer of funds from operational budget to the capital budget.
7	Additional funds allocated to legal costs for Property Development and Debt Recovery.
8	Additional consulting services required to finalise the Council restructure and the consolidated LEP.
9	Movements in Other Expenses is mainly attributable to additional costs involved in the Regional Waste contract negotiations (partly offset by cost recovery from other parties).

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/15 and should be read in conjunction with the total QBRS report.

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Campbelltown City Council

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2015

Capital Budget - Council Consolidated

('\$000's)	Original Budget 2015/16	Approved Changes				Revised Budget 2015/16	Variations for this Sep Qtr	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs				
Capital Expenditure									
New Assets									
- Plant & Equipment	332	1,468	-	-	-	1,800	-	1,800	320
- Land & Buildings	-	-	-	-	-	-	-	-	-
- Other	-	-	-	-	-	-	-	-	-
Renewal Assets (Replacement)									
- Plant & Equipment	3,977	24	-	-	-	4,001	-	4,001	1,040
- Office Equipment/Furniture & Fittings	142	156	160	-	-	458	8	466	77
- Land & Buildings	4,630	6,116	1,048	-	-	11,794	70	11,864	2,092
- Roads, Bridges, Footpaths	13,345	17,241	610	-	-	31,196	(51)	31,145	2,722
- Stormwater/Drainage	100	242	-	-	-	342	-	342	132
- Other Assets	300	-	-	-	-	300	-	300	47
Loan Repayments (Principal)	4,092	-	-	-	-	4,092	-	4,092	212
Total Capital Expenditure	26,918	25,247	1,818	-	-	53,983	27	54,010	6,642
Capital Funding									
Rates & Other United Funding	19,727	-	1,817	-	-	21,544	27	21,571	4,082
Capital Grants & Contributions	2,453	15,391	-	-	-	17,844	-	17,844	1,778
Reserves:									
- External Restrictions/Reserves	-	2,266	-	-	-	2,266	-	2,266	-
- Internal Restrictions/Reserves	2,656	7,590	1	-	-	10,247	-	10,247	-
New Loans	-	-	-	-	-	-	-	-	-
Receipts from Sale of Assets									
- Plant & Equipment	2,076	-	-	-	-	2,076	-	2,076	480
- Office Equipment/Furniture & Fittings	-	-	-	-	-	-	-	-	-
- Land & Buildings	-	-	-	-	-	-	-	-	301
- Other Assets	6	-	-	-	-	6	-	6	1
Total Capital Funding	26,918	25,247	1,818	-	-	53,983	27	54,010	6,642
Net Capital Funding - Surplus/(Deficit)	-	-	-	-	-	-	-	-	-

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/15 and should be read in conjunction with the total QBRs report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Purchase of replacement equipment for the printing section, funded from savings in copier costs.
2	Funds transferred from operational budget to fund capital expenditure on the Better Waste and Recycling program.
3	Funds transferred from capital budget to fund operational expenditure on the footpath and kerb & gutter programs.
4	Increase in untied funds utilised to fund capital works.

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/15 and should be read in conjunction with the total QBRS report

Campbelltown City Council

Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2015

Cash & Investments - Council Consolidated

	Opening Balance 2015/16	Movement in Reserves		Current Balance 2015/16	Projected Movement Sep Qtr	Notes Projected Year End Balance	Actual YTD figures
		Income/ Expenses	Transfers to/from				
(\$000's)							
Externally Restricted ⁽¹⁾							
Special Rates	-	-	-	-	-	-	-
Stormwater Management	322	-	-	322	(100)	222	322
Specific Purpose Grants	3,443	-	-	3,443	(1,500)	1,943	3,443
Specific Purpose Contributions	3,921	-	-	3,921	-	3,921	3,921
Developer Contributions - S94	9,609	1,297	-	10,906	500	11,406	10,906
Developer Contributions - Other	1,047	-	-	1,047	-	1,047	1,047
Domestic Waste Management	3,347	-	-	3,347	-	3,347	3,347
Self Insurance Workers Compensation Claims	4,210	-	-	4,210	-	4,210	5,540
Total Externally Restricted	25,899	1,297	-	27,196	(1,100)	26,096	28,526
(1) Funds that must be spent for a specific purpose							
Internally Restricted ⁽²⁾							
Property Development	12,818	-	-	12,818	500	13,318	12,818
Committed Works	5,087	-	-	5,087	(2,500)	2,587	5,087
Childcare	-	-	-	-	-	-	-
Self Insurance Workers Compensation Claims	1,330	-	-	1,330	-	1,330	5,540
Replacement of Plant and Vehicles	2,747	-	20	2,767	100	2,867	2,767
Committed Works funded by Loans	2,985	-	-	2,985	(500)	2,485	2,985
Employee Leave Entitlements	10,577	-	-	10,577	(500)	10,077	10,577
Environmental Sustainability	426	-	53	478	-	478	478
Asset Replacement	4,844	-	282	5,126	(500)	4,626	5,126
Infrastructure Replacement Fund	20,017	-	-	20,017	-	20,017	20,017
Olympic Ambassador	100	-	5	105	-	105	105
Insurance Claims - Excess	4,706	-	829	5,535	-	5,535	5,535
Local Government Elections	439	-	200	639	-	639	639
Other	127	0	-	127	-	127	127
Total Internally Restricted	66,205	0	1,388	67,593	(3,400)	64,193	71,803
(2) Funds that Council has earmarked for a specific purpose							
Unrestricted (ie. available after the above Restrictions)	13,439	(1,297)	(1,388)	10,754	-	28,453	22,914
Total Cash & Investments	105,543			123,242	(4,500)	118,742	123,242

This statement forms part of Council's Quarterly Budget Review Statement (QBR) for the quarter ended 30/09/15 and should be read in conjunction with the total QBR report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

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 \$123,242,383

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 30/09/15

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

\$ 000's

Cash at Bank (as per bank statements)		2,218,316
Investments on Hand		121,705,913
less: Unpresented Cheques	(Timing Difference)	(1,388,522)
add: Undeposited Funds	(Timing Difference)	105,469
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	(233,180)
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	834,387
less: Unidentified Deposits (not yet actioned)	(Require Investigation)	-
add: Unidentified Outflows (not yet actioned)	(Require Investigation)	-

Reconciled Cash at Bank & Investments

123,242,383

Balance as per Review Statement:

123,242,383

Difference:

-

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

N/A

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2015

(\$000's)	Current Projection		Original Budget 15/16	Actuals Prior Periods	
	Amounts	Indicator		14/15	13/14
	15/16	15/16		14/15	13/14

NSW Local Government Industry Key Performance Indicators (OLG):

1. Operating Performance

Operating Revenue (excl. Capital) - Operating Expenses	-9,753	-6.9	-4.7	4.9	-2.9
Operating Revenue (excl. Capital Grants & Contributions)	142,119				

This ratio measures Council's achievement of containing operating expenditure within operating revenue.
Benchmark is greater than 0%



2. Own Source Operating Revenue

Operating Revenue (excl. ALL Grants & Contributions)	114,655	71.7	79.9	73.8	73.3
Total Operating Revenue (incl. Capital Grants & Cont)	159,963				

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.
Benchmark is greater than 60%



3. Unrestricted Current Ratio

Current Assets less all External Restrictions	86,502	3.7	3.7	3.7	3.4
Current Liabilities less Specific Purpose Liabilities	23,642				

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.
Benchmark is greater than 1.5

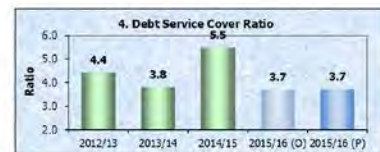


NSW Local Government Industry Key Performance Indicators (OLG):

4. Debt Service Cover Ratio

Operating Result before Interest & Dep. exp (EBITDA)	20,654	3.7	3.7	5.5	3.8
Principal Repayments + Borrowing Interest Costs	5,550				

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.
Benchmark is greater than 2



5. Rates, Annual Charges, Interest & Extra Charges Outstanding

Rates, Annual & Extra Charges Outstanding	3,944	4.2	4.1	4.1	4.3
Rates, Annual & Extra Charges Collectible	94,933				

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.



6. Cash Expense Cover Ratio

Current Year's Cash & Cash Equivalents (incl. Term Deposits)	118,742	8.6	8.8	10.4	8.2
Operating & financing activities Cash Flow payments	138,500				

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.
Benchmark is greater than 3



Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Campbelltown City Council

Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2015

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
EXPENDITURE \$50,000 - \$150,000						
Calibre Consulting (NSW) Pty Ltd	Q15/16 Ingleburn Traffic and Parking Study	LGP	02/07/15	Until Completion	Y	
JCB Construction Equipment Australia	Q15/12 Backhoe	LGP	13/07/15	Until Delivery	Y	
Therian Pty Ltd	Q15/17 Facility Upgrades at ACF	Public Quotation	14/08/15	Until Completion	Y	
Todaee Solar Pty Ltd	Q15/11 Greg Percival Photovoltaic	Public Quotation	08/07/15	Until Completion	Y	
MJK Enterprises (NSW) Pty Ltd t/as Kico Playground Inspection Services	Q15/02 Playground Equipment Inspections	Public Quotation	04/08/15	1 year with 2 x 12 month options for extension	Y	
Fuso Truck and Bus (Stillwell Trucks)	Q15/19 Supply and Deliver Truck with Tipper Body	LGP	09/09/15	Until Completion	Y	
Howard & Sons Pyrotechnics (Displays) Pty Ltd	Q15/10 Pyrotechnics	Public Quotation	01/08/15	1 year with 2 x 12 month options for extension	Y	
MJK Enterprises (NSW) Pty Ltd t/as Kico Playground Inspection Services Joel Spencer Coe	Q15/03 Playground Equipment Repairs	Public Quotation	04/08/15	1 year with 2 x 12 month options for extension	Y	1
EXPENDITURE \$150,000 - \$300,000						
Andreasens Green (NSW) Pty Ltd	T15/12 Nursery Supplies	Public tender	01/07/15	2 years with 2 x 12 month options for extension	Y	1
Greenhaven Garden Centre Pty Ltd Knock Out Pest Control Pty Ltd	T15/07 Pest Control Services	Public Tender	01/07/15	2 years with 2 x 12 month options for extension	Y	2
Molino Stewart Pty Ltd	Q14/41 Floodplain Risk Management Consultancy	LGP	07/09/15	Until Completion	Y	

This statement forms part of Council's Quarterly Budget Review Statement (QBR) for the quarter ended 30/09/15 and should be read in conjunction with the total QBR report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2015

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
EXPENDITURE > \$300,000						
Polytan Asia Pacific Pty Ltd	T14/13 Synthetic Turf	Public Tender	22/07/15	Until Completion	Y	
Benedict Pty Ltd	T15/05 Supply of Bulk Materials	Public Tender	22/07/15	2 years with 1 x 12 month option for extension	Y	1
Collins Construction Materials Pty Ltd						
Hi-Quality Recycling Services Pty Ltd						
SITA Australia Pty Ltd						
Barrier Perry Pty Ltd	T15/09 Legal Services	Public Tender	28/07/15	3 years with 1 x 24 month option for extension	Y	1
Houston Deam O'Connor Solicitors						
HWL Ebsworth Lawyers						
Marsdens Law Group						
Sparkle Helmore Lawyers						
Cleary Bros (Bombo) Pty Ltd	T15/02 Eagle Vale Drive Upgrade	Public Tender	22/07/15	Until Completion	Y	
Precision Skate Parks Pty Ltd	T14/23 Construction of a Skate Park	Public Tender	22/07/15	Until Completion	Y	
Ultimate 1 Pty Ltd	T15/15 Air Conditioning Services	Public Tender	19/08/15	4 years	Y	2
Collins Sports Turf Pty	T15/13 Supply of Turf	Public tender	01/07/15	2 years with 2 x 12 month options for extension	Y	1
Garden Growing Solutions Pty Ltd						
SeamlessCMS Pty Ltd	T15/06 Website Development	Public Tender	22/07/15	3 years with 2 x 24 month options for extension	Y	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Contracts Budget Review Statement
Comments & Explanations relating to Contractors Listing

Notes	Details
1	Contract price is per service, distributed amongst the panel therefore contract value is an estimation only.
2	Contract price is per services only therefore contract value is an estimation only.

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/15 and should be read in conjunction with the total QBRS report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/15 to 30/09/15

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	311,099	Y
Legal Fees	203,025	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

N/A

4. HUMAN RESOURCES

No reports this round

5. INFORMATION MANAGEMENT AND TECHNOLOGY

No reports this round

6. INTERNAL AUDIT

6.1 Audit Committee Update

Reporting Officer

Internal Auditor

Attachments

Audit Committee meeting minutes of 20 October 2015 (contained within this report)

Purpose

To provide an update on the outcomes from 20 October 2015 Audit Committee meeting.

History

Council approved the establishment of an Audit Committee consisting of two independent members, the Mayor, the Deputy Mayor and the Chairperson or a member of the Corporate Governance Committee in October 2010.

The Audit Committee was formed and meets three times per year in accordance with its Charter.

Report

Detailed below are the recommendations of the Audit Committee. Council officers have reviewed the recommendations which are now presented for the consideration of Council. There are no recommendations that require an individual resolution of Council.

Audit Committee Meeting minutes – 20 October 2015

The minutes of the Audit Committee meeting held 20 October 2015 are attached and the following were considered:

5.1 Report on Internal Audit Progress (including completion of Plan and other audit activities)

That the Committee note the Report on Internal Audit Progress (including completion of Plan and other audit activities).

5.2 Report on Follow up of Implementation of Internal Audit Recommendations

That the Committee notes the Report on Follow up of Implementation of Internal Audit recommendations.

5.3 Report on Risk Management and Fraud Prevention

That the Committee notes the Report on Risk Management and Fraud Prevention.

5.4 Internal Audit Report on IT Security and Access

That the Committee notes the Internal Audit Report on IT Security and Access.

5.5 Internal Audit Report on RMS Drives Access System Compliance

That the Committee notes the Internal Audit Report on RMS Drives Access System Compliance.

5.6 Internal Audit Report on PRF Annual Compliance Audit and Certification 2014-2015

That the Committee notes the Internal Audit Report on PRF Annual Compliance audit and Certification 2014-2015.

5.7 Internal Audit Report on review of Sign Shop Processes and Management

That the Committee notes the Internal Audit Report of Sign Shop Processes and management.

5.8 Internal Audit Report on Review of Processes for management of Beverages and Snacks

That the Committee notes the Internal Audit Report on Review of Processes for management of Beverages and Snacks.

5.9 Report on External Audit Activities

1. That the Audit Committee request Council to endorse the interim and final external audit reports.
 2. That Council's external auditor be requested to present the end of year financial reports and management letter to the Audit Committee.
-

6.1 Audit Committee Membership

Council's Director Business Services noted that the membership of the Audit Committee may need to be reviewed due to the availability of members to attend the meetings.

Officer's Recommendation

1. That Council adopt the Audit Committee meeting minutes of 20 October 2015.
2. That Council endorse the interim and final external audit report for the year ended 30 June 2015.
3. That Council review the membership of the Audit Committee and nominate an alternate delegate depending on the availability of the Deputy Mayor.

Committee's Recommendation: (Mead/Greiss)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Hawker/Borg)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 214

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Minutes of the Audit Committee Meeting

Held Tuesday 20 October 2015 in Committee Room 2

Meeting Commenced: 4.30pm

1. Attendance and Apologies

Attendance: Bruce Hanrahan - Chairperson
Robert Rofe - Independent member
Councillor Paul Hawker - Mayor

Also in Attendance: Lindy Deitz - General Manager
Michael Sewell - Director Business Services
Deborah Goodyer - Internal Auditor
Beth Buckley - Executive Support

Apologies: Councillor Alana Matheson
Councillor Clinton Mead

Sub Committee's Recommendation: (Hanrahan/Hawker)

That the above apologies be accepted.

CARRIED

2. Declarations of Interest

There were no Declarations of Interest made at this meeting.

3. Minutes of the Previous Meeting

Minutes to the 9 June 2015 Audit Committee meeting

Reporting Officer

Director Business Services

Purpose

To confirm the minutes of the 9 June 2015 Audit Committee meeting.

Report

The minutes of the previous Audit Committee meeting held on 9 June 2015 were circulated to all members post meeting and are attached for confirmation that they are an accurate record of the meetings proceedings.

Officer's Recommendation

That the minutes be approved.

Sub Committee's Recommendation: (Rofe/Hanrahan)

That the information be noted.

CARRIED

4. Report on matters arising from minutes of Audit Committee meeting 9 June 15

Reporting Officer

Internal Auditor

Purpose

To provide the Committee with an update on matters arising from the previous meeting of the Audit Committee.

Report

The following matters arose as action items:

- Final approved Audit Committee and Internal Audit Annual Report 2014-2015
- Final approved Audit Committee Charter
- Proposals for Audit Committee training session
- Proposal for performing an external quality assessment of the internal audit function

Officer's Recommendation

That the Committee note the information provided.

Sub Committee note:

The Final approved Audit Committee Charter was distributed to members of the Sub Committee. Further to general discussions regarding the Audit Committee Training sessions, it was requested that training sessions be run in the afternoon of 8 March 2016 prior to the proposed Audit Committee meeting with the members of the Audit Committee, Financial Services staff and the Risk Coordinator to attend the training.

Sub Committee's Recommendation: (Rofe/Hanrahan)

That the information be noted.

CARRIED

5. Reports

5.1 Report on Internal Audit Progress (including completion of Plan and other audit activities)

Reporting Officer

Internal Auditor

Purpose

To provide an update to the Audit Committee on internal audit activities including the current status of work undertaken in accordance with the approved Strategic Audit Plan 2015-2016 and Budget vs. Actual Audit days.

History

The Audit Committee approved the rolling 2015-2018 Strategic Audit Plan in June 2015. Work commenced on the annual audit plan for 2015-2016 in July 2015. Other activities traditionally undertaken by the internal auditor include assistance with compliance audits, adhoc advice on policy, risk and probity, and special audit or investigation requests.

Report

The attached report outlines the status of individual audits approved as part of the Strategic Audit Plan.

The scheduled IT security and access review was completed during the first quarter with fieldwork on the Policy Management & gap analysis audit in process.

Compliance reviews for RMS Drives access system and the Planning and reform funds covering the 2014-2015 year were completed in accordance with external requirements.

The Acting General Manager also requested internal audit reviews be undertaken into; Grant application governance arrangements, Sign shop processes, and processes for management of beverages and snacks.

Internal Audit has also been involved in the project for development of the Customer feedback and complaint handling frameworks for Council, and the recruitment of a risk coordinator as part of the Governance & Risk team.

The scheduled review of contract management is currently being planned.

Officer's Recommendation

That the Committee note the Report on Internal Audit Progress (including completion of Plan and other audit activities).

Sub Committee's Recommendation: (Rofe/Hawker)

That the information be noted.

CARRIED

5.2 Report on Follow up of Implementation of Internal Audit Recommendations

Reporting Officer

Internal Auditor

Purpose

To report on progress towards implementing the recommendations from previous internal audits which are outstanding.

History

Internal audits are conducted in accordance with the approved Internal Audit Plan each year. The findings from each internal audit are reported to the Audit Committee in the form of a report detailing the individual issues identified, their implications; recommendations for improvement; management agreed actions with target dates for implementation; and the staff member assigned responsibility for implementation.

Report

The attached report on Follow Up is Management's update on implementation of recommendations made in internal audits performed to date. It includes a summary table of audits with outstanding actions, showing the total number of recommendations made, those fully implemented and those outstanding. Detailed schedules of progress on outstanding recommendations are included providing reason(s) for any non-implementation within agreed timeframes, as well as any requests for revision of the target dates.

This report includes progress towards implementation of recommendations made in audits reported to the June 2015 Audit Committee being:

- Asset Management – Plant and Equipment and
- Inventory Management.

Formal follow up activities to monitor implementation of audit recommendations which exceed the due dates will be undertaken in the coming quarter and thereafter as required.

Officer's Recommendation

That the Committee notes the Report on Follow up of Implementation of Internal Audit recommendations.

Sub Committee's Recommendation: (Hawker/Hanrahan)

That the information be noted.

CARRIED

5.3 Report on Risk Management and Fraud Prevention

Reporting Officer

Internal Auditor

Purpose

To report on internal audit activities in assessing and improving Council's risk management, fraud and corruption prevention frameworks, systems and controls.

History

Internal audit activity has previously included assessment and management of risks (including fraud) specifically related to individual audit projects rather than by dedicated report.

The following elements of risk management are required to be assessed and monitored by Internal Audit:

- review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud
- review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings
- review the impact of the risk management framework on its control environment and insurance arrangements
- review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

Internal Audit is also responsible for evaluating the potential for occurrence of fraud, and how Council manages fraud risk.

Report

Since the June 2015 Audit Committee meeting, Internal Audit has reviewed and assessed:

- Council's risk management and fraud & corruption prevention frameworks as a part of the Internal Audit review of Policy management. A key finding of this review is that the risk management framework is not currently adequate, focusing on insurable and WHS risk ie, there is a limited model for conducting risk assessments across the business, there is no risk register/profile established across the business, the dedicated Risk management coordinator
-

position remained unfilled until September 2015, and the Fraud & Corruption prevention policy has not been fully established with endorsement of Council

- governance of grant applications for existence of appropriate risk management controls and preliminary findings indicate that risk management is not sufficiently considered in the grant application process
- the draft business continuity document which is currently being developed at Council, and highlighted the area for future review as a part of the Internal Audit Strategic Plan 2015-2018.

Overall, internal audit activities have identified significant deficiencies in the risk management and fraud prevention frameworks, and recommendations for improvement will be made in internal audit reports currently being drafted.

Officer's Recommendation

That the Committee notes the Report on Risk Management and Fraud Prevention.

Sub Committee's Recommendation: (Rofe/Hawker)

That the information be noted.

CARRIED

5.4 Internal Audit Report on IT Security and Access

Reporting Officer

Internal Auditor

Purpose

The Internal Audit Report details findings and recommendations from the audit of IT Security and Access which was undertaken in accordance with the 2015-2016 approved Internal Audit Plan.

History

The 2015-2016 Internal Audit Plan was approved at the June 2015 Audit Committee meeting and included the audit of IT Security and Access.

Report

Attached is the Internal Audit Report outlining the findings from the review of IT Security and Access.

The audit was undertaken to assess the key processes and controls around the IT Security and Access. The audit specifically assessed whether the review indicated that key controls were operating, except that:

The overall rating given to this audit is that there is high exposure. Of the six recommendations made, five were considered to place Council in a higher than acceptable area of exposure.

An action plan for implementing all recommendations has been developed and agreed by the relevant Managers.

Officer's Recommendation

That the Committee notes the Internal Audit Report on IT Security and Access.

Sub Committee's Recommendation: (Hawker/Rofe)

That the information be noted.

CARRIED

5.5 Internal Audit Report on RMS Drives Access System Compliance

Reporting Officer

Internal Auditor

Purpose

The Internal Audit Report details findings and recommendations from the audit of RMS Drives Access System Compliance which was undertaken in accordance with NSW Roads and Maritime Services requirements for annual compliance certification year ended 30 June 2015.

History

The compliance audit on Councils compliance with the RMS Drives System Terms of Access Agreement has previously been undertaken in 2013-2014 by Internal Audit in accordance with the RMS audit program.

Report

Attached is the Internal Audit Report outlining the findings from the review of RMS Drives Access System Compliance.

The audit has been undertaken to form an opinion as to whether, in all material respects, the Council has complied with its obligations under the agreement.

The review indicated that, effective control procedures were operating in relation to Council meeting its obligations under the DRIVES Terms of Access Agreement.

Officer's Recommendation

That the Committee notes the Internal Audit Report on RMS Drives Access System Compliance.

Sub Committee's Recommendation: (Rofe/Hawker)

That the information be noted.

CARRIED

5.6 Internal Audit Report on PRF Annual Compliance Audit and Certification 2014/155.6

Reporting Officer

Internal Auditor

Purpose

The Internal Audit Report details findings and recommendations from the audit of PRF Annual Compliance audit & Certification 2014-2015 which was undertaken in accordance with the annual directive issued by the NSW Department of Planning and Environment (the Department).

History

For the previous two financial years ended 30 June 2013 and 2014, Internal Audit has been required to complete a compliance audit and certification for submission to the NSW Department of Planning & Environment. The review includes substantial verification of Council's monthly data using a data analytics tool to confirm monthly returns and submitted revisions in accordance with errors or omissions identified.

Report

Attached is the Internal Audit Report outlining the findings from the review of PRF Annual Compliance audit & Certification 2014-2015

The compliance audit and certification was performed against the Department's Annual audit procedure and to identify any inefficiency in Council process or systems. The audit specifically assessed whether:

- finalised returns on or before the 14th day of the following month
- verify that the monthly PRF fees are paid in accordance with the returns and made before the 28th day of the following month
- can attest that returns are a true and accurate record of all applications/certificates lodged with council during each period
- estimated costs of development applications are correctly disclosed in the PRF database
- fees are correctly calculated including the maximum application fee per application
- all 6 categories of reportable data have been reported.

The review indicated that the monthly reports are complete and accurate except for two minor omissions which did not affect fees payable.

Key controls over monthly testing are generally in place and operating, however, delays in submitting returns and remitting monthly payments are occurring due to issues with internal coordination of activities and communication of anomalies to responsible staff in a timely manner.

The overall rating given to this audit is that there is Moderate exposure. An action plan for implementing all recommendations has been developed and agreed by the relevant Managers.

Officer's Recommendation

That the Committee notes the Internal Audit Report on PRF Annual Compliance audit and Certification 2014-2015.

Sub Committee's Recommendation: (Rofe/Hawker)

That the information be noted.

CARRIED

5.7 Internal Audit Report on review of Sign Shop Processes and Management

Reporting Officer

Internal Auditor

Purpose

The Internal Audit Report details findings and recommendations from the audit of Sign Shop Processes and Management which was undertaken in accordance with an Acting General Manager request and Council's policy, authorised statements and procedures.

History

Given recent changes to roles and responsibilities within related areas at Councils Depot, it was considered prudent to undertake a review of practices and systems to ensure adequate controls were in place and that any operational efficiency are being gained wherever possible.

Report

Attached is the Internal Audit Report outlining the findings from the review of Sign Shop Processes and Management.

The audit was undertaken to assess the key processes and controls around the operation and management of the sign shop, located at the council Depot. The audit specifically assessed:

- Policies and procedures in place and operating specific to sign shop operations
- Delegations of authority and segregation of duties
- Approval to accept and commence work on new work order requests
- Cost allocation and invoicing for completed work orders
- Potential conflict of interest scenarios including with respect to external requests and operational capacity.

The review indicated that:

- appropriate documented policies and procedures did not exist
- staff had a sound understanding of the principles and controls required for efficient operations, however difficulties have been experienced due to deficiencies in the system and communication protocols.

The overall rating given to this audit is that there is Moderate exposure. Three of the six recommendations made were considered to place Council in a higher than acceptable area of exposure.

An action plan for implementing all recommendations has been developed and agreed by the relevant Managers.

Officer's Recommendation

That the Committee notes the Internal Audit Report on of Sign Shop Processes and management.

Sub Committee's Recommendation: (Rofe/Hawker)

That the information be noted.

CARRIED

5.8 Internal Audit Report on Review of Processes for management of Beverages and Snacks

Reporting Officer

Internal Auditor

Purpose

The Internal Audit Report details findings and recommendations from the audit of Processes for management of Beverages and Snacks which was undertaken in accordance with Acting General Manager request to review processes for managing procurement, use, and stock control for beverages and snacks.

History

Given recent changes to roles and responsibilities it was considered prudent to undertake a review of practices and systems to ensure adequate controls were in place and that any efficiencies are being gained where possible.

Report

Attached is the Internal Audit Report outlining the findings from the Review of Processes for management of Beverages and Snacks.

The audit was undertaken to assess the key processes and controls. The audit specifically assessed whether:

- whether beverages and snacks are requisitioned and purchased in accordance with applicable council policies, authorised statements and procedures and for official business/purposes
- adequacy of systems/records for recording stock received and distributed to relevant officers/facilities (recording stock levels, and ins & outs)
- security and appropriate conditions for storage of beverage and snack stock ie, restricted access, stock take undertaken regularly, physical conditions
- procedures for allocating financial costs to relevant area (cost centre) are accurate and in accordance with actual use.

The review indicated that key controls were not operating and that there was:

- inadequate formal procedure guiding process and systems
- inadequate structure around budget allocation and costing
- purchase card delegation exceeds general financial delegations
- lack of system for monitoring levels of stock on hand, and distinguishing items attributable to specific events or operational activities.
- inconsistent use of alarm and key security to restrict access to the LG cool room throughout business hours.

The overall rating given to this audit is that there is high exposure.

An action plan for implementing all recommendations has been developed and agreed by the relevant Managers.

Officer's Recommendation

That the Committee notes the Internal Audit Report on Review of Processes for management of Beverages and Snacks.

Sub Committee's Recommendation: (Rofe/Hawker)

That the information be noted.

CARRIED

5.9 Report on External Audit Activities

Reporting Officer

Director Business Services

Purpose

To provide the Committee with an update on external audit activity for the year ended 30 June 2015.

Report

Council's external auditors, Intentus Chartered Accountants, conducted their second interim audit in June 2015. The attached report outlines the scope of their interim visit and the findings and recommendations as a result of their review.

In the report, the auditors provide an update on the status of matters reported previously and advised that they did not identify any new matters necessary to bring to Council's attention. Intentus reported that issues identified in previous audits had been predominantly resolved.

Intentus have also completed their final audit visit during August 2015, and have issued the Management Letter at Attachment 2.

Officer's Recommendation

That the Committee noted the interim and final external audit reports.

Sub Committee's Recommendation: (Rofe/Hawker)

1. That the Audit Committee request Council to endorse the interim and final external audit reports.
2. That Council's external auditor be requested to present the end of year financial reports and management letter to the Audit Committee.

CARRIED

6. General Business

6.1 Audit Committee Membership

Council's Director Business Services noted that the membership of the Audit Committee may need to be reviewed due to the availability of members to attend the meetings.

Sub Committee's Recommendation: (Rofe/Hawker)

That the information be noted.

CARRIED

Next meeting of the Audit Committee is yet to be determined for 2016 at 4.30pm in Committee Room 2.

Bruce Hanrahan
Chairperson

Meeting Concluded: 5.15pm

6.2 Audit Committee and Internal Audit Annual Report for year ended 30 June 2015

Reporting Officer

Internal Auditor

Attachments

Audit Committee and Internal Audit Annual Report for year ended 30 June 2015 (contained within this report)

Purpose

To report to Council the activities of the Audit Committee and internal audit for the year ended 30 June 2015.

History

The Audit Committee Charter sets out the Committee's composition, roles and responsibilities, and reporting requirements. The revision of the Charter was recommended to be submitted to Council for approval on 14 July 2015 and was approved by Council on 21 July 2015.

Report

The Audit Committee is required to provide a report to Council on its activities each year. The attached report covers both Internal Audit and the Audit Committee's activities for the year ended 30 June 2015.

The report outlines some of Internal Audit and the Audit Committee's key achievements during the year including complete re-establishment of the Strategic internal Audit Plan on a risk management basis, a regime for monitoring implementation of previous recommendations and developing key elements of a quality assurance and improvement program for the internal audit function.

The Annual Report covers:

- Audit Committee meetings and attendance
- cost of internal audit activities
- performance against the approved internal audit plan
- Audit Committee coverage against the roles and responsibilities in the Charter.

Officer's Recommendation

That the information contained in the Audit Committee and Internal Audit Annual Report for the year ended 30 June 2015 be noted.

Committee Note: Council's Audit Committee Chairperson, Mr Bruce Hanrahan, addressed the Committee regarding the Audit Committee and Internal Audit Annual Report for year ended 30 June 2015.

Committee's Recommendation: (Borg/Lake)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Hawker/Borg)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 214

That the Officer's Recommendation be adopted.

ATTACHMENT 1



Audit Committee and Internal Audit Annual Performance Report to Council for Year Ended 30 June 2015

July 2015

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Background

The Division of Local Government issued revised *Internal Audit Guidelines* under Section 23A of the *Local Government Act 1993* in September 2010. These guidelines recommend the establishment of an Audit Committee to play a pivotal role in the governance framework.

Council approved the establishment of an Audit Committee at its October 2010 meeting and its principle function is to provide independent advice and assistance to Council on matters related to risk management, control, governance and statutory compliance.

Since that time the Audit Committee's role has evolved with responsibilities to monitor activities including:

- the development and implementation of the annual audit program
- completion of external responsibilities (for example completion of the annual statutory financial statements)
- implementation of recommendations made by internal/external audit, and
- Council's progress in relation to risk management.

The Committee's long-term strategy is to assist with improving corporate governance by monitoring the development of a formal Enterprise Risk Management framework. This framework is intended to assist with the development of risk registers that consider all types of risk facing Council and to therefore allow a more strategic approach to the management of risks. The development of this framework has not progressed significantly, however it is anticipated that reporting of the development and implementation of this framework will occur in 2015-2016. This work, together with development of the internal audit framework and quality assurance and improvement program, will further enhance Council's ability to build the efficiency and effectiveness of the internal audit function.

Audit Committee

Membership

The Audit Committee currently consists of five voting and four non-voting members. The voting members are two independent members (including the Chairperson), the Mayor, the Deputy Mayor and the Chairperson of the Corporate Governance Committee (or a member of that Committee).

Non-voting attendees are the General Manager, Director Business Services and the Internal Auditor.

To enhance its ability to provide good governance and independently review Council activities, best practice guidance recommends that the Audit Committee should comprise a majority of independent members.

A revised Audit Committee charter has been prepared which outlines a change in composition to reflect this structure and which would coincide with the next round of elections and potential changes to the committee membership.

Attendance

Committee meetings were held on the following dates:

- 2 December 2014
- 10 March 2015
- 9 June 2015

Per the Audit Committee Charter, the Committee is to meet a minimum of three times per year with the need for any additional meetings to be decided by the Chair of the Committee in consultation with the General Manager.

Attendance at the three meetings held during the year was as follows:

Meeting Participants	No. of Meetings attended
Independent Chairperson	3
Independent member	3
Mayor	3
Deputy Mayor	3
Chairperson of Governance Committee	1
General Manager	3
Director Business Services	3
Internal Auditor	2

Performance against Audit Committee Charter

Audit Committee achievements over the 2014-15 year are assessed against the roles and responsibilities established by the Audit Committee Charter in the following areas.

Per Audit Committee Charter	Coverage
Risk Management	
Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud	Identified that there is no formal framework for risk management through the internal audit strategic planning process. A strategy of implementation is being developed with recruitment of a risk coordinator and focus on risk management in the policy management audit review proposed for July 2015.
Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings	To be covered in Project Management audit in 2016-2017. Internal Audit planning meetings, probity advice and reviews reinforce the risk management approach for all council projects and undertakings.
Review the impact of the risk management framework on its control environment and insurance arrangements	Considered in strategic planning process and proposed to be covered by Internal Audit liaison with the Risk Coordinator position during

Per Audit Committee Charter	Coverage
	development of the risk management framework, policies and systems.
Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.	Reviewed in the strategic planning process via review of the Business continuity plan and observations that testing occurred in April 2015.
Control Framework	
Review if Management has adequate internal controls in place, including over external parties such as contractors.	Considered during risk-based strategic planning and with each audit
Review if Management has in place relevant authorised statements, policies and procedures and these are periodically reviewed and updated.	Considered with each audit
Review if appropriate processes are in place to assess whether policies and procedures are complied with.	Considered with each audit
Review if appropriate policies and procedures are in place for the management and exercise of delegations.	Reviewed during strategic planning process and considered with each audit, included asset management and inventory management reviews.
Review if Management has taken steps to embed a culture which is committed to ethical and lawful behaviour through reinforcement of the Code of Conduct.	Ongoing
External Accountability	
Note the completion of the annual financial statements and that they are supported by appropriate management sign-off on the statements and on the adequacy of internal controls.	Included in external audit report on financial statements.
Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.	Any external audit issues covered in external audit update
To consider contentious financial reporting matters raised at the Committee meetings in conjunction with Council's management and external auditors.	None noted at Audit Committee meetings.
Satisfy itself there are appropriate mechanisms in place to review and implement where appropriate relevant State Government reports and recommendations.	Any relevant matters are considered and referred by the Governance and Risk Section, other relevant operational sections.
Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.	In internal audit strategic planning; with respect to the human resources section, observed links between performance management and appraisal systems and organisational objectives per the delivery program.

Per Audit Committee Charter	Coverage
Legislative Compliance	
Determine whether management has appropriately considered legal compliance matters as part of its operations.	Considered with each audit and in strategic planning process.
Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.	Considered with each audit and in strategic planning process.
Internal Audit	
Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.	Ongoing via reports to Audit Committee.
Review the internal audit coverage and Internal Audit Plan, including ensuring the Plan has considered Council's risk framework, and approval of the Plan.	Report on Status of Internal Audit Plan and approval of Strategic Internal Audit Plan.
Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan.	Status of Internal Audit Plan, Strategic Audit Plan and Annual Report on Audit Committee and Internal Audit.
Review all audit reports and consider issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.	Asset Management and Inventory Management reviews.
Monitor the implementation of internal audit recommendations by management.	Reports on Implementation of Internal Audit recommendations. Development of program of follow up activities.
Periodically review the Internal Audit Charter to ensure appropriate authority, access and reporting arrangements are in place.	Report on revision of Internal Audit charter submitted to June meeting.
Periodically review the performance of Internal Audit.	Annual report on Audit Committee and Internal Audit submitted to June 2015 meeting, and periodic self-assessment component of Quality Assurance and Improvement Program commenced.
External Audit	
Act as a forum between the Council, General Manager, senior management, internal audit and external audit.	Ongoing
Review all external audit plans and reports in respect of planned or completed financial statements external audits, monitor the implementation of audit recommendations by management.	External audit update
Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.	External audit update

Per Audit Committee Charter	Coverage
Responsibilities of Members	
Members of the Committee are expected to: <ul style="list-style-type: none"> Understand the relevant legislative and regulatory requirements appropriate to Campbelltown City Council. Contribute the time needed to study and understand the papers provided. Apply good analytical skills, objectivity and good judgement. Express opinions frankly and ask questions as deemed necessary. 	Ongoing

Internal Audit Activities

Performance to financial budget

The following provides a comparison of the cost of internal audit related activities for the current and prior financial year.

Description	Current Year	Prior Year
Cost of Internal Audit function (excludes training)	\$87,329	\$111,406
Audit Committee costs	\$3,500	\$3,500

The decrease in internal audit costs is predominantly the result of internal audit staff turnover, and a lack of coverage between October 2014 and February 2015.

The former internal auditor ceased employment with Council on 21 October 2014, and the position was filled from 9 February 2015.

Performance against Internal Audit Plan 2014-2015

As a result of delays in completing previous Internal Audit Plans, and substantial time spent on special projects and investigations, the schedule of audits for the 2014-2015 year was substantially incomplete at the time the former auditor left Council.

These Internal Audit Plans were approved by the Audit Committee in the prior years and represented the program of work planned to be undertaken by the Internal Auditor, however only those audits commenced prior to October 2014 were completed within the 2014-15 audit year.

The following is a list of the internal audits scheduled during the year and their status:

Audit Name	Status
Asset Management	Complete. Presented to the June 2015 Audit Committee meeting.
Inventory Management	Complete. Presented to the June 2015 Audit Committee meeting.
Accounts Payable	Set aside as part of development of a new strategic plan for internal audit. Risk rating and priority re-assessed as low.
Contract Management	Re-scheduled as part of development of a new strategic plan for internal audit with anticipated completion second quarter 2015-2016.

Customer response	Re-scheduled together with complaint handling as part of development of a new strategic plan for internal audit with anticipated completion fourth quarter 2015-2016.
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In addition to the above, Council's former Internal Auditor has had a significant role in assisting with the preparation of procurement training across Council as a result of the prior year's review.

Strategic Planning

The 2013-2016 Strategic Internal Audit Plan was a three year rolling audit plan developed after consideration of industry risks and risks identified at meetings held with all Section Managers and the Executive. The Plan was approved at the Audit Committee meeting in June 2013 and was reviewed annually to ensure current risks and priorities continue to be addressed.

Given lack of progress on the strategic plan over recent years due to competing priorities, and internal audit staff turnover, it was considered prudent to reassess Council's risks and priorities, and establish a new 2015-2018 Strategic Audit Plan. The plan was approved at the June Audit Committee meeting.

Other Internal Audit Activities

The following activities have also been performed by Councils Internal Auditor during the year:

- acted as probity adviser on several tenders including provision of a probity plan and probity report and attendance at all tender evaluation meetings
- audit of the 2013-2014 Planning Reform Fund annual return and review of monthly Planning Reform Fund lodgements from July 2014 to September 2014.
- Audit of the 2013-14 RMS Drives access system.
- ad-hoc audit work including assisting with the preparation of Council's annual report and other investigative work at the request of the General Manager
- attendance at a number of conferences including the Local Government Internal Auditor Network (LGIAN) quarterly meetings, Corruption Prevention Network Council meetings, and SOPAC.

Quality Assurance and Improvement Program

In order to ensure compliance with *Internal Audit Guidelines* (DLG) September 2010, and the requirements of the *International standards for the Professional Practice of Internal Audit*, a Quality Assurance and Improvement Program is being established. To develop a best practice internal audit function within Council the program will commence rollout over the coming 2015-16 year including:

- **Ongoing monitoring** to provide assurance that the processes in place are working effectively to deliver quality on an audit-by-audit basis.
- **Periodic self - assessment** of internal audit activities every 1-2 years for conformance with standards and guidelines and improvement opportunities using criteria for each element being; governance, professional practice and reporting.
- **External assessment** of the internal audit function potentially using an independent certified quality assurance assessor to validate the periodic self-assessment.

Acknowledgments and Appreciation

The Committee looks forward to the opportunity to continue to provide input to Council's governance and audit processes over the coming 12 months.

7. GENERAL BUSINESS

Nil.

Confidentiality Motion: (Kolkman/Borg)

That the Committee in accordance with Section 10A 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

23. CONFIDENTIAL ITEMS

23.1 Suite 5 Milgate Arcade, Queen 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.

23.2 EOI for Lease of Ingleburn Occasional Care Facility

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.
-

23.3 Agistment Agreement for Lot 112 DP 632633, Knotwood Avenue, Macquarie Fields

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.

Motion: (Greiss/Lake)

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to re-open the meeting to the public.

CARRIED

There being no further business the meeting closed at 5.58pm.

P Hawker
CHAIRPERSON

REPORTS FROM OFFICERS

8. REPORT OF GENERAL MANAGER

No reports this round

9. REPORT OF DIRECTOR BUSINESS SERVICES

9.1 Contribution toward staff Christmas functions

Attachments

Nil

Report

Council has previously made a contribution to both the Indoor and Outdoor Staff Christmas functions when considering the proposed operating hours during the Christmas holiday period report. This year the new General Manager was considering a more cohesive approach in conducting the staff Christmas functions however organising of both the Indoor and Outdoor staff Christmas parties had already commenced and function details have been announced.

It has been normal practice for Council to contribute to the cost of the Staff Christmas parties. In previous years Council has contributed \$2200 to both the Indoor and Outdoor Staff Christmas Parties. It is proposed that Council make a donation of \$2200 to each of the functions.

Officer's Recommendation

That Council make a contribution of \$2200 to both the Indoor and Outdoor Staff Christmas Functions.

Council Meeting 17 November 2015 (Borg/Greiss)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 215

That the Officer's Recommendation be adopted.

9.2 Progress Report: Amounts Expended on Providing Facilities and Payment of Expenses - Mayor, Deputy Mayor and Councillors October 2015

Attachments

Nil

Report

On 15 September 2015, 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 for the month of October 2015 were as follows:

Expenses

- | | | |
|----|--|--------|
| 1. | Training Seminars and Conferences
Cost for October 2015. | \$371 |
| 2. | Staff
Personal Secretary for the Mayor on a shared basis with the General Manager, together with Receptionist shared with Corporate Services. Apportioned cost for October 2015. | \$5046 |
| 3. | Stationery and Postage
Cost of Mayoral and Councillors' stationery, business cards and postage expenses. Approximate cost for October 2015. | \$201 |
| 4. | Periodicals
Cost of annual subscriptions. Cost for October 2015. | \$547 |
| 5. | Meals
Provision of meals in conjunction with Council and Committee Meetings and Inspections. Cost for October 2015. | \$1863 |
| 6. | Refreshments
Provision of refreshments in the Mayor's Suite and Councillors' Lounge and Civic Receptions. Cost for October 2015. | \$1883 |
| 7. | Insignia of Office
Replacement costs Mayoral robes, chain, badge and name plates. Cost for October 2015. | \$325 |
| 8. | Travelling Expenses for Use of Private Vehicle
Reimbursement of travelling expenses on authorised Council business. Claims submitted for October 2015. | \$762 |

Provision of Facilities

- | | | |
|----|--|--------|
| 1. | Accommodation
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%). Cost for October 2015. | \$5145 |
|----|--|--------|

- | | | |
|----|--|--------|
| 2. | Communication System
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.
Cost of equipment for October 2015 in accordance with Councillors Policy. | \$1583 |
| 3. | Office Equipment
Facsimile machines, photocopier and telephone facilities for the Mayor and Councillors at the Civic Centre. Cost for October 2015. | \$416 |
| 4. | Council Vehicle
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 October 2015. | \$341 |
| 5. | Internet Facilities
Costs associated with the provision of internet facilities in accordance with Council's Policy. Cost for October 2015. | \$1020 |
| 6. | Care Expenses
Costs associated with care arrangements including childcare expenses and the care of elderly, disabled and/or sick immediate family members.
Cost for October 2015. | Nil |

The total cost for the payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors for October 2015 amounted to \$19,503.

Officer's Recommendation

That the information be noted.

Council Meeting 17 November 2015 (Borg/Lound)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 216

That the Officer's Recommendation be adopted.

9.3 Reports Requested

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 27 October 2015.

Officer's Recommendation

That the information be noted.

Council Meeting 17 November 2015 (Glynn/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 217

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Reports Requested as at 27 October 2015

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
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. Comment: Finalising information for the report	CS	December 2015
03.06.14 BT 3859092	CS3.5 - That a report be provided examining the feasibility of establishing an 'artist walk' as part of the new street scape in Queen Street, Campbelltown. Comment: proposal cannot be undertaken until City Works report on footpath upgrades is completed.	CS	December 2015
29.7.14 PL 3934158	CG3.3 - Report identifying alternative methods for managing the hire of Council's sporting fields. Comment: Sport and Recreation plan currently being commissioned.	CS	December 2015
09.12.14 DL 4106172	CS6.3 - That a further report be presented to Council at the conclusion of the exhibition period to consider any public submissions received and/or for final adoption of the policy - Use of Public Open Space by Commercial Fitness Trainers and Personal Trainers. Comment: Reported to Community Services Committee 10 November 2015 - Item 6.1	CS	
24.04.15 MO 4275729	CS2.1 - That a further report be provided to Council: <ul style="list-style-type: none"> • outlining the National Disability Insurance Scheme transition process once this information becomes available. • on the Regional Assessment Service once details on the funding and service requirements are available. Comment: Information not available at this time to report NDIS transition. Regional Assessment Service reported as item 2.2 of the Community Services Committee meeting held 12 May 2015.	CS	December 2015
21.07.15 WG 4388307	CS8.1 - That a report be presented outlining the feasibility of supporting major local sporting bodies that attempt to acquire defibrillators.	CS	December 2015

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
12.11.13 WG 3563387	CW1.2 - Further report on the findings of the Expressions of Interest for footpath reconstruction in Queen St Campbelltown. Comment: Report awaiting Council to respond to DoPE on Glenfield to Macarthur Corridor Strategy before putting to Council.	CW	December 2015
06.05.14 PL 3815091	CW5.2 - That a report be presented outlining the feasibility and cost of purchasing and erecting electronic signs in the Campbelltown Local Government Area along major transport corridors, to promote Council and other community events. Comment: Report drafted awaiting date for briefing.	CW	December 2015
18.08.15 PH 4439247	CW1.4 - That a further report be tabled for Council consideration upon completion of the specialist consultant's investigations on possible large scale reforms to the street lighting network and on the option of converting the complete network to an LED solution and possible Council ownership of the network. Comment: Currently finalising the report.	CW	December 2015

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
18.6.13 PL 3450946	CG3.1 - Further report following expressions of interest on the ground lease in Blaxland road. Comment: Subject to marketing timeframe.	BS	February 2016
29.7.14 PL 3934173	CG2.2 - Further report prior to entering into a licence agreement for the provision of a coffee cart operation within the Campbelltown Civic Centre building. Comment: Undertaking an amended marketing campaign through an agent for a café opportunities on Council land.	BS	February 2016
16.09.14 GG 3998030	DR9.4 - 1. That Council provide support for the Werriwa ACLGP Committee to submit an application for funding to install a 9 metre tapered white powder coated flagpole, plaque and Lone Pine seedling at the Soldiers Memorial Park, Ingleburn. 2. That in recognition of Council's belief in the principle of transparency and prudent decision making, a report be presented to this Council highlighting how this rose garden came about and detailing the events associated with the construction of the rose garden. Comment: Part 1 complete. Still awaiting the outcome of the investigation.	BS	December 2015
14.10.14 RK 4033794	CG2.3 - 4. That a further report will be submitted to Council once a draft VPA/Infrastructure Services Delivery Plan (ISDP) have been finalised which will deal with the compulsory acquisition/land transfer issues concerning the whole of the Claymore Urban Renewal Project. Comment: Still in the process of finalising the VPA/ISDP with Urban Growth. Currently awaiting response from Urban Growth.	BS	March 2016
17.02.15 PH 4188336	CG2.1 - That Council note the information contained in this report and that a further report be submitted to Council once the Roads and Maritime Services has made an offer for the compulsory acquisition of the land. Comment: RMS has indicated it will compulsorily acquire the land. This is a 6-9month process.	BS	June 2016

*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. Comment: further discussions required between the General Manager and State Government regarding infrastructure.	PE (EP)	February 2016
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. Comment: Placed on hold pending the outcome of Glenfield-Macarthur Urban Renewal Corridor.	PE (EP)	February 2016
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. Comment: further information is being investigated and considered.	PE (DS)	February 2016
18.12.12 AM 3259490	PE2.5 - Further report on outcome of the public exhibition of proposal to name reserve within the 'Vista' development, Glenfield. Comment: Report provided to the Planning and Environment Committee Meeting 10 November 2015 - Item 2.1.	PE (EP)	
18.6.13 RK 3451045	PE2.4 - Report identifying what impact the creation of the Local Land Services will have on the Campbelltown LGA. Comment: Rating structure report not yet released by Government.	PE (EP)	February 2016
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. Comment: Trial completed mid December 2014, information being collated. Additional time required to assess impact of the implementation of the provisions of the <i>Swimming Pools Act 1992</i> requiring pool owners to obtain a Certificate of Compliance before selling or leasing their property commencing on 29 April 2016	PE (CS)	August 2016
1.7.14 BT 3858912	PE 2.5 - Further report following the Trial Indian Myna Bird Action Program. Comment: Report provided to the Planning and Environment Committee Meeting 10 November 2015 - Item 2.4.	PE (EP)	

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
14.10.14 CM 4033787	<p>CG6.1 -</p> <ol style="list-style-type: none"> That a report be presented on the development application process, particularly as it relates to residential and small business, regarding: <ol style="list-style-type: none"> DA approval times – including a comparison to Camden and the councils that fall within the Group 7 Metropolitan Fringe category of the Office of Local Government's Comparative Data publication. The types of developments which require approval in Campbelltown but do not require approval in other similar councils (e.g. Group 7 councils and Camden). That Council contact the NSW Business Chamber and the local Chambers of Commerce and report on their suggestions regarding: <ol style="list-style-type: none"> How Council could streamline the DA process for small business. Any developments currently requiring approval which they believe would be appropriate to be made exempt. <p>Comment: Investigating further exempt opportunities. Letters sent to NSW Business Chamber and local Chambers of Commerce on 22 July providing 28 days for response - still waiting for responses.</p>	PE (DS)	December 2015
21.07.15 MO 4388310	<p>PE5.1 - That a report be presented outlining how Council monitors and controls Affordable Housing properties in terms of occupancy and rental pricing.</p> <p>Comment: Information being finalised</p>	PE (DS)	December 2015
18.08.15 MO 4439120	<p>PE4.2 - That a further report be provided to Council on the re-establishment and amendment of the Alcohol Free Zones at the completion of the period for comment by the organisations/groups.</p>	PE (CS)	December 2015
27.10.15 GG 4526199	<p>PE5.2 - That Council's Public Notification Policy, in respect to Development Applications, be reviewed and a report provided back to Council recommending options for a more comprehensive community notification process.</p>	PE (EP)	February 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
29.7.14 PL 3934241	<p>CW5.1 - detailed report on the Leumeah Sports Precinct by the Strategic Planner for a new 40,000 seat sporting/entertainment complex with parking facilities to include both the eastern and western side of the railway line.</p> <p>Comment: Matter continues to be under investigation in light of Glenfield-Macarthur Urban Renewal Corridor strategy and local precinct planning.</p>	Strategy (DSt)	December 2015
29.7.14 GG 3939939	<p>PE5.3 - Report investigating possible further partnerships with University Western Sydney, Campbelltown and Campbelltown TAFE.</p> <p>Comment: Awaiting outcome of further discussions with TAFE and UWS concerning potential economic development initiatives. UWS Vice Chancellor Professor Glover presented a briefing to the Councillors in May on initiatives by UWS. Continues to be under investigation.</p>	Strategy (DSt)	December 2015
17.02.15 GG 4189107	<p>PE3.3 -</p> <p>3. That a future report be presented to the Council which investigates options and identifies practical limits for a core Campbelltown CBD precinct, for the purposes of permanently varying the commercial parking rates within that precinct.</p> <p>Comment: Investigation to be undertaken in conjunction with review of Parking and Traffic Study for CBD. Parking strategy project brief has been distributed, awaiting EOI - scheduled for completion in January 2016.</p>	Strategy (DSt)	February 2016
24.04.15 GG 4275787	<p>PE2.6 - The Council receive a further report on a proposal to establish a Business Advisory Board following further consultation with the Campbelltown and Ingleburn Chambers of Commerce.</p> <p>Comment: Continues to be under investigation.</p>	Strategy (DSt)	December 2015

10. REPORT OF DIRECTOR CITY WORKS

10.1 City Works Activity Report

Attachments

City Works Activity Report (contained within this 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 17 November 2015 (Borg/Brticevic)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 218

That the Officer's Recommendation be adopted.

ATTACHMENT 1

OPERATIONAL SERVICES SECTION (Reporting period 5 October 2015 to 25 October 2015)

GRAFFITI

The Graffiti Action Team has for the period undertaken the following graffiti tasks to various Council assets. Downtime due to inclement weather conditions.

Area	Jan to Mar 2014	Apr to June 2014	Jul to Sept 2014	Oct to Dec 2014	Jan to Mar 2015	Apr to June 2015	July to Sept 2015	Oct 2015
Area 1	1573	2343	3301	2706	2959	2212	2770	777
Area 2	1169	1946	2228	2309	3285	1534	3260	311
Area 3	435	492	848	570	1384	1122	1453	300
Area 4	887	2102	2368	1852	2730	1888	2429	404
Total	4044	6883	8745	7437	10358	6756	9912	1792

Council's contractor has removed 350sqm of graffiti from Council's public facilities throughout the local government area.

During the reporting period 1 Graffiti Removal Kits have been requested by the Community.

Jan to Mar 2014	Apr to June 2014	July to Sept 2014	Oct to Dec 2014	Jan to Mar 2015	Apr to June 2015	July to Sept 2015	Oct 2015
13	18	16	12	32	4	22	1

OPEN SPACE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Servicing of Parks and Reserves (Sites)	100	16	24	1	141
Road Verges (Sites)	27	10	20	21	78
Community/Childcare Centre's (Sites)	4	2	5	1	12
Servicing Laneways (Sites)	2	42	83	68	195
Litter/Rubbish Pickup	35	49	17	1	102
Herbicide Spraying (hrs)	19	14	8.5	22	63.5
Mulching (m ³)	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	17	14	2	3	36
Tractor Road Verge (Sites)	5	4	4	2	15
Tractor Servicing Parks and Reserves (Sites)	16	17	21	12	66
Cemetery	0	0	0	0	0
Fire Hazard Reduction	0	1	0	0	1
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)	20	22	14	15	71
Road Verges (Sites)	15	10	12	13	50
Community/Childcare Centre's (Sites)	7	10	7	6	30
Cemetery	0	0	0	0	0
Tractors Servicing Sporting Fields	18	14	36	28	96
Litter/Rubbish Pickups (hrs)	23	29	22	12	86
Herbicide Spraying (hrs)	17	19	22	18	76
Mulching (m ³)	70	30	0	0	100
Garden Maintenance (Sites)	21	16	23	23	83
Garden Refurbishment (Sites)	4	2	1	0	7
Top Dressing (tonne)	2	0	0	0	2
Aeration of Fields (Sites)	3	3	0	0	6
Sharps Pickups	0	0	0	0	0
Miscellaneous Requests (hrs)	2	0	2	0	4
Refilling of Sandpits	0	0	0	0	0
Plumbing	17	10	11	7	45
Placing of goal posts (Sites)	0	0	0	0	0
Cricket Wicket Maintenance	0	0	0	0	0

HORTICULTURE ACTIVITIES

Koshigaya Park - Christmas Tree

- The installation of an advanced Cedrus deodara, commonly known as the Box Cedar was carried out at Koshigaya Park.
- Council has 80 assorted plants on order for the landscaping around the Christmas tree which are expected to be planted by late November.
- Electrical work for the Christmas tree has been scheduled.
- Topdressing was carried out in various locations around the park.

Planting Activities - Various Locations

- Corner of Moore Oxley Bypass and Rudd Road, Campbelltown - 100 shrubs were planted.
- Mawson Park - 40 shrubs were planted.
- Campbelltown Animal Care Facility - 250 assorted plants were planted and areas around the new amenities mulched

HMAS Sydney Project

- 150 assorted plants have been ordered for refurbishment of the HMAS site. Planting works expected to be carried within the middle of November.

Art Centre Sculpture Gardens

- Areas within the Sculpture Garden were refilled with granite.

Mulching

- Various gardens in and around Queen Street, Campbelltown

COUNCIL TREE INSPECTIONS

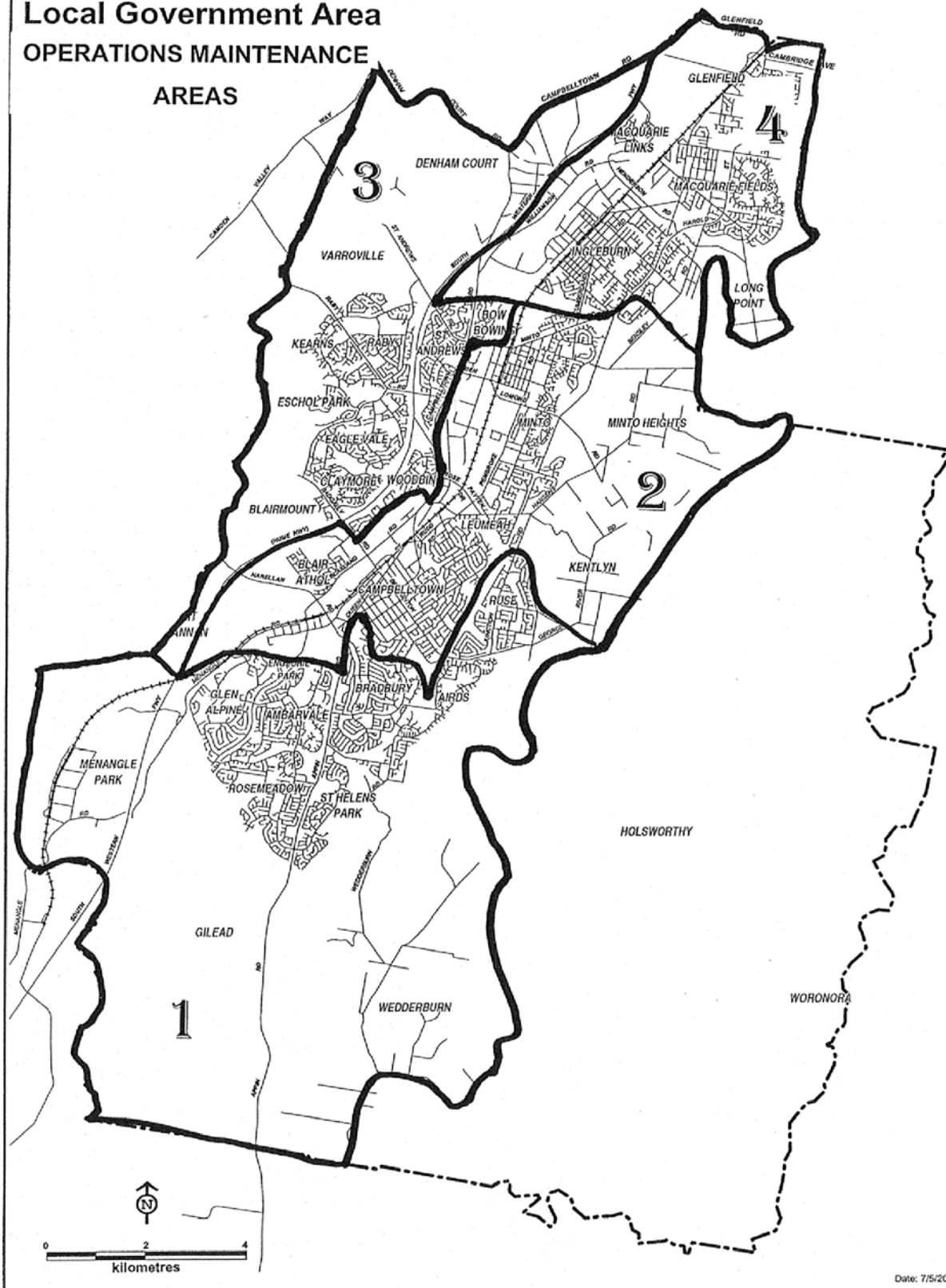
Activity	Area 1	Area 2	Area 3	Area 4	Total
Contract	14	6	3	8	31
Council	28	6	14	13	61
Termites	0	1	0	0	1
Plumber - Sewer Chokes	0	0	0	0	0
N/A	7	3	2	3	15
HOLD	0	0	0	0	0
Total	49	16	19	24	108

PRIVATE PROPERTY TREE INSPECTIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Private Trees	15	5	11	8	39

Campbelltown City Council Local Government Area OPERATIONS MAINTENANCE

AREAS



ROADS AND DRAINAGE

A. HEAVY PATCHING - Roads And Footpaths

Activity	Area 1	Area 2	Area 3	Area 4	Total
Road repairs heavy patching (sqm)	134	117	319	273	843
Road restorations (sqm)	0	0	0	0	0
AC Base Course Total (T)	24	20	38	40	122

B. MINOR PATCHING - Roads And Footpaths

Activity	Area 1	Area 2	Area 3	Area 4	Total
Pot holes (no.)	201	191	392	217	1001
Edge breaks (LM)	32	14	17	21	84
Restorations (sqm)	0	0	0	0	0
Car parks pot holes (no.)	0	7	0	155	162
Trip Hazard Footpaths (no.)	0	0	10	0	10

C. ROADS RESERVE OPENING & RESTORATIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Vehicle crossings constructed	5	12	20	7	44
Telstra Inspections	2	3	1	0	6
Sydney Water inspections	2	7	3	6	18
Endeavour Energy Inspections	0	1	1	2	4
Jemena Gas Inspections	0	1	3	1	5
NBN	0	12	0	0	12
Customer & Road Opening requests	2	6	4	12	24

D. MULTI FUNCTIONAL VERGE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Cleaning of gross pollutant trash	8	1	2	4	15
Pits cleaned by hand or suction	85	26	85	39	235
Tail out drains/headwalls	6	2	8	0	16
Removal of waste matter (m ³)	17.5	18.4	1.5	3	40.4
Flushing of stormwater lines (LM)	1500	728	350	900	3478
Underpass (drainage) cleaning	1	3	0	1	5
Trip hazards/footpath hazards	10	10	0	23	43
Dead animals removed	7	0	3	5	15
Parra webbing drainage	5	4	0	1	10
Sign retrievals and straightening	0	2	0	11	13
Syringes	9	149	2	6	166
Deliver and set up at venues	0	2	0	4	6
Paver repairs (sqm)	0	2	1	4	7
Oil/ paint spill/debris on road	7	49	1	0	57
Median cleaning/poisoning (LM)	178	4	93	14	289
Guide Posts	1	0	2	0	3

E. STREET ACCESSORIES - Sign Manufacturer

Activity	Area 1	Area 2	Area 3	Area 4	Total
Regulatory signs	0	11	0	0	11
Street signs	3	4	2	2	11
Ordinance signs	0	5	0	6	11
Directional signs	0	4	4	0	8
Warning signs	0	8	8	2	18
Community signs	0	29	0	0	29
Various council signs	6	220	6	6	238
Council special events	0	69	0	0	69
Banners/ Posters	0	0	0	0	0
Various Stickers / Labels	0	284	0	0	284
Total	9	634	20	16	679

Sign Erection

Activity	Area 1	Area 2	Area 3	Area 4	Total
Regulatory signs	66	79	56	60	261
Street signs	15	16	26	21	78
Ordinance signs	24	16	13	23	76
Directional signs	14	7	6	12	39
Warning signs	18	17	14	11	60
Community signs	4	54	2	1	61
Various council signs	0	0	0	0	0
Banner / Bin Installation	1	2	2	5	10
Graffiti Removal (sqm)	10	8	15	2	35
Works orders (traffic)	0	3	0	1	4
Bollard replacement/ repair	34	29	12	8	83
Line Marking/Car Park (sqm)	0	0	0	0	0

F. FOOTPATH RECONSTRUCTION PROGRAM 2015 – 2016

Stage 1A - 84% complete.

Stage 1B - 50% complete.

Stage 2 - 56% complete.

G. NEW FOOTPATH CONTRUCTION PROGRAM 2015 – 2016

Stage 1A - 30% complete.

Stage 1B - 0% complete.

H. KERB AND GUTTER RECONSTRUCTION 2015 – 2016

Stage 1 - 46% complete.

Stage 2 - 96% complete.

I. ROADS PROGRAM 2015 – 2016

48% complete.

J. OPERATIONS MINOR WORKS

HMAS Sydney Memorial - 95% complete.

Ingleburn CCTV Cameras - 45% complete.

Campbelltown CCTV Cameras - 30% complete.

Pedestrian Refuge Islands Evelyn Street, Macquarie Fields – 5% complete.

Solar Lighting Therry Road, Campbelltown – 50% complete.

K. CAPITAL WORKS

Eagle Vale Drive Road Stage 3 (Widening and Roundabout) - 80% complete.

Eagle Vale Drive Road (Wynn Street to Badgally Road) – 30% complete.

Smith's Creek Formalisation - 100% complete.

John Kidd Reserve Recreational Play Area – 99% complete, pending final turf installation.

Beverley Road Extension between Chamberlain and Warby Streets – 99% complete.

Noorumba Fire Trail Drainage Works and Embankment Stabilisation Works – 0% complete. Pending environmental assessment.

Lynwood Park Soccer Synthetic Turf Installation – 43% complete.

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, 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 Hours
9203.02	Reach Mower	Excessive boom movement	CCC Workshops and Supplier	290 hrs

The following is a breakdown of the work performed since the last report **5 October – 25 October 2015**.

9203.02	The reach mower required repair to the main boom. Parts received and repairs are complete.
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All previous reported repairs have been completed and vehicles/plant are back in service.

Tyre Repairs	35
Services carried out	37
Repairs to trucks	27
Repairs to heavy plant	12
Repairs to trailers	12
Tractors/implements	25

SES repairs	3
RFS repairs	7
Small plant repairs	52
Repair to cars	5
Repairs to mowers	25
Repairs to sweepers	7
Pathway requests (completed)	6

Of the reported repairs above **18** were out in the field.

The Workshops Solar panel main power switch was turned off. As a result the total amount remains the same as the previous month at **57,078 kWh** back to the grid.

The Workshop has also carried out the following duties:

- Manufacture and repair of various gates, locks and lock boxes.
- Trailer repairs and modifications.
- Manufacture of various baulks.

HAZARD REDUCTION PROGRAM

Hazard Reduction Burning - No hazard reduction burning has been conducted in the reporting period.

Asset Protection Zones Maintenance - 35 hazard reduction treatments were completed in the reporting period, totalling an area of 34.5 hectares with 1011 assets protected.

Fire Trails –Fire trail surface and drainage works have been completed to Smiths Creek trail 1.1, totalling an area of 252sqm.

Fire Trail Gates – No maintenance was undertaken to fire trail gates during the reporting period.

FACILITIES SUPPORT SERVICES

Customer Requests	
Sporting Clubs with overdue keys	32 Clubs with 250 keys outstanding
Key access renewals, issues, alarm codes and access	756
Request for access to Council Reserves ⁹	3

ASSETS AND SUPPLY SERVICES

Procurement and Contract Management Services

Tenders/Quotes/Expressions of Interest and Agreements:

Tenders/Quotes currently being prepared:

- T15/16 Irrigation Services
- T15/17 Traffic Signals on Eagle Vale Drive
- T15/19 Supply and Construct Recycling Shed at SITA site

- T15/20 Design and Construct Workshop at SITA site
- T15/28 Grounds Maintenance at Airds, Claymore and Macquarie Fields
- T15/30 Cleaning of Public Toilets and Sporting Grounds Amenities
- T15/31 Plumbing Services
- T15/32 Building Demolition Services

Tenders/Quotes currently advertised:

- Q15/20 Supply and Servicing of Sanitary, Nappy Disposal Units
- Q15/25 Stormwater Joint Sealing Maintenance Program 2015-2016
- Q15/27 Kerb and Gutter Reconstruction Program
- T15/14 Catering at Campbelltown Sports Stadium

Tenders/Quotes currently under evaluation:

- Q15/13 Pre-Employment Medical
- Q15/22 Development of a Sport and Recreation Strategy
- Q15/23 Development of a Play Space Strategy
- Q15/24 Design, Supply and Install Play Spaces
- T15/18 Street Lighting on Eagle Vale Drive Between Badgally Road and Wynn Street
- T15/21 Crane Truck
- T15/22 WHS Auditing and Consulting Services
- T15/24 Minto Indoor Sports Upgrade
- T15/25 Special Event Audio Production and Staging
- T15/26 Tree Pruning and Arboriculture Services

ASSET MANAGEMENT

Roads

- Road Inspection 2015-2016 is 3% completed.
- Visual and Laser Survey on Campbelltown City Council Road Network is 15% completed.
- Geotechnical Investigation for Westmoreland Road, Minto is completed.
- The following Road Programs 2015-2016 have been awarded:
 - Program 1D – Asphalt Program
 - Program 2A – Cementitious Stabilisation Program
 - Program 3C – Spray Sealing Program for Proposed Stabilised Area
 - Program 5D – Microsurfacing Program for Proposed Stabilised Area
 - Program 6B – Mill and Fill Program
 - Program 7A – Heavy Patching Program

- Program 8A – Crack Sealing

Car Parks

- The following Road Programs 2015-2016 have been awarded:
 - Program 3C– Spray Sealing Program for Car Parks

Bridge and Culvert

- Bridge and Culvert Level 1 Inspection is 100% completed and updated.
- The Work Order for Steel Culverts Corrosion Repair Program has been issued to Operations.
- The pricing for bridge and culvert related Footpath Reconstruction Programs have been received.

Kerb and Gutter

- The Kerb and Gutter Inspection Program for 2015-2016 is 64% completed.
- The inspection for newly discovered Kerb and Gutter is 100% completed.

Footpath

- Footpath marking for grinding program is 50% completed.
- The footpath condition inspection for 2015-2016 will commence 26 October 2015.

Stormwater

- Stage 2- joint sealing program for Stormwater assets have been sent out for quotation.
- Stormwater pits inspection for 2015-2016 is 3% completed.

Parks and Public Spaces

- From 14 September to 16 October 2015, 446 assets have been inspected at Sportsgrounds in the Local Government Area. This is a total of 64% of Sportground assets inspected to new inspection parameters.
- All reactive issues discovered have been reported and all conditions and actions have been updated in Council's Asset Management System.
- Park furniture has been installed at Raby Sports Complex and Kentlyn Reserve following new playground construction.
- The replacement of remaining chain wire perimeter fence with 2.1m spear top security fencing at Campbelltown Showground has been completed.
- Quotations for the design and construction of Simmo's Beach Steps (south end) have been requested.

Building Inspections

- Building inspections are 100% up to date.
- Inspections of other structures is 77% completed.

Playground Equipment

Construction of new playgrounds in the 2014-2015 Innovative Playspaces Program has been 100% completed at the following locations:

- Hyacinth Reserve, Macquarie Fields
- Ingleburn Reserve, Ingleburn
- Manooka Reserve, Bradbury
- Eschol Park Sports, Eschol Park
- Abington Reserve, Glen Alpine
- Heathfield Reserve, Raby
- Topaz Reserve, Eagle Vale
- Raby Sports Complex
- Kentlyn Reserve

2015-2016 Innovative Play Spaces Program

- Designs and quotations for new playground at Atlantic Boulevard, Glenfield, have been obtained and are awaiting evaluation following extended public consultation.
- Designs and quotations for the refurbishment of Macquarie Fields Indoor Sports Centre Playground have been obtained and are awaiting approval.
- Public Quotations have closed for the following playgrounds:
 - Merino Reserve, Airds
 - Moncrieff Reserve, St. Helens Park
 - Salter Reserve, Minto
 - Gargery Reserve, Ambarvale

Internal Assets– Electrical Testing and Tagging

- 334 items of electrical equipment have been tested and tagged at various locations including Campbelltown Outside Hours School Care and Minto Depot Construction Equipment. All items updated into Council's Asset Management system.

Asset Management System, Grants and Reports

- RMS monthly report for month of September has been sent.
- Roads to Recovery Quarterly report have been completed.
- Fleet fuel efficiency report for month of September has been sent.
- Conquest User Conference was hosted on 14 and 15 October 2015 by Campbelltown City Council.

BUILDING MAINTENANCE/CONSTRUCTION PROGRAM

Reactive Maintenance 354

- **St Helens Park Reserve Skate Park** – Construction of the skate park has commenced with earthworks and the installation of an Exeloo toilet. Floodlighting has been erected and form work has commenced for the skate pad.
- **Fullwood Rugby League New Amenities Building** – Stage 2. Works have commenced on the construction. Currently works are underway to install the roof and flashings.
- **Animal Care Facility** – Cat Condo's have been installed along with stainless steel benches in the vet room.
- **Greg Percival Library** – Installation of an 85 KHW photovoltaic system will commence from the 16 November.
- **Blinman Oval** – Works have commenced, concrete piers have been poured. Slab to be set out next week.
- **Civic Centre** – Excavation to repair a partially collapsed sewer line on the new administration building is now complete. Stormwater excavation will commence late November, weather permitting.
- **The Gordon Fetterplace Aquatic Centre Splash Park** – Concrete works have commenced as

part of the resurfacing due to the deterioration of previous rubber. The project is expected to take 4 weeks.

- **Eschol Park 3** – Plans have been approved by the club to construct an internal storeroom and BBQ area. Works are due to commence early December.
- **LG Print Room** – New kitchenette is complete. Painting works to print room will commence early December 2015.
- **Worrell Park Amenities** – Demolition of the existing building is near completion. Recycling of concrete and bricks by the contractor is continuing.

11. REPORT OF DIRECTOR COMMUNITY SERVICES

No reports this round

12. REPORT OF DIRECTOR PLANNING AND ENVIRONMENT

12.1 The Greater Sydney Commission Bill 2015

Attachments

Greater Sydney Commission Bill 2015 (contained within this report)

Report

Introduction

The Greater Sydney Commission Bill 2015, which amongst other matters establishes the Greater Sydney Commission (the GSC), was introduced into NSW Parliament by the Honourable Robert Stokes MP, Minister for Planning, on Thursday 22 October 2015. The Bill passed through the Legislative Assembly without amendment, with no issues being raised by the Legislation Review Committee. It was then introduced into the Legislative Council on 28 October 2015. At the time of writing, the Bill had been debated in the Legislative Council and some proposed amendments were agreed. The Bill has now returned to the Legislative Assembly awaiting further consideration (11 November 2015).

The Greater Sydney Commission Bill 2015 proposes a number of changes to the NSW Planning System, including the establishment of the GSC and amendments to the *Environmental Planning and Assessment Act 1979* (the EP&A Act) to make explicit provision for regional and district strategic plans.

This report advises Council about the contents of the Bill and the potential implications of the proposed legislation for Council/local government.

Establishing a Greater Sydney Commission

The idea of establishing a 'Greater Sydney Commission' (GSC) was first announced by the NSW Government in June 2014. The new Metropolitan Strategy – A Plan for Growing Sydney, which was released in mid-December 2014, broadly discusses the role of the GSC.

Details of the proposed structure and powers of the GSC were publicly released in early September 2015. On 14 September 2015, the Secretary of the NSW Department of Planning and Environment wrote to Council, providing advice about the selection of District Commissioners for the GSC, and inviting Council to nominate one representative to participate on the selection panel for the Commissioner that will represent the South-West District. A report about this correspondence was provided to Council at its extraordinary meeting held on 6 October 2015, and Council resolved:

That Council's Director Strategy, represent Campbelltown City Council on the selection panel convened by the NSW Department of Planning and Environment for the Position of District Commissioner – South West District.

The GSC is proposed to be an independent body which will be responsible for metropolitan planning within Sydney in partnership with State and local governments. The GSC will have responsibility to drive implementation and delivery of all actions in the Metropolitan Strategy - A Plan for Growing Sydney, including the realisation of housing and jobs. Its role will include delivering plans for each of the six planning districts that have been identified within Sydney being: north, central, south, south-west, west and west central. It is noted that the Campbelltown Local Government Area (LGA) falls within the south-west District along with Camden, Fairfield, Liverpool and Wollondilly LGAs.

The Greater Sydney Commission will have thirteen appointees, including:

- an independent Chair, who will report to the Minister for Planning
- an independent Environment Commissioner
- an independent Economic Commissioner
- an independent Social Commissioner
- six District Commissioners (one for each District), nominated by Sydney councils within a particular District, and chosen and appointed by the Minister
- three key government heads from the Department of Planning and Environment, Transport for NSW and NSW Treasury.

Each District Commissioner will be required to have professional level qualifications and experience in at least one area across a range of required disciplines.

The GSC will be supported by a Finance and Governance Committee, an Infrastructure Delivery Committee, a Strategic Planning Committee and the Sydney Planning Panel (the SPP). The SPP will take on the combined functions of the current Sydney Joint Regional Planning Panels.

The GSC will also be supported by a Chief Executive Officer and a small staff agency.

The GSC will have responsibility for:

- finalising district plans for each of Sydney's six districts
- conducting regular reviews of Local Environmental Plans prepared by local councils
- conducting all decision-making and plan-making on rezoning proposals currently undertaken by the Minister (or the Minister's delegate)

- taking on the current development assessment and determination as well as plan making functions of the Sydney Joint Regional Planning Panels, including pre-gateway reviews (for planning proposals)
- monitoring and reporting to Government concerning the implementation of actions in the Metropolitan Strategy
- requiring councils to give effect to regional growth plans and district plans when amending their local plans.

The Greater Sydney Commission Bill 2015

The objectives of the Greater Sydney Commission Bill 2015 (the GSC Bill) are:

- to constitute the GSC as a separate NSW Government agency having functions relating to planning and development in the Greater Sydney Region
- to provide for the constitution of Sydney planning panels for the Greater Sydney Region which will operate as joint regional planning panels under the provisions of the EP&A Act
- to amend the EP&A Act to authorise the GSC to make local environmental plans for the Greater Sydney Region and to establish a scheme for strategic planning within that region and other regions declared by the Minister.

The Bill is comprised of the following elements, which are briefly described in the table and the subsequent text below:

ELEMENT		FUNCTION
Part 1	Preliminary	<ul style="list-style-type: none"> • Formal title • Commencement • Definitions • Procedure for amending the land to which the legislation applies
Part 2	The Greater Sydney Commission	<ul style="list-style-type: none"> • Establishes the GSC as a NSW Government agency • Membership • Role • Committees that can be established under the GSC
Part 3	Sydney Planning Panels (SPPs)	<ul style="list-style-type: none"> • Constitution and functions of the SPPs • Establishment of SPPs by the Minister • Ability of SPPs to delegate (including to Councils, their GMs or employees)
Part 4	Miscellaneous	<ul style="list-style-type: none"> • Provisions that bind the Crown • Provisions requiring the cooperation of local councils • Requirements for annual reports • Provisions excluding personal liability • Procedures for offences • Powers to make regulations • Review provisions
Schedule 1	Map Defining the Greater Sydney Region	<ul style="list-style-type: none"> • Defines the extent of the Greater Sydney Region

Schedule 2	Members and Procedure of the Commission	<ul style="list-style-type: none"> Provides details about the appointment of members and procedures of the GSC
Schedule 3	Sydney Planning Panels	<ul style="list-style-type: none"> Provides details about membership and operational matters for SPPs
Schedule 4	Savings, Transitional and Other Provisions	<ul style="list-style-type: none"> Provides power for the making of savings and transitional regulations
Schedule 5	Amendments to the Act	<ul style="list-style-type: none"> Explains how the proposed legislation will amend the EP&A Act
Schedule 6	Amendments to other Acts	<ul style="list-style-type: none"> Explains how the proposed legislation will amend other Acts

Part 2, Division 2 of the Bill outlines the six principal objectives of the GSC in the exercising of its functions, which are reiterated as follows:

- to lead metropolitan planning for the Greater Sydney Region
- to promote orderly development in the Greater Sydney Region, integrating social, economic and environmental considerations with regard to the principles of ecologically sustainable development contained in section 6(2) of the *Protection of the Environment Administration Act 1991*
- to promote the alignment of Government infrastructure decision-making with land use planning
- to promote the supply of housing, including affordable housing
- to encourage development that is resilient and takes into account natural hazards
- to support ongoing improvement in productivity, liveability and environmental quality.

It is of significance to note that none of the objectives relate to the promotion or creation of employment opportunities within the Greater Sydney Region. This is of concern particularly given the extensive predicted population growth in the south-west District that is anticipated in the period from now until 2036.

The draft legislation also specifies seven principal functions of the GSC:

- to provide advice and make recommendations to the Minister on matters relating to planning and development in the Greater Sydney Region
- to prepare and provide reports to the Minister on the implementation (including any impediments to the implementation) of any plan or proposal relating to development in the Greater Sydney Region
- to provide advice and make recommendations to the Minister on any impediments to the implementation of any plan or proposal relating to development in the Greater Sydney Region
- to provide advice to the Minister on the application of any development fund created under section 129 of the EP&A Act in respect of land in the Greater Sydney Region
- to assist local councils in the Greater Sydney Region and other government agencies (including an agency of the Commonwealth) on the implementation of any plan or proposal relating to development in the Greater Sydney Region
- to provide the Minister (or any other authorised Minister) with such information, advice or reports as the Minister may request.

The Commission also has any other functions conferred or imposed on it by an Act (including the power to make LEPs under Part 3 of the EP&A Act and to prepare draft strategic plans for the Greater Sydney Region under Part 3B of that Act). In addition, the GSC can also exercise any functions delegated to it under any Act.

The GSC also has powers to delegate its functions to any authorised person or body.

Part 3 and Schedule 3 provide details about the composition and functioning of the Sydney Planning Panels (SPPs). Each of these panels will consist of five members:

- three State Panel Members, appointed by the Minister, one of whom is to be a District Commissioner (presumably the Commissioner representing the relevant District however this is not certain given the detail of the legislative provisions), and all of whom have expertise in a specified relevant discipline
- two Council Nominees (from each applicable Council) who are Councillors, members of council staff or other persons nominated by the council, at least one of whom has expertise in a specified relevant discipline

For each SPP, the District Commissioner appointed to that panel also becomes its Chairperson. A panel may also elect another State Panel Member as a Deputy Chairperson. Alternate State and Council members can be appointed from time to time. A Council member of an SPP can be removed from office by either the relevant Council or the Minister, and a State member can be removed by the Minister. Remuneration to members may be paid as determined by the Minister.

Council representatives on the SPP are rotated so that those from the relevant Council are on the Panel when matters relating to that Council area are being considered.

It is also noted that any existing JRPPs that apply to areas covered by SPPs are proposed to be abolished once the relevant SPP is established.

Under Part 4, Section 20 Co-operation by local councils, Councils are required to assist the GSC. The provisions state:

“20 Co-operation by local councils

A local council in the Greater Sydney Region is, if requested to do so in writing by the Commission:

- (a) to allow the Commission to have access to, and take copies of, any documents held by the Council that are relevant to the functions of the Commission
- (b) to provide the Commission with such staff and facilities, or such other assistance, as may be required to assist the Commission in exercising its functions.”

These provisions have the potential to place significant resource requirements on Council, apparently without recompense.

Schedule 5 makes a range of amendments to the EP&A Act including provisions that:

- enable the GSC to be the consent authority for development applications
- define the Greater Sydney Region

- allow the Minister to declare regions and districts
- explain that SPPs are the same as JRPPs
- enable certain functions to be delegated to the GSC
- explain that the Planning Assessment Commission can exercise functions delegated to it under the EP&A Act or any other Act
- explain that a JRPP can exercise functions delegated to it under the EP&A Act or any other Act
- allow SEPPs and LEPs to be made for matters that are of significance to a District
- authorises the GSC to make LEPs for LGAs in the Greater Sydney Region and precludes the Minister from making LEPs for those LGAs (this is interpreted by Council planning staff to mean that a decision of the GSC to make a local plan or amendment thereto is not subject to review by the Minister)
- allow the Minister to direct that a person or body (other than a local council, but including the GSC) is the relevant planning authority for a proposed planning instrument if the Secretary of the Department of Planning and Environment has recommended that the proposed instrument should be submitted for a gateway determination
- introduce legislative recognition and a framework for strategic planning for regions (including the Greater Sydney Region) and districts within those regions, allowing draft regional plans and district plans (defined as “strategic plans”) to be made
- recognise A Plan for Growing Sydney as the regional plan for the Greater Sydney Region
- relate to the preparation, content, public exhibition and community consultation (minimum of 45 days), making, publication, implementation, monitoring, reporting and review of regional and district plans
- require planning proposals to have regard to regional and/or district plans
- require LEPs to be amended, in a timely manner, to give effect to district plans
- relate to legal proceedings concerning the validity of strategic plans
- allow regulations to be made that relate to strategic planning.

Conclusion

The Greater Sydney Commission Bill 2015 has the potential to make significant changes to the coordination of land use and infrastructure planning to facilitate future growth within the Greater Sydney Region. The GSC has the potential to bring together a range of major stakeholders and overcome barriers between government departments, agencies and local councils. It advocates a “whole of government” approach to address significant development growth issues and the essential physical, transport and human infrastructure required to service that growth in a timely manner.

It is disappointing however, that economic development and job creation are not specifically reflected in the GSC’s objectives.

The legislative requirement for, and statutory recognition of regional and district level strategic planning is also seen as a positive initiative. This proposed change provides the potential for broader scale planning, regional and district objectives and coordinated “urban growth” to actually be realised.

Council needs to be aware, however, of the potential resourcing obligations that may be placed upon it to cooperate with and assist the GSC, in addition to concerns over the removal of the Minister from local plan making decisions, thereby constraining Council's capacity to deal with elected representatives in this important area.

Officer's Recommendation

That the information be noted.

Council Meeting 17 November 2015 (Greiss/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 219

That the Officer's Recommendation be adopted.

ATTACHMENT 1

First print



New South Wales

Greater Sydney Commission Bill 2015

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows:

- (a) to constitute the Greater Sydney Commission (the *Commission*) as a NSW Government agency having functions relating to planning and development in the Greater Sydney Region,
- (b) to provide for the constitution of Sydney planning panels for the Greater Sydney Region which will operate as joint regional planning panels under the *Environmental Planning and Assessment Act 1979* (the *Planning Act*),
- (c) to amend the Planning Act to authorise the Commission to make local environmental plans under that Act for the Greater Sydney Region and to establish a scheme for strategic planning in the Greater Sydney Region and other regions declared by the Minister.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 defines words and phrases used in the proposed Act. The *Greater Sydney Region* is the region identified by the map in Schedule 1 to the proposed Act.

Clause 4 provides that the regulations may amend Schedule 1 to replace the map so as to extend or reduce the Greater Sydney Region.

Part 2 Greater Sydney Commission

Division 1 Constitution of Commission

Clause 5 constitutes the Greater Sydney Commission as a body corporate and provides that it is a NSW Government agency (which has the effect of conferring the status, privileges and immunities of the Crown on the Commission).

Clause 6 provides that the Commission will consist of persons appointed by the Minister and 3 ex-officio members (being the Secretaries of the Department of Planning and Environment, the Department of Transport and the Treasury). The appointed persons consist of 4 persons (referred to as *Greater Sydney Commissioners*) who will have expertise in specified areas, and those persons appointed by the Minister to represent the districts declared under proposed section 75AB (b) of the Planning Act in respect of the Greater Sydney Region (referred to as *District Commissioners*). One of the Greater Sydney Commissioners is to be appointed by the Minister as the Chief Commissioner. The other Greater Sydney Commissioners will have principal responsibility for the activities of the Commission to the extent they relate to environmental, social and economic matters.

Clause 7 provides that the Chief Executive Officer of the Commission (who is employed in the Public Service) is responsible for the day to day management of the affairs of the Commission in accordance with any directions of the Commission.

Clause 8 provides that staff may be employed in the Public Service to enable the Commission to exercise its functions.

Division 2 Objectives and functions of Commission

Clause 9 specifies the principal objectives of the Commission which include leading metropolitan planning for the Greater Sydney Region.

Clause 10 specifies the functions of the Commission which include providing advice and making recommendations to the Minister on matters relating to planning and development in the Greater Sydney Region. The Commission has such other functions as are conferred or imposed on it (including functions delegated to it) under any other Act such as the Planning Act.

Clause 11 enables the Commission to delegate its functions (including functions delegated to it) to certain authorised persons or bodies.

Division 3 Committees

Clause 12 establishes the Finance and Governance Committee of the Commission which will comprise the Greater Sydney Commissioners.

Clause 13 establishes the Strategic Planning Committee of the Commission which will comprise the Greater Sydney Commissioners and the District Commissioners representing the districts of the Greater Sydney Region in respect of which the Committee is exercising its functions.

Clause 14 establishes the Infrastructure Delivery Committee of the Commission which will comprise the Greater Sydney Commissioners, the ex-officio members and optional District Commissioners appointed by the Chief Commissioner.

Clause 15 enables the Commission to establish other committees.

Clause 16 provides for the establishing of subcommittees of any committee of the Commission.

Clause 17 provides for the procedure of committees of the Commission and any subcommittee of a committee.

Part 3 Sydney planning panels

Clause 18 enables the Minister to constitute a Sydney planning panel for any part (or for the whole) of the Greater Sydney Region. A Sydney planning panel is taken to be a joint regional planning panel under and for the purposes of the Planning Act and the instruments made under that Act. However the membership of a Sydney planning panel will be determined in accordance with the proposed Act (see proposed Schedule 3).

Part 4 Miscellaneous

Clause 19 provides that the proposed Act binds the Crown.

Clause 20 requires local councils in the Greater Sydney Region to co-operate with the Commission in connection with the exercise of its functions.

Clause 21 requires the Commission to report annually on the outcomes achieved by the Commission and on the implementation of strategic plans made under proposed Part 3B of the Planning Act for the Greater Sydney Region.

Clause 22 prohibits the disclosure of information obtained in connection with the administration of the proposed Act.

Clause 23 limits personal liability for matters or things done or omitted to be done in good faith for the purposes of executing the proposed Act or the provisions of any other Act that confer or impose functions on the Commission.

Clause 24 provides for proceedings for an offence under the proposed Act to be dealt with summarily before the Local Court.

Clause 25 provides for the making of regulations for the purposes of the proposed Act.

Clause 26 provides for the review of the proposed Act 5 years after its commencement.

Schedule 1 Greater Sydney Region

Schedule 1 contains a map of the Greater Sydney Region.

Schedule 2 Members and procedure of Commission

Schedule 2 contains standard provisions relating to the members and procedure of the Commission.

Schedule 3 Sydney planning panels

Schedule 3 contains provisions with respect to the members and procedure of Sydney planning panels. A Sydney planning panel is to consist of 3 members appointed by the Minister (one of whom is a District Commissioner) and 2 nominees of an applicable council (being the council of an area situated in the part of the Greater Sydney Region for which the planning panel is constituted).

Schedule 4 Savings, transitional and other provisions

Schedule 4 provides for the making of savings and transitional regulations consequent on the enactment of the proposed Act and Acts that amend it.

Schedule 5 Amendment of Environmental Planning and Assessment Act 1979 No 203

Schedule 5 [1] and [2] make it clear that the Greater Sydney Commission may be the consent authority in relation to a development application if legislation so specifies.

Schedule 5 [3] inserts a definition of *Greater Sydney Region* for the purposes of the Planning Act.

Schedule 5 [4] adds a note in the definition of *joint regional planning panel* referring to Part 3 of the proposed Act which provides that a Sydney planning panel constituted under that Part is taken to be a joint regional planning panel.

Schedule 5 [5] enables certain functions to be delegated to the Greater Sydney Commission.

Schedule 5 [6] makes it clear that the Planning Assessment Commission can exercise functions delegated to it under Acts other than the Planning Act.

Schedule 5 [7] makes it clear that a joint regional planning panel can exercise functions delegated to it under the Planning Act or any other Act.

Schedule 5 [9] and [12] provide that the matters in respect of which SEPPs and LEPs may be made will include matters that are of environmental planning significance to a district under proposed Part 3B (to be inserted by the proposed Act).

Schedule 5 [11] authorises the Greater Sydney Commission to make local environmental plans for local government areas in the Greater Sydney Region. **Schedule 5 [8]** is a consequential amendment and **Schedule 5 [10]** precludes the Minister from making local environmental plans for local government areas in the Greater Sydney Region.

Schedule 5 [13] provides that the Minister may direct that a person or body other than a local council is the relevant planning authority for a proposed instrument if the Secretary of the Department of Planning and Environment has recommended that the proposed instrument should be submitted for a “gateway” determination under section 56 of the Planning Act or should be made.

Schedule 5 [14] inserts a new Part that makes provision for strategic planning in relation to regions of the State (being the Greater Sydney Region and any other region declared by the Minister) and to districts in those regions. Under the proposed Part, draft regional plans and district plans may be prepared (or required to be prepared) for the region or district concerned. Once such a plan is made by the Minister (or, in the case of district plans for the Greater Sydney Region, by the Greater Sydney Commission) it must be published on the NSW planning portal. The existing document called *A Plan for Growing Sydney* is taken to be the regional plan for the Greater Sydney Region and the Greater Sydney Commission will be required to review this initial plan. The proposed Part also provides for the content, public exhibition and implementation of plans prepared and made under the proposed Part.

Schedule 6 Amendment of other Acts

Schedule 6.1 amends the *Public Finance and Audit Act 1983* to provide for financial auditing and annual reporting in relation to the Commission.

Schedule 6.2 amends the *Statutory and Other Offices Remuneration Act 1975* to provide that the remuneration payable to any Greater Sydney Commissioner who is appointed to hold office on a full-time basis is to be determined by the Statutory and Other Offices Remuneration Tribunal.



New South Wales

Greater Sydney Commission Bill 2015

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**Schedule 5 Amendment of Environmental Planning and
Assessment Act 1979 No 203**

Schedule 6 Amendment of other Acts



New South Wales

Greater Sydney Commission Bill 2015

No. , 2015

A Bill for

An Act to constitute and confer functions on the Greater Sydney Commission and to provide for the constitution of planning panels for the Greater Sydney Region; to amend the *Environmental Planning and Assessment Act 1979* to make provision in relation to strategic planning; and for other purposes.

The Legislature of New South Wales enacts:

Part 1 Preliminary

1 Name of Act

This Act is the *Greater Sydney Commission Act 2015*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Definitions

(1) In this Act:

Chief Commissioner means the person appointed by the Minister as the Chief Commissioner of the Commission.

Chief Executive Officer means the person employed in the Public Service as the Chief Executive Officer of the Commission.

Commission means the Greater Sydney Commission constituted under Part 2.

District Commissioner means a member of the Commission appointed under section 6 (1) (b).

ex-officio member means a member of the Commission referred to in section 6 (1) (c).

function includes a power, authority or duty, and *exercise* a function includes perform a duty.

Greater Sydney Commissioner means a member of the Commission appointed under section 6 (1) (a).

Greater Sydney Region means the region comprising the local government areas within the boundary shown on the map in Schedule 1.

Planning Act means the *Environmental Planning and Assessment Act 1979*.

Sydney planning panel means a Sydney planning panel constituted under Part 3.

(2) Notes included in this Act do not form part of this Act.

4 Amendment of area comprising Greater Sydney Region

The regulations may amend Schedule 1 to replace the map in that Schedule so as to extend or reduce the Greater Sydney Region.

Part 2 Greater Sydney Commission

Division 1 Constitution of Commission

5 Constitution of Commission

- (1) There is constituted by this Act a body corporate with the corporate name of the Greater Sydney Commission.
- (2) The Commission is a NSW Government agency.
Note. See section 13A of the *Interpretation Act 1987*.
- (3) The Commission is not subject to the control and direction of the Minister (except to the extent specifically provided for in this or any other Act).

6 Members of Commission

- (1) The Commission is to consist of the following members:
 - (a) 4 persons appointed by the Minister (the *Greater Sydney Commissioners*), each of whom has, in the opinion of the Minister, expertise in at least one of the following areas, namely, environmental sustainability, environmental science, sustainable design, strategic planning, infrastructure planning and delivery, architecture, urban design, traffic and transport, engineering, community development and services, local government, environmental planning law, social justice, property development, community engagement, economics, tourism or heritage,
 - (b) each person appointed by the Minister to represent a district declared under section 75AB (b) of the Planning Act as a district in the Greater Sydney Region (the *District Commissioners*), being a person who has, in the opinion of the Minister, expertise in at least one of the following areas, namely, planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration,
 - (c) the Secretary of each of the following (the *ex-officio members*):
 - (i) the Department of Planning and Environment,
 - (ii) the Department of Transport,
 - (iii) the Treasury.
- (2) One of the Greater Sydney Commissioners is, by the instrument of the Commissioner's appointment as a member or by a subsequent instrument executed by the Minister, to be appointed as the Chief Commissioner of the Commission.
- (3) Of the 3 other Greater Sydney Commissioners:
 - (a) one is to be appointed by the Minister as the Commissioner with principal responsibility for the activities of the Commission to the extent they relate to environmental matters, and
 - (b) one is to be appointed by the Minister as the Commissioner with principal responsibility for the activities of the Commission to the extent they relate to social matters, and
 - (c) one is to be appointed by the Minister as the Commissioner with principal responsibility for the activities of the Commission to the extent they relate to economic matters.
- (4) Before appointing a person as a District Commissioner to represent a district in the Greater Sydney Region, the Minister is to seek the advice of the local council of each local government area in that district in relation to the proposed appointment.

However, the Minister is not prevented from making an appointment if a local council fails to provide any such advice when requested to do so.

- (5) Schedule 2 contains provisions with respect to the members and procedure of the Commission.

7 Role of Chief Executive Officer

The Chief Executive Officer is responsible for the day to day management of the affairs of the Commission in accordance with any directions of the Commission.

8 Staff of Commission

- (1) Persons may be employed in the Public Service to enable the Commission to exercise its functions.

Note. Section 59 of the *Government Sector Employment Act 2013* provides that the persons so employed (or whose services the Commission makes use of) may be referred to as officers or employees, or members of staff, of the Commission. Section 47A of the *Constitution Act 1902* precludes the Commission from employing staff.

- (2) The Commission may also:
 - (a) arrange for the use of the services or facilities of a public authority within the meaning of the Planning Act, and
 - (b) engage such consultants as it requires to exercise its functions.

Division 2 Objectives and functions of Commission

9 Principal objectives of Commission

The principal objectives of the Commission in exercising its functions are as follows:

- (a) to lead metropolitan planning for the Greater Sydney Region,
- (b) to promote orderly development in the Greater Sydney Region, integrating social, economic and environmental considerations with regard to the principles of ecologically sustainable development contained in section 6 (2) of the *Protection of the Environment Administration Act 1991*,
- (c) to promote the alignment of Government infrastructure decision-making with land use planning,
- (d) to promote the supply of housing, including affordable housing,
- (e) to encourage development that is resilient and takes into account natural hazards,
- (f) to support ongoing improvement in productivity, liveability and environmental quality.

10 Functions of Commission

- (1) The Commission has the following functions:
 - (a) to provide advice and make recommendations to the Minister on matters relating to planning and development in the Greater Sydney Region,
 - (b) to prepare and provide reports to the Minister on the implementation (including any impediments to the implementation) of any plan or proposal relating to development in the Greater Sydney Region,
 - (c) to provide advice and make recommendations to the Minister on any impediments to the implementation of any plan or proposal relating to development in the Greater Sydney Region,

- (d) to provide advice to the Minister on the application of any development fund created under section 129 of the Planning Act in respect of land in the Greater Sydney Region,
 - (e) to assist local councils in the Greater Sydney Region and other government agencies (including an agency of the Commonwealth) on the implementation of any plan or proposal relating to development in the Greater Sydney Region,
 - (f) to provide the Minister with such information, advice or reports as the Minister may request,
 - (g) if requested to do so by a Minister other than the Minister administering this Act (the *other Minister*), to provide the other Minister with such information, advice or reports as may be requested by the other Minister.
- (2) Any such other Minister must obtain the approval of the Minister administering this Act before making a request under subsection (1) (g).
 - (3) The Commission has such other functions as are conferred or imposed on it by or under this or any other Act.
Note. Those other functions include the power to make local environmental plans under Part 3 of the Planning Act and to prepare draft strategic plans for the Greater Sydney Region under Part 3B of that Act.
 - (4) Without limiting subsection (3), the Commission may exercise functions delegated to it under any other Act.

11 Delegation of Commission's functions

- (1) The Commission may delegate to an authorised person or body any of its functions, other than this power of delegation. This power of delegation extends to a function delegated to the Commission, but only if the Commission is authorised in writing by the delegator to delegate the function.
- (2) A delegate may sub-delegate to an authorised person or body any function delegated by the Commission if the delegate is authorised in writing to do so by the Commission.
- (3) In this section, *authorised person or body* means any of the following:
 - (a) a member of the Commission,
 - (b) a committee of the Commission or member of such a committee,
 - (c) a Sydney planning panel or member of such a panel,
 - (d) a member of the staff of the Commission (including the Chief Executive Officer),
 - (e) the Secretary or other person employed in the Department of Planning and Environment,
 - (f) a joint regional planning panel constituted under section 23G of the Planning Act,
 - (g) the Planning Assessment Commission constituted under section 23B of the Planning Act,
 - (h) a local council, or the general manager or other employee of a local council, for any local government area in the Greater Sydney Region,
 - (i) a person or body, or a person or body of a class, authorised by the regulations for the purposes of this section.
- (4) Section 381 of the *Local Government Act 1993* does not apply to a delegation under this section to the general manager or other employee of a local council.

Division 3 Committees

12 Finance and Governance Committee

- (1) There is established a committee of the Commission to be known as the Finance and Governance Committee (the *FGC*).
- (2) The members of the FGC are the Greater Sydney Commissioners.
- (3) The FGC has the following functions:
 - (a) to advise and assist the Commission in connection with such functions of the Commission as are determined by the Minister,
 - (b) to advise and assist the Commission in connection with any of the other functions of the Commission,
 - (c) to advise and assist the Minister on each of the matters for which the Greater Sydney Commissioners have responsibility as referred to in section 6 (3).

13 Strategic Planning Committee

- (1) There is established a committee of the Commission to be known as the Strategic Planning Committee (the *SPC*).
- (2) The members of the SPC are as follows:
 - (a) the Greater Sydney Commissioners,
 - (b) the District Commissioners representing the districts of the Greater Sydney Region in respect of which the SPC is exercising its functions.
- (3) The SPC has the following functions:
 - (a) to advise and assist the Commission in connection with such functions of the Commission as may be determined by the Minister,
 - (b) if requested to do so by the Commission:
 - (i) to prepare draft strategic plans under Part 3B of the Planning Act for the Greater Sydney Region, and
 - (ii) to provide information, advice and quarterly reports on the implementation of strategic plans for the Greater Sydney Region, and
 - (iii) to advise and assist the Commission in connection with any of the other functions of the Commission.

14 Infrastructure Delivery Committee

- (1) There is established a committee of the Commission to be known as the Infrastructure Delivery Committee (the *IDC*).
- (2) The members of the IDC are as follows:
 - (a) the Greater Sydney Commissioners,
 - (b) the ex-officio members.
- (3) The Chief Commissioner may also appoint a District Commissioner as an additional casual member of the IDC for the purposes of exercising specific functions of the IDC in relation to a particular matter.
- (4) The IDC has the following functions:
 - (a) to advise and assist the Commission in connection with such functions of the Commission as may be determined by the Minister,

- (b) if requested to do so by the Commission:
 - (i) to provide information, advice and regular reports on the infrastructure requirements to support housing and employment opportunities in the Greater Sydney Region, and
 - (ii) to advise and assist the Commission in connection with any of the other functions of the Commission.

15 Other committees

- (1) The Commission may establish other committees to give advice and assistance to the Commission in connection with any of its functions.
- (2) A committee established by the Commission need not include a member of the Commission.

16 Subcommittees

- (1) Any committee of the Commission may establish subcommittees to assist it in connection with the exercise of any of its functions.
- (2) A subcommittee of a committee of the Commission need not include a member of the committee.

17 Procedure for committees and subcommittees

- (1) The procedure for the calling of meetings of a committee of the Commission and for the conduct of business at those meetings is to be as determined by the Commission or (subject to any determination of the Commission) by the committee.
- (2) The procedure for the calling of meetings of a subcommittee of a committee of the Commission and for the conduct of business at those meetings is to be as determined by the committee or (subject to any determination of the committee) by the subcommittee.

Part 3 Sydney planning panels

18 Constitution and functions of Sydney planning panels

- (1) The Minister may, by order published on the NSW legislation website, constitute a Sydney planning panel for the part of the Greater Sydney Region specified in the order.
- (2) The part of the Greater Sydney Region for which a Sydney planning panel is constituted may comprise the whole of the Region.
- (3) A Sydney planning panel is taken to be a joint regional planning panel under and for the purposes of the Planning Act and the instruments made under that Act. Accordingly, the provisions of or under that Act (other than section 23G (1) and Schedule 4) that apply to or in respect of a joint regional planning panel apply, subject to the regulations, to or in respect of a Sydney planning panel.

Note. Development within the area of the City of Sydney is excluded from the classes of development in respect of which a joint regional planning panel may be authorised by an environmental planning instrument to exercise the consent authority functions of a local council—see clause 2 of Schedule 4A to the Planning Act.
- (4) Section 23 (1B) of the Planning Act, in its application to a Sydney planning panel, is taken to be modified to authorise the planning panel to delegate, in accordance with that subsection, any of its functions to the general manager or other employee of a local council for a local government area situated wholly or partly in the part of the Greater Sydney Region for which the panel is constituted. Section 381 of the *Local Government Act 1993* does not apply to any such delegation to the general manager or other employee of a local council.
- (5) Subsection (4) does not limit section 23 (1B) of the Planning Act in its application to a Sydney planning panel.
- (6) If a Sydney planning panel is constituted for a part of the Greater Sydney Region, any joint regional planning panel constituted under section 23G (1) of the Planning Act for that part of the Greater Sydney Region is taken to be abolished on the constitution of the Sydney planning panel. The regulations may contain savings and transitional provisions consequent on the abolition of any such joint regional planning panel.
- (7) Schedule 3 contains provisions with respect to Sydney planning panels.

Part 4 Miscellaneous

19 Act to bind Crown

This Act binds the Crown in right of New South Wales and, in so far as the legislative power of the Parliament of New South Wales permits, the Crown in all its other capacities.

20 Co-operation by local councils

A local council in the Greater Sydney Region is, if requested to do so in writing by the Commission:

- (a) to allow the Commission to have access to, and take copies of, any documents held by the council that are relevant to the functions of the Commission, and
- (b) to provide the Commission with such staff and facilities, or such other assistance, as may be required to assist the Commission in exercising its functions.

21 Annual report to include certain matters

The annual report of the Commission required to be prepared under the *Annual Reports (Statutory Bodies) Act 1984* is to include a report as to the following:

- (a) the outcomes achieved by the Commission during the reporting period,
- (b) the implementation of strategic plans made under Part 3B of the Planning Act for the Greater Sydney Region (including information about any related monitoring or evaluation undertaken by the Commission).

22 Disclosure of information

A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:

- (a) with the consent of the person from whom the information was obtained, or
- (b) in connection with the administration or execution of this Act, or
- (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or
- (d) in accordance with a requirement made under the *Ombudsman Act 1974*, or
- (e) with other lawful excuse.

Maximum penalty: 20 penalty units.

23 Exclusion of personal liability

- (1) A matter or thing done or omitted to be done by:

- (a) a member of the Commission, or
- (b) a member of a committee of the Commission or a member of a subcommittee of such a committee, or
- (c) a member of staff of the Commission (including the Chief Executive Officer), or
- (d) a person acting under the direction of any person referred to in paragraphs (a)–(c),

does not, if the matter or thing was done or omitted to be done in good faith for the purposes of executing this Act, subject any such member or person so acting personally to any action, liability, claim or demand.

- (2) A reference in subsection (1) to the execution of this Act includes a reference to the execution of the provisions of any other Act that confer or impose functions on the Commission or a committee of the Commission.

24 Nature of proceedings for offences

Proceedings for an offence under this Act may be dealt with summarily before the Local Court.

25 Regulations

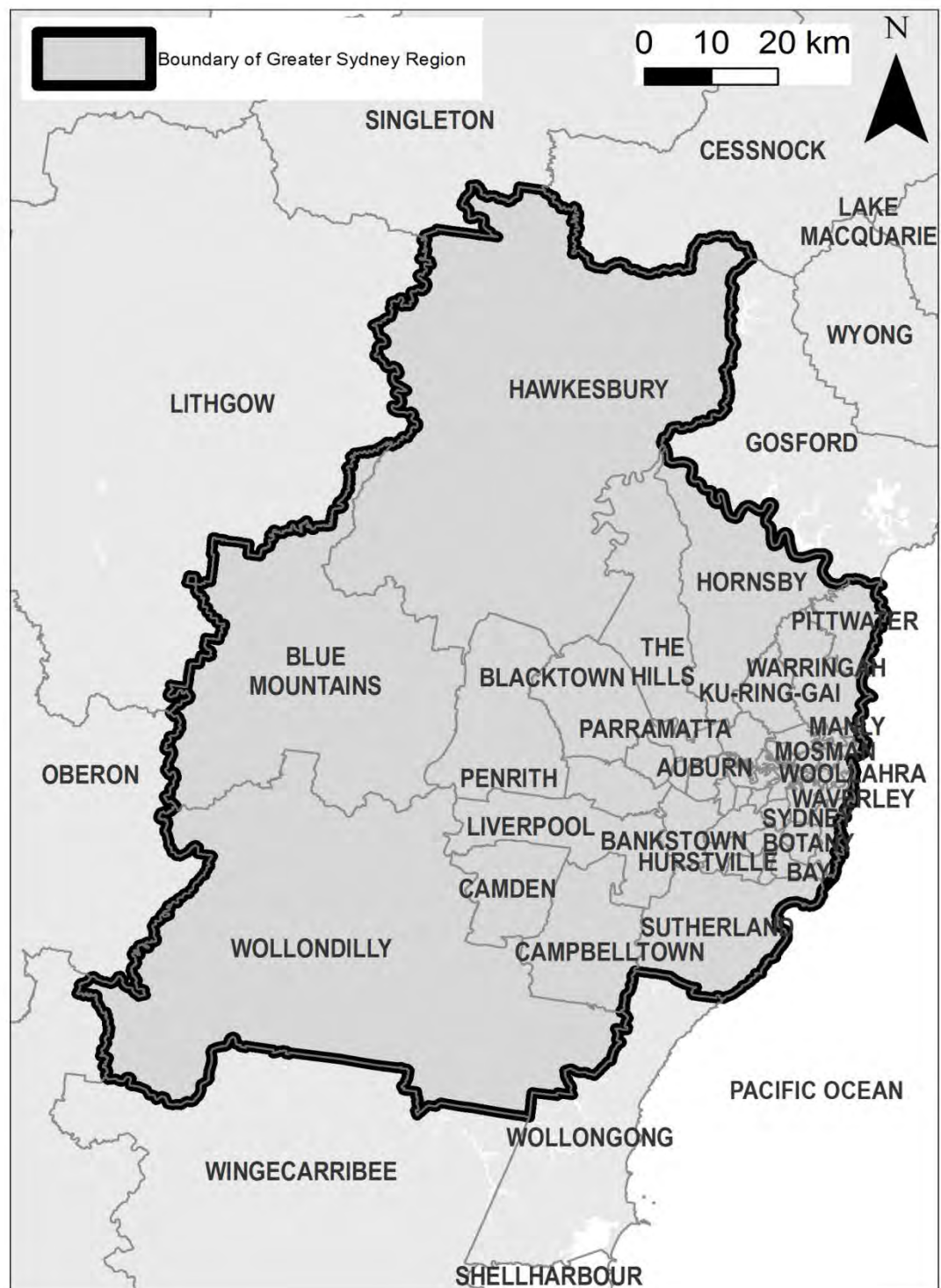
The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

26 Review of Act

- (1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the period of 5 years from the commencement of this Act.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 5 years.

Schedule 1 Greater Sydney Region

(Sections 3 and 4)



Schedule 2 Members and procedure of Commission

(Section 6 (5))

1 Definitions

In this Schedule:

appointed member means a Greater Sydney Commissioner or District Commissioner.

member means any member of the Commission.

2 Terms of office of appointed members

- (1) Subject to this Schedule and the regulations, an appointed member holds office for such period (not exceeding 4 years) as is specified in the member's instrument of appointment, but is eligible (if otherwise qualified) for re-appointment.
- (2) An appointed member may not hold office as a member for more than 8 years in total.

3 Basis on which members are appointed

An appointed member may be appointed on either a full-time or part-time basis. The Minister may change the basis of the appointment during the member's term of office.

4 Remuneration of appointed members

- (1) A member appointed on a full-time basis is entitled to be paid such remuneration (including travelling and subsistence allowances) as is determined by the Statutory and Other Offices Remuneration Tribunal.
- (2) A member appointed on a part-time basis is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.

5 Vacancy in office of member

- (1) The office of an appointed member becomes vacant if the member:
 - (a) dies, or
 - (b) completes a term of office and is not re-appointed, or
 - (c) resigns the office by instrument in writing addressed to the Minister, or
 - (d) is removed from office by the Minister under this clause or by the Governor under Part 6 of the *Government Sector Employment Act 2013*, or
 - (e) is absent from 3 consecutive meetings of the Commission of which reasonable notice has been given to the member personally or by post, except on leave granted by the Minister or unless the member is excused by the Minister for having been absent from those meetings, or
 - (f) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
 - (g) becomes a mentally incapacitated person, or
 - (h) is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable.

- (2) The Minister may remove an appointed member from office at any time for any or no stated reason and without notice.
- (3) In particular, the Minister may remove an appointed member from office if the Independent Commission Against Corruption, in a report referred to in section 74C of the *Independent Commission Against Corruption Act 1988*, recommends that consideration be given to the removal of the member from office because of corrupt conduct by the member.
- (4) The Chief Commissioner is taken to have vacated office as Chief Commissioner if he or she resigns office by instrument in writing addressed to the Minister or ceases to be a member.

6 Filling of vacancy in office of appointed member

If the office of any appointed member becomes vacant, a person is, subject to this Act and the regulations, to be appointed to fill the vacancy.

7 Disclosure of pecuniary interests

- (1) If:
 - (a) a member has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting of the Commission, and
 - (b) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,
 the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Commission.
- (2) A member has a pecuniary interest in a matter if the pecuniary interest is the interest of:
 - (a) the member, or
 - (b) the member's spouse or de facto partner or a relative of the member, or a partner or employer of the member, or
 - (c) a company or other body of which the member, or a nominee, partner or employer of the member, is a member.
- (3) However, a member is not taken to have a pecuniary interest in a matter as referred to in subclause (2) (b) or (c):
 - (a) if the member is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the member is a member of, or is employed by, a local council or a statutory body or is employed by the Crown, or
 - (c) just because the member is a member of, or a delegate of a local council, a company or other body that has a pecuniary interest in the matter, so long as the member has no beneficial interest in any shares of the company or body.
- (4) A disclosure by a member at a meeting of the Commission that the member, or a spouse, de facto partner, relative, partner or employer of the member:
 - (a) is a member, or is in the employment, of a specified company or other body, or
 - (b) is a partner, or is in the employment, of a specified person, or

- (c) has some other specified interest relating to a specified company or other body or to a specified person,

is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person that may arise after the date of the disclosure and that is required to be disclosed under subclause (1).

- (5) Particulars of any disclosure made under this clause must be recorded by the Commission in a book kept for the purpose and that book must be made available for inspection by any person at any reasonable time for no charge.
- (6) After a member has disclosed the nature of an interest in any matter, the member must not, unless the Minister or the Commission otherwise determines:
 - (a) be present during any deliberation of the Commission with respect to the matter, or
 - (b) take part in any decision of the Commission with respect to the matter.
- (7) For the purposes of the making of a determination by the Commission under subclause (6), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not:
 - (a) be present during any deliberation of the Commission for the purpose of making the determination, or
 - (b) take part in the making by the Commission of the determination.
- (8) A contravention of this clause does not invalidate any decision of the Commission.
- (9) This clause applies to a member of a committee of the Commission and the committee in the same way as it applies to a member of the Commission and the Commission.

8 Effect of certain other Acts

- (1) The provisions of the *Government Sector Employment Act 2013* relating to the employment of Public Service employees do not apply to an appointed member.
- (2) If by or under any Act provision is made:
 - (a) requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or
 - (b) prohibiting the person from engaging in employment outside the duties of that office,the provision does not operate to disqualify the person from holding that office and also the office of a member or from accepting and retaining any remuneration payable to the person under this Act as a member.

9 General procedure

The procedure for the calling of meetings of the Commission and for the conduct of business at those meetings is, subject to this Act and the regulations, to be as determined by the Commission.

10 Quorum

The quorum for a meeting of the Commission is a majority of the members for the time being and must include:

- (a) at least one Greater Sydney Commissioner, and
- (b) at least 2 District Commissioners, and
- (c) at least one ex-officio member.

11 Presiding member

- (1) The Chief Commissioner (or, in the absence of the Chief Commissioner, a member elected by the members who are present at a meeting of the Commission) is to preside at a meeting of the Commission.
- (2) The presiding member has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

12 Voting

A decision supported by a majority of the votes cast at a meeting of the Commission at which a quorum is present is the decision of the Commission.

13 Public meetings

The Commission may (unless the Minister otherwise directs) conduct its meetings in public, and is required to do so if the Minister directs.

14 Transaction of business outside meetings or by electronic means

- (1) The Commission may, if it thinks fit, transact any of its business by the circulation of papers among all the members of the Commission for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Commission made at a meeting of the Commission.
- (2) The Commission may, if it thinks fit, transact any of its business at a meeting at which members (or some members) participate by telephone or other electronic means, but only if any member who speaks on a matter before the meeting can be heard by the other members.
- (3) For the purposes of:
 - (a) the approval of a resolution under subclause (1), or
 - (b) a meeting held in accordance with subclause (2),the Chief Commissioner and each other member have the same voting rights as they have at an ordinary meeting of the Commission.
- (4) A resolution approved under subclause (1) is, subject to the regulations, to be recorded in the minutes of the meetings of the Commission.
- (5) Papers may be circulated among the members for the purposes of subclause (1) by electronic means.

15 Minutes of meetings

- (1) The member presiding at a meeting of the Commission must cause minutes to be kept of the proceedings of the meeting.
- (2) The Chief Executive Officer must cause the minutes of each meeting of the Commission to be published on an appropriate government website within 3 months of the meeting.

16 First meeting

The Minister may call the first meeting of the Commission in such manner as the Minister thinks fit.

Schedule 3 Sydney planning panels

(Section 18 (7))

1 Definitions

In this Schedule:

applicable council means the council of an area that is situated (wholly or partly) in a part of the Greater Sydney Region for which a Sydney planning panel is constituted.

chairperson means the person appointed by the Minister as chairperson of a Sydney planning panel.

member means a member of a Sydney planning panel.

2 Members of Sydney planning panels

- (1) A Sydney planning panel is to consist of the following 5 members:
 - (a) 3 members appointed by the Minister (the *State members*), one of whom is to be a District Commissioner,
 - (b) 2 nominees of an applicable council (the *council nominees*) who are councillors, members of council staff or other persons nominated by the council.
- (2) The State members of a Sydney planning panel are to be persons who have expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration. In appointing State members, the Minister is to have regard to the need to have a range of expertise represented among the panel's members.
- (3) At least one of the council nominees of a Sydney planning panel is to be a person who has expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.
- (4) The State member who is a District Commissioner is to be appointed by the Minister as chairperson of the Sydney planning panel.
- (5) Each applicable council is to nominate 2 persons as council nominees for the purposes of the Sydney planning panel. If an applicable council fails to nominate one or more council nominees, a Sydney planning panel is not required to include 2 council nominees for the purposes of exercising its functions in relation to the area of the council concerned.

3 Rotation of council nominees

- (1) For the purposes of exercising the functions of a Sydney planning panel in relation to a matter, the council nominees are to be those nominated by the applicable council for the land to which the matter relates.
- (2) Subject to this Schedule, a council nominee remains eligible to participate as a member of a Sydney planning panel for such period (not exceeding 4 years) as is specified in the nominee's instrument of nomination, but is eligible (if otherwise qualified) for re-nomination.

4 Rotation of chairperson of planning panel

For the purposes of exercising the functions of a Sydney planning panel in relation to a matter, the chairperson of the planning panel is to be the District Commissioner appointed under section 6 (1) (b) to represent the district in which the land to which the matter relates is situated.

5 Term of office of State members

- (1) Subject to this Schedule, a State member holds office for such period (not exceeding 4 years) as is specified in the member's instrument of appointment.
- (2) That period may be determined by reference to the occurrence of a specified event or completion of the exercise of particular functions of a Sydney planning panel.
- (3) A State member is eligible (if otherwise qualified) for re-appointment.
- (4) A person may not hold office as a State member of a Sydney planning panel for more than 8 years in total.

6 Basis of office

The office of a member is a part-time office.

7 Remuneration

A member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.

8 Deputy chairperson

- (1) The members of a Sydney planning panel may elect a State member to be the deputy chairperson of the planning panel.
- (2) The person may be elected for the duration of the person's term of office as a member or for a shorter term.

9 Alternates

- (1) The Minister may, from time to time, appoint a person to be the alternate of a State member, and may revoke any such appointment.
- (2) An applicable council may, from time to time, appoint a person to be the alternate of a member nominated by the council, and may revoke any such appointment.
- (3) In the absence of a member, the member's alternate may, if available, act in the place of the member.
- (4) While acting in the place of a member, a person has all the functions of the member and is taken to be a member.
- (5) A person while acting in the place of a member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the person.
- (6) A person may be appointed as the alternate of 2 or more members, but has only one vote at any meeting of the Sydney planning panel.

10 Vacancy in office of member

- (1) The office of a member becomes vacant if the member:
 - (a) dies, or
 - (b) completes a term of office and is not re-appointed, or
 - (c) resigns the office by instrument in writing addressed to the Minister or applicable council, as the case requires, or
 - (d) in the case of a council nominee, is removed from office by an applicable council under this clause or by the Minister under subclause (2), or

- (e) in the case of a State member, is removed from office by the Minister or by the Governor under Part 6 of the *Government Sector Employment Act 2013*, or
 - (f) is absent from 3 consecutive meetings of the Sydney planning panel of which reasonable notice has been given to the member personally or by post, except on leave granted by the panel or unless the member is excused by the planning panel for having been absent from those meetings, or
 - (g) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
 - (h) becomes a mentally incapacitated person, or
 - (i) is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable.
- (2) The Minister may remove a member from office if the Independent Commission Against Corruption, in a report referred to in section 74C of the *Independent Commission Against Corruption Act 1988*, recommends that consideration be given to the removal of the member from office because of corrupt conduct by the member.
 - (3) The Minister may remove a State member from office at any time for any or no stated reason and without notice.
 - (4) An applicable council may remove any of its council nominees from office at any time for any or no stated reason and without notice.

11 Filling of vacancy in office of member

If the office of a member becomes vacant, a person may, subject to this Act and the regulations, be appointed to fill the vacancy.

12 Chairperson

- (1) The chairperson vacates office as chairperson if he or she:
 - (a) is removed from that office by the Minister, or
 - (b) resigns that office by instrument in writing addressed to the Minister, or
 - (c) ceases to be a member of the Sydney planning panel or the Commission.
- (2) The Minister may at any time remove the chairperson from office as chairperson for any or no stated reason and without notice.

13 Disclosure of pecuniary interests

- (1) If:
 - (a) a member has a pecuniary interest in a matter being considered or about to be considered at a meeting of the Sydney planning panel, and
 - (b) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,
 the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the planning panel.
- (2) A member has a pecuniary interest in a matter if the pecuniary interest is the interest of:
 - (a) the member, or

- (b) the member's spouse or de facto partner or a relative of the member, or a partner or employer of the member, or
 - (c) a company or other body of which the member, or a nominee, partner or employer of the member, is a member.
- (3) However, a member is not taken to have a pecuniary interest in a matter as referred to in subclause (2) (b) or (c):
 - (a) if the member is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the member is a member of, or is employed by, a council or a statutory body or is employed by the Crown, or
 - (c) just because the member is a member of, or a delegate of a council, a company or other body that has a pecuniary interest in the matter, so long as the member has no beneficial interest in any shares of the company or body.
- (4) A disclosure by a member at a meeting of the Sydney planning panel that the member, or a spouse, de facto partner, relative, partner or employer of the member:
 - (a) is a member, or is in the employment, of a specified company or other body, or
 - (b) is a partner, or is in the employment, of a specified person, or
 - (c) has some other specified interest relating to a specified company or other body or to a specified person,
 is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person which may arise after the date of the disclosure and which is required to be disclosed under subclause (1).
- (5) Particulars of any disclosure made under this clause must be recorded by the Sydney planning panel in a book kept for the purpose and that book must be made available for inspection by any person at any reasonable time for no charge.
- (6) After a member has disclosed the nature of an interest in any matter, the member must not, unless the Minister or the Sydney planning panel otherwise determines:
 - (a) be present during any deliberation of the planning panel with respect to the matter, or
 - (b) take part in any decision of the planning panel with respect to the matter.
- (7) For the purposes of the making of a determination by the Sydney planning panel under subclause (6), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not:
 - (a) be present during any deliberation of the planning panel for the purpose of making the determination, or
 - (b) take part in the making by the planning panel of the determination.
- (8) A contravention of this clause does not invalidate any decision of the Sydney planning panel.

14 Effect of certain other Acts

- (1) The provisions of the *Government Sector Employment Act 2013* relating to the employment of Public Service employees do not apply to a member.
- (2) If by or under any Act provision is made:
 - (a) requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or
 - (b) prohibiting the person from engaging in employment outside the duties of that office,

the provision does not operate to disqualify the person from holding that office and also the office of a member or from accepting and retaining any remuneration payable to the person under this Act as a member.

Schedule 4 Savings, transitional and other provisions

Part 1 General

1 Regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.
- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication on the NSW legislation website, the provision does not operate so as:
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

Schedule 5 Amendment of Environmental Planning and Assessment Act 1979 No 203

[1] Section 4 Definitions

Insert “the Greater Sydney Commission,” after “a Minister,” in paragraph (b) of the definition of *consent authority* in section 4 (1).

[2] Section 4 (1), definition of “consent authority”

Omit “that Minister, Commission, panel or authority, as the case may be” from paragraph (b).

Insert instead “that Minister or the Greater Sydney Commission, Planning Assessment Commission, panel or authority, as the case requires”.

[3] Section 4 (1)

Insert in alphabetical order:

Greater Sydney Region has the same meaning it has in the *Greater Sydney Commission Act 2015*.

[4] Section 4 (1), definition of “joint regional planning panel”

Insert at the end of the definition:

Note. See also Part 3 of the *Greater Sydney Commission Act 2015* which provides that a Sydney planning panel constituted under that Part is taken to be a joint regional planning panel under and for the purposes of this Act and the instruments made under this Act.

[5] Section 23 Delegation

Insert after section 23 (1) (e):

(e1) the Greater Sydney Commission,

[6] Section 23D Functions of Commission

Omit “this Act” from section 23D (1) (a). Insert instead “this or any other Act”.

[7] Section 23G Joint regional planning panels

Insert after section 23G (3):

(3A) Without limiting subsection (3), a regional panel may exercise functions delegated to it under this or any other Act.

[8] Section 24 Making of environmental planning instruments

Insert “, or by the Greater Sydney Commission in the case of the Greater Sydney Region,” after “(or delegate)” in section 24 (2) (b).

[9] Section 37 Governor may make environmental planning instruments (SEPPs)

Insert “or of environmental planning significance to a district within the meaning of Part 3B” after “significance” in section 37 (2).

[10] Section 53 Minister may make environmental planning instruments for local areas (LEPs)

Insert after section 53 (2):

(3) Despite subsection (1), the Minister may not make a local environmental plan in respect of any local government area in the Greater Sydney Region.

However, this subsection does not prevent the Minister from giving directions under section 117 to a council or other public authority on any matter relating to the Greater Sydney Region.

[11] Section 53A

Insert after section 53:

53A Greater Sydney Commission may make LEPs for local areas in Greater Sydney Region

- (1) The Greater Sydney Commission may make environmental planning instruments for the purposes of environmental planning in each local government area in the Greater Sydney Region. Any such instrument may be called a local environmental plan (or LEP).
- (2) For the purposes of the making of LEPs that apply to local government areas in the Greater Sydney Region, a reference to the Minister in section 15, 33B (4) or (5), 54 (1), (2) (a), (c) or (d) or (4), 56, 58, 59, 73A (1) (c), 74D (5) (b) or 74F is to be construed as a reference to the Greater Sydney Commission.

[12] Section 54 Relevant planning authority

Insert “or of environmental planning significance to a district within the meaning of Part 3B” after “significance” in section 54 (2) (a).

[13] Section 54 (2) (c1)

Insert after section 54 (2) (c):

- (c1) a recommendation has been provided under section 15 (b) that the proposed instrument should be submitted for a determination under section 56 or that the proposed instrument should be made,

[14] Part 3B

Insert before Part 4:

Part 3B Strategic planning

75AA Interpretation

- (1) In this Part:
district means a part of a region declared to be a district under section 75AB (b).
district plan means a district plan made under this Part.
region means:
 - (a) the Greater Sydney Region, or
 - (b) any other area declared to be a region under section 75AB (a).
regional plan means a plan made under this Part.
relevant strategic planning authority means:
 - (a) in the case of the Greater Sydney Region—the Greater Sydney Commission, or
 - (b) in the case of any other region—the Secretary or any other person or body prescribed by the regulations for the purposes of this paragraph.
strategic plan means a regional plan or a district plan.

- (2) For the purposes of this Part, preparing or making a strategic plan includes preparing or making a strategic plan to amend, replace or repeal a strategic plan.

75AB Declaration of regions and districts

The Minister may, by order published on the NSW planning portal, declare:

- (a) any area of the State (other than the Greater Sydney Region) to be a region for the purposes of this Part, and
- (b) any part of the Greater Sydney Region or other region to be a district for the purposes of this Part.

75AC Regional plans—preparation and content

- (1) The relevant strategic planning authority for a region may, or must if directed to do so by the Minister, prepare a draft regional plan for the region.
- (2) A draft regional plan must include or identify the following:
 - (a) the basis for strategic planning in the region, having regard to economic, social and environmental matters,
 - (b) a vision statement and objectives consistent with the vision statement,
 - (c) strategies and actions for achieving those objectives,
 - (d) the basis on which the relevant strategic planning authority is to monitor and report on the implementation of those actions,
 - (e) such other matters as the relevant strategic planning authority considers relevant to planning for the region.
- (3) In preparing a draft regional plan, the relevant strategic planning authority is to have regard to the following:
 - (a) State environmental planning policies that apply to the region,
 - (b) any other strategic plan that applies to the region,
 - (c) any 20-year State infrastructure strategy, 5-year infrastructure plan and sectoral State infrastructure strategy statement under Part 4 of the *Infrastructure NSW Act 2011*,
 - (d) any other relevant government policies and plans in force at the time the draft plan is prepared,
 - (e) in the case of a draft plan that applies to the Greater Sydney Region—any report prepared by the Strategic Planning Committee constituted under the *Greater Sydney Commission Act 2015*,
 - (f) any matter that the Minister directs the relevant strategic planning authority to have regard to in preparing the draft plan,
 - (g) any other matters the relevant strategic planning authority considers relevant.
- (4) If there is no district plan for any part of the region, the draft regional plan may identify for that part of the region matters that may be identified in a district plan (until there is a district plan).

75AD District plans—preparation and content

- (1) The relevant strategic planning authority for a region (other than the Greater Sydney Region) may, or must if directed to do so by the Minister, prepare a draft district plan for a district in the region.

- (2) If a district is declared for the Greater Sydney Region, the Greater Sydney Commission is to prepare a draft district plan for the district, and ensure that the public exhibition of the draft plan commences, within the period of 12 months after the district is declared.
- (3) A draft district plan must include or identify the following:
 - (a) the basis for strategic planning in the district, having regard to economic, social and environmental matters,
 - (b) the planning priorities for the district that are consistent with the objectives, strategies and actions specified in the regional plan for the region in respect of which the district is part,
 - (c) the actions required for achieving those planning priorities,
 - (d) the basis on which the relevant strategic planning authority is to monitor and report on the implementation of those actions,
 - (e) areas of State, regional or district significance, including priority growth areas,
 - (f) such other matters as the relevant strategic planning authority considers relevant to planning for the district.
- (4) In preparing a draft district plan, the relevant strategic planning authority is to have regard to the following:
 - (a) any environmental planning instrument applying to the district,
 - (b) any other strategic plan that applies to the district (including areas adjoining the district),
 - (c) any 20-year State infrastructure strategy, 5-year infrastructure plan and sectoral State infrastructure strategy statement under Part 4 of the *Infrastructure NSW Act 2011*,
 - (d) any other relevant government policies and plans in force at the time the draft plan is prepared,
 - (e) in the case of a draft plan that applies to a district in the Greater Sydney Region—any report prepared by the Strategic Planning Committee constituted under the *Greater Sydney Commission Act 2015*,
 - (f) any matter that the Minister directs the relevant strategic planning authority to have regard to in preparing the draft plan,
 - (g) any other matters the relevant strategic planning authority considers relevant.
- (5) If there is no regional plan for any part of the district concerned, the draft district plan may identify for that part of the district matters that may be identified in a regional plan (until there is a regional plan).

75AE Making and review of regional plans

- (1) The relevant strategic planning authority for a region may, or must if directed to do so by the Minister, submit a draft regional plan it has prepared to the Minister.
- (2) The Minister may make a regional plan in the form in which it is submitted or with such modifications as the Minister considers appropriate. The Minister may decide not to make the draft plan.

- (3) The document entitled *A Plan for Growing Sydney*, published on the website of the Department and in force as at the commencement of this Part, is taken to be the regional plan made under this Part for the Greater Sydney Region (the *initial GSR plan*).
- (4) The Greater Sydney Commission is to review the initial GSR plan before the end of 2017 and at the end of every subsequent period of 5 years.
- (5) The relevant strategic planning authority for a region other than the Greater Sydney Region is to review any regional plan for the region at such times and in such manner as the Minister may direct.
- (6) Following any review under subsection (4) or (5), the Minister may make a regional plan for the region concerned.

75AF Making of district plans

- (1) The relevant strategic planning authority for a region other than the Greater Sydney Region may, or must if directed to do so by the Minister, submit a draft district plan it has prepared to the Minister.
- (2) The Minister may make a district plan in the form in which it is submitted or with such modifications as the Minister considers appropriate. The Minister may decide not to make the draft plan.
- (3) A district plan for a district in the Greater Sydney Region may be made by the Greater Sydney Commission.
- (4) The Greater Sydney Commission is to review a district plan every 5 years after it is made by the Commission.

75AG Publication and commencement of strategic plans

A strategic plan:

- (a) must be published on the NSW planning portal, and
- (b) commences on the date of publication or a later date specified in the plan.

75AH Mandatory public exhibition requirements

- (1) A draft strategic plan must be publicly exhibited for a period of at least 45 days.
- (2) Before a proposed strategic plan is prepared for public exhibition, the relevant strategic planning authority is to give public notice of the ways in which the community can participate in the preparation of the draft plan.
- (3) In making a strategic plan, the Minister or, in the case of a district plan for a district in the Greater Sydney Region, the Greater Sydney Commission is to have regard to any submissions (or summary of submissions) that have been made about the draft strategic plan.

75AI Implementation of strategic plans

- (1) In preparing a draft district plan, the relevant strategic planning authority is to give effect to any regional plan applying to the region in respect of which the district is part.

- (2) In preparing a planning proposal under section 55, the relevant planning authority is to give effect:
 - (a) to any district plan applying to the local government area to which the planning proposal relates (including any adjoining local government area), or
 - (b) if there is no district plan applying to the local government area—to any regional plan applying to the region in respect of which the local government area is part.
- (3) As soon as practicable after a district plan is made, the council for each local government area in the district to which the plan applies must review the local environmental plans for the area and prepare such planning proposals under section 55 as are necessary to give effect to the district plan.
- (4) In addition to the requirement under subsection (3), the council for each local government area in the Greater Sydney Region must, on the making of a district plan that applies to that area, report to the Greater Sydney Commission:
 - (a) on the review by the council of the local environmental plans for the area, and
 - (b) on the preparation of planning proposals under section 55 to give effect to the district plan.

75AJ Dispensing with conditions precedent to making strategic plans

- (1) For the purposes of doing any one or more of the following, a strategic plan may be made without compliance with the conditions precedent under this Part to the making of strategic plans:
 - (a) to correct an obvious error or misdescription,
 - (b) to make changes that will not have any significant adverse impact on the environment or adjoining land,
 - (c) to make provision for matters that are, in the opinion of the Minister, of State or regional significance or of significance to a district (but only if the proposed plan has been publicly exhibited for the period determined by the Minister).
- (2) The publication of a strategic plan made in reliance on subsection (1) is to contain a statement that it is so made.

75AK Legal proceedings relating to strategic planning

- (1) In this section:
legal proceedings means proceedings for an order under Division 3 of Part 6 or any other kind of legal proceedings (other than criminal proceedings).
- (2) Legal proceedings (other than those instituted by or with the approval of the Minister) in relation to the validity of a strategic plan cannot be instituted after the period of 3 months following the publication of the strategic plan on the NSW planning portal.
- (3) The only requirement of or made under this Part in relation to a strategic plan that is mandatory is the requirement to publicly exhibit the draft plan for a period of 45 days.

- (4) Nothing in this Part prevents a local environmental plan from being made or invalidates the plan once it is made.
- (5) This section applies despite any other provision of this Act or any other Act or law.

75AL Regulations relating to strategic planning

The regulations may make provision for or with respect to the following:

- (a) the review of strategic plans,
- (b) the appointment and functions of relevant strategic planning authorities for regions other than the Greater Sydney Region,
- (c) the form and content of strategic plans (including the standardisation of the provisions of strategic plans),
- (d) requirements for the submission of reports and documents relating to the preparation and review of strategic plans,
- (e) the public exhibition and notice requirements for proposed strategic plans,
- (f) any other matter relating to the strategic planning framework under this Part (including, without limitation, the preparation, making and online delivery of strategic plans).

Schedule 6 Amendment of other Acts

6.1 Public Finance and Audit Act 1983 No 152

Schedule 2 Statutory bodies

Insert in alphabetical order:

Greater Sydney Commission

6.2 Statutory and Other Offices Remuneration Act 1975 (1976 No 4)

Schedule 2 Public offices

Insert at the end of Part 1:

Full-time appointed member of the Greater Sydney Commission

13. QUESTIONS WITH NOTICE

13.1 Questions With Notice

Councillor Dobson has given Notice in Writing of the following Questions.

1. What specific action has Council taken to ensure the stability and public safety of the 19th century Varro Ville outbuildings?
2. Can Council outline how the owners of the 19th century Varro Ville outbuildings have complied with their written undertakings and obligations in relation to those buildings?

Answer: Answers to the above questions could not be provided at the meeting as further investigation is required. Answers will be provided in writing in the Answers to Questions with Notice section of the next business paper.

14. ANSWERS TO QUESTIONS WITH NOTICE

Nil at time of print.

15. RESCISSION MOTION

15.1 Audio Recording of Council Ordinary and Extraordinary Meetings

Councillors Brticevic, Borg, Lound and Kolkman have given Notice in writing of their intention to move the following Motion at the next meeting of Council on 17 November 2015.

That the Council decision at the Ordinary Meeting of Council held 27 October 2015, Corporate Governance - Item 6.2 - Audio Recording of Council Ordinary and Extraordinary Meetings as detailed below:

That Council audio record all Ordinary and Extraordinary full meetings of Council and release those recordings with the Minutes of such meetings.

be rescinded.

Council Meeting 17 November 2015 (Brticevic/Borg)

That the Recommendation be adopted.

Council Resolution Minute Number 220

That the Recommendation be adopted.

A **Division** was called in regard to the Resolution for Item 15.1 - Audio Recording of Council Ordinary and Extraordinary Meetings with those voting for the Motion being Councillors Borg, Brticevic, Chanthivong, Dobson, Glynn, Hawker, Kolkman, Lound and Oates.

Voting against the Resolution were Councillors Greiss, Matheson, Mead and Rowell.

15.2 Campbelltown and Ingleburn Motor Registries

Councillors Rowell, Greiss and Matheson have given Notice in writing of their intention to move the following Motion at the next meeting of Council on 17 November 2015.

That the Council decision at the Ordinary Meeting of Council held 27 October 2015, Item 16.1 - Campbelltown and Ingleburn Motor Registries, as detailed below:

That, as a designated regional city, this Council;

- i. condemns the NSW State Government's decision to close the motor registries at Ingleburn and Campbelltown.
- ii. demands that the NSW State Government immediately reverses its decision on the closures and keeps both registries open.
- iii. writes to the Minister of Finance, Dominic Perrottet seeking an urgent onsite meeting at both registries as soon as possible with the Mayor, General Manager, Local State Members (including Campbelltown, Macquarie Fields and Wollondilly) and also the Federal Members for Macarthur and Werriwa.
- iv. creates banners for installation on Oxford Road and Queen Street with a slogan similar to, 'Keep our motor registries open'.
- v. writes to the Member for Wollondilly, Mr Jai Rowell MP, Member for Campbelltown, Mr Greg Warren MP, and Member for Macquarie Fields, Mr Anoulack Chanthivong MP, thanking him for their support for keeping the registries open at Campbelltown, Ingleburn and Narellan.

be rescinded.

LOST

16. NOTICE OF MOTION

16.1 NSW Boarding House SEPP

Councillors Brticevic, Chanthivong, Glynn, Kolkman and Oates have given Notice in writing of their intention to move the following Motion at the next meeting of Council on 17 November 2015.

1. This council calls for a moratorium on the development of boarding houses in the Campbelltown Local Government Area.
2. Council requests the Minister for Planning to urgently review the NSW Boarding House SEPP (Affordable Housing Policy) with particular regard to:
 - a. the impact on the amenity of neighbouring residents
 - b. proximity to railway stations
 - c. lowering the threshold for requirements for an on-site manager
 - d. adequacy of car parking provisions
 - e. adequacy of amenities provided in each room.

Council Meeting 17 November 2015 (Brticevic/Kolkman)

1. That this council calls for a moratorium on the development of boarding houses in the Campbelltown Local Government Area.
2. That Council requests the Minister for Planning to urgently review the NSW Boarding House SEPP (Affordable Housing Policy) with particular regard to:
 - a. the impact on the amenity of neighbouring residents
 - b. proximity to railway stations
 - c. lowering the threshold for requirements for an on-site manager
 - d. adequacy of car parking provisions
 - e. adequacy of amenities provided in each room.
3. That Council write to the State Members for Macquarie Fields and Campbelltown requesting that they raise this matter with the Government.

Council Resolution Minute Number 221

1. That this council calls for a moratorium on the development of boarding houses in the Campbelltown Local Government Area.
2. That Council requests the Minister for Planning to urgently review the NSW Boarding House SEPP (Affordable Housing Policy) with particular regard to:
 - a. the impact on the amenity of neighbouring residents
 - b. proximity to railway stations
 - c. lowering the threshold for requirements for an on-site manager
 - d. adequacy of car parking provisions
 - e. adequacy of amenities provided in each room.

3. That Council write to the State Members for Macquarie Fields and Campbelltown requesting that they raise this matter with the Government.

Councillor Mead asked for his name to be recorded in opposition to the resolution for Item 16.1 – NSW Boarding House SEPP.

18. PRESENTATIONS BY COUNCILLORS

18.1 Presentations by Councillors

1. Councillor Glynn noted that he represented the Mayor at a number of recent events, including: 50th year anniversary of the 1st Leumeah Scouts, Sarah Redfern Public School Multicultural Day, Remembrance Day service held at Ingleburn and the Legacy Luncheon held in Cockle Bay. Councillor Glynn advised that he had a wonderful time at each event.
2. Councillor Brticevic passed on his appreciation to Council's Communications and Marketing staff members for their work throughout the Festival of Fisher's Ghost, noting that even with inclement weather patterns the festival was once again a success.
3. Councillor Lound thanked Communications and Marketing staff members for their work during the Festival of Fisher's Ghost as well as the success of Fred's First Night.
4. Councillor Lound noted that he represented the Mayor recently at a function for the opening of Nisbets Catering Supplies which has recently relocated to the Campbelltown Local Government Area and employs over 100 staff.
5. Councillor Borg thanked members of the outdoor team for their work throughout the Local Government Area particularly Campbelltown Sports Stadium noting that over the weekend an open parade was held at the Stadium for the Tongan Pacific Association. A function was also held at Wests Leagues Club by the Tongan community last Friday night in which a Princess attended the event.
6. Councillor Greiss advised that he attended the Campbelltown Chamber of Commerce meeting held last week and congratulated the General Manager and the Director of Strategy for the presentation that was made at the meeting.
7. Councillor Rowell advised that he represented the Mayor at the recent Festival of Fisher's Ghost Art Prize Awards and thanked the Manager Cultural Services and all related team members for their efforts throughout the awards.
8. Councillor Rowell thanked Council's Events Coordinator for her efforts during Fred's First Night and for the additional tickets that allowed disadvantaged families to participate in the event.
9. Councillor Rowell thanked the Acting Director Community Services and Communications and Marketing staff members for their efforts and dedication throughout the Festival of Fisher's Ghost.
10. Councillor Hawker noted that he recently attended a function to support local family support services and noted that this was a wonderful event. Family Support Services have recently moved into King Street, Campbelltown into their own building named after Hanna Dowell.
11. Councillor Hawker asked Directors to thank their team members for their efforts throughout the Festival of Fisher's Ghost.

12. Councillor Hawker noted that Campbelltown Harlequins recently hosted a tournament at Campbelltown Show Ground with 10 women's and 15 men's teams including Fiji, which will be an annual event. Councillor Hawker thanked Healthy Lifestyles for their efforts to ensure the smooth running of the event.
13. Councillor Hawker noted that on Saturday 14 November 2015 Council received some very positive feedback on 2GB, Garden Clinic radio presenter Linda Ross noted that the 450m entrance into Campbelltown City (from the M5) as one of the best landscaped entrance leading in to any City that she has seen.
14. Councillor Hawker wished Councillor Kolkman a very happy 65th birthday.

RESOLUTIONS FROM THE CONFIDENTIAL SECTION OF THE ORDINARY MEETING OF COUNCIL HELD 17 NOVEMBER 2015

Confidentiality Recommendation

It was **Moved** Councillor Glynn, **Seconded** Councillor Dobson that the Council in accordance with Section 10A 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

20.1 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 17 November 2015 (Kolkman/Glynn)

That the information be noted.

Council Resolution Minute Number 224

That the information be noted.

CARRIED

City Works Committee

21.1 Confidential Report Directors of Companies - City Works

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 17 November 2015 (Borg/Lound)

That the information be noted.

Council Resolution Minute Number 224

That the information be noted.

CARRIED

Community Services Committee

No reports this round

Corporate Governance Committee

23.1 Suite 5 Milgate Arcade, Queen 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 17 November 2015 (Brticevic/Greiss)

1. That Council approval be provided to enter into the new Lease Agreement over Suite 5 Milgate Arcade on the terms outlined in the report subject to the existing lease being surrendered.
2. That all documentation associated with the Lease Agreement be executed under the Common Seal of Council, if required.

Council Resolution Minute Number 224

1. That Council approval be provided to enter into the new Lease Agreement over Suite 5 Milgate Arcade on the terms outlined in the report subject to the existing lease being surrendered.
2. That all documentation associated with the Lease Agreement be executed under the Common Seal of Council, if required.

CARRIED

23.2 EOI for Lease of Ingleburn Occasional Care Facility

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 17 November 2015

Having declared an interest in regard to Item 23.2, Councillor Borg left the Chamber and did not take part in debate nor vote on this item.

Council Meeting 17 November 2015 (Chanthivong/Dobson)

1. That Council provide approval to lease the existing Ingleburn Occasional Care Services premises being Lots 3 and 4 DP 220748 to the preferred applicant identified in submission Number 1 of this report for a period of five years with a five year option on the terms as outlined in this report.
2. That Council provide approval to offer a lease to the applicant identified in submission Number 2 of this report if the applicant of submission Number 1 does not proceed with the lease.
3. That all documentation be signed under the Common Seal of Council, if required.

Council Resolution Minute Number 224

1. That Council approval be provided to enter into the new Lease Agreement over Suite 5 Milgate Arcade on the terms outlined in the report subject to the existing lease being surrendered.
2. That all documentation associated with the Lease Agreement be executed under the Common Seal of Council, if required.

At the conclusion of the discussion regarding Item 23.2, Councillor Borg returned to the Chamber for the remainder of the meeting.

23.3 Agistment Agreement for Lot 112 DP 632633, Knotwood Avenue, Macquarie Fields

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 17 November 2015 (Borg/Mead)

1. That Council approval be provided for an Agistment Agreement over Lot 112 DP 632633 as outlined in the report.
2. That all documentation associated with the Agistment Agreement be executed under the Common Seal of Council, if required.

Council Resolution Minute Number 224

1. That Council approval be provided for an Agistment Agreement over Lot 112 DP 632633 as outlined in the report.
2. That all documentation associated with the Agistment Agreement be executed under the Common Seal of Council, if required.

CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES

At the Council Meeting held 15 December 2015 the following Council minutes were adopted:

There being no further business at the meeting of 17 November 2015, the meeting closed at 9.47pm.

Confirmed by Chairperson: 