

## Minutes of the Ordinary Meeting of the Campbelltown City Council held on 16 February 2016

---

**Present**

- Councillor F Borg
- Councillor G Brticevic
- Councillor A Chanthivong
- Councillor S Dobson
- Councillor W Glynn
- Councillor G Greiss
- Councillor R Kolkman
- Councillor P Lake
- Councillor D Lound
- Councillor A Matheson
- Councillor C Mead
- Councillor M Oates
- Councillor T Rowell
- Councillor R Thompson

### **Acknowledgement of Land**

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

### **Council Prayer**

The Council Prayer was presented by the General Manager.

### **1. APOLOGIES**

It was **Moved** Councillor Greiss, **Seconded** Councillor Rowell that the **APOLOGY** from Councillor Hawker be received and accepted.

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

## **2. CONFIRMATION OF MINUTES**

### **2.1 Minutes of the Ordinary Meeting of Council held 15 December 2015**

It was **Moved** Councillor Thompson, **Seconded** Councillor Lake that the Minutes of the Ordinary Meeting of Council held 15 December 2015, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

### **2.2 Minutes of the Extraordinary Meeting of Council held 22 December 2015**

It was **Moved** Councillor Rowell, **Seconded** Councillor Greiss that the Minutes of the Extraordinary Meeting of Council held 22 December 2015, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**3** 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**

Councillor Lound - Notice of Motion - Item 17.1 - Lynwood Park - Councillor Lound advised that effective from December 2015 he is now the Chairman of Macarthur Football Association and that he will leave the Chamber during discussion on this item.

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

Councillor Chanthivong advised that as a member of the NSW Parliament he will seek legal advice regarding his need to declare an interest on any issues that may potentially involve the NSW State Government. Councillor Chanthivong noted that if any issues arise where 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 Lake - Confidential Planning and Environment - Item 21.1 - Expression of Interest for Sale of BioBanking Credits - Councillor Lake advised that the applicant is known to him through the Club industry.



Councillor Lake - Planning and Environment - Item 2.4 - Planning Proposal for Residential Subdivision - No.71 St Andrews Road, Varroville - Councillor Lake advised that he is a member of the Joint Regional Planning Panel that is considering the cemetery planning proposal and that he will leave the Chamber during discussion on this item.

Councillor Thompson - Correspondence - Item 6.1 - Mr Anoulack Chanthivong Minister for Planning Member for Macarthur - Councillor Thompson advised that he resides within the area.

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 Matheson - Notice of Motion - Item 17.1 - Lynwood Park - Councillor Matheson advised that the Federal Member for Macarthur is known to her.

**Other Disclosures - nil**

## **5. PETITIONS**

### **5.1 Petition - Sweetenham Road - Minto**

---

Forwarding a petition (distributed under separate cover – confidential – for privacy reasons this petition is not available to the public) containing 19 signatures requesting Council investigate a business located in Sweetenham Road, Minto in relation to noise and other issues to ensure compliance with development consent.

(Comment: This matter has been forwarded to Compliance Services for investigation and monitoring of consent compliance).

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

That the petition be received and a response provided to the head petitioner.

#### **Council Meeting 16 February 2016 (Lake/Borg)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 4**

That the Officer's Recommendation be adopted.

## **6. CORRESPONDENCE**

### **6.1 Mr Anoulack Chanthivong MP Member for Macquarie Fields**

---

#### **Attachments**

1. copy of letter from Anoulack Chanthivong MP, Member for Macquarie Fields (contained within this report)
2. copy of Council's letter (contained within this report)

Response to Council's letter regarding the installation of noise barriers adjacent to the southern railway line at Ingleburn.

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

That the letter be received and the information be noted.

#### **Council Meeting 16 February 2016 (Borg/Lake)**

That the Officer's Recommendation be adopted.

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

That Council write to the Minister expressing Council's dissatisfaction with the response from the Minister for Transport and Infrastructure and request action by the Minister to resolve this matter.

#### **Council Resolution Minute Number 5**

That the above amendment be adopted.

Councillor Mead asked for his name to be recorded in opposition to the resolution for Item 6.1 – Mr Anoulack Chanthivong MP Member for Macquarie Fields.

## ATTACHMENT 1



# Anoulack Chanthivong MP

MEMBER FOR MACQUARIE FIELDS

JAN18'16 07:35:26 RCVD

The General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

14 January 2016

Dear Lindy,

As a result of your letter dated 28 July 2015 regarding noise barriers adjacent to the southern railway line at Ingleburn, I wrote to the appropriate Federal and State Government Ministers.

I have now received replies from both Mr Truss and Mr Constance. These are attached for your information.

You will note that in his letter dated 2 October 2015, Mr Constance states that the location in question is primarily the responsibility of the Commonwealth. Contradicting this advice is Mr Truss' letter dated 21 December 2015 which states the matter is the responsibility of the State Government.

Sadly it appears that both Liberal Governments are buck-passing their responsibility and refusing to address Council's concerns.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Anoulack Chanthivong', with a stylized, flowing script.

Anoulack Chanthivong, MP  
Member for Macquarie Fields



**The Hon Andrew Constance MP**  
Minister for Transport and Infrastructure

ML15/08927

Mr Anoulack Chanthivong MP  
Member for Macquarie Fields  
Shop 3, Ground Floor  
2-6 Oxford Street  
INGLEBURN NSW 2565

Dear Mr Chanthivong

Thank you for your correspondence about train noise at Ingleburn.

The NSW Government is conscious of the issues and concerns of the community in regard to noise from trains.

However, I understand the noise at this location is primarily the responsibility of the Commonwealth Government-owned Australian Rail Track Corporation. I have therefore referred your correspondence to the corporation for its consideration.

I trust this information is of assistance.

Yours sincerely

 2/10/15  
**THE HON ANDREW CONSTANCE MP**



**The Hon Warren Truss MP**

Deputy Prime Minister  
Minister for Infrastructure and Regional Development  
Leader of The Nationals  
Member for Wide Bay

21 DEC 2015

PDR ID: MC15-005467

Mr Anoulack Chanthivong MP  
NSW Member for Macquarie Fields  
PO Box 882  
INGLEBURN NSW 1890

Dear Mr Chanthivong

Thank you for your letter dated 26 October 2015, on behalf of the General Manger of Campbelltown City Council, regarding the Council's request for noise barriers adjacent to the southern railway line between Gordon Avenue and James Street in Ingleburn.

While I note Council's concerns, addressing existing noise levels from freight and passenger rail operations on the identified section of track is a matter for the NSW Government. Therefore, you may wish to encourage the Campbelltown City Council to raise their request directly with the Hon Andrew Constance MP, NSW Minister for Transport and Infrastructure.

I note that the NSW Government launched its Freight Noise Attenuation Programme in August 2015. The Programme aims to minimise the impact of freight rail noise on NSW residents. It offers noise reduction treatments to homes affected by high levels of freight rail noise along NSW Government managed rail corridors between Nowra and Newcastle and west to Lithgow, including the rail corridor through Ingleburn. Information on the NSW's Freight Noise Attenuation Program can be found from the following website:

<http://freight.transport.nsw.gov.au/sustainability/rail-noise/fnap/index.html>

I trust this information will be of assistance to the Campbelltown City Council.

Yours sincerely



**WARREN TRUSS**

## ATTACHMENT 2



28 July 2015

Mr Anoulack Chanthivong MP  
Member for Macquarie Fields  
Shop 18, Carnes Hill Marketplace  
Cowpasture and Kurrajong Roads  
HORNINGSEA PARK NSW 2171

Dear Mr Chanthivong

### Noise Barrier Request - Ingleburn

Council at its meeting of 21 July 2015 considered a petition from local residents requesting the installation of a noise barrier adjacent to the southern rail line at Ingleburn. Many of the petitioners are long term residents of this area and noted that newer suburbs in the area have been provided with noise barriers prior to the construction of homes. At Council's meeting of 21 July 2015 it was resolved as follows:

1. *That Council write to the appropriate Minister and Department requesting the urgent installation of a noise barrier at the railway line between Gordon Avenue and James Street, Ingleburn.*
2. *That Council writes to the Local Member requesting his support for the matter.*

Accordingly, Council requests your support for the installation of a noise barrier at the above location.

For your information, Council has also written to the Minister for Transport and Infrastructure to have the matter investigated and hopefully actioned.

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

Yours sincerely

A black rectangular box redacting the signature of the Acting General Manager.

Acting General Manager

Ref: ECM 41716837/41657862

## **6.2 The Hon. Catherine Cusack MLC**

---

### **Attachments**

1. copy of letter from the Hon Catherine Cusack MLC (contained within this report)
2. copy of letter from Council to the Hon. Mike Baird MP, Premier of NSW (contained within this report)

Response from the Hon Catherine Cusack MLC, Parliamentary Secretary to the Premier of NSW to Council's letter regarding the proposed relocation of Hurlstone Agricultural High School.

### **Officer's Recommendation**

That the letter be received and the information be noted.

### **Council Meeting 16 February 2016 (Chanthivong/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 6**

That the Officer's Recommendation be adopted.



## ATTACHMENT 1



FEB02'16 07:52:08 RCVD

**The Hon Catherine Cusack MLC**  
Parliamentary Secretary to the Premier

Reference: A1466401

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

28 JAN 2016

Dear Ms Deitz

Thank you for your correspondence regarding Hurlstone Agricultural High School. I have been asked to reply on behalf of the Premier.

I have carefully considered the issues you have raised and appreciate the reasons that have prompted you to write.

The issues you have raised fall within the area of portfolio responsibility of the Hon Adrian Piccoli MP, Minister for Education and I have forwarded a copy of your letter to him for consideration.

Thank you for bringing this matter to the Premier's attention.

Yours sincerely

**HON CATHERINE CUSACK MLC**  
Parliamentary Secretary to the Premier

## ATTACHMENT 2



12 January 2016

The Hon. Mike Baird, MP  
GPO Box 5341  
SYDNEY NSW 2001

Dear Premier

### **Proposal to Relocate Hurlstone Agricultural High School and Associated Sale of Land**

My Council has been disappointed to learn of the NSW Government's recent decision to relocate Hurlstone Agricultural High School from its current operational site at Glenfield to Richmond as part of a new facility to be established in conjunction with the Western Sydney University.

Council considered this matter at its meeting held on 15 December 2015 and again at its extraordinary meeting held on 22 December 2015. The Council has resolved to request the NSW Government to abandon its decision to relocate Hurlstone Agricultural High School from Glenfield to Richmond.

There are multiple dimensions to Council's disappointment with the Government's decision, including:

- The absence of any consultation with Campbelltown City Council, the greater community of Campbelltown, nor the Hurlstone school community over the reasons for the proposed relocation, and therefore not offering any opportunity for the Government to take into account what the relocation would mean to the "Campbelltown" community and what other alternatives may have been worthy of consideration
- A "complete inconsistency" between what was reported by the media as being proposed for the future redevelopment of some 140 hectares of land within the School's campus for future urban housing purposes and what had been previously (very recently) published by the NSW Government for the Hurlstone Agricultural High School site as part of the Glenfield to Macarthur Urban Renewal Corridor Strategy – a document which espouses NSW Government policy direction.
- An apparent lack of understanding by the Government over the iconic heritage, social and historic value of the school, and the associative value of its name as held by the broader Campbelltown and Macarthur Region communities
- There is no evidence to suggest that the social significance and military heritage connection to the Memorial Forest (which was planted on the school grounds in the

1950s as a tribute to over 600 students who fought in both world wars) within the local area has been fully understood by the NSW Government

- There is no apparent appreciation that the current Macarthur agricultural student enrolment needs and the future skills/knowledge demands for Agricultural Studies and Science, Technology, Engineering and Mathematics (STEM) within the Macarthur Region and South West Sydney District, and that these currently available opportunities deserve to remain to be met at Hurlstone Agricultural High School in its current form and location

This is particularly relevant given that the NSW Government has identified South West Sydney as the most significant growth area in metropolitan Sydney for the next twenty years, taking in new urban release areas at the South West Growth Centre, Mt Gilead and Menangle Park, Wilton Junction as well as significant urban renewal within business centres along the T2 Southern railway line. Council and the community have not been presented with any opportunity to discuss these issues with the Government and present a case that demonstrates that the major future urban growth area of metropolitan Sydney deserves to have close proximate access to a facility such as Hurlstone Agricultural High School.

- The remote location of the new proposed facility at Richmond together with the absence of direct public transport access from South Western Sydney will have the unwanted effect of disadvantaging students from these areas and will discourage their participation in agricultural related education pursuits at a recognised specialist agricultural education facility.
- The effect of the Government's decision to relocate Hurlstone Agricultural High School from Glenfield to Richmond will mean that the only two secondary education facilities with a focus on agriculture within the Sydney metropolitan area will be located in Sydney's north, far removed from south western Sydney at:
  - James Ruse Agricultural High School at Carlingford; and
  - The relocated Hurlstone Agricultural High School at Richmond

Further, the proposal to dispose and develop such a large area of land (140 hectares) of the current Hurlstone site for future housing purposes would potentially present a number of challenges for the Council. This reported housing development scenario would also seem to support a view that the NSW Government is seeking to reap maximum cash benefits that could stem from disposing of and redeveloping such a large portion of the school site, with only a portion of the financial gain being reinvested into the Campbelltown area.

Whilst it does not support the relocation of the School under any circumstance, Council is concerned and disappointed that the site has been earmarked for future housing without broader investigation of potential alternative land uses. In this regard, no announcement has been made pertaining to any investigation of the employment development potential that could be supported on the site. This potential has been previously documented and relates not only to the land's proximity to an existing and highly recognised agricultural high school, but also to its strategic metropolitan positioning, its close proximity to the M5/T2 Southern Railway Line, the Southern Sydney Freight Line, and other strategic infrastructure such as the Moorebank Intermodal Terminals and the proposed Western Sydney Airport.

The Campbelltown Local Government Area has been the subject of numerous recent announcements by the NSW Government concerning the Macarthur and South West Sydney's capacity to accommodate the greatest proportion Metropolitan Sydney's future population growth – both through new greenfield development and urban redevelopment.

For example, the Planning Minister – the Hon. Rob Stokes MP, recently identified significant future dwelling production for the Greater Macarthur Urban Investigation Area (i.e. 33,000+ dwellings), together with additional new housing development potential for the Glenfield to Macarthur Corridor Strategy (i.e. 15,000 dwellings).

This extensive new housing development must be 'actively' supported by the creation of new employment opportunities at accessible locations. This is a critical planning imperative that the Minister for Planning recently committed to when addressing a meeting of various Chambers of Commerce conducted at the Western Suburbs Leagues Club at Leumeah last November.

The Hurlstone Agricultural High School site encompasses an extensive area of land and has significant locational advantages. It is easily accessible to the regional community by both road and rail, making it an ideal candidate for future and significant employment development. This employment creation capacity should be integrated physically, systematically and economically with the educational opportunities afforded by the existing/future high school and other potential educational/research initiatives.

The Campbelltown community deserves a strategically advantageous outcome from any future development of the Hurlstone Agricultural High School site. A major opportunity exists for the NSW Government to embrace the site's inherent prospects for employment and economic development to deliver real jobs to help service both the existing local and regional community and future new population growth in the Macarthur Region and South West Sydney District.

Council would also like to reiterate its concern that the Government's decision regarding the Hurlstone Agricultural High School site is not reflected in the recently exhibited Glenfield to Macarthur Urban Renewal Strategy. The Strategy makes a number of statements concerning the future use of the Hurlstone Agricultural High School site, which appear inconsistent with the redevelopment proposals for the site as announced by the Minister for Education. For example:

- *Figure 22 of the Glenfield Precinct Land Use and Infrastructure Analysis (Glenfield Land Use and Infrastructure Plan) depicts the Hurlstone Agricultural High School site as being "Community Infrastructure"*
- *Figure 27 of the Glenfield Precinct Land Use and Infrastructure Analysis (Proposed Social Infrastructure Improvements) depicts the Hurlstone Agricultural High School site as being "Community Infrastructure"*
- *"Education and health related jobs will continue to provide an important employment base for the precinct"*
- *"It is anticipated that around 2,800 additional dwellings could be delivered in the precinct by 2036". This assumes no residential development on the site of the Hurlstone Agricultural High School. The development of the suggested 140 hectares of surplus land on the site for future urban housing could yield in the order of 2,200 additional dwellings or more, taking the planning estimate (under the Strategy) for Glenfield from 2,800 to more than 5000 new dwellings*

Importantly, Council has always understood the Glenfield to Macarthur Corridor Strategy to represent the Government's latest policy position with respect to future development at centre-based precincts along the Corridor.

Council is aware that as part of the preparation of the draft Corridor Strategy by NSW Planning and Environment (through its specialist consultants), consultation occurred with the Department of Education and Communities. It is surprising therefore that the draft Strategy that was placed on public exhibition between June and September last year, made no mention of plans to relocate the high school and develop a large portion of the site for residential purposes.

Council notes that the Glenfield to Macarthur Corridor Strategy website currently makes the following statement:

*"Glenfield Precinct Update*

*On 18 November 2015, Minister Piccoli announced more than \$165 million for new and upgraded schools and classrooms across South Western Sydney. Around 140 hectares of surplus land at Glenfield will be made available for other uses as the Hurlstone Agricultural High School will move to the Western Sydney University Hawkesbury campus.*

*This provides an opportunity for the Department to review the current draft of the Glenfield to Macarthur Urban Renewal Corridor Strategy, including infrastructure upgrades required to support the Glenfield Precinct.*

*The Department will continue to work closely with Campbelltown City Council, Department of Education, Transport for NSW and the community. There will be opportunity for the community to provide feedback as part of any future rezoning process that may be proposed for the Glenfield Precinct."*

Council acknowledges that the Strategy has not been finalised to date, and awaits its further review to take account of the recent announcement associated with the identification of what is considered by the Government to be "surplus land" at the site of Hurlstone Agricultural High School for "other uses". This delay is unfortunate, as Council continues to receive enquiries from the community over the timing of the adoption of the Strategy by the NSW Government and the subsequent roll-out of precinct based plans across the various centre locations along the Corridor.

Should the Government reject Council's request for it to abandon the decision to relocate Hurlstone Agricultural High School to Richmond and dispose of surplus lands on the site for future urban residential development, then Council seeks your Government's assurance that it will review the Glenfield Precinct Land Use and Infrastructure Plan (Glenfield to Macarthur Urban Corridor Strategy) as a matter of urgency in collaboration with Council. The review must take account of the potential future development of surplus land at the Hurlstone Agricultural High School site, and incorporate provision for the:

- preservation of appropriate environmental buffers on the site as part of any redevelopment of the land
- provision of new and significant employment development initiatives on the site and elsewhere within the Campbelltown LGA to balance the extent of urban development on the site in addition to that already identified on land within the Glenfield to Macarthur Corridor
- articulation of an appropriate vision for the whole of the Glenfield Precinct
- the engagement of the community to reconsider:
  - housing supply and density

- services, facilities and community amenity
- job creation
- the movement network including traffic and transport
- built and natural environmental outcomes
- infrastructure capacity.

In conclusion, Council believes wholeheartedly that any such revised Land Use and Infrastructure Plan for the Glenfield Precinct (Glenfield to Macarthur Corridor Strategy) be agreed to by Council and must:

- form the basis of detailed site planning for the surplus land at the Hurlstone Agricultural High School site at Glenfield; and
- ensure that the outcomes for the Hurlstone Agricultural High School site complement the planning objectives set out for the whole of the Glenfield Precinct as set out in the Land Use and Infrastructure Plan for the Glenfield Precinct.

I note that staff from the NSW Planning and Environment, the Department of Education and Communities and Transport for NSW met with the Mayor of the City of Campbelltown and Council's Director of Strategy late last year to discuss the Government's decision concerning Hurlstone, and I have raised the matter in passing with you briefly at the Sydney Business Chamber event held in December.

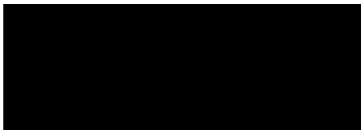
I would now greatly appreciate the opportunity to formally meet with you to expand on the matters raised in this letter and to convey to you the various expressions of concern over the Government's decision raised by Councillors at the Extraordinary Council Meeting held late last year.

It is certain that there are items that can be raised in our discussions that could potentially prove to contribute positively towards the achievement of enhanced outcomes for Glenfield, the community of Campbelltown and the Greater South West.

Campbelltown City Council has always sought to work in close partnership with the NSW Government, and in particular over matters associated with planning for future urban growth. Council would like to request that its demonstrated preparedness to assist the Government with the broader challenges of growth can be applied in resolving a number of the issues arising from the Government's decision to relocate the Hurlstone Agricultural High School and the associated sale of land.

It would be greatly appreciated if contact could please be made directly through my office on (02) 46 454 659 to make arrangements for a suitable meeting.

Yours sincerely



Lindy Deitz  
General Manager

### **6.3 Local Government Remuneration Tribunal**

---

#### **Attachments**

Copy of letter from the Local Government Remuneration Tribunal (contained within this report)

Letter from the Local Government Remuneration Tribunal advising the review for the annual determination has commenced. The Remuneration Tribunal have advised that in view of the ongoing reforms to local government and proposed amalgamations, they will not be calling for general submissions from councils this year.

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

That the letter be received and the information be noted.

#### **Council Meeting 16 February 2016 (Lake/Borg)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 7**

That the Officer's Recommendation be adopted.



## ATTACHMENT 1



# Local Government Remuneration Tribunal

Clr Paul Hawker  
Mayor  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

20 January 2016

Dear Mayor

I write to advise that the Local Government Remuneration Tribunal has commenced its review for the 2016 annual determination.

Pursuant to s. 243 of the *Local Government Act 1993* (LG Act), the Tribunal is required to make an annual determination, by no later than 30 April 2016, on the fees payable to Councillors and Mayors to take effect from 1 July 2016.

As is the usual practice the Tribunal will review the minimum and maximum fee levels for each Category. In accordance with s. 242A of the LG Act the Tribunal is required to apply the Government's public sector wages policy to the determination of ranges of fees for Councillors and Mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.

The Tribunal notes that on 16 October 2015 the Independent Pricing and Regulatory Tribunal (IPART) provided its assessment of council proposals under the Fit for the Future reforms to the NSW Government. The Minister for Local Government has referred merger proposals to the Chief Executive of the Office of Local Government for examination and report under the LG Act. The proposed mergers have been informed by four years of consultation with NSW councils, independent assessment, council merger preferences, and feedback from communities and stakeholders.

Delegates have been appointed to examine and report on merger proposals. Delegates will conduct a public inquiry, call for written submissions, and prepare a report with due regard to the factors in s. 263(3) of the LG Act. The factors in the LG Act include financial considerations, communities of interest, elected representation, employment of staff, services and facilities, and the attitude of residents and ratepayers. The reports of the Delegates will go to the Minister for Local Government as well as the independent Local Government Boundaries Commission for comment.



The Tribunal also notes that in the *Fit for the Future Progress Report – Stronger Councils, Stronger Communities* the Government has identified a number of strategies to strengthen local leadership. These include a review of councillor remuneration during 2016.

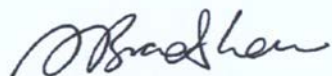
It is not expected that a decision on, or implementation of, any proposed reforms will be finalised prior to the Tribunal making its determination on or before 30 April 2016. On that basis, and given the limitations placed on the Tribunal in respect of determining increases in fees, the Tribunal will not call for general submissions from individual councils as part of this annual review.

However, the Tribunal will seek to meet with Local Government NSW, as it does each year, to receive a sector wide view on the future direction for local government in NSW.

Should Council amalgamations proceed it will be necessary for the Tribunal to categorise any new councils for the purposes of determining fees. If required the Minister for Local Government may direct the Tribunal to make any such determination(s) in accordance with s. 242 (Special Determinations) of the LG Act.

If you require any further information please email [sarah.bradshaw@psc.nsw.gov.au](mailto:sarah.bradshaw@psc.nsw.gov.au) or telephone me on 02 9272 6006.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Bradshaw', written in a cursive style.

Sarah Bradshaw  
**Principal Advisor**  
**Local Government Remuneration Tribunal**

## **6.4 New South Wales Rural Fire Service**

---

### **Attachments**

Copy of letter from New South Wales Rural Fire Service Association (contained within this report)

Letter from the New South Wales Rural Fire Service Association thanking Council for it's continued support.

### **Officer's Recommendation**

That the letter be received and the information be noted.

### **Council Meeting 16 February 2016 (Lake/Borg)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 8**

That the Officer's Recommendation be adopted.

## ATTACHMENT 1



# RFSA

NSW Rural Fire Service Association Incorporated  
www.rfsa.org.au  
enquiries@rfsa.org.au  
ABN 65 291 969 153

PO Box 845, Penrith BC NSW 2751  
Phone: (02) 4722 2122  
Fax: (02) 4722 2144

4th January 2016

JAN08'16 07:39:35 RCVD

Clr Lindy Deitz  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Dear Clr Deitz,

As we enter a new year, I would like to take this opportunity to thank all Councils, on behalf of the Association for the widespread support given to the NSW Rural Fire Service.

With the overall membership of the NSW Rural Fire Service being 74,000 volunteers, this Association is proud of its achievements in representing volunteers and staff by continuing to engage with Councils and State Government thereby ensuring also that resources and funding enable the Rural Fire Service to maintain its high standard of efficiency in protecting the community of New South Wales.

This Association certainly recognises the financial and other forms of support provided directly and indirectly by Council and the community. Our members very much appreciate this partnership.

Council may be assured of this Association's willingness to continue to work collaboratively with all councils responsible for the administration of brigades throughout New South Wales through its well established structure of 16 Divisions and over 40 Branches. The Association will also monitor the role-out of the Government's Emergency Service Property Levy proposals to ensure that the long term viability of the NSW RFS as a volunteer based, autonomously funded organisation is not diminished.

Thank you once again, for your continued support and I wish you all the very best for the year ahead. If I can be of any assistance please do not hesitate to call me directly on 0417203 088.

Yours faithfully

Ken Middleton  
President

Supporting Our Members To Protect The Community

# **Reports of the Planning and Environment Committee Meeting held at 7.30pm on Tuesday, 9 February 2016.**

---

## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

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

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

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
<b>1.</b>	<b>WASTE AND RECYCLING SERVICES</b>	<b>3</b>
<b>1.1</b>	<b>Outcome of the 2016 Recyclables Drop Off Day</b>	<b>3</b>
<b>2.</b>	<b>ENVIRONMENTAL PLANNING</b>	<b>6</b>
<b>2.1</b>	<b>Campbelltown Noxious Weed Management Strategy</b>	<b>6</b>
<b>2.2</b>	<b>Outcome of the Public Exhibition of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5</b>	<b>68</b>
<b>2.3</b>	<b>Minutes of the Heritage Protection Sub Committee meeting held 26 November 2015</b>	<b>112</b>
<b>2.4</b>	<b>Planning Proposal for Residential Subdivision - No. 71 St Andrews Road, Varroville</b>	<b>131</b>
<b>2.5</b>	<b>Planning Proposal for Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville</b>	<b>152</b>
<b>3.</b>	<b>DEVELOPMENT SERVICES</b>	<b>171</b>
<b>3.1</b>	<b>Development Services Section Statistics November and December 2015</b>	<b>171</b>
<b>4.</b>	<b>COMPLIANCE SERVICES</b>	<b>173</b>
<b>4.1</b>	<b>Legal Status Report</b>	<b>173</b>
<b>5.</b>	<b>GENERAL BUSINESS</b>	<b>184</b>
<b>5.1</b>	<b>Waste Management High Density Dwellings</b>	<b>184</b>
<b>21.</b>	<b>CONFIDENTIAL ITEMS</b>	<b>185</b>
<b>21.1</b>	<b>Expression of Interest for Sale of BioBanking Credits</b>	<b>185</b>
<b>21.2</b>	<b>Confidential Report Directors of Companies</b>	<b>185</b>

---

---

**Minutes of the Planning and Environment Committee held on 9 February 2016**

---

**Present**

Councillor G Greiss (Chairperson)  
Councillor R Kolkman  
Councillor A Matheson  
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 Communications and Marketing - Mrs B Naylor  
Manager Waste and Recycling Services - Mr P Macdonald  
Acting Manager Development Services - Mr B Leo  
Manager Environmental Planning - Mr A Spooner  
Manager Governance and Risk - Mrs M Dunlop  
Senior Strategic Environmental Planner - Ms R Haddad  
Senior Strategic Planner - Mr G Pascoe  
Executive Assistant - Mrs K Peters

**Apology** (Kolkman/Rowell)

That the apology from Councillor Lound be received and accepted.

**CARRIED**

**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**

### **1.1 Outcome of the 2016 Recyclables Drop Off Day**

#### **Reporting Officer**

Manager Waste and Recycling Services

---

#### **Attachments**

Nil

#### **Purpose**

To update Council on the outcome of the Recyclables Drop Off Day held on 2 January 2016.

#### **History**

Council held its inaugural Recyclables Drop Off Day in January 2009, and due to the success of the event, Council at its meeting on 3 February 2009 resolved to provide Campbelltown residents with a Recyclables Drop Off Day each year following Christmas and New Year.

#### **Report**

The eighth annual Recyclables Drop Off Day was held on Saturday 2 January 2016 at Coronation Park, Redfern Road, Minto. Residents were provided with the opportunity to drop off recyclable materials that would normally be collected in their domestic yellow-lid recycling bin for free.

As in previous years, residents were also able to drop off polystyrene for recycling, which cannot be placed in domestic recycling bins, but is a common waste accumulated during the festive season.

Council's domestic waste contractor 'SUEZ' provided sponsorship for the 2016 event. SUEZ's Campbelltown Branch supplied two compactor vehicles free of charge to assist with the collection of recyclables at the event.

The 2016 Recyclables Drop Off Day saw the highest participation to date, with 764 residents utilising the service. This is an increase of 259 participants, or 51.3% on last year's event.

---

Not surprisingly, the unanticipated increase in participation resulted in an increased tonnage of recyclables dropped off on the day. A total of 12.42 tonnes of material was collected on the day, which represents an increase of more than 2 tonnes over that collected on the previous event held in January 2015. The recyclables collected consisted primarily of cardboard, which is consistent with the material composition seen in previous years. Other recyclables collected at the event included glass bottles, aluminium cans, plastic bottles and paper.

The polystyrene drop off service proved to be popular again in 2016, with 53.3% of residents dropping off approximately 110 cubic metres of polystyrene for recycling. The polystyrene will now be recycled into new products such as timber-look blinds, decking and office items such as plastic trays and desk-tidies.

The increased number of participants was most likely due to a highly successful advertising and promotional campaign. The event was promoted in local newspapers, Council's libraries, leisure centres, child care centres and in the Summer edition of Compass. Information was also provided on Council's website and Facebook page, and flyers were included with kerbside clean-up acknowledgment letters. The event was also promoted in the Mayoral message on C91.3FM. Survey results showed that the most popular means by which residents became aware of the event (31.7% of participants) was local newspaper advertising.

In addition, Council's variable message signs (VMS) located on Narellan Road and Campbelltown Road were utilised in the week leading up to the event, along with an additional VMS on Pembroke Road for two weeks prior to the event. These signs were first used in the lead up to the event in 2012, and proved to be an effective promotional tool again in 2016.

Due to the unprecedented increase in participation and the higher volume of material collected, increased waiting periods occurred during the peak of the day with some residents waiting for up to one hour to dispose of their recycling. In response to this, alternative venues are currently being investigated for the 2017 event.

The budget for the 2016 event was \$15,700. The actual cost was \$11,540.

Despite lengthy waiting times, the vast majority of residents were patient and gave very positive feedback about the event. A large proportion of participants expressed their thanks to Council for providing the service, and nearly all participants indicated that they would use the service again in 2017.

### **Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

---

**Council Meeting 16 February 2016 (Greiss/Kolkman)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 9**

That the Officer's Recommendation be adopted.

---



## **2. ENVIRONMENTAL PLANNING**

### **2.1 Campbelltown Noxious Weed Management Strategy**

#### **Reporting Officer**

Manager Environmental Planning

---

#### **Attachments**

Draft Campbelltown Noxious Weed Strategy (contained within this report)

#### **Purpose**

To seek Council's endorsement of the draft Campbelltown Noxious Weed Management Strategy for public exhibition.

#### **History**

Council formally adopted its first Noxious Weed Strategy in June 1998 and in 2009 Council adopted the 2009-2014 Noxious Weed and Pest Animal Management Strategy. These strategies have provided a consolidated legislative and policy framework to guide Council's noxious weed management and compliance programs.

Since 2009 noxious weed management legislation, policy and governance structures have continued to evolve. Council staff have monitored these changes closely and have adapted Council's programs in response. In view of these changes a review has been undertaken of the 2009-2014 Noxious Weed and Pest Animal Management Strategy and a revised Campbelltown Noxious Weed Strategy (the Strategy) has been drafted (see attachment).

Moreover it is proposed to separate the pest animal and noxious weed management strategic frameworks into two distinct documents in view of their disparate legislative and policy basis, to provide clarity and reduce complexity. In this regard a pest animal strategy will be prepared in the coming months to guide Council's pest animal management program.

#### **Report**

Noxious weeds have been estimated to cost the Australian agriculture industry \$4b per year in lost production, control costs and other associated impacts. However, this figure does not include: the cost of local, state and federal Governments undertaking monitoring, management, research and control of weeds, the cost to private landowners of implementing weed control programs, the impact on the natural environment, impacts on human health, impacts on tourism and property values or the value of the 'volunteer army' active in weed control across Australia. The real cost of weeds to the environment is difficult to calculate however, in conjunction with pest animals, they are understood to be the second biggest cause of biodiversity decline in Australia after habitat loss.

---

The national approach to weed management has evolved over the past decade to embrace a more strategic use of resources to protect environmental and community assets such as agriculture and amenity. In response Council and other local land management agencies have developed co-operative weed management programs across the landscape, focusing resource allocation on the most significant environmental assets and/or the most significant threats.

The Strategy has been prepared to prevent and effectively manage the introduction and spread of noxious weed species to protect local biodiversity, the community and primary production across the Campbelltown LGA.

### **Why develop a Noxious Weed Strategy?**

In NSW noxious weeds are regulated under the *Noxious Weeds Act 1993* (the Act) and they are required by law to be controlled by local control authorities (LCA's) (e.g Councils and State Government agencies such as Roads and Maritime Services and Sydney Trains) and private land owners in NSW. Restrictions also apply to their sale from businesses including nurseries and aquariums to prevent their further spread. Section 36 of the Act states that LCA's are required to develop, implement, co-ordinate and review noxious weed control policies and noxious weed control programs.

Whilst it is a legal requirement under the Act, the Strategy also seeks to provide clear principles and guidelines for Council and the community on how noxious weeds within the Campbelltown LGA are to be prioritised and managed. The Strategy will also assist with the numerous requests that Council receives from the public every year for noxious weed management whilst providing direction on how requests will be prioritised and actioned according to their significance, importance and alignment with the Strategy and its objectives.

### **Aim and structure of the strategy**

The Strategy aims to foster strategic noxious weed management practices to drive effectiveness, provide long term cost savings and create long term sustainability in programs to benefit the community and local environment. The Strategy is structured to prioritise high risk noxious weed species and sites in accordance with relevant state and federal legislation as well as regional and local plans and policies including:

- *Noxious Weed Act 1993*
  - *Threatened Species Conservation Act 1995 (TSCA Act 1995)*
  - *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act 1999).*
  - NSW Invasive Species Plan 2008-2015 (NSW ISP)
  - Key Threatening Processes and Threat Abatement Plans
  - Sydney Metropolitan Catchment Action Plan
  - NSW New Weed Incursion Plan
  - NSW Weed Risk Assessment
  - Upper Georges River Strategic Environmental Management Plan
  - Council Community Strategic Plan, Operational Plan and Delivery Plan
  - Council Pesticide Use Notification Plan 2015
-

The Strategy sets six clear objectives for Council's noxious weed management program:

- improve Council's capacity to effectively manage noxious weeds
- increase landholder commitment to noxious weed management
- effectively manage the impact of new and existing invasive species incursions upon the Campbelltown environment
- undertake noxious weed management in a strategic, coordinated and cost effective manner
- improve biodiversity within key environmental areas such as the Georges River corridor
- actively participate in and promote an effective governance framework for noxious weed management in Campbelltown.

These six objectives are supported by 14 individual goals, to be achieved through the implementation of 65 action items. Key actions include:

- develop and deliver noxious weed awareness and management training for Council staff including: project managers, horticulturalists, landscapers and drainage maintenance teams
- provide advice and support to residents through the noxious weed inspection program
- promote and deliver Council's Bushcare program
- prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- deliver Council's noxious weed inspection program prioritising high risk pathways and high value environmental assets
- Identify and report new noxious weed incursions to the NSW Department of Primary Industries
- undertake mapping and monitoring of noxious weed distribution across the Local Government Area (LGA)
- allocate prescribed budgets and monitor expenditure regularly through the financial year
- seek partnerships to support training and employment opportunities for community members in the management and control of weeds including the use of the Green Arm Program and the Work for the Dole Program
- seek grant funding opportunities
- review and develop relevant policies and procedures in accordance with priorities set out in the strategy
- advocate for support from key stakeholders and other levels of government for Council's noxious weed management programs and priorities.

### **Administration and funding of the Strategy**

Administration and delivery of the strategy will largely be the responsibility of Council's Environment Unit.

---

The majority of actions identified in the strategy will be funded through existing budgets or existing staff hours. However it should be noted that there have been significant reductions in external funding for noxious weed management within Campbelltown over the last 12 months through changes to the NSW Department of Primary Industries (NSW DPI) Weed Action Program (WAP). As outlined in the Strategy the WAP is a state government noxious weed funding program initiative that is administered by the NSW DPI with funding available on an annual basis. Throughout the first five years of the WAP, Council received an average of \$48,329 annually to facilitate and implement its noxious weed management programs and to fulfil requirements under the Act. These included on ground works, capacity building activities and private property and high risk pathway inspections.

In 2015 a restructure of the WAP was undertaken by NSW DPI, including a change to the state-wide priorities and the addition of two Council areas (Gosford and Wyong) to the Sydney WAP project area to align with Local Land Services boundaries. As a result of this and the restructure of the program's priorities, Council's funding has been significantly reduced to a figure of \$17,500 for 2015-2016 (with future funding figures uncertain) leaving many of Council's local and regionally significant projects unfunded and at risk of not proceeding.

The impact that this reduction in funding may have on some of Council's programs is of great concern. For example the NSW DPI will no longer provide funding for Council's aquatic weed control program, which is a high priority for the maintenance and function of our local waterways and associated ecosystems. High risk aquatic weeds still exist within our LGA and without ongoing monitoring and control will quickly reinfest and choke our waterways negating Council's efforts over the last decade. Given Campbelltown's position at the headwaters of the Nepean and Georges Rivers it is considered funding for these programs should be a priority for the state government. The WAP has also funded many other high risk targeted noxious weed control programs such as Serrated Tussock (*Nassella trichotoma*) control in Menangle Park, Cats Claw Creeper (*Dolichandra unguis-cati*) eradication in the LGA and African Olive containment in the Georges River Corridor. These programs will also be at risk and without their continuation all previous environmental improvements will be quickly reversed.

Consequently the implementation of some actions prescribed under the Strategy will require funding through other sources. Council staff will continue to pursue grant funding opportunities and it should be noted that in the last three years Council has been successful in securing \$434,028 in funding and resources from a number of government agencies to enhance its noxious weed management program. Most notably bush regeneration programs through LLS and funding under the WAP, however these funding programs involve a highly competitive and time-consuming process where success is not guaranteed. Given that many Council's also will suffer funding cuts through the WAP, these grants will become increasingly competitive.

It is therefore recommended that Council write to the Minister for Primary Industries and Minister for the Environment requesting a review of the funding model for noxious weed management. In the interim Council staff will attempt to supplement the funding loss through quarterly budget reviews and annual budget allocations.

---

### **Delivery and Reporting**

The implementation of this Strategy will be undertaken through an annual schedule of works. The effectiveness of the actions in achieving the goals will be measured against nine indicators including: the number of inspections undertaken; area of bush regeneration and weed treatment and the number of educational activities delivered. Council's performance against these indicators will be reported through its annual State of the Environment report. Where Council is determined not to be performing, that is, where indicators are consistently demonstrating a decrease in achievements or there are significant changes in related policy and/or legislation, a review of the strategy will be at high risk of being reversed.

### **Public Consultation**

The Noxious Weeds Management Strategy applies to private and public lands across the LGA in particular the focus of Council's noxious weed compliance program on local landholders. Therefore it is recommended that the draft Campbelltown Noxious Weed Management Strategy be placed on public exhibition for 28 days at Council's Civic Centre, all libraries, and on Council's website.

At the conclusion of the public exhibition of the draft Campbelltown Noxious Weed Management Strategy, a report on the outcome of the public exhibition will be provided to Council.

### **Officer's Recommendation**

1. That Council endorse the attached draft Campbelltown Noxious Weed Management Strategy for public exhibition.
2. That subject to no submissions of objection being received during the exhibition period, the draft Campbelltown Noxious Weed Management Strategy be adopted on the first day after the end of the exhibition period.
3. That Council write to the Minister for Primary Industries and Minister for the Environment requesting a review of the funding model for noxious weed management.

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

1. That Council endorse the attached draft Campbelltown Noxious Weed Management Strategy for public exhibition.
2. That the draft Campbelltown Noxious Weed Management Strategy be re-submitted to Council at the conclusion of the public exhibition for adoption. That following the conclusion of the public exhibition, the outcome of the exhibition be reported back to the full Council.
3. That Council write to the Minister for Primary Industries and Minister for the Environment requesting a review of the funding model for noxious weed management with additional emphasis on the eradication of African Olive.

### **CARRIED**

---

**Council Meeting 16 February 2016 (Greiss/Kolkman)**

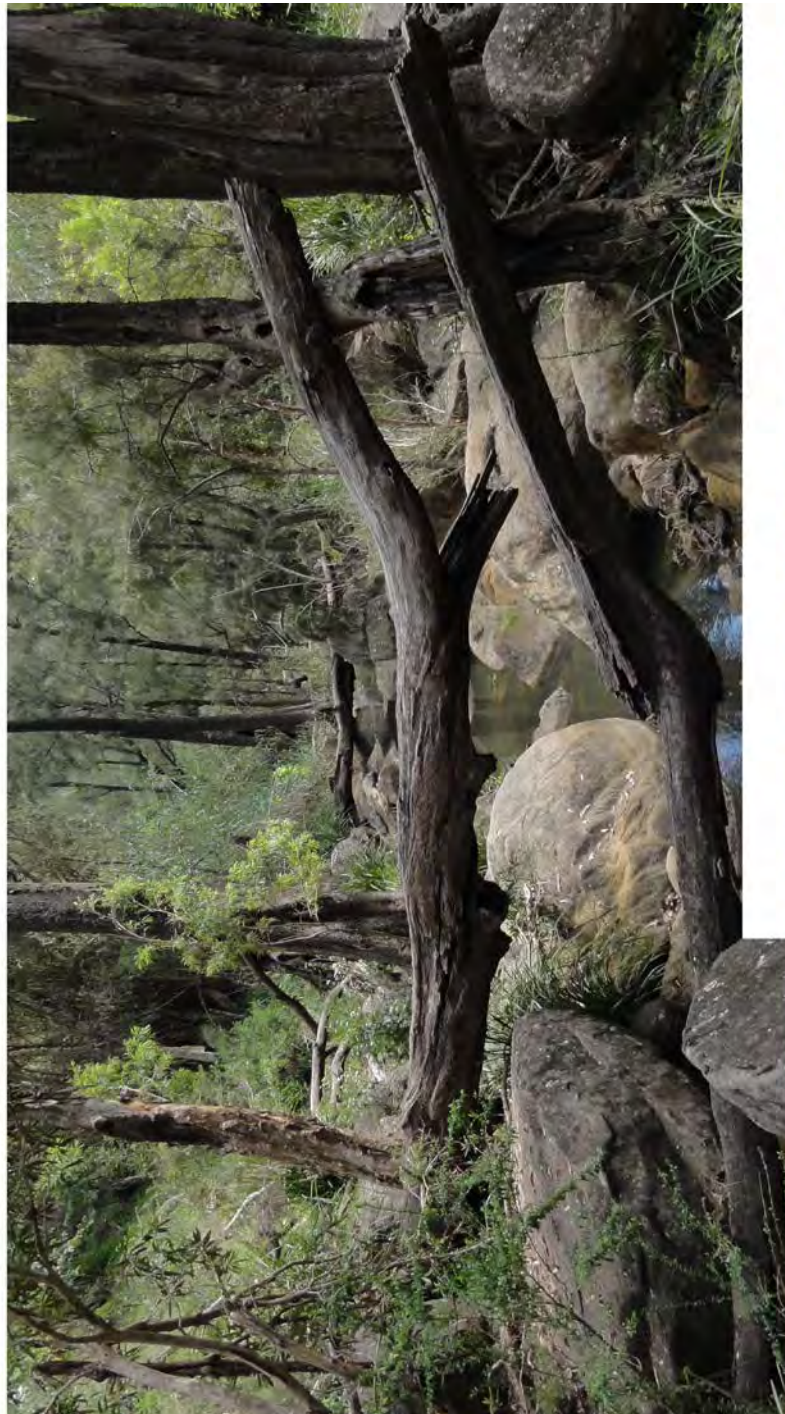
That the Committee's Recommendation be adopted.

**Council Resolution Minute Number 9**

That the Committee's Recommendation be adopted.

---

## ATTACHMENT 1



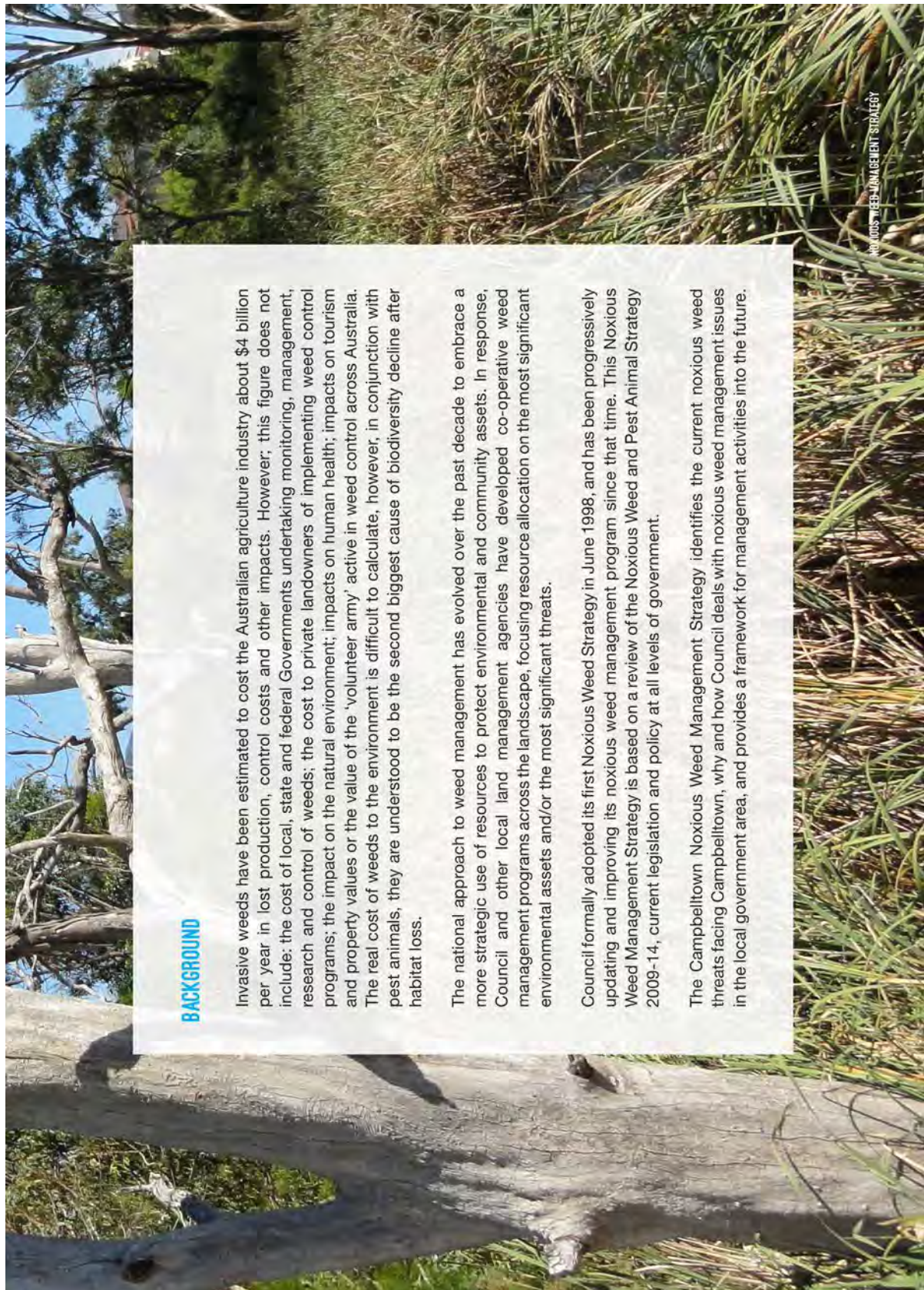
**NOXIOUS WEED MANAGEMENT STRATEGY**











## BACKGROUND

Invasive weeds have been estimated to cost the Australian agriculture industry about \$4 billion per year in lost production, control costs and other impacts. However, this figure does not include the cost of local, state and federal Governments undertaking monitoring, management, research and control of weeds; the cost to private landowners of implementing weed control programs; the impact on the natural environment; impacts on human health; impacts on tourism and property values or the value of the 'volunteer army' active in weed control across Australia. The real cost of weeds to the environment is difficult to calculate, however, in conjunction with pest animals, they are understood to be the second biggest cause of biodiversity decline after habitat loss.

The national approach to weed management has evolved over the past decade to embrace a more strategic use of resources to protect environmental and community assets. In response, Council and other local land management agencies have developed co-operative weed management programs across the landscape, focusing resource allocation on the most significant environmental assets and/or the most significant threats.

Council formally adopted its first Noxious Weed Strategy in June 1998, and has been progressively updating and improving its noxious weed management program since that time. This Noxious Weed Management Strategy is based on a review of the Noxious Weed and Pest Animal Strategy 2009-14, current legislation and policy at all levels of government.

The Campbelltown Noxious Weed Management Strategy identifies the current noxious weed threats facing Campbelltown, why and how Council deals with noxious weed management issues in the local government area, and provides a framework for management activities into the future.



## Contents

### Acknowledgment of Land

### Background

### Section One.....1

#### 1.0 WHAT IS A NOXIOUS WEED?

1.1 Impacts of noxious weeds

2.2 Sources of noxious weeds

### Section Two.....5

#### 2.0 PURPOSE OF STRATEGY

### Section Three.....7

#### 3.0 CAMPBELLTOWN'S LOCAL ENVIRONMENT

3.1 Noxious weeds in Campbelltown

#### NOXIOUS WEED MANAGEMENT STRATEGY

### Section Four.....11

#### 4.0 MANAGEMENT FRAMEWORK

4.1 Stakeholders

4.2 Legislation and policy

4.3 Weeds of National Significance

4.4 Governance

### Section Five.....21

#### 5.0 COUNCIL AND NOXIOUS WEED MANAGEMENT

5.1 Council's role in noxious weed management

5.2 Prioritising noxious weed management

5.3 Council's noxious weed management programs

### Section Six.....29

#### 6.0 FUNDING SOURCES

6.1 Council funds

6.2 Grant funding

### Section Seven.....33

#### 7.0 OBJECTIVES

### Section Eight.....35

#### 8.0 STRATEGIC ACTION PLAN

### Section Nine.....41

#### 9.0 REVIEW, EVALUATION AND REPORTING

### Appendices.....43

Appendix 1 Weed Risk Assessment (NSW DPI)

Appendix 2 Priority rankings for noxious weed species within the Campbelltown LGA

Appendix 3 Procedure for enforcement of the Noxious Weeds Act 1993









## 1.1 IMPACTS OF NOXIOUS WEEDS

Many noxious weeds are considered to be among the greatest threats to biodiversity and ecosystem function and pose a huge threat to waterways and bushland areas in the Campbelltown Local Government Area (LGA). Adverse impacts of noxious weeds on the environment and agriculture include:

- competition with local native plants for sunlight, moisture and nutrients
- inhibition of native plant germination
- alteration of Endangered Ecological Communities as well as habitat for threatened species
- encouraging more frequent and intense fires
- changes to soil characteristics such as nutrient cycles, pH, moisture and microbiology
- increased nutrient levels in water and lower levels of oxygen, which threaten or kill fish and other aquatic fauna
- degraded landscape values and impeded access impacting on urban amenity and tourism
- harbor for feral animals.

## 1.2 SOURCES OF NOXIOUS WEEDS

Major sources and causes of noxious weed spread in the environment are:

- disturbance in natural areas
- plants escaping from gardens
- dumping of waste, particularly garden and construction waste, in bushland
- wind and vehicle transport of seeds along highways and railway corridors
- use of weed contaminated soil or horticulture products
- transmission by fauna, eg through bird droppings
- planting of exotic species into public reserves by residents and government authorities
- spread of weed seed on clothing of bushwalkers
- nutrient-enriched runoff from sources such as stormwater, septic tanks, sewerage overflows, pet wastes, washing of cars, and fertiliser runoff
- poor vegetation management practices such as over clearing, slashing and trampling by public land management authorities, developers, recreationalists and the community.











## 2.0 PURPOSE OF STRATEGY

The Campbelltown Noxious Weed Management Strategy provides clear principles and guidelines for Council and the community on how noxious weeds within the Campbelltown LGA are to be managed and the mechanisms available to facilitate control or removal.

This strategy will assist with the numerous requests that Council receives from the public every year for noxious weed management. It provides direction for how requests will be prioritised and actioned according to their significance, importance and alignment with this strategy and its objectives. The strategy aims to foster strategic noxious weed management practices to drive effectiveness, provide long term cost savings and create long term sustainability in programs to benefit the community and local environment.

ON AVERAGE,  
MORE THAN 700  
NOXIOUS WEED  
INSPECTIONS ARE  
UNDERTAKEN  
EACH YEAR IN THE  
CAMPBELLTOWN  
LGA







### 3.0 CAMPBELLTOWN'S LOCAL ENVIRONMENT

The Campbelltown LGA is located on the south-western edge of the Sydney metropolitan area, approximately 53 kilometers from the Sydney CBD, and occupies an area of approximately 312 square kilometres. The LGA extends from Glenfield in the north to Menangle Park in the south. It comprises 38 suburbs and is surrounded by five other LGAs - Liverpool, Camden, Wollondilly, Sutherland and Wollongong. Campbelltown has a population of approximately 155,915 (Forecast ID 2015),<sup>2</sup> with urban development predominately situated within a linear urban corridor that follows the alignment of the M5 Motorway/Hume Highway and the Main Southern Railway line.

Topography within the LGA is generally flat, with the exception of the Scenic Hills in the west and the riparian areas particularly along the Upper Georges River; the majority of land within the LGA lies approximately 200 metres above sea level.

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

Cumberland Plain Woodland and Shale-Sandstone Transition Forest are the two main native vegetation communities within the LGA and are both listed as Critically Endangered Ecological Communities under the *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*. The Dharawal National Park is situated (in part) within the south east of the LGA and contains relatively pristine bushland. Campbelltown also supports many threatened flora and fauna species, along with potential habitat for these, including environmentally significant areas such as the Georges River Corridor.

<sup>2</sup> <http://forecast.id.com.au/campbelltown/population-summary>



## 3.1 NOXIOUS WEEDS IN CAMPBELLTOWN

Noxious weed declarations are made by the NSW Department of Primary Industries (NSW DPI) on a Local Government Area basis. Many weeds that are significant on a statewide basis are declared noxious for a range of areas, even if they are not identified in an area, such as Senegal tea plant (*Gynnochoronis spilanthisoides*), which is not known to exist within the LGA. The declaration of species not known to exist in an area provides higher levels of surveillance as well as prompt action and funding for treatment through the NSW DPI.

In the Campbelltown LGA, 125 noxious weed species are declared, however, only 44 of these species are known to currently exist or have previously been recorded in the area (refer to NSW DPI website for a full list: <http://weeds.dpi.nsw.gov.au/WeedDeclarations>). Some of these species are well established and widespread, while others are relatively recent introductions in small isolated populations. A substantial proportion of weeds declared

noxious within NSW have their origins as garden plants. Many weed species within the Macarthur area were originally planted for a particular purpose, such as hedges, wind breaks, shade trees and for soil stabilisation. Other species were likely to have been inadvertently introduced through stormwater, vehicles, clothing, or soil from areas where an infestation exists.









## 4.1 STAKEHOLDERS

There are a number of key stakeholders associated with noxious weed management in the Campbelltown LGA, ranging from local residents managing noxious weeds on urban or rural properties, to larger businesses and organisations such as Sydney Trains, Roads and Maritime Services (RMS) and Sydney Water, with large land holdings. The activities that this strategy recommends directly or indirectly affect these stakeholders, and as such, will often require partnership to ensure the best outcomes for management of noxious weeds in the area. The stakeholders and their roles are outlined in Table 1.



12 NOXIOUS WEED MANAGEMENT STRATEGY



**TABLE 1: LIST OF STAKEHOLDERS AND THEIR ROLES IN NOXIOUS WEED MANAGEMENT**

STAKEHOLDER	ROLE					
	Funding	Governance	Enforcement	Partnerships	Landholder	Legislation and policy
Campbelltown City Council	•	•	•	•	•	
Local control authorities – Sydney Water, Roads and Maritime Services, Transport for NSW		•		•	•	
Local residents and landowners					•	
Georges River Combined Councils Committee		•		•		
Sydney Weeds Committee		•		•		
Sydney South-West Regional Weeds Committee		•		•		
Greater Sydney Local Land Services	•	•		•		•
Tharawal Local Aboriginal Land Council				•	•	
Adjoining councils – Wollondilly, Camden, Liverpool, Sutherland	•	•	•	•	•	
Department of Primary Industries	•	•	•	•		•
Department of Planning				•	•	
Office of Environment and Heritage	•	•		•	•	•
Department of Lands	•	•		•	•	
Crown Lands Department	•			•	•	

## 4.2 LEGISLATION AND POLICY

### Legislation

Noxious weed management is informed and regulated by various state and commonwealth legislation relating to planning, protection and management of the environment. Key pieces of legislation are outlined below.

#### Noxious Weeds Act 1993

The objectives of the *Noxious Weeds Act 1993* are:

- a. to reduce the negative impact of weeds on the economy, community and environment of this State by establishing control mechanisms to:
  - i. prevent the establishment in this State of significant new weeds, and
  - ii. prevent, eliminate or restrict the spread in this State of particular significant weeds, and
  - iii. effectively manage widespread significant weeds in this State,
- b. to provide for the monitoring of and reporting on the effectiveness of the management of weeds in this State.

Under the Act, the Minister for Primary Industries has the power to make orders declaring plants as "noxious weeds". Weeds can be declared "noxious" if they pose a threat to agriculture, the environment or community health, and there is a public benefit from such declaration.

#### NOXIOUS WEED CLASSIFICATIONS

Under this Act, noxious weeds are classified into five categories based on their perceived threat (see Table 2). Each classification has different control requirements which specify levels of control or management required to be undertaken by the responsible landowner or authority. They range from Class 1 to Class 5, where Class 1 is seen as the highest control priority. Species are classified noxious in specific Local Government Areas. Some species may be declared noxious across the state, while others may only be noxious in one specific area. Classifications for species may also differ across local area boundaries. A list of species for each LGA can be found on the Department of Primary Industry's website at <http://weeds.dpi.nsw.gov.au>



**TABLE 2 : NOXIOUS WEED CLASSES WEED TYPES AND CONTROL REQUIREMENTS**

CONTROL CLASS	WEED TYPE	CONTROL REQUIREMENTS
CLASS 1	Plants that pose a potentially serious threat to primary production or the environment and are not present in the State or are present only to a limited extent.	The plant must be eradicated from the land and the land must be kept free of the plant. The weeds are also "notifiable" and a range of restrictions on their sale and movement exist.
CLASS 2	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies and are not present in the region or are present only to a limited extent.	The plant must be eradicated from the land and the land must be kept free of the plant. The weeds are also "notifiable" and a range of restrictions on their sale and movement exist.
CLASS 3	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies, are not widely distributed in the area and are likely to spread in the area or to another area.	The plant must be fully and continuously suppressed and destroyed.*
CLASS 4	Plants that pose a potentially serious threat to primary production, the environment or human health, are widely distributed in an area to which the order applies and are likely to spread in the area or to another area.	The growth of the plant must be managed in a manner that reduces its numbers, spread and incidence and continuously inhibits its reproduction.*
CLASS 5	Plants that are likely, by their sale or the sale of their seeds or movement within the State or an area of the State, to spread in the State or outside the State.	There are no requirements to control existing plants of Class 5 weeds. However, the weeds are "notifiable" and a range of restrictions on their sale and movement exists.

NOTE: All Class 1, 2 and 5 weeds are prohibited from sale in NSW.

\* In some cases the following wording has also been inserted "the plant may not be sold, propagated or knowingly distributed"

## Threatened Species Conservation Act 1995

The primary objective of the *Threatened Species Conservation Act* (TSC Act) is to conserve biological diversity. The Act provides for the listing of threatened species populations and ecological communities. The Act also provides for the preparation of recovery plans for rare or endangered species and vegetation communities and the designation of areas as habitat critical to the survival of those listed as endangered.

Under the Act, threats that can potentially impact on the survival or evolutionary development of a species, population or ecological community can be determined as key threatening processes. The proliferation of some species of weeds such as African olive and Bitou bush have been identified as key threatening processes, meaning that their management is of a high priority.

## Policy

There are various strategies, plans and documents that guide the management of noxious weeds within the Campbelltown LGA, these are outlined in Figure 1. While many of these documents are developed on a regional or state-wide basis, implementation at the local government level is essential for effective noxious weed management.

## Other relevant legislation relating to noxious weeds includes;

- Environment Protection and Biodiversity Conservation Act 1999
- Biological Control Act 1985
- Environmental Planning and Assessment Act 1979
- The Local Government Act 1993
- Pesticides Act 1999
- Local Land Services Act 2013
- National Parks and Wildlife Act 1974.





Figure 1: Policy framework across the three levels of government

FEDERAL

The Australian Weed Strategy

- Goal 1 Prevent new weed problems
- Goal 2 Reduce the impact of existing priority weed problems
- Goal 3 Enhance Australia's capacity and commitment to solve weed problems

STATE

NSW Invasive Species Plan 2008-2015

- Goal 1 Exclude (prevent the establishment of new invasive species)
- Goal 2 Eradicate or contain (eliminate or prevent the spread of new invasive species)
- Goal 3 Effectively manage (reduce the impacts of widespread invasive species)
- Goal 4 Capacity (ensure NSW has the ability and commitment to manage invasive species).

NSW Alligator Weed Strategy 2010-2015

Aims to prevent new incursions, ensure the early detection of any new incursions and actively manage existing infestations.

Key Threatening Processes and Threat Abatement Plans

The proliferation of some weed species are listed as key threatening processes, for example, the invasion, establishment and spread of Lantana camara, and invasion of native plant communities by African olive (*Olea europaea Cuspidate*), meaning that they must be considered during a development assessment process. Threat Abatement Plans may also be developed to prescribe actions to address the threat.

NSW New Weed Incursion Plan

Aims to guide the achievement of goals 1 and 2 of the NSW Invasive Species Plan, coordinating the surveillance and identification of weeds and weed pathways, risk assessment of species and implementation of effective barriers to prevent their establishment.

Sydney Metropolitan Catchment Action Plan

Target B5 - By 2016, the impact of invasive species on biodiversity is reduced by decreasing the number, distribution and impact of terrestrial and aquatic invasive weeds and pest animals; and by promoting a better understanding of invasive pathogens.

LOCAL

Upper Georges River Strategic Environmental Management Plan

A guiding framework that focuses on the past, present and future health of the Upper Georges River catchment, through the analysis of four key themes: management, land use, community engagement and on-ground projects including weed management.

Pesticide Use Notification Plan 2015

The plan guides Council's staff and contractors in how they notify members of the community of pesticide use in public places throughout the Campbelltown LGA particularly in regards to works in close proximity to sites listed as "sensitive areas" in the plan.

Community Strategic Plan, Operational Plan and Delivery Plan

A 10 year plan that outlines the aspirations and objectives of the community and sets out the strategies to achieve them.  
  
Strategy 1.2: Protection of the natural environment  
The Operational and Delivery Plans detail specific actions to achieve the strategies of the Community Strategic Plan including the review and implementation of the Noxious Weed Management Strategy.

## 4.3 WEEDS OF NATIONAL SIGNIFICANCE

Weeds of National Significance (WoNS) are the priority species for sustained nationally coordinated action under the Australian Weeds Strategy. Species declared as WoNS will be targeted for coordinated national management involving various stakeholders, including local government, for the purpose of preventing further impacts, reducing or restraining their spread and/or eradicating them from parts of Australia.

A total of 32 WoNS have been identified by Australian governments, based on their invasiveness, potential for spread, and environmental, social and economic impacts. Each WoNS has a strategic plan that outlines strategies and actions required to prevent spread and reduce impact of the weed, as well as identifying responsibilities for each action.

Individual landowners and managers are ultimately responsible for managing WoNS. Federal government grant funding for weed control programs is often targeted to achieving WoNS strategic goals. Of the 32 WoNS species, 18 occur in the Campbelltown LGA. These include: Alligator weed, Boneseed, Blackberry, Prickly pear, Bridal creeper, Lantana, Serrated tussock and Willows.

Unlike declared noxious weeds, there is no legal obligation to control WoNS with exception for those that are also declared noxious.





## 4.4 GOVERNANCE

Weeds don't recognise borders - what is a problem in one Council area is quite often also a problem in the next. The state government has helped to establish a governance framework to assist Local Control Authorities (LCAs)<sup>3</sup> in working together, obtaining funding and efficiently and effectively using resources.

### Weed Action Program

The NSW Weeds Action Program 2015-2020 (WAP) is a NSW Government initiative to reduce the impact of weeds, guided by the NSW Biosecurity Strategy 2013-2021 and the NSW Invasive Species Plan 2015-2020.

The WAP aims to ensure consistent and coordinated regional planning and local delivery of weed management approaches through 11 statutory regional weed committees comprising LCAs, public and private landholders, and community members as sub committees to Local Land Services (LLS)<sup>4</sup>. The committees are aligned with LLS borders and are legislatively obligated to develop regional plans and priorities for weeds and surveillance.

Funding is provided under the WAP by the NSW Government for weed control projects (see section 10 – Funding).

<sup>3</sup> Local Control Authorities – are the body responsible for noxious weed control functions under the Noxious Weed Act 1993 for an area. For a local government area these are generally councils.

<sup>4</sup> An amalgamation of previous Catchment Management Authorities, Livestock Health and Protection Authorities and certain aspects of the NSW Department of Primary Industries

### Sydney Weeds Committees

Weeds Advisory Committees are formed by groups of stakeholders across LLS regions of NSW (see figure 2). The Sydney Weeds Committee provides a platform for discussion regarding weed management issues across the different land holdings and to facilitate potential partnerships across land tenures.

The Sydney Weeds Committee was established in 2010 with the aim of improving weed management across all land tenures in the Sydney Region and Blue Mountains Region. The committee is comprised of four regional weeds committees with representatives from government and non-government agencies and practitioners across the broader Sydney region.

### South-West Regional Weeds Committee

The South-West Regional Weeds Committee is a sub-committee of the Sydney Weeds Committee. It is comprised of technical officers from Campbelltown, Wollondilly, Sutherland, Fairfield, Bankstown and Liverpool Council's as well as representatives from other government organisations such as NSW National Parks and Wildlife Service and Sydney Trains. The Regional Weeds Committee acts to address more localised issues, provide local support and identify partnership opportunities.

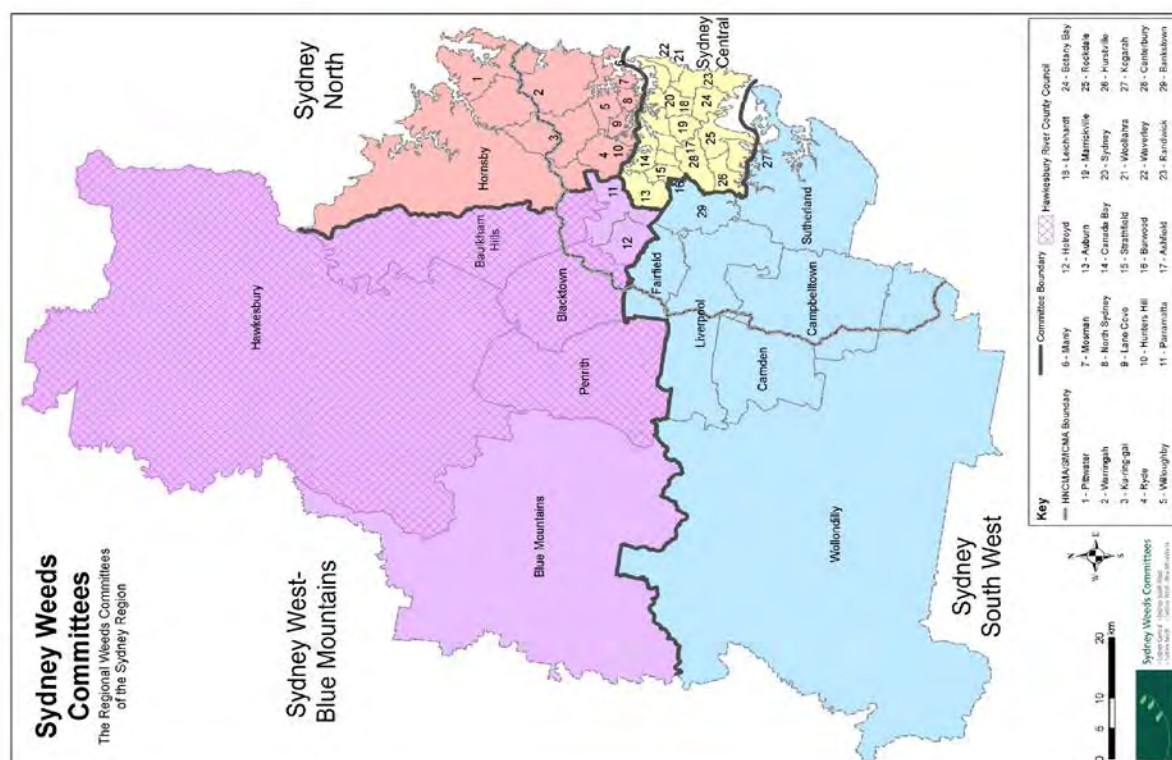


Figure 2: Regional Weeds Committees of the Sydney Region



## 5.1

### COUNCIL AND NOXIOUS WEED MANAGEMENT

Under the *Noxious Weeds Act 1993*, there are many different obligations and requirements for different land owners and managers across NSW. In NSW, local government agencies (councils) are responsible for the implementation of the *Noxious Weeds Act 1993* and are referred to as Local Control Authorities (LCAs). The role of a LCA also includes enforcement of the *Noxious Weeds Act 1993* to ensure that noxious weeds are controlled and prevented from spreading across their own land holdings and private land holdings. Council also undertakes noxious weed control and management on its own lands based on strategic priorities as outlined below.

NSW government organisations (such as Roads and Maritime Services, Sydney Water and Sydney Trains) are also recognised as LCAs and are obligated to control noxious weeds on their lands.

## 5.2

### PRIORITISING NOXIOUS WEED MANAGEMENT

Noxious weed management requires strategic direction and a coordinated approach to ensure that management activities are targeted to produce long term sustainable and cost-effective outcomes for both the community and the environment.

Noxious weeds and the way in which they are managed can be very different, depending on infestation size and density, the type of weed, its location and by the impacts it is having on land use, the community or the environment. Noxious weed management can be targeted to eradicate an individual plant, contain an infestation to stop its further spread, or can be a part of a larger bush regeneration program which is implemented over many years.

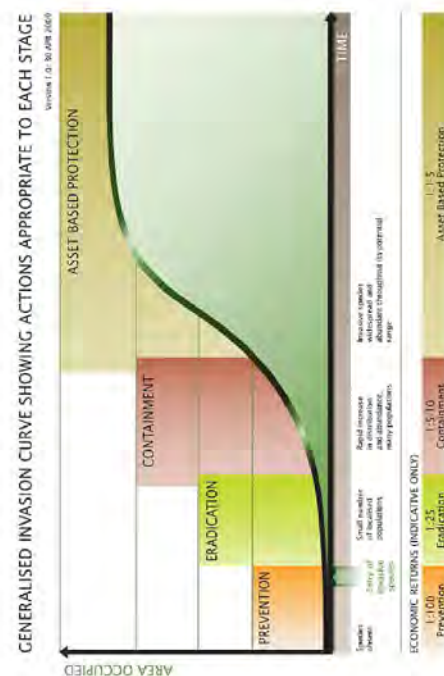
Control of noxious weeds can be achieved by hand removal, using machinery, spraying with herbicide or by changing conditions and promoting growth of a more desirable species. These different methods are implemented to control various species of noxious weeds in many different situations with protection of our high value environmental areas at the forefront of Council's actions.

Council undertakes weed management on lands under its care and control, these lands are managed for a variety of uses including conservation, tourism and recreation uses. Each of these land uses has its own particular and unique suite of weed problems and priorities. No single weed management approach can be applied equally to all areas.

Council's management programs and corresponding works will conform to Council's responsibilities under the relevant legislation and are often bound by strict guidelines for associated grant funding such as those prescribed within the Weed Action Program. These depict priority areas and significant noxious weed species for treatment. Council's strategic direction for weed control is broadly based on the NSW DPI weed invasion curve (as shown in Figure 3).



Figure 3: NSW Department of Primary Industries weed invasion curve



Based on the actions recommended through the weed invasion curve, Council as a LCA prioritises and focuses its works to:

- conduct routine private property and high risk pathway inspections to prevent weeds from becoming established in the environment
- assess sources of weed infestation
- eradicate high risk weeds from the environment
- contain high risk weeds within their current locations
- protect assets such as endangered ecological communities, waterways, parks and reserves
- integrate pest control (harbor removal, weed dispersal) where practical
- ensure all works undertaken are cost effective.

In developing programs, Council will determine the level of action required through the NSW Weed Risk Management system (see appendix 1) and the priority rankings for specific noxious weed species (see appendix 2). Noxious weed infestations that are determined to be a low priority may be considered for removal, however, budget allocations will be directed to higher priority issues. In undertaking noxious weed removal, Council will also assess existing habitat requirements for native fauna to ensure that impacts upon wildlife at the site are appropriately managed.

## 5.3 COUNCIL'S NOXIOUS WEED MANAGEMENT PROGRAMS

### Weed Action Program

The NSW Weed Action Program (WAP) aims to reduce the impact of noxious weeds on the environment, agriculture and the community based on the four goals listed within the NSW Invasive Species Plan 2008-2015. Under the auspice of the WAP, the NSW Government (via the various weeds committees) provides key funding to LCAs for noxious weed management.

Council receives significant funding each year through the WAP to undertake specific projects, inspections of private properties and of high risk pathways (such as main artillery roads, railway corridors, nurseries and aquariums) for weed distribution.

Council is obligated to monitor and report on its actions under the WAP.

### Aquatic weed control

During the 1990s, it was evident that aquatic weed growth was affecting many waterways within NSW, in particular the Sydney Basin. Aquatic weed growth was impacting on local business, agriculture, recreational activities and the environment. In 2006, a significant salvinia outbreak choked sections of the Georges River, highlighting the issue and prompting swift action. Aquatic weeds continue to be a problem in the Campbelltown LGA, with many waterways still affected. Aquatic noxious weeds are considered to be a high priority for treatment and control as they have the potential to devastate local ecosystems and spread quickly if left untreated.

In 2008, the Sydney Weeds Committee held discussions with various stakeholders to investigate the most cost efficient, strategic and sustainable control of aquatic weeds. As a result, regional weed management plans have been developed for *Ludwigia* spp (*L. peruviana*, *L. longifolia* and *L. repens*) and Alligator weed.

24 NOXIOUS WEED MANAGEMENT STRATEGY

Since 2003, Council has undertaken annual mapping of aquatic weeds within key waterways across the LGA (see Figure 4). In 2011, commensurate treatment of aquatic noxious weeds was incorporated into the mapping project to ensure a more cost efficient and effective mapping and treatment program. Mapping of all infestations is undertaken on an annual basis with treatments of identified aquatic noxious weeds undertaken on a bi-annual basis. Treatment methods for aquatic noxious weed include hand removal and disposal offsite to prevent further spread and herbicide application in accordance with Australian Pesticide Veterinary Medicines Authority (APVMA) permits for off label use of herbicide.



Water primrose flower - *Ludwigia peruviana*



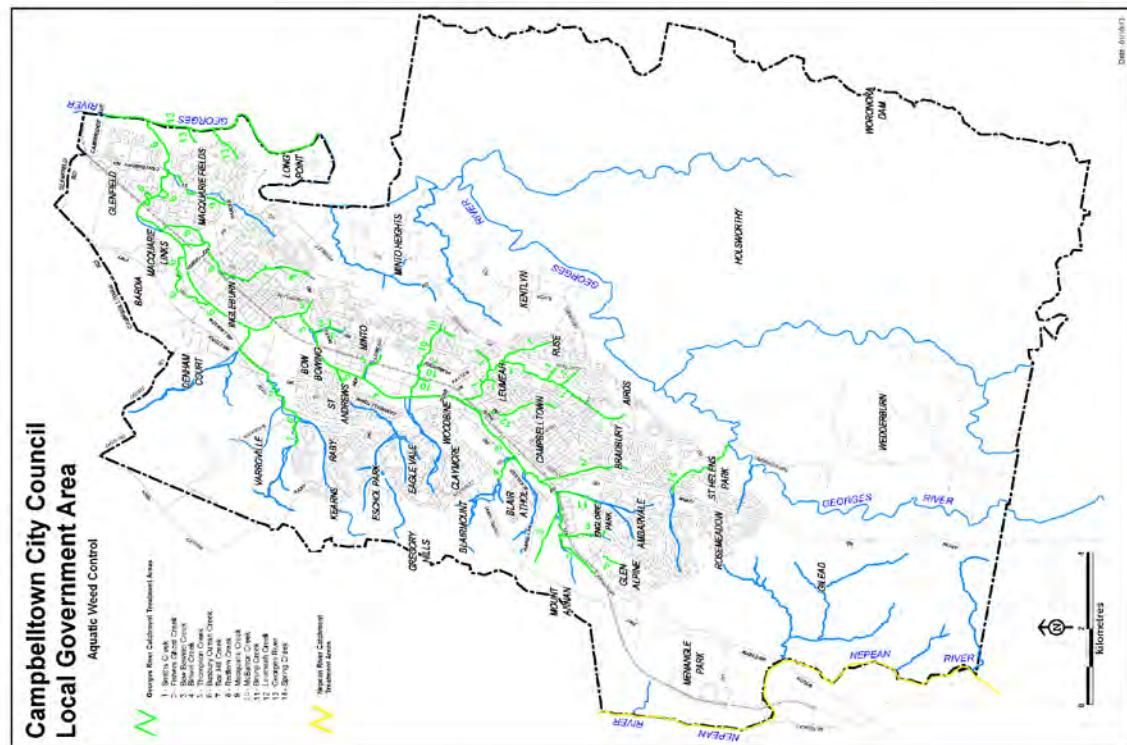
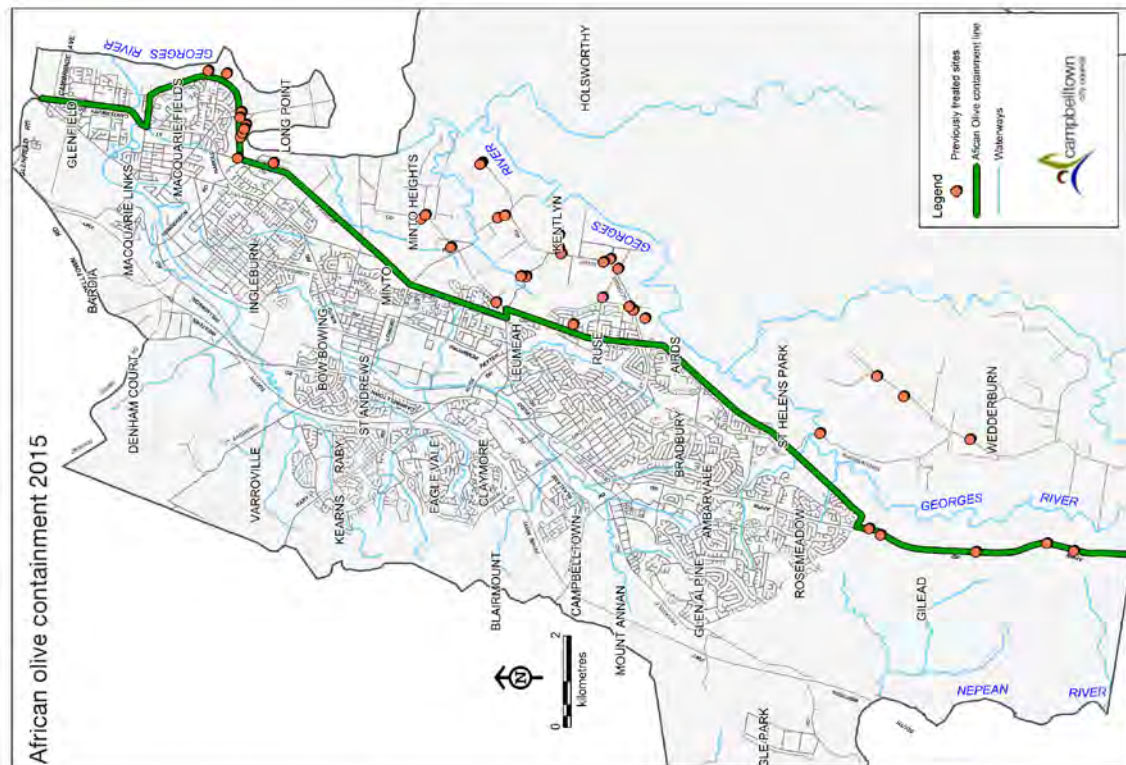


Figure 4: Waterways covered under Council's Aquatic Weed Control and Mapping Project



## African olive control and containment

African olive was first noted as a potential problem weed in the Sydney Basin in the mid-1970s, by which time it had formed shrubby thickets on the steeper slopes and hills in the Camden–Cobbitty area, particularly on the Razorback Range. By the 1980s it was described as a major invading weed of grazing and park lands in the Macarthur area.

African olive predominantly exists in the western part of Campbelltown, on undulating clay soils found within Cumberland Plain Woodland. Infestations have rapidly spread east through urban areas, affecting many high value environmental assets while slowly encroaching on the sandstone soils of the Georges River Corridor. Invasion of native plant communities by African olive is listed as a key threatening process under the *Threatened Species Conservation Act 1995*.

In recognition of the fact that the species has become overwhelmingly established in some areas, the Sydney Weeds Committee has recommended prioritising the protection of highest value environmental assets and establishing containment lines within the Macarthur region to contain the species where possible. Consequently, Council has established an African olive containment line in an attempt to prevent the further spread of African olive into the Georges River Corridor and neighbouring council areas (see Figure 5).

African olive infestations found on the eastern side of the containment line are strategically managed by targeting scattered occurrences along roadsides and in public reserves. On private land, enforcement actions under the *Noxious Weed Act 1993* are implemented.

Figure 5: African Olive containment line and Council work sites



### Terrestrial weed control program

In accordance with priorities set out in section 8.2, Council's terrestrial weed program is focused on Threatened Ecological Communities (TEC) sensitive environmental areas such as waterways, high risk weed species and expanding on further opportunities to promote natural regeneration. These works often form part of externally funded grant programs that focus on using bush regeneration techniques to remove weeds and promote regeneration of native species to ensure long term, sustainable environmental outcomes. Grant funding comes with strict guidelines focused on the eradication or containment of specific noxious weed species or improvement of certain areas such as; regional wildlife corridors, TECs or conservation of threatened species. These programs are often focused on primary or initial weed control with minimal funding available for follow up or maintenance weed control, hence the need for a strategic approach to treat areas that can be maintained and where long-term sustainable benefits can be realised.<sup>5</sup>

Past programs have targeted high risk noxious weeds such as Kei apple (*Dovyalis caffra*) or key strategic sites such as Fishers Ghost Creek in Bradbury, Smiths Creek Reserve in Ruse/Leumeah, Noorumba Reserve in Rosemeadow and many areas throughout the Georges River Corridor.

### Regional weed management

Regional weed management programs continue to be developed and implemented by various government and non-government land managers to address weed issues that are not confined to local government or catchment boundaries. Many of the programs have involved the development of regional weed management plans to guide strategic onground works, often targeting prevention, eradication and containment of specific species or protection of vegetation communities.

Over the years, regional weed management plans have been produced for species including Ludwigia, Alligator weed, Boneseed and African olive. A regional approach to weed management ensures the best outcomes by providing commitment to a consistent system, method and increased cost-effectiveness through consolidation of resources. Council continues to work in partnership with the other MACROC councils (Camden and Wollondilly) on common weed management issues such as the alligator weed management program along the Nepean River and the Acer control program (targeting removal of Acer Negundo along the foreshores of the Nepean River).

<sup>5</sup> While many urban streams are impacted by noxious weed infestations such as balloon vine, works in these areas may be viewed as not cost-effective due to the significant ongoing financial investment required to maintain them.

### Council inspection and compliance program

Under the Noxious Weed Act 1993 private land holders or managers of private land are required to control noxious weeds according to the species control class for their area. It is their responsibility to be aware of the weeds declared noxious in the area and take the appropriate action to notify, control and prevent their spread.

As a Local Control Authority for noxious weeds, Council has powers under the Noxious Weeds Act 1993 to enter private property, inspect, collect any plant material, and enforce control of noxious weeds. Council undertakes a pro-active strategic inspection program each year based on identifying high risk weeds to prevent further spread and reduce impacts on the community, agriculture and our local environment. Inspections are generally targeted at specific weed species in areas where weeds have been identified, high biodiversity assets such as TECs, significant waterways or high risk pathways such as main roads, nurseries and aquariums where weeds could be imported into the area. Inspections are guided by requirements under the WAP, which specify state-determined priorities and numbers of inspections.

Council also responds to customer requests for weed inspections, such as neighbourhood concerns over allergy-causing species and weed spread. Where properties are found to contain noxious weeds, Council will act in accordance with the procedure for enforcement of the Noxious Weeds Act 1993, as set out in Appendix 3.



<sup>6</sup> See Table 2 for list of classifications and control requirements and <http://weeds.dpi.nsw.gov.au> for list of noxious weeds and their classes for the LGA.  
28 NOXIOUS WEED MANAGEMENT STRATEGY







## 6.1 COUNCIL FUNDS

Council employs a full time Environmental Project Officer (Ecological Protection) to coordinate its noxious weed management program, including weed control works on Council land, inspections and enforcement, monitoring and reporting. Council also coordinates a bushcare volunteer program. Activities under the program include bush regeneration and weed control at sites determined by community interest and environmental value. Council provides funds to assist in the delivery of these programs, which is supplemented by grant funding.



## 6.2 GRANT FUNDING

Grants are funds generally provided by other levels of government, which are obtained through a competitive application process. Grant funding may be for specific programs or projects and is generally associated with strict conditions regarding works, outcomes and expenditure. A summary of recognised potential grant opportunities is provided below;

### Weed Action Program (WAP)

The WAP is delivered through the NSW DPI, with funding distributed among councils and agencies within the Sydney Weeds Committee Inc. These funds come with strict guidelines and follow specific procedures to achieve prescribed weed control objectives, which are often targeted across a broad regional basis. The WAP is a five year program, with applications for funding required on an annual basis prior to the next round of funding. The program is based around the goals of the NSW Invasive Species Plan and the actions recommended under the weed invasion curve (see Figure 3).

### Local Land Services

NSW Local Land Services is a NSW Government department which offers various avenues of grant funding for environmental restoration projects, education programs, feral animal management and weed control. These projects are available on an annual basis and are often targeted at local councils, landcare groups or trust groups.

### NSW Environmental Trust

The NSW Environmental Trust is an independent statutory body established by the NSW Government to fund a broad range of organisations to undertake projects that enhance the environment of NSW. The Trust's main responsibility is to facilitate and supervise the expenditure of grant funding for a wide range of environmental based programs including community education, restoration and rehabilitation, land acquisition, research and waste management. The Trust is administered by the Office of Environment and Heritage (OEH).



### Fisheries Habitat Grants

The NSW Department of Primary Industries – Fishing and Aquaculture provides grant funding for local councils, environmental and community groups and private landholders to enhance and rehabilitate degraded recreational fish habitat. This is undertaken through a range of on-ground works including removal or modification of structures that effect fish passage, rehabilitation of riparian lands and removal of exotic vegetation from waterways.

### Australian Biodiversity Fund

The Australian Biodiversity Fund is an ongoing program under the Australian Government's Land Sector Package of the Clean Energy Future plan. The overall objectives of the Biodiversity Fund are to help land managers establish, manage and enhance native vegetation on their land, increase stores of carbon in the landscape and, in so doing, maintain ecosystem function and improve the resilience of ecosystems to the impacts of climate change. Funding is available on a yearly basis and requires the project to be implemented over a 10 year period, with only the first six years funded under the program.

### Crown Land Public Reserve Management Funding Program

The NSW Department of Primary Industries – Crown Lands is responsible for the sustainable and commercial management of Crown land throughout NSW. Crown Land is comprised of public facilities such as parks, heritage sites, community halls and bushland reserves. Each year the Crown Lands Department provides funding for works on crown lands (some of which may be under Council's care and control) through the Public Reserve Management Funding Program, for weed and pest animal management, reserve improvement and infrastructure projects that will benefit the community or the local environment.

### Federal Government Green Army Program

In 2014, the Federal Government commenced its Green Army Program, whereby paid work teams undertake environmental improvement programs across Australia. The teams are made up of up to ten 18-25 year old participants, with each being employed by service providers for a period of six months. During this time, participants develop skills in bush regeneration while obtaining qualifications in WHS, First Aid and Conservation and Land Management. Land holders requesting works can apply to have teams work on their lands. The works must meet certain criteria such as achieving quantifiable environmental outcomes and long term benefits.

### Federal Government Work for the Dole Program

The Work for the Dole program provides work experience for job seekers in activities where they can gain skills, experience and confidence to move from welfare to work, while giving back to their community. Each project is six months in duration, and programs can be implemented for individual participants or groups, with funding provided for project consumables such as supervision and personal protective equipment. The works can be implemented for a wide range of tasks, including bush regeneration, and must set out clear aims and objectives with the focus on providing the job seeker with a real life work experience.









# 7.0

## OBJECTIVES

### 1. IMPROVE COUNCIL'S CAPACITY TO EFFECTIVELY MANAGE NOXIOUS WEEDS

- 1.1 Establish and maintain cross-divisional partnerships within Council to better manage noxious weeds
- 1.2 Increase knowledge of Council staff to identify noxious weed management issues, understand impacts and implement management practices to control

### 2. INCREASE LANDHOLDER COMMITMENT TO NOXIOUS WEED MANAGEMENT

- 2.1 Educate the community on the effects of noxious weeds on the environment and effective management practices
- 2.2 Increase voluntary noxious weed control and community stewardship of bushland assets
- 2.3 Improve the natural appearance and visual amenity of land within the Campbelltown LGA

### 3. EFFECTIVELY MANAGE THE IMPACT OF NEW AND EXISTING INVASIVE SPECIES INCURSIONS UPON THE CAMPBELLTOWN ENVIRONMENT

- 3.1 Prevent new incursions of noxious weed species from becoming established in the environment
- 3.2 Understand and address noxious weed threats and associated impacts.

### 4. UNDERTAKE NOXIOUS WEED MANAGEMENT IN A STRATEGIC, COORDINATED AND COST EFFECTIVE MANNER

- 4.1 Deliver cost-effective noxious weed management works within prescribed budgets
- 4.2 Collaborate resources across Council and work in partnership with key stakeholders
- 4.3 Identify and secure additional funding to address noxious weed issues within Campbelltown
- 4.4 Effectively monitor and report on noxious weed distribution and Council's management programs

### 5. IMPROVE BIODIVERSITY WITHIN KEY ENVIRONMENTAL AREAS SUCH AS THE GEORGES RIVER CORRIDOR

- 5.1 Ensure all works are undertaken in a strategic manner to increase long term environmental benefits

### 6. ACTIVELY PARTICIPATE IN AND PROMOTE AN EFFECTIVE GOVERNANCE FRAMEWORK FOR NOXIOUS WEED MANAGEMENT IN CAMPBELLTOWN

- 6.1 Ensure consistent and effective policies and procedures are in place
- 6.2 Achieve strategic, equitable and feasible outcomes through governance platforms





## 8.0 STRATEGIC ACTION PLAN

IN ORDER TO ACHIEVE THE OBJECTIVES SET OUT IN THIS STRATEGY COUNCIL HAS DEVELOPED A SUITE OF ACTIONS TO GUIDE PROGRAMS AND WORKS. THESE ACTIONS ARE OUTLINED BELOW. IN ADDITION, COUNCIL WILL PREPARE AN ANNUAL SCHEDULE OF WORKS AND ACTIVITIES TO BE IMPLEMENTED TO ACHIEVE THESE ACTIONS

### Goal 1.1

Establish and maintain cross-divisional partnerships within Council to better manage noxious weeds

- Endorse and communicate the Noxious Weed Management Strategy as a corporate document
- Continue to ensure that all relevant development applications, planning proposals, design plans and Reviews of Environmental Factors are referred to Council's Environment Unit for review
- Develop and deliver training to Development Officers to identify noxious weed issues and opportunities for their management in development applications
- Address noxious weed issues through internal working groups, eg Sustainable Land Working Party
- Develop and deliver noxious weed awareness and management training for Council staff including: project managers, horticulturalists, landscapers and drainage maintenance teams

### Goal 1.2

Increase knowledge of Council staff to identify noxious weed management issues, understand impacts and implement management practices to control noxious weeds

- Council Officers attend external training regarding noxious weed management
- Develop and deliver noxious weed awareness and management training for Council staff including: project managers, horticulturalists, landscapers and drainage maintenance teams
- Provide resources and support to assist Council field staff in identifying and managing noxious weed issues

### Goal 2.1

Educate the community on the effects of noxious weeds on the environment and effective management practices

- Provide information to residents on noxious weed issues through Council's established communication forums, educational programs and events
- Develop and distribute information to rural/semi-rural properties addressing noxious weed identification and management issues
- Provide advice and support to residents through noxious weed inspection program
- Provide information and training to Bushcare volunteers on noxious weed issues
- Respond to noxious weed enquiries
- Assist in the preparation of weed management plans for private land holders where required

### Goal 2.2

Increase voluntary noxious weed control and community stewardship of bushland assets

- Promote and deliver Council's Bushcare program
- Provide information to residents on noxious weed management through Council's established communication forums, educational programs and events
- Provide information and training to Bushcare volunteers on noxious weed management
- Provide advice and support to residents through noxious weed inspection program established communication forums, educational programs and events
- Provide information and training to Bushcare volunteers on noxious weed management
- Provide advice and support to residents through noxious weed inspection program

ON AVERAGE,  
BUSHCARE  
VOLUNTEERS WORK  
MORE THAN  
1,000 HOURS EACH  
YEAR IN THE  
CAMPBELLTOWN LGA

### Goal 2.3

Improve the natural appearance and visual amenity of land within the Campbelltown LGA

- Promote and deliver Council's Bushcare program
- Prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- Provide advice and support to residents through noxious weed inspection program
- Develop Vegetation Management Plan guidelines to ensure a consistent and best practice approach to noxious weed and vegetation management
- Monitor and enforce conditions of consent relating to noxious weed management eg. Vegetation Management Plans
- Investigate biobanking opportunities for Council lands
- Incorporate noxious weed control into environmental asset management plans

### Goal 3.1

Prevent new incursions of noxious weed species from becoming established in the environment

- Deliver Council's noxious weed inspection program, prioritising high risk pathways and high value environmental assets
- Identify and report new noxious weed incursions to the NSW DPI
- Prioritise management of new incursions

### Goal 3.2

Understand and address noxious weed threats and associated impacts

- Prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- Develop and/or review regional action plans for high risk species
- Develop and/or review regional action plans for high priority environmental and social assets
- Undertake mapping and monitoring of noxious weed distribution across the LGA
- Develop Vegetation Management Plan guidelines to ensure a consistent and best practice approach to noxious weed and vegetation management
- Monitor and enforce conditions of consent relating to noxious weed management, eg. Vegetation Management Plans
- Assist in the preparation of weed management plans for private land holders where required



### Goal 4.1

Deliver cost-effective noxious weed management works within prescribed budgets

- Allocate prescribed budgets and monitor expenditure regularly through the financial year
- Prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- Seek partnerships to support training and employment opportunities for community members in the management and control of weeds including the use of the Green Army Program and the Work for the Dole Program

### Goal 4.2

Collaborate resources across Council and work in partnership with key stakeholders

- Develop and/or review regional action plans for high risk species
- Develop and/or review regional action plans for high priority environmental and social assets
- Investigate and pursue regional cost effective and environmentally beneficial noxious weed control projects

### Goal 4.3

Identify and secure additional funding to address noxious weed issues within Campbelltown

- Seek grant funding opportunities
- Investigate biobanking opportunities for Council lands
- Establish an offsetting fund to assist with maintenance and management of noxious weeds at offsetting sites

### Goal 4.4

Effectively monitor and report on noxious weed distribution and Council's management programs

- Undertake ongoing monitoring of Council's bush regeneration works to evaluate effectiveness and guide future works
- Investigate opportunities for improved monitoring and recording of information on noxious weed distribution and management
- Report on Council's activities through the annual State of the Environment Reporting
- Review Council's Noxious Weed Management Strategy based on performance measures and in response to changes in policy and legislation frameworks



### Goal 5.1

Ensure all works are undertaken in a strategic manner to increase long term environmental benefit

- Incorporate noxious weed control into environmental asset management plans
- Develop and/or review regional action plans for high priority environmental and social assets
- Prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- Investigate biobanking opportunities for Council lands
- Deliver Council's noxious weed inspection program, prioritising high risk pathways and high value environmental assets
- Review Council's noxious weed management program to ensure consistency with Council's policy and procedure framework, eg Biodiversity Strategy
- Prepare Site Management Plans under Council's Bushcare program to address site issues strategically

### Goal 6.1

Ensure consistent and effective policies and procedures are in place

- Review and develop relevant policies and procedures in accordance with priorities set out in this strategy
- Review Council's Noxious Weed Management Strategy based on performance measures and in response to changes in policy and legislation frameworks

### Goal 6.2

Achieve strategic, equitable and feasible outcomes

- Actively participate in the Sydney Weeds Committee and Sydney South West Weeds Committee
- Advocate for support from key stakeholders and other levels of government for Council's noxious weed management programs and priorities

**BUSH REGENERATION IS UNDERTAKEN ON MORE THAN 38 HECTARES OF LAND IN THE LGA**

NOXIOUS WEED MANAGEMENT STRATEGY 38









## 9.0 REVIEW, EVALUATION AND REPORTING

THE IMPLEMENTATION OF THIS STRATEGY WILL BE UNDERTAKEN THROUGH AN ANNUAL SCHEDULE OF WORKS, AS OUTLINED IN THE PREVIOUS SECTION. THE EFFECTIVENESS OF THESE WORKS IN ACHIEVING THE GOALS AND ACTIONS PRESCRIBED IN THIS STRATEGY WILL BE MEASURED AGAINST THE FOLLOWING INDICATORS:

- Number of inspections undertaken
- Number of high risk sites inspected
- Area of bush regeneration and weed treatment
- Number of alligator weed and Ludwigia infestations reported
- Number of new weed incursions reported to NSW DPI
- Number of noxious weed enquiries from the community
- Number of educational activities including reference to noxious weed issues and management
- Number of weed advice letters issued
- Number of weed control notices issued.

Council's performance against these indicators will be reported through its annual State of the Environment report. Where Council is determined not to be performing, that is, where indicators are consistently demonstrating a decrease in achievements or there are significant changes in related policy or legislation from any level of government, a review of the strategy will be undertaken.









# APPENDIX 1

## WEED RISK ASSESSMENT (NSW DPI)

The NSW Weed Risk Management (WRM) system is a tool developed by the NSW DPI to evaluate noxious weed declarations in NSW and to assist weed managers in NSW to determine priorities for weed management at state, regional and local levels.

The system uses a series of questions to arrive at a score for weed risk based on invasiveness, impacts, potential distribution and a score for feasibility of coordinated control, including control costs, persistence and current distribution (see Table 3). The scores are cross-referenced using the matrix to determine what level of action is appropriate. This assists land managers in determining management priorities and the associated level of resources required.

TABLE 3: WEED RISK ASSESSMENT MATRIX

WEED RISK	FEASIBILITY OF COORDINATED CONTROL				
	Negligible (113+)	Low (56-113)	Medium (31-55)	High (14-30)	Very high (<14)
Negligible (<13)	LIMITED ACTION	LIMITED ACTION	LIMITED ACTION	LIMITED ACTION	MONITOR
Low (13-38)	LIMITED ACTION	LIMITED ACTION	LIMITED ACTION	MONITOR	MONITOR PROTECT PRIORITY SITES
Medium (39-100)	MANAGE SITES	MANAGE SITES	MANAGE SITES	PROTECT PRIORITY SITES	CONTAIN SPREAD
High (101-192)	MANAGE WEED	MANAGE WEED	PROTECT PRIORITY SITES	CONTAIN SPREAD	DESTROY INFESTATIONS
Very high (192+)	MANAGE WEED	MANAGE WEED PROTECT PRIORITY SITES	CONTAIN SPREAD	DESTROY INFESTATIONS	ERADICATION

ALERT



## APPENDIX 2 PRIORITY RANKINGS FOR NOXIOUS WEED SPECIES WITHIN THE CAMPBELLTOWN LGA

Priority Ranking	Actions	Species
Prevention	<p>Aim to prevent new incursions of weed species into the Campbelltown LGA, actions include:</p> <ul style="list-style-type: none"> <li>ongoing inspections of all high risk pathways eg road and rail corridors</li> <li>ongoing inspections of all high risk sites eg markets, aquariums and nurseries</li> </ul>	Any species not known to exist in the Campbelltown LGA
Eradication of Weed	<p>Aim to eradicate the weed species from the Campbelltown LGA, actions include:</p> <ul style="list-style-type: none"> <li>detailed surveillance and mapping to locate all infestations</li> <li>destruction of all infestations including seed banks</li> <li>prevention of entry to geographic area, and movement and sale within</li> <li>must not grow and all cultivated plants to be removed</li> <li>monitor progress towards eradication</li> </ul>	<p>Boneseed - <i>Chrysanthemoides monilifera</i> ssp. <i>monilifera</i>  Blitou bush - <i>Chrysanthemoides monilifera</i> ssp. <i>Rotundata</i>  Cat's claw creeper - <i>Dolichandra unguis-cati</i> (syn. <i>Macfadyena unguis-cati</i>)  Water hyacinth - <i>Eichhornia crassipes</i>  Salvinia - <i>Salvinia molesta</i></p>
Containment of Weed	<p>Aim to contain and reduce the extent of the weed species in the Campbelltown LGA, actions include:</p> <ul style="list-style-type: none"> <li>detailed surveillance and mapping to locate all infestations</li> <li>control of all infestations, aiming for a significant reduction in weed density</li> <li>prevention of entry to geographic area, and movement and sale within</li> <li>must not allow to spread from cultivated plants</li> <li>monitor change in current distribution</li> </ul>	<p>Alligator weed - <i>Alternanthera philoxeroides</i>  Coolatai grass - <i>Hyparrhenia hirta</i>  Green cestrum - <i>Cestrum parqui</i>  Madeira vine - <i>Anredera cordifolia</i>  Serrated tussock - <i>Nassella trichotoma</i>  Water primrose - <i>Ludwigia peruviana</i>  Yellow bells - <i>Tecoma stans</i></p>

Priority Ranking	Actions	Species
<p>Manage Assets and/or Priority Sites (EEOs)</p>	<p>Aim to manage assets reduce the overall economic, environmental and/or social impacts of the species and to maintain the overall economic, environmental and/or social value of key sites/assets through targeted management, actions include:</p> <ul style="list-style-type: none"> <li>• research and develop weed management plans for the species, including herbicides and biologic control where feasible</li> <li>• promote weed management plans to private landholders</li> <li>• monitor decrease in species impacts with improved management</li> <li>• identify key sites/assets in the geographic area and ensure adequate resourcing to manage the species</li> </ul>	<p>African boxthorn - <i>Lycium ferocissimum</i>  African olive - <i>Olea europaea ssp. cuspidata</i>  African lovegrass - <i>Eragrostis curvula</i>  Bathurst/Noogoora/Hunter/South American/Californian/cockle burrs - <i>Xanthium spp</i>  Balloon vine - <i>Cardiospermum grandiflorum</i>  Blackberry - <i>Rubus fruticosus aggregate</i>  Bridal creeper - <i>Asparagus asparagoides</i>  Castor oil plant - <i>Ricinus communis</i>  Chilean needle grass - <i>Nasella neesiana</i>  Chinese celtsis - <i>Celtis sinensis</i>  Fireweed - <i>Senecio madagascariensis</i>  Giant reed / Elephant grass - <i>Arundo donax</i>  Ground asparagus - <i>Asparagus aethiopicus (syn. Protasparagus aethiopicus)</i>  Honey locust - <i>Gleditsia triacanthos</i>  Harrisia cactus - <i>Harrisia species</i>  Lantana - <i>Lantana camara</i>  Mother of millions - <i>Bryophyllum delagoense</i>  Morning glory (Purple) - <i>Ipomoea indica</i>  Morning glory (Coastal) - <i>Ipomoea cairica</i>  Patterson curse - <i>Echium plantagineum</i>  Prickly pear - <i>Opuntia and Cyllindropuntia spp</i>  Privet (Broad and Small-Leaved) - <i>Ligustrum lucidum and Ligustrum sinense</i>  Scotch broom / English broom - <i>Cytisus scoparius subspecies scoparius</i>  Sagittaria - <i>Sagittaria platyphylla (syn. Sagittaria graminea variety platyphylla)</i>  St Johns wort - <i>Hypericum perforatum</i></p>

Priority Ranking	Actions	Species
Limited Action	The weed/pest species would only be targeted for coordinated control in the LGA if its presence makes it likely to spread to land uses where it ranks as a higher priority.	<p>Includes but not limited to:</p> <ul style="list-style-type: none"> <li>• Crofton weed - <i>Ageratina adenophora</i></li> <li>• Bamboo - <i>Phyllostachys</i> spp</li> <li>• Giant reed - <i>Arundo donax</i></li> <li>• Wandering jew - <i>Tradescantia fluminensis</i></li> <li>• Firethorn - <i>Pyracantha</i> spp</li> <li>• Moth vine - <i>Araujia sericifera</i></li> <li>• Coral tree - <i>Erythrina</i> spp</li> <li>• Cobblers peg/Farmers friend - <i>Bidens pilosa</i></li> <li>• Mist flower - <i>Ageratina riparia</i></li> <li>• Fishbone fern - <i>Nephrolepis cordifolia</i></li> <li>• Arum lilly - <i>Zantedeschia aethiopica</i></li> <li>• Spider plant - <i>Chlorophytum comosum</i></li> <li>• Whiskey grass - <i>Andropogon virginicus</i></li> <li>• Rhodes grass - <i>Chloris gayana</i></li> <li>• Paspalum - <i>Paspalum dilatatum</i></li> <li>• Kikuyu - <i>Pennisetum clandestinum</i></li> <li>• Clover - <i>Trifolium</i> spp</li> <li>• Plumbago - <i>Plumbago auriculata</i></li> <li>• Asthma weed - <i>Parietaria judaica</i></li> </ul>

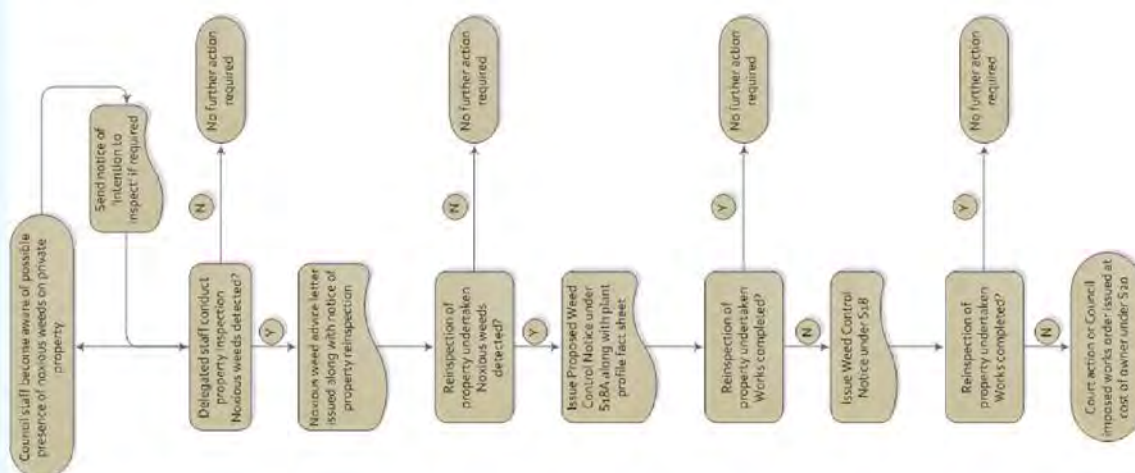




Water lettuce - Pistia spp

# APPENDIX 3

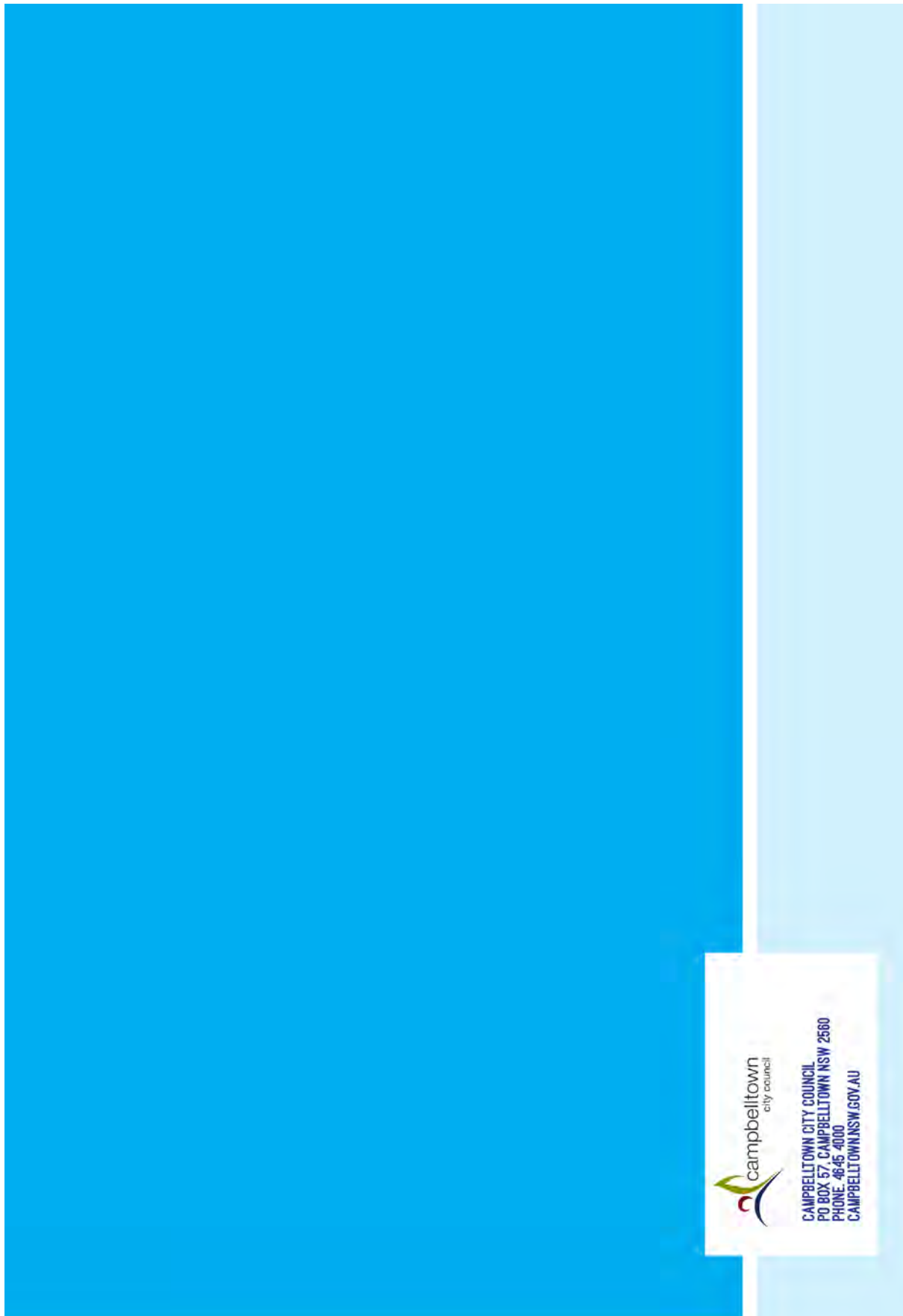
## PROCEDURE FOR ENFORCEMENT OF THE NOXIOUS WEEDS ACT 1993











## **2.2 Outcome of the Public Exhibition of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5**

### **Reporting Officer**

Manager Environmental Planning

---

### **Attachments**

1. A copy of the external submissions received (contained within this report)
2. A review of the SMEC Australia submission with officer's comments and recommended approach/actions (contained within this report)
3. A review of the main internal submissions with officer's comments and recommended approach/actions (contained within this report)
4. Draft Campbelltown (Sustainable City) Development Control Plan 2015 (distributed under separate cover due to its size of 350 pages for Volume 1 and 280 pages for Volume 2)

### **Purpose**

1. To inform Council of the outcomes of the public exhibition of the draft Campbelltown (Sustainable City) Development Control Plan 2015 (Volume 1 and Volume 2) (draft SCDCP 2015)
2. To advise Council of the recommended changes to the draft SCDCP 2015 in light of issues raised during the public exhibition period
3. To seek Council's endorsement to adopt the draft SCDCP
4. To seek Council's endorsement to proceed with the final notice of repeal to revoke a number of outdated and/or any superseded Development Control Plan (DCP) as specified by this report.

### **History**

On 27 October 2015, Council considered a report on the draft SCDCP and resolved as follows:

1. That Council endorse draft Campbelltown (Sustainable City) Development Control Plan Volume 1 and Site Specific Development Controls Volume 2 for public exhibition in accordance with the *Environmental Planning and Assessment Act 1979* and associated regulation.
  2. That at the conclusion of the public exhibition, a separate report be provided to Council on the outcome of the public exhibition of the draft Campbelltown (Sustainable City) Development Control Plan.
-

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

3. That Council give notice of its intention to repeal the following Development Control Plans in accordance with the manner prescribed by the *Environmental Planning and Assessment Regulation 2000*:
- DCP No 1 which applies to certain lands on Campbelltown Road
  - DCP No 4 Retail Plant Propagation Nurseries
  - DCP No 32 Retail Plant Propagation Nurseries
  - DCP No 63 Macquarie Fields House
  - DCP No 80 Blair Athol
  - DCP No 83 Heritage Policy
  - DCP No 91 Two Lot Integrated Housing in St Helens Park
  - DCP No 108 Landscaping Setback – Blaxland Road

This report provides details on the outcome of the public exhibition of the Draft SCDCP.

### Report

#### 1. Public Exhibition of Draft SCDCP 2015

In accordance with Council's resolution of 27 October 2015 the draft SCDCP was publicly exhibited for a period of one month from Wednesday 4 November until Friday 4 December 2015.

Copies of the draft SCDCP 2015 were made available at Council's Customer Service Centre, on Council's website and at all Council's public libraries.

Letters were sent to four organisations representing heavy vehicle operators/drivers advising of the public exhibition of the draft SCDCP and advising of the newly proposed draft Part 14 (Parking of Heavy Vehicles on Residential, Rural and Environmental Protection Land). Those organisations were:

- The Golden Bucket Allied Earth Movers Association
- The Civil Contractors Federation
- Road Freight NSW
- Transport Workers Union.

Individual letters were also sent to the owners of the heritage items that may be affected by the review of the site specific heritage development control plans.

#### External Submissions

Council received a total of three written submissions/correspondence regarding the draft SCDCP, from the following:

- An email from a resident;
  - A letter from SMEC Australia; and
  - An email from Road Freight NSW.
-



A copy of those submissions are presented under attachment 1 of this report.

The main matters raised by each external submission are summarised and discussed below:

#### **Email submission from a resident**

The submission provided detailed discussion on a number of strategic matters. In summary the resident:

- advocates for higher densities around public transport nodes as a mechanism to protect the long-term ecological sustainability of the natural areas that surrounds Campbelltown
- does not support the rezoning of greenfield development for low density housing;
- suggests that medium density residential development (i.e. terraces) be at least 3 to 4 storeys in height and not two storeys
- suggests incorporating medium rise development of 12-38 storeys development in Campbelltown LGA and at least one high-rise building of more than forty storeys on certain sites within Campbelltown Queen Street area
- suggests that Council resist the sale of Hurlstone Agricultural High School grounds until significant residential development of low and medium rise development occurs in the surrounding areas
- advocates for a cycle path network across the LGA
- suggests a future railway line from Campbelltown to Narellan.

While some of the above suggestions have sufficient merits for further consideration, they fall outside the scope of a DCP and therefore could not be addressed by the draft SCDCP.

A DCP is a guideline that provides development controls (such as boundary set setbacks, solar access and car parking requirements) for the various types of developments that are permitted under a Local Environmental Plan (LEP).

Residential densities and height of buildings are included under the Campbelltown Local Environmental Plan 2015 (the CLEP). As such, the matters raised in this submission that are relevant to the CLEP will be considered at a future review of the CLEP.

The suggestions in relation to the cycle pathway network and the railway line from Campbelltown to Narellan will be considered as part of a future review of Council's Community Strategic Plan.

#### **SMEC Australia Submission**

SMEC is a global infrastructure, engineering and planning consultancy that has an office located in Campbelltown. A copy of SMEC's submission is shown under attachment 1 of this report.

The suggestions raised by SMEC Australia have been considered and officer's comments and recommended approach are presented under attachment 2 of this report.

The majority of the points raised by SMEC's submission are formatting issues and as such the draft SCDCP has been amended accordingly.

---

The main suggestions raised by SMEC's submission are discussed in detail below:

- a) Rear loaded garages to be built directly on building lines rather than the proposed one metre setback from the rear lane under the draft SCDCP 2015**

**Comments/recommendations**

Rear loaded garages are usually accessed via rear lanes which are narrow and normally range in width from 6 to 7 metres. Therefore the one metre setback for the garage is required to ensure appropriate turning path width and easy entry and exit from the garage.

Given the above, no changes are recommended to the rear setback of garages from rear lanes.

- b) Reduction in architectural design requirements in industrial areas to reduce construction cost**

**Comments/recommendations**

The suggestion is not supported. It is considered appropriate and necessary that the designers/architects consider the appearance of the streetscape and the presentation of buildings and ancillary structures to the primary street within industrial areas. Providing good design would not necessarily result in additional cost.

Therefore no changes are recommended in this regard.

- c) Landscape plans for all industrial developments is too onerous for small scale development and 'change of use'. This requirement may severely deter industrial businesses from relocating to Campbelltown.**

**Comments/recommendations**

The suggestion is noted, however not supported. The majority of small scale industrial development and minor industrial development including 'change of use' may be undertaken under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Code SEPP) as exempt or complying development, where a landscape plan would not be required.

Therefore it is not considered unreasonable to require a landscape plan for all other industrial developments that require a development application. This proposed requirement would ensure that the proposed development would complement the streetscape and contribute positively to its surroundings.

Given the above, no changes are recommended in this regard.

---

- d) Acoustic report only be required where a place of public worship is proposed within 150 metres of existing residential development e.g. proposals within industrial areas are very unlikely to exceed typical industrial noise levels.**

**Comments/recommendations**

Suggestion noted and generally supported. As such, it is recommended that an acoustic report for places of public worship within industrial areas only be required when they are proposed to be located within 150 metres of any residential premises or land on which residential development is a permissible land use.

- e) Landscape plans only be required for places of public worship in new and purposely built buildings**

**Comments/recommendations**

The suggestion is not supported as a change of use from a house to a place of worship would usually require additional work to accommodate the required car parking spaces. As such, it is important that landscaping be provided to soften the hard surfaces and contribute positively to the overall visual amenity of the residential locality.

Given the above, no changes are recommended in this regard.

- f) Ground floor neighbourhood shop development be provided with disabled access.**

**Comments/recommendations**

The suggestion is supported and therefore it is recommended that an additional clause be added to this effect.

**Road Freight NSW Submission**

Council received an email from Road Freight NSW which advised that the proposed changes do not highlight any significant risk of restricting truck drivers' business operations. The email also advised Council that the information will be passed on to all members and where members identify any issues or risks for their businesses Council will be further advised. Notably, Council to date, has not received any further correspondence from Road Freight NSW or its members.

A copy of the email received from Road Freight is shown under attachment 1 of this report.

**Comments/recommendations**

Council consulted with four organisations in relation to draft Part 14 Parking of Heavy Vehicles on Residential, Rural and Environmental Protection Land, and no objections were received from any of the consulted organisations or any other party.

The comments received from the Road Freight NSW advising that the proposed changes do not highlight any significant risk of restricting truck drivers' business operations is considered a positive remark.

---



Given the above, no changes are proposed to the draft Part 14 Parking of Heavy Vehicles on Residential, Rural and Environmental Protection Land.

### **Internal Submissions**

A number of internal comments were received from Council's Development Services Section that mainly sought clarification of the intended outcomes of some clauses, suggested a number of minor amendments to the draft SCDCP and identified a typographical error in the setback requirements for attached dwellings in the R2 Residential Low Density Zone. (R2 Zone).

A review of the internal comments received on the draft SCDCP, officer's comments and recommended approach/actions are shown under attachment 3 of this report.

In addition, the SCDCP was subject to an internal review. The main proposed amendments as a result of the internal submissions and review of the draft SCDCP are:

#### **a) 3.6.5.2 Setbacks - Zone R2**

Internal comments were received regarding the proposed 3 metre rear boundary setback for the ground floor level and the proposed 8 metre rear setbacks for the first floor level for attached dwellings within the R2 Zone. The internal comments suggested a 5 metre rear boundary setback for the ground floor level and a 10 metre rear boundary setback for the first floor level, which is consistent with multi dwelling housing rear setback development controls within the draft SCDCP for the R2 Zone.

### **Comments/recommendations**

The report provided at Council's meeting on 27 October 2015, proposed a 5 metre rear setback for the ground floor component and a 10 metre rear setback for any first floor component of an attached dwelling within the R2 Zone. The report proposed the same rear setbacks for multi dwelling housing within the R2 Zone, as these types of development are considered very similar in terms of scale and density.

However, the exhibited version of the draft SCDCP contained a typographical error, where the rear setbacks for attached dwellings was exhibited as 3 metres for the ground floor component of the building (instead of 5 metres) and 8 metres for the first floor component of the building (instead of 10 metres).

Notwithstanding this, the proposed rear setbacks for multi dwelling housing within the R2 Zone (being not dissimilar to an attached dwelling development type) were publicly exhibited as per the report to Council (5 metres for the ground floor and 10 metres for the first floor). No external submissions were received from the public objecting to the proposed rear setbacks for multi dwellings within the R2 Zone, which could also suggest general acceptance of the same setbacks for attached dwellings within the R2 Zone.

---

Having regard to the Council's power to amend such an error, it is important to note that under Division 3 Clause 21 (1) (b) of the Environmental Planning Assessment Regulation 2000, Council may legally approve alterations to a draft DCP after considering any submissions and amend the plan, as Council thinks fit. An extract of clause 21 is provided below:

21 Approval of development control plans

- (1) After considering any submissions about the draft development control plan that have been duly made, the council:
  - (a) may approve the plan in the form in which it was publicly exhibited, or
  - (b) may approve the plan with such alterations as the council thinks fit, or
  - (c) may decide not to proceed with the plan.

In this regard it is recommended that the rear setbacks for attached dwellings be amended to be consistent with the rear setbacks of multi dwelling housing within the R2 Zone as follows:

3.6.5.2 Setbacks - Zone R2

- a) Attached dwellings shall be setback a minimum of:
  - vii) 5 metres from the rear boundary for any part of the building that is up to 4.5 metres in height from ground level (existing); and
  - viii) 10 metres from the rear boundary for any part of the building that is higher than 4.5 metres from ground level (existing)

**b) 5.4.8.4 Waste Collection - residential apartment buildings and mixed use development**

As a result of an internal review (with input for Councils Waste and Recycling Services Section of Council) of Section 5.4.8.4 Waste collection, a number of minor amendments/suggestions are proposed as follows:

- Amend the minimum clearance height for a basement waste collection area from 4.5 to 5.2 metres to allow sufficient clearance for waste collection vehicles to empty waste bins.
  - Revise the maximum grade for the path of travel for waste collection vehicles to ensure consistency with the relevant Australian Standards.
  - Include additional information to clarify that waste collection vehicles shall leave the property in a forward direction and specify the loaded mass of the waste collection vehicle.
-

In light of the above suggestions it is recommended that Clause 5.4.8.4 be reworded to read:

#### 5.4.8.4 Waste Collection

- a) Any development containing 20 or more dwellings and/or the number of bins proposed cannot be accommodated within 50% of the development's frontage on collection day (the calculation shall allow for 300mm separation distance on either side of each bin) shall be designed to accommodate a forward-in forward-out drive-on collection for on-site servicing. The designated waste collection area must meet the following requirements:
- i) there shall be a minimum height clearance of 5.2 metres
  - ii) there shall be provision for a waste collection vehicle to empty bins on the vehicle's left side, allowing for a width of 3.8 metres from the right side of the vehicle to the collection point
  - iii) where the waste collection vehicle is required to turn around on site, there must be provision for a vehicle of 10.4 metres in length to negotiate a maximum three-point turn, allowing the waste collection vehicle to enter and leave the property in a forward direction
  - iv) the maximum grade of any path of travel for a collection vehicle shall be 1V:20H for the first 6 metres from the street, and 1V:12H thereafter
  - v) the minimum path width for a collection vehicle shall be 3.6 metres wide
  - vi) constructed to withstand the loaded mass of the waste collection vehicle of 24 tonnes.

#### **3.7.1.9 and 3.6.5.8 Landscaping Requirement for and deep soil planting for Attached Dwellings - Zones R2 and R3; and 3.6.6.8 Multi Dwelling Housing – Zone R2**

It is recommended that the requirement for deep soil planting that states that 'no more than 30% of the area forward of any building line shall be surfaced with impervious materials' not be required for attached dwellings where garages/carparking spaces are proposed to be located and accessed from the primary street frontage.

Attached Dwellings are normally located on allotments with widths of 7.5 metres or less, and therefore this requirement would not be feasible unless garages/car parking spaces are proposed to be accessed from the rear of the property.

It is also recommended that this requirement be reinstated for multi dwelling housing within the R2 Zone, regardless of the access arrangements, as multi dwelling type development requires larger allotment widths. Notably, this requirement is currently proposed for multi dwellings on R3 Zone and as such no adjustments are needed for multi dwellings within the R3 Zone.

#### **Comments/recommendations**

Given the above, it is recommended that the requirement that states that 'no more than 30% of the area forward of any building line shall be surfaced with impervious materials' be only required for attached dwellings where garages are proposed to be located and accessed from the rear of the property.

---



It is also recommended that this requirement be reinstated for multi dwellings within the R2 Zone.

### **Draft Volume 2 Site Specific DCPs**

Draft Volume 2 of the Draft SCDCP comprises a number of 'site specific DCPs' as follows:

Part 1 Minto Renewal DCP (Part 1)  
Part 2 Glenfield Road Urban Area DCP (Part 2)  
Part 3 Campbelltown Link Site (Part 3)  
Part 4 Site Specific Heritage DCPs (Part 4)  
Part 5 University of Western Sydney DCP (Part 5).

Parts 1, 2, 3 and 5 have been previously adopted by Council and no changes are proposed to any of these parts at this stage.

Draft Part 4, is a newly proposed part that came as a result of revising and consolidating a number of existing site specific heritage DCPs. The revised site specific DCPs comprises:

DCP No 27 Queen Street Historic Precinct;  
DCP No 109 Raith; and  
DCP No 121 Woodcrest Heritage Items and Residential DCP.

During the public exhibition period, Council received a number of verbal enquires in relation to draft Part 4 from some of the owners of the heritage items, however, no formal comments/objections were submitted to Council in this regard. Notably, the verbal enquires did not raise any objections to draft Part 4 of Volume 2, as they mainly sought clarifications on the status of the existing heritage DCP that relates to their property.

A copy of Draft Part 4 of Volume 2 is shown as part of attachment 4 to this report.

### **Adoption of the draft SCDCP 2015**

The draft SCDCP has been amended in light of the external and internal submissions received during the public exhibition period. The proposed amendments are not considered major and as such will not trigger the need to publicly re-exhibit the draft SCDCP.

A copy of the revised draft SCDCP is shown under attachment 4 of this report. For Council to legally adopt the draft SCDCP, an advertisement would need to be placed in the two circulating local papers advising of Council's decision to adopt the plan and the effective date of the draft SCDCP. In this regard, it is recommended that the draft SCDCP comes into effect on 11 March 2016 which is the same commencement date as the CLEP.

## **2. Repeal of a number of Development Control Plans**

Council on 27 October 2015 resolved in part that Council give notice of its intention to repeal the following Development Control Plans in accordance with the manner prescribed by the Environmental Planning and Assessment Regulation 2000:

---

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

- DCP No 1 which applies to certain lands on Campbelltown Road
- DCP No 4 Retail Plant Propagation Nurseries
- DCP No 32 Retail Plant Propagation Nurseries
- DCP No 63 Macquarie Fields House
- DCP No 80 Blair Athol
- DCP No 83 Heritage Policy
- DCP No 91 Two Lot Integrated Housing in St Helens Park
- DCP No 108 Landscaping Setback – Blaxland Road

A notice of intention to repeal the DCPs specified under the above resolution was placed in the two locally circulating newspapers (The Macarthur Advertiser and the Chronicle) consecutively on 3 and 4 November 2015. Council did not receive any submissions in this regard.

Notably, some of the above DCPs will become redundant as a result of the CLEP's commencement. Therefore, it is recommended that Council finalise the repeal the above DCPs by placing 'a final notice of repeal' in the two locally circulating newspapers.

The Environmental Planning and Assessment Regulation 2000 specifies that the repeal of a DCP in this manner takes place on the date of the public notice. To ensure that the CLEP commences before the repeal of the above DCPs, it is recommended that the "final notice of repeal be advertised the week immediately after the commencement of the CLEP, i.e on the 15 and 16 of March 2016.

### **Conclusion**

The draft SDCDP was publicly exhibited for a period of one month. During this time, three external written submissions were received and a number of matters were raised by staff.

The proposed amendments to the draft SDCDP, as a result of the public exhibition, are considered justifiable and as such would not trigger the need to re-exhibit the draft plan.

It is therefore recommended that Council endorse and adopt the draft SDCDP with a commencement date of 11 March 2015, to be consistent with to the commencement date of the CLEP.

It is also recommended that Council proceed with a "final notice of repeal" to revoke a number of DCPs as discussed in this report.

### **Officer's Recommendation**

1. That Council adopt Draft Campbelltown (Sustainable City) Development Control Plan Volumes 1 and 2 as contained under attachment 1 of this report with a commencement date of 11 March 2016.
  2. That Council give public notice of its decision in the two local newspapers in the prescribed manner in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.
-

2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City)  
Development Control Plan 2015 - Stage 5

---

3. That Council write to all persons who made a submission on the Draft Campbelltown Draft Campbelltown (Sustainable City) Development Control Plan Volumes 1 and 2 advising of Council's decision.
4. That Council give final notice to repeal the following development control plans in accordance with the manner prescribed by the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.
  - DCP No 1 which applies to certain lands on Campbelltown Road
  - DCP No 4 Retail Plant Propagation Nurseries
  - DCP No 32 Retail Plant Propagation Nurseries
  - DCP No 63 Macquarie Fields House
  - DCP No 80 Blair Athol
  - DCP No 83 Heritage Policy
  - DCP No 91 Two Lot Integrated Housing in St Helens Park
  - DCP No 108 Landscaping Setback – Blaxland Road

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

That the Officer's Recommendation be adopted.

**CARRIED**

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

Voting against the Committee's Recommendation: nil

**Council Meeting 16 February 2016 (Greiss/Kolkman)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 10**

That the Officer's Recommendation be adopted.

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

Voting against the Council Resolution was Councillor: Mead.

---



## ATTACHMENT 1

23rd November 2015

Dear Campbelltown Council,

Re: Draft Campbelltown (Sustainable City) Development Control Plan 2015

Having viewed the documents on display, I would like to offer the following to be brought under consideration in the development of CCC LGA. The suggestions are grouped as follows:

0. Overview (Abstract): General Development Philosophy

1. Current and existing greenfield sites in the CCC LGA.
2. Bow Bowling Creek.
3. General Points on apartment DCPs for the CCC LGA
4. Hurlstone Agricultural High School grounds and Glenfield town centre
5. Glenfield-Macarthur Renewal project.
6. Glenfield Road proposal.
7. Campbelltown Link Site DCP.
8. University of Western Sydney.
9. Minto DCP.
10. Terrace style integrated housing.
11. Cycle path network.
12. Cultural and Entertainment areas.
13. Future rail.
14. Terminology of the DCP amended.

0. Overview (Abstract): General Development Philosophy

The general philosophy guiding this feedback is the protection and natural enhancement of existing greenfield sites, the increased densification of the LGA at transport hubs of the railway stations through a mix of well-designed, spacious and acoustically private low, medium and high rise buildings, the integration of all urban areas through physically separated cycle paths, the preservation and enhancement of ecosystem infrastructure including the development of Bow Bowling Creek into shallow flat bodies of water retained by weirs, the creation of more public spaces for cultural, social and entertainment events of a non-religious nature, and the preservation of corridors for future rail lines to Camden, Narellan, and a high speed rail stop at Campbelltown.

Above all, I want to stress that low density housing is the most ecologically destructive form of housing that can possibly be used, given its sprawling and invasive footprint. The move towards medium and high rise apartments impacts only on the air space above our heads, and preserves parks, waterways and green infrastructure, while reducing dependence on the motor car as the primary mode of transport. If every piece of advice in this document but one is ignored, I would urge CCC to focus on considered densification of the CCC LGA close to transport points, and to understand that *it is the use of*

---

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

*higher density zoning that is the key to protecting the long –term ecological sustainability of the natural areas that surround this beautiful part of Sydney.*

### 1. Current and existing greenfield sites in the CCC LGA.

The protection of all greenfield space, their enhancement through arboreal (tree) planting, and the banning of all low density housing sprawl onto any greenfield site within the LGA, other than that used for primary producing purposes (farming), should in 2015 be a priority for all development.

### 2. Bow Bowling Creek.

The imaginative development of Bow Bowling Creek from a Los Angeles style storm-water drain into a living creek, with leaky weirs and shallow dams. The inclusion of flat bodies of slowly moving water is in line with the ecological sustainability of Peter Andrews' model, which has brought back farming land from dust-bowls to productive land, and the same effect on the ecological infrastructure of the LGA should be utilised in this instance. In the trend of warming global temperatures, bodies of water can serve to cool local air and can significantly lower the air temperature by up to 5C. Bodies of flat water also increase the amenity of the area, add to the ecological robustness and resilience of the area, and nurture tree and tree canopy growth which further supports ecological habitats within the urban area. Such a design for shallow, flat bodies of water would act as a natural air conditioner, while the breadth of the weir would in fact *improve* rapid flow of storm water in the event of torrential downpours in coming decades owing to climate change.

### 3. General Points on apartment DCPs for the CCC LGA

The proliferation of what are incorrectly termed 'high rise' buildings, but which are in fact low rise apartments (defined as 12 storeys or less)

<https://en.wikipedia.org/wiki/Low-rise>

in the Campbelltown LGA is to be welcomed, however there is I believe a place for medium rise (12-38 storeys) and I believe on Farrow Road adjacent to the station at least one high rise building of >40 storeys, with direct access to the train station, and of an iconic design that can make a statement about the Campbelltown area. Such an iconic building, which would be clearly visible upon approach to Campbelltown from the Hume Hwy and from all points of the compass, would give a focus and sense of identity and pride to the local area, as its own centre point. The design of such an iconic building should not be box-tower, but should have in the design brief the incorporation of curves that reflect the natural landscape of Campbelltown. I draw attention to the work of Chicago architect Jeanne Gang, and the principles of sustainable high rise and incorporation of natural features into her Aqua and Vista buildings, as well as the use of curvilinear forms in many new high rise works across the world's cities.

---

Land that is close in to the station and to Queen street should not be wasted on low rise apartments of 10 storeys, but should also allow for some buildings of between 20-30 storeys. These heights already exist and are acceptable in other urban centres such as Strathfield, Hurstville, Parramatta and Liverpool, and there are significant beneficial impacts to be found on the local area from increased populations that derive from medium rise of 20 storeys or more, not least the fact that they allow for more apartments to be built, and for a more spacious design to be incorporated. The aforementioned suburbs all have thriving cultural centres, and this is to be seen in the activity that is to be seen on the local streets adjacent to the train station and local shopping strips, providing an economic and cultural boost to the area. I again stress that the aesthetics of apartment design is crucial to their success, both in their internal spatial forms, and in terms of the visual statement that they make on the local area. Any aspect of Brutalist box tower high rise in the design is to be comprehensively rejected.

#### 4. Hurlstone Agricultural High School grounds and Glenfield town centre.

In line with point 1., I would like Council to resist the government's sale of Hurlstone Agricultural High School land until there is significant development of low rise and medium rise apartments along the rail corridor to justify the loss of this precious green space. Increased density of housing should be on the Eastern side of the railway at Glenfield, in Glenfield town centre. This would reinvigorate a tired area, and allow for significant cost benefits to flow from building low and medium rise apartments (eg. 12 - 16 storeys) with direct physical access to Glenfield train station without the need to descend to street level, thereby also improving traffic flow.

I would like to see this green space handed over for public use, more access to this area be created across the rail line from Glenfield town centre via a footbridge as well as the western side of the train station, and its transformation into a public park, incorporating a place for cultural activities.

The preservation of this parkland area, and its protection from the cancerous sprawl of McMansions, is a key to the future amenity of the area.

#### 5. Glenfield-Macarthur Renewal project.

In line with point 1, I would like to see land that is currently targeted to be rezoned along the Glenfield-Macarthur train line be targeted in a way that land which is degraded or industrial is prioritised for low and medium rise (4 – 30 storeys), before the over development of sites that are close to pristine or ecologically sensitive areas. I do not support the rezoning to low rise apartments along the banks of Smiths creek, as this kind of development needs to be targeted at currently degraded industrial areas that can be remediated, rather than the reliance upon natural features such as Smith's Creek to provide natural amenity for free.

---

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

### 6. Glenfield Road proposal.

I oppose the low density McMansion style zoning of the Glenfield Road proposal. Low density housing has caused transport issues for Sydney over the past 3 decades, and its continuing use as a default design for urban environments is no longer tenable. I would prefer low rise apartments (4-12 storeys) and 4 storey terraced style housing, with a greater preservation of green space as public parkland and a better use of the air space above the proposed site, which has a significantly lower carbon footprint (3x lower for a 4 storey terrace for instance) than McMansions.

I would also encourage thought be put into connection of the Glenfield Road area to the Station by a specifically designed cycle path with negotiation with the TfNSW for significant bicycle storage facilities. I notice the reliance upon the motor car to ferry locals to and from the station at Glenfield, which has now resulted in Glenfield car park being full within a few weeks of its construction – an evident planning failure.

I would like to see medium density, low rise apartments and 4 storey terraces with direct access to a cycle path that can lead directly to the station and a similar quality of storage facilities as is already afforded for users of the car park.

### 7. Campbelltown Link Site DCP.

Similarly, given the proximity of the Link site to train and major road infrastructure, to Campbelltown hospital and Macarthur Square, I believe that the focus on low density housing in this area is inappropriate. Buildings in this area should be predominantly low rise buildings of 12 storeys in height, reducing to 6 storeys further to the East, and with 4 storeys rows of terraces along selected roads further to the East. Building stand-alone McMansion style buildings and duplexes on this site is wholly inappropriate, as well as ecologically unsustainable, given the paltry amount of dwellings that would be created by the urban sprawl of McMansions. Given this site's prime location, the zoning of low density in this area, and resulting destruction of the natural habitat of the site, such an urban design would be wasteful of prime real estate space, and is not economically tenable to support growth in the area, given its prime location. Low rise apartments as the main character would allow views across to Mount Annan botanic garden, as well as create a cultural area for this site, while preserving green spaces and the area's water features.

### 8. University of Western Sydney.

UNSW have just completed work on medium rise apartments at UNSW allowing many students to remain on campus for the duration of their studies. The same is being given consideration at the University of Sydney. It is my firm belief that road congestion would be alleviated, as well as a more lively cultural and student-centred life on what is for the most part a vacant campus site, were low and medium rise apartment buildings for students to be permitted at some selected areas on this site, with

---



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

the least loss of greenfield areas. This will prevent the proliferation of sprawl across pristine greenfield sites, and allow for a concentration of student populations that adds to the experience of student life. As with all other proposals, apartments in low and medium rise buildings should be at least 50% above the minimum set for NSW building codes for apartment buildings. This would mean a 2 bedroom apartment should allow for at least 100m<sup>2</sup> of internal space, not including balcony areas.

### 9. Minto DCP.

Minto is an ideal place for medium rise and low rise apartment dwellings from 6 – 24 storeys to be constructed adjacent to the station. The height of apartment buildings on the Western side should top out the suburb's height limit, with a gradual reduction in height until Pembroke Road. Apartments would correspond to minimum internal space requirements of 50% above State government minimums, a policy pursued with success by Rockdale council.

### 10. Terrace style integrated housing.

Many of the photographs in the proposals illustrate 2 storey integrated housing. This is a poor use of resource. Integrated housing should be of at least 3 storeys, with a preference for 4 storeys. Slightly longer garden areas and consideration of roof design and orientation can prevent gardens being shadowed for more than a few hours per day.

### 11. Cycle path network.

The development of a holistic plan for an integrated network of physically separated cycle paths throughout the entire LGA, in consultation with stakeholders, connecting major employment and residential densities. It is depressing when cycle paths are built in the LGA that are piecemeal and do not serve any significant numbers of the community. I would cite the Airds Road cycle path as one such rarely used and disjointed path. Consultation with users and stakeholders should develop a draft unified cycle path that uses the natural and urban design features of the area in imaginative and creative ways. For instance, a long while ago I proposed a cycle path along the Eastern side of the railway to connect the area around the Library, the Catholic Club with the station, with a continuation under Narellan Road bridge connecting the area with Macarthur Square. This remains a viable and scenic proposal to allow cyclists to connect with significant areas in the LGA by bicycle. That means the connection of each suburb with each other with an integrated and mapped combination of off road, physical barrier and allocated green lane on road cycle paths, to achieve this result cost-effectively. Were this in place, we would see a lot more people making short trips by bike around the LGA, and the resulting improvement in traffic flow.

---

#### 12. Cultural and Entertainment areas.

Consideration of cultural areas to be considered, close to rail hubs. While Campbelltown can boast its proximity to beautiful natural areas, the provision of cultural and entertainment venues is limited. Thought should be put into the location and creation of such venues that have multifunctional uses for entertainment, extra-curricular education and other cultural pursuits for a variety of clubs and societies.

#### 13. Future rail.

Planning for future light rail, heavy rail and high speed rail links. Campbelltown would benefit enormously from the following links:

- Campbelltown – Narellan – Camden **light rail line**
- Campbelltown – St. Helens park - Appin - Thirroul – Wollongong **heavy rail line**
- High Speed Rail stop at Campbelltown on the Melbourne – Albury-Wodonga - Canberra – Goulburn – Campbelltown – Badger's Creek International Airport – Newcastle route for **high speed rail (bullet train)**

The corridors for these rail lines need to be accordingly preserved. The very preservation of the spaces in which future rail lines would be built will in addition act to improve the likelihood of building them in the future.

#### 14. Terminology of the DCP amended.

The documents refer to low rise apartment buildings as 'high rise'. The documents refer to medium density housing (eg "Figure 3.3.1 - Examples of a medium density development" on p69 of the PDF "DraftPart3LowandMediumDensityResidentialDevelopmentand AncillaryResidentialStructuresLow rise, when the photos show stand alone 2-storey housing, which is clearly low density.)

I offer the above 14 areas for consideration in the development of the Draft DCP for the Campbelltown LGA.

---

2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City)  
Development Control Plan 2015 - Stage 5

---



Level 5, 20 Berry Street  
North Sydney, NSW 2060, Australia  
(PO Box 1052, North Sydney, NSW 2059, Australia)  
T +61 2 9925 5555 F +61 2 9925 5566 E sydney@smec.com  
[www.smec.com](http://www.smec.com)

4 December 2015

The General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560  
Attn: Rana Haddad

Dear Rana,

**RE: Draft Campbelltown (Sustainable City) Development Control Plan 2015**

Thank you for the opportunity to comment on the Draft Campbelltown (Sustainable City) Development Control Plan 2015 (the DCP). As an active consultant with an ongoing interest in the DCP SMEC welcomes the opportunity to provide comment at this stage. We hope our comments are able to positively guide the direction of the DCP in the best interests of Campbelltown City Council, our clients and the citizens of Campbelltown.

Our comments are included as Attachment 1 to this letter. Should you have any questions or require any clarification of our comments please don't hesitate to contact me on the number below.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jamie McMahon', is written over a light blue horizontal line.

**Jamie McMahon**  
Town Planner  
SMEC Australia  
(02) 9900 7082

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

### Attachment 1: Comments on Draft Campbelltown (Sustainable City) Development Control Plan 2015

- Layout of document is difficult to read/navigate with narrow columns. Suggest full page width columns with indented text and call out boxes where appropriate
  - Include specific definitions sections at start of all relevant parts
  - The flowchart at the start of part three is confusing. If anything it should be turned upside down, so that one may reference all relevant controls pertaining to a particular zone.
  - 'Secondary dwelling' should be better defined, or reference made to a definition in the LEP or elsewhere.
  - Suggest articulation or other façade treatment should be present forward of the line of all garages so as to reduce the visual bulk of garages, which can otherwise dominate streetscapes. This approach has been adopted by several other Councils including Liverpool.
  - Note box at bottom of Page 71 needs redrafting
  - 2.5 - Recommend clarifying what types of development require a Landscape Concept Plan e.g. only new construction as opposed to change of use etc
  - 2.7 - Suggest that the content of the ESCP and CFMP is indicated e.g. may be prepared and submitted on the site plan only rather than requiring a detailed written report.
  - Relevant sections should have electronic hyperlinks in call out boxes for relevant definitions such as that included at 3.6.1 e.g. 3.5.2 to define an outbuilding.
  - Call out box page 85 has two colons.
  - 3.6.6.6 brackets around (5x5).
  - 3.6.6.7 clauses d) and e) double up on provisions about the form of retained dwellings.
  - 3.7.1.1c) other Council's DCPs explicitly require a 0.9 easement on adjacent properties in such cases.
  - Figure 3.7.1.2 - suggest removing dimensions on sides of example plans to avoid confusion.
  - 3.7.2.2c)iv) - consider allowing garages to be built directly on building lines for rear loaded (laneway) access rather than existing 1 m setback.
  - 3.7.2.2d) additional spaces throughout paragraph after 'above' and before comma. These are present throughout other clauses as well. Suggest global search and replace for double spaces.
  - 3.7.2.3 brackets around all dimensions
  - 3.7.2.7 brackets in clause a)iv)
  - 3.8.2a) suggest a figure illustrating these dimensions
  - 3.8.2.b) 3.8.3b) suggest allowing reciprocal shared use of access handles for up to two adjacent battle-axe blocks
  - 4.6.1.1b) unclear whether the access handle counts towards the required frontage to depth ratio (presume not). We also note the removal of the provision 'excluding access handle'. Should this be interpreted as the access handle now counting towards the 0.2 ha area? Same comment on 4.6.1.2b)
  - 5.4.1a) no space after comma on third line
  - General comment on numbering - the numbering of items throughout the DCP varies between volumes. Some are "4 or more self-contained dwellings", whereas others state "three (3) or more dwellings". Suggest standardisation of numbering convention throughout.
  - 5.4.8.1 All buildings shall be designed with provision for recyclables bins at a ratio of one 240 litre bin per 2.5 dwellings per fortnight
  - 5.4.8.4 space after opening bracket
-



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

- 5.7.4 Suggest reducing the minimum number of provided car spaces for each residential dwelling e.g. ratio of 0.5 or so. This could encourage public transport use and allow for more affordable development in town centres e.g. young people or families that do not require the use of a car
  - 6.1 Note box (lower left): Clarify that an outdoor dining permit is in addition to an existing approved DA for the operation of the business
  - 6.2 Suggest replacing top picture as this does not necessarily fit with the desired character objectives (no uniform awning), arguably not harmoniously designed to complement each other
  - 6.5 suggest that all ground floor neighbourhood shop development be disabled accessible i.e. step-free or with appropriate lift
  - 6.5 suggest the restriction of advertising materials displayed in windows of shops in order to reduce visual clutter and aid passive surveillance.
  - 7.2.1a) suggest a reduction in architectural design requirements in industrial areas. Whilst we agree with general attempts to improve the visual aesthetics of such areas and reduce visual bulk it should be remembered that these are primarily functional places of business and operational land with a focus on work. The design requirements for such areas should reflect this and should not be as onerous. In our opinion (and that of many of our clients) the sub-provisions within this section are not appropriate for industrial developments that are otherwise fully compliant with the LEP and DCP. In particular the requirement for masonry façades and architectural design articulations are suggested to be too onerous for many industrial buildings. It is suggested that these requirements are significantly reduced or at least provision made for greater flexibility in their application on the part of developers and/or Council.
  - 7.2.2 a) iii) Sentence seems unintentionally broken into two parts.
  - Page 210 - worked example box does not appear to be in correct location. Presume it should be adjacent to the provisions in 7.2.1
  - Figure 7.3.1 does not seem to accord with the caption
  - 7.4 Deletions here suggest that a landscape plan would be required for all industrial development, not just construction. We would suggest that this would be too onerous for small scale development and change of use. If this was a requirement it may severely deter industrial businesses from relocating to Campbelltown. Suggest the original wording is retained here.
  - 7.9b) plural use 'unit/s'
  - 7.10.1 suggest integrating clauses a) and b) to be relevant to both IN1 and IN2 as they have an identical sub-provision
  - 10.2.1b) Suggest including a call out box or other additional guidance to outline how an applicant should seek to find out if their proposed development is within 150 m of a sex service premises.
  - 10.2.3a) Suggest that an acoustic report is only required where a place of public worship is proposed within 150 m of existing residential development e.g. proposals within industrial areas are very unlikely to exceed typical industrial noise levels.
  - 10.2.8 heading remains but text deleted. Does this mean that the previous prohibition of new places of public worship in industrial areas is now deleted? i.e. new places of public worship are permissible in this zone?
  - 10.4 Suggest that a landscape plan is only required for places of public worship in new and purpose built buildings.
  - 11.1 There are four callout boxes all relating to different elements of defining native vegetation or related terms. Suggest that this is rationalised to make it less confusing and avoid overlaps in interpretation. For example, 'Tree' has its own specific definition under this DCP, though this conflicts with the definition of 'tree' under the Native Vegetation Act 2003 - the DCP includes trees above 500 mm whereas the act include 'any sapling or shrub...'
-

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

---

- 11.1 Call out box about 'other vegetation' - unclear what the final line about 'forms part of native vegetation' relates to. Also, this call out box uses 'and' between the clauses indicating that all three of the criteria must be satisfied for something to be 'other vegetation'. Is this correct?
  - 11.2.1 b) "...where one or more of the following criteria is are met"
  - 11.2.1 b) i) 'the site contains native vegetation' This is a very broad threshold that would likely capture nearly every development application in some way. Suggest this is reconsidered based upon a better defining of the term 'native vegetation' as per previous comments. Also, this line has 'and or' at the end and none of the others below do. Suggest deletion of this as it is implied above where it says 'one or more of the following criteria is met'.
  - 11.2.2 c) Suggest more detail on compensatory nest boxes e.g. openings and sizes should be specific to species likely to be affected by the loss of the original hollow. Also suggest that multiple sizes/types be included as compensation where it is unknown which species is affected or where a tree contains several hollows of varying sizes e.g. bats, birds, arboreal mammals etc.
  - Call out box bottom of page 271 - 'with native 'fauna' doesn't seem to fit properly in this sentence.
  - Call out box page 273 - change 'Office of Environment' to 'Office of Environment and Heritage'. Also be more specific as to whether the items below are 'and' or 'or' (it is the latter).
  - 11.3.1(xii) Recommend better defining 'Land use approval' i.e. is this referring to a DA or some other approval (Part 4, Part 5 etc)?
  - 11.3.1(xii) change 'horticulturalists' to 'horticulturalist'.
  - 11.3.5.2a) iii) suggest 'have impacts on' be changed to 'have a significant impact upon' as this is more in line with the conduct of an Assessment of Significance
-

2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City)  
Development Control Plan 2015 - Stage 5

---

**From:** Jodie Broadbent <[jodieb@rfnsw.com.au](mailto:jodieb@rfnsw.com.au)>

**Date:** Wednesday, 4 November 2015 at 10:10 AM

**To:** Rana Haddad <[Rana.Haddad@campbelltown.nsw.gov.au](mailto:Rana.Haddad@campbelltown.nsw.gov.au)>

**Subject:** Re: Public consultation -Draft Part 14 Parking of Heavy Vehicles on a Land Zoned Residential, Rural or Environmental Protection

Good morning Rana,

Thank you for your correspondence. We will circulate this with our members, but my initial reading of the proposed changes does not highlight any significant risk of restricting business operations compared to the current wording. It is good to see that Council have considered other legislation (such as the Australian Road Rules) in its deliberations. May I point Council to the Heavy Vehicle National Law, which may provide more guidance in this area? The link for this legislation can be found [here](#)

Thank you again for liaising with our organisation, we very much appreciate your consultation, and will advise if our membership identifies any issues or risks to their businesses.

Kind regards,

**Jodie Broadbent**

General Manager

Road Freight NSW



Phone: 02 9922 6507

Mobile: 0499 099 221

Email: [jodieb@rfnsw.com.au](mailto:jodieb@rfnsw.com.au)

Web: [www.roadfreightnsw.com.au](http://www.roadfreightnsw.com.au)

Address: Level 12, 1 Pacific Highway,  
North Sydney NSW 2060

*This e-mail message is intended only for the addressee(s) and may include legally privileged, confidential or personal information, which the RFNSW manages in accordance with its privacy policy. If you are not the intended recipient, advise the sender by return email, do not use or disclose the contents, and delete the message and any attachments from your system.*

*RFNSW monitors, scans and blocks emails and attachments sent to or from addresses within RFNSW for the purposes of operating, protecting, maintaining and ensuring the appropriate use of its computer network.*

---

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

### ATTACHMENT 2

Suggestion	Comments	Recommended Action
1. Layout of document is difficult to read/navigate with narrow columns. Suggest full page width columns with indented text and call out boxes where appropriate	The SCDCP has been in place with this layout since 2005. The layout of the DCP has had positive feedback over the years.	No change
2. Include specific definitions at start of all relevant parts	It is considered more appropriate to have all the definitions at the beginning of the document	No change
3. The flowchart at the start of part three is confusing. If anything it should be turned upside down, so that one may reference all relevant controls pertaining to a particular zone	The flowchart at the beginning of certain parts provides upfront information on the structure of each part.	No change
4. 'Secondary dwelling' should be better defined, or reference made to a definition in the LEP or elsewhere.	Secondary dwelling is defined under the CLEP and a reference to the CLEP is already included.	No change
5. Suggest articulation or other façade treatment should be present forward of the line of all garages so as to reduce the visual bulk of garages, which can otherwise dominate streetscapes. This approach has been adopted by several other Councils including Liverpool.	Section 3.4.1.1 a) and b) requires that building design include façade treatment, massing, roof design and entrance features. The provisions under the draft SCDCP 2015 also require garages to be set back by 6.0 meters from the primary boundary. The above measures are considered sufficient.	No change
6. Note box at bottom of Page 71 needs redrafting	Noted	Reword the note to state: For additional requirements of setbacks for the various types of residential development, refer to sections 3.5, 3.6 and 3.7 of the Plan.
7. Section 2.5 – Landscaping  Recommend clarifying what types of development require a Landscape Concept Plan e.g. only new construction as opposed to change of use etc.	In certain circumstances, change of use may also trigger the requirement for the preparation of a landscape plan. An example would be converting a dwelling house into a childcare centre.	No change
8. 2.7 - Suggest that the content of the Erosion and Sediment Control Plan and Cut and Fill Management Plan is indicated on a plan e.g. may be prepared and submitted on the site plan only rather than requiring a detailed written report.	The amount of information required for an Erosion and Sediment Control Plan and Cut and Fill Management Plan depends on the scale of development in relation to land disturbance. There is nothing in the SCDCP 2015 that precludes the information from being one	No Change



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

Suggestion	Comments	Recommended Action
	plan rather than a report.	
9. Relevant sections should have electronic hyperlinks in call out boxes for relevant definitions such as that included at 3.6.1 e.g. 3.5.2 to define an outbuilding.	The document should be read as a whole. Hyperlinks can be confusing for users as they navigate between sections. .	No Change
10. Call out box page 85 has two colons.	Noted	Remove one of the two colons.
11. 3.6.6.6 brackets around (5x5).	The brackets are intentionally included.	No change
12. 3.6.6.7 clauses d) and e) double up on provisions about the form of retained dwellings.	Noted	Remove the double up under clause 3.6.6.7.e).
13. 3.7.1.1c) other Council's DCPs explicitly require a 0.9 easement on adjacent properties in such cases.	<p>Clause 3.7.1.1 c) states:</p> <p>With any development application involving the construction of a building wall on a boundary, the creation of an easement for access and maintenance on the adjoining land may be required.</p> <p>Notably, the Code SEPP does not require an easement where walls are proposed to be built on a boundary. As such, the above clause does not explicitly require a 0.9metres easement in all cases.</p>	No Change
14. Figure 3.7.1.2 - suggest removing dimensions on sides of example plans to avoid confusion.	Noted	Remove dimension from the plan
15. 3.7.2.2c)iv) - consider allowing garages to be built directly on building lines for rear loaded (laneway) access rather than existing 1 m setback.	Refer to Council's report	Refer to Council's report
16. 3.7.2.2d) additional spaces throughout paragraph after 'above' and before comma. These are present throughout other clauses as well. Suggest global search and replace for double spaces.	Noted	Remove double spaces across the document
17. 3.7.2.3 brackets around all dimensions and 3.7.2.7 brackets in clause a)iv)	The brackets are intentionally included.	No Change
18. 3.8.2a) Residential Torres Title Subdivision for the purpose of dwelling houses –Zones R2 and R3 suggest a figure illustrating the	Noted	Provide a figure to illustrate the numerical requirements

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

Suggestion	Comments	Recommended Action
required numerical requirements		
19. 3.8.2.b) 3.8.3b) suggest allowing reciprocal shared use of access handles for up to two adjacent battle-axe blocks	Allowing reciprocal shared use of access handles for up to two adjacent battle-axe blocks is not supported in a Torrens Title arrangement.	No change
20. 4.6.1.1b) unclear whether the access handle counts towards the required frontage to depth ratio (presume not). We also note the removal of the provision 'excluding access handle'. Should this be interpreted as the access handle now counting towards the 0.2 ha area? Same comment on 4.6.1.2b)	The requirement for the access handle is required under the CLEP, as such there is no need to repeat it here.	Include a note referring users to Clause 4.1 of the CLEP which specifies that the access handle shall not be included in the minimum calculations of a required site area.
21. 5.4.1a) no space after comma on third line	Noted	Provide space
22. General comment on numbering - the numbering of items throughout the DCP varies between volumes. Some are "4 or more self-contained dwellings", whereas others state "three (3) or more dwellings". Suggest standardisation of numbering convention throughout.	Noted	Standardise the numbering format across the document
23. 5.4.8.1 All buildings shall be designed with provision for recyclables bins at a ratio of one 240 litre bin per 2.5 dwellings per fortnight. Reinstate this clause	Suggestion noted	Reinstate clause 5.4.8.1
24. 5.4.8.4 space after opening bracket	Noted	Remove space
25. 5.7.4 Suggest reducing the minimum number of provided car spaces for each residential dwelling e.g. ratio of 0.5 or so. This could encourage public transport use and allow for more affordable development in town centres e.g. young people or families that do not require the use of a car	This section applies to local and neighbourhood centres as well, and the requirement of 1 car parking space per dwelling is considered appropriate, given that most of those areas are not within a walking distance from a railway station.	No change



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

Suggestion	Comments	Recommended Action
26. Note box (lower left): Clarify that an outdoor dining permit is in addition to an existing approved DA for the operation of the business (page 184)	Noted	Revise the note to state: <i>A current outdoor dining permit issued by the Council under its Street Trading Policy (adopted by Council on 9 December 2014) is required for any outdoor dining activities. An outdoor dining permit can only be issued where existing and active development consent is in place for the lawful use of the principal tenancy.</i>
27. 6.2 Suggest replacing top picture as this does not necessarily fit with the desired character objectives (no uniform awning), arguably not harmoniously designed to complement each other	Noted	Adjust caption and replace bottom picture to show a good example of active street frontage within a neighbourhood centre.
28. 6.5 suggest that all ground floor neighbourhood shop development be disabled accessible i.e. step-free or with appropriate lift	Refer to Council's report	Refer to Council's report
29. 6.5 suggest the restriction of advertising materials displayed in windows of shops in order to reduce visual clutter and aid passive surveillance.	It is not possible to prohibit window signs as they are exempt under the Exempt and Complying Code SEPP.	No change
30. 7.2.1a) suggest a reduction in architectural design requirements in industrial areas. Whilst we agree with general attempts to improve the visual aesthetics of such areas and reduce visual bulk it should be remembered that these are primarily functional places of business and operational land with a focus on work. The design requirements for such areas should reflect this and should not be as onerous. In our opinion (and that of many of our clients) the sub-provisions within this section are not appropriate for industrial developments that are otherwise fully compliant with the LEP and DCP. In particular the requirement for masonry façades	Refer to Council's report	Refer to Council's report

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

Suggestion	Comments	Recommended Action
and architectural design articulations are suggested to be too onerous for many industrial buildings. It is suggested that these requirements are significantly reduced or at least provision made for greater flexibility in their application on the part of developers and/or Council.		
31. 7.2.2 a) iii) Sentence seems unintentionally broken into two parts.	Noted	Fix format of point 7.2.2.a) iii)
32. Page 210 - worked example box does not appear to be in correct location. Presume it should be adjacent to the provisions in 7.2.1	Noted	Move Note to accord with Clause 7.21.
33. Figure 7.3.1 does not seem to accord with the caption	Noted	Adjust caption on Figure 7.3.1 on page 211 and include additional figures
34. 7.4 Deletions here suggest that a landscape plan would be required for all industrial development, not just construction. We would suggest that this would be too onerous for small scale development and change of use. If this was a requirement it may severely deter industrial businesses from relocating to Campbelltown. Suggest the original wording is retained here.	Refer to Council's report	Refer to Council's report
35. 7.9b) plural use 'unit/s'	Noted	Change the heading from Industrial Units to Industrial Unit/s to reflect both plural and singular
36. 7.10.1 suggest integrating clauses a) and b) to be relevant to both IN1 and IN2 as they have an identical sub-provision	Noted	Combine Clause 7.10.1a) and b).
37. 10.2.1b) Suggest including a call out box or other additional guidance to outline how an applicant should seek to find out if their proposed development is within 150m of a sex service premises.	Noted	Include a note that suggest contacting Council to find out if their proposed worship place development is within 150m of a sex service premises.
38. 10.2.3a) Suggest that an acoustic report is only required where a place of public worship is proposed within 150 m of existing residential development e.g. proposals within industrial areas	Refer to Council's report	Refer to Council's report



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

Suggestion	Comments	Recommended Action
are very unlikely to exceed typical industrial noise levels.		
39. 10.2.8 Heading remains but text deleted. Does this mean that the previous prohibition of new places of public worship in industrial areas is now deleted? i.e. new places of public worship are permissible in this zone?	Noted	Include an additional clause that reads: a) Places of public worship located on land within an industrial zone shall comply with the setbacks and buildings envelop requirements specified in Part 7 Industrial development.
40. 10.4 Suggest that a landscape plan is only required for places of public worship in new and purpose built buildings.	Refer to Council's report	No change. Refer to Council's report
41. 11.1 There are four callout boxes all relating to different elements of defining native vegetation or related terms. Suggest that this is rationalised to make it less confusing and avoid overlaps in interpretation. For example, 'Tree' has its own specific definition under this DCP, though this conflicts with the definition of 'tree' under the Native Vegetation Act 2003 - the DCP includes trees above 500 mm whereas the act include 'any sapling or shrub...'	The definitions are provided here for clarification on the meaning of the various terms used under this part.  The definition under the SCDP for the term 'tree' has been specifically worded for this Plan. As such shrubs are purposely excluded.	No change.
42. 11.1 Call out box about 'other vegetation' - unclear what the final line about 'forms part of native vegetation' relates to. Also, this call out box uses 'and' between the clauses indicating that all three of the criteria must be satisfied for something to be 'other vegetation'. Is this correct?	This is a formatting issue.	Correct the formatting of the last point.
43. 11.2.1 b) "...where one or more of the following criteria are met"	See response to 44.	No change
44. 11.2.1 b) i) 'the site contains native vegetation' This is a very broad threshold that would likely capture nearly every development application in some way. Suggest this is reconsidered based upon a better defining of the term 'native vegetation' as per previous comments. Also, this line has 'and or' at the end and none of the others below do.	Noted. The definition of native vegetation in the DCP whilst broad has been extracted from the Native Vegetation Act.  However, under Section 11.2.1 of the DCP Council may vary survey and reporting requirements to reflect the level of impact provided that sufficient justification is	Delete the and/or after 'native vegetation'.

2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City)  
Development Control Plan 2015 - Stage 5

Suggestion	Comments	Recommended Action
Suggest deletion of this as it is implied above where it says 'one or more of the following criteria is met'.	provided.	
45. 11.2.2 c) Suggest more detail on compensatory nest boxes e.g. openings and sizes should be specific to species likely to be affected by the loss of the original hollow. Also suggest that multiple sizes/types be included as compensation where it is unknown which species is affected or where a tree contains several hollows of varying sizes e.g. bats, birds, arboreal mammals etc.	By requiring the size of the nest box to reflect the size and dimensions of the hollow removed the nest box will be suitable for the species affected by the loss of the hollow and hence no changes are required in light of this comment	No Change
46. Call out box bottom of page 271 - 'with native 'fauna' doesn't seem to fit properly in this sentence. (now it is on page 277)	Noted	Change note to:  'Hollow Bearing trees are elements of forest structure that are essential for the conservation of hollow dependent fauna.'
47. Call out box page 273 - change 'Office of Environment' to 'Office of Environment and Heritage'. Also be more specific as to whether the items below are 'and' or 'or' (it is the latter). ( now on page 279)	Noted	Change to Office of Environment and Heritage
48. 11.3.1(xii) Recommend better defining 'Land use approval' i.e. is this referring to a DA or some other approval (Part 4, Part 5 etc)?	Reword the Clause for clarifications	Reword Clause 11.3.1 xii) to refer to "A tree which is approved for removal as part of a DA approval or Part 5 approval".
49. 11.3.1(xvii) change 'horticulturalists' to 'horticulturalist'.	Noted	Correct typo
50. 11.3.5.2a) iii) suggest 'have impacts on' be changed to 'have a significant impact upon' as this is more in line with the conduct of an Assessment of Significance	Noted – general impacts on biodiversity also picked up by other dot points.	Change to 'significant impact upon'



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

### ATTACHMENT 3

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
2.1 Application- Table 2.1 Thresholds	The reference to <i>Section 2.12 Retaining Walls</i> is missing from the Threshold Table	Noted	Update table 2.1 Thresholds to include a reference to Section 2.12 Retaining Walls.
2.4 Sustainable Building Design – Section 2.4.5 BASIX	Include a note stating that a BASIX Certificate is not required for transportable homes	Noted and supported	Add the following note:  ‘A BASIX Certificate is not required for relocatable homes. However, a BASIX Certificate would be required as part of a development application (or complying development certificate application) to install a flat-pack kit. For more information on this matter, refer to the Department of Planning and Environment website at: <a href="http://www.planning.nsw.gov.au">www.planning.nsw.gov.au</a> ’
2.20 Development on Land Adjacent to, or Affected by a Gas Easement	Clause 2.20 a) states:  a) Development and use of land within the easement is restricted by the conditions of the easement and applicants shall demonstrate compliance with any restrictions imposed by the easement when submitting applications for development.	Noted and supported as it would clarify the required information that needs to be submitted to Council.	Reword Clause 2.20 a) to read:  a) Development and use of land within the easement is restricted by the conditions of the easement and applicants shall demonstrate compliance with any restrictions imposed by the easement when submitting applications for development. In order to demonstrate compliance with the above requirement, the applicant shall

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	Add the following text to clause 2.20a). <i>In order to demonstrate compliance, the applicant shall supply documentation that details discussions undertaken with the utility providers/easement beneficiaries during the design phase of the development</i>		supply documentation that details discussions undertaken with the utility providers/easement beneficiaries during the design phase of the development.
3.4.1.1 b) Streetscape	Add a sentence at the end of this clause that reads: 'Landscaping shall be used to reduce the impact of any privacy fencing.'	Noted and supported as landscaping would enhance the streetscape and illuminate opportunities for graffiti.	Add the following sentence at the end of clause 3.4.1.1 b) Streetscape that reads: 'Landscaping shall be used to reduce the impact of any privacy fencing.'
3.4.2 Car Parking and Access	Figure 3.2.1 Requirements for the maximum garage floor levels – This figure is not consistent with the driveway standards contained under Council's Engineering Design Guide for Development.	Noted and supported, as it is important that the draft SCDCP 2015 is consistent with the requirements under Council's Engineering Design Guide for Development.	Delete this Figure and include a note referring readers to Council's Design Guide for Development.
3.4.2 Car Parking and Access	Clause 3.4.2 j ) reads: Plain concrete driveways shall not be	It is considered appropriate that the driveway continues with the same colour and	Reword Clause 3.4.2 j) to read <i>Plain concrete driveways including cross over and</i>

DA=Development Application  
Draft SDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
LEP=Local Environmental Plan  
CELP : Draft Campbelltown Local Environmental Plan 2015  
CSPD- Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
ARH SEPP= SEPP (Affordable Rental Housing) 2009  
LEP 2002= Campbelltown (Urban Areas) LEP 2002  
EP&A Act 1979: Environmental Planning and Assessment Act 1979  
EPI=Environmental Planning Instrument  
AS=Australian Standard



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	<p>permitted. Details of driveway colours and patterns shall be submitted with the development application.</p> <p>Need to specify whether cross overs and laybacks should be coloured or plain.</p>	<p>pattern until it reaches the kerb. However, Council shall not be responsible to reinstate the colour or pattern of a driveway after maintenance works.</p>	<p>layback shall not be permitted. Details of driveway colours and patterns shall be submitted with the development application.</p> <p>Add a note that states:</p> <p>Council will not be liable to replace any driveway colour or pattern within public land in cases where damage to private driveways as a result of maintenance work undertaken by Council has occurred.</p>
3.4.3.1 c) Acoustic Privacy	<p>The Clause reads:</p> <p>c) On-site noise generating sources including, but not limited to, plant rooms and equipment, air conditioning units, pool pumps, and recreation areas shall be designed and located to ensure that the noise levels generated by such facilities do not exceed 5 dBA above background levels at the property boundary.</p> <p>Comments:</p>	<p>The E&amp;CDC SEPP refers to "peak time" and "off peak" time in relation to noise requirements for air-conditioning units. In addition to this clause, it is recommended that a note be added to this section advising that under the E&amp;CDC SEPP the installation of air conditioning units may be undertaken as exempt</p>	<p>Add a note that reads:</p> <p>The installation of air-conditioning units may be undertaken as exempt development under the E&amp;CDC SEPP, providing that certain criteria are met.</p>

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EP1=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and See 94 Plans)

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	Check exempt provisions in the E&CDC SEPP to make sure that this Clause is consistent.	development providing that certain criteria are met.	
3.6.1.1 Site Requirements for Dwelling Houses (Zones R2 & R3)	Include a section on Site Services Requirements for all types of residential development similar to Section 3.7.1.11	Noted and supported	Include additional sections relating to onsite services requirements similar to Section 3.7.1.11 as Section 3.6.1.7, 3.6.3.8, 3.6.4.8 and 3.6.5.10.  Move Section 3.7.2.10 Site Service for Multi Dwelling Housing to the end of this section for consistency in terms of the location of this section.
3.6.2 Secondary Dwellings	Clause 3.6.2.1d) states in part that:  d) An attached secondary dwelling shall be located under the same roof as the main part of the principal dwelling house.  This clause was proposed to be removed under the publicly exhibited version of the draft SCDCP 2015.  It is suggested to reinstate this clause.	It is recommended that this clause be reinstated, in order to improve the architectural merit of the development.	Reinstate this clause
3.6.4 Semi-detached	Include a note regarding the required	Noted and supported	Include a note that reads:

DA=Development Application  
Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
LEP=Local Environmental Plan  
CELP : Draft Campbelltown Local Environmental Plan 2015  
CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
ARH SEPP= SEPP (Affordable Rental Housing) 2009  
LEP 2002= Campbelltown (Urban Areas) LEP 2002  
EP&A Act 1979: Environmental Planning and Assessment Act 1979  
EPI=Environmental Planning Instrument  
AS=Australian Standard

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SDCP	Summary of Main Issues Raised	Comments	Recommended Actions
Dwellings	qualifying site area as specified under the CLEP		Refer to Section 4.1C of the CLEP for the minimum qualifying site area and lot sizes for semi-detached dwellings  Include additional similar notes in various locations of Part 3, referring to Section 4.1 of the CLEP.
3.6.5 Attached Dwellings – R2 Zone	Include a note regarding qualifying site area as specified under the CLEP	Noted and supported	Include a note that reads:  Refer to Section 4.1C of the CLEP for the minimum qualifying site area and lot sizes for attached dwellings.
3.6.5.2 Attached Dwellings – R2 Zone	Amend the rear setbacks so that they are 5m for ground floor and 10m for first floor	Refer to discussions in the body of the report	Refer to discussions in the body of the report
3.6.5.4 Rear Access- R2 Zone	Suggestion to specify the reason for the requirement of the rear access	Noted	Include a note that states:  The requirement for the rear-to front access is to enable occupants of an attached dwelling to move waste bins, lawnmowers and the like from the backyard to the front of the building without the need to pass through the main living areas.  Include a similar note in relevant locations

DA=Development Application  
 Draft SDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
			throughout Part 3.
Part 3.7 Medium Density Residential Development	<p>Include a note advising that Clause 7.13 Design Excellence of the CLEP applies to R3 Zone.</p> <p>Notably, the objective of this clause is to ensure that development exhibits the highest standard of architectural and urban design as part of the built environment.</p>	Noted	Include a note in various locations advising that Clause 7.13 Design Excellence of the CLEP applies to R3 Zone.
<p>3.7.1.6 Requirements for the Use of Roof Space for Habitable Areas for Attached Dwellings - Zone R3</p> <p>3.7.2.6 Requirements for the Use of Roof Space for Habitable Areas for Multi Dwelling Housing - Zone R3</p>	<p>Clause 3.7.2.6 Requirements for the Use of Roof Space for Habitable Areas for Multi Dwellings - Zone R3 reads</p> <p>a) Council may consider the use of the roof space for a habitable room, but only if:</p> <ul style="list-style-type: none"> <li>i) it is appropriately designed;</li> <li>ii) it is part of the overall design of the building; and</li> <li>iii) it does not negatively impact on the design quality of the streetscape.</li> </ul> <p>Suggestion to add an additional point that</p>	Noted and supported	<p>Amend Clause 3.7.1.6 to read:</p> <p>3.7.2.6 Requirements for the Use of Roof Space for Habitable Areas for Attached Dwellings - Zone R3</p> <p>a) Council may consider the use of the roof space for a habitable room, but only if:</p> <ul style="list-style-type: none"> <li>i) it is appropriately designed;</li> <li>ii) it is part of the overall design of the building;</li> <li>iii) appropriate light and ventilation is supplied</li> </ul>

BASIX SEPP-SEPP (Building Sustainability Index: BASIX) 2004.  
 ARII SEPP- SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP=SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and See 94 Plans)



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	reads: Appropriate light and ventilation is supplied to rooms		iv) it does not negatively impact on the design quality of the streetscape.  Also amend Clause 3.7.2.6 Requirements for the Use of Roof Space for Habitable Areas for Multi Dwelling Housing - Zone R3 in the same manner as above.
3.7.2.8 c) Presentation to public streets for Multi Dwelling Housing - Zone R3	3.7.2.8.c) Unless Council can be satisfied that an existing dwelling located on the site makes a positive contribution to the character of the streetscape, that dwelling shall be demolished. In the case where an existing dwelling house is to be retained, the design of the new development shall complement the siting, bulk, scale, form, materials, colours and finishes of the existing dwelling, or the existing dwelling be renovated to complement the new development.  Question: Suggest stronger clause requiring the old house to be renovated to match the new	Noted and supported.	Add a new clause that requires the existing development to be renovated to match the new development as follows:  d) Where a development involves the construction of additional dwellings to create multi dwelling housing, the existing dwelling (where it is proposed to be retained) shall be renovated to match the colour, material, texture and architectural style of the proposed buildings so as to create a harmonious development.

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	dwelling, not just complement them?		
3.8.2 Residential Torrens Title Subdivision	Include a new figure illustrating the minimum requirements of allotment for Torrens title subdivision	Noted and supported	Under Section 3.8.2 Residential Torrens Title Subdivision, include an additional figure to illustrate the minimum numerical requirements for Torrens title subdivision.
3.8.2 Residential Torrens Title Subdivision	Add a clause that reads: a) Any residential conventional allotment created by Torrens Title subdivision for the purpose of a dwelling house development in areas zoned R2 and R3 shall satisfy the following standards: i) a minimum width of 15 metres measured along the side boundaries at a distance of 5.5 metres from the front property boundary; ii) a minimum width of 7 metres measured between the extended property side boundaries where they intersect with the kerb line; and iii) a minimum depth of 25 metres.	Noted, however it is recommended that a note referring to the requirements under the CLEP be added.	Insert a note that reads::  Refer to the CLEP for the minimum subdivision standard for Torrens Title subdivision (Clause 4.1 of the CLEP).

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	<p>Suggestion to add a point that reads:</p> <p>'must meet the requirement of the minimum area under the CLEP'.</p>		
<p>Note under Section 3.8.4 Subdivision of Land for the Purpose of Dual Occupancies - Zones R2 and R3</p> <p>3.8.5 Subdivision for the Purpose of Semi-detached Dwellings - Zones R2 and R3</p> <p>3.8.6 Subdivision for the purpose of Attached Dwellings - Zones R2 and R3</p>	<p>The Note under Section 3.8.4 states:</p> <p>Council may release a subdivision certificate for semi-detached dwellings prior to the issuing of the occupation certificate, where the construction of the building <u>has</u> <u>substantiality commenced</u> and Council is satisfied that the building will be constructed as per the approved plans.</p> <p>A similar note is also included under Section 3.8.5</p> <p>The underlined term is vague. Suggest to refer to 'frame stage' instead.</p> <p>Suggestion to remove this note from Section 3.8.7 Subdivision of Multi dwelling Housing – Zone R2 and R3 and reinstate the original</p>	Noted and supported	<p>Change the note under Section 3.8.4 to read:</p> <p>Council may release a subdivision certificate for semi-detached dwellings prior to the issuing of the occupation certificate, where the construction of the building has passed the frame stage by the relevant PCA and Council is satisfied that the building will be constructed as per the approved plans.</p> <p>The same changes are recommended for all similar notes under Sections 3.5 and 3.8.6.</p> <p>However, for Section 3.8.7 Subdivision of Multi dwelling Housing – Zone R2 and R3 it is recommended that the note be deleted and the original note be reinstated.</p>

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	<p>note that reads:</p> <p>Council shall not release a subdivision certificate for multi dwelling housing until an occupation certificate (under the EP&amp;A Act 1979) has been issued for all dwellings on the land.</p>		<p>The original note reads:</p> <p>Council shall not release a subdivision certificate for multi dwelling housing until an occupation certificate (under the EP&amp;A Act 1979) has been issued for all dwellings on the land.</p>
4.6.3 Construction of Farm Dams	<p>Include an additional point that requires the applicant to undertake an assessment by a suitably qualified person of the changes to local hydrology that the dam may create.</p>	Noted and supported	<p>Include an additional point that requires the applicant to undertake an assessment by a suitably qualified person of the changes to local hydrology that the dam may create</p>
5.4.8 Waste Management	<p>Reinstate Clause a) that reads:</p> <p>a) All buildings shall be provided with household garbage bins at the following rates:</p> <p>i) a 240 litre bin per 2.5 /3 dwellings/week for household garbage; or</p> <p>ii) 1000 1,100 litre bulk bin per 10 /12 dwellings or part thereof.</p>	Noted and supported.	<p>Reinstate Clause a) that reads:</p> <p>a) All buildings shall be provided with household garbage bins at the following rates:</p> <p>i) a 240 litre bin per 2.5 dwellings/week for household garbage; or</p> <p>ii) 100 litre bulk bin per 10 /12 dwellings or part thereof.</p>

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
5.4.8.2 Waste Service Rooms, Garbage Chutes and Provision for Recyclables Bins	<p>Clause c) reads: Chutes shall not be located adjacent to habitable rooms in each flat.</p> <p>Reword this clause, as it is justifiable to have chutes adjacent to kitchens.</p>	Noted and supported	<p>Reword Clause C) to read:</p> <p>Garbage chutes shall not be located adjacent to bedrooms or living rooms unless they are outside the sound transmission barrier surrounding each unit.</p>
5.4.8.4 Waste Collection	<p>Any development containing 20 or more dwellings and/or the number of bins proposed cannot be accommodated within 50% of the development's frontage on collection day ( the calculation shall allow for 300mm separation distance on either side of each bin) shall be designed to accommodate a forward-in forward-out drive-on collection for on-site servicing. The designated area must meet the following requirements:</p> <ul style="list-style-type: none"> <li>i) there shall be a minimum height clearance of 4.5 metres;</li> <li>ii) there shall be provision for a waste collection vehicle to empty bins on the vehicle's left side, allowing for a width of 3.8 metres from the right side of the vehicle to the collection</li> </ul>	Noted and supported	Refer to the report for discussions on this matter

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and See 94 Plans)

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDP	Summary of Main Issues Raised	Comments	Recommended Actions
	<p>point;</p> <p>iii) where the waste collection vehicle is required to turn around on site, there must be provision for a vehicle of 10.4 metres length to negotiate a maximum three-point turn;</p> <p>iv) the maximum grade of any path of travel for collection vehicle shall be 1V:20H for the first 6 metres from the street, and 1V:12H thereafter;</p> <p>v) the minimum path width for a collection vehicle shall be 3.6 metres wide; and</p> <p>vi) constructed to withstand the loaded mass of the waste collection vehicle.</p> <p>Suggestion:</p> <p>Reword the above clause so that the minimum height clearance is 5.2m at the collection area instead of 4.5 metres.</p>		

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

DA=Development Application  
 Draft SCDP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
	Revise the maximum grade width to ensure it is consistent with the AS.  Include an additional sentence to clarify that the waste collection truck shall leave the property in a forward direction and specify the loaded mass of the waste collection truck.		
5.4.9 Access for People with Disabilities  5.7.7 Access for People with Disabilities	Add new sections 5.4.9 and 5.7.7 to address access for people with disabilities	Noted and supported	Add a new Section 5.4.9 Access for People with Disabilities that reads:  <i>Design Requirements</i>  a) Residential flat buildings and mixed use development shall comply with the minimum access requirements contained within the BCA, the Disability (Access to Premises — Buildings) Standards 2010 and Australian Standard 1428 – Design for Access and Mobility (as amended).  Add a similar Section 5.7.7 that reads:  <i>5.7.7 Access for People with Disabilities</i>  <i>Design Requirements</i>

DA=Development Application  
Draft SCDCP=Draft Campbelltown (Sustainable City) Development Control Plan 2015  
SEPP 65 – SEPP No. 65 Design Quality of Residential Flat Development  
E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
LEP=Local Environmental Plan  
CELP : Draft Campbelltown Local Environmental Plan 2015  
CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
ARIH SEPP= SEPP (Affordable Rental Housing) 2009  
LEP 2002= Campbelltown (Urban Areas) LEP 2002  
EP&A Act 1979: Environmental Planning and Assessment Act 1979  
EPI=Environmental Planning Instrument  
AS=Australian Standard



## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
			a) <i>Mixed use development shall comply with the minimum access requirements contained within the BCA, the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428 – Design for Access and Mobility (as amended).</i>
5.5.1 Site Requirements for Residential Flat Buildings	Reference to site area under the CLEP needs to be included	Include a reference to the minimum site area for residential flats buildings under the CLEP	Include a note in relation to Clause 4.1C Minimum Qualifying Site Area and Lot Size for Certain Residential and Child Care Centre Development in Residential Zones under the CLEP.
5.6 Mixed Use Development	Include a note advising that Clause 7.13 Design excellence of the CLEP applies to R3 Zone.  The objective of this clause is to ensure that development exhibits the highest standard of architectural and urban design as part of the built environment.	Noted and supported	Include a note at various locations advising that Clause 7.13 Design excellence of the CLEP applies to R3 Zone.

BASIX SEPP–SEPP (Building Sustainability Index: BASIX) 2004.  
 ARH SEPP– SEPP (Affordable Rental Housing) 2009  
 LEP 2002– Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI–Environmental Planning Instrument  
 AS–Australian Standard

DA=Development Application  
 Draft SCDCP–Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP– SEPP (Exempt and Complying Development Codes) 2008.  
 LEP–Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD–Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

## 2.2 Outcome Of The Public Exhibition Of Draft Campbelltown (Sustainable City) Development Control Plan 2015 - Stage 5

The relevant Part/Section of the draft SCDCP	Summary of Main Issues Raised	Comments	Recommended Actions
Table 6.4.2.1 Car Parking Rates	The car parking rate requirement for a vehicle body repair workshop or vehicle repair station of 5 spaces per work bay (for vehicle servicing facilities) seems excessive compared to the required 3 spaces under Part 7 - industrial Development.	Noted and supported	Change the car parking rate requirement for a vehicle body repair workshop or vehicle repair station from 5 spaces per work bay to 3 spaces, similar to the requirement under Part 7 Industrial Development

DA=Development Application  
 Draft SCDCP= Draft Campbelltown (Sustainable City) Development Control Plan 2015  
 SEPP 65 = SEPP No. 65 Design Quality of Residential Flat Development  
 E&CDC SEPP= SEPP (Exempt and Complying Development Codes) 2008.  
 LEP=Local Environmental Plan  
 CELP : Draft Campbelltown Local Environmental Plan 2015  
 CSPD=Council Strategic Planning Document (LEPs, DCPs and Sec 94 Plans)

BASIX SEPP=SEPP (Building Sustainability Index: BASIX) 2004.  
 ARII SEPP= SEPP (Affordable Rental Housing) 2009  
 LEP 2002= Campbelltown (Urban Areas) LEP 2002  
 EP&A Act 1979: Environmental Planning and Assessment Act 1979  
 EPI=Environmental Planning Instrument  
 AS=Australian Standard

## **2.3 Minutes of the Heritage Protection Sub Committee meeting held 26 November 2015**

### **Reporting Officer**

Manager Environmental Planning

---

### **Attachments**

Minutes of the Heritage Protection Sub Committee meeting held 26 November 2015  
(contained within this report)

### **Purpose**

To seek Council's endorsement of the minutes of the Heritage Protection Sub Committee meeting held 26 November 2015.

### **Report**

Detailed below are the recommendations of the Heritage Protection Sub Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

### **Recommendations of the Heritage Protection Sub Committee**

#### **Reports listed for consideration**

#### **4. Minutes of the Previous Meeting**

That the information be noted.

#### **5. Business Arising from the Previous Minutes**

That the information be noted.

#### **7.1 Redevelopment of the local listed heritage item Old Kendall's Millhouse Site - 316 Queen Street, Campbelltown**

That Council considers the following comments from the Heritage Protection Sub Committee when determining Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown:

- That the proponent be requested to provide Council with a Conservation Management Plan and Heritage Impact Statement and that this information be referred to the Heritage Protection Sub Committee for consideration; and
-



- That the proposal is considered to be an overdevelopment and would adversely impact upon the heritage significance of the site.

## **7.2 Subdivision of the State listed Heritage Item 'Epping Forest' - Mississippi Crescent, Kearns**

That Council considers the following comment from the Heritage Protection Sub Committee when determining Development Application 2400/2015/DA-S relating to the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments:

- That Council's assessment of the proposal be deferred subject to a more detailed Conservation Management Plan and Heritage Impact Statement being lodged with Council for its consideration.

## **7.3 Conservation Management Plan - Glenalvon House**

That the information be noted.

## **8.1 Mount Gilead**

That the information be noted.

## **8.2 Campbellfield/Redfern's Cottage: Development Application 2952/2014 DA-C, 20 Lind Street, Minto**

That the information be noted.

## **8.3 Relocation of the John Oxley Anchor**

That the information be noted.

## **8.4 Heritage Protection Sub Committee Dates 2016**

That the information be noted.

## **8.5 Joe Quinn Baseballer Request**

That the information be noted.

## **8.6 Heritage Medallion 2016**

That the information be noted.

## **8.7 Hurley Park Heritage Sign**

That the information be noted.

## **8.8 2020 Campbelltown Bicentenary**

That the information be noted.

---

**8.9 Raith, Fern Ave Bradbury**

That the information be noted.

**8.10 Glenfield to Macarthur Priority Urban Renewal Corridor**

That the information be noted.

**8.11 Heritage Protection Sub Committee Membership Update**

1. That Council accept the resignation of Mr Mario Majarich as an alternative voting member of the Heritage Protection Sub Committee and send a letter of appreciation to him.
2. That the National Parks Association identifies an alternative voting delegate on their behalf.

**8.12 Hurlstone Agricultural High School**

That the information be noted.

**Officer's Recommendation**

1. That the minutes be noted.
  2. That Council considers the following comments from the Heritage Protection Sub Committee when determining Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown:
    - That the proponent be requested to provide Council with a Conservation Management Plan and Heritage Impact Statement and that this information be referred to the Heritage Protection Sub Committee for consideration; and
    - That the proposal is considered to be an overdevelopment and would adversely impact upon the heritage significance of the site.
  3. That Council considers the following comment from the Heritage Protection Sub Committee when determining Development Application 2400/2015/DA-S relating to the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments:
    - That Council's assessment of the proposal be deferred subject to a more detailed Conservation Management Plan and Heritage Impact Statement being lodged with Council for its consideration.
  4. That Council accept the resignation of Mr Mario Majarich as an alternative voting member of the Heritage Protection Sub Committee and send a letter of appreciation to him.
  5. That the National Parks Association identifies an alternative voting delegate on their behalf.
-

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

1. That the minutes be noted.
2. That Council considers the following comments from the Heritage Protection Sub Committee when determining Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown:
  - That the proponent be requested to provide Council with a Conservation Management Plan and Heritage Impact Statement and that this information be referred to the Heritage Protection Sub Committee for consideration; and
  - That the proposal is considered to be an overdevelopment and would adversely impact upon the heritage significance of the site.
3. That Council considers the following comment from the Heritage Protection Sub Committee when determining Development Application 2400/2015/DA-S relating to the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments:
  - That Council's assessment of the proposal be deferred subject to a more detailed Conservation Management Plan and Heritage Impact Statement being lodged with Council for its consideration.
4. That Council accept the resignation of Mr Mario Majarich as an alternative voting member of the Heritage Protection Sub Committee and send a letter of appreciation to him.
5. That the National Parks Association identifies an alternative voting delegate on their behalf.

**Amendment: (Oates/Kolkman)**

1. That the minutes be noted.
  2. That Council considers the following comments from the Heritage Protection Sub Committee when determining Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown:
    - That the proponent be requested to provide Council with a Conservation Management Plan and Heritage Impact Statement and that this information be referred to the Heritage Protection Sub Committee for consideration; and
    - That the proposal is considered to be an overdevelopment and would adversely impact upon the heritage significance of the site.
-



3. That Council considers the following comment from the Heritage Protection Sub Committee when determining Development Application 2400/2015/DA-S relating to the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments:
  - That Council's assessment of the proposal be deferred subject to a more detailed Conservation Management Plan and Heritage Impact Statement being lodged with Council for its consideration.
4. That Council accept the resignation of Mr Mario Majarich as an alternative voting member of the Heritage Protection Sub Committee and send a letter of appreciation to him.
5. That the National Parks Association identifies an alternative voting delegate on their behalf.
6. That when any application is received for Raith, it be referred to the Heritage Protection Sub Committee for comment.
7. That the issues relating to the sale of the Hurlstone Agricultural High School land be referred to the Heritage Protection Sub Committee for comment.
8. That the development application for Macquarie Fields House be referred to the Heritage Protection Sub Committee for comment.

**CARRIED****Council Meeting 16 February 2016 (Greiss/Kolkman)**

1. That the minutes be noted.
  2. That Council considers the following comments from the Heritage Protection Sub Committee when determining Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown:
    - That the proponent be requested to provide Council with a Conservation Management Plan and Heritage Impact Statement and that this information be referred to the Heritage Protection Sub Committee for consideration; and
    - That the proposal is considered to be an overdevelopment and would adversely impact upon the heritage significance of the site.
  3. That Council considers the following comment from the Heritage Protection Sub Committee when determining Development Application 2400/2015/DA-S relating to the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments:
    - That Council's assessment of the proposal be deferred subject to a more detailed Conservation Management Plan and Heritage Impact Statement being lodged with Council for its consideration.
-

4. That Council accept the resignation of Mr Mario Majarich as an alternative voting member of the Heritage Protection Sub Committee and send a letter of appreciation to him.
5. That the National Parks Association identifies an alternative voting delegate on their behalf.
6. That when any application is received for Raith, it be referred to the Heritage Protection Sub Committee for comment.
7. That the issues relating to the sale of the Hurlstone Agricultural High School land be referred to the Heritage Protection Sub Committee for comment.
8. That the development application for Macquarie Fields House be referred to the Heritage Protection Sub Committee for comment.

### **Council Resolution Minute Number 9**

1. That the minutes be noted.
  2. That Council considers the following comments from the Heritage Protection Sub Committee when determining Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown:
    - That the proponent be requested to provide Council with a Conservation Management Plan and Heritage Impact Statement and that this information be referred to the Heritage Protection Sub Committee for consideration; and
    - That the proposal is considered to be an overdevelopment and would adversely impact upon the heritage significance of the site.
-

3. That Council considers the following comment from the Heritage Protection Sub Committee when determining Development Application 2400/2015/DA-S relating to the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments:
    - That Council's assessment of the proposal be deferred subject to a more detailed Conservation Management Plan and Heritage Impact Statement being lodged with Council for its consideration.
  4. That Council accept the resignation of Mr Mario Majarich as an alternative voting member of the Heritage Protection Sub Committee and send a letter of appreciation to him.
  5. That the National Parks Association identifies an alternative voting delegate on their behalf.
  6. That when any application is received for Raith, it be referred to the Heritage Protection Sub Committee for comment.
  7. That the issues relating to the sale of the Hurlstone Agricultural High School land be referred to the Heritage Protection Sub Committee for comment.
  8. That the development application for Macquarie Fields House be referred to the Heritage Protection Sub Committee for comment.
-

## ATTACHMENT 1

### Minutes of the Heritage Protection Sub Committee Meeting

Held Thursday 26 November 2015 in Committee Room 3

Meeting Commenced: 6.05pm

#### 1. Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson, Councillor Rowell.

#### 2. Attendance and Apologies:

Councillor Ted Rowell - Chairperson Campbelltown City Council  
Councillor Bob Thompson - Deputy Chair Campbelltown City Council  
Clarice Stretch - Campbelltown Airds Historical Society  
Robert Wheeler - National Parks Association  
Sue Kijurina - Campbelltown Airds Historical Society

**Also in Attendance:** Andrew Spooner - Manager Sustainable City & Environment  
Kali Reid - Cultural Services Business Coordinator  
Jeff Burton - Strategic Planner  
Melinda Willcocks - Marketing and Tourism Coordinator  
Jane Worden - Executive Support  
Emma Page - Development Planner  
Brendan Leo - Acting Manager Development Services

**Apologies:** Kay Hayes - Campbelltown Airds Historical Society  
James Gardner - Qualified Person  
Mario Majarich - National Parks Association

#### Sub Committee's Recommendation: (Kijurina/Wheeler)

That the above apologies be accepted.

**CARRIED**

#### 3. Declarations of Interest

There were no Declarations of Interest made at this meeting.

#### 4. Minutes of the Previous Meeting

##### Reporting Officer

Manager Sustainable City and Environment

##### Report

The Minutes of the Heritage Protection Sub Committee Meeting held on 12 February 2015, copies of which were circulated to each Sub Committee member, were presented to Council for adoption at its meeting on 21 April 2015.

Council resolved to adopt the Minutes in accordance with the Officer's recommendation.

---



**Officer's Recommendation**

That the information be noted.

**Sub Committee's Recommendation: (Wheeler/Stretch)**

That the information be noted.

**CARRIED**

**5. Business Arising from the Previous Minutes**

**Reporting Officer**

Manager Sustainable City and Environment

**Purpose**

To report on business arising from the Minutes of the Heritage Protection Sub Committee Meeting held on 20 August 2015.

**Report**

The Minutes of the Heritage Protection Sub Committee meeting held on 20 August 2015 were considered by Council at its meeting of 27 October 2015.

The matters of business arising from the previous minutes relate to the following relevant items as detailed below:

**(Item 7.1) Local Heritage Fund Application - 'Riverview Cottage', No.121 Menangle Road, Menangle Park**

Council approved the subject Local Heritage Fund (2015-2016) application for \$2000 for roof maintenance works to the heritage listed Riverview Cottage.

Works have been completed in accordance with the approved application and grant funding for \$2000 has been forwarded to the applicant.

**(Item 8.4) Campbelltown Airds Historical Society Membership Update**

Council accepted the resignation of Ms Learna Coupe as a member of the Heritage Protection Sub Committee and has sent a letter of appreciation to her.

Council approved the appointment of Mrs Clarice Stretch as the Campbelltown Airds Historical Society representative on the Heritage Protection Sub Committee.

**Officer's Recommendation**

That the information be noted.

**Sub Committee's Recommendation: (Stretch/Wheeler)**

That the information be noted.

**CARRIED**

---

**6. Correspondence - Nil****7. Reports****7.1 Redevelopment of the local listed heritage item Old Kendall's Millhouse Site - 316 Queen Street, Campbelltown****Reporting Officer**

Acting Manager Development Services

**Purpose**

To seek comments from the Heritage Protection Sub Committee with respect to Development Application 2777/2015/DA-RA relating to the redevelopment of the local heritage listed 'Old Kendall's Millhouse' site at 316 Queen Street, Campbelltown.

Property Description	Lot 33 DP 131201, Lot 34 DP 131201 316 and 316A Queen Street, Campbelltown
Application No	2777/2015/DA-RA
Applicant	First National Development & Construction Co P/L
Owner	First National Development & Construction Co P/L
Statutory Provisions	Campbelltown (Urban Area) Local Environmental Plan 2002 Draft Campbelltown Local Environmental Plan 2014
Other Provisions	Campbelltown (Sustainable City) Development Control Plan 2014
Date Received	8 October 2015

**Background**

At its meeting of 28 May 2015, the Heritage Protection Sub Committee considered an information report relating to the local heritage listed 'Old Kendall's Millhouse' site, colloquially known as the (former) Fisher's Ghost Restaurant. The Heritage Protection Sub Committee noted the declining condition of the subject building and the statutory limitations for Council to compel a private owner to appropriately maintain a local listed heritage item.

The abovementioned report also identified the intention of the property owner to submit a development application for the redevelopment of the site, which was to include an appropriate conservation outcome for the heritage listed building.

On 8 October 2015 the subject development application was lodged with Council for the redevelopment of the subject land, including restoration works for Old Kendall's Mill House. Details of the application are provided herein for the consideration of the Heritage Protection Sub Committee.

**The Site**

The subject property comprises the two adjoining allotments under the same ownership. The heritage listed building is located at the street front of Lot 33 DP 131201, 316 Queen Street Campbelltown and is listed as a heritage item of local significance pursuant to Schedule 1 of Campbelltown (Urban Area) Local Environmental Plan 2002. An unoccupied commercial building (formerly Domino's Pizza and Liquorland) is located at the rear of the site on Lot 34 DP 131201, No. 316A Queen St.

---



Vehicular access to the land is from Milby Lane (public road) which runs along the south-western side of the property and connects with Queen Street. There are a number of mature Peppercorn trees generally located between the buildings within a sealed car parking area.

### **Proposal**

The proposed works are described by the applicant as "alterations and additions to an existing Heritage Building for commercial purposes and new attached multi storey mixed use commercial and residential building".

The main components of the proposal are summarised as follows:

- construction of a 10 storey mixed use residential apartment building at the rear of the site, comprising five commercial tenancies on the ground level and 72 residential units on the upper nine stories
- construction of basement car parking
- construction of a "new mill" extension to the existing building at the front of the site, in the same bulk and scale as the historic mill structure but in modern materials
- restoration of the existing Kendall's Mill House
- removal of existing Peppercorn trees
- partial demolition of the single storey components of the existing Kendall's Mill House.

### **Assessment**

The land is zoned 10(a) Regional Comprehensive Centre under the Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002). Under the provisions of LEP 2002, the proposal is permissible with Council's development consent. It is noted that the proposal is also permissible with consent under the corresponding provisions of the draft Campbelltown Local Environmental Plan 2014 (CLEP).

The LEP 2002 and CLEP have similar provisions which require Council to make an assessment of the significance of the heritage item on the land and the extent to which the proposed development would affect the significance of the item and its site.

In this respect, it is noted that the applicant has submitted a Heritage Impact Statement (HIS) prepared by Kayandel Archaeological Services, dated September 2015 (refer Attachment 1). The document is being reviewed by Council staff in conjunction with other information submitted by the applicant, however it is noted that the HIS provides the following key recommendations:

1. Archaeological investigation should be undertaken of the areas immediately surrounding Kendall's Mill House
2. A Conservation Management Plan should be prepared, detailing the following:
  - a. The construction fabrics used in Kendall's Mill House
  - b. The phases of construction present in Kendall's Mill House
  - c. The methods for restoration, and the materials to be used in the restoration
  - d. A plan for ongoing maintenance of Kendall's Mill House
3. Further investigation of the Peppercorn Trees that would be impacted by the proposal.

It is considered that the above recommendations of the HIS would need to be resolved as part of the assessment of the application in order to properly determine the impacts of the proposal on the heritage significance of the site. Given the close timing of the Heritage Protection Sub Committee report cycle following the lodgement of the application, a verbal update will be provided by Council staff to the Sub Committee on the progress of this matter.

---



**Conclusion**

On 8 October 2015, Council received an application for the development of the local heritage listed 'Old Kendall's Millhouse' at 316 Queen Street, Campbelltown. The subject building is in private ownership and is in a deteriorating condition having been unoccupied for an extended period of time.

The proposed development includes restoration works and additions to the existing building, and a 10 storey mixed use residential apartment building at the rear of the site (316A Queen Street).

The application provides an opportunity to rectify the deteriorating condition of the building; however this outcome needs to be balanced against the potential impacts of the proposed redevelopment of the site on the heritage significance of the listed item. Council's preliminary assessment of the application has identified some key deficiencies in the heritage related documentation provided by the proponent to allow these matters to be properly considered.

Given the close timing of the Heritage Protection Sub Committee report cycle following the lodgement of the application, a verbal update will be provided by Council staff to the Sub Committee on the progress of the assessment of the application.

**Officer's Recommendation**

That the Heritage Protection Sub Committee consider Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown and provide any comments to assist Council in its determination of the application.

**Sub Committee's Recommendation: (Wheeler/Kijurina)**

That Council considers the following comments from the Heritage Protection Sub Committee when determining Development Application 2777/2015/DA-C relating to the redevelopment of the local heritage listed 'Old Kendall's Mill House' site at 316 Queen Street Campbelltown:

- That the proponent be requested to provide Council with a Conservation Management Plan and Heritage Impact Statement and that this information be referred to the Heritage Protection Sub Committee for consideration; and
- That the proposal is considered to be an overdevelopment and would adversely impact upon the heritage significance of the site.

**CARRIED****7.2 Subdivision of the State listed Heritage Item 'Epping Forest' - Mississippi Crescent, Kearns****Reporting Officer**

Acting Manager Development Services

**Purpose**

To seek comments from the Heritage Protection Sub Committee with respect to Development Application 2400/2015/DA-S for the subdivision of the State Listed Heritage Item 'Epping Forest' at Lot 34 DP 262269 Mississippi Crescent, Kearns into five Torrens Title allotments.

---



**Report**

Property Description	Lot 34 DP 262269 Mississippi Crescent, Kearns
Application No	2400/2014/DA-C
Applicant	Design + Planning
Owner	Frank Lopresti Investments Pty Ltd
Statutory Provisions	Interim Development Order No. 27 Draft Campbelltown Local Environmental Plan 2014
Other Provisions	Campbelltown (Sustainable City) Development Control Plan 2014
Date Received	1 September 2015

**Introduction**

A development application was lodged with Council on 1 September 2015 which involves the subdivision of Lot 34 DP 262269 Mississippi Crescent, Kearns into five Torrens Title allotments at the site known as Epping Forest. The subject site is a State Listed Heritage Item, and as such, the application has been referred to Council's Heritage Sub Committee for information and comment.

A preliminary assessment of the application has revealed that insufficient information has been submitted with the application in order to provide a comprehensive assessment of the application. In terms of heritage aspects of the application, the development application has not provided a Heritage Impact Statement (HIS) detailing the impacts of the proposal on the heritage item. The applicant has been informed of the requirement to provide a HIS and will be providing additional information to Council prior to further assessment of the development application taking place.

**The Site**

The subject site, known as Epping Forest, is a State Listed Heritage Item containing a main house and a range of sheds consistent with the use of the site as a farming complex.

The Statement of Significance provided by the New South Wales Heritage Office details the significance of the site as follows:

Epping Forest is significant as a surviving example of an early colonial farm complex on the Cumberland Plain that retains the layout and fabric of a main house and associated outbuildings sited upon a small hill dating from the 1820s. The integrity of the place has been maintained by the survival of the Old Colonial Georgian style brick house, the slab and log outbuildings, and the survival of a sufficient curtilage of open country around the complex to enable its strategic siting and historical rural uses to still be appreciated and understood. The main house and outbuildings demonstrate in their layers of additional fabric and changing technology the ongoing functioning of the place as both a farm and residence. The overall layout of the complex, including its curtilage, allow for the continuance of a colonial built form within an increasingly late 20th century urbanised location.

**Proposal**

The proposed works under the subject application are summarised as follows:

- subdivision of the existing allotment to create five Torrens Title allotments (Attachment 1)
  - realignment of the existing access to the homestead (specific details have not been submitted with the development application)
-

## 2.3 Minutes Of The Heritage Protection Sub Committee Meeting Held 26 November 2015

---

- connection of services where required (specific details not been submitted with the development application).

Restoration works of the main house and associated outbuildings do not form part of the development application.

### **Assessment - The Heritage Act 1977**

In accordance with Section 91 of the *Environmental Planning and Assessment Act 1979*, the application requires approval under the *Heritage Act 1977*. Additional information, in relation to the heritage aspects of the proposal, including a Heritage Impact Statement, is required prior to Council referring the application to the NSW Heritage Office for comment.

### **Conclusion**

On 1 September 2015, Council received a development application for the subdivision of Lot 34 DP 262269 Mississippi Crescent, Kearns into five Torrens Title allotments. Given the lack of sufficient documentation to support the development application, Council has deferred the application prior to further assessment taking place. A verbal progress update will be given at the Heritage Protection Sub Committee meeting.

### **Officer's Recommendation**

That the Heritage Protection Sub Committee consider Development Application 2400/2015/DA-S for the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments and provide any comments to assist Council in its determination of the application.

### **Sub Committee's Recommendation: (Wheeler/Thompson)**

That Council considers the following comment from the Heritage Protection Sub Committee when determining Development Application 2400/2015/DA-S relating to the subdivision of the State Listed Heritage Item 'Epping Forest' Mississippi Crescent, Kearns into five Torrens Title allotments:

- That Council's assessment of the proposal be deferred subject to a more detailed Conservation Management Plan and Heritage Impact Statement being lodged with Council for its consideration.

### **CARRIED**

## **7.3 Conservation Management Plan - Glenalvon House**

### **Reporting Officer**

Manager Cultural Services

### **Purpose**

To advise the Heritage Protection Sub Committee that a new Conservation Management Plan has been completed for Glenalvon House.

### **Report**

Glenalvon House is situated at 6-8 Lithgow St Campbelltown and owned by Campbelltown City Council. A Conservation Management Plan was originally prepared by OCP Architects in 1999.

---



The Conservation Management Plan has been updated by OCP Architects between 2013-15 to review changes to the building and usage, and to incorporate new historical information. The Plan has been developed in close consultation with the Campbelltown and Airds Historical Society, who have a license to occupy and manage the property.

The new Conservation Management Plan includes considerable new historical analysis, researched and compiled by Campbelltown Historian Carol Liston. Through the course of her research, Mrs Liston has revealed that Glenalvon House was, for a time, formerly known as Australian House and operated as a convalescent hospital in the 1890s.

The revised Conservation Management Plan will ensure that the heritage value of Glenalvon can be maintained into the future.

**Officer's Recommendation**

That the information be noted.

**Sub Committee's Recommendation: (Kijurina/Stretch)**

That the information be noted.

**CARRIED**

**8. General Business**

**8.1 Mount Gilead**

Campbelltown Airds Historical Society representatives made enquires with Council officers in relation to the Mount Gilead rezoning application and whether or not the application included any plans for the old Mill located at the Mount Gilead site. Council's Manager Sustainable City and Environment advised that old Mill did not form part of the application.

**Sub Committee's Recommendation: (Kijurina/Stretch)**

That the information be noted.

**CARRIED**

**8.2 Campbellfield/Redfern's Cottage: Development Application 2952/2014 DA-C,  
20 Lind Street, Minto**

Campbelltown Airds Historical Society representatives enquired with Council officers in relation to the progress of Campbellfield/Redfern's Cottage Development Application. It was noted by the Sub Committee that the matter has been deferred for the reasons outlined in the report considered by the Heritage Protection Sub Committee at its meeting of 20 August 2015, and that Council officers are currently liaising with applicant to resolve these issues.

**Sub Committee's Recommendation: (Kijurina/Stretch)**

That the information be noted.

**CARRIED**

---

**8.3 Relocation of the John Oxley Anchor**

National Parks Association Representative Robert Wheeler advised the Sub Committee that Camden Council has relocated the John Oxley commemorative anchor from its previous location on private property to Curry Reserve in Elderslie to provide greater access for the community and visitors and to highlight the significance of John Oxley to the area.

**Sub Committee's Recommendation: (Wheeler/Thompson)**

That the information be noted.

**CARRIED****8.4 Heritage Protection Sub Committee Dates 2016**

Council's Strategic Planner advised the Sub Committee of the following Heritage Protection Sub Committee meeting dates for 2016. It was noted that these dates were adopted by Council at its meeting held on 17 November 2015:

**Thursday at 6.00pm**

25 February

26 May

18 August

**Sub Committee's Recommendation: (Kijurina/Stretch)**

That the information be noted.

**CARRIED****8.5 Joe Quinn Baseballer Request**

Council's Strategic Planner advised the Sub Committee that Council has responded to correspondence from Author Rochelle Llewelyn Nicholls who requested the naming of a Council baseball facility after Joe Quinn. It was noted that Council has committed to undertaking further investigations to examine the prospect of renaming a suitable sporting venue after Joe Quinn in the future should this be deemed appropriate.

**Sub Committee's Recommendation: (Stretch/Wheeler)**

That the information be noted.

**CARRIED****8.6 Heritage Medallion 2016**

Council's Strategic Planner advised the Sub Committee that Council is in the process of organising the 2016 Heritage Medallion. The exhibition period requesting nominations will extend from approximately mid-November 2015 to mid-February 2016. It was noted that the Heritage Sub Committee members will be included in the nomination process, and a report on the preferred finalists will be presented to the Heritage Protection Sub Committee meeting for its consideration in late February 2016.

**Sub Committee's Recommendation: (Kijurina/Wheeler)**

That the information be noted.

**CARRIED**

---



**8.7 Hurley Park Heritage Sign**

Council's Strategic Planner provided the Sub Committee with an update in relation to the interpretative signage (cattle tank and silt traps) being erected in Hurley Park. It was noted that the signage is currently in the manufacturing stage with a view to be erected at the identified location in the near future.

**Sub Committee's Recommendation: (Kijurina/Stretch)**

That the information be noted.

**CARRIED**

**8.8 2020 Campbelltown Bicentenary**

A Campbelltown Airs Historical Society representative made enquires with Council officers regarding preparations for the Campbelltown Bicentenary which will take place in 2020. Council's Strategic Planner confirmed that Council will be approaching various groups to canvas ideas for the bicentennial celebrations closer to the event date.

**Sub Committee's Recommendation: (Stretch/Wheeler)**

That the information be noted.

**CARRIED**

**8.9 Raith, Fern Ave Bradbury**

Council's Strategic Planner provided the Sub Committee with an update in relation to the sale process and negotiations with the new owner of the site for the future use and development of the Raith site. It was noted that Council's records indicate that Raith currently remains under the ownership of the NSW Government meaning that there has been no exchange on the property to date.

Campbelltown Airs Historical Society representatives advised the Sub Committee that they had inspected the restoration works undertaken at the Raith site and commended the work done in the restoration of the building.

**Sub Committee's Recommendation: (Stretch/ Kijurina)**

That the information be noted.

**CARRIED**

**8.10 Glenfield to Macarthur Priority Urban Renewal Corridor**

It was noted that at the Heritage Protection Sub Committee meeting of 20 August 2015, Council's Manager Sustainable City and Environment gave an undertaking to investigate Glenfield to Macarthur Priority Urban Renewal Corridor plan specifically as it relates to heritage issues with a view to providing an update in relation to this matter at the next Heritage Protection Sub Committee meeting.

---

Council's Strategic Planner confirmed that this review had been undertaken and that the overarching aim of the Corridor Strategy is to facilitate the transformation and revitalisation of areas in the vicinity of the seven railway stations between Glenfield and Macarthur, in order to provide a connected, accessible corridor with opportunities for living, working and recreation. The primary intent is to create a strategic vision for future development within the corridor, and put in place a broad framework to guide future land use policy changes.

Council considered a detailed report on the Corridor Strategy at its extraordinary meeting of 6 October 2015, and resolved to support the Strategy in principle subject to a number of matters being further investigated and resolved by the Department of Planning and Infrastructure. With respect to heritage issues, it is noted that all listed heritage items were identified and considered as part of the initial constraints assessment of the corridor land area. At this time there are no planning policy changes that would impact upon these heritage items, however it is noted that further studies will be undertaken which may include further assessment of heritage issues as part of site specific precinct planning within the corridor area.

**Sub Committee's Recommendation: (Wheeler/Thompson)**

That the information be noted.

**CARRIED**

**8.11 Heritage Protection Sub Committee Membership Update**

Council's Strategic Planner advised the Sub Committee that National Parks Association alternate voting delegate Mr Mario Majorich had regretfully advised Council in writing of his resignation from the Heritage Protection Sub Committee. Due to the resignation of Mr Majorich's position it was noted that the National Parks Association will need to identify an alternate voting delegate on their behalf.

**Sub Committee's Recommendation: (Stretch/Wheeler)**

1. That Council accept the resignation of Mr Mario Majorich as an alternative voting member of the Heritage Protection Sub Committee and send a letter of appreciation to him.
2. That the National Parks Association identifies an alternative voting delegate on their behalf.

**CARRIED**

**8.12 Hurlstone Agricultural High School**

The Sub Committee discussed the announcement by the Western Sydney University regarding the proposed sell-off by the State Government of the land at Hurlstone Agricultural High School, which will be relocated to a new state-of-the-art facility at its Hawkesbury campus by 2020 in a \$35 million plan. The boarding high school is expected to reap \$170 million and accommodate 11,000 new homes. A selective school will remain on the site and three schools for specific purposes will be refurbished and extended in the new Glenfield education precinct.

**Sub Committee's Recommendation: (Wheeler/Thompson)**

That the information be noted.

**CARRIED**

---

Next meeting of the Heritage Protection Sub Committee will be held on Thursday 25 February 2016 at 6.00pm in Committee Room 3.

Councillor Rowell  
**Chairperson**

Meeting concluded: 7.05pm

---

## **2.4 Planning Proposal for Residential Subdivision - No. 71 St Andrews Road, Varroville**

### **Reporting Officer**

Manager Environmental Planning

---

### **Attachments**

1. Location Plan (contained within this report)
2. Indicative layout plan of adjoining development (contained within this report)
3. Planning Proposal Request (provided on USB due to size of document)
4. Concept Plan of Subdivision (contained within this report)

### **History**

In March 2013, the planning process for the South West Growth Centre precinct of East Leppington was finalised. It is understood that the owners of No. 71 St Andrews Road had previously made submissions to the Department of Planning during the process seeking to have their land included in the East Leppington precinct for residential purposes. However, the Department of Planning at the time, declined to amend the boundary of the precinct. The owners of No. 71 St Andrews Road were understood to have been advised to contact Council regarding their rezoning (residential development) aspirations, which they subsequently did in December 2012.

Concurrently, a rezoning submission was being prepared on behalf of the owners of No. 366 St Andrews Road for Council's consideration in respect of the rezoning of that property for residential purposes. A preliminary rezoning request was lodged with Council in March 2013. This proposal coincidentally included No. 71 St Andrews Road. The applicant was requested to confirm that the owners of No. 71 St Andrews Road were willing to proceed with the proposal as presented. Council received confirmation of this on 18 June 2013.

A report was subsequently presented to Council at its meeting on 10 September 2013. This report considered the proposal for No. 71 St Andrews Road and No. 366 St Andrews Road as a single report owing to the fact that both properties adjoined each other, and had been included in a submission as a single proposal. At this meeting Council resolved:-

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

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

A separate report which related specifically to the preliminary planning proposal for No. 71 St Andrews Road, Varroville (the subject site) was considered by Council at its meeting on 15 October 2013, where Council determined:

---



1. That Council resolve to invite the proponents to submit a formal planning proposal request for No. 71 St Andrews Road, Varroville that would consider the potential development of a number of rural residential/environmental living allotments, noting that such a proposal would need to be supported by a range of technical investigations to address issues including:
  - visual impact
  - flora and fauna
  - traffic impacts and management
  - relationship to surrounding development (future and existing)
  - land use history and any site contamination potential
  - servicing capability
  - easements and utility constraints.
2. That Council notify the proponents in writing of its decision.
3. That interested Councillors attend an inspection of the property and surrounds.

Council notified the land owner of the above resolution via a letter dated 24 October 2013.

Council's decision to further consider a proposal for large lot rural residential/environmental living allotments on the subject site was based on its desire to protect the visual and environmental qualities of the subject site while acknowledging adjoining development pressure and Councils policy position. Further this approach was considered likely to provide an ordered transition between residential development surrounding the subject site to north and west and the heavily vegetated areas comprising remnant Cumberland Plain Woodland to the east and south.

However, contrary to Council's previous resolution, (and without any prior discussion), a planning proposal request to permit low density (15 dwellings per hectare) residential development on No. 71 St Andrews Road, Varroville was lodged by GAT and Associates, on behalf of the landowners on 11 November 2015.

Council wrote to the applicant on 11 January 2016 advising that the planning proposal request was inconsistent with Council's previous resolution and as such a report would be presented to Council recommending the proposal not be supported. As an alternative, the applicant was invited to withdraw the proposal and receive a full refund. Given no reply has been received the following report is presented for Council's consideration.

It is noted that Councillors received a briefing on the subject planning proposal request at Council's briefing night on 2 February 2016.

## **Report**

Property Description:	Lot 71, DP 706546, St Andrews Road, Varroville
Owner:	Mr Dario and Mrs Angelina Petrin
Applicant:	Gat and Associates Pty Ltd
Application Number:	3214/2015/E-LEPA

---

## Introduction

Council is in receipt of a planning proposal request, on behalf of the property owners, to rezone land at No.71 St Andrews Road, Varroville, to permit the development of the subject site for low density residential purposes with an indicative yield of 173 lots. The proposal is contrary to Council's previous resolution of 15 October 2013, which invited submission of a Planning Proposal Request for consideration stylised on rural residential/environmental living allotments.

Additionally, the supporting documentation does not comprehensively address the matters previously highlighted by Council for consideration in the preparation of a planning proposal request and more broadly the relevant statutory requirements.

## The Proposal

The planning proposal request submitted to Council, forms attachment 3.

In brief it seeks to amend the relevant planning controls contained in Campbelltown local Environmental Plan 2015 (CLEP 2015) by:

- Rezoning the site to R2 Low Density Residential (or similar in LEP 8)
- Incorporating a 15 dwelling/hectare density
- Incorporating a 9 metre building height
- Incorporating a 450sqm minimum lot size

A concept plan of proposed subdivision is provided in attachment 4. It proposes the creation of 173 residential allotments, with a minimum lot size of 450sqm (and resultant dwelling density of 15 dwellings/hectare). Additionally, 1.493 hectares of land is proposed to be devoted to riparian corridor/open space/easements purposes. The layout is noted to have been designed to integrate with the adjoining proposed residential developments to the north and west. It would appear that the previously referenced 1.493 hectares or part thereof would be transferred to Council at a later stage should the proposal be supported. It would further appear from the concept plan of subdivision and accompanying ecological report that there is no plan to retain any of the existing vegetation.

The planning proposal request provides the following justification for the proposed concept:

"We believe that the rezoning is appropriate given the adjoining R2 Low density residential land to the east and north and its location on the fringe of the East Leppington land release precinct. The zoning would result in St Andrews Road forming the boundary between the residential zone to the east and the environmental zone to the west, which is considered to be more appropriate than the current arrangement.

In addition, as a result of residential subdivisions being carried out in the vicinity of the subject site, there will be a significant increase in the availability of infrastructure and services that can be used to the advantage of the subject site."

---

### **The Site and Context**

The subject site is known as Lot 71, DP 706546, St Andrews Road, Varroville and is 14.01 hectares in area. It is directly bounded by St Andrews Rd (in a dog leg configuration) to the south, the Sydney Water Supply Upper Canal (which bisects St Andrews Rd) to the east and the South West Growth Centre to the north and west, as shown in attachment 1. The western boundary of the subject site aligns with the Local Government Area (LGA) boundary between Campbelltown and Camden.

The land directly adjoining the subject site to the north is located within the Campbelltown LGA and is zoned R2 Low Density residential and is being developed as low density residential housing by Stocklands, as part of its "Willowdale" development within the East Leppington Precinct. The land directly adjoining the subject site to the west is within the Camden LGA and is zoned R2 low density residential and is being developed for low density residential housing by the Cornish Group. The planning controls for both of these sites are contained within the Growth Centres SEPP and not Council's planning instruments.

Additionally the land to the south of the subject site on the opposite side of St Andrews Road is partly within the Camden Local Government Area (LGA) and partly within the Campbelltown LGA. The adjacent land within the Camden LGA forms part of the Emerald Hills development and is heavily vegetated with remnant Cumberland Plain Woodland dominating the landscape. Consequently it is zoned E2 Environmental Conservation. This land is to be used as a bio-banking site as a vegetative offset for the land clearing associated with the Emerald Hills development. An indicative layout of the recently approved developments adjoining the subject site is shown in attachment 2.

Additionally the land to the south of the subject site that is within the Campbelltown LGA is currently zoned 7(d1) Environmental Protection (Scenic) under Campbelltown Local Environmental Plan—District 8 (Central Hills Lands) and E3 Environmental Management under Campbelltown Local Environmental Plan 2015. The land situated between the LGA boundary and the Sydney Water Supply Upper Canal is also heavily vegetated with remnant Cumberland Plain Woodland dominating the landscape. This land is owned by the Serbian Orthodox Aged Care and Education Prop Fund. To the east of the Sydney Water Supply Upper Canal the land is used by the St Sava College.

The land to the east of the subject site on the opposite side of the Sydney Water Supply Upper canal is within the Campbelltown LGA and is currently zoned 7(d1) Environmental Protection (Scenic) under Campbelltown Local Environmental Plan—District 8 (Central Hills Lands) and E3 Environmental Management under Campbelltown Local Environmental Plan 2015. The land known as No.366 St Andrews Rd is currently vacant and heavily vegetated with remnant Cumberland Plain Woodland. The owners of this land as discussed earlier, have previously pursued rezoning of the land. However they have not provided the required additional information requested by Council to further consider their request. They continue to be advised of the limited development opportunities for their land given the dominant woodland character and Council's Scenic Hills policy position.

The subject site is bisected by a number of easements that align with the north to south "dogleg" section of St Andrews Road. There are two underground pipes, the DN 850 natural gas pipeline – Moomba to Wilton, the DN 200 phase ethane pipeline – Moomba to Botany and the high voltage electricity transmission line, within this service infrastructure corridor. The area of the site where the easements are located have been cleared of vegetation and can be seen in attachments 1, 2 and 3.

---



The subject site (and much adjoining land) was mapped by the Office of Environment and Heritage (2013) Native Vegetation of the Sydney Metropolitan Area as containing Cumberland Plain Woodland a Critically Endangered Ecological Community under both State and Federal Government legislation. The subject site has habitat with the potential to support other locally occurring threatened species such as the Cumberland Plain Land Snail which was found opposite the site in St Andrews Road. Further, while the Eastern Bentwing-bat and the Little Eagle have been found within 500 metres on an adjoining site.

### **Planning Instrument Aims, Objectives and Zoning**

The site is subject to the provisions of Campbelltown Local Environmental Plan - District D8 (Central Hills) (LEP D8) until Campbelltown Local Environmental Plan 2015 (CLEP 2015) becomes operational on 11 March 2016.

The aims and objectives of LEP D8 are cited to be:

'to ensure the 'Central Hills Lands District of the City of Campbelltown retains the rural character that was envisaged for it during the planning that preceded the urbanisation of that City.'

The zone objectives of the 7(di) Environmental Protection (Scenic) zone under LEP D8 are noted to be:

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

Further, CLEP 2015 includes the following generic aim reflect zone objectives.

Aims to conserve and enhance the environmental scenic and landscape values of Campbelltown.

#### **Zone E3 - Environmental Management Objectives:**

- to protect and maintain the environmental, ecological and visual amenity of the Scenic Hills from inappropriate development.
  - to preserve the rural heritage landscape of the Scenic Hills
  - to protect and enhance areas of Scenic Value and the visual amenity of prominent ridgelines
  - to protect bushland, wildlife corridors and natural habitat, including waterways and riparian lands
  - to ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.
-

The minimum subdivision size for land zoned 7(d1) Environmental Protection (Scenic) and E3 Environmental management is set at 100 hectares.

It should be noted that the subject site has an area which is lawfully less than the 100 hectares minimum and 'enjoys' a dwelling entitlement. This is because the allotment was created prior to the prescribed date in LEP D8. This entitlement has been acted upon and a dwelling house currently occupies the land. Under the current planning controls there is no further opportunity for subdivision of the property.

LEP D8 and CLEP 2015 both contain provisions in respect of escarpment preservation (doesn't apply to the subject site), development on steep land, tree preservation and heritage conservation, which expressly seek to minimise adverse development impacts on these inherently sensitive aspects of the Scenic Hills Landscape unit.

The proposal in broad terms is therefore considered to be inconsistent with the zone objectives and 'landscape preservation' provisions of the existing and proposed planning instruments that apply to the subject site.

### **Council's Policy Position on development within the Scenic Hills**

Council has long promoted the strategic importance of the Scenic Hills, and the role that this landscape unit plays in providing:

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

This role was reinforced in the 1973 Three City Structure Plan and has been rigidly enforced in the intervening years. More recently and particularly after 2007, Council has been subject to increasing pressure to facilitate development in the Scenic Hills. A number of proposals, as briefly documented below, have been presented to Council for its consideration. On each occasion Council has dismissed the proposals based on concerns with adverse scenic quality impacts and their potential precedent nature.

In considering a business park proposal, (on a somewhat more exposed and larger site than the subject site), at Varroville, Council at its meeting of 13 November 2007 resolved in part:

- That Council confirms in the strongest possible terms, its support for the high value that the Community of Campbelltown and South Western Sydney places on the Scenic Hills as an iconic landscape, with distinctive scenic, heritage and environmental qualities.
  - That Council unequivocally commits to continue to maintain and preserve the Scenic Hills for future generations to enjoy.
  - That Council declares it has no intention to amend current overall planning controls that would allow land uses and development with the Scenic Hills, not currently permitted by LEP District 8 (Central Hills Land).
-

It is also noted that Council raised concerns with potential development encroachment in the Scenic Hills with the NSW Government Owner nominated housing development program of 2011.

Indeed it objected to the Emerald Hills proposed development (adjacent to the subject site) of 1200 lots and a neighbourhood centre (refer attachment 2). The objection was based on Council's concern with the creep of residential development into the Scenic Hills and potential adverse traffic impacts.

Notwithstanding Campbelltown Council's objection, this proposal was supported by Camden Council and subsequently approved by the Sydney West Joint Regional Planning Panel.

Further on 16 October 2012, Council resolved; when considering potential impacts on the Scenic Hills.

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

Most recently, in support of Council's policy position on the Scenic Hills, Council at its meeting on 11 March 2014 considered a report on a planning proposal to which sought to facilitate the development of a cemetery on Lot B DP 370979, Lot 22 DP 564065 and Lot 1 DP 218016 St Andrews Road, Varroville and resolved:

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

due principally to concerns in respect of adverse impacts on the Scenic Hills.

Council's persistent and consistent resolutions in respect of proposed development in the Scenic Hills clearly reflects an unswerving commitment to the aims and objectives of LEP D8 and foreshadowed commitment to Campbelltown Local Environmental Plan, 2015 as reproduced below, together with the previously mentioned Scenic Hills landscape Unit preservation provisions.

It is noted that the relevant CLEP 2015 provisions have been informed by the comprehensive Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands (the visual study) prepared for Council by Paul Davies Pty Ltd in association with Geoffrey Britten, in accordance with Council's resolution of 18 October 2011.

From the preceding it will become apparent in the planning proposal request review that the Request is inconsistent with Council's policy position in respect of residential development in the Scenic Hills.

### **Review of the Planning Proposal Request**

The planning proposal request has been assessed against the former Department of Planning and Infrastructure's "A Guide to Preparing Planning Proposals" (October 2012) (The Guide) and "Guidelines on Local Plan Making."

---

The Guide contains directions in respect of the context and justification the proposal must address.

Following is a summary of Council's assessment of the subject Planning Proposal Request, in the context of the Guide. The summary focuses in particular upon consistency with:

- Metropolitan Planning
- Subregional Planning
- Section 117 Directions and State Environmental Planning Policies
- Local policies/strategies/plans
- Other matters

**Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

A plan for Growing Sydney (December, 2014) (the Plan) is the current principal strategic planning policy, guide Sydney's growth and development for a period of 20 years. (Metropolitan Plan).

It establishes housing and employment targets and provides directions and guiding principles when making planning decisions. The plan is also 'called up' as a Section 117 Planning Direction to be observed in the compilation of planning proposals.

The planning proposal request incorrectly addresses a former version of the Metropolitan Plan, known as the City of Cities - A Plan for Sydney's future published in 2005. It establishes that the request makes a positive contribution to the stated dwelling target of 640,000 additional dwellings and at a sub-regional level a positive contribution to the projected requirement of 155,000 dwellings.

The NSW Government is most recent contribution to sub-regional planning has taken place in the form of the Glenfield to Macarthur Urban Renewal Corridor (Strategy) and the Greater Macarthur Land Release Investigations which identify yields of 15,000 additional dwellings and 37,700 lots (to 2036) respectively.

Both proposals represent a strategic approach to housing supply which, unlike the request, does not compromise highly valued local community inspired strategies such as the preservation of the Scenic Hills.

The current Metropolitan Plan in addition to focusing on housing supply and affordability also promotes housing diversity (Action 2.1.1 Accelerate housing supply and local housing choices, Action 2.3.1 Require Housing Strategies to plan for a range of housing types).

In this regard the opportunity for low density rural residential/environmental living housing which is sensitive to its scattered woodland setting, as initially communicated by Council, would appear to offer the only potentially acceptable housing outcome to Council, not residential development at 15 dwellings per hectare as proposed. The Plan also importantly identifies the Scenic Hills (including the subject site) as potential parkland/reserve reinforcing its strategic open space function in the local/regional landscape.

---



In particular the potential strategic link between the Western Sydney Parklands and the Australian Botanic Gardens - Mount Annan cannot be lost sight of.

**Is this planning proposal consistent with a council's local strategy or other local strategic plan?**

The planning proposal request fails to address any relevant local strategy and in particular Council's Local Planning Strategy and the Community Strategic Plan.

Rather the request makes a series of generalist statements that the immediate context is being urbanised and the scenic context is being dramatically altered. Further, it states that the strategies underpinning the evolving South West Growth Centre/Leppington East Precinct are the most relevant and the request is consistent with the Growth Centres philosophy.

The Campbelltown Local Planning Strategy (LPS) was compiled to provide a context setting for the preparation of Campbelltown Local Environmental Plan 2015 (formerly draft CLEP 2014).

It was adopted by Council as a supporting document (Council meeting 26 March 2013) and publicly exhibited with draft CLEP 2014.

The LPS makes a series of unequivocal statements clearly focused on the preservation of the Scenic Hills Landscape unit, including the following:

- Retain the existing footprint of the Scenic Hills.
- Protect the prevailing "undeveloped"/rural state.
- Urbanisation should be avoided, including in particular intensification of existing uses and the further introduction of institutional development.
- Propose and implement a development model for the Scenic Hills.
- Foster an understanding and respect for the complexity and richness of the Scenic Hills landscape.
- Foster community access to the Scenic Hills so as to facilitate broader appreciation of their visual/scenic significance, including Bunbury Curran Hill and Badgally Hill.
- Protect the highly significant colonial cultural landscape of Varroville.
- Minimise visual impact of 'hard/physical' Infrastructure.

Within such context the only possibly scope for residential development is, as expressed previously, that of a low density rural residential/environmental living housing module which is sensitive to the prevailing woodland setting.

**Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?**

Section 117 of the Act enables the Minister to issue directions regarding the content of LEPs to the extent that the content must achieve or give effect to particular principles, aims, objectives or policies set out in those directions. Each planning proposal must identify which, if any, Section 117 Directions are relevant to the proposal, and whether the proposal is consistent with the direction. Where the planning proposal is inconsistent with any of the relevant directions, those inconsistencies must be specifically explained and justified in the planning proposal.

---

The planning proposal request is considered to be inconsistent with four significant section 117 Directions with such inconsistency not considered to be justified as is summarised below.

### **Direction 2.1 Environmental Protection Zones**

The objective of this direction is to protect and conserve environmentally sensitive areas and it specifies that:

- A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.
- A planning proposal that applies to land within an environmental protection zone or land otherwise identified for environmental protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).

The planning proposal request is not considered to have provided 'provisions that facilitate the protection and conservation of environmentally sensitive areas' as the development of the subject site would change the visual and ecological character of the area through the significant removal of Cumberland Plain Woodland and the intensification of residential development. Further this direction indicates that a planning proposal may be inconsistent with the direction provided certain criteria are met, however the planning proposal request has not addressed the specified criteria contained within Direction 2.1.

Therefore the planning proposal request is not considered to have complied with Direction 2.1 Environmental Protection Zones.

### **Direction 2.3 Heritage Conservation**

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The planning proposal request has indicated that this direction is 'Not Applicable', however the development abuts the Sydney Water Supply Upper Canal which is listed as a heritage item of state significance in the CLEP 2015 (and was so listed in draft CLEP 2014).

The planning proposal request has not considered any impact from the proposal upon the (State Listed) Sydney Water Supply Upper Canal. Accordingly, it has not complied with Direction 2.3 Heritage Conservation.

### **Direction 3.1 Residential Zones**

The objectives of this direction are:

- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
  - (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
-

- (c) to minimise the impact of residential development on the environment and resource lands.

A planning proposal must include provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and
- (b) make more efficient use of existing infrastructure and services, and
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
- (d) be of good design.

The intention of Council's original decision to request the owners lodge a formal planning proposal for rural residential/environmental living allotments was to protect the visual and environmental qualities of the subject site while providing a transition and living opportunities between "full scale" residential development and the adjoining environmental protection lands. This approach could be achieved potentially by future environmental living (E4) zone for the land with a reduction in lot size to approximately 1 hectare. A number of 1 hectare lots (appropriate area) would provide sufficient area to locate a dwelling and ancillary structures while respecting the constraints of the site i.e. Cumberland Plain Woodland, bushfire hazard management and the various utility easements. Relevant woodland management requirements could also be introduced as positive covenants on title.

This larger lot size and housing form would mirror the lot sizes and housing outcomes in St Davids and St James Roads Varroville which also abutt the Willowdale estate and provide a uniform approach to transitioning between different land use zones. See attachment 2. This configuration would also allow for any drainage easement/riparian corridor and land constrained by easements to be in private rather than public ownership.

In addition the provision of large lot residential development would also provide housing choice adding in a limited manner to a market that is undersupplied for new large lot rural residential/environmental living. Further it would better comply with this direction than the continuation of R2 Low Density Residential.

Therefore the planning proposal request is not considered to be sufficiently consistent with Direction 3.1 Residential Zones, particularly objective (a) and requirement (a).

## **7.1 Implementation of a Plan for Growing Sydney**

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

The planning proposal request is considered to be inconsistent with Direction 7.1 in respect of implementation of a Plan for Growing Sydney.

---

**Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

Council officers do not agree with the conclusion of the Ecological Assessment report, that being, that the vegetation onsite no longer represents Cumberland Plain Woodland particularly given the site has been previously mapped by the Office of Environment and Heritage as containing Cumberland Plain Woodland. Should the vegetation on the subject site be confirmed as Cumberland Plain Woodland, the impact of the proposal (as shown by the indicative lot layout) on the vegetation would be significant.

Additionally, the opportunity for fauna habitat is too readily dismissed, as to are the "stepping stone" opportunities, particularly for arboreal mammals.

**Applicant's Technical Supporting Investigations**

Council's resolution on 15 October 2013 required that the planning proposal request be supported, as a minimum, by a range of technical investigations to address issues including:

- visual impact
- flora and fauna
- traffic impacts and management
- relationship to surrounding development (future and existing)
- land use history and any site contamination potential
- servicing capability
- easements and utility constraints.

The planning proposal request is accompanied by the following supporting technical studies:

- Preliminary Site Investigation (contamination assessment)
- Bushfire Assessment Report
- Ecological Assessment Report
- Traffic and Parking Assessment Report
- Concept Services and Drainage Plan

Unfortunately two critical technical studies requested by Council, i.e. visual impact and relationship to surrounding development have not been submitted with the planning proposal request.

The subject site was included in the report entitled "Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands" prepared in 2011 for Council by Paul Davies Pty Ltd in association with Geoffrey Britton (the Visual Study). It is part of Unit 1 (E-LU1) in the Visual Study and is included in an area within the report that was identified as 'retain hidden undeveloped quality'. The planning proposal request has not considered the Visual Study and subsequently not addressed how the proposal will impact upon the identified visual quality of the subject site.

---



While it is acknowledged that the subject site sits behind the ridgeline of the Scenic Hills as viewed from Campbelltown, and as such could have minimal visual impact in itself, the precedent created could possibly give rise to future subdivision pressure on adjoining land. This site is typical of several within the Varroville locality that may be subject to future planning proposals. In each case, these sites are typified by their high value scenic nature, existing low scale of development, and higher environmental significance.

The technical studies that were submitted suggest that the matters investigated are not an impediment to further development on the subject site. Council officers have only conducted a preliminary assessment of these studies as it is considered to be premature to consider these issues in detail as the planning proposal is inconsistent with key policy issues including Council's Policy Position, Sydney Metropolitan Strategy and relevant Section 117 directions.

Of those studies that have been subject to preliminary review, Council officers do not agree with the outcome of the Ecological Assessment report. This report concludes that the vegetation onsite no longer represents Cumberland Plain Woodland. However, as mentioned previously the site has been previously mapped by the Office of Environment and Heritage (2013) Native Vegetation of the Sydney Metropolitan Area as containing Cumberland Plain Woodland. Should the vegetation on the subject site be confirmed as Cumberland Plain Woodland, the impact of the proposal (as shown by the indicative lot layout) on the vegetation would be significant.

Council officers are not convinced that the consultants interpretation of the definition of Cumberland Plain Woodland is completely accurate and would typically ask for this report to be peer reviewed. However, given the outlined failures of the planning proposal request to address key issues it would not be appropriate to allocate additional time and resources to this task at present. Confidence in the veracity of the Ecological Assessment Report is further diminished by the Koala commentary which reinforces the lack of a resident population of Koalas at Picton.

## **Conclusion**

Council, at its meeting on 15 October 2013, considered a report in respect of a preliminary planning proposal which sought Council's view on the future potential of the subject site for rezoning for residential purposes prior to the owner moving to the expense of a formal planning proposal request. In response, Council resolved that it would consider the potential development of a number of rural residential/environmental living allotments, subject to a number of technical studies being prepared in support of such a proposal.

On 11 November 2015, GAT and Associates, on behalf of the landowners, lodged a planning proposal request, contrary to Council's previous resolution (outlined above) promoting low density residential development on No. 71 St Andrews Road, with an indicative yield of 173 lots, reflecting a density of 15 dwelling per hectare and adopting consistent planning controls to those in the adjoining East Leppington Centre Precinct.

---

The planning proposal request has been reviewed by Council officers having regard to:

- Council's previous resolution regarding this site on 15 October 2013
- Council's policy position on residential development within the Scenic Hills
- Sydney Metropolitan Strategy – “A Plan for Growing Sydney’ 2014 and related subregional planning implications
- Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*)
- Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)
- Campbelltown Local Environmental Plan 2015
- Campbelltown Local Planning Strategy 2013
- Visual Analysis of Campbelltown’s Scenic Hills and East Edge Scenic Protection Lands 2011
- A Guide to Preparing Planning Proposals (October 2012)

The review has found that there is insufficient planning merit to justify the planning proposal request as the proposal is:

Inconsistent with:

- Council's previous resolution regarding this site on 15 October 2013
- Council's policy position on residential development within the Scenic Hills
- Sydney Metropolitan Strategy – “A Plan for Growing Sydney’ 2014 and related subregional planning implications
- Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*) Directions 2.1, 2.3, 3.1 and 7.1
- Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)
- Campbelltown Local Environmental Plan 2015
- Campbelltown Local Planning Strategy 2013

Has not addressed/adequately addressed:

- Visual impacts
- Relationship to surrounding development (future and existing)
- Environmental impacts (Cumberland Plain Woodland)

As a result it is recommended that Council not support the planning proposal request to rezone land at Lot 71, DP 706546, St Andrews Road, Varroville from its existing scenic protection environmental management zones to low density residential, with related principal planning controls.

### **Officer's Recommendation**

1. That Council not support the planning proposal request (application number 3214/2015/E-LEPA) to rezone land at Lot 71, DP 706546, St Andrews Road, Varroville from its existing 7(d1) scenic protection zone and future E3 Environmental Management Zone to R2 low density residential (or similar) low density residential, with accompanying relevant principal development standards, for the following reasons:
-

**a) Inconsistency with Council's previous preliminary resolution regarding this site on 15 October 2013**

It is considered that the planning proposal request is inconsistent with Council's previous resolution which indicated that Council would consider a planning proposal request for the potential development of a number of rural residential/environmental living allotments on the subject site, subject to relevant supporting documentation.

**b) Inconsistency with Council's policy position on residential development within the Scenic Hills**

It is considered that the planning proposal request is inconsistent with Council's previous resolutions 13 November 2007 and 16 October 2012 and Local Planning Strategy (2013) which have reaffirmed Council's strong opposition to any urban/rural residential development in the Scenic Hills.

**c) Inconsistent with Sydney Metropolitan Strategy – "A Plan for Growing Sydney" - 2014**

It is considered that the planning proposal request is inconsistent with the Sydney Metropolitan Strategy – "A Plan for Growing Sydney" 2014 as this plan recognises the Scenic Hills (including this property) as potential Parkland/Reserve and promotes generically housing diversity.

**d) Inconsistent with Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*) (Directions 2.1, 2.3, 3.1 and 7.1)**

It is considered that the planning proposal request is inconsistent/not justified the inconsistency with Ministerial Directions 2.1, 2.3, 3.1 and 7.1 as the proposal has not adequately addressed impacts upon Environmental Protection Zones, Heritage Conservation, Housing diversity within Residential Zones and implementation of the Sydney Metropolitan Strategy.

**e) Inconsistent with the objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)**

It is considered that the planning proposal request is inconsistent with the aims and objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands) as the proposal would not provide a visual contrast to the urban areas of Campbelltown, Camden and Liverpool. Further, it is considered inconsistent with the 7(d1) zone objectives.

**f) Inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015**

It is considered that the planning proposal request is inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015 as the proposal would not protect, and maintain the environmental, ecological and visual amenity of the Scenic Hills.

---

**g) Inconsistent with the objectives of Campbelltown Local Planning Strategy 2013**

It is considered that the planning proposal request is inconsistent with the relevant objectives of the Campbelltown Local Planning Strategy 2013 as the proposal in particular would not protect the prevailing “undeveloped”/rural state of the Scenic Hills.

**h) Adverse Environmental Impact**

It is considered that the planning proposal request would have an adverse impact upon the environment with respect to the loss of a Critically Endangered Ecological Community – Cumberland Plain Woodland and related habitat qualities.

**i) Proposal Fails to Demonstrate**

The planning proposal request fails to demonstrate how visual impacts and the site's relationship to surrounding development (future and existing) will be managed to minimise impacts upon the Scenic Hills.

2. That Council advise the applicant of Council's decision.

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

That the Officer's Recommendation be adopted.

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

Voting against the Committee's Recommendation: nil

**Council Meeting 16 February 2016**

Having declared an interest in regard to Item 2.4, Councillor Lake left the Chamber and did not take part in debate nor vote on this item.

**Council Meeting 16 February 2016 (Oates/Brticevic)**

That the Officer's Recommendation be adopted.

**Amendment: (Brticevic/Oates)**

1. That Council not support the planning proposal request (application number 3214/2015/E-LEPA) to rezone land at Lot 71, DP 706546, St Andrews Road, Varroville from its existing 7(d1) scenic protection zone and future E3 Environmental Management Zone to R2 low density residential (or similar) low density residential, with accompanying relevant principal development standards, for the following reasons:
-



**a) Inconsistency with Council's previous preliminary resolution regarding this site on 15 October 2013**

It is considered that the planning proposal request is inconsistent with Council's previous resolution which indicated that Council would consider a planning proposal request for the potential development of a number of rural residential/environmental living allotments on the subject site, subject to relevant supporting documentation.

**b) Inconsistency with Council's policy position on residential development within the Scenic Hills**

It is considered that the planning proposal request is inconsistent with Council's previous resolutions 13 November 2007 and 16 October 2012 and Local Planning Strategy (2013) which have reaffirmed Council's strong opposition to any urban/rural residential development in the Scenic Hills.

**c) Inconsistent with Sydney Metropolitan Strategy – "A Plan for Growing Sydney" - 2014**

It is considered that the planning proposal request is inconsistent with the Sydney Metropolitan Strategy – "A Plan for Growing Sydney" 2014 as this plan recognises the Scenic Hills (including this property) as potential Parkland/Reserve and promotes generically housing diversity.

**d) Inconsistent with Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*) (Directions 2.1, 2.3, 3.1 and 7.1)**

It is considered that the planning proposal request is inconsistent/not justified the inconsistency with Ministerial Directions 2.1, 2.3, 3.1 and 7.1 as the proposal has not adequately addressed impacts upon Environmental Protection Zones, Heritage Conservation, Housing diversity within Residential Zones and implementation of the Sydney Metropolitan Strategy.

**e) Inconsistent with the objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)**

It is considered that the planning proposal request is inconsistent with the aims and objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands) as the proposal would not provide a visual contrast to the urban areas of Campbelltown, Camden and Liverpool. Further, it is considered inconsistent with the 7(d1) zone objectives.

**f) Inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015**

It is considered that the planning proposal request is inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015 as the proposal would not protect, and maintain the environmental, ecological and visual amenity of the Scenic Hills.

---

**g) Inconsistent with the objectives of Campbelltown Local Planning Strategy 2013**

It is considered that the planning proposal request is inconsistent with the relevant objectives of the Campbelltown Local Planning Strategy 2013 as the proposal in particular would not protect the prevailing “undeveloped”/rural state of the Scenic Hills.

**h) Adverse Environmental Impact**

It is considered that the planning proposal request would have an adverse impact upon the environment with respect to the loss of a Critically Endangered Ecological Community – Cumberland Plain Woodland and related habitat qualities.

**i) Proposal Fails to Demonstrate**

The planning proposal request fails to demonstrate how visual impacts and the site's relationship to surrounding development (future and existing) will be managed to minimise impacts upon the Scenic Hills.

2. That Council advise the applicant of Council's decision.
3. That Council oppose any urban, rural-residential or commercial development of the Scenic Hills that is not in line with the current zoning.
4. That Council continues to oppose the planning proposal to permit a cemetery in the Scenic Hills.
5. That Council continues to protect and preserve the Scenic Hills from Glenfield to Campbelltown.

**Council Resolution Minute Number 11**

That the above amendment be adopted.

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

Voting against the Council Resolution was Councillor: Mead.

At the conclusion of the discussion regarding Item 2.4, Councillor Lake returned to the Chamber for the remainder of the meeting.

---

## ATTACHMENT 1





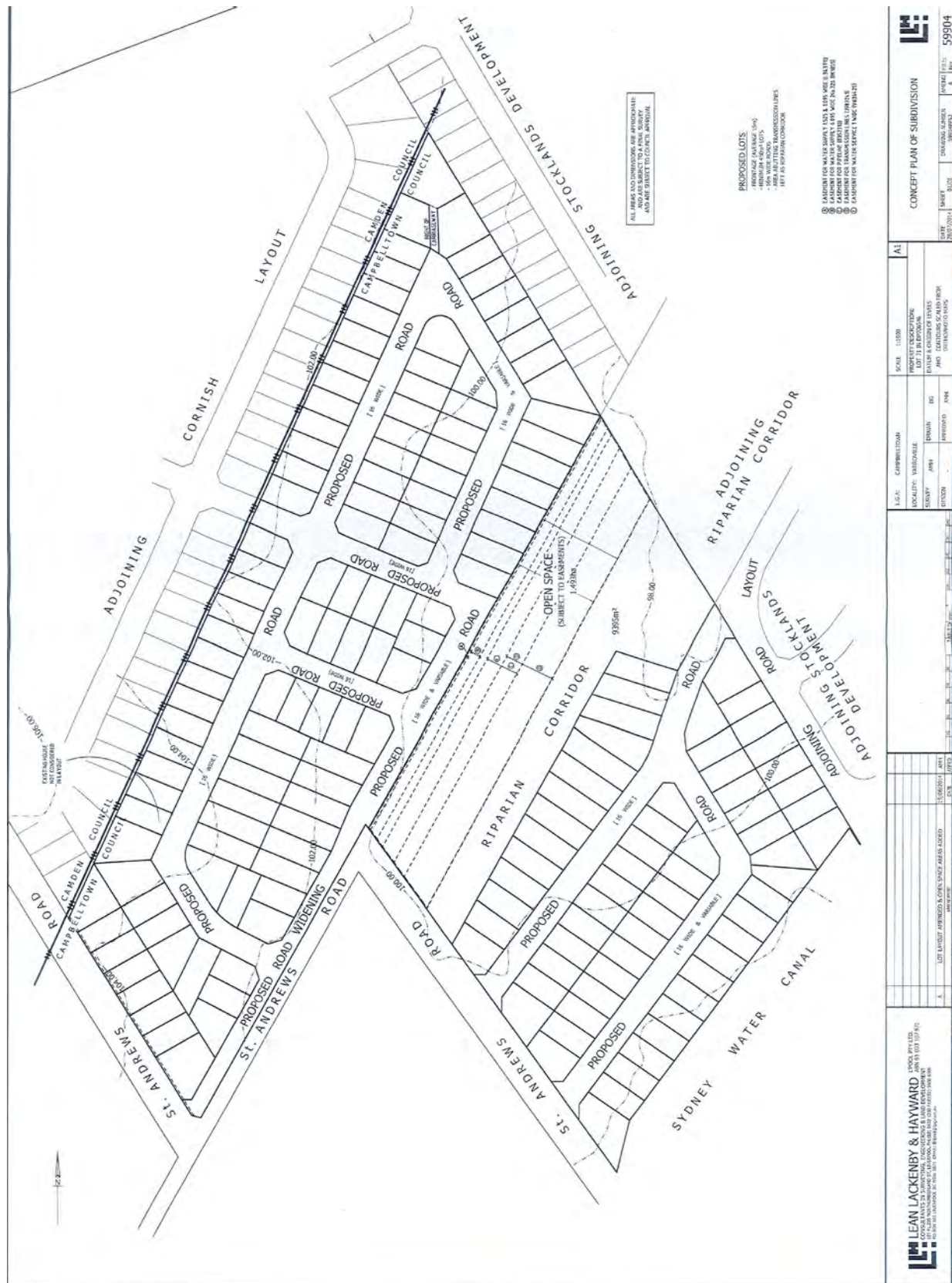
## ATTACHMENT 2



Attachment 2. Indicative Layout Plan of adjoining development



## ATTACHMENT 4



## **2.5 Planning Proposal for Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville**

### **Reporting Officer**

Manager Environmental Planning

---

### **Attachments**

1. Location Plan (contained within this report)
2. Indicative layout plan of adjoining development (contained within this report)
3. Planning Proposal Request (provided on USB due to size of document)
4. Indicative Structure Plan (contained within this report)

### **History**

The subject site was originally used as open grazing land. A previous rezoning application was refused by Council in October 1995 to permit the use of the subject site as a cemetery and crematorium. A development application was approved by Council on 3 February 1998 for a more sympathetic land use being the construction of an 18 hole golf course, Clubhouse and maintenance sheds. The subject site continues to be used as a golf course and reception centre.

In November 2011, the then Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, invited owners of large appropriately sited landholdings to make a submission to have their land considered by the NSW Government for housing development.

At the conclusion of the submission deadline the then Director General of the Department of Planning and Infrastructure wrote to Council in December 2011 to advise that a proposal had been received for the subject site.

Council received further correspondence dated 12 March 2012 from the then Director General advising that a preliminary review of the landowner nominated sites had been conducted and that only submissions relating to sites in the Sydney Region over 100 hectares with sufficient information for evaluation purposes would progress to the next stage of the review. The subject site was included in the next stage of the review.

On 16 March 2013, the Minister for Planning and Infrastructure released the Government's response into the review of the potential home sites over 100 hectares in size and announced seven sites for immediate action including one within the Campbelltown LGA - Blairmount and Eagle Vale Drive.

The subject site (Macarthur Grange) was considered to have predominantly low suitability for housing delivery, low suitability for competing land uses, low suitability for services ability, low suitability for Scenic Hills and low suitability for Strategic fit.

---

## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

At that time the Minister also announced that the NSW Government would investigate the longer term potential of 13 other sites for 60,000 new homes in consultation with the public. Of these 13 sites, four sites were to be addressed under the draft Metropolitan Strategy for Sydney while the remaining nine sites were in Wollondilly Shire and these were partly considered as part of the Greater Macarthur Investigation Area in 2015.

Council officers met at the request of representatives for the applicant (Cardno) in August and October 2015, providing advice on the key constraints associated with the subject site and Council's policy position on residential development within the Scenic Hills.

A planning proposal request to rezone the land for a variety of land use types including principally residential/urban purposes, was lodged by Cardno on 21 December 2015.

Councillors received a briefing on the planning proposal request at Council's briefing night on 2 February 2016.

### Report

Property Description:	Lot 3900 DP 1170905, Raby Road, Varroville (127.4 hectares)
Owner:	Toscuz Investments Pty Ltd
Property Description:	Lot 3901 DP 1170905, Raby Road, Varroville (2 hectares)
Owner:	Mrs Angela Tacca and Mr Francesco Tacca
Applicant:	Cardno (NSW/ACT) Pty Ltd
Application Number:	3639/2015/E-LEPA
Date Lodged:	21 December 2015

### Introduction

Council is in receipt of a planning proposal request, on behalf of the property owners, to rezone 129.4 hectares of land at Lot 3900 and 3901 Raby Road, Varroville, to permit the development of the subject site for a range of land use zones consistent with the following zones: R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, B4 Mixed Use, E2 Environmental Conservation, E4 Environmental Living, RE1 Public Recreation and W1 Natural Waterways.

### The Proposal

The planning proposal request submitted to Council, forms attachment 3. In brief it seeks to amend the current relevant planning controls by:

- Rezoning the site into a range of zones with corresponding minimum lot sizes and densities (dwelling/hectare) as shown in the table below
-

## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

- Maintaining the maximum height of buildings in accordance with the corresponding zoning in the CLEP 2015 except for Escarpment Protection areas where a maximum building height of 6.7 metres would apply (8.5 metres under CLEP 2015).

Development Type	Proposed Zone	Developable Area	Dwellings per Hectare	Lot Yield
Environmental Cluster Housing	E4	3.45Ha	11.6	Approx. 40
Residential - Minimum 450sqm	R3	5.13Ha	18.1	93
Residential - Minimum 650sqm	R2	19.99Ha	13.3	265
Residential - Minimum 800sqm	R5	2.38Ha	10.5	25
Residential - Minimum 1000sqm	R5	6.33Ha	9.5	60
Residential - Minimum 1500sqm	R5	2.02Ha	4	8
Residential - Minimum 2000sqm	R5	14.35Ha	2.6	38
Mixed Use	B4	8.75Ha	-	-
Open Space - Cumberland Plain Woodland	E2	26.5Ha	-	-
Open Space	RE1	19.1Ha	-	-

An Indicative Structure Plan is provided in attachment 4 which proposes the:

- Provision of 529-569 additional new dwellings with a range of lot sizes and densities (as referenced above)
- Preservation of the ridgeline by ensuring no development will be undertaken where the site is visible from Campbelltown or surrounding areas
- Protection of views of the Scenic Hills through the retention of vegetation, by not developing visible areas identified by a view analysis and providing a 40metres wide vegetation buffer to the north and 20metres wide wildlife corridors linking the Cumberland Plain Woodland to the south
- Retention of 26.5 hectares of Cumberland Plain Woodland through two bio-banking sites (currently listed as an expression of interest on the Office of Environment and Heritages' Bio-Banking Website)
- Retention of all existing pockets of *Pimelea Spicata*
- Provision of 45.6 hectares or 35 per cent of the site for public open space designed to encourage walking and cycling
- Public ownership of the BioBanking sites so that part of the 'Scenic Hills escarpment lands' are retained to overcome any use of the project as a potential for precedent in the Scenic Hills
- Retention of the existing Macarthur Grange Function Centre to provide cultural/social/recreational community focal points



## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

The Indicative Structure Plan reflects the natural topography of the site, with the road predominantly working with the contours to reduce any cut/fill requirements. Proposed housing densities in the northern section reflect the natural topography with 450sqm-800sqm allotments being proposed in the flatter areas of the site and 801sqm- 1500sqm allotments proposed on the steeper terrain. Mixed use zones are proposed along Raby Road and in the centre of the site, providing some employment opportunities for future residents. The southern section is proposed to maintain the rural character of the site and surrounding areas, with allotments having a minimum area of 1000sqm.

Several areas of the site are to be retained for environmental management and are to be made available for the community use. Additional areas of the site have been identified for recreational purposes and will comprise waterways, pathways and cycleways which will connect the site from Raby Road to the north through to the extension of Badgally Road to the south. Recreation areas comprise of 26.5 hectares of Cumberland Plain woodland (and waterways), and an additional 19.1 of open space comprising of waterways, landscaping and path/cycleways.

The southern section of the site reflects a rural development with larger allotments and additional controls within the escarpment protection areas, producing a smaller yield per hectare.

### **The Site and Context**

The subject site is known as Lot 3900 and Lot 3901, DP 1170905, Raby Road, Varroville. It has an area of approximately 129.5 hectares and a frontage to Raby Road of approximately 630 metres. The site is irregular in shape and currently contains the Macarthur Grange Golf Course and Function Centre within its northern portion and grazing land and remnant vegetation within its southern portion. Crossing the site is a number of power and gas easements.

The site is elevated and dissected by hills and valleys. The eastern boundary of the site presents a prominent ridgeline that adds to the scenic quality of the site. The ridge creates a significant visual barrier between the site and urban areas to the east, maintaining the objectives of the Scenic Hills precinct. The site is affected by escarpment preservation controls at its southern portion and small areas along its eastern and northern boundary lines.

The subject site was mapped by the Office of Environment and Heritage (2013) Native Vegetation of the Sydney Metropolitan Area as containing Cumberland Plain Woodland a Critically Endangered Ecological Community under both State and Federal Government legislation. *Pimelea Spicata* a State and Federal Government listed endangered species is also present on the site.

The land to the north of the site (on the opposite side of Raby Road) forms the extension of the Scenic Hills towards St Andrews Road. This land contains remnant vegetation, hills and valleys and large properties used predominantly for grazing.

---

## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

The land to the east of the subject site contains remnant vegetation and a steep ridge that disconnects the site from eastern residential developments including Kearns and Eschol Park. The land to the south of the subject site forms the extension of the Scenic Hills towards Badgally Road. This land contains remnant vegetation, hills and valleys and is predominantly used for grazing. St Gregory's College is located to the south west, connecting Badgally Road.

The western boundary of the subject site aligns with the Local Government Area (LGA) boundary between Campbelltown and Camden. The land to the west of the subject site consists of rural residential development which is identified for redevelopment as the El Caballo Blanco/Gledswood Hills Urban Release Area. Camden Council rezoned this land in 2014 for the purpose of urban development.

### **Planning Instrument Aims, Objectives and Zoning**

The site is subject to the provisions of Campbelltown Local Environmental Plan - District D8 (Central Hills) (LEP D8) until Campbelltown Local Environmental Plan 2015 (CLEP 2015) becomes operational on 11 March 2016.

The aims and objectives of LEP D8 are cited to be:

'to ensure the 'Central Hills Lands District of the City of Campbelltown retains the rural character that was envisaged for it during the planning that preceded the urbanisation of that City.'

The zone objectives of the 7(d1) Environmental Protection (Scenic) zone under LEP D8 are noted to be:

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

Further, CLEP 2015 includes the following generic aim reflect zone objectives.

Aims to conserve and enhance the environmental scenic and landscape values of Campbelltown.

### **Zone E3 - Environmental Management Objectives:**

- to protect and maintain the environmental, ecological and visual amenity of the Scenic Hills from inappropriate development.
  - to preserve the rural heritage landscape of the Scenic Hills
  - to protect and enhance areas of Scenic Value and the visual amenity of prominent ridgelines
-

## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

- to protect bushland, wildlife corridors and natural habitat, including waterways and riparian lands
- to ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

The minimum subdivision size for land zoned 7(d1) Environmental Protection (Scenic) and E3 Environmental management is set at 100 hectares.

LEP D8 and CLEP 2015 both contain provisions in respect of escarpment preservation, development on steep land, tree preservation and heritage conservation, which expressly seek to minimise adverse development impacts on these inherently sensitive aspects of the Scenic Hills Landscape unit.

The proposal is therefore considered to be largely inconsistent with the zone objectives and 'landscape preservation' provisions of the existing and proposed planning instruments that apply to the subject site.

### **Council's Policy Position on development within the Scenic Hills**

Council has long promoted the strategic importance of the Scenic Hills, and the role that this landscape unit plays in providing:

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

This role was reinforced in the 1973 Three City Structure Plan and has been rigidly enforced in the intervening years. More recently and particularly after 2007, Council has been subject to increasing pressure to facilitate development in the Scenic Hills. A number of proposals, as briefly documented below, have been presented to Council for its consideration. On each occasion Council has dismissed the proposals based on concerns with adverse scenic quality impacts and their potential precedent nature.

In considering a business park proposal, on a somewhat similarly located site, at Varroville, Council at its meeting on 13 November 2007 resolved in part:

- That Council confirms in the strongest possible terms, its support for the high value that the Community of Campbelltown and South Western Sydney places on the Scenic Hills as an iconic landscape, with distinctive scenic, heritage and environmental qualities.
  - That Council unequivocally commits to continue to maintain and preserve the Scenic Hills for future generations to enjoy.
  - That Council declares it has no intention to amend current overall planning controls that would allow land uses and development with the Scenic Hills, not currently permitted by LEP District 8 (Central Hills Land).
-

## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

Further on 16 October 2012, Council resolved; when considering potential impacts on the Scenic Hills

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

Most recently in support of Council's policy position on the Scenic Hills, Council at its meeting on 11 March 2014 considered a report on a planning proposal to allow the development of a cemetery on Lot B DP 370979, Lot 22 DP 564065 and Lot 1 DP 218016 St Andrews Road, Varroville and resolved:

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

due principally to concerns in respect of adverse impacts on the Scenic Hills.

More specifically, a number of proposals have been prepared for the subject site and have not been supported by Council given their inconsistency with Council policy in respect of the Scenic Hills. As previously mentioned in October 1995, a rezoning request to permit the use of the subject site as a cemetery and crematorium and in December 2011, a nomination to the NSW Government's Owner nominated housing development program were opposed by Council.

Council objected to this site's nomination under the Owner nominated program on the grounds of:

- significant and adequate supply of zoned and planned greenfields land exists in SW Sydney
- exacerbation of existing regional road infrastructure network inadequacies without commitment to satisfy backlog of needs
- contrary to policy on scenic hills – weaken rural and scenic buffer between Campbelltown and Camden LGAs
- isolated from other centres within Campbelltown LGA
- constrained by slope and drainage
- additional traffic pressures on road network
- services availability
- likelihood houses will be built within three years taking into account landownership patterns, planning processes and demand
- willingness and capacity of the landowner to finance the planning and infrastructure associated with delivery of the housing
- availability of enabling infrastructure, capacity of regional transport networks and accessibility of human services

Ultimately the NSW Government agreed with Council's assessment of the proposal and the subject site was not included in the program as it was considered to have predominantly low suitability for housing delivery, low suitability for competing land uses, low suitability for services ability, low suitability for Scenic Hills and low suitability for Strategic fit.

---



## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

While the applicant may argue that a number of these constraints have been overcome, such as servicing capability, the impact upon the Scenic Hills is an issue that remains central to the inappropriateness of the predominantly residential/urban development scheme.

Council's persistent and consistent resolutions in respect of proposed development in the Scenic Hills clearly reflect an unswerving commitment to the aims and objectives of LEP D8 and foreshadowed commitment to Campbelltown Local Environmental Plan, 2015 as reproduced below, together with the previously mentioned Scenic Hills landscape Unit preservation provisions.

It is noted that the relevant CLEP 2015 provisions have been informed by the comprehensive Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands (the visual study) prepared for Council by Paul Davies Pty Ltd in association with Geoffrey Britten, in accordance with Council's resolution of 18 October 2011.

From the preceding it will become apparent in the following planning proposal request review that the Request is inconsistent with Council's policy position in respect of residential development in the Scenic Hills.

### **Review of the Planning Proposal Request**

The planning proposal request has been assessed against the former Department of Planning and Infrastructure's "A Guide to Preparing Planning Proposals" (October 2012) (The Guide) and "Guidelines on Local Plan making".

The guide contains directions in respect of the context and justification the proposal must address. It would appear that the planning proposal request has been prepared using an earlier version of the guide as the issues addressed in the justification of the proposal do not correspond to those within the October 2012 guide.

Following is a summary of Council's assessment of the subject Planning Proposal Request, in the context of the guide. The summary will focus in particular upon consistency with:

- Metropolitan Planning
- Subregional Planning
- Section 117 Directions and State Environmental Planning Policies
- Local policies/strategies/plans
- Other matters

### **Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

A Plan for Growing Sydney (December, 2014) (the Plan) is the current principal strategic planning policy to guide Sydney's growth and development for a period of 20 years. (Metropolitan Plan).

It establishes housing and employment targets and provides directions and guiding principles when making planning decisions. The Plan is also called up as a Section 117 Planning Direction to be observed in the compilation of planning proposals.

---

## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

The NSW Government most recent contribution to sub-regional planning has taken place in the form of the Glenfield to Macarthur Urban Renewal Corridor Strategy and the Greater Macarthur Land Release Investigations which identify yields of 15,000 additional dwellings and 37,700 lots (to 2036) respectively.

Both proposals represent a strategic approach to housing supply which, unlike the request, does not compromise highly valued local community inspired strategies such as the preservation of the Scenic Hills.

The Plan also importantly identifies the Scenic Hills (including the subject site) as potential parkland/reserve reinforcing its strategic open space function in the local/regional landscape. In particular the potential strategic link between the Western Sydney Parklands and the Australian Botanic Gardens - Mount Annan cannot be lost sight of. Therefore the planning proposal request is inconsistent with the Metropolitan Strategy.

### **Is this planning proposal consistent with a council's local strategy or other local strategic plan?**

While the planning proposal request addresses Council's Community Strategic Plan it fails to consider Council's Local planning Strategy.

The Campbelltown Local Planning Strategy (LPS) was compiled to provide a context for the preparation of Campbelltown Local Environmental Plan 2015 (formerly draft CLEP 2014).

It was adopted by Council as a supporting document (Council meeting 26 March 2013) and publicly exhibited with draft CLEP 2014.

The LPS makes a series of unequivocal statements clearly focused on the preservation of the Scenic Hills Landscape unit, including the following:

- retain the existing footprint of the Scenic Hills.
- protect the prevailing "undeveloped"/rural state.
- urbanisation should be avoided, including in particular intensification of existing uses and the further introduction of institutional development.
- propose and implement a development model for the Scenic Hills.
- foster an understanding and respect for the complexity and richness of the Scenic Hills landscape.
- foster community access to the Scenic Hills so as to facilitate broader appreciation of their visual/scenic significance, including Bunbury Curran Hill and Badgally Hill.
- protect the highly significant colonial cultural landscape of Varroville.
- minimise visual impact of "hard/physical" Infrastructure.

The planning proposal request has not considered the above preservation considerations for the Scenic Hills and is therefore inconsistent with the Local Planning Strategy.

---

**Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?**

Section 117 of the Act enables the Minister to issue directions regarding the content of LEPs to the extent that the content must achieve or give effect to particular principles, aims, objectives or policies set out in those directions. Each planning proposal must identify which, if any, Section 117 Directions are relevant to the proposal, and whether the proposal is consistent with the direction. Where the planning proposal is inconsistent with any of the relevant directions, those inconsistencies must be specifically explained and justified in the planning proposal.

**Direction 2.1 Environmental Protection Zones**

The objective of this direction is to protect and conserve environmentally sensitive areas and it specifies that:

- A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.
- A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).

The planning proposal request is not considered to have provided 'provisions that facilitate the protection and conservation of environmentally sensitive areas' as the development of the subject site would change the visual character of the area through the intensification of residential development. Further this direction indicates that a planning proposal may be inconsistent with the direction provided certain criteria are met, or where the development is in accordance with the relevant regional strategy or sub-regional strategy prepared by the department. However, the planning proposal request has not addressed the specified criteria contained within Direction 2.1 and is not consistent with a regional or sub-regional strategy as detailed above.

Therefore the planning proposal request has not complied with Direction 2.1 Environmental Protection Zones.

**7.1 Implementation of a Plan for Growing Sydney**

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

The planning proposal request is considered to be inconsistent with Direction 7.1 in respect of implementation of a Plan for Growing Sydney.

---

### **Applicant's Technical Supporting Investigations**

The planning proposal request provided the following supporting technical studies:

- Visual Impact Assessment
- Traffic Impact Assessment
- Bushfire Assessment
- Service Report
- Ecological Report

The technical studies that were submitted for Bushfire Assessment and Service Report suggest that these matters are not an impediment to further development on the subject site. The Traffic Impact Assessment indicates that the Raby Road/Camden Valley Way intersection would have sufficient capacity to cater for traffic volumes including Macarthur Grange development traffic up to and beyond 2030. However, the intersections at Raby Road/Hume Motorway and Raby Road/Campbelltown Road intersection would both need to be converted from a roundabout to a signalised Intersection with associated road pavement upgrades.

The Visual Impact Assessment submitted with the planning proposal request is essentially a view assessment from prominent viewpoints looking towards the site and is not supported by an analysis report to enable an understanding of the design conclusions drawn from the view assessment which are then used to formulate the Indicative Structure Plan.

The view assessment identifies four locations where the subject site is most visible from vantage points outside the site, and while there is no assessment of the view assessment the following is stated in the Executive Summary:

“A comprehensive view analysis determined two areas to the north are visible from surrounding residential areas and two areas to the south are visible from the greater Campbelltown area. None of the areas deemed visible are proposed for development, therefore no loss of views will result from this Planning Proposal;”

However, one area in the south is shown in the Indicative Structure Plan as large lot residential with a 2000sqm minimum lot area and R5 large lot residential zoning which suggests this area will be developed with housing, albeit at a reduced density. This is inconsistent with the above statement that ‘none of the areas deemed visible are proposed for development therefore no loss of views will result from this Planning Proposal’.

Further the view assessment has not considered that the subject site was included in the report entitled “Visual Analysis of Campbelltown’s Scenic Hills and East Edge Scenic Protection Lands” prepared in 2011 for Council by Paul Davies Pty Ltd in association with Geoffrey Britton (the Visual Study). It is part of Unit 2 (E-LU2) in the Visual Study which is described as playing ‘a critical role in defining many of the Campbelltown LGA’s most significant historic and contemporary views.’ The golf course part of the subject site is described as a ‘valley with high scenic quality’ while the remainder of the site is described as containing ‘high quality hidden valleys’. The planning proposal request has not considered the Visual Study and subsequently not addressed how the proposal will impact upon the identified visual quality of the subject site.

---



## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

While it is acknowledged that the subject site sits primarily behind the ridgeline of the Scenic Hills as viewed from Campbelltown, the western side of the ridgeline and resultant valley however are visible from Raby Road. The precedent created could possibly give rise to future subdivision pressure on adjoining land. This site is typical of several within the Varroville locality that may be subject to future planning proposals. In each case, these sites are typified by their high value scenic nature, existing low scale of development, and higher environmental significance.

The planning proposal request suggests that public ownership of the Bio-Banking sites thereby ensuring that part of the 'Scenic Hills escarpment lands' are retained would overcome any use of the project as a potential for precedent in the Scenic Hills. While this may be a noble sentiment, it may not be supported from a practical legal context.

The Ecological Report is not a detailed assessment of flora and fauna on site but an assessment of the ecological constraints (flora only) and BioBanking potential. The report does not consider or survey fauna such as the Cumberland Land Snail which is associated with Cumberland Plain Woodland (which exists on site) and solely focuses on flora on site. With reference to the establishment of a bio-banking site to retain the Cumberland Plain Woodland on site the report did not specifically recommend this option, however canvassed all options for mitigating vegetation loss. Despite this lack of recommendation the planning proposal request confirms that two locations on site will be used as bio-bank sites.

Council officers have only conducted a preliminary assessment of these studies as it is considered to be premature to consider these issues in detail as the planning proposal is inconsistent with key policy issues including Council's Policy Position and the Sydney Metropolitan Strategy and relevant Section 117 directions.

### Conclusion

The subject site has been used as an 18 hole golf course with an associated club house/reception centre following a development consent being issued by Council in February 1998. The site was unsuccessfully nominated in December 2011 under the previous NSW Government's Owner nominated sites program for residential development.

A planning proposal request with supporting technical studies to rezone the land for a variety of land use types, including principally residential/urban purposes, was lodged by Cardno (NSW/ACT) Pty Ltd on 21 December 2015 with an indicative residential lot yield of 529 - 569 lots.

The planning proposal request has been reviewed by Council officers having regard to:

- Council's policy position on residential development within the Scenic Hills
  - Sydney Metropolitan Strategy – "A Plan for Growing Sydney" 2014
  - Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*)
  - Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)
  - Campbelltown Local Environmental Plan 2015
  - Campbelltown Local Planning Strategy 2013
  - Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands 2011
  - A Guide to Preparing Planning Proposals (October 2012)
-

## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

The review has found that there is insufficient planning merit to justify the planning proposal request as the proposal is:

Inconsistent with:

- Council's policy position on residential development within the Scenic Hills
- Sydney Metropolitan Strategy – “A Plan for Growing Sydney’ 2014
- Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*) (Direction 2.1 and 7.1)
- Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)
- Campbelltown Local Environmental Plan 2015
- Campbelltown Local Planning Strategy 2013

Has not adequately addressed:

- Visual impacts
- Ecological (fauna) impacts

As a result it is recommended that Council not support the planning proposal request to rezone land at Lot 3900 and 3901, DP 1170905, Raby Road, Varroville, from its existing scenic protection zone to a variety of land use types, including principally residential/urban purposes.

### Officer's Recommendation

1. That Council not support the planning proposal request (application number 3639/2015/E-LEPA) to rezone land at Lot 3900 and 3901, DP 1170905, Raby Road, Varroville from its existing 7(d1) scenic protection zone and future E3 Environmental Management Zone to R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, B4 Mixed Use, E2 Environmental Conservation, E4 Environmental Living, RE1 Public Recreation and W1 Natural Waterways (or similar), with accompanying relevant principle development standards, for the following reasons:

#### **a) Inconsistency with Council's policy position on residential development within the Scenic Hills**

It is considered that the planning proposal request is inconsistent with Council's previous resolutions 13 November 2007 and 16 October 2012 and Local Planning Strategy (2013) which have reaffirmed Council's strong opposition to any urban/rural residential development in the Scenic Hills.

#### **b) Inconsistent with Sydney Metropolitan Strategy – “A Plan for Growing Sydney’ 2014**

It is considered that the planning proposal request is inconsistent with the Sydney Metropolitan Strategy – “A Plan for Growing Sydney’ 2014 as this plan recognises the Scenic Hills (including this property) as potential Parkland/Reserve.

---

2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

**c) Inconsistent with Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*) (Direction 2.1 and 7.1)**

It is considered that the planning proposal request is inconsistent/not justified the inconsistency with Ministerial Direction 2.1 and 7.1 as the proposal has not adequately addressed impacts upon Environmental Protection Zones and the implementation of the Sydney Metropolitan Strategy.

**d) Inconsistent with the objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)**

It is considered that the planning proposal request is inconsistent with the aims and objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands) as the proposal would not provide a visual contrast to the urban areas of Campbelltown, Camden and Liverpool. Further it is considered inconsistent with the 7(d1) zone objectives.

**e) Inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015**

It is considered that the planning proposal request is inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015 as the proposal would not protect, and maintain the environmental, ecological and visual amenity of the Scenic Hills.

**f) Inconsistent with the objectives of Campbelltown Local Planning Strategy 2013**

It is considered that the planning proposal request is inconsistent with the relevant objectives of the Campbelltown Local Planning Strategy 2013 as the proposal in particular would not protect the prevailing “undeveloped”/rural state of the Scenic Hills.

**g) Proposal Fails to Demonstrate**

The planning proposal request fails to demonstrate how visual impacts will be managed to minimise impacts upon the Scenic Hills and has failed to demonstrate impacts on local fauna that may be present on site.

2. That Council advise the applicant of Council's decision.

**Committee Note:** Ms Wells and Mr Wilson addressed the Committee.

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

That the Officer's Recommendation be adopted.

**CARRIED**

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

Voting against the Committee's Recommendation: nil

---

**Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

**Amendment: (Oates/Kolkman)**

1. That Council not support the planning proposal request (application number 3639/2015/E-LEPA) to rezone land at Lot 3900 and 3901, DP 1170905, Raby Road, Varroville from its existing 7(d1) scenic protection zone and future E3 Environmental Management Zone to R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, B4 Mixed Use, E2 Environmental Conservation, E4 Environmental Living, RE1 Public Recreation and W1 Natural Waterways (or similar), with accompanying relevant principle development standards, for the following reasons:

**a) Inconsistency with Council's policy position on residential development within the Scenic Hills**

It is considered that the planning proposal request is inconsistent with Council's previous resolutions 13 November 2007 and 16 October 2012 and Local Planning Strategy (2013) which have reaffirmed Council's strong opposition to any urban/rural residential development in the Scenic Hills.

**b) Inconsistent with Sydney Metropolitan Strategy – 'A Plan for Growing Sydney' 2014**

It is considered that the planning proposal request is inconsistent with the Sydney Metropolitan Strategy – 'A Plan for Growing Sydney' 2014 as this plan recognises the Scenic Hills (including this property) as potential Parkland/Reserve.

**c) Inconsistent with Ministerial Directions (s.117 – *Environmental Planning and Assessment Act 1979*) (Direction 2.1 and 7.1)**

It is considered that the planning proposal request is inconsistent/not justified the inconsistency with Ministerial Direction 2.1 and 7.1 as the proposal has not adequately addressed impacts upon Environmental Protection Zones and the implementation of the Sydney Metropolitan Strategy.

**d) Inconsistent with the objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)**

It is considered that the planning proposal request is inconsistent with the aims and objectives of Campbelltown Local Environmental Plan—District 8 (Central Hills Lands) as the proposal would not provide a visual contrast to the urban areas of Campbelltown, Camden and Liverpool. Further it is considered inconsistent with the 7(d1) zone objectives.

---



## 2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

---

### **e) Inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015**

It is considered that the planning proposal request is inconsistent with the aims and relevant zone objectives of Campbelltown Local Environmental Plan 2015 as the proposal would not protect, and maintain the environmental, ecological and visual amenity of the Scenic Hills.

### **f) Inconsistent with the objectives of Campbelltown Local Planning Strategy 2013**

It is considered that the planning proposal request is inconsistent with the relevant objectives of the Campbelltown Local Planning Strategy 2013 as the proposal in particular would not protect the prevailing “undeveloped”/rural state of the Scenic Hills.

### **g) Proposal Fails to Demonstrate**

The planning proposal request fails to demonstrate how visual impacts will be managed to minimise impacts upon the Scenic Hills and has failed to demonstrate impacts on local fauna that may be present on site.

2. That Council advise the applicant of Council's decision.
3. That Council write to the Minister for Planning requesting that in consultation with Campbelltown City Council a State Environmental Planning Policy be created to protect and preserve the environmental, historical, visual and rural landscape and character of the Scenic Hills consistent with the current Local Environment Plan.

## **Council Resolution Minute Number 12**

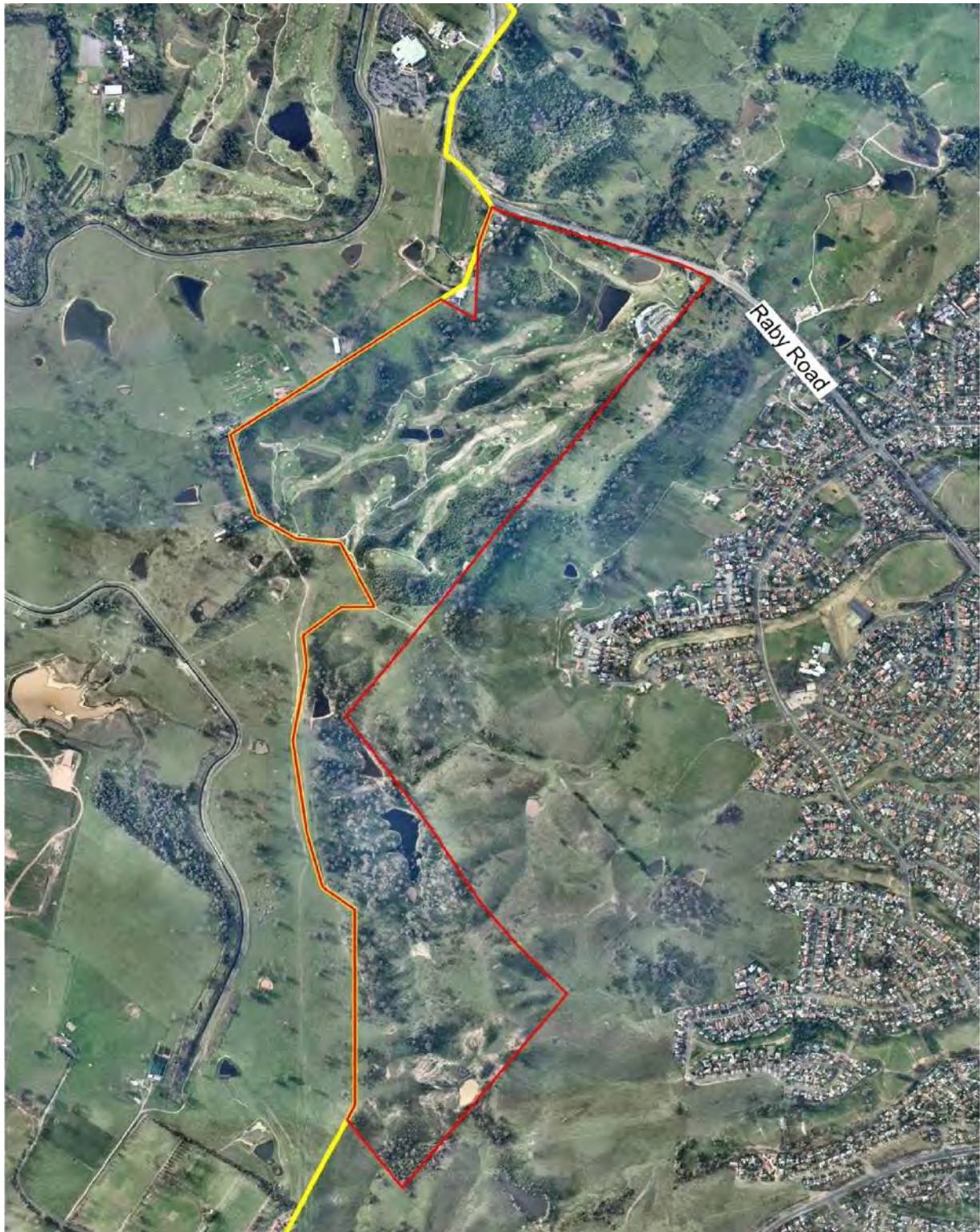
That the above amendment be adopted.

Voting for the Council Resolution were Councillors: Borg, Brticevic, Chanthivong, Dobson, Glynn, Kolkman, Lake, Lound, Matheson, Oates and Rowell.

Voting against the Council Resolution were Councillors: Greiss, Mead and Thompson.

---

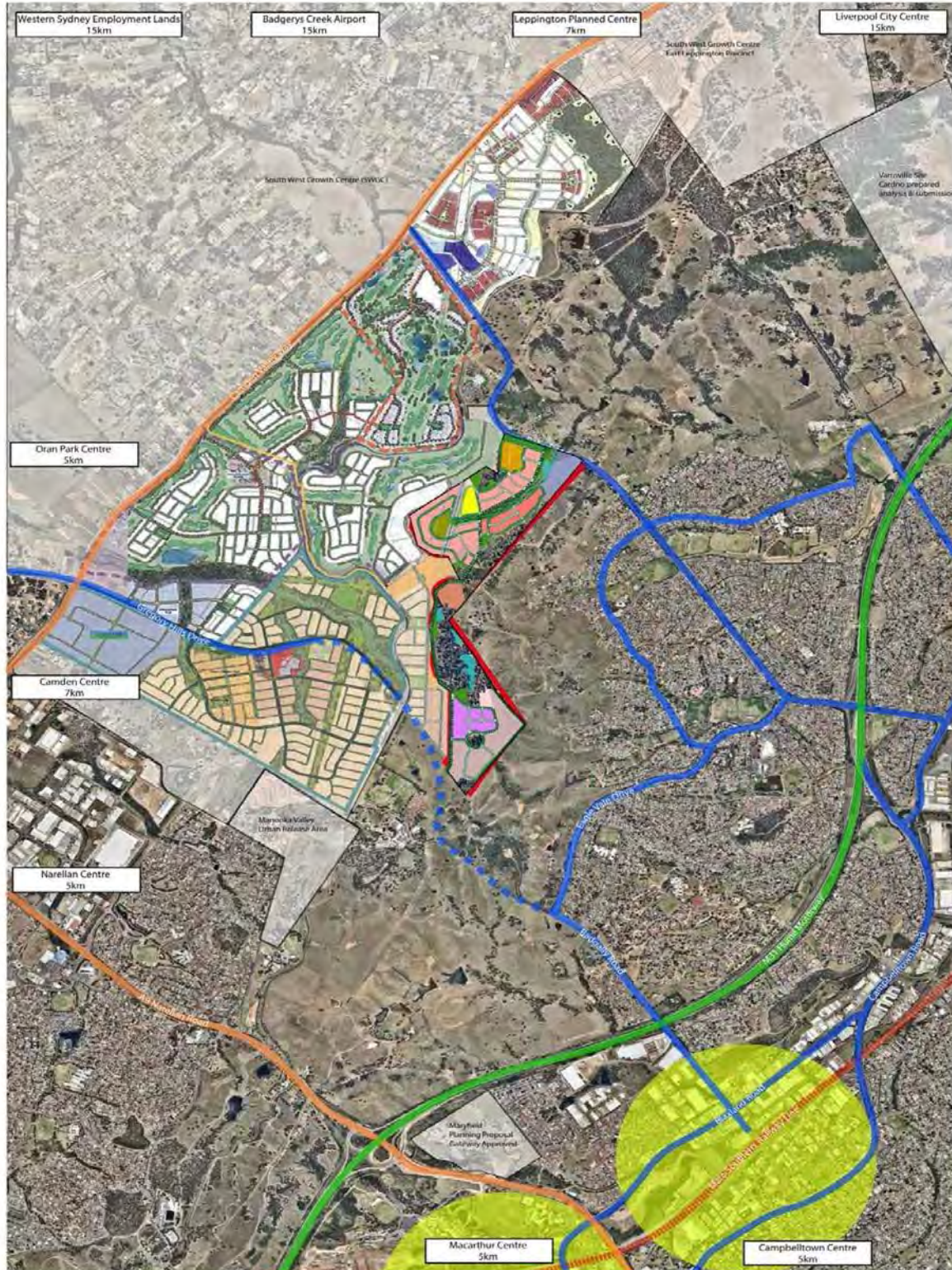
## ATTACHMENT 1





2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

## ATTACHMENT 2

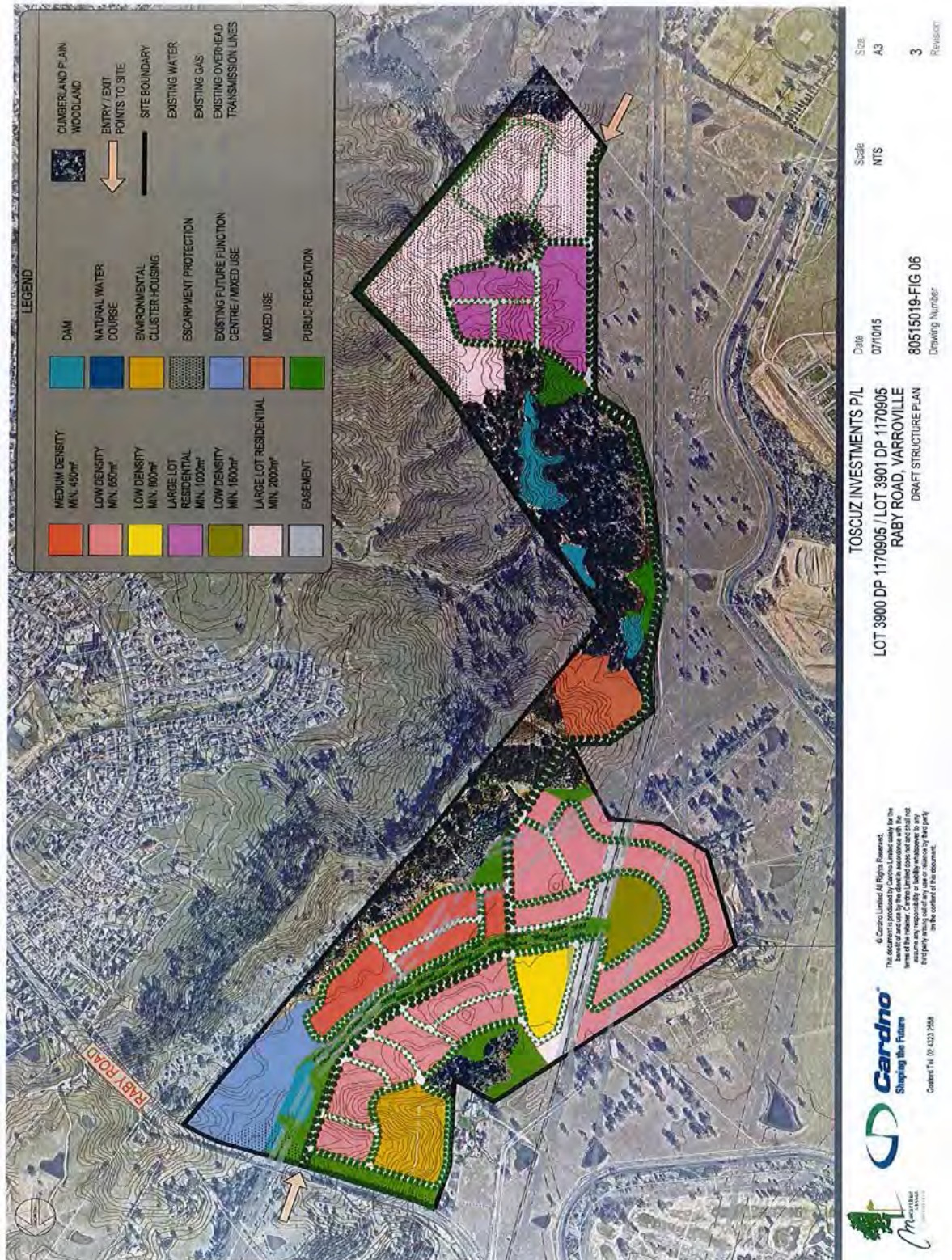


Attachment 2 - Indicative layout plan of adjoining development



2.5 Planning Proposal For Residential Subdivision - Macarthur Grange Golf Course, Raby Road, Varroville

# ATTACHMENT 4





### **3. DEVELOPMENT SERVICES**

#### **3.1 Development Services Section Statistics November and December 2015**

##### **Reporting Officer**

Acting Manager Development Services

---

##### **Attachments**

Development Services application statistics for November and December 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 November and December 2015 as they affect the Development Services section.

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

That the information be noted.

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

That the Officer's Recommendation be adopted.

##### **CARRIED**

##### **Council Meeting 16 February 2016 (Greiss/Kolkman)**

That the Officer's Recommendation be adopted.

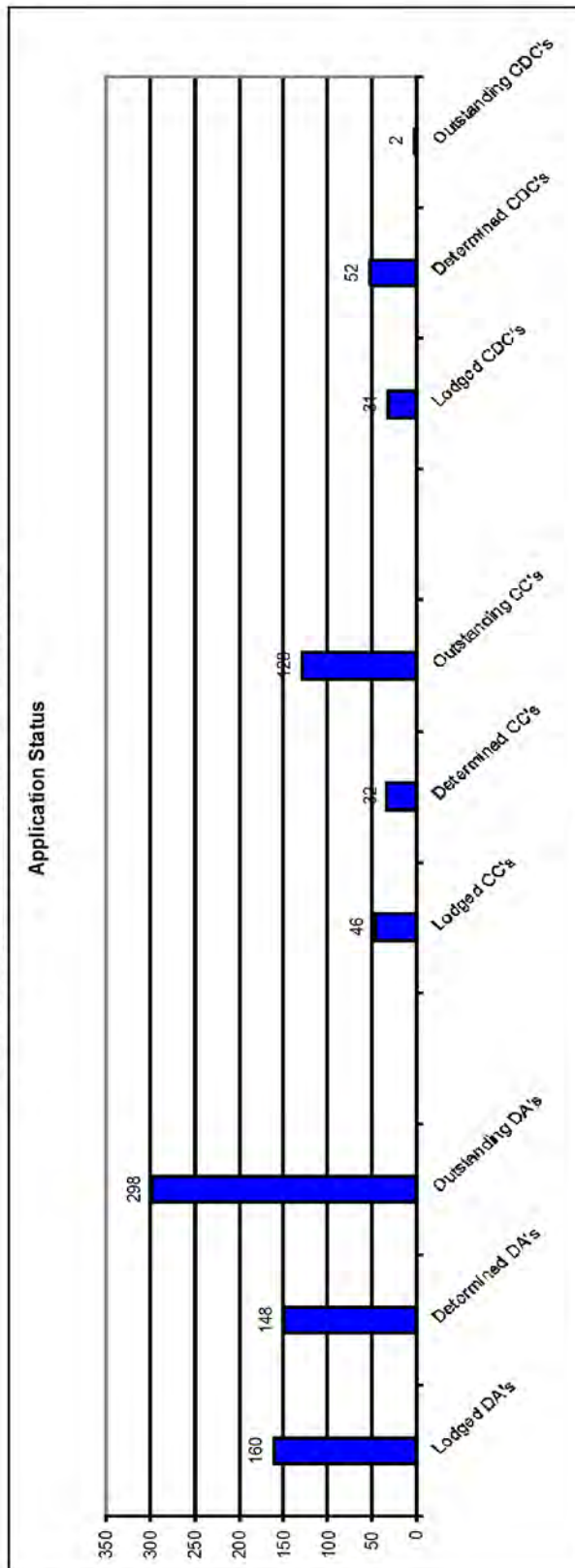
##### **Council Resolution Minute Number 9**

That the Officer's Recommendation be adopted.

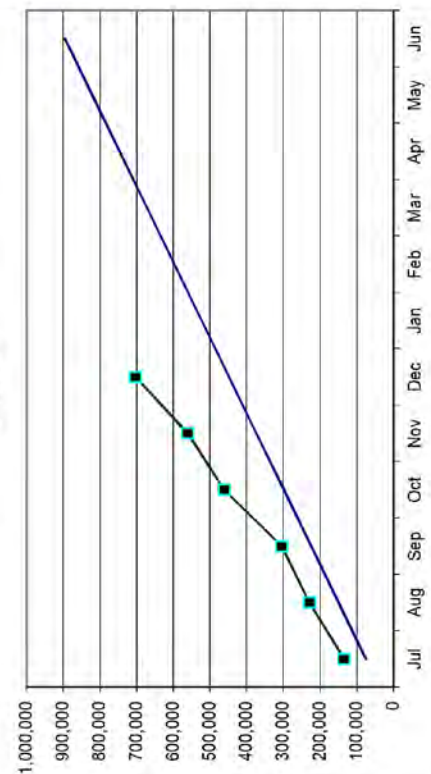
---

## ATTACHMENT 1

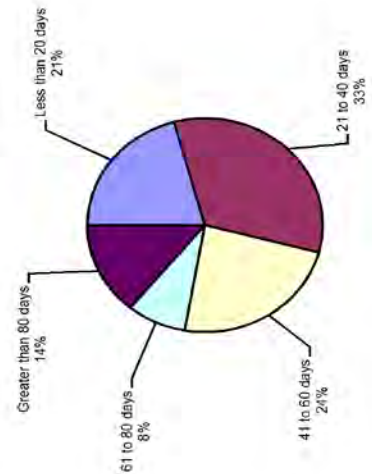
### DEVELOPMENT SERVICES SECTION MONTH AT A GLANCE – November/December 2015



### Development Application Income 2015/2016



### Development Application Processing Times Nov/Dec



## **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: (Rowell/Kolkman)**

That the Officer's Recommendation be adopted.

**CARRIED**

---

**Council Meeting 16 February 2016 (Greiss/Kolkman)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 9**

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 20/01/2016)	1
Total completed Class 1 DA appeal matters (as at 20/01/2016)	3
Costs from 1 July 2015 for Class 1 DA appeal matters:	\$92,803.20

<b>1 (a)</b>	<b>FLIP OUT (CASTLE HILL) PTY LTD</b>
<b>Issue:</b>	An appeal against Council's refusal of development application No. 2014/2013/DA-C that sought consent for the construction of a fit-out and use of the premises as a recreation facility.
<b>Property:</b>	Lot 17 DP 1113810, 31 Mount Erin Road, Campbelltown.
<b>Property Owner:</b>	Mr Vijay Sood and Mrs. Nutan Sood
<b>Council File:</b>	Development Application No: 2014/2013/DA-C
<b>Court Application:</b>	Filed on 19 May 2015 - File No. 10429 of 2015
<b>Applicant:</b>	Flip Out (Castle Hill) Pty Ltd
<b>Costs Estimate:</b>	\$20,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Costs to date:</b>	\$7,351.03
<b>Status:</b>	Completed – applicant discontinued their appeal cost order being pursued.
<b>Progress:</b>	<p>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 a fit-out and the use of premises as a recreation facility. The matter was listed for first directions hearing on 17 June 2015.</p> <p>On 17 June 2015, the Registrar made certain procedural directions and adjourned the proceedings to 7 August 2015 for a section 34 conciliation conference.</p> <p>The conciliation conference was part-heard and 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 were listed for directions hearing on 29 October, 2015.</p>

---

At the directions hearing the Registrar listed the proceedings for hearing on 3 and 4 February 2016.

On 23 December 2015 the applicant, by consent, discontinued the appeal proceedings. The Notice of Discontinuance also contained a Court Order that the applicant pay Council's cost in the sum of \$4,400.00 by 18 January 2016.

---

**1 (b)**

**Multiplan Constructions Pty Ltd**

**Issue:** An appeal against Council's refusal of development application No. 2775/2014/DA-MAH that sought consent for the 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

**Court Application:** Multiplan Constructions Pty Ltd

**Applicant:** \$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

**Applicant:** \$24,070.67

**Costs Estimate:** Ongoing – proceedings listed for a section 34 conciliation conference on 10 February 2016.

**Costs to date:** 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 the construction of nine two-storey dwellings and associated strata subdivision.

**Status:**

**Progress:** On 22 October, the proceedings were adjourned to 23 November 2015 for a section 34 conciliation conference.

At the conclusion of the section 34 conciliation conference held on 23 November 2015, the applicant agreed to make some amendments to the application as discussed. The Commissioner made certain procedural directions and listed the matter for telephone callover on 16 December 2015.

At the telephone callover on 16 December 2015, the Registrar adjourned the proceedings to 10 February 2016 for a section 34 conciliation conference so as to allow Council time to assess the amended plans submitted by the applicant.

---



**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 20/01/2016)	0
Total completed Class 1 and 2 appeal matters (as at 20/01/2016)	2
Costs from 1 July 2015 for Class 1 & 2 appeal matters:	\$1,578.13

<b>2 (a)</b>	<b>FLIP OUT (CASTLE HILL) PTY LTD</b>
<b>Issue:</b>	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.
<b>Property:</b>	Lot 17 DP 1113810, 31 Mount Erin Road, Campbelltown.
<b>Property Owner:</b>	Mr Vijay Sood and Mrs. Nutan Sood
<b>Council File:</b>	Council Order 503/2015/N-EPA
<b>Court Application:</b>	Filed on 19 May 2015 - File No. 10427 of 2015
<b>Applicant:</b>	Flip Out (Castle Hill) Pty Ltd
<b>Costs Estimate:</b>	\$20,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Costs to date:</b>	\$0.00 – total costs attributed to Flip Out matter under item 1(a)
<b>Status:</b>	Completed – proceedings finalised, Council officers continue to monitor the premises for compliance with Court endorsed agreement between the parties.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's order 1 &amp; 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>

On 18 December 2015, the parties, by consent, notified the Court that agreement had been reached under section 34(3) of the Land and Environment Court Act 1979, whereby the proceedings could be discontinued. The Court endorsed the agreement in terms that the applicant: undertake certain transitional fire safety procedures, practices and temporary works by 21 December 2015; cease the unauthorised use of the premises by 31 January 2016; and, restore the premises to its condition prior to the unauthorised use by 14 February 2016.

Council's Compliance Officers continue to monitor the premises pending the unauthorised use ceasing and vacation of the premises. Council's officers are satisfied with the applicants progress to date.

**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 20/01/2016)	0
Total completed Class 4 matters (as at 20/01/2016)	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 20/01/2016)	0
Total completed Class 5 matters (as at 20/01/2016)	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 20/01/2016)	0
Total completed Class 6 matters (as at 20/01/2016)	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 20/01/2016)	0
Total completed (as at 20/01/2016)	1
Costs contribution from 1 July 2015 for this matter	\$34,359.97

**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 20/01/2016)	2
Total completed Local Court Matters (as at 20/01/2016)	38
Costs from 1 July 2015 for Local Court Matters	\$5,955.66

<b>File No:</b>	LP52/15 – Penalty Notice Court Election
<b>Offence:</b>	Own dog that attacked animal.
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Costs to date:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Ongoing – Listed for plea/mention on 2 February 2016
<b>Progress:</b>	Listed for first mention on 17 November 2015.  On 17 November 2015 the matter was adjourned by consent to 15 December 2015 for further mention.  On 15 December 2015 the matter was adjourned by consent to 2 February 2016 for plea/mention.
<b>File No:</b>	LP53/15 – Penalty Notice Court Election
<b>Offence:</b>	Stop on path/strip in built-up area
<b>Act:</b>	<i>Road Rules 2014</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed - Proved/Dismissed without penalty
<b>Progress:</b>	The matter was before the Court for first mention on 24 November 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.
<b>File No:</b>	LP54/15 – Penalty Notice Court Election
<b>Offence:</b>	Own dog that attacked animal.
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Costs to date:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Ongoing – Listed for plea/mention on 2 February 2016
<b>Progress:</b>	Listed for first mention on 17 November 2015.  On 17 November 2015 the matter was adjourned by consent to 15 December 2015 for further mention.  On 15 December 2015 the matter was adjourned by consent to 2 February 2016 for plea/mention.
<b>File No:</b>	LP56/15 – Penalty Notice Court Election
<b>Offence:</b>	Stand in disabled person parking space without authority displayed.
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed - Proved/Dismissed without penalty
<b>Progress:</b>	The matter was before the Court for first mention on 8 December 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:** LP58/15 – Penalty Notice Court Election  
**Offence:** Disobey no-stopping sign (school-zone)  
**Act:** *Road Rules 2014*

**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 8 December 2015 where the defendant, Mohammad Abdur Rahim, entered a guilty plea. After hearing the evidence and submissions the Magistrate found the offence proved, imposing a \$250.00 fine and an order for \$85.00 court costs.

---

**File No:** LP59/15 – Penalty Notice Court Election  
**Offence:** Stop in bus zone (school-zone)  
**Act:** *Road Rules 2014*

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

**Status:** Completed - Proved/Dismissed without penalty

**Progress:** The matter was before the Court for first mention on 15 December 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:** LP60/15 – Penalty Notice Court Election  
**Offence:** Stop in bus zone (school-zone)  
**Act:** *Road Rules 2014*

**Costs to date:** \$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 15 December 2015 where the defendant, Janine Rose Mundy, entered a guilty plea with explanation. After hearing the evidence and submissions the Magistrate found the offence proved, imposing a \$50.00 fine and an order for \$85.00 court costs.

---



---

<b>File No:</b>	LP61/15 – Penalty Notice Court Election
<b>Offence:</b>	Stop in bus zone
<b>Act:</b>	<i>Road Rules 2014</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed - Proved/Dismissed without penalty
<b>Progress:</b>	The matter was before the Court for first mention on 5 January 2016 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.

---

<b>File No:</b>	LP62/15 – Penalty Notice Court Election
<b>Offence:</b>	Stop at side of road continuous yellow edge line
<b>Act:</b>	<i>Road Rules 2014</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed - Proved/Dismissed without penalty
<b>Progress:</b>	The matter was before the Court for first mention on 5 January 2016 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.

---

#### **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 20/01/2016)**  
**Costs from 1 July 2015 for advice matters**

**3**  
**\$5,954.46**



<b>9. Legal Costs Summary</b>  The following summary lists the Planning and Environment Division's net legal costs for the 2015/2016 period.		
<b>Relevant attachments or tables</b>	<b>Costs Debit</b>	<b>Costs Credit</b>
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$92,803.20	\$0.00
Class 1 and 2 Land and Environment Court - appeals against Orders or Notices issued by Council	\$1,578.13	\$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	\$34,359.97	\$0.00
District Court appeal matters	\$0.00	\$0.00
Local Court prosecution matters	\$5,955.66	\$100.00
Matters referred to Council's solicitor for legal advice	\$5,954.46	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$0.00	\$0.00
Costs Sub-Total	\$140,651.42	\$100.00
<b>Overall Net Costs Total (GST exclusive)</b>	<b>\$140,551.42</b>	

## **5. GENERAL BUSINESS**

### **5.1 Waste Management High Density Dwellings**

Councillor Thompson referred to waste management issues within high density dwellings noting that junk mail and newspapers are often left outside uncollected.

It was also noted that when it rains, the waste matter often spreads and creates further issues and Councillor Thompson asked that consideration be given to management strategies, including the provision of waste management strategies within the relevant area of Council's development control plans for the control of junk mail and newspapers.

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

That a report be presented investigating waste management strategies for the control of junk mail and newspapers within high density dwellings.

**CARRIED**

#### **Council Meeting 16 February 2016 (Greiss/Kolkman)**

That the Committee's Recommendation be adopted.

#### **Council Resolution Minute Number 9**

That the Committee's Recommendation be adopted.

#### **Confidentiality Motion: (Kolkman/Thompson)**

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 Expression of Interest for Sale of BioBanking Credits**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

### **21.2 Confidential Report Directors of Companies**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

#### **Motion: (Rowell/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 8.39pm.

G Greiss  
CHAIRPERSON

---

# **Reports of the City Works Committee Meeting held at 7.30pm on Tuesday, 9 February 2016.**

---

## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

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

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

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
<b>1.</b>	<b>TECHNICAL SERVICES</b>	<b>4</b>
<b>1.1</b>	<b>Traffic Committee</b>	<b>4</b>
<b>2.</b>	<b>OPERATIONAL SERVICES</b>	<b>12</b>
	<b>No reports this round</b>	<b>12</b>
<b>3.</b>	<b>ASSETS AND SUPPLY SERVICES</b>	<b>12</b>
<b>3.1</b>	<b>T15/30 Cleaning of Public Toilets and Sporting Ground Amenities</b>	<b>12</b>
<b>3.2</b>	<b>T15/22 WHS Auditing and Consultancy Services</b>	<b>16</b>
<b>3.3</b>	<b>T15/28 Grounds Maintenance at Airds, Claymore, Glenfield, Macquarie Fields and Minto</b>	<b>22</b>
<b>4.</b>	<b>EMERGENCY SERVICES</b>	<b>28</b>
	<b>No reports this round</b>	<b>28</b>
<b>5.</b>	<b>GENERAL BUSINESS</b>	<b>28</b>
<b>22.</b>	<b>CONFIDENTIAL ITEMS</b>	<b>28</b>
<b>22.1</b>	<b>Confidential Report Directors of Companies - City Works</b>	<b>28</b>

---



---

**Minutes of the City Works Committee held on 9 February 2016**

---

**Present**

Councillor F Borg  
Councillor G Bricevic  
Councillor A Chanthivong  
Councillor W Glynn  
Councillor P Lake  
Councillor C Mead  
Director Business Services - Mr M Sewell  
Acting Director Community Services - Mrs J Uluibau  
Director City Works - Mr W Rylands  
Acting Manager Assets and Supply Services - Mr W Miller  
Manager Compliance Services - Mr P Curley  
Acting Manager Customer Service - Ms M James  
Acting Manager Education and Care Services - Ms G Vickers  
Manager Emergency and Facility Management - Mr R Blair  
Manager Executive Services - Mr N Smolonogov  
Manager Healthy Lifestyles - Mr M Berriman  
Manager Human Resources - Mr B Clarence  
Manager Library Services - Mr G White  
Manager Operational Services - Mr A Davies  
Manager Property Services - Mr J Milicic  
Manager Technical Services - Mr K Lynch  
Executive Assistant - Mrs D Taylor

**Apology (Mead/Lake)**

That the apology from Councillor Dobson be received and accepted.

**CARRIED**

**Chairperson**

In the absence of the Chairperson, Councillor Dobson, Councillor Mead was elected to chair the meeting.

**Acknowledgement of Land**

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

---

## **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 as a member of the NSW State Parliament he will seek legal advice regarding his need to declare an interest on any issues that may potentially involve the NSW State Government. Councillor Chanthivong noted that if issues arise where he considers there may be a perceived conflict necessitating him to declare an interest he will do so and if appropriate leave the room.

**Other Disclosures** - Nil

---

## **1. TECHNICAL SERVICES**

### **1.1 Traffic Committee**

#### **Reporting Officer**

Manager Technical Services

---

#### **Attachments**

Minutes of the Local Traffic Committee Meeting of 10 December 2015 (contained within this report)

#### **Purpose**

To seek Council's endorsement of the recommendations arising from the Local Traffic Committee meeting held on 10 December 2015.

#### **Report**

##### **RECOMMENDATIONS OF THE LOCAL TRAFFIC COMMITTEE ON 10 DECEMBER 2015**

##### **Reports Listed for Consideration**

##### **LTC 15/28 2016 Traffic Committee Meeting Dates**

That the information be noted.

##### **LTC 15/29 Delegation of Local Traffic Committee**

That a discussion be held to discuss meeting formats for the 2016 Traffic Committee meetings.

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

That the recommendations of the Local Traffic Committee as detailed in the Minutes of the meeting held on 10 December 2015 be adopted.

#### **Committee's Recommendation: (Glynn/Lake)**

That the Officer's Recommendation be adopted.

#### **CARRIED**

---

**Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 13**

That the Officer's Recommendation be adopted.

---



## **ATTACHMENT 1**



### **LOCAL TRAFFIC COMMITTEE MINUTES**

**10 December 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**
- 5.       REPORTS LISTED FOR CONSIDERATION**

**LTC 15/28       2016 Traffic Committee Meeting Dates**

**LTC 15/29       Delegation of Local Traffic Committee**

- 6.       LATE ITEMS**

**No reports this round**

- 7.       GENERAL BUSINESS**

**No reports this round**

- 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 10 December 2015**

---

### **1. ATTENDANCE**

#### **Campbelltown City Council**

Councillor Paul Lake (Chairperson)  
Manager Technical Services - Mr Kevin Lynch  
Coordinator Traffic and Road Design - Mr Ajay Arora  
Team Leader Traffic Investigation - Mr Frank Sirc  
Administrative Assistant - Mrs Sue Lambert

#### **Roads and Maritime Services**

Nil

#### **Police Representatives**

Senior Constable Maree Davies

#### **Bus Companies**

Interline - Mr Bill East

#### **Representatives of Local Members of Parliament**

Nil

#### **Representatives of Campbelltown Chamber of Commerce**

Ms Anne Parnham

### **Acknowledgement of Land**

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

### **2. APOLOGIES**

Roads and Maritime Services - Ms Kaye Russell  
Police Representative - Sergeant Marcus Cotton  
Representative of Local Member of Parliament - Mr Ray James  
Busabout - Mr Stephen Burrridge

### **3. CONFIRMATION OF MINUTES**

The Minutes of the previous meeting held on 12 November were recommended by the City Works committee on 8 December and adopted by Council on 15 December 2015.

### **4. BUSINESS ARISING FROM MINUTES**

No reports this round

---

---

## **5. REPORTS LISTED FOR CONSIDERATION**

### **LTC 15/28                      2016 Traffic Committee Meeting Dates**

Previous Report:            Nil  
Electorate:                All Electorates  
Author Location:          Traffic and Road Design Unit

---

#### **Attachments**

Nil.

#### **Background (10/12/2015)**

The Committee are advised that the proposed Traffic Committee meeting dates for 2016 are as follows:

11 February  
10 March  
14 April  
12 May  
16 June  
14 July  
18 August

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

That the information be noted.

#### **Discussion (10/12/2015)**

The Manager Technical Services advised that the meeting dates only included up to August, due to the Council election in September 2016.

If there are any changes to the meeting dates for 2016 the Committee will discuss further in 2016.

#### **Recommendation of Local Traffic Committee**

That the information be noted.

---



**LTC 15/29**

**Delegation of Local Traffic Committee**

Previous Report: LTC 15/22  
Electorate: All Electorates  
Author Location: Traffic and Road Design Unit

---

**Attachments**

Nil

**Background (10/12/2015)**

Discussion to be held 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.

**Officer's Recommendation**

That a discussion be held to discuss meeting formats for the 2016 Traffic Committee meetings.

**Discussion (10/12/2015)**

As previously discussed at the meeting held on 15 October 2015, if there is a small number of items on the Agenda that were not complicated, an electronic meeting between the Committee representatives would be acceptable.

The RMS representative had previously advised that this arrangement would be acceptable under the delegation of the Local Traffic Committee when Agendas only consist of minor issues a face to face meeting at Council need not be held. Any issues that need to be raised would be discussed prior to the meeting and would be included in the electronic Agenda.

Following discussion it was agreed that the Manager Technical Services discuss the guidelines on delegation with the RMS representative, and a report be presented at the next meeting outlining proposed guidelines to address Traffic Committee items.

The meeting will remain on a monthly cycle and information could be forwarded to the Committee on the upcoming reports.

**Recommendation of Local Traffic Committee**

That the Manager Technical Services discuss the guidelines on delegation with the RMS representative and a report be presented to the next meeting proposing guidelines to address Traffic Committee items.

---

**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 11.50am.

P Lake  
CHAIRPERSON

---

## **2. OPERATIONAL SERVICES**

**No reports this round**

## **3. ASSETS AND SUPPLY SERVICES**

### **3.1 T15/30 Cleaning of Public Toilets and Sporting Ground Amenities**

#### **Reporting Officer**

Manager Assets and Supply Services and Manager Emergency Management and Community Safety

---

#### **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 cleaning of public toilets and sporting ground amenities and recommend that Council accept the tender submitted by The Sparkle Team Pty Ltd t/as TST Property Services.

#### **History**

Council has in place a contract for the cleaning of public toilets and sporting ground amenities which is due to expire. Council continues to require these services and the contract expenditure historically exceeds the legislative threshold of \$150,000, Council invited tenders for a 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 one year with two options for extension of 12 months each.

### **Advertising of Tenders**

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 26 October and 2 November 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
- details of their corporate structure nominating the personnel proposed to manage this contract
- details of their proposed staffing levels and nominated staff
- details of their proposed staff supervision program
- details of their proposed cleaning methodologies, including equipment, prevention of contamination issues and proposed vehicles
- 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 24 November 2015. Seven on-time responses were received from the following organisations:

- AFMR Pty Ltd t/as Solo Services Group
  - Northern Contract Cleaning Pty Ltd
  - Shining Knight Facility Services Pty Ltd
  - SKG Pty Ltd
  - The Sparkle Team Pty Ltd t/as TST Property Services
  - The Trustee for the J P Australia Building Maintenance Services Family Trust
  - TJS Services Group Pty Ltd.
-



### **Evaluation Process**

The Evaluation Panel, consisting of officers from Emergency Management and Community Safety and Communications & Marketing evaluated the tenders against the following weighted assessment criteria:

- company experience and subcontracting
- management and nominated staff and staff supervision program
- cleaning proposal
- price
- 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 as an annual cost based on a scenario utilising the public toilet frequency and the sample programs provided in Annexure A and B of the RFT.

### **Recommendation of the Evaluation Panel**

The Sparkle Team Pty Ltd t/as TST Property Services provided the best response to Council and is recommended for the provision of cleaning of public toilets and sporting ground amenities as they:

- provided satisfactory details of their company experience, particularly as they relate to the services, confirmed through reference checks
- provided a satisfactory cleaning proposal
- provided satisfactory details of their management, nominated staff and staff supervision program
- tendered the lowest annual price to Council
- provided satisfactory work, health, safety and environmental documentation.

### **Tenders Not Recommended**

AFMR Pty Ltd t/as Solo Services Group, Northern Contract Cleaning Pty Ltd and Shining Knight Facility Services Pty Ltd are not recommended as they tendered a more expensive price to Council. The Evaluation Panel did not consider there to be any advantage to Council for the increased cost.

SKG Pty Ltd is not recommended as they:

- did not provide a satisfactory cleaning proposal
  - did not provide satisfactory details of their management, nominated staff and staff supervision program
  - tendered a more expensive price than the recommended tenderer.
-

The Trustee for the J P Australia Building Maintenance Services Family Trust is not recommended as they:

- did not provide satisfactory details of their company experience
- did not provide a satisfactory cleaning proposal
- did not provide satisfactory details of their management, nominated staff and staff supervision program
- tendered a more expensive price than the recommended tenderer.

TJS Services Group Pty Ltd is not recommended as they:

- did not provide a satisfactory cleaning proposal
- tendered a more expensive price than the recommended tenderer.

### **Assurance of the Process Undertaken**

In accordance with Council's Procurement Procedures, a Tender Review Panel, consisting of members of Council's Executive reviewed the Tender to assure the process was undertaken in a manner that was fair, transparent and resulted in the best value outcome to Council.

### **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 The Sparkle Team Pty Ltd t/as TST Property Services for the provision of cleaning of public toilets and sporting ground amenities for a period of one year with two options for extension of 12 months each.
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: (Lake/Borg)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 13**

That the Officer's Recommendation be adopted.

---

## **3.2 T15/22 WHS Auditing and Consultancy Services**

### **Reporting Officer**

Manager Assets and Supply Services and Manager Governance and Risk

---

### **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 the provision of work health and safety auditing and consultancy services and recommend that Council accept the tenders submitted by OHS Services Australia Pty Ltd t/a Minerva Consulting Group and Safety Australia Group Pty Ltd t/a Safety Australia Group under a panel contract arrangement.

### **History**

Council had a contract for the provision of work health and safety and workers compensation auditing that has expired. Council officers determined to exclude workers compensation services from the new contract. As the work health and safety auditing and consultancy services historically exceeds the legislative threshold, 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 three years with an option for extension of a further 12 months.

---

### **Advertising of Tenders**

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 17 and 24 August 2015. Tenders were also advertised on Tenderlink and Council's website. The Ingleburn and Campbelltown Chambers of Commerce and Industry were notified.

A tender briefing was held on Wednesday 26 August 2015.

### **Tender Document**

Organisations were requested to submit the following information with their tender response:

- company details
- references
- company experience particularly as it relates to audits of council WHS Management systems, consultancy, training, auditing self-insurers and preparation for a self-insurer audit against the WorkCover National WHS Tool and other WHS related services
- details of any subcontractors and their experience, particularly as they relate to WHS auditing and consultancy services
- nominated staff including experience, qualifications and licences including copies and expiry dates
- details of the types of services provided
- 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 8 September 2015. Twenty two on-time responses were received from the following organisations:

- Alison Jones t/a Information Plus Action Consultants
  - Australian Quality Assurance and Superintendence t/a AQUAS Pty Ltd
  - Australian Health and Safety Services Pty Ltd
  - Beaware Solutions Pty Ltd t/a Safety Solutions Pty NSW
  - Mines Rescue Pty Ltd t/a Coal Mines Technical Services
  - Ferriby Group of Companies Pty Ltd t/a Ferriby Marine Australia
  - InConsult Pty Ltd
  - JTA Health Safety and Noise Specialists Pty Ltd
  - OHS Services Australia Pty Ltd t/a Minerva Consulting Group
  - Greencap-NAA Pty Ltd t/a Noel Arnold & Associates Pty Ltd
  - OSHM Solutions Pty Ltd
  - Picks Group Pty Ltd
  - QRMC Risk Management Pty Ltd
-



- The Recovre Group Pty Ltd
- Robson Environmental Pty Ltd
- Brown Bird Pty Ltd ATF The Brown Bird Unit Trust t/a Ryan's Recovery Partners
- Safety Australia Group Pty Ltd t/a Safety Australia Group
- Skilled Health Pty Ltd ATF Tran Family Trust t/a Skilled Health Pty Ltd
- StateCover Mutual Ltd
- The Trustee for the P Hibbs Family Trust t/a Hibbs & Associates Pty Ltd
- WCD – Workers' Compensation Solutions Pty Ltd
- Willis Australia Pty Ltd.

### **Evaluation Process**

The Evaluation Panel, consisting of officers from Governance and Risk and Waste and Recycling Services evaluated the tenders against the following weighted assessment criteria:

- experience of the company
- nominated staff
- services
- suitability of standard pricing
- 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 on the hourly and daily rate.

### **Short Listing**

The Request for Tender allowed for a short listing process to occur at Council's discretion, excluding a Tender from further consideration at any stage of the tender process if it is:

- a) found not to comply with the Conditions of Tendering
- b) evaluated as not meeting or addressing a criteria
- c) found to be unacceptable in terms of effectiveness against the evaluation criteria
- d) evaluated as representing a greater than acceptable price
- e) found to be presenting unacceptable risk or
- f) evaluated as not achieving a satisfactory standard.

The Tender Evaluation Panel deemed it appropriate to undertake a short listing process based on the Experience of the Company criterion. Tenderers not meeting a satisfactory response on this criterion were excluded from further evaluation.

---

### **Organisations Not Short Listed**

As a result of the short listing process, the following companies are not recommended as they did not detail satisfactory experience in auditing under the WorkCover National Self-Insurers WHS Audit tool in a similar environment:

- Alison Jones t/a Information Plus Action Consultants
- Australian Health and Safety Services Pty Ltd
- Beaware Solutions Pty Ltd t/a Safety Solutions Pty NSW
- Mines Rescue Pty Ltd t/a Coal Mines Technical Services
- Ferriby Group of Companies Pty Ltd t/a Ferriby Marine Australia
- InConsult Pty Ltd
- Picks Group Pty Ltd
- The Recovre Group Pty Ltd
- Robson Environmental Pty Ltd
- Skilled Health Pty Ltd ATF Tran Family Trust t/a Skilled Health Pty Ltd
- The Trustee for the P Hibbs Family Trust t/a Hibbs & Associates Pty Ltd.

### **Short Listed Organisations**

The following companies were shortlisted on the basis that they were deemed to have a satisfactory level of experience:

- Australian Quality Assurance and Superintendence t/a AQUAS Pty Ltd
- JTA Health Safety and Noise Specialists Pty Ltd
- OHS Services Australia Pty Ltd t/a Minerva Consulting Group
- Greencap-NAA Pty Ltd t/a Noel Arnold & Associates Pty Ltd
- OSHM Solutions Pty Ltd
- Brown Bird Pty Ltd ATF The Brown Bird Unit Trust t/a Ryan's Recovery Partners
- QRMC Risk Management Pty Ltd
- Safety Australia Group Pty Ltd t/a Safety Australia Group
- StateCover Mutual Ltd
- WCD – Workers' Compensation Solutions Pty Ltd
- Willis Australia Pty Ltd.

### **Recommendation of the Evaluation Panel**

The Evaluation Panel recommended that Council maintain a panel of two contractors for the WHS auditing and consultancy services to ensure sufficient utilisation of each contractor.

OHS Services Australia Pty Ltd t/a Minerva Consulting Group are recommended under a panel arrangement as they:

- demonstrated considerable experience in the provision of similar works
  - provided satisfactory details of their nominated staff
  - provided satisfactory details of the types of audit services the company can provide
  - tendered a competitive price in both hourly and daily rate
  - provided satisfactory work, health, safety and environmental documentation
  - have provided satisfactory work to Council in the past.
-

Safety Australia Group Pty Ltd t/a Safety Australia Group are recommended under a panel arrangement as they:

- demonstrated considerable experience in the provision of similar works confirmed through satisfactory reference checks
- provided satisfactory details of their nominated staff
- provided satisfactory details of the types of audit services the company can provide
- tendered a competitive price in both hourly and daily rate to Council
- provided satisfactory work, health, safety and environmental documentation.

### **Tenders Not Recommended**

The following tenderers are not recommended as they did not provide as detailed responses to the remaining criteria as the recommended tenderers:

- Australian Quality Assurance and Superintendence t/a AQUAS Pty Ltd
- JTA Health Safety and Noise Specialists Pty Ltd
- Greencap-NAA Pty Ltd t/a Noel Arnold & Associates Pty Ltd
- OSHM Solutions Pty Ltd
- Brown Bird Pty Ltd ATF The Brown Bird Unit Trust t/a Ryan's Recovery Partners
- QRMC Risk Management Pty Ltd
- StateCover Mutual Ltd
- WCD – Workers' Compensation Solutions Pty Ltd
- Willis Australia Pty Ltd.

### **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 offers of OHS Services Australia Pty Ltd t/a Minerva Consulting Group and Safety Australia Group Pty Ltd t/a Safety Australia Group under a panel arrangement for the provision of WHS auditing and consultancy for a period of three years with an option for extension for a further 12 months.
  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 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 13**

That the Officer's Recommendation be adopted.

---



3.3 T15/28 Grounds Maintenance At Airds, Claymore, Glenfield, Macquarie Fields And Minto

---

### **3.3 T15/28 Grounds Maintenance at Airds, Claymore, Glenfield, Macquarie Fields and Minto**

#### **Reporting Officer**

Manager Assets and Supply Services and Manager Operational Services

---

#### **Attachments**

The following confidential attachments have been distributed to Councillors under separate cover as numerous tenderers have indicated that the contents of their tender are commercial-in-confidence:

Evaluation and Pricing Matrix

#### **Purpose**

To advise Council of the tenders received for the provision of grounds maintenance at Airds, Claymore, Glenfield, Macquarie Fields and Minto and recommend that Council accept the tender submitted by a number of organisations across the range of required suburbs as a panel contract arrangement.

#### **History**

Council currently has in place a contract for grounds maintenance at Airds, Claymore, Glenfield and Macquarie Fields which is due to expire on 29 February 2016. As Council continues to utilise these services and the contract expenditure historically exceeds the legislative threshold of \$150,000, Council invited tenders for a new contract. Council further identified this need extends to the suburb of Minto, and took the opportunity to include Minto in the Request for Tender specification.

#### **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.

---

### 3.3 T15/28 Grounds Maintenance At Airds, Claymore, Glenfield, Macquarie Fields And Minto

---

#### **Contract Term**

The term for this contract will be for a period of two years with three options for extension of 12 months each.

#### **Advertising of Tenders**

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 2 and 9 November 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, including details of the management staff/supervisor who is proposed to oversee the works
- details of any subcontractors and their experience, particularly as they relate to the services
- specifications of all plant and equipment proposed to be utilised (including back-up machinery)
- 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 1 December 2015. Twelve on-time responses were received from the following organisations:

- Better Safe Pest & Weed Management Pty Ltd
  - BNE Lawn & Garden Maintenance Pty Ltd
  - C.J. Murphy Tree Recycling Services Pty Ltd
  - Garden Growing Solutions Pty Ltd
  - GLG GreenLife Group Pty Ltd t/as GLG GreenLife Group
  - ILC Group Pty Ltd
  - Luke Magro t/as Lawn Mowing & Gardening Service
  - New Link Pty Ltd
  - Skyline Landscape Services Pty Ltd
  - Snippers Lawnmowing Maintenance Service & Sales Pty Ltd t/as Snippers Lawnmowing
  - Steamwand International Pty Ltd t/as Weedtechnics
  - Waratah Lawncare and Garden Management Pty Ltd t/as Waratah Lawncare & Garden Management.
-

### 3.3 T15/28 Grounds Maintenance At Airds, Claymore, Glenfield, Macquarie Fields And Minto

---

#### **Evaluation Process**

The Evaluation Panel, consisting of officers from Operational Services and Waste & Recycling Services evaluated the tenders against the following weighted assessment criteria:

- Experience of the company and subcontracting
- Specifications of equipment
- Price
- 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 on a per service per suburb basis.

The Evaluation Panel decided prior to advertising that each suburb would be evaluated and awarded separately.

#### **Recommendation of the Evaluation Panel**

GLG Greenlife Group Pty Ltd t/as GLG Greenlife Group provided the best response to Council for the grounds maintenance in the suburbs, Claymore, Glenfield and Macquarie Fields and is recommended as they:

- provided satisfactory details of their company experience, particularly as they relate to the services, confirmed through reference checks
- provided satisfactory details of their equipment specifications
- tendered a competitive per service price to Council
- provided satisfactory work, health, safety and environmental documentation.

Skyline Landscape Services Pty Ltd provided the best response to Council for the grounds maintenance in the suburbs Airds and Minto and is recommended as they:

- provided satisfactory details of their company experience, particularly as they relate to the services, confirmed through reference checks
- provided satisfactory details of their equipment specifications
- tendered a competitive per service price to Council;
- provided satisfactory works, health, safety and environmental documentation.

#### **Tenders Not Recommended for the Grounds Maintenance in Airds**

The following tenders were not recommended for grounds maintenance in the suburb of Airds as they tendered a more expensive price than the recommended tenderer and the Evaluation Panel did not consider there to be any additional benefit for the increased price:

- Better Safe Pest & Weed Management Pty Ltd
  - BNE Lawn & Garden Maintenance Pty Ltd
-

### 3.3 T15/28 Grounds Maintenance At Airds, Claymore, Glenfield, Macquarie Fields And Minto

---

- C.J. Murphy Tree Recycling Services Pty Ltd
- Garden Growing Solutions Pty Ltd
- GLG GreenLife Group Pty Ltd t/as GLG GreenLife Group
- ILC Group Pty Ltd
- Luke Magro t/as Lawn Mowing & Gardening Service
- New Link Pty Ltd
- Snippers Lawnmowing Maintenance Service & Sales Pty Ltd t/as Snippers Lawnmowing
- Steamwand International Pty Ltd t/as Weedtechnics
- Waratah Lawncare and Garden Management Pty Ltd t/as Waratah Lawncare & Garden Management.

#### **Tenders Not Recommended for the Grounds Maintenance in Claymore**

The following tenders were not recommended for grounds maintenance in the suburb of Claymore as they tendered a more expensive price than the recommended tenderer and the Evaluation Panel did not consider there to be any additional benefit for the increased price:

- BNE Lawn & Garden Maintenance Pty Ltd
- C.J. Murphy Tree Recycling Services Pty Ltd
- Garden Growing Solutions Pty Ltd
- ILC Group Pty Ltd
- Luke Magro t/as Lawn Mowing & Gardening Service
- New Link Pty Ltd
- Skyline Landscape Services Pty Ltd
- Snippers Lawnmowing Maintenance Service & Sales Pty Ltd t/as Snippers Lawnmowing
- Steamwand International Pty Ltd t/as Weedtechnics
- Waratah Lawncare and Garden Management Pty Ltd t/as Waratah Lawncare & Garden Management.

Better Safe Pest & Weed Management Pty Ltd are not recommended for grounds maintenance in the suburb of Claymore as they did not provide sufficient detail to demonstrate their experience in similar works and capacity to meet Council's requirements.

#### **Tenders Not Recommended for the Grounds Maintenance in Glenfield**

The following tenders were not recommended for grounds maintenance in the suburb of Glenfield as they tendered a more expensive price than the recommended tenderer and the Evaluation Panel did not consider there to be any additional benefit for the increased price:

- Better Safe Pest & Weed Management Pty Ltd
  - BNE Lawn & Garden Maintenance Pty Ltd
  - C.J. Murphy Tree Recycling Services Pty Ltd
  - Garden Growing Solutions Pty Ltd
  - ILC Group Pty Ltd
  - Luke Magro t/as Lawn Mowing & Gardening Service
  - New Link Pty Ltd
  - Skyline Landscape Services Pty Ltd
  - Snippers Lawnmowing Maintenance Service & Sales Pty Ltd t/as Snippers Lawnmowing
  - Steamwand International Pty Ltd t/as Weedtechnics
  - Waratah Lawncare and Garden Management Pty Ltd t/as Waratah Lawncare & Garden Management.
-



### 3.3 T15/28 Grounds Maintenance At Airds, Claymore, Glenfield, Macquarie Fields And Minto

---

#### **Tenders Not Recommended for the Grounds Maintenance in Macquarie Fields**

The following tenders were not recommended for grounds maintenance in the suburb of Macquarie Fields as they tendered a more expensive price than the recommended tenderer and the Evaluation Panel did not consider there to be any additional benefit for the increased price:

- Better Safe Pest & Weed Management Pty Ltd
- BNE Lawn & Garden Maintenance Pty Ltd
- C.J. Murphy Tree Recycling Services Pty Ltd
- Garden Growing Solutions Pty Ltd
- ILC Group Pty Ltd
- Luke Magro t/as Lawn Mowing & Gardening Service
- New Link Pty Ltd
- Skyline Landscape Services Pty Ltd
- Snippers Lawnmowing Maintenance Service & Sales Pty Ltd t/as Snippers Lawnmowing
- Steamwand International Pty Ltd t/as Weedtechnics
- Waratah Lawncare and Garden Management Pty Ltd t/as Waratah Lawncare & Garden Management.

#### **Tenders Not Recommended for the Grounds Maintenance in Minto**

The following tenders were not recommended for grounds maintenance in the suburb of Minto as they tendered a more expensive price than the recommended tenderer and the Evaluation Panel did not consider there to be any additional benefit for the increased price:

- Better Safe Pest & Weed Management Pty Ltd
- BNE Lawn & Garden Maintenance Pty Ltd
- C.J. Murphy Tree Recycling Services Pty Ltd
- Garden Growing Solutions Pty Ltd
- GLG GreenLife Group Pty Ltd t/as GLG GreenLife Group
- ILC Group Pty Ltd
- Luke Magro t/as Lawn Mowing & Gardening Service
- New Link Pty Ltd
- Snippers Lawnmowing Maintenance Service & Sales Pty Ltd t/as Snippers Lawnmowing
- Steamwand International Pty Ltd t/as Weedtechnics
- Waratah Lawncare and Garden Management Pty Ltd t/as Waratah Lawncare & Garden Management.

#### **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 GLG GreenLife Group Pty Ltd t/as GLG GreenLife Group for the provision of grounds maintenance at Claymore, Glenfield and Macquarie Fields for a period of two years with three options for extension of 12 months each.
2. That Council accept the offer of Skyline Landscape Services Pty Ltd for the provision of grounds maintenance at Airds and Minto for a period of two years with three options for extension of 12 months each.
3. That the Contract documents be executed under the Common Seal of Council.
4. That the unsuccessful Tenderers be notified of the results of tender process.

### **Committee's Recommendation: (Glynn/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 13**

That the Officer's Recommendation be adopted.

---

#### **4. EMERGENCY SERVICES**

**No reports this round**

#### **5. GENERAL BUSINESS**

Nil.

#### **Confidentiality Motion: (Glynn/Brticevic)**

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**

#### **22. CONFIDENTIAL ITEMS**

##### **22.1 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: (Lake/Glynn)**

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 7.43pm.

C Mead  
CHAIRPERSON

---

# **Reports of the Community Services Committee Meeting held at 5.30pm on Tuesday, 9 February 2016.**

---

## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

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

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

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
<b>1.</b>	<b>COMMUNICATIONS AND MARKETING</b>	<b>3</b>
1.1	Christmas Carols 2015 post event report	3
1.2	New Year's Eve 2015 post event report	5
1.3	2015 Festival of Fisher's Ghost post event report	7
<b>2.</b>	<b>COMMUNITY RESOURCES AND DEVELOPMENT</b>	<b>12</b>
2.1	2016 International Day of People with Disability Evaluation	12
2.2	2016 International Women's Day and Harmony Day	14
2.3	Beach Safety Program Evaluation	17
2.4	Six monthly progress report against the Delivery Program	19
<b>3.</b>	<b>CULTURAL SERVICES</b>	<b>46</b>
	No reports this round	46
<b>4.</b>	<b>CUSTOMER SERVICE</b>	<b>46</b>
	No reports this round	46
<b>5.</b>	<b>EDUCATION AND CARE SERVICES</b>	<b>46</b>
	No reports this round	46
<b>6.</b>	<b>HEALTHY LIFESTYLES</b>	<b>47</b>
6.1	New Policy - Booking of Campbelltown Athletics Centre for school athletics carnivals	47
<b>7.</b>	<b>LIBRARY SERVICES</b>	<b>51</b>
7.1	Tech Savvy Seniors 2016	51
7.2	National Trust Heritage Festival 2016	53
<b>8.</b>	<b>GENERAL BUSINESS</b>	<b>55</b>
<b>23.</b>	<b>CONFIDENTIAL ITEMS</b>	<b>55</b>
	No reports this round	55

---



---

**Minutes of the Community Services Committee held on 9 February 2016**

---

**Present**

His Worship the Mayor, Councillor P Hawker  
Councillor T Rowell (Chairperson)  
Councillor G Bricevic  
Councillor W Glynn  
Councillor M Oates  
Councillor R Thompson  
General Manager - Mrs L Deitz  
Acting Director Community Services - Mrs J Uluibau  
Director Strategy - Mr J Lawrence  
Manager Communications and Marketing - Mrs B Naylor  
Acting Manager Community Resources and Development – Ms L Grimson  
Manager Cultural Services - Mr M Dagostino  
Acting Manager Customer Service - Ms M James  
Acting Manager Education and Care Services - Ms G Vickers  
Manager Healthy Lifestyles - Mr M Berriman  
Manager Library Services - Mr G White  
Manager Technical Services - Mr K Lynch  
Executive Assistant - Mrs K Peters

**Apology (Rowell/Glynn)**

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

**CARRIED**

**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**

### **1.1 Christmas Carols 2015 post event report**

#### **Reporting Officer**

Manager Communications and Marketing

---

#### **Attachments**

Nil

#### **Purpose**

To provide Council with a summary of the Christmas Carols event that was held at Campbelltown Sports Stadium on Saturday 5 December 2015.

#### **Report**

The 2015 Campbelltown City Christmas Carols event was held for the first time at the Campbelltown Sports Stadium on Saturday 5 December 2015, from 6.00pm to 9.30pm.

The new venue provided a greater capacity for attendees and proved to be a great success with attendance estimated at 4,000 people, compared to a crowd of approximately 3,000 people at Campbelltown Arts Centre.

The event was hosted by local radio personalities, Josh and Lyndal from C91.3FM, and was officially opened by the Mayor, Cr Paul Hawker. Carols booklets were distributed on the night, to encourage attendees to sing along.

The audience was kept well entertained, with local performers leading traditional Christmas carols, performances from Rebecca's Dance Studio, and the Wonderdogs stage show – an energetic stage show hosted by Dr Katrina Warren that stars a team of highly trained Border Collies - appealing to all ages. The night also included a visit from Santa and a fireworks display at 9.00pm, a new addition to the event due to sponsorship provided by Campbelltown Chamber of Commerce.

Performers were supported by a live six piece band and backing vocalists. Two Auslan interpreters were also introduced to the event this year, to provide assistance to those with hearing impairments, ensuring that everyone had the opportunity to enjoy the entertainment.

Nine Network Australia and the Campbelltown Chamber of Commerce sponsored the event with the Rotary Clubs of Campbelltown and Macarthur Sunrise supporting the event by hosting a BBQ and merchandise stall.

---

Feedback received following the event indicated that the evening was very popular with families, with attendees enjoying the larger venue, the increased parking and the range of seating options. Feedback provided will also be considered during planning for this year's event.

### **Officer's Recommendation**

That the 2016 Christmas Carols event be held on Saturday 3 December at the Campbelltown Sports Stadium.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## **1.2 New Year's Eve 2015 post event report**

### **Reporting Officer**

Manager Communications and Marketing

---

### **Attachments**

Nil

### **Purpose**

To provide Council with a summary of the New Year's Eve celebrations that took place at Koshigaya Park, Campbelltown on Thursday 31 December, from 7.00pm to 12.30am.

### **Report**

Council held its annual New Year's Eve event at Koshigaya Park on Thursday 31 December 2015. This event continues to be one of Council's highest attended events and attracted a large crowd, with attendees estimated at 20,000 people.

The free event included entertainment, carnival rides, food and merchandise stalls, and two firework displays. On-stage entertainment featured through-out the event and included a number of talented Sydney bands and talented local performers, including students from School of Rock - Macarthur. The large crowd was also able to view the stage entertainment from a large screen, positioned at the western end of the park.

MC Pat McGeown hosted the stage entertainment, which commenced with a Peanuts stage show, attracting a strong family crowd. Following the 9.00pm fireworks, DJ Dave provided a family-friendly set, before well-known Sydney bands, Uptown Funk, Gold Beats and the Luke Dixon Band took to the stage.

The event this year offered 21 different stallholders with a range of food, merchandise and services. The carnival component of the event proved to be popular once again, with six large rides, a range of children's amusements and sideshow games.

The event included two fireworks displays, at 9.00pm and midnight. Using a new provider, the pyro musical displays went for seven minutes as in previous years and were fired from the hill on Blaxland Road.

The Police and security guards reported that the event was free of any significant incidents.

---



The event was delivered within a budget of \$89,700 as adopted in the 2015-2016 operational plan.

**Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## **1.3 2015 Festival of Fisher's Ghost post event report**

### **Reporting Officer**

Manager Communications and Marketing

---

### **Attachments**

Nil

### **Purpose**

To provide Council with a summary of events and activities held as part of the 2015 Festival of Fisher's Ghost.

### **Report**

The Festival of Fisher's Ghost was held from Friday 6 November to Sunday 15 November 2015.

This year's program included 21 events and activities with 10 of these being organised by Council.

#### **Event summary**

##### **Street Parade**

The Street Parade was held on Saturday 7 November from 1.00pm to 2.30pm. The theme of the parade saw entrants encouraged to 'join the party' and celebrate the 60th annual Festival of Fisher's Ghost.

There were 62 entries and more than 1,000 participants in the parade, which was officially opened by the Mayor of Campbelltown, Cr Paul Hawker with the anthem performed by the Fisher's Ghost Youth Orchestra, along with past Young Citizen of the Year, Rebecca Hatch.

To celebrate the anniversary of the festival, fireworks were included in the opening, and continued along Queen Street to mark the commencement of the parade.

Toastmasters continue to support the parade with the provision of 14 commentators, who are stationed along the street, from Mawson Park to Campbelltown Mall. 2MCR also conducted their broadcast from the event.

The overall winners of the street parade were local group 'Celebrate All Things Scottish - spooky and all' whose entry featured more than 50 entrants, Scottish highland dancers, a huge cake and a range of characters paying homage to Fred Fisher, Governor Lachlan Macquarie and his wife Elizabeth and John and Elizabeth Macarthur.

---

Other category winners included Macarthur Saints Junior Rugby League Football Club, Millennium Dance Productions, Campbelltown Steam and Machinery Museum, Airds Bradbury Community Change Makers, Falun Dafa Association of Australia, Campbelltown Public School, Australian Air League, Campbelltown Steam and Machinery Museum and Campbelltown Public School. The three parade judges come from a range of backgrounds, including community, performing arts and production.

Each year, the official sponsor's luncheon is held in the Civic Hall, prior to the commencement of the parade. Over the past few years, fewer of our event sponsors have attended and in 2015, no sponsors attended the luncheon. Based on this, it is recommended that the luncheon no longer be included in the program of events for the festival. An afternoon tea in the Councillors' Lounge at the conclusion of the event could be considered as an alternative for sponsors.

As part of their ongoing sponsorship commitment, Channel Nine provided talent to participate in the parade, which included Amelia Adams from Nine News and the Today's Show mascot, Blocky.

### **Street Fair**

The Street Fair was held on Saturday 14 November from 10.00am to 2.00pm, with 92 stalls located throughout Queen Street, from Browne Street to Dumaresq Street, together with stage entertainment at Mawson Park and Lithgow Street.

Mawson Park was an interactive sports zone with stalls and activities run by AFL NSW, NRL, Southern Districts Tennis Association and South Sydney Rabbitohs. The event saw a trial of a new activity called Kickoz, an inflatable soccer arena. This kid's activity area also included a large petting zoo which was popular as always.

Unfortunately at 11.00am, rain set in and although it was intermittent throughout the day, it significantly affected the number of attendees at the event. Many of the activities had to cease as a result. Entertainment continued until 12.30pm, before it was abandoned due to the poor attendance in Mawson Park and risk of water on the stage. Stallholders continued to trade until the conclusion of the event at 2.00pm.

Through the support of Channel Nine, all of the contestants from the 2015 series of The Block attended a meet and greet in Mawson Park, many people lined up, despite the weather, to meet the popular personalities.

### **Carnival**

This year's carnival was operated by Better Amusements Hire – Joylands, and held at Bradbury Oval across the two weekends, from Friday 6 November to Sunday 15 November. There were more than 20 mechanical rides, along with show bags, children's activities, and a range of carnival food stalls.

Firework displays were a popular part of the event, occurring at 9.00pm on Saturday 7 and Saturday 14 November.

---

Coupons for the rides could be purchased at the carnival and unlimited ride wristbands were available for both Friday nights. The wristbands could be pre-purchased from the Campbelltown Visitor Information Centre in the lead-up to the event at a discounted price. The ride passes were valid for use on Friday nights, from 6.00pm and 10.00pm and were extremely popular. Due to the inclement weather and water logged conditions, the carnival did not open on Friday 13 November, so the wristband promotion was transferred to Sunday 15 November, to ensure that any pre-purchased wristbands could be used.

Channel Nine hosted a promotional stall at the event, with merchandise giveaways and a photo booth. C91.3FM also attended throughout the event offering giveaways and live radio crosses.

Fred's First Night returned to the Fisher's Ghost program due to the ongoing support of major sponsor, Channel Nine. The event was held at Bradbury Oval on Thursday 12 November from 6.00pm to 9.00pm, after being rescheduled due to wet weather the previous week. This was a ticketed event, offering unlimited ride access passes won through a social media App on the Events in Campbelltown Facebook page. The event aimed to showcase the carnival through an exclusive preview of the rides, and also assisted to generate interest and promote the festival through social media. A total of 800 passes were awarded through the competition, and feedback received about Fred's First Night was positive.

#### **Fisher's Flicks**

To celebrate the festival anniversary, a new event was added in 2015. Fisher's Flicks is an outdoor cinema event, located adjacent to the carnival at Bradbury Park. Fisher's Flicks was scheduled to take place on Friday 13 November, screening Hotel Transylvania and the original Ghostbusters. Unfortunately, due to significant wet weather, the event was rescheduled to Sunday 15 November. The weather on this day was not conducive to an outdoor movie event and being a Sunday evening, the event was poorly attended. Positive feedback was received when we announced the addition of the event, and Council hope to offer it again in 2016.

#### **Craft exhibition**

The craft exhibition was again included in the festival program with some changes to the format, to try and improve interest in the event. The exhibition was displayed at HJ Daley Library to ensure it was more accessible by the community. Despite opening this exhibition up to the Macarthur region for the second year and changing the format from a competition to an exhibition based on ongoing feedback received over the past years, the number of entrants continues to be very low, with only 37 people participating in the exhibition.

It is recommended that event staff review the inclusion of the craft exhibition in future festivals to determine the best way forward.

#### **Miss Princess**

The Miss Princess Quest attracted seven entrants, made up of girls aged between 9 and 12 years that reside in the Campbelltown LGA. The Crowning ceremony was held on Sunday 25 October at Macarthur Square where the 2015 Fisher's Ghost Miss Princess winner, Olivia Pearsall-Hogden of Raby was crowned. Jade Schofield of Ambarvale was announced as the runner up. All entrants were invited to participate in the Street Parade and were escorted in the parade by the Campbelltown Historic Vehicle Club.

---



With entries in the quest declining, it is recommended that the event be reviewed as part of an overall review of the festival.

The Festival of Fisher's Ghost was well supported by local police, St John Ambulance and other sections within Council.

### **Advertising and media coverage**

A feature wrap showcasing the festival events was published by both NewsLocal Macarthur Chronicle and the Campbelltown-Macarthur Advertiser, which both included advertisements placed by Council, complemented by editorial content.

Elements of the festival were also featured in metropolitan papers, including The Sydney Morning Herald and The Daily Telegraph. Ads were also placed in the Southern Highlands iMag and inMacarthur magazine.

For the first time the festival was advertised on Ella's List, a dedicated online events guide for kids and families. Over 80,000 parents use Ella's List each month and it is considered the go-to online directory to find out what is happening across Sydney. A detailed campaign was run through Ella's List, which offered a strong presence on their website and newsletters, as well as regular advertising on their Facebook page which features 48,000 likes. An Ella's List explorer was sent to carnival and provided a detailed and positive review of the event, from a parent's perspective.

Paid advertising was also used on the Events in Campbelltown Facebook page. This page currently has more than 5,000 likes and is one of our most interactive advertising tools for events.

A radio campaign aired on C91.3FM throughout October and November, this was combined with daily competitions, to ensure the most coverage possible. The event was also featured on 2MCR through the Council Hour program.

Other opportunities used for promotion were the Fisher's Ghost website, a flyer included in the rates mail-out, programs, bus shelter posters, media releases and an article in the winter and spring editions of Compass, Council's quarterly residential newsletter.

### **Sponsorship**

This year's event was supported by a range of sponsors. Top level sponsorship was taken by Channel Nine as part of their three year sponsorship deal, with in-kind support from C91.3FM and NewsLocal Macarthur Chronicle.

Miss Princess received considerable in-kind support through the contributions of sponsors – Lend Lease Macarthur Square, June Dally-Watkins Education and Training, Evans and Son Jeweller, McDonald's in Macarthur, Megan Sloper, NewsLocal Macarthur Chronicle and the Campbelltown-Macarthur Advertiser.

The total value of cash sponsorship for the festival was \$18,000. The value of in-kind sponsorship has been assessed at more than \$15,000.

---

### **Summary of event costs**

The 2015 Festival of Fisher's Ghost was delivered within a budget of \$88,700, which was adopted as part of the 2015-2016 Operational Plan. The final cost of this event, takes into account the carnival income, which offsets some of the operational costs.

### **Conclusion**

The 2015 Festival of Fisher's Ghost was a successful event, despite being heavily affected by the wet weather. It continues to be a popular community event, offering a range of events and activities.

### **Officer's Recommendation**

1. That an overall review of the Festival of Fisher's Ghost events be conducted by Council staff and the outcome of the review be presented to Council in a briefing session prior to the preparation of the 2016 Festival of Fisher's Ghost.
2. That the Sponsor's Luncheon be replaced with an afternoon tea in the festival program.
3. That the 2016 Festival of Fisher's Ghost be held from Friday 4 November to Sunday 13 November 2016.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## **2. COMMUNITY RESOURCES AND DEVELOPMENT**

### **2.1 2016 International Day of People with Disability Evaluation**

#### **Reporting Officer**

Manager Community Resources and Development

---

#### **Attachments**

Nil

#### **Purpose**

To provide Council with an evaluation report on Council's 2015 International Day of People with Disability activities.

#### **History**

International Day of People with Disability is an annual event held on 1 December that aims to celebrate the achievements and contributions people with a disability make to the community, as well as highlight the needs that they, their families, and carers face, whilst recognising the organisations which are proactive in meeting and supporting those needs.

Council is committed to working with local service providers and other partners to help create a more inclusive community through the provision of accessible events and activities.

#### **Report**

##### **Access All Areas Film Festival**

As a lead up event to 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 at Campbelltown Arts Centre on Wednesday 4 November 2015. As part of the short film festival some of the films were shown with open captions and others with audio description. Local schools and residents attended these screenings.

---

### **International Day of People with Disability Open Access Forum**

The final Open Access Forum for 2015 was held in the Campbelltown Civic Hall on Tuesday 1 December 2015 to celebrate International Day of People with Disability with almost 100 people attending. The event included a Living Life My Way ambassador who gave an informative talk on her rehabilitation as a survivor of an acquired brain injury, resulting from domestic violence. Local school children with disability provided dance, signing and singing performances. The Macarthur Access Group for Inclusive Communities (MAGIC) was also launched. The MAGIC project has been developed by government and non-government organisations in response to consultations with people with disability and their families who identified challenges accessing services, businesses and the broader community.

Feedback from all participants was positive, with many looking forward to next year's event. The event provides a platform for children with disability to perform in the public arena and showcase their ability.

International Day of People with Disability activities were delivered through Council's approved budget, sponsorship and a range of in-kind contributions and support from local organisations and community groups.

### **Officer's Recommendation**

That the 2016 International Day of People with Disability event and activities be held on Thursday 1 December 2016.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---



## **2.2 2016 International Women's Day and Harmony Day**

### **Reporting Officer**

Manager Community Resources and Development

---

### **Attachments**

Nil

### **Purpose**

To inform Council of planned activities to be held to celebrate two community events during March, International Women's Day and Harmony Day.

### **Report**

#### **International Women's Day 2016**

International Women's Day has been celebrated in Australia each year on 8 March since 1928. It is an important occasion to celebrate and recognise the achievements and advances made by women and to focus on the changes still required to gain equality for women around the world.

'Pledging For Parity' is the theme for International Women's Day 2016, which includes encouraging women and girls to achieve their ambitions, respect and value difference and develop more inclusive and flexible cultures.

Council's 2015 International Women's Day event 'Capturing Conversations' allowed Council officers to engage and consult with women from our community. Valuable feedback was collected and one key issue; health was raised that the participants suggested would be good to explore further. As a result of this 2015 feedback, the theme of the 2016 conversation is 'Women and Health' which aims to discuss and gather information about healthy lifestyle needs in Campbelltown, showcase local health opportunities, and promote local services and groups.

It is proposed to invite participants from the 2015 International Women's Day Capturing Conversations Project, past recipients of the Inspiring Women Award and other interested women across a range of disciplines and industry sectors in the local community. This will provide an opportunity for women from diverse backgrounds to hear from various health professionals who will share their knowledge and take part in guided conversations with a focus on health. These professionals have been selected based on previous conversation projects with women and local health issues highlighted in the South Western Sydney Local Health District Health Promotion Service Strategic Plan 2014-2019 and include: South Western Sydney Health, The McGrath Foundation, Mental Health, Diabetes Australia, The Heart Foundation and the local women's health centres. Women attending the event will be encouraged to speak with these services, and will also have the opportunity to register for local health initiatives such as the Campbelltown City Council Challenge Walk.

---

It is proposed that the information collected from these conversations will be used to further develop the 'Community Conversations for Women' Project and highlight possible common themes in local women's knowledge of health. Community Conversations are a powerful tool for engaging people beyond the usual suspects, and building on stronger connections within the community. Information from International Women's Day will also be used to assist the development of Council's Women's Strategy and provide information to create change, shape policy and develop future projects.

### **Harmony Day 2016**

Harmony Day is managed by the Department of Immigration and Citizenship and coincides with the United Nation's 'International Day for the Elimination of Racial Discrimination'. Harmony Day is celebrated in Australia each year on 21 March. It is a day of cultural respect, widely celebrated across schools, childcare services, community groups, churches, businesses and federal, state and local government agencies. The message of Harmony Day is 'Everyone Belongs'.

Council in partnership with Macquarie Fields Local Area Command, local community groups and organisations will hold an 'Everyone Belongs: Multicultural Fun Day' on Wednesday 23 March at Youth Off the Streets Koch Centre, Macquarie Fields.

Community members, volunteers, local cultural groups and services, businesses, government and non-government organisations will participate by providing workshops or activities, deliver a presentation, provide entertainment or host a demonstration.

Community groups and workers from a diverse range of services will be available to discuss and promote opportunities for the community to participate in local activities and services. Entertainment and food from all cultures will be provided throughout the day.

The event aims to encourage the connection of the broader community to various forms of culture by recognising the diverse opportunities to experience culture through dance, art, music, sports, storytelling, food and activities for all ages and cultures. Harmony Day celebrations also aim to promote a more connected community whose members are trusting and respectful of each other.

Local schools have also been invited to participate in Council's "Where My Family Comes From" Creative Poster Project, which is in its fourth year. Project entries will be displayed at Council libraries and at the Everyone Belongs: Multicultural Fun Day event.

### **Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

---

**Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## **2.3 Beach Safety Program Evaluation**

### **Reporting Officer**

Manager Community Resources and Development

---

### **Attachments**

Nil

### **Purpose**

To provide Council with a report evaluating the Beach Safety Program held during the 2015 summer school holidays.

### **History**

At its meeting on 11 November 2014, Council endorsed a pilot beach safety awareness program for young people in the Campbelltown Local Government Area to be held during the 2014-2015 summer school holidays.

### **Report**

The program, held on 15 December 2015, was conducted in partnership with Surf Lifesaving NSW, Wollongong Council, Afghan Fajar Inc. and South West Multicultural and Community Centre and participating youth services from the Campbelltown Local Government Area.

The 17 participants were aged from twelve to eighteen years from local population groups which are over represented in drownings, particularly multicultural and Aboriginal and Torres Strait Islander communities. Surf Lifesaving NSW, volunteer lifesavers from the North Wollongong Surf Life Saving Club and Wollongong Council organised the day to facilitate the workshops and practical activities.

The participants and supervisors met at the South West Multicultural Community Centre where they shared a healthy breakfast. From there they were transported by bus to North Wollongong beach where they were greeted by Surf Lifesaving NSW.

Participants were engaged throughout the workshop which was well received and it was evident that many participants had become more confident in the water as a result of the variety of practical water activities conducted both in the surf and pool environments.

The skills and knowledge learnt during the workshop included basic survival skills in the water, emergency response, rescue techniques, identifying waves and rips as well as practical safety skills; all are vital life skills that may save lives in any aquatic environment.

---



Council received positive feedback about the project, with participants stating that they felt more confident in the water and were able to identify dangerous surf conditions such as how to identify and avoid rips.

### **Promotion**

This year the Beach Safety Program was promoted to youth services who work with a variety of target groups including people from local population groups, particularly Aboriginal and Torres Strait Islander Communities who have been identified as having a dramatically increased risk of coastal drowning.

### **Service statistics**

- the majority of participants were aged 12 to 18 years
- participants mainly came from the suburbs of Minto and St Andrews reflecting the place of residents of the targeted population group
- 93% of participants had been taught how to swim previously

Post evaluation forms were completed by the participants and the results below indicate their reasons for going to the beach.

- 45% went to the closest beach to where they live
- 53% go on holiday to the beach
- 46% because the beach is patrolled by lifesavers/lifeguards
- 40% chose the beach because it is good for surfing

Council's allocated budget for this project was \$500. NSW State Government funded an additional amount of \$2000 under the Water Safety Black Spots fund. This funding has now ceased.

Council's Youth Project Officer will explore funding and partnership opportunities for the possibility of ongoing delivery of the Beach Safety Program by service partners within the community.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Brticevic/Glynn)**

That Council write to the Minister for Sport and Recreation requesting that the funding for the Water Safety Black Spots be reinstated.

### **CARRIED**

### **Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## **2.4 Six monthly progress report against the Delivery Program**

### **Reporting Officer**

Manager Community Resources and Development

---

### **Attachments**

Campbelltown City Council six monthly progress report against the 2013-2017 Delivery Program, July-December 2015 (contained within this report)

### **Purpose**

To advise Council of the progress in undertaking the principle activities outlined in the 2013-2017 Delivery Program.

### **History**

It is a requirement of the *Local Government Act 1993*, that Council receive a progress report on the principle activities outlined in the 2013-2017 Delivery Program. The principle activities of Council are defined as the services and functions it provides to the community as detailed in the Delivery Program.

### **Report**

In 2013, Council adopted the 2013-2017 Delivery Program. The Delivery Program outlines the objectives, strategies, services and functions, programs of work and activities that Council will undertake during 2013-2017.

The attachment to this report provides an update on the progress of the Council's services and function towards meeting the community's objective detailed in the Community Strategic Plan.

Highlights from within the period include the completion of a new skate park facility at St Helens Park, Council's first endorsed sustainability strategy and the renewal of playground facilities at Raby Sports Complex and Topez Park, Eagle Vale.

### **Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

---

**Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1



### 2013-2017 Delivery Program Six Monthly Progress Report July-December 2015





## Introduction

In June 2013, Council adopted the Integrated Planning and Reporting (IPR) framework. As a requirement of the *Local Government Act 1993*, a bi-annual progress report is to be submitted to Council, highlighting the key achievements of the principle activities, as well as any exceptions. Council's principle activities are defined as its services and functions as outlined in the Delivery Program. Council provides 27 services and nine functions as part of its operations.

### Services

- Provision of environmental education
- Management of natural resources
- Regulation of environmental compliance
- Management of natural waterways
- Land use planning for the City
- Completion of Development Application assessments
- Support of MACROC
- Encouraging tourism to the Campbelltown region
- Promotion of City centres
- Provision of the road network
- Provision of a stormwater and drainage network
- Management of City traffic network
- Provision of the footpath and cycleway network
- Provision of education and care for children
- Provision of library services
- Provision of sport and recreational services
- Provision of services to targeted community groups
- Operation of the Campbelltown Arts Centre
- Provision of waste management
- Provision of community safety programs
- Provision of animal care services
- Provision of public health information and services
- Emergency bushland management
- Maintain the public spaces of the City
- Community events
- Community access to Council information
- Provision of customer service





### Functions

- Governance
  - Business management
  - Work with State and Federal Governments
  - Human resources
  - Information technology
  - Management of activities to support organisational sustainability
  - Asset management
  - The management of Council's property assets
  - Financial management
-

This progress report identifies whether we, as a community, are moving towards the vision

“a connected community with opportunities to grow in a safe and sustainable environment”

The legend below describes if the principle activity (service or function) is moving towards or away from delivering on the community vision.

	Strongly progressing towards the vision
	Making progress towards the vision
	Shifting away from the vision
	Rapidly moving away from the vision




## A sustainable environment

### Strategy - 1.1 Promotion of sustainability

Function - 1.1.1 Management of activities to support organisational sustainability	Status
<ul style="list-style-type: none"> <li>• Council endorsed its first Sustainability Strategy formalising its commitment to sustainability, organisational improvement and smarter work practices.</li> <li>• Council continued to monitor its progress towards a sustainable organisation through the use of a Sustainability Accounting Tool (SAT). The SAT offers cost and consumption information on six key areas – electricity, gas, water, paper, waste and vehicle fleet.</li> <li>• Council's Sustainability Committee continued to meet regularly to discuss and facilitate a diverse range of sustainable initiatives. These initiatives involved the development of policies, the design and implementation of on-ground works, the expenditure of funds and project accounting.</li> <li>• Quarterly health check reports were prepared on Council's electricity and paper consumption.</li> <li>• Amendments to Council's Corporate Sustainability Fund guidelines were undertaken to improve funding opportunities for future projects.</li> <li>• The Sustainable Facilities working party was established to guide the implementation of sustainable facility design, construction and operation.</li> <li>• Fisher's Gig 2015 continued the tradition of showcasing best-practice environmental event management. An environmental photo booth, "sustainyourselfie", encouraged young people attending the gig to think about the simple things they could do on a daily basis to reduce their environmental impact. Overall, 238 environmental pledges were made, which reached more than 7,000 Facebook followers.</li> <li>• An assessment of the Heating, Ventilation and Air Conditioning system at the Arts Centre was completed. A number of options for improving the energy efficiency of the system and the Centre as a whole were provided.</li> <li>• Installation of an 85 kW solar system at the Greg Percival Library and Community Centre was completed.</li> <li>• The Sustainable Council working party launched an intranet page dedicated to sharing, informing, educating and consulting with staff on a diverse range of sustainability initiatives and projects.</li> <li>• Council signed-up to participate in a National urban heat island effect project. The project will analyse night time heat dissipation in the urban area and provide localised urban design recommendations to assist with strategic planning to mitigate the urban heat island effect, as well as form key elements for the development of climate-sensitive urban design guidelines and an Australian standard for urban heat resilience.</li> </ul>	



## A sustainable environment


Service - 1.1.2 Provision of environmental education	Status
<ul style="list-style-type: none"> <li>• The 'Moss Art Workshop' held at the Campbelltown Arts Centre allowed young people to learn about moss and how to create moss art.</li> <li>• A bi-annual environmental calendar – 'Your connection to our natural environment' was developed. The calendar is a one-stop shop for anyone seeking information on environmental events and initiatives happening in the community, and how to get involved.</li> <li>• Implementation of the Waterwise Waterways Stormwater Education Program continued. Local primary school students design and produce signage for stormwater drains aimed at educating the community on catchment health and encouraging litter reduction.</li> <li>• Council, in collaboration with the Macarthur Centre for Sustainable Living, delivered compost and worm farm workshops to six early learning centres.</li> <li>• Compost workshops were held at four local primary schools.</li> <li>• Environmentally themed workshops were conducted for ShareCare (a local not-for-profit organisation), who provide temporary respite to families with a child or young person with a disability.</li> <li>• Council supported a local community group in Airds to reduce litter in the local area through a Keep Australia Beautiful Litter grant.</li> <li>• The 'Catchments Connecting Communities' project involved students from Campbelltown Performing Arts High School developing a range of initiatives aimed at promoting and improving the health of Marsden Park wetland and engaging the wider community in environmental stewardship. This included the production of Eric the Eel, an educational children's story book that focuses on the lifecycle of the long finned eel.</li> <li>• The Macarthur Nature Photography Competition saw over 400 entries. The awards night was hosted by Campbelltown Performing Arts High School, whose students provided catering, sound, lighting, technical and entertainment for the evening.</li> <li>• The Threatened Species Art Competition saw a record number of entries (1205) from both the general community and schools.</li> <li>• A tree planting workshop for 90 students ranging from kindergarten to year 6 was undertaken as part of a day of outdoor activities for three schools who were winners of an ABC Radio competition at Simmo's Beach Reserve.</li> <li>• Over 40 residents attended the Bird is the Word community event in celebration of National Bird Week at Noorumba Reserve.</li> <li>• Construction of Council's new Mobile Interactive Display Centre (MIDC) nears completion, and is expected to be operational in early 2016. The MIDC will be an eye-catching 'retro'-style caravan used to display a range of waste educational material at schools, major Council events and in prominent areas such as CBDs.</li> <li>• A number of workshops were provided to the community in cooperation with the Macarthur Centre for Sustainable Living with approximately 600 residents attending. Workshop topics included:               <ul style="list-style-type: none"> <li>○ Green cleaning</li> <li>○ Worm farming and composting</li> <li>○ Garden to table cooking</li> <li>○ Simple and easy native gardening</li> <li>○ Keeping chickens at home</li> <li>○ No dig gardens and mulching</li> <li>○ Winter vegetable gardens</li> <li>○ Microwave cooking</li> </ul> </li> </ul>	





## A sustainable environment

### Strategy - 1.2 Protection of the natural environment

Service 1.2 1 - Management of natural resources	Status
<ul style="list-style-type: none"> <li>• In celebration of National Tree Day 500 trees were planted by 100 participants in local koala habitat.</li> <li>• The Smiths Creek Bushcare Group was launched.</li> <li>• The Noxious Weed and Pest Animal Strategy continued to be implemented.</li> <li>• The implementation of the Australian White Ibis Management Plan for Lake Mandurama commenced aiming to control the population of the species and their impacts in the area.</li> <li>• The implementation of the Tree Swap Program continued.</li> <li>• Bush regeneration works continued at Redfern Creek, Panorama Estate, Quirk Reserve, Spring Creek, and Mansfield Creek, Eagle Farm Reserve.</li> <li>• The Green Army program continued with bush regeneration works at three sites Varroville Reserve, Fishers Ghost Creek and Smiths Creek.</li> <li>• Conservation Volunteers Australia in partnership with Council completed five volunteer bush regeneration days funded by NSW Environmental Trust at key biodiversity locations across Campbelltown.</li> <li>• The Indian Myna Bird Action Program is designed to educate residents about the pest bird species and reduce their impacts on human health and the environment. Under the program 18 workshops were held with 435 residents attending.</li> <li>• The Weed Action Program continued to be implemented.</li> <li>• Council successfully obtained funding from Greater Sydney Local Land Services for bush regeneration works at Scattergood Reserve, St Helens Park and Campbelltown Golf Course under the Bushcare Program.</li> <li>• Council participated in the South West Regional Weeds Committee.</li> <li>• Council continued to work towards finalising a Comprehensive Koala Plan of Management.</li> <li>• Reiby Juvenile Justice Centre residents assisted in producing artwork for a recyclable coffee cup Aboriginal art series to promote bush regeneration works.</li> <li>• Targeted threatened species surveys for the Green and Golden Bell Frog were conducted across suitable habitat in Blair Athol and surrounding suburbs.</li> <li>• Targeted threatened species surveys for the Cumberland Plain Land Snail were conducted across Council Reserves and selected large infrastructure development sites.</li> <li>• Quarterly population counts of Grey-headed Flying Foxes were undertaken at known camp sites.</li> <li>• Logs from tree removal activities were salvaged for use in reserves to provide habitat for local fauna.</li> <li>• A comprehensive Biobanking assessment for Noorumba Reserve in Rosemeadow has commenced.</li> <li>• Council assisted Tharawal Local Aboriginal Land Council to secure \$260,000 grant funding through the Environmental Trust for a project focused on habitat enhancement, creation and monitoring utilising citizen science techniques within the O'Hares Creek Catchment, Wedderburn.</li> <li>• Work continued on the Draft Campbelltown Biodiversity Conservation Plan including a desktop assessment of Campbelltown's biodiversity values.</li> </ul>	



## A sustainable environment

Service 1.2.2 - Regulation of environmental compliance	Status
<ul style="list-style-type: none"> <li>• Council received 378 customer requests relating to illegal construction/development (174), pollution (144) and rubbish dumping (60).</li> <li>• Council issued 85 notices/orders under the Environmental Planning and Assessment Act (61) and the Protection of the Environment Operations Act (24).</li> <li>• A total of 82 penalty notices were issued in relation to Environmental (72) and Land Use (10) offences.</li> </ul>	➡

### Strategy - 1.3 Care for natural waterways

Service 1.3.1- Management of natural waterways	Status
<ul style="list-style-type: none"> <li>• The biannual aquatic weed spraying program commenced targeting 51km of waterway within the LGA.</li> <li>• Council in partnership with Wollondilly and Camden Council begun treatment of aquatic weeds on the Nepean River.</li> <li>• The Georges River Combined Councils Committee continued its work with Corrective Services NSW and Council to remove gross pollutant waste from 26 key sites within the LGA.</li> <li>• Designs for stage 1 of waterway improvement works and an internal and external communication strategy for Quirk Reserve, Bradbury were prepared.</li> <li>• The Georges River Combined Council Committee in partnership with Council and their two Green Army Teams completed a rubbish clean-up of Spring Creek, St Helens Park.</li> <li>• Continuation of a Water Quality Monitoring program involving the sampling and monitoring of 13 strategically selected sites within the Georges River and Nepean River catchments.</li> <li>• The construction of a wetland downstream of Lake Mandurama in Ambarvale was finalised, with the aim of improving water quality within the Georges River catchment. The wetland covers an area of 0.4 hectares and includes 15,540 plants.</li> <li>• A number of submissions were made on various State Government Policies of relevance to Environmental Management (i.e. GSLSS Draft Strategic Plan).</li> </ul>	➡



## A strong local economy

### Strategy - 2.1 Encourage balanced development within the City

Service 2.1.1 - Land use planning for the City	Status
<ul style="list-style-type: none"> <li>Council completed the integration of eight existing planning instruments into the State Governments Standard Instrument Template with the Gazettal of the Campbelltown Local Environmental Plan 2015 (CLEP 2015). The plan will become effective on 11 March 2016.</li> <li>A major amendment to the Campbelltown (Sustainable City) Development Control Plan (SCDCP 2015) was advanced in order to harmonise controls with the CLEP 2015.</li> <li>Planning Proposals (rezoning requests) were progressed for Menangle Park, Mt Gilead, Maryfields, Glenfield Waste Services and land at Amundsen St Leumeah.</li> <li>Biodiversity provisions and an associated biodiversity overlay were drafted for a future amendment to CLEP 2015.</li> <li>Council worked in consultation with NSW Planning and Environment in finalising the draft Glenfield to Macarthur Urban Renewal Corridor Strategy as well as the draft Greater Macarthur Land Release Investigation.</li> </ul>	➡

### Strategy - 2.2 Attraction of business to the local area to create jobs

Service 2.2.1 - Completion of Development Application assessments	Status
<ul style="list-style-type: none"> <li>A total of 493 Development Applications (DA) and 484 Construction Certificates (CC) and 125 Complying Development Certificates (CDC) were determined within the reporting period.</li> <li>The net median DA assessment/determination timeframe for 2014-20145 was 28 days. This is below the median timeframes of comparative councils such as Camden (31), Liverpool (69), Penrith (48) and Hornsby (51).</li> <li>DA's determined had a total capital works value of over \$287m.</li> <li>Of the DA's lodged: <ul style="list-style-type: none"> <li>44 had a value of more than \$1m</li> <li>25 had a value of more than \$2m</li> <li>Eight had a value of more than \$10m</li> <li>One had a value of greater than \$20m.</li> </ul> </li> <li>CC's determined had a total capital works value of over \$38m.</li> <li>CDC's determined had a total capital works value of over \$377m.</li> </ul>	➡

Service 2.2.2 - Support of MACROC	Status
<ul style="list-style-type: none"> <li>Council continued to support and actively participate as a member of MACROC to promote the Macarthur Region.</li> </ul>	➡





## A strong local economy

Strategy - 2.3 Promote Campbelltown as a regional City through the growth of the City's major business centres


Service 2.3.1 - Encouraging tourism to the Campbelltown region	Status
<ul style="list-style-type: none"> <li>The Macarthur Destination Management Plan (DMP) 2016-2020 was adopted by Council in December 2015. A collaboration between Campbelltown City and Camden Councils, the DMP addresses strategic themes and opportunities including product development and partnerships; marketing and promotion; industry support and visitor servicing. While the DMP has been developed for the Macarthur region, the actions have been divided into specific actions for Campbelltown, Camden and the Macarthur region, enabling each Council to implement opportunities and actions according to their specific priorities. Some of the potential key opportunities identified specifically for Campbelltown include nature based leisure opportunities (eg boardwalks and trails to access the river, tree tops walk/zip lines/ropes course); a threatened species education and interpretation centre; music festivals and large scale events and developing a medical tourism strategy which links to Western Sydney University's School of Medicine.</li> <li>Council participates in the Macarthur tourism operator network evenings. The evenings are designed to share information between tourism operators to help stimulate economic development in the tourism sector.</li> </ul>	→

Service 2.3.2 - Promotion of City centres	Status
<ul style="list-style-type: none"> <li>A Campbelltown City marketing video, with the aim of highlighting and promoting the city's business and lifestyle opportunities, was developed during this period. The video, titled "Campbelltown – Watch Us Grow", showcased the city's significant location attributes, infrastructure and facilities, and conversations with key stakeholders helped to highlight what makes Campbelltown City the ideal place to live, work, play and invest. A number of key stakeholders participated in the video, representing a range of local services, businesses and institutions. The video was presented at the Western Sydney First – Business Leaders Luncheon and the Western Sydney Business Chamber – A Plan for Growing Western Sydney events in September 2015. It was also made available on Council's website, corporate Facebook page and YouTube channel, and will be distributed at the Urban Development Institute of Australia exhibition in March 2016.</li> <li>Council has participated in a range of key metropolitan business development events, including Western Sydney Business Connection, Sydney Business Chamber and Western Sydney University Innovation Corridor</li> <li>The NSW executive of Urban Development Institute of Australia (UDIA) attended a city tour of Campbelltown's new developments.</li> <li>In order to help encourage business growth within key CBDs, Council continued to work with local businesses throughout the LGA.</li> <li>Ongoing regular parking enforcement of public parking areas continued to encourage fair and convenient access to restricted parking spaces.</li> </ul>	→





### Strategy - 3.1 The development and implementation of infrastructure plans to support efficient movement around the City

Service 3.1.1 - Provision of the road network	Status
<ul style="list-style-type: none"> <li>• The annual roads renewal program 2015-2016 was successfully completed which included more than 230 segments equivalent to 356,000m<sup>2</sup> of roads. The high profile road projects include asphalt resheeting work at Camden Road, Campbelltown; Cumberland Road, Ingleburn; St Johns Road, Bradbury; and micro-surfacing at Minto Road, Minto.</li> <li>• Renewal work was completed on five car parks which included Bradbury Oval Car Park, Eschol Park Sports Car Park, Bow Bowling Neighbourhood Centre Car Park, Milton Park Rugby League Car Park and Oswald Reserve Car Park.</li> <li>• The bridge and culvert program is in progress with Pembroke Park and Briar Road Bridge completed.</li> <li>• More than 1600m of kerb and gutter was reconstructed. This included kerb and gutter work at Campbellfield Avenue, Bradbury and Fergusson Street, Glenfield.</li> <li>• The new Beverley Road extension, between Chamberlain Street and Warby Street, is 100% complete.</li> <li>• Eagle Vale Drive and Badgally Road upgrade project worth \$17.5m is progressing with- Stage 5 widening is 85% complete, with Stage 3 now 40% complete.</li> <li>• The supply and installation of a pedestrian safety fence on Hurley Street has been completed.</li> <li>• Installation of new traffic management devices has been carried out at 11 locations across the LGA.</li> <li>• Reactive maintenance works to road failures and potholes as well as repair and maintenance to street signs and other street furniture is ongoing.</li> <li>• The implementation of efficient street lighting and traffic signals along Epping Forest Drive and Eagle Vale Drive is progressing.</li> <li>• Soil investigation, site survey and detailed designs are in progress for a bridge in Wedderburn Bridge. Construction pending grant approval.</li> <li>• Park signage strategy for Bradbury Park are completed</li> <li>• City Entrances concept plans have been developed.</li> <li>• Detailed designs for Badgally Road upgrade to four lanes are underway.</li> </ul>	



Service 3.1.2 - Provision of a stormwater and drainage network	Status
<ul style="list-style-type: none"> <li>• Completion of Smiths Creek Stabilisation at Leumeah Station.</li> <li>• Drainage improvements have been completed at Koorringa Reserve, St Andrews; Eagle Vale Duck Pond; Cambridge Avenue, Glenfield; and Cleopatra Reserve, Ambarvale.</li> <li>• The annual storm water maintenance program for pits, culverts and gross pollutant devices was concluded. Works also included the cleaning and maintenance of creeks, rivers and associated water bodies throughout the LGA.</li> <li>• Water quality testing of Georges River and its tributaries in progress.</li> <li>• The designs for improvement works at Quirk Reserve are completed.</li> <li>• Stage 1 of creek stabilisation at Farrow Road is completed.</li> <li>• Flood Studies of various areas of the LGA continue.</li> </ul>	➡

Service 3.1.3 - Management of city traffic network	Status
<ul style="list-style-type: none"> <li>• Traffic modelling of both Queen Street and Ingleburn CBD are in progress including the possibility of a one way scheme for Queen Street and Beverley Road.</li> <li>• 40 km/h High Pedestrian Activity Area's for Campbelltown and Ingleburn CBD's are awaiting approvals from State Government.</li> <li>• Traffic count and speed identification are in progress along Raby Road between Stranraer Road and Eschol Park Drive. Traffic modelling to be undertaken pending State Government grant approval</li> </ul>	➡

Strategy 3-2 - The encouragement of the use of alternative transportation in, out and around the City

Service 3.2.1 - Provision of the footpath and cycleway network	Status
<ul style="list-style-type: none"> <li>• The annual program for footpath reconstruction across the LGA is 50% complete. More than 2650m<sup>2</sup> of footpaths have been reconstructed. These include footpaths at the Eschol Park Sports Complex, Eschol Park; Raby Road, Raby; and Henderson Road, Macquarie Fields.</li> <li>• The annual new footpath and cycleway program is 50% complete including key locations at Airds Road, Williamson Road and St Andrews Road.</li> <li>• Refurbishment of Queen Street in the central business district is in progress with major footpath repairs and cleaning; and new street furniture installed.</li> </ul>	➡




Strategy - 4.1 The provision of a balanced range of services to the community

Service 4.1.1 - Provision of education and care for children	Status
<ul style="list-style-type: none"> <li>Council provides nine Long Day Care, one Occasional Care Service, one Family Day Care Scheme, two Before and After School Care and two Vacation Care services. All services operate according to National Regulations and Licencing standards.</li> <li>Following a review to rationalise services, Councils recommendation to cease operating two services was adopted. As a result, Council ceased being the provider of child care at Parklands Early Learning Centre as of 18 December. An agreement has been entered into between Council and Child Care NSW, for the provision of child care at the Ingleburn Occasional Care service as of March 2016. The proposed service trading name is Little People's Early Learning Centre – Ingleburn.</li> <li>The Mobile Toy and Book Library and Child and Family Centre continued to operate according to their funding guidelines and business plans.</li> </ul>	➡

Service 4.1.2 - Provision of library services	Status
<ul style="list-style-type: none"> <li>Council's Library Service has continued to provide a range of services and programmes to meet the informational and recreational needs of the local community. Library visitation continues to grow with strong demand demonstrated for access to the Internet and other online activities at branch libraries. Demand for technology training through the IT &amp; Biscuits program has been growing while literacy programs, including pre-school storytimes, baby read 'n rhyme and the Bookalicious Junior Reading Club are well attended. Bookalicious is now in its 10th year and a range of celebrations are planned over the next twelve months. Since its inception Bookalicious has had over 18,000 members and continues to successfully engage young people in reading.</li> </ul>	➡



## A safe, healthy and connected community

Service 4.1.3 - Provision of sport and recreational services	Status
<ul style="list-style-type: none"> <li>• Campbelltown Sports Stadium continued to host Wests Tigers National Rugby League (NRL), hosting two matches in this reporting period.</li> <li>• Sydney FC (A-League) played at the stadium during this period.</li> <li>• A World Cup qualifier match was played between international teams Cook Islands and Tonga, providing elite level sporting events for the community.</li> <li>• NSW State Cup and local football matches as well as school, zone, regional and state athletics carnivals were also held during this time including Little Athletics State Relays.</li> <li>• Five residents of Campbelltown were selected to represent Australia and were considered eligible for financial assistance from Council.</li> <li>• The Strategic Sport and Recreation Strategy and the Strategic Play Space Strategy contracts were engaged and a community consultation process commenced. The Strategies will assist Council to provide sport, active and passive recreation, play and leisure for the Campbelltown community for the long term. The strategies will provide a planning framework for areas such as sporting fields, aquatics, play grounds, cycleways, indoor facilities, stadia and other areas of sport and recreation services.</li> <li>• The Bicycle Education Centre hosted 56 school programs, 91 private bookings and the school holiday programs in the July and September/October school holidays had 2,721 visitors.</li> <li>• The Learn to Ride program had 25 private lessons and 31 student bookings.</li> <li>• The Ready to Ride Day in September attracted 255 visitors.</li> <li>• Council's four Leisure Centres continue to offer a range of fitness and swimming activities including the Active Over 50's programs.</li> <li>• Council's four Leisure Centres partnered with community based recreational programs, including Rainbow Club, Learn to Swim, Indigenous Learn to Swim, Go 4 Fun and Royal Life Saving Australia activities to provide a range of low cost programs to our community.</li> <li>• Our Learn to Swim and squad programs saw strong participation levels during Term 3 and Term 4.</li> <li>• Council applied for 18 grants to assist sporting clubs in developing facilities to meet the needs of each sport.</li> <li>• Council facilitated sporting ground requirements for sporting clubs in the provision of sport activities.</li> </ul>	





## A safe, healthy and connected community

Service 4.1.4 - Provision of services to targeted community groups	Status
<ul style="list-style-type: none"> <li>• Skate workshops were held for young people attending Council's skate parks</li> <li>• The Beach Safety Project was held for Cultural and Linguistically Diverse, Aboriginal and disadvantaged youth.</li> <li>• A variety of Community events including NAIDOC Week, Community Forums on a variety of topical issues, White Ribbon Day, International Day of People with Disability, and Fishers Gig youth music festival were held.</li> <li>• Council provided capacity building workshops for community groups were held focusing on grant writing and project management.</li> <li>• Local community groups received \$7000 for community projects.</li> <li>• Residents were engaged in projects to promote positive community spirit, access to local services and involvement in community activities.</li> <li>• Due to industry funding changes, a review of Macarthur Community Options occurred with a number of recommendations implemented to ensure ongoing service delivery for the community.</li> </ul>	➡

Service 4.1.5 - Operation of the Campbelltown Arts Centre	Status
<ul style="list-style-type: none"> <li>• The Visual Arts programs completed include a major retrospective of Wedderburn artist Joan Brassil and the group exhibition Cosmic Love Wonder Lust: The Imperial Slacks Project.</li> <li>• The annual Fishers Ghost Art Award received 836 entries.</li> <li>• The Dance program presented I Can Hear Dancing, a suite of four new dance works by Australian and international artists which were developed and premiered at Campbelltown Arts Centre. Artists included Antony Hamilton, Julian Hamilton, Deborah Brown, Lucy Phelan, Kate McIntosh, Bree van Reyk, Julie-Anne Long and Glenn Thompson.</li> <li>• The Music programs include a performance by David Haines, Joyce Hinterding and Michael Morley, the presentation of Ancient Rhythms Future Visions for Sacred Music Festival, a performance by Veronique Serret of a new composition, and Massive Band, a performance involving 60 aspiring local female musicians led by percussionist Bree van Reyk.</li> <li>• Theatre programs featured the presentation Extraordinary/ Ordinary, a video work by Liam Benson, Kay Armstrong, Kate Blackmore and Thomas Smith with students from Mater Dei High School.</li> <li>• Development residencies were completed by post for a new work 'That's Life' and by Binung Boorigan for One Billion Beats. Public Education programs included 12 holiday workshops for adults and children and 23 excursions for school groups.</li> <li>• Eight community groups were supported to deliver multi artform cultural programming across dance, music, theatre and visual arts.</li> <li>• Operations of the Arts Centre included 10 or more external hires per week and the operation of the Arts Centre café.</li> </ul>	➡





## A safe, healthy and connected community

Service 4.1.6 - Provision of waste management	Status
<ul style="list-style-type: none"> <li>Waste services continued to be provided throughout the LGA, with total tonnages of domestic waste continuing to grow in line with population growth.</li> <li>Kerbside clean-up booking numbers increased, as a greater number of residents take advantage of the service during this time of year to 'spring clean'.</li> <li>The relevant areas of Council's Development Control Plan were reviewed, with draft modifications included to ensure that new multi-unit development buildings across the LGA will be designed to provide greater efficiency and visual amenity in respect of waste collection: larger buildings will see waste collection services provided on-site, rather than having waste bins presented on the kerbside.</li> <li>Campbelltown City Council had a total landfill diversion rate of 70 per cent, one of the highest landfill diversion rates in Australia.</li> <li>The annual Household Chemical Cleanout Day was held with a significant attendance rate.</li> <li>Operation of the Effluent Disposal Facility continued, which provides a low-cost effluent disposal service for the owners of properties across the Macarthur Region that are not connected to sewer.</li> </ul>	

Service 4.1.7 - Provision of community safety programs	Status
<ul style="list-style-type: none"> <li>The Crime Prevention Plan and Steal from Motor Vehicle campaign are underway and continue to be implemented across the LGA.</li> <li>Testing has commenced of the newly installed CCTV cameras in Ingleburn and Campbelltown CBD's.</li> <li>During the reporting period 135 school zones were patrolled resulting in the issue of 208 penalty notices.</li> <li>Rangers continue to undertake patrols of known trail bike riding hot spots in response to community complaints and to deter illegal trail bike riding.</li> <li>Council conducted 11 after hour truck parking patrols resulting in issue of 111 penalty notices.</li> <li>Road safety programs continue to be implemented with programs including log book run, U-Turn the wheel, child restraint fitting days and safety messages to the community via variable message boards.</li> <li>Council along with the local police continue to run pop up stalls in shopping centres where information is provided to the community on practical ways to protect your property.</li> </ul>	




## A safe, healthy and connected community

Service 4.1.8 - Provision of animal care services	Status
<ul style="list-style-type: none"> <li>Councils Animal Care Facility continued to operate with:               <ul style="list-style-type: none"> <li>765 dogs seized, surrendered, abandoned and impounded.</li> <li>624 dogs were sold or released to owners or rescue organisations.</li> <li>506 impounded cats seized, surrendered or abandoned and impounded.</li> <li>201 impounded cats sold or released to owners or rescue organisations.</li> </ul> </li> </ul>	➡
Service 4.1.9 - Provision of public health information and services	Status
<ul style="list-style-type: none"> <li>Council continues to support The Australian Red Cross mobile blood donation clinics each month by distributing promotional resources and responding to general public enquiries.</li> <li>Child immunisation clinics continue to be held twice per month.</li> <li>Free health education resources such as the HealthTips Newsletter continue to be available to residents three times a year.</li> <li>Weekly Health Focus article in the Macarthur Advertiser newspaper.</li> <li>A total of 784 Regulated Health Premise inspections were conducted during the report period, incorporating inspections of food premises (536), public health premises including cooling towers, hairdressers, beauty salons and body/ear piercing establishments (89) and domestic/commercial wastewater management systems (159).</li> </ul>	➡
Service 4.1.10 - Emergency bushland management	Status
<ul style="list-style-type: none"> <li>The delivery of bushfire mitigation treatments continues in line with the Macarthur Bushfire Risk Management Plan. This includes mechanical maintenance of asset protection zones and several hazard reduction burns being undertaken on Council controlled land</li> </ul>	➡



## A safe, healthy and connected community

### Strategy - 4.2 The provision of clean and safe public spaces

Service 4.2.1 - Maintain the public spaces of the City	Status
<ul style="list-style-type: none"> <li>• Playground program maintenance which includes painting, major repairs and ensuring play equipment meets compliance levels has been carried out at the following locations:               <ul style="list-style-type: none"> <li>○ Alabaster Park, Eagle Vale</li> <li>○ Apex Park, Bradbury</li> <li>○ Ashfield Reserve, Glen Alpine</li> <li>○ Cronulla Reserve, Woodbine</li> <li>○ Fiveash Reserve, St Helens Park</li> <li>○ Jim Merry Reserve, Bradbury</li> <li>○ Kenny Reserve, Bradbury</li> </ul> </li> <li>• Renewal of play equipment and installation of park furniture has been completed at the following locations:               <ul style="list-style-type: none"> <li>○ Raby Sports Complex, Raby</li> <li>○ Topaz Park, Eagle Vale</li> </ul> </li> <li>• Installation of new play equipment has been completed at Kentlyn Reserve giving residents of the area access to brand new equipment for the first time.</li> <li>• The following major works have also been completed:               <ul style="list-style-type: none"> <li>○ Renewal of perimeter fence around Campbelltown Showground</li> <li>○ Rejuvenation of shade structure and seating at Macarthur Gardens</li> </ul> </li> <li>• Landscape improvements at John Kydd Reserve have been completed.</li> <li>• The new advisory signage project within Apex Park Bradbury has commenced.</li> <li>• A new dog leash free facility Milton Park, Macquarie Fields has been finalised.</li> <li>• The City Entrance program is in progress with new landscaping improvements to Merino Crescent, Akuna and Kullaroo Avenues, Bradbury; Menangle Road and Gilchrist Drive roundabout; and the Appin Road and Kellerman Drive roundabout.</li> <li>• Annual mowing and horticultural maintenance programs are in progress for all parks, reserves and sporting facilities.</li> <li>• Surfaced renovation programs have been carried out to 12 sporting facilities.</li> <li>• The new Lynwood Park Synthetic Surface Soccer Fields is complete.</li> </ul>	



## A safe, healthy and connected community

### Strategy - 4.3 The provision of activities that foster a sense of community

Service 4.3.1 - Community events	Status
<ul style="list-style-type: none"><li>• Council continued to coordinate high quality, popular festivals and events for the local community, with most activities associated with the events free to attend. During this period, 12 civic functions were successfully organised, along with four major community events and regular citizenship ceremonies. Major events included Riverfest, the Festival of Fisher's Ghost, Christmas Carols and New Year's Eve, as well as the recognition of high achieving Year 11 science students through the Victor Chang Science Awards and the opening of the new playground at Raby Sports Complex as part of Council's city-wide improvement program, Renew-Connect-Revitalise.</li><li>• Council consults with the community through a variety of means to get feedback on each event, including social media, and staff regularly research for ideas to improve event offerings and appeal to a broad audience.</li><li>• The Ready to Ride Day was attended by 255 people and the Fishers Ghosts Fun Run boasted over 900 entrants</li></ul>	





## Responsible leadership

Strategy - 5.1 The encouragement of a collaborative approach across all levels of Government

Function 5.1.1 - Work with State and Federal Governments	Status
<ul style="list-style-type: none"> <li>• Work continues with a range of partners on a number of significant projects including; UrbanGrowth and Department of Housing – Renewal of Minto, Airds-Bradbury and Claymore; UrbanGrowth – Residential Release Areas of University of Western Sydney, Menangle Park, Edmondson Park ; Department of Health – upgrade to Campbelltown Public Hospital; Department of Planning and Infrastructure – eplanning pilot program</li> <li>• Council made submissions on a range of State Government strategies including: Sydney Metropolitan Strategy – “A plan for Growing Sydney”; Greater Macarthur Land Release Investigation; Glenfield to Macarthur Urban Renewal Corridor Strategy; Greater Sydney Local Land Service draft Strategic Plan and Review of 10/50 Vegetation Clearing.</li> <li>• Council continued to work closely with other Government agencies including Housing NSW to ensure kerbside clean-ups and illegally dumped waste are removed promptly from public housing areas.</li> <li>• In collaboration with Housing NSW and local Police, in late December Council engaged in a concentrated program to identify and remove kerbside clean-ups and illegally dumped waste, to reduce the likelihood of personal and property damage during the New Year festivities.</li> <li>• Council continued to work with support agencies involved in the local ‘Hoarding and Squalor’ forum to provide kerbside clean-up services to affected residents.</li> <li>• Successful continuation of historic MOU with Sydney Water for restorations. Close association with NBN in successful delivery of high band network for the Campbelltown LGA. Close association with RMS and their associated maintenance contractors to ensure quality level servicing for the Campbelltown LGA.</li> <li>• Work with emergency services continues to develop and implement emergency management plans for the Campbelltown LGA. Street Based CCTV systems have been installed with the assistance of federal funding support council and stated based crime prevention strategies.</li> </ul>	



## Responsible leadership

### Strategy - 5.2 The smooth running of Council's operations

Function 5.2.1 - Business management	Status
<ul style="list-style-type: none"> <li>• Work has commenced on Council's risk management framework that provides the foundation for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation. The two key elements of the framework that have been drafted are the Enterprise Risk Management Authorised Statement, which establishes a mandate and commitment for managing risk, and the Enterprise Risk Management Strategy which details the procedures and processes by which risk management will be implemented within the organisation.</li> <li>• Work continues on business continuity planning with several exercises being held at a section level. Planning for the annual business continuity exercise is progressing</li> <li>• Council has partnered with NSW State Archives on a project to introduce Digital Archiving of Council's Meeting Minutes. Through this pilot project Council has taken the role of innovative industry leader and has developed a process to meet legislative requirements, significantly reduce labour costs and improved environmental outcomes through a reduction in paper usage through the Digital Archiving of Council meeting minutes. The project valued at \$28,500 was funded through NSW State Archives Digital Archiving initiatives. This innovative solution will now be available to other NSW local councils to improve governance and records management. This project has resulted in approximately \$18,000 a year in ongoing savings to Council.</li> </ul>	



## Responsible leadership

Function 5.2.2 - Human resources	Status
<ul style="list-style-type: none"> <li>• Campbelltown Council hosted the Southern Councils HR Networking Conference in July; theme was Happiness at Work.</li> <li>• The Coordinators Leadership Excellence program was completed in December with some great project outcomes presented.</li> <li>• Our fourth Intern program commenced with four interns from Western Sydney University.</li> <li>• Microsoft Outlook training was designed and implemented by our Technology Trainer. Follow up sessions were completed to ensure learning's were embedded back in the workplace.</li> <li>• Manual Handling Refresher training was designed/delivered as an in-house program and captured all staff who required a Manual Handling update.</li> <li>• A focus on Bullying and Harassment education saw sessions offered to both Leaders and staff. The practical nature of the staff sessions ensured a very positive response to this training.</li> <li>• The new Learning Management System has been built and will be launched in early 2016.</li> <li>• The short-term initiatives of the Recruitment and Selection Strategy have been implemented, and a comprehensive training program designed to reinforce these initiatives will be delivered by July 2016.</li> <li>• The Social Media strategy has been fully implemented, with Council now having dedicated Facebook and LinkedIn Careers pages.</li> <li>• The public quotation process for the provider of pre-employment medicals is now complete, and the provider will commence work conducting both pre-employment health assessments and creating job dictionaries for high risk roles at the start of 2016</li> <li>• Following Council's Work Health and Safety (WHS) Management System audit by WorkCover NSW in July 2014, Council has continued to work on implementing the Corrective Actions that came out of the audit.</li> <li>• The elections for the Indoor Health and Safety Committee (HSC) were held with new representatives appointed.</li> <li>• New and returning HSC members have been provided with the required WorkCover approved training.</li> <li>• The WHS Management System Audit Plan and Program 2014-2017 and WHS Management Plan and Planned Projects are currently being implemented following the adoption by the Health and Safety Committees and Executive.</li> <li>• Council has recently tendered for WHS consultancy and audit services with a new panel of providers expected to be appointed by Council resolution in February 2016</li> </ul>	



## Responsible leadership

Function 5.2.3 - Information technology	Status
<ul style="list-style-type: none"> <li>A number of Council's corporate systems were upgraded to enable additional functionality.</li> <li>Council's security systems were upgraded for protection against cyber-attacks.</li> <li>A number of projects were undertaken to ensure Council records are secure and accessible.</li> <li>Wi-Fi was rolled out to the Campbelltown Art Centre to enable mobility in the workforce.</li> <li>Council's telephony system was upgraded.</li> <li>A review and update of Council eServices was conducted to ensure the service was customer friendly and efficient.</li> <li>Council's PC and laptop fleet was updated with more powerful and highly energy efficient equipment.</li> <li>Development of Council's new website which will be launched in 2016.</li> <li>Review of the animal registration process.</li> <li>Implementation of infrastructure to support the Street Safety CCTV Cameras</li> <li>Refresh of the UPS (uninterruptible power supply) to ensure business continuity.</li> <li>Implementation of processes and tools to ensure Council systems are functioning efficiently.</li> </ul>	

Function 5.2.4 - Governance	Status
<ul style="list-style-type: none"> <li>The Local Government Amendment (Councillor Misconduct and Poor Performance Act) 2015 came into force in November 2015. The required amendments to the Code of Conduct have been drafted.</li> </ul>	


Service 5.3.1 - Community access to Council information	Status
<ul style="list-style-type: none"> <li>Council received and responded to more than 100 informal written requests for information.</li> <li>Council publishes a quarterly residential newsletter, Compass, which is distributed to more than 56,500 households. The newsletter keeps the community informed about what Council has been doing, as well as future plans.</li> <li>Council information is also available online via Council's website, which provides a range of information on programs, initiatives, services and events, along with Council reports, financial statements and strategic planning documents.</li> <li>Council's website is supplemented by 12 Facebook pages dedicated to providing targeted information to followers about the various services and facilities provided by Council.</li> <li>A monthly eNewsletter complements these communications methods, and currently has more than 700 subscribers.</li> </ul>	





## Responsible leadership

Strategy - 5.3 The transparent provision of information to the community to encourage participation in decision making

Service 5.3.2 - Provision of customer service	Status
<ul style="list-style-type: none"> <li>The Customer Service team has continued to provide assistance and support to the community through its centralised customer service centre through phones, counter and online services.</li> <li>The following eServices are now available to the community: <ul style="list-style-type: none"> <li>Graffiti</li> <li>Potholes</li> <li>missing or damaged signs</li> <li>council tree (pruning, removal, branch collection, infestation damage to private property caused by a Council tree)</li> <li>private tree (pruning, removal)</li> <li>missed bin collection</li> <li>dumped rubbish / litter</li> <li>damaged /stolen bin</li> <li>change my address details</li> <li>register for eRates.</li> </ul> </li> <li>Since the introduction of these eServices there has been an increase in customer utilisation of the services with some examples listed below: <ul style="list-style-type: none"> <li>26% waste related eServices</li> <li>23% vehicle crossing eServices</li> <li>3% trees, graffiti, missing or damaged signs and potholes eServices.</li> </ul> </li> <li>An important function carried out by the Customer Service team is maintaining a booking service for many of Councils community facilities. This includes community halls, community buses, street stalls and passive park usage. Councils Customer Service team managed 6,964 hall bookings, 692 bus bookings, 96 street stall and 43 passive park bookings during the year.</li> <li>Council had front counter 47,230 customer enquiries during the year including 17,353 financial transactions.</li> <li>Council received a total of 163,244 phone calls during the year.</li> <li>Towards the end of the reporting period Council received a number of complaints in relation to longer than normal wait times. In response to the concerns, a working group has been established to conduct a formal review of customer service, develop a strategy and to identify a range of options to be implemented to improve the customer experience.</li> </ul>	



## Responsible leadership

### Strategy - 5.4 The sound management of public assets and funds

Function 5.4.1 - The management of Council's property assets	Status
<ul style="list-style-type: none"> <li>Council's Property Services undertook the following activities throughout the reporting period: <ul style="list-style-type: none"> <li>agistment agreement at Macquarie Fields</li> <li>transfer of open space land to Council in Glenfield Release Area</li> <li>purchase of open space land at Fields Road, Ingleburn</li> <li>continuation of One Minto development</li> <li>RailCorp payment of compensation for acquisition of Council joining rail corridor</li> <li>a review of Voluntary Planning Agreement's relating to University Western Sydney</li> <li>ongoing management of lease obligations continued (including renewal of leases at Milgate Arcade)</li> <li>sort Expression of Interest's for lease of Ingleburn Occasional Care facility</li> <li>continuation and review of Airds Bradbury and Claymore Renewal Projects stages</li> </ul> </li> </ul>	➡

Function 5.4.2 - Asset management	Status
<ul style="list-style-type: none"> <li>Upgrades to the security systems and treatments for Council Assets continued. The transition to the updated electronic security platform is approximately 40% completed and on track for completion this financial year</li> <li>The following new buildings and major renovation works were completed between July - December 2015: <ul style="list-style-type: none"> <li>Animal Care Facility – construction of new animal care accommodation</li> <li>Hurley Park - addition of store room and awning to amenities block and removal of old canteen/storage building</li> <li>Hilda Cottage - addition of a new awning</li> <li>Macquarie Fields Pool - upgrades to entry and counter areas</li> <li>Fullwood Reserve - new amenities building constructed</li> <li>Lynwood Park - water services upgrade</li> <li>St. Helens Park - new skate park constructed and addition of new Exeloo</li> <li>Old Town hall - refurbishment of foyer area</li> <li>Gordon Fetterplace Aquatic Centre - replacement of softfall in splash park area</li> </ul> </li> </ul>	➡



## Responsible leadership

Function 5.4.3 - Financial management	Status
<ul style="list-style-type: none"><li>• A number of scenarios modelled using the Long Term Financial Plan to analyse borrowing strategies, i.e. internal vs external borrowings to facilitate alternative funding arrangements for Council's long term budget decisions.</li><li>• Direct monitoring of special rate variation funded renewal and maintenance projects to ensure delivery within appropriate timeframes and achievement of planned outcomes to reduce Council's asset renewal and maintenance backlog.</li><li>• Management of Council's investment and borrowings in accordance with the Long Term Financial Plan and associated policies. Investment income achieved budget forecasts.</li><li>• Council received the general property valuations for the LGA. Council receives valuations every three years with these valuations effective from 1 July 2016.</li><li>• Council has entered into 44 contracts with a value of approximately \$16.3m during the period, following a public procurement process.</li></ul>	➡

### **3. CULTURAL SERVICES**

**No reports this round**

### **4. CUSTOMER SERVICE**

**No reports this round**

### **5. EDUCATION AND CARE SERVICES**

**No reports this round**

---



## **6. HEALTHY LIFESTYLES**

### **6.1 New Policy - Booking of Campbelltown Athletics Centre for school athletics carnivals**

#### **Reporting Officer**

Manager Healthy Lifestyles

---

#### **Attachments**

Draft – Booking of Campbelltown Athletics Centre for school athletics carnivals policy

#### **Purpose**

To seek Council's endorsement of the draft Booking of Campbelltown Athletics Centre for school athletics carnivals policy.

#### **Report**

Campbelltown Athletics Centre has an international standard athletics track which attracts high level of use throughout the year. The venue hosts over 100 days of local, zone and regional school athletics carnivals from March to September annually. The Centre is currently at capacity during this high demand period and in addition Council is receiving an increasing number of applications for use by schools outside of the Campbelltown Local Government Area.

Council has an adopted policy for the booking of swimming carnivals by schools at its leisure centres to ensure local schools have access to these facilities in the high demand season. Council's fees and charges also reflect the priority of local school use of the leisure centres and the athletics centre applying a lower fee for local schools as opposed to those schools outside the area.

Currently, bookings for the Athletics Centre are based on the application submission date and there is no assessment for prioritisation for local schools in the absence of a policy. The proposed policy articulates a system that provides a methodology for local schools to apply and have priority when booking, whilst enabling the Centre to maintain its peak use and efficiency.

As the population increases and more schools are established, the need for a policy to assist with bookings and scheduling of these events will be necessary.

---

The draft policy has been developed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

### **Officer's Recommendation**

1. That the draft Booking of Campbelltown Athletics Centre for school athletics carnivals policy as attached to this report be adopted.
2. That the policy review date be set at 30 March 2019.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1

 <b>campbelltown</b> city council		<b>POLICY</b>
Policy Title	Booking of Campbelltown Athletics Centre for school athletics carnivals	
Related Documentation	Council's Fees and Charges	
Relevant Legislation/ Corporate Plan		
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 ensure that local schools have priority in booking the Campbelltown Athletics Centre for their local, zone and regional school athletics carnivals.

### Policy Statement

Campbelltown City Council is committed to giving schools in the Local Government Area priority use of Campbelltown Athletics Centre for their school athletics carnivals. This policy outlines the opening dates for school athletics carnival bookings which ensures that local schools have first priority.

### Scope

This policy applies to schools that wish to hire Campbelltown Athletics Centre for their local, zone and regional school athletics carnivals.

### Definitions

- Local school refers to schools in the Campbelltown Local Government Area
- Other schools refers to schools outside the Campbelltown Local Government Area
- Zone Carnivals refers to any zone level carnival which has local schools participating
- Regional Carnivals refer to any regional level carnival which has local schools participating

### Principles

1. Applications to hire Campbelltown Athletics Centre must be made online through Council's or Campbelltown Sports Stadium's website.
2. Bookings will be open the year preceding the booking date. Bookings will open as follows:
  - 1 April: Zone and Regional carnivals
  - 1 May: Local School carnivals
  - 1 July: Other School carnivals
3. Bookings will be taken on a priority system based on the date and time that the application is received providing that the booking date has opened for the category of the applicant.

6.1 New Policy - Booking Of Campbelltown Athletics Centre For School Athletics Carnivals

---

4. Applications received prior to the outlined dates will not be accepted. Schools will be advised by email and requested to re-lodge their applications once their category opens.
5. All bookings will be confirmed in writing to the applicant by a Council Officer.
6. Fees and Charges as adopted by Council apply.

**Responsibility**

Manager Healthy Lifestyles

**Effectiveness of this Policy**

The policy will be reviewed on a three-year basis to ensure the appropriate level of recognition.

**END OF POLICY STATEMENT**



## **7. LIBRARY SERVICES**

### **7.1 Tech Savvy Seniors 2016**

#### **Reporting Officer**

Manager Library Services

---

#### **Attachments**

Nil

#### **Purpose**

To advise Council of the Library Services participation in the Tech Savvy Seniors Program in 2016.

#### **Report**

Campbelltown City Library will be participating in the Tech Savvy Seniors Program in 2016.

The Tech Savvy Seniors Program is a partnership between the NSW Government and Telstra. The program is a key part of the NSW Aging Strategy and is aimed at providing technology based training to more seniors across NSW, with a strong focus on seniors from Culturally and Linguistically Diverse (CALD) backgrounds. Following on from the success and popularity of the Tech Savvy Seniors CALD pilot program in 2015, Campbelltown City Library will again be hosting sessions, this time in Hindi and Mandarin.

In 2016, this initiative will also see the Tech Savvy Seniors Program provided in English as well as Hindi and Mandarin, and will involve technology based training provided by a combination of Library staff and bilingual trainers.

The Tech Savvy Seniors Programs will include four hands on sessions over a number of weeks from March through to June 2016. The training will cover a range of topic areas including:

1. Introduction to Computers
2. Introduction to the Internet Part 1
3. Introduction to the Internet Part 2
4. Introduction to Email

The sessions in English will also include a component on the use of iPads.

---

To support the training, a variety of handouts and other learning materials will be available to course participants. The course schedule is in final preparation and once tutor availability is confirmed, the program will be promoted through the Library network, Council's website, social media and local press and radio.

### **Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---

## **7.2 National Trust Heritage Festival 2016**

### **Reporting Officer**

Manager Library Services

---

### **Attachments**

Nil

### **Purpose**

To advise Council of events planned for the National Trust Heritage Festival 16 April 2016 – 29 May 2016.

### **Report**

Campbelltown City Library will celebrate the 2016 National Trust Heritage Festival by conducting walking tours of two Campbelltown cemeteries. The walking tours will be of St David's Presbyterian and the Methodist Congregational Cemeteries and will include fascinating and quirky stories of those interred in these two cemeteries.

Tour dates:

Wednesday 4 May 2016 – St David's Presbyterian Cemetery

Thursday 12 May 2016 – Methodist Congregational Cemetery

Tour Times: 11.00am–12.00noon

The cost is free however, bookings are essential. Participants will be asked to meet at the cemeteries at 11.00am on both dates.

Accompanying the tours will be a display at HJ Daley Library featuring the history of Queen Street which will reflect this year's theme of Discovery and Rediscoveries. "Rediscover Queen Street" will reveal what Campbelltown's main street once looked like, using old photographs from our pictorial collection, join us for a "walk" down the street and learn more about businesses from the town's past.

The display will be available at HJ Daley Library during the National Trust Heritage Festival from 26 April 2016 to 26 May 2016.

### **Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

---

**Council Meeting 16 February 2016 (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 14**

That the Officer's Recommendation be adopted.

---



## **8. GENERAL BUSINESS**

Nil.

## **23. CONFIDENTIAL ITEMS**

**No reports this round**

There being no further business the meeting closed at 5.44pm.

T Rowell  
CHAIRPERSON

---

# **Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 9 February 2016.**

---

## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

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

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

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
<b>1.</b>	<b>GOVERNANCE AND RISK</b>	<b>3</b>
<b>1.1</b>	<b>Fit for the Future Update</b>	<b>3</b>
<b>1.2</b>	<b>Amendments to the Local Government Act and Code of Conduct</b>	<b>24</b>
<b>2.</b>	<b>PROPERTY SERVICES</b>	<b>52</b>
<b>2.1</b>	<b>Proposed Compulsory Acquisition of Council land by Transport for NSW at Railway Parade, Glenfield</b>	<b>52</b>
<b>3.</b>	<b>FINANCIAL SERVICES</b>	<b>57</b>
<b>3.1</b>	<b>Revised Rateable Valuation Aggregation (Strata Schemes) Policy</b>	<b>57</b>
<b>3.2</b>	<b>Cost Shifting Survey 2013-2014</b>	<b>61</b>
<b>3.3</b>	<b>Quarterly Budget Review Statement as at 31 December 2015</b>	<b>79</b>
<b>3.4</b>	<b>Investment Report - November and December 2015</b>	<b>94</b>
<b>3.5</b>	<b>Sundry Debtors Report - December 2015</b>	<b>99</b>
<b>3.6</b>	<b>Monthly Rates Summary</b>	<b>105</b>
<b>3.7</b>	<b>General Valuation - base date 2015</b>	<b>110</b>
<b>4.</b>	<b>HUMAN RESOURCES</b>	<b>113</b>
	<b>No reports this round</b>	<b>113</b>
<b>5.</b>	<b>INFORMATION MANAGEMENT AND TECHNOLOGY</b>	<b>113</b>
<b>5.1</b>	<b>Online Report - July to December 2015</b>	<b>113</b>
<b>6.</b>	<b>INTERNAL AUDIT</b>	<b>119</b>
	<b>No reports this round</b>	<b>119</b>
<b>7.</b>	<b>GENERAL BUSINESS</b>	<b>119</b>
<b>24.</b>	<b>CONFIDENTIAL ITEMS</b>	<b>119</b>
	<b>No reports this round</b>	<b>119</b>

---

---

**Minutes of the Corporate Governance Committee held on 9 February 2016**

---

**Present**

Councillor C Mead (Chairperson)  
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  
Manager Emergency Management and Facility Services - Mr R Blair  
Manager Executive Services - Mr N Smolonogov  
Manager Financial Services - Mrs C Mears  
Manager Governance and Risk - Mrs M Dunlop  
Manager Human Resources - Mr B Clarence  
Manager Operational Services - Mr A Davies  
Manager Property Services - Mr J Milicic  
Manager Waste and Recycling Services - Mr P Macdonald  
Executive Assistant - Mrs D Taylor

**Apologies (Mead/Lake)**

That the apologies from Councillors Dobson and Chanthivong be received and accepted.

**CARRIED**

**Acknowledgement of Land**

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

**DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this meeting.

---

## **1. GOVERNANCE AND RISK**

### **1.1 Fit for the Future Update**

#### **Reporting Officer**

Manager Governance and Risk

---

#### **Attachments**

1. Letter from the Hon Paul Toole MP Minister for Local Government regarding the Fit for the Future Reform Program for NSW Councils (contained within this report)
2. Fit for the Future Progress Report (contained within this report)

#### **Purpose**

This report provides an update on the NSW Government's Local Government reform program.

#### **History**

In September 2014 the Office of Local Government (OLG) announced the Fit for the Future Reform Agenda. The objectives of the Fit for the Future reforms was to ensure councils have the scale and capacity to meet community needs into the future, are financially sound, operating efficiently and are in a strong position to guide community growth and deliver quality services. The Fit for the Future reforms required councils to assess their current and forecast performance and provide a submission to the government by 30 June 2015.

As a Council recommended to stand-alone, Campbelltown was required to develop an improvement proposal to demonstrate how Council currently meets or will improve its financial performance against the financial benchmarks to become fit for the future. The framework templates provided by the OLG, assessed Council's scale and capacity and financial performance using criteria that measured sustainability, efficiency, and infrastructure management.

Campbelltown City Council's improvement proposal was submitted to the Independent Pricing and Regulatory Tribunal (IPART) on 30 June 2015. IPART assessed Council's submission on behalf of NSW Government and prepared a final report on the assessment of all council proposals for Fit for the Future. The IPART deemed Council as not having met the sustainability criteria as it relates to the operating performance ratio.

In November 2015, Council provided a submission to the government in response to the IPART assessment detailing its financial sustainability and reinforcing Council's capacity to stand-alone.

---



## **Report**

On 18 December 2015, the government announced the next phase of the NSW Local Government reform program including merger proposals for some NSW councils and handed down the Fit for the Future Progress Report (attachment 2).

Following the review of the submissions made by NSW councils in response to the IPART assessment, Campbelltown Council was recommended to 'stand alone' and not identified in any merger proposals.

Council is now required to re-submit a performance improvement proposal for re-assessment by May 2016 to obtain 'Fit for the Future' status in order to gain access to the TCorp borrowing facility. The OLG is currently preparing re-assessment guidelines which will be issued to councils in February 2016 and will be complemented by pre-assessment workshops to be held in March and April. Further information will be provided for Council's consideration when it is made available.

The next steps in the reform process announced by the Government also included:

- amalgamation proposals for Greater Sydney proposing 15 new councils, which would reduce the number of metropolitan councils from 43 to 25 and 20 new councils proposed in regional NSW which would bring the total number of regional councils down from 109 to 87
- consultation on proposed amendments to the Local Government Act, including previously announced changes such as two year terms for mayors and new financial intervention powers
- the commencement of the IPART Rating Review process.

## **Officer's Recommendation**

That the information be noted.

## **Committee's Recommendation: (Borg/Lake)**

That the Officer's Recommendation be adopted.

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

1. That the information be noted.
2. That Council continue to liaise with the Office of Local Government to determine the requirements for the resubmission of the Performance Improvement Proposal.

## **CARRIED**

---

### **Council Meeting 16 February 2016 (Mead/Lake)**

1. That the information be noted.
2. That Council continue to liaise with the Office of Local Government to determine the requirements for the resubmission of the Performance Improvement Proposal.

### **Council Resolution Minute Number 15**

1. That the information be noted.
  2. That Council continue to liaise with the Office of Local Government to determine the requirements for the resubmission of the Performance Improvement Proposal.
-

## ATTACHMENT 1



**The Hon Paul Toole MP**  
Minister for Local Government

Clr Paul Hawker  
Mayor  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560  
[council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)  
[paul.hawker@campbelltown.nsw.gov.au](mailto:paul.hawker@campbelltown.nsw.gov.au)

18 December 2015

Dear Clr Hawker

Today the Government has announced merger proposals for NSW councils and new measures to strengthen the system of local government. While your council is not the subject of a merger proposal, the Government's announcement includes a response to the IPART assessment of councils and changes that will impact on all councils.

The Government's position has been informed by four years of consultation involving every council in NSW, independent assessments (including IPART's recent report on the health of councils across NSW), merger preferences submitted by councils to the Government last month, and feedback from communities and stakeholders.

Detailed merger proposals are now being finalised and will be referred to the Chief Executive of the Office of Local Government for examination and report in accordance with the requirements of the *Local Government Act 1993*.

The Chief Executive will delegate this function to other people (Delegates). In examining and reporting on merger proposals the Delegates will conduct a public inquiry (which is a public meeting at which members of the public can express their views on the proposals), call for written submissions, and prepare a report against the criteria in the Act.

The report from the Delegate will go to myself as Minister, and also to the Boundaries Commission for comment. The Boundaries Commission will provide me with their comments that, along with the report from the Delegate, will allow me to complete the process and make a decision on final boundaries.

This process will provide an objective assessment of the merger benefits and impacts, and give the community a chance to have a say before Government makes a final decision.

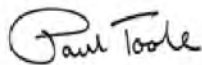
The Government has announced today that it:

- has commissioned IPART to review the rating system, and has asked IPART to advise on the best way to achieve the policy commitment on freezing rates as part of the rating review. IPART will provide its report to the Government by the end of 2016;
- will commence consultation on proposed amendments to the Local Government Act, including previously announced changes such as two year terms for mayors and new financial intervention powers;
- will provide councils that IPART deemed Not Fit due to not meeting the financial benchmarks with an opportunity to be reassessed in 2016; and
- will provide rural councils with the option of streamlining governance arrangements.

Further details on the Government's announcement and what it means for each council can be found at [www.fitforthefuture.nsw.gov.au](http://www.fitforthefuture.nsw.gov.au)

The NSW Government is implementing changes to local councils that will deliver benefits to local communities for generations into the future. On behalf of the Government, I thank you for your input into this process.

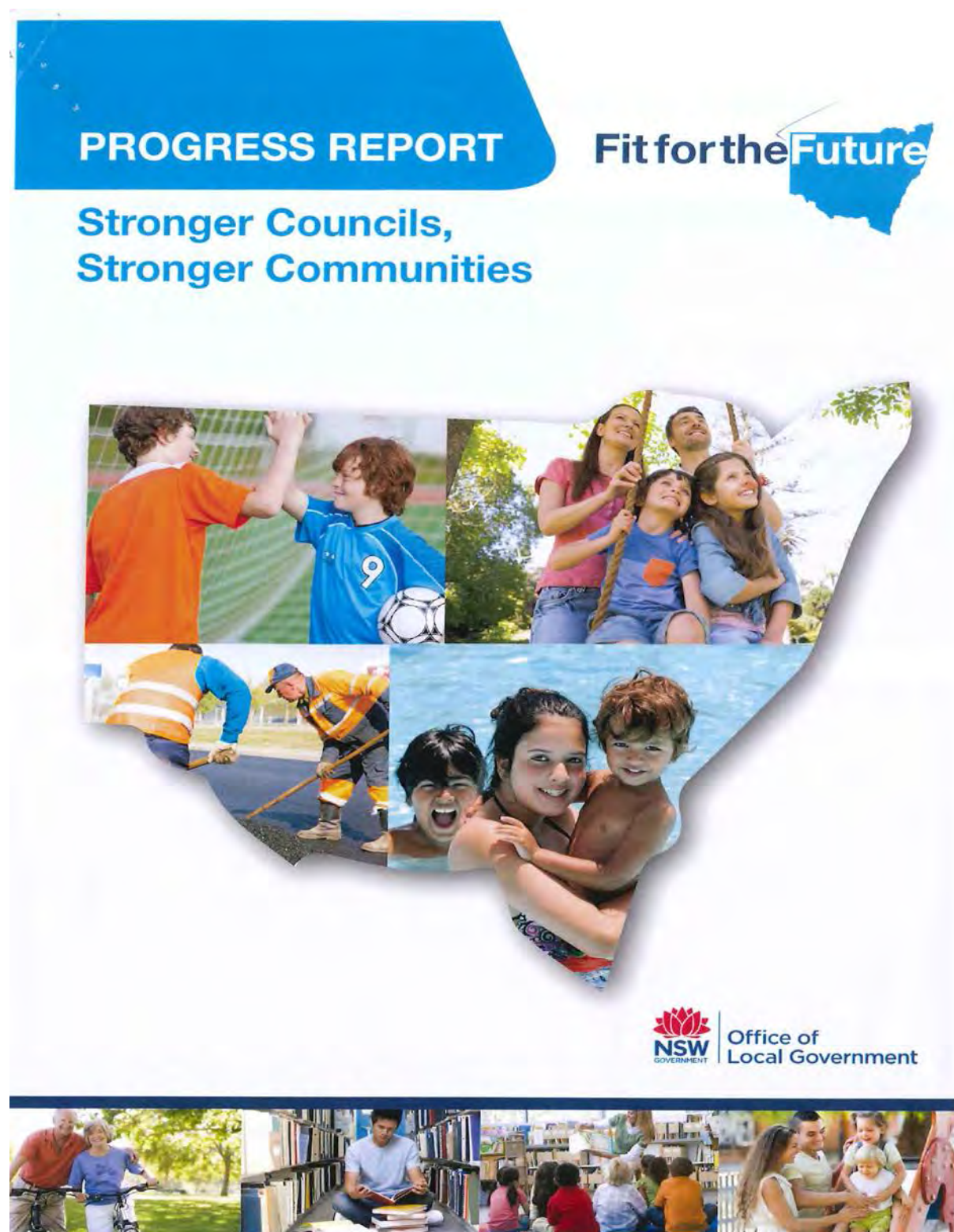
Yours sincerely



Paul Toole MP  
**Minister**



## ATTACHMENT 2





## PROGRESS REPORT

Fit for the Future

### KEY ACHIEVEMENTS



#### Assessed 139 Fit for the Future proposals

Councils assessed operations and identified ways to improve them.



#### Established five Joint Organisation pilot regions

A new model for regional collaboration to deliver for regional communities.



#### Established the TCorp borrowing facility

To provide cheaper infrastructure loans for "fit" councils and improve financial management.



#### Commenced review of councils' compliance and regulatory burden

To help reduce council reporting requirements and red tape.



#### Progressed the Far West Initiative

Developing solutions that meet the unique needs of the Far West communities.

### WHAT'S NEW IN THIS UPDATE

#### Modernising the Local Government Act

Consultation on Phase 1 amendments to streamline legislation will begin in January

#### New financial intervention powers

Consultation will occur on new powers to appoint a financial controller for councils with a high financial sustainability risk

#### Creating new councils

Proposals to create new and stronger councils in Sydney and regional NSW.

#### Stronger Communities Fund

All new councils will have access to the Stronger Communities Fund and funding for merger costs.

#### Joint Organisations

Fast-tracking the involvement of up to two additional regions in early 2016.

#### Review of the rating system

IPART commissioned to commence a review of the rating system.

#### Flexibility for Rural Councils

Tailored support for each rural council and opportunity to streamline governance.

## Stronger councils, stronger communities

### Creating a new system of local government



All communities across the state deserve high-quality infrastructure and services – now, and for generations to come. That's why the NSW Government is transforming the system of local government to ensure councils have the strength and capacity to deliver this.

Four years of industry and community consultation and independent assessments, including the recent IPART report, has told us the current system is not working as well as it should and that we can no longer sustain 152 councils.

The time has come to create a stronger, modern system of local government that removes waste and duplication; a new system that generates savings to be reinvested into services and infrastructure, while stabilising rates.

This document outlines our proposals for new councils and next steps in creating a stronger system of local government – a system that puts ratepayers and communities first.

Our actions will ensure we have stronger, future-focused councils that can respond to the challenges posed by changing populations in metropolitan, regional and rural areas. We want councils that will meet the unique housing, jobs and transport needs of their communities.

We've listened to what communities want – quality services, vital infrastructure, value for money and responsible leadership from their local council.

We are pleased that many councils have shown leadership and supported a merger, recognising the benefits this will bring to communities.

Our reforms will generate up to \$2 billion in benefits over the next 20 years – money better invested in new infrastructure and improved services for local communities.

This is a significant opportunity for the local community and ratepayers – and one that they deserve.

Premier of NSW



The NSW Government has been working with local councils since 2011 to achieve our shared vision of strengthening local communities. The Fit for the Future program, launched in September 2014, has seen significant progress in working towards this vision.

Key priorities within the Fit for the Future program have been delivered, including the assessment by IPART of 139

Fit for the Future proposals, the piloting of new models of regional collaboration and commencement of the Far West Initiative.

This progress report outlines what has been achieved and the next steps in the reform.

The next phase of reform builds on the consultation, research and independent reviews conducted since 2011 and focuses on three key programs of reform:

- Creating stronger councils;
- Improving performance and governance of local councils; and
- Strengthening the system of local government.

There is no 'one-size-fits' all approach to local government and we are ready to deliver on the next phase of our plan for stronger councils across Sydney and regional NSW that will help our communities grow and prosper.

I would like to thank councils and communities for their input and co-operation on this critical reform and I look forward to continuing to work with them as we enter the next phase of reform.

Minister for Local Government



## Making Local Government Fit for the Future

**The NSW Government is committed to rebuilding NSW – and local councils have a vital role to play in shaping communities and helping them to grow and prosper.**

The Fit for the Future Blueprint, launched in September 2014, outlined the NSW Government's plan for local government reform, including key milestones for delivery that have all been achieved.

This progress report outlines the next steps of reform, creating stronger councils and stronger communities. It includes new initiatives to create new councils across NSW, supporting "not fit" councils to become "fit" and the opportunity for two more regions of councils to participate in the Joint Organisation program.

The reforms will be delivered through three key programs, each working to build stronger councils and stronger communities.

### Key Reform Programs



#### 1 Creating stronger councils

Proposals to create new councils for Sydney and regional NSW

Establish Joint Organisations for regional NSW

Develop whole-of-government solutions for Far West communities



#### 2 Improving council performance and governance

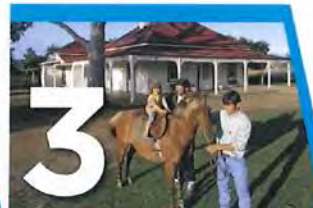
Support "not fit" councils to become "fit"

Deliver programs to improve council capability, with an initial priority on financial sustainability

Support rural councils to deliver the services their communities need

New powers to intervene in financially unsustainable councils

Deliver tools to support improved leadership and governance



#### 3 Strengthening the system of local government

Create streamlined, modern legislation

Improve financial systems, including rating, access to TCorp and Financial Assistance Grants

Develop stronger accountability systems for councils, including Auditor-General oversight and performance improvement tools and frameworks



## PROGRAM 1: CREATING STRONGER COUNCILS

The NSW Government is ready to take the next steps towards creating new and stronger councils to realise the benefits that are available for local communities – \$2 billion in benefits that can be reinvested in better services, more infrastructure or lower rates.

The Fit for the Future program will ensure that every council in NSW can meet the future needs of communities, is financially sound and operating efficiently. Councils will be in a strong position to guide community growth, deliver quality services, infrastructure and provide value for money.

The Government's reforms will ensure councils:

- are stronger, future-focused and able to help deliver the housing, jobs and transport that communities need;
- have the capability to be accountable, efficient, and deliver quality services and facilities; and
- can minimise the cost of borrowing and not be burdened by red tape and duplication, so that they can deliver the things communities want.

The Government is offering new councils and their community significant funding, with:

- up to \$15 million from the Stronger Communities Fund providing new councils a head start on services and infrastructure; and
- up to \$10 million to cover the upfront costs of council mergers.

*“\$2 billion in benefits that can be reinvested in better services, more infrastructure or lower rates.”*

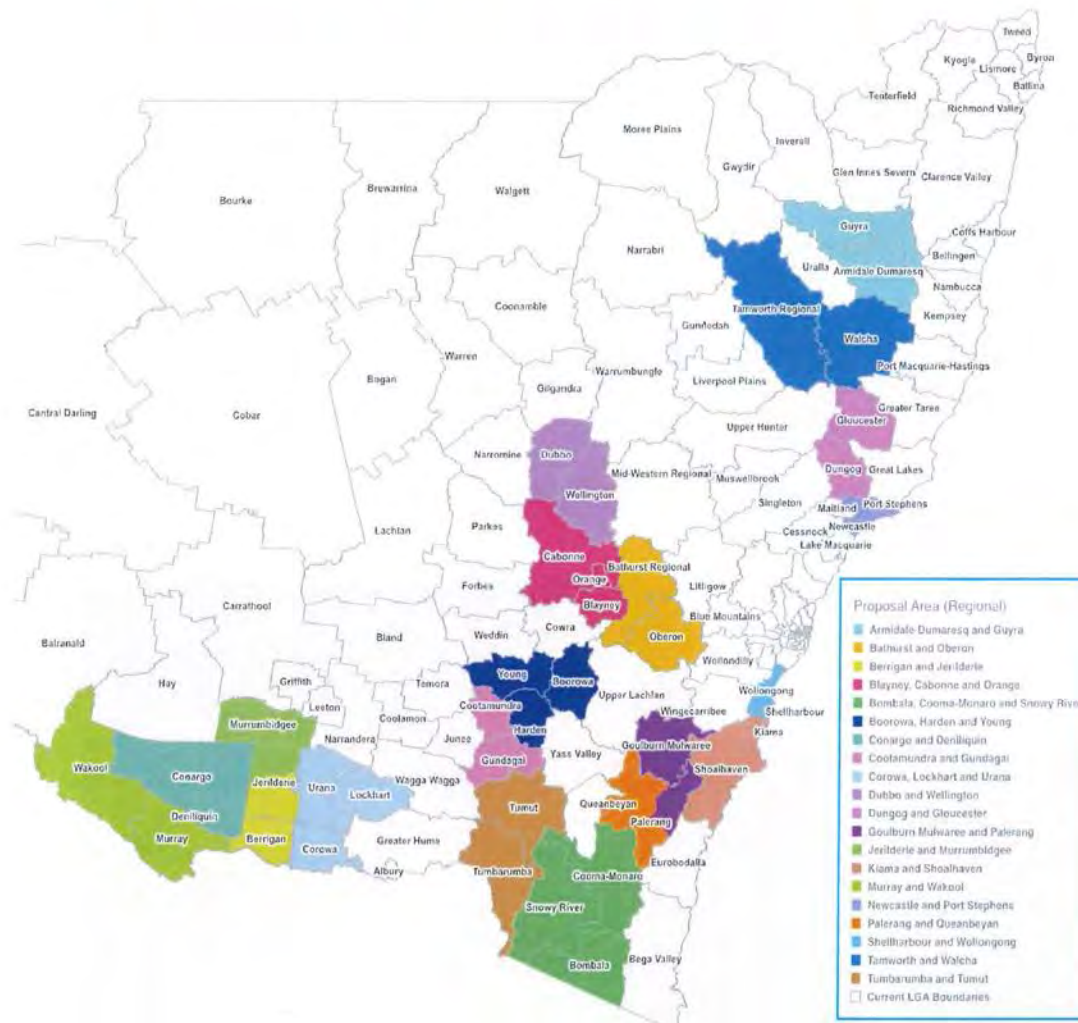


(Picture courtesy of Destination NSW)



# CREATING NEW COUNCILS

## Proposed New Regional and Rural Councils

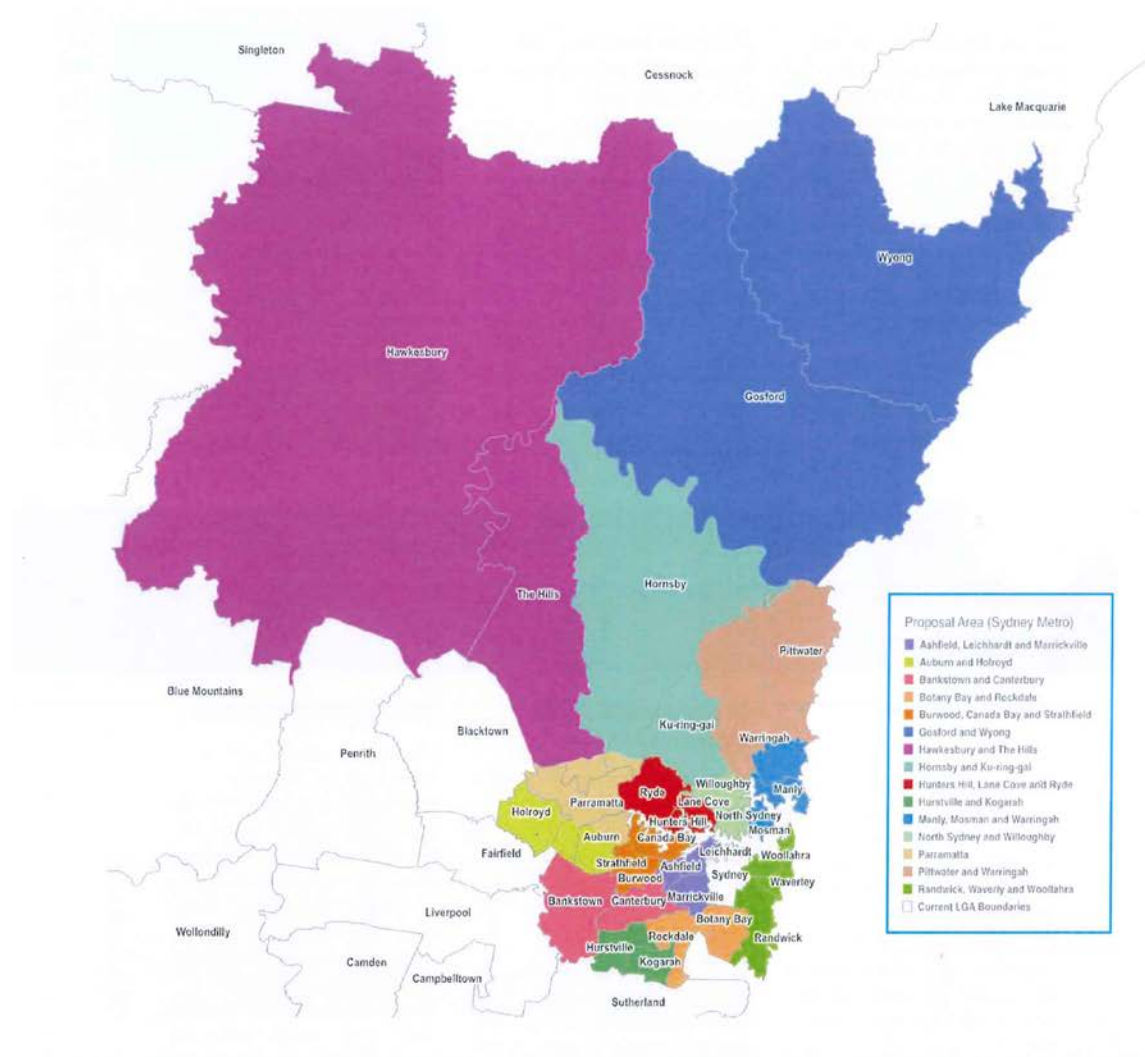


*Reducing the number of  
regional councils from 109  
to 87*

*20 new regional councils will be  
created by merging 42 councils*



## Proposed New Sydney Region Councils



*Reducing the number of  
councils in Greater Sydney  
from 43 to 25*

*15 new Greater Sydney councils  
will be created by merging  
33 councils*

## Stronger councils helping to build tomorrow's Sydney

Sydney is Australia's fastest-growing capital city. We are leading the way with new enterprise and investment, new suburbs are opening up, new employment precincts are being developed, and new hospitals and schools are on the way to serve our growing population. Over the next 20 years, an additional two million people will call Sydney home and most of them will settle in the city's west.

Our map is based on achieving as much consensus as possible and creating councils of

150,000 or more to deliver efficiencies and reduce red tape, but still ensuring effective local representation.

Sydney will need more homes, more jobs, more services and facilities, and better roads and transport to help people move about. That's why we are proposing to create new councils across Sydney.

The map on page 7 shows our vision for what the new Sydney will be like: stronger councils, offering better services and value for money for our growing communities.



(Picture courtesy of Destination NSW)

## Stronger councils, stronger regional communities

Regional communities play a vital role in supporting the State's economy, providing the food for growing communities and sustaining our major export industries. The NSW Government has a plan to revitalise regional NSW and provide the infrastructure, jobs and services country communities need and deserve. Our proposal is to create new councils as a key part of that plan.

The map on page 6 shows our vision for creating new councils in regional NSW. Our map is based on high priority mergers, council merger preferences and opportunities to strengthen councils financially and strategically.

We recognise that there is no 'one-size-fits all' solution for regional NSW.

### Creating new Joint Organisations

New regional organisations will help councils work with the State Government to deliver the things that matter to regional communities - local jobs, and better transport, services and facilities.

We are providing more than \$5 million in seed funding to help establish this new system and five groups of councils are already enjoying the benefits. Joint Organisations boundaries will be considered once council boundaries are finalised and implemented in regional areas from 2016.

### The Far West Initiative

The recently-appointed Far West Initiative Advisory Committee is working with the councils and communities of Far Western NSW to develop solutions that improve the way all levels of government work together to deliver services to the communities of the region. The initial focus of the Far West Initiative is to strengthen the financial sustainability and strategic capacity of the eight Far West councils.



(Picture courtesy of Destination NSW)



## THE PROCESS FOR CREATING NEW COUNCILS

January  
2016

**1** Minister for Local Government refers merger proposals to the Chief Executive of the Office of Local Government for examination and report under the Local Government Act 1993 (NSW). Proposals will explain the impacts and benefits of a proposed merger.

**2** Chief Executive of the Office of Local Government delegates the examination of merger proposals under the Local Government Act 1993 (NSW) to Delegates.

**3** Communities will have a chance to have their say during a public consultation process for merger proposals, including through submissions and at public hearings.

**4** Local Government Boundaries Commission membership is confirmed.

**5** Delegates examine proposals, including reviewing public submissions, and after having regard to the factors listed in the Local Government Act 1993 provide a report to the Minister.

**6** Delegates will also provide their reports to the Boundaries Commission who will review and comment on the reports.

**7** Boundaries Commission provides its comments on the Delegate's reports to the Minister for Local Government.

**8** Minister for Local Government considers the reports from the Delegates and comments on those reports from the Boundaries Commission, and makes a decision for each proposal.

**9** The Minister may or may not recommend to the Governor of NSW that the proposed merger be implemented.

Mid  
2016

**10** New councils commence.

Further information about the process, including information about delegates, where to lodge a public submission, and individual merger proposals, will be available on the Local Government Reform website:

**[www.councilboundaryreview.nsw.gov.au](http://www.councilboundaryreview.nsw.gov.au)**

## PROGRAM 2: IMPROVING PERFORMANCE AND GOVERNANCE

**Creating stronger councils is only part of making local government Fit for the Future. The NSW Government is committed to working with councils to deliver programs to improve local services and infrastructure.**

The Fit for the Future assessments have shown that some councils are in a strong position, meeting all the Fit for the Future criteria, while others need support to address specific challenges or issues that impact that council's operations.

The NSW Government will work with all councils to improve performance over time. Early priorities will be to:

- Support "not fit" councils to become "fit" at the earliest opportunity;
- Improve the financial sustainability of councils; and
- Support rural councils to implement the required changes they identified to improve their performance.

### **Improving council financial sustainability**

There has been widespread recognition amongst councils that the Fit for the Future process has improved council operations. The Office of Local Government will work with councils to share the learnings from this process.

Councils that did not perform well in their Fit for the Future assessment, due to sustainability, efficiency or asset management issues, will be supported to improve. The Office will be working with them individually to identify and implement the changes required to improve their performance, with an initial priority on financial sustainability.

The aim is to see all councils improve their performance over time. Councils will get the help they need to become stronger and provide better outcomes for their communities.

### **Access to the TCorp borrowing facility**

Councils that have met performance benchmarks and been deemed "fit" now have access to the new TCorp borrowing facility, reducing the cost of finance for infrastructure projects. Providing more councils with access to the TCorp borrowing facility is a priority for the NSW Government.

### **Opportunity for reassessment**

In 2016, councils assessed as "not fit" because they did not meet financial criteria will have the opportunity to revise their Fit for the Future proposals and resubmit them for assessment. The Office of Local Government will work with these councils to support them through this process and, following a "fit" assessment, will then have access to the benefits on offer.

### **New financial intervention powers**

For those councils that have demonstrated a consistent record of poor financial performance, the Government will introduce stronger intervention powers to protect local ratepayers, businesses and communities and get the council back on track.

This will empower the Minister to appoint a financial controller with responsibility for implementing financial controls.





### Working with rural councils

The NSW Government recognises the unique challenges facing councils and communities in rural areas, and will continue to collaborate with these councils to explore new ways of working that deliver the services their communities need.

Those councils assessed as “fit” as a Rural Council will have access to the benefits on offer to “fit” councils.

Rural councils not part of an amalgamation proposal will have the opportunity to streamline governance arrangements, if they choose, following legislative change to provide this option.

Rural councils will be supported to improve their capability and performance.

Central to this support is the \$4 million Innovation Fund, providing eligible councils with the opportunity to implement innovative solutions to improve service delivery.

### Strengthening local leadership

Local leaders work hard to act in the best interest of their communities and secure community confidence of their local representatives. Communities expect their local leaders to perform in an honest and professional manner. Local leadership in NSW councils will be strengthened by:

- ensuring elected leaders get the support they need to build leadership skills and learn the regulations and requirements;
- encouraging more people to be involved in standing for local office, especially women and young people, who are currently under-represented on councils;

- providing more stability in local leadership by clearly defining the roles of councillors and mayors, and extending the minimum mayoral term;
- providing clear guidelines on how councillors should conduct themselves in council meetings and manage any perceived or actual conflicts of interest; and
- tougher measures for local leaders who don't do the right thing. This includes suspension or exclusion from office for councillors who repeatedly engage in misconduct.

To help attract high quality candidates, the Government will review councillor remuneration during 2016.

***“The NSW Government will work with all councils to improve performance over time.”***





### PROGRAM 3:

## STRENGTHENING THE SYSTEM

*The NSW Government is committed to working with councils to strengthen the system of local government. Most importantly, this means strengthening the legislation that governs councils.*



#### **Modernising local government legislation**

The NSW Government will introduce more streamlined legislation to implement key reforms recommended by the Independent Panel and Acts Taskforce to enhance our local government system.

Consultation on Phase One of the streamlined legislation will commence in January.

Proposed amendments will focus on reforms that provide much-needed support for councils, allowing them to connect with their communities and build their capability.

In particular, the Phase One Bill will:

- Increase the term for mayors elected by councillors from one to a minimum of two years;
- Place external audit of councils under the auspices of the Auditor-General; and
- Ensure all councils have an odd number of members to reduce deadlocks.

Subsequent phases in the legislative reform process will address recommendations arising from reviews being undertaken by IPART about the regulatory burden imposed on councils and the rating system.

In each phase, opportunities will be identified to streamline the shape and structure of the legislation to ensure that our whole system of local government is fit for the future.





### **Improving financial systems**

The NSW Government is committed to real and substantial reforms and has now engaged IPART to review the rating system. IPART will provide its report to Government by the end of 2016.

The NSW Government will continue to work with the Grants Commission to redistribute Financial Assistance Grants to those councils most in need. A detailed review of the current allocation methodology has identified the opportunity for significant improvement. The Grants Commission will be supported to implement these improvements for 2016/17 grant allocations.

Work will also continue to develop a streamlined Special Rate Variation process for potential implementation in 2017/18.

### **Improving accountability**

We will also implement a new robust system of council reporting so the community can be fully informed about their council's performance and make comparisons with others.

The NSW Government has been working with councils to develop a new way of measuring performance and reporting progress. We have already launched the first stage of this work with the annual Your Council report. Further improvements are planned, including State-wide community satisfaction surveys.

The strategy to improve accountability and performance will include the development of a range of tools and frameworks to support councils, including:

- a performance measurement framework;
- revised Integrated Planning and Reporting guidelines;
- governance and performance guidelines; and
- stronger council auditing, including a new role for the Auditor-General in monitoring council performance.



(Picture courtesy of Destination NSW)



## WHAT THIS MEANS FOR MY COUNCIL

### Councils that are part of a merger proposal

- Delegates will listen to your council and community through the consultation process
- Public hearings on merger proposal will be held
- If the merger is approved councils will be given assistance with implementation and declared fit
- Councils declared fit can access TCorp borrowing facility

### Councils assessed as "fit" with no merger proposal

- Access TCorp borrowing facility
- Implement Fit for the Future proposals
- Participate in other reform initiatives

### Councils assessed as "not fit" due to scale and capacity with no merger proposal

- For some councils, the Government considers the council does have sufficient scale and capacity and therefore deems the council fit
- For others, the Government will reassess scale and capacity once Joint Organisations are operating effectively

### Councils assessed as "not fit" due to financial criteria with no merger proposal

- The Government will support your council and consider financial intervention if the council is not fit after the 2016 reassessment

### Rural Councils assessed as "fit" with no merger proposal

- Access TCorp borrowing facility
- Commence implementation of Fit for the Future proposal
- OLG will work with your council to implement the legislative changes that you have identified in your proposal or wish to consider further, and will closely monitor improvements
- Participate in other reform initiatives

### Far West Councils

- Continue to participate in Far West Initiative Advisory Group
- Participate in other reform initiatives

Details on what this means for each council can be found at: [www.fitforthefuture.nsw.gov.au](http://www.fitforthefuture.nsw.gov.au)



## NEXT STEPS: KEY MILESTONES

<b>December 2015</b>	<ul style="list-style-type: none"><li>• Government announces next steps on local government reform</li><li>• IPART Rating Review process commences</li><li>• Fit for the Future Progress Report released</li></ul>
<b>Jan - Mar 2016</b>	<ul style="list-style-type: none"><li>• Merger proposals assessment and consultation</li><li>• Fit councils can access TCorp borrowing facility</li><li>• Expression of interest for Early Starters Joint Organisations</li><li>• Innovation Fund call for applications</li><li>• Consultation on Phase One Local Government Act amendments and Joint Organisation Framework</li><li>• Not Fit councils advised of opportunities to revise proposals</li><li>• Early Starter Joint Organisations identified</li><li>• Consultation on Phase One Act Amendments and Joint Organisations closes</li><li>• Targeted financial sustainability programs commenced</li></ul>
<b>Apr - June 2016</b>	<ul style="list-style-type: none"><li>• Round one Innovation Fund grants advised</li><li>• FAGS reallocations consultation with councils</li><li>• Far West Initiative Discussion Paper released</li><li>• Commence consultation on performance measurement and improvement frameworks</li><li>• IPART Regulation Burden report to Government</li><li>• "Not fit" councils submit revised FFTF proposals for assessment</li><li>• Phase One Act Amendments and Joint Organisation legislation introduced to Parliament</li></ul>
<b>July - Dec 2016</b>	<ul style="list-style-type: none"><li>• Phase One Act amendments commence implementation</li><li>• Joint Organisations commence roll out</li><li>• Revised FFTF proposals assessed</li><li>• New councils commence</li><li>• Aim for Local Government elections</li><li>• IPART Rating Review Report to Government</li></ul>
<b>Jan - July 2017</b>	<ul style="list-style-type: none"><li>• Preparation for new Integrated Planning and Reporting cycle</li></ul>





For more information visit:  
**[www.fitforthefuture.nsw.gov.au](http://www.fitforthefuture.nsw.gov.au)**

---

## **1.2 Amendments to the Local Government Act and Code of Conduct**

### **Reporting Officer**

Manager Governance and Risk

---

### **Attachments**

1. Circular 15-41 - Commencement of the *Local Government Amendment (Councillor Misconduct and Poor Performance) 2015* (contained within this report)
2. Revised Code of Conduct (contained within this report)

### **Purpose**

This report provides an overview of recent amendments to the *Local Government Act 1993* in relation to misconduct provisions and the update of the Code of Conduct.

### **History**

Council at the meeting on 26 February 2013, Council Meeting - Corporate Governance Committee Item 2.6 resolved to adopt the Code of Conduct.

### **Report**

The *Local Government Amendment (Councillor Misconduct and Poor Performance) Act 2015* was enacted on 13 November 2015 amending the *Local Government Act 1993*. The amendments were designed to:

- ensure a faster but fair investigation process for Councillor misconduct
- remove impediments to effective action in response to serious corrupt conduct
- maximise the effectiveness of Performance Improvement Orders issued by the Minister for Local Government to a Council
- more effectively address Council maladministration.

### **Key points**

As of the commencement date, Councillors who have previously been suspended on two or more occasions will be automatically disqualified from holding office in a Council for five years if they are suspended on a further occasion.

The definition of “misconduct” has been expanded to include acts or omissions by Councillors that are intended to prevent the proper or effective functioning of a council or a committee of a Council (e.g. by disrupting decision making). Penalties for Councillor misconduct include suspension and disqualification from holding office.

---

Councillors will no longer be permitted to participate in the consideration of the making, amendment, alteration or repeal of an environmental planning instrument applying to the whole or a significant part of their local government area they have pecuniary interests in unless:

- the only interests affected by the changes are the interests they or their relatives have in their principal places of residence and
- they have made a special disclosure of the affected interests.

This amendment is complemented by an amendment to clause 4.29 of the Model Code of Conduct for Local Councils in NSW which also commenced on 13 November 2015. The amendment will mean that councillors with significant non-pecuniary conflicts of interests in the making, amendment, alteration or repeal of an environmental planning instrument applying to the whole or a significant part of their local government area will no longer be permitted to participate in consideration of those matters unless:

- the only interests affected by the changes relate to the interest a person (e.g. a close friend or affiliate of a Councillor) has in their principal place of residence and
- the Councillor has disclosed the affected interests.

The Office of Local Government issued Circular and the revised Model Code of Conduct incorporating the new requirements of the Act on 17 December 2015 mandated all councils update their Codes of Conduct to reflect the new Model Code. The opportunity has also been taken to make minor grammatical and editorial improvements to the Code of Conduct.

### **Officer's Recommendation**

1. That Council note the amendments to the *Local Government Act 1993* as a result of the *Local Government Amendment (Councillor Misconduct and Poor Performance) Act 2015*.
2. That Council adopt the revised Code of Conduct.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---



## ATTACHMENT 1



Office of  
Local Government

### Circular to Councils

<b>Circular Details</b>	15-41 / 17 December 2015 / A446439
<b>Previous Circular</b>	
<b>Who should read this</b>	Councillors / General Managers / Complaints Coordinators
<b>Contact</b>	Council Governance Team / 4428 4100
<b>Action required</b>	Information

### Commencement of the Local Government Amendment (Councillor Misconduct and Poor Performance Act) 2015

#### What's new or changing

- Amendments to the *Local Government Act 1993* made by the *Local Government Amendment (Councillor Misconduct and Poor Performance) Act 2015* commenced on **13 November 2015**.

#### What this will mean for your Council

#### Councillors and General Managers must note the following:

- As of the commencement date, Councillors who have previously been suspended on two or more occasions will be automatically disqualified from holding office in a Council for 5 years if they are suspended on a further occasion. The Office has written directly to Councillors who have been suspended on two or more occasions to inform them of this change.
- The definition of "misconduct" has been expanded to include acts or omissions by Councillors that are intended to prevent the proper or effective functioning of a council or a committee of a Council (e.g. by disrupting decision making). Penalties for Councillor misconduct include suspension and disqualification from holding office.
- Councillors will no longer be permitted to participate in the consideration of the making, amendment, alteration or repeal of an environmental planning instrument applying to the whole or a significant part of their local government area they have pecuniary interests in unless:
  - the only interests affected by the changes are the interests they or their relatives have in their principal places of residence; **and**
  - they have made a special disclosure of the affected interests.
- This amendment is complemented by an amendment to clause 4.29 of the *Model Code of Conduct for Local Councils in NSW* which also commenced on 13 November 2015. The amendment will mean that councillors with significant non-pecuniary conflicts of interests in the making, amendment, alteration or repeal of an environmental planning instrument applying to the whole or a significant part of their local government area will no longer be permitted to participate in consideration of those matters unless:

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 44 913 630 046

- the only interests affected by the changes relate to the interest a person (e.g. a close friend or affiliate of a Councillor) has in their principal place of residence; and
- the Councillor has disclosed the affected interests.

**Complaints coordinators must note the following:**

- Councils must amend their adopted codes of conduct as soon as possible to reflect the amendment to clause 4.29 referred to above. The amended Model Code of Conduct is available on the Office of Local Government's website at [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)
- Notice is no longer required of a motion to censure a Councillor for misconduct under section 440G. Under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*, Councils can only formally censure a Councillor for misconduct where this is recommended in a report by an independent investigator. This will be reported to the Council under cover of a staff report by a Council's complaints coordinator.

**Other key changes**

- The amendments are also designed to:
  - ensure a faster but fair investigation process for Councillor misconduct;
  - remove impediments to effective action in response to serious corrupt conduct;
  - maximise the effectiveness of Performance Improvement Orders issued by the Minister for Local Government to a Council; and
  - more effectively address Council maladministration.

**Where to go for further information**

- For more information on the amendments to the Act, see the attachment to this Circular.
- An updated version of the *Model Code of Conduct for Local Councils in NSW* has been published on the Office of Local Government's website at [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)
- Contact the Office's Council Governance Team on 4428 4100.



**Tim Hurst**  
**Acting Chief Executive**  
**Office of Local Government**



The amendments to the *Local Government Act 1993* referred to in this Circular are designed to:

More effectively deter and address Councillor misconduct by:

- providing for the automatic disqualification of a Councillor from holding civic office for a period of 5 years where they have been suspended for misconduct on a third occasion;
- expanding the definition of “misconduct” in the Act to include conduct that is intended to prevent the proper or effective functioning of a Council (i.e. through the disruption of Council and Committee meetings).

Streamline the process for dealing with Councillor misconduct to ensure faster but fair outcomes by:

- removing the requirement for notice to be given of a motion at a Council meeting to formally censure a Councillor in recognition that Councils may now only do so on the recommendation of an independent investigator following a formal investigation process;
- removing the mandatory requirement for the Chief Executive of the Office of Local Government to undertake an investigation as a prerequisite to taking disciplinary action for misconduct where the conduct has previously been investigated under a Council's code of conduct and for minor misconduct that requires only a reprimand or counselling, and removing rights of appeal in relation to reprimand and counselling;
- providing that prior to taking disciplinary action against a Councillor, the Chief Executive is to give the Councillor at least 14 days' notice of his or her intention to take disciplinary action, including the disciplinary action that is proposed to be taken and the grounds upon which the proposed disciplinary action is to be taken and to consider any submissions made by the Councillor in relation to the notice;
- expanding the class of persons the Chief Executive may direct to provide written information or a document for the purposes of investigating Councillor misconduct to “any person” but excluding privileged information or documents without the person's consent.

Promote community confidence in Council planning decisions by:

- amending the provision in the Act that allows Councillors to participate in the consideration of changes to a planning instrument applying to the whole or a significant part of a Council's area they have pecuniary interests in by limiting its application to the interests Councillors have in their and related persons' principal places of residence, thereby preventing participation in consideration of such matters by Councillors with other property interests.

Remove impediments to effective action in response to serious corrupt conduct by:

- providing that a former Councillor may be disqualified from holding civic office for serious corrupt conduct;
  - providing that where the Minister, on a recommendation by the ICAC, suspends a Councillor from civic office for serious corrupt conduct and the Councillor brings legal proceedings to challenge the ICAC's recommendation, the suspension will continue until the proceedings are concluded and for six months
-

afterwards to allow time to arrange for their dismissal and disqualification should this be warranted;

Maximise the effectiveness of Performance Improvement Orders issued by the Minister to a Council by:


- reducing the minimum consultation period for a notice of intention to issue a Performance Improvement Order from 21 to 7 days;
- providing that a Council may be required to provide more than one compliance report on its compliance with a Performance Improvement Order, allowing the Minister to vary the terms of an Order on giving 7 days' notice, and allowing other intervention action while the Order is in force;
- deterring non-compliance by individual Councillors with a requirement under a Performance Improvement Order by:
  - empowering the Minister, where he or she is satisfied that a Councillor has failed to comply with such a requirement, to effectively suspend the Councillor until they have complied with the requirement or for a period of up to 3 months (with a possible extension of a further 3 months) (whichever is the lesser); and
  - allow the Minister to request the Chief Executive to refer non-compliance to the NSW Civil and Administrative Tribunal for disciplinary action.

More effectively address Council maladministration by:

- reducing the time in which a Council is required to respond to recommendations made by the Chief Executive arising from the investigation of a council from 40 to 28 days.
-



## ATTACHMENT 2

 <b>campbelltown</b> city council		<b>POLICY</b>
Policy Title	Code of Conduct	
Relevant Legislation/ Corporate Plan	Section 440 <i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2005</i> <i>Local Government (General) Amendment (Conduct) Regulation 2012</i>	
Responsible Officer	Manager Governance and Risk	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Objectives

To provide Councillors, members of Staff, Delegates representing the Council and Contractors who provide services to the Council with a common understanding of the Organisation's expectations in regard to ethical conduct.

### Policy Statement

Campbelltown City Council has established a reputation of honesty, fairness and integrity. All of us have a responsibility of maintaining these high standards and our Code of Conduct provides the foundation upon which these standards are built. This document is a very important part of our Council and it applies equally to all Councillors and staff in Campbelltown City Council.

In our work for the Council we will continue to be faced with situations where we need to make difficult decisions as to the most appropriate course of action. Our Code has again been reviewed, with the assistance of our Councillors and a representative group of staff. Our revised Code incorporates the provisions of the Model Code of Conduct for Local Councils in NSW.

The revision of our Code will help to ensure that it remains relevant and continues to assist us make decisions that reflect the high standards expected by our community, and ourselves.

Each of us continues to have a responsibility to foster an ethical and equitable work environment by abiding by the standards set in the Code. This is an expectation we should have of ourselves and of each other.

**Lindy Deitz**  
General Manager

---

## **PART 1: INTRODUCTION**

This Model Code of Conduct for Local Councils in NSW ("the Model Code of Conduct") is made for the purposes of section 440 of the *Local Government Act 1993* ("the Act"). Section 440 of the Act requires every council to adopt a code of conduct that incorporates the provisions of the Model Code. For the purposes of section 440 of the Act, the Model Code of Conduct comprises all parts of this document.

Councillors, administrators, members of staff of council, independent conduct reviewers, members of council committees including the conduct review committee and delegates of the council must comply with the applicable provisions of council's code of conduct in carrying out their functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code and regularly review their personal circumstances with this in mind.

Failure by a Councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the Act. The Act provides for a range of penalties that may be imposed on Councillors for misconduct, including suspension or disqualification from civic office. A Councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with council's code of conduct may give rise to disciplinary action. This Code covers all Councillors and staff of Campbelltown City Council, including trainees, apprentices, and temporary and casual employees. People covered by this Code are referred to, in the Code, as Council officials.

Based on the Model Code, Statements of Business Ethics have been developed for our contractors, consultants and volunteers/work experience staff.

---



## **PART 2: PURPOSE OF THE CODE OF CONDUCT**

The Model Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions. The Model Code is prescribed by regulation.

The Model Code of Conduct has been developed to assist council officials 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 (section 439)
- act in a way that enhances public confidence in the integrity of local government.

## **KEY PRINCIPLES**

This Code of Conduct is based on a number of key principles. It sets out Standards of Conduct that meets these principles and statutory provisions applicable to Local Government activities. The principles underpin and guide these standards and may be used as an aid in interpreting the substantive provisions of the Code, but do not themselves constitute separate enforceable Standards of Conduct.

### **2.1 Integrity**

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties.

### **2.2 Leadership**

You have a duty to promote and support the key principles by leadership and example and to maintain and strengthen the public's trust and confidence in the integrity of the council. This means promoting public duty to others in the council and outside, by your own ethical behaviour.

### **2.3 Selflessness**

You have a duty to make decisions in the public interest. You must not act in order to gain financial or other benefits for yourself, your family, friends or business interests. This means making decisions because they benefit the public, not because they benefit the decision maker.

### **2.4 Impartiality**

You should make decisions on merit and in accordance with your statutory obligations when carrying out public business. This includes the making of appointments, awarding of contracts or recommending individuals for rewards or benefits. This means fairness to all; impartial assessment; merit selection in recruitment and in purchase and sale of Council's resources; considering only relevant matters.

### **2.5 Accountability**

You are accountable to the public for your decisions and actions and should consider issues on their merits, taking into account the views of others. This means recording reasons for decisions; submitting to scrutiny; keeping proper records; establishing audit trails.

---

## **2.6 Openness**

You have a duty to be as open as possible about your decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands. This means recording, giving and revealing reasons for decisions; revealing other avenues available to the client or business; when authorised, offering all information; communicating clearly.

## **2.7 Honesty**

You have a duty to act honestly. You must declare any private interests relating to your public duties and take steps to resolve any conflicts arising in such a way that protects the public interest. This means obeying the law; following the letter and spirit of Policies and Procedures; observing the Code of Conduct; fully disclosing actual or potential conflict of interests and exercising any conferred power strictly for the purpose for which the power was conferred.

## **2.8 Respect**

You must treat others with respect at all times. This means not using derogatory terms towards others, observing the rights of other people, treating people with courtesy and recognising the different roles others play in Local Government decision making.

## **2.9 Safety**

You are responsible for your own safety and the safety of people you work with. In turn Campbelltown City Council is responsible for providing a safe work environment and for putting the safety of Councillors, employees and the public first.

## **2.10 Responsibility to the Community**

Our primary obligation is to serve our community. It is our obligation to provide competent and timely delivery of services with due consideration being given to the needs, desires and values of the community, individual persons or groups they belong to.

---



### **PART 3: GENERAL CONDUCT OBLIGATIONS**

#### **General conduct**

- 3.1 You must not conduct yourself in carrying out your functions in a manner that is likely to bring the Council or holders of Civic Office into disrepute. Specifically, you must not act in a way that:
- a) contravenes the Act, associated regulations, Council's relevant administrative requirements and policies
  - b) is detrimental to the pursuit of the charter of Council
  - c) is improper or unethical
  - d) is an abuse of power or otherwise amounts to misconduct
  - e) causes, comprises or involves intimidation, harassment or verbal abuse
  - f) causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to employment
  - g) causes, comprises or involves prejudice in the provision of a service to the community (Schedule 6A).
- 3.2 You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act. (Section 439).
- 3.3 You must treat others with respect at all times. You must not support or encourage others who breach our Code of Conduct.

#### **Fairness and Equity**

- 3.4 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non discriminatory manner.
- 3.5 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

#### **Harassment and discrimination**

- 3.6 You must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination on the grounds of sex, pregnancy, age, race, responsibilities as a carer, marital status, disability, homosexuality, transgender grounds or if a person has an infectious disease.

*This Clause of the Code is supported by Council's Equal Employment Opportunity Policy and Harassment Prevention Policy.*

#### **Development decisions**

- 3.7 You must ensure that development decisions are properly made and that parties involved in the development process are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the development assessment process.
-

- 3.8 In determining development applications, you must ensure that no action, statement or communication between yourself and applicants or objectors conveys any suggestion of willingness to provide improper concessions or preferential treatment.

**Binding caucus votes**

- 3.9 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.10 For the purposes of clause 3.9, a binding caucus vote is a process whereby a group of Councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.11 Clause 3.9 does not prohibit Councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting or from voluntarily holding a shared view with other Councillors on the merits of a matter.
- 3.12 Clause 3.9 does not apply to a decision to elect the Mayor or Deputy Mayor or to nominate a person to be a member of a council committee.

**Workplace Bullying**

- 3.13 You must not bully or support others who engage in such behaviour.
- 3.14 Bullying is repeated unreasonable behaviour directed towards an employee or group of employees that creates a risk to health and safety. Bullying comprises behaviour that intimidates, offends, degrades, insults or humiliates a worker, possibly in front of co-workers, clients or customers and which includes physical or psychological behaviour.
- 3.15 Examples of bullying in the workplace are:
- Threats to make someone's life difficult
  - Rude belittling or sarcastic comments and publicly belittling someone's opinions, abilities or performance
  - Abusive, belittling or intimidating comments, phone calls, e-mails etc
  - Imposing unreasonable or unrealistic work targets or deadlines
  - Unfair and excessive criticism and work scrutiny
  - Deliberate and unreasonable exclusion of people from work discussions, communication and activities
  - Unreasonable blocking of training and promotional opportunities.

*This Clause of the Code is supported by Council's Workplace Bullying Policy.*

**Child Protection**

- 3.16 In relation to children, Campbelltown City Council will engage only in practices that are respectful of and provide security to children and in no way degrade, endanger, exploit, intimidate or harm them psychologically or physically.
-



3.17 All employees have a responsibility to report to the General Manager allegations that occur within the workplace and any known convictions.

3.18 Reportable conduct includes:

- Any sexual offence, sexual misconduct committed against, with or in the presence of a child (including a child pornography offence)
- Any assault, ill treatment or neglect of a child
- Any behaviour that causes psychological harm to a child.

3.19 The General Manager is required to report to the Ombudsman, within 30 days of becoming aware, any reportable allegations or convictions against employees.

3.20 Council's Child Protection Policy details the responsibilities of staff working with children as mandatory notifiers.

*This Clause of the Code is supported by Council's Child Protection Policy.*

## **GUIDE TO ETHICAL DECISION MAKING**

3.21 If you are unsure about the ethical issues around an action or decision you are about to take, you should consider these five points:

- Is the decision or conduct lawful?
  - Is the decision or conduct consistent with Council's Policy and with Council's objectives and the Code of Conduct?
  - What will the outcome be for the employee or Councillor, work colleagues, the Council, persons with whom you are associated and any other parties?
  - Do these outcomes raise a conflict of interest or lead to private gain or loss at public expense?
  - Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?
-

#### **PART 4: CONFLICT OF INTERESTS**

- 4.1 A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 4.2 You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interests and take the appropriate action to manage the conflict in favour of your public duty.
- 4.3 Any conflict of interests must be managed to uphold the probity of council decision making. When considering whether or not you have a conflict of interests, it is always important to think about how others would view your situation.
- 4.4 Private interests can be of two types: pecuniary or non pecuniary.

##### **What is a Pecuniary Interest?**

- 4.5 A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. (Section 442).
- 4.6 A person will also be taken to have a pecuniary interest in a matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person, or a company or other body of which the person, or a nominee, partner or employer of the person is a member, has a pecuniary interest in the matter. (Section 443).
- 4.7 Pecuniary interests are regulated by Chapter 14, Part 2 of the Act. The Act requires that:
  - a) Councillors and designated persons lodge an initial and an annual written disclosure of interests that could potentially be in conflict with their public or professional duties (Section 449)
  - b) Councillors and members of Council Committees disclose an interest and the nature of that interest at a meeting, leave the meeting and be out of sight of the meeting and not participate in discussions or voting on the matter (Section 451)
  - c) designated persons immediately declare, in writing, any pecuniary interest. (Section 459).
- 4.8 Designated persons are defined at Section 441 of the Act, and include, but are not limited to, the General Manager and other senior staff of the Council.
- 4.9 Where you are a member of staff of Council, other than a designated person (as defined by Section 441), you must disclose in writing to your Supervisor or the General Manager, the nature of any pecuniary interest you have in a matter you are dealing with as soon as practicable. These disclosures should be recorded in Council's Conflict of Interest Register.

##### **What is a Non Pecuniary Conflict of Interest?**

- 4.10 Non pecuniary interests are private or personal interests the Council official has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
  - 4.11 The political views of a Councillor do not constitute a private interest.
-



### **Managing Non Pecuniary Conflict of Interests**

- 4.12 Where you have a non-pecuniary interest that conflicts with your public duty, you must disclose the interest fully and in writing, even if the conflict is not significant. You must do this as soon as practicable. These disclosures should be recorded in Council's Conflict of Interest Register.
- 4.13 If a disclosure is made at a Council or Committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing for the purposes of clause 4.12.
- 4.14 How you manage a non-pecuniary conflict of interests will depend on whether or not it is significant.
- 4.15 As a general rule, a non pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest but it involves:
- a) a relationship between a Council Official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household
  - b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
  - c) an affiliation between the Council Official and an organisation, sporting body, club, corporation or association that is particularly strong.
- 4.16 If you are a Council Official, other than a member of staff of Council, and you have disclosed that a significant non-pecuniary conflict of interests exists, you must manage it in one of two ways:
- a) remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council Official
  - b) have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in Section 451(2) of the Act apply.
- 4.17 If you determine that a non pecuniary conflict of interests is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.
- 4.18 If you are a member of staff of Council, the decision on which option should be taken to manage a non pecuniary conflict of interests must be made in consultation with your Manager.
- 4.19 Despite clause 4.16(b), a Councillor who has disclosed that a significant non pecuniary conflict of interests exists may participate in a decision to delegate Council's decision making role to Council staff, or appoint another person or body to make the decision in accordance with the law. This applies whether or not Council would be deprived of a quorum if one or more Councillors were to manage their conflict of interests by not voting on a matter in accordance with clause 4.16(b) above.
-



### **Reportable Political Donations**

4.20 Councillors should note that matters before Council involving political or campaign donors may give rise to a non pecuniary conflict of interests.

4.21 Where a Councillor has received or knowingly benefitted from a reportable political donation:

- a) made by a major political donor in the previous four years
- b) where the major political donor has a matter before council

then the Councillor must declare a non-pecuniary conflict of interests, disclose the nature of the interest, and manage the conflict of interests in accordance with clause 4.16(b).

4.22 For the purposes of this Part:

- a) a "reportable political donation" is a "reportable political donation" for the purposes of section 86 of the *Election Funding, Expenditure and Disclosures Act 1981*
- b) a "major political donor" is a "major political donor" for the purposes of section 84 of the *Election Funding, Expenditure and Disclosures Act 1981*.

4.23 Councillors should note that political donations below \$1,000, or political donations to a registered political party or group by which a Councillor is endorsed, may still give rise to a non-pecuniary conflict of interests. Councillors should determine whether or not such conflicts are significant and take the appropriate action to manage them.

4.24 If a Councillor has received or knowingly benefitted from a reportable political donation of the kind referred to in clause 4.21, that Councillor is not prevented from participating in a decision to delegate council's decision-making role to council staff through the general manager or appointing another person or body to make the decision in accordance with the law (see clause 4.19 above).

### **Loss of quorum as a result of compliance with this Part**

4.25 Where a majority of Councillors are precluded under this Part from consideration of a matter the council or committee must resolve to delegate consideration of the matter in question to another person.

4.26 Where a majority of Councillors are precluded under this Part from consideration of a matter and the matter in question concerns the exercise of a function that may not be delegated under section 377 of the Act, the Councillors may apply in writing to the Chief Executive to be exempted from complying with a requirement under this Part relating to the management of a non-pecuniary conflict of interests.

4.27 The Chief Executive will only exempt a Councillor from complying with a requirement under this Part where:

- a) compliance by Councillors with a requirement under the Part in relation to a matter will result in the loss of a quorum
- b) the matter relates to the exercise of a function of the council that may not be delegated under section 377 of the Act.

4.28 Where the Chief Executive exempts a Councillor from complying with a requirement under this Part, the Councillor must still disclose any interests they have in the matter the exemption applies to in accordance with the requirements of this Part.

---

4.29 A Councillor, who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interests in the matter, is permitted to participate in consideration of the matter, if:

- a) the matter is a proposal relating to:
  - i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or
  - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and
- b) the non-pecuniary conflict of interests arises only because of an interest that a person has in that person's principal place of residence, and
- c) the Councillor declares any interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part.

#### **Other Business or Employment**

4.30 If you are a member of staff of Council considering outside employment or contract work that relates to the business of the Council or that might conflict with your Council duties, you must notify and seek the approval of the General Manager in writing. (Section 353)

4.31 As a member of staff, you must ensure that any outside employment or business you engage in will not:

- a) conflict with your official duties
- b) involve using confidential information or Council resources obtained through your work with the Council
- c) require you to work while on Council duty
- d) discredit or disadvantage the Council.

*This Clause of the Code is supported by Council's Secondary Employment Policy.*

#### **Personal Dealings with Council**

4.32 You may have reason to deal with your Council in your personal capacity (for example, as a ratepayer, recipient of a Council service or applicant for a consent granted by Council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

---



## **PART 5: PERSONAL BENEFIT**

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

### **Gifts and benefits**

- 5.1 You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the council.
- 5.2 You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.

### **Token gifts and benefits**

- 5.3 Generally speaking, token gifts and benefits include:
  - a) free or subsidised meals, beverages or refreshments provided in conjunction with:
    - i) the discussion of official business
    - ii) council work related events such as training, education sessions, and workshops
    - iii) conferences
    - iv) council functions or events
    - v) social functions organised by groups, such as council committees and community organisations.
  - b) invitations to and attendance at local social, cultural or sporting events
  - c) gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address)
  - d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers
  - e) prizes of token value.

### **Gifts and benefits of value**

- 5.4 Notwithstanding clause 5.3, gifts and benefits that have more than a token value include, but are not limited to, tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.
-



### **How are offers of gifts and benefits to be dealt with?**

#### **5.5 You must not:**

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) accept any gift or benefit of more than token value
- e) accept an offer of cash or a cash-like gift, regardless of the amount.

5.6 For the purposes of clause 5.5(e), a “cash-like gift” includes but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts.

5.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the general manager. The recipient, supervisor, Mayor or general manager must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to council, unless the nature of the gift or benefit makes this impractical.

### **Improper and undue influence**

5.8 You must not use your position to influence other council officials in the performance of their public or professional duties to obtain a private benefit for yourself or for somebody else. A Councillor will not be in breach of this clause where they seek to influence other council officials through the appropriate exercise of their representative functions.

5.9 You must not take advantage (or seek to take advantage) of your status or position with or of functions you perform for council in order to obtain a private benefit for yourself or for any other person or body.

---

## **PART 6: RELATIONSHIP BETWEEN COUNCIL OFFICIALS**

### **Obligations of Councillors and Administrators**

- 6.1 Each council is a body politic. The Councillors or Administrator/s are the governing body of the Council. The governing body has the responsibility of directing and controlling the affairs of the Council in accordance with the Act and is responsible for policy determinations, for example, those relating to workforce policy.
- 6.2 Councillors or Administrators must not:
- a) direct Council staff other than by giving appropriate direction to the General Manager in the performance of Council's functions by way of Council or Committee Resolution, or by the Mayor or administrator exercising their power under section 226 of the Act (Section 352)
  - b) in any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff of the Council or a delegate of the Council in the exercise of the functions of the member or delegate (Schedule 6A of the Act)
  - c) contact a member of the staff of the Council on Council related business unless in accordance with the Policy and Procedures governing the interaction of Councillors and Council staff that have been authorised by the Council and the General Manager
  - d) contact or issue instructions to any of Council's contractors or tenderers, including Council's legal advisers, unless by the Mayor or administrator exercising their power under Section 226 of the Act. This does not apply to Council's external auditors or the Chair of council's audit committee who, in the course of their work, may be provided with information by individual Councillors reasonably necessary for the external auditor or audit committee to effectively perform their functions.

*This Clause of the Code is supported by Council's Councillors Access to Information and Interaction with Staff Policy.*

### **Obligations of Staff**

- 6.3 The General Manager is responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation of the decisions of the Council without delay.
- 6.4 Members of staff of Council must:
- a) give their attention to the business of Council while on duty
  - b) ensure that their work is carried out efficiently, economically and effectively
  - c) carry out lawful directions given by any person having authority to give such directions
  - d) give effect to the lawful decisions, Policies, and Procedures of the Council, whether or not the staff member agrees with or approves of them
  - e) ensure that any participation in political activities outside the service of the council does not conflict with the performance of their official duties.
-



### **Obligations During Meetings**

- 6.5 You must act in accordance with Council's Code of Meeting Practice, if Council has adopted one, and the Local Government (General) Regulation 2005 during Council and Committee meetings.
- 6.6 You must show respect to the chair, other Council Officials and any members of the public present during Council and Committee meetings or other formal proceedings of the Council.

*This Clause of the Code is supported by Council's Code of Meeting Practice.*

### **Inappropriate Interactions**

- 6.7 You must not engage in any of the following inappropriate interactions:
- a) Councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters other than broader workforce policy issues
  - b) Council staff approaching Councillors and administrators to discuss individual or operational staff matters other than broader workforce policy issues
  - c) Council staff refusing to give information that is available to other Councillors to a particular Councillor
  - d) Councillors and Administrators who have lodged a development application with Council, discussing the matter with Council staff in staff only areas of the Council
  - e) Councillors and Administrators being overbearing or threatening to Council staff
  - f) Councillors and Administrators making personal attacks on Council staff in a public forum
  - g) Councillors and Administrators directing or pressuring Council staff in the performance of their work, or recommendations they should make
  - h) Council staff providing ad hoc advice to Councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
  - i) Council staff meeting with developers alone AND outside office hours to discuss development applications or proposals
  - j) Councillors attending on site inspection meetings with lawyers and/or consultants engaged by Council associated with current or proposed legal proceedings unless permitted to do so by Council's General Manager or, in the case of the Mayor or Administrator, exercising their power under Section 226 of the Act.

*This Clause of the Code is supported by Council's Councillors Access to Information and Interaction with Staff Policy.*

---

## **PART 7: ACCESS TO INFORMATION AND COUNCIL RESOURCES**

### **Councillor and Administrator Access to Information**

- 7.1 The General Manager and Public Officer are responsible for ensuring that members of the public, Councillors and Administrators can gain access to the documents available under the *Government Information (Public Access) Act 2009*.
- 7.2 The General Manager must provide Councillors and Administrators with information sufficient to enable them to carry out their Civic Office functions.
- 7.3 Members of staff of Council must provide full and timely information to Councillors and administrators sufficient to enable them to carry out their Civic Office functions and in accordance with Council procedures.
- 7.4 Members of staff of Council who provide any information to a particular Councillor in the performance of their civic duties must also make it available to any other Councillor who requests it and in accordance with Council procedures.
- 7.5 Councillors and Administrators who have a private (as distinct from civic) interest in a document of Council have the same rights of access as any member of the public.

### **Councillors and administrators to properly examine and consider information**

- 7.6 Councillors and Administrators must properly examine and consider all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter in accordance with Council's charter.

### **Refusal of access to documents**

- 7.7 Where the General Manager and Public Officer determine to refuse access to a document sought by a Councillor or Administrator they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the Councillor or Administrator to perform their civic duty (see clause 7.2). The General Manager or Public Officer must state the reasons for the decision if access is refused.

### **Use of Certain Council Information**

- 7.8 In regard to information obtained in your capacity as a Council official, you must:
  - a) only access Council information needed for Council business
  - b) not use that Council information for private purposes
  - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have by virtue of your office or position with Council
  - d) only release Council information in accordance with established Council Policies and Procedures and in compliance with relevant legislation.

### **Use and Security of Confidential Information**

- 7.9 You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.
-



7.10 In addition to your general obligations relating to the use of Council information, you must:

- a) protect confidential information
- b) only release confidential information if you have authority to do so
- c) only use confidential information for the purpose it is intended to be used
- d) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- e) not use confidential information with the intention to cause harm or detriment to your council or any other person or body
- f) not disclose any information discussed during a confidential session of a Council meeting
- g) dispose of confidential information for example confidential yellow pages of Council Business Papers by destruction.

#### **Personal Information**

7.11 When dealing with personal information you must comply with:

- a) the Privacy and Personal Information Protection Act 1998
- b) the Health Records and Information Privacy Act 2002
- c) the Information Protection Principles and Health Privacy Principles
- d) Council's privacy management plan
- e) the Privacy Code of Practice for Local Government.

#### **Use of Council Resources**

7.12 You must use Council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a Contract of Employment) unless this use is lawfully authorised and proper payment is made where appropriate.

7.13 Union delegates and consultative committee members may have reasonable access to council resources for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

7.14 You must be scrupulous in your use of council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.

---

- 7.15 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 7.16 You must not use council resources, property or facilities for the purpose of assisting your election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 7.17 You must not use council letterhead, council crests and other information that could give the appearance it is official council material for:
  - a) the purpose of assisting your election campaign or the election campaign of others
  - b) for other non-official purposes.
- 7.18 You must not convert any property of the council to your own use unless properly authorised.
- 7.19 You must not use council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

#### **Councillor Access to Council Buildings**

- 7.20 Councillors and Administrators are entitled to have access to the Council Chamber, Committee room, Mayor's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours and for meetings. Councillors and Administrators needing access to these facilities at other times must obtain authority from the General Manager.
- 7.21 The use of the Councillors Lounge on Council and Committee nights is restricted to Councillors, Senior Staff and invited guests. Anyone involved with a development application is specifically excluded from entering the Lounge. The use of the Lounge at other times will be at the discretion of and with the approval of the Mayor or General Manager.
- 7.22 Councillors and Administrators must not enter staff only areas of Council buildings without the approval of the General Manager (or delegate) or as provided in the procedures governing the interaction of Councillors and Council staff.
- 7.23 Councillors and Administrators must ensure that when they are within a staff area they avoid giving rise to the appearance that they may improperly influence Council staff decisions.

*This Clause of the Code is supported by Council's Councillors Access to Information and Interaction with Staff Policy.*

---



**PART 8: PUBLIC COMMENT**

- 8.1 As members of the community you have a right to enter into public debate in your private capacity. However, you must take care not to give the impression that your comments are made on behalf of Campbelltown City Council.
- 8.2 Public comments or statements made on Council's behalf to the media can only be made by the Mayor, General Manager, Director and Manager Communications and Marketing. If members of staff are contacted by the media, they must inform Communications and Marketing and their Director immediately. Further information regarding media liaison is contained in Council's Media Policy.

*This Clause of the Code is supported by Council's Media Policy.*

---

**PART 9: MAINTAINING THE INTEGRITY OF THIS CODE**

- 9.1 You must not conduct yourself in a manner that is likely to undermine confidence in the integrity of this code or its administration.

**Complaints made for an improper purpose**

- 9.2 You must not make a complaint or cause a complaint to be made under this code for an improper purpose.

- 9.3 For the purposes of clause 9.2, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:

- a) to intimidate or harass another council official
- b) to damage another council official's reputation
- c) to obtain a political advantage
- d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
- e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- f) to avoid disciplinary action under this code
- g) to take reprisal action against a person for making a complaint under this code except as may be otherwise specifically permitted under this code
- h) to take reprisal action against a person for exercising a function prescribed under the procedures for the administration of this code except as may be otherwise specifically permitted under this code
- i) to prevent or disrupt the effective administration of this code.

**Detrimental action**

- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made under this code except as may be otherwise specifically permitted under this code.

- 9.5 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under this code except as may be otherwise specifically permitted under this code.

- 9.6 For the purposes of clauses 9.4 and 9.5 detrimental action is an action causing, comprising or involving any of the following:

- a) injury, damage or loss
  - b) intimidation or harassment
  - c) discrimination, disadvantage or adverse treatment in relation to employment
-



- d) dismissal from, or prejudice in, employment
- e) disciplinary proceedings.

**Compliance with requirements under this code**

- 9.7 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under this code.
- 9.8 You must comply with a reasonable and lawful request made by a person exercising a function under this code.
- 9.9 You must comply with a practice ruling made by the Office of Local Government.
- 9.10 Where you are a Councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

**Disclosure of information about the consideration of a matter under this code**

- 9.11 You must report breaches of this code in accordance with the reporting requirements under this code.
- 9.12 You must not make allegations of suspected breaches of this code at council meetings or in other public forums.
- 9.13 You must not disclose information about the consideration of a matter under this code except for the purposes of seeking legal advice unless the disclosure is otherwise permitted under this code.

**Complaints alleging a breach of this part**

- 9.14 Complaints alleging a breach of this Part (Part 8) by a Councillor, the general manager or an administrator are to be made to the Office of Local Government.
  - 9.15 Complaints alleging a breach of this Part by other council officials are to be made to the general manager.
-

## **PART 10: DEFINITIONS**

In the Model Code of Conduct the following definitions apply:

the Act	the <i>Local Government Act 1993</i>
act of disorder	see the definition in clause 256 of the Local Government (General) Regulation 2005
administrator	an administrator of a council appointed under the Act other than an administrator appointed under section 66
Chief Executive	Chief Executive of the Office of Local Government, Department of Premier and Cabinet
Committee	a council committee
conflict of interests	a conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty
council committee	a committee established by resolution of council
"council committee member"	a person other than a Councillor or member of staff of a council who is a member of a council committee
council official	includes Councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
Councillor	a person elected or appointed to civic office and includes a Mayor
delegate of council	a person (other than a Councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	see the definition in section 441 of the Act
election campaign	includes council, State and Federal election campaigns
personal information	information or an opinion about a person whose identity is apparent, or can be ascertained from the information or opinion
the Regulation	the Local Government (General) Regulation 2005.

The term "you" used in the Model Code of Conduct refers to council officials.

The phrase "this code" used in the Model Code of Conduct refers also to the procedures for the administration of the Model Code of Conduct prescribed under the Local Government (General) Regulation 2005.

**END OF POLICY STATEMENT**

---

## **2. PROPERTY SERVICES**

### **2.1 Proposed Compulsory Acquisition of Council land by Transport for NSW at Railway Parade, Glenfield**

#### **Reporting Officer**

Manager Property Services

---

#### **Attachments**

1. Plan outlining area of proposed acquisition (contained within this report)
2. Identification map of proposed acquisition area (contained within this report)

#### **Purpose**

To advise Council that Transport for NSW (TfNSW) has issued a 90 day Proposed Acquisition Notice for the compulsory acquisition of a section of Railway Parade, Glenfield.

#### **History**

A report was previously presented to Council in February 2011 regarding the compulsory acquisition of a section of Railway Parade, Glenfield associated with the South West Rail Link/Glenfield South substation.

That section of Railway Parade was subsequently compulsorily acquired by TfNSW at nil compensation on the basis that the compensation was determined by the Valuer Generals office in accordance with the provisions of the *Roads Act 1993*.

#### **Report**

TfNSW has recently completed the South West Rail Link program of works which included a major upgrade of facilities at the Glenfield Transport Interchange (GTI). The upgrade works included a major upgrade to Glenfield Station, construction of a multi-storey commuter car park, construction of additional parking spaces at Seddon Park, upgrade to the bus/rail interchange at Railway Parade, a rail flyover to the north of Glenfield Station and associated rail and road modifications.

As part of the GTI project works and in consultation with Council, Railway Parade at Glenfield was reconfigured. The works, which were completed some time ago, included the widening of the Main Southern Railway corridor onto part of the Railway Parade road reserve.

---

## 2.1 Proposed Compulsory Acquisition Of Council Land By Transport For NSW At Railway Parade, Glenfield

---

TfNSW are now seeking to finalise this matter by way of compulsory acquisition of that part of Railway Parade accommodating the Main Southern Railway corridor. The subject land proposed to be compulsorily acquired has an area of approximately 5,795 square metres and is described as Lot 100 in Deposited Plan 1203043.

The section of Railway Parade proposed to be compulsorily acquired has a length of approximately 1,500m and variable width of between approximately one and two metres situated adjacent to the rail corridor between Fawcett Street and Foreman Street, Glenfield.

The proposed acquisition will occur pursuant to the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, the *Roads Act 1993* and the *Transport Administration Act 1988*. TfNSW are seeking that the compulsory acquisition be for nil compensation.

In adopting the provisions of the *Road Act 1993* and the *Transport Administration Act 1988* TfNSW will be relying on a provision where public road can be compulsorily acquired from Council by the Crown at nil compensation.

In effect this replaces the provision under the *Land Acquisition (Just Terms Compensation) Act 1991* where Council would normally be paid a market value for its land and limits compensation to either the cost that Council paid for the acquisition of the land or the cost of Council constructing a new road if required.

Given the compulsory acquisition is required to finalise the major South West Rail Link program which benefits numerous commuters within the Local Government Area, TfNSW consider that the compulsory acquisition of the section of land being Lot 100 DP 1203043, Railway Parade Glenfield should be for nil compensation.

It should be noted that under the Draft Glenfield to Macarthur Urban Renewal Corridor Strategy (GMURCS) published by NSW Planning and Environment, it is identified that infrastructure would need to be upgraded to support the development of the Glenfield Precinct. Railway Parade is identified as a major road in the GMURCS which also identifies the need to improve direct connections with an improved bus network and cycle ways connecting the corridor.

Acquisition of the section of road would constrain Council from further widening Railway Parade by removing the equivalent of one car lane width from the existing road reserve. This would require Council to acquire land on the eastern side of Railway Parade in the future if it is to widen Railway Parade in order to facilitate the development of the Glenfield Precinct to allow for the appropriate road corridor to facilitate connectivity (bus networks/cycle ways) and improved street scape.

On this basis Council will be seeking that the Valuer Generals office in its determination of compensation considers the market value of the land.

It is recommended that Council submit a claim for compensation seeking market value to be determined by the Valuer Generals Office of the land and payment of Councils administration fee in accordance with Councils adopted fees and charges.

---



### **Officer's Recommendation**

1. That Council note the application for the compulsory acquisition by Transport for NSW of Council land being Lot 100 DP 1203043, Railway Parade Glenfield for nil compensation.
2. That Council submit a claim for compensation seeking market value of the land and payment of Councils administration fee.
3. That any documentation associated with the compulsory acquisition be executed under the Common Seal of Council, if required.

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

1. That Council note the application for the compulsory acquisition by Transport for NSW of Council land being Lot 100 DP 1203043, Railway Parade Glenfield for nil compensation.
2. That Council submit a claim for compensation seeking market value of the land and payment of Council's administration fee.
3. That any documentation associated with the compulsory acquisition be executed under the Common Seal of Council, if required.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Committee's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Committee's Recommendation be adopted.

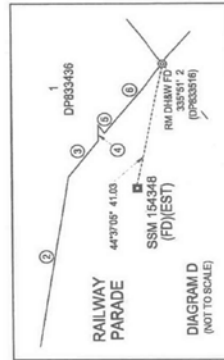
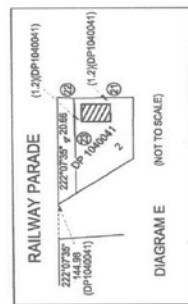
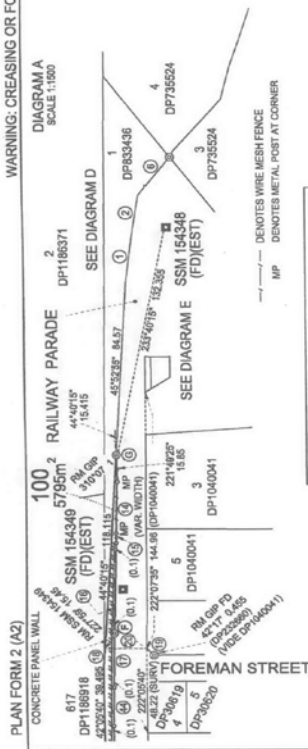
---

2.1 Proposed Compulsory Acquisition Of Council Land By Transport For NSW At Railway Parade, Glenfield

# ATTACHMENT 1

ePlan Sheet 1 of 2 sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



Number	Seating	Distance	Number	Seating	Distance	Number	Seating	Distance	Number	Seating	Distance
1	271°50'00"	1,165	38	317°00'	40.15	60	317°00'	40.15	82	303°14'00"	17,045
2	372°17'00"	8,155	39	317°00'	35.05	61	311°16'10"	0.215	83	130°27'20"	0.22
3	78°27'10"	0.165	40	317°00'	40.15	62	221°16'40"	12.365	84	130°27'20"	17.815
4	222°16'00"	1,145	41	317°00'	40.15	63	311°16'10"	0.215	85	130°27'20"	0.22
5	7°40'00"	1,145	42	317°00'	20.115	64	317°00'	10.81	86	131°21'	0.22
6	209°17'00"	20,865	43	317°00'	20.115	65	132°19'30"	0.23	87	131°21'	0.22
7	47°21'20"	2,885	44	222°16'00"	20.115	66	222°16'00"	12.365	88	222°16'00"	0.22
8	47°21'20"	5,445	45	222°16'00"	20.115	67	222°16'00"	12.365	89	222°16'00"	0.22
9	17°42'10"	30,475	46	222°16'00"	20.115	68	222°16'00"	11.18	90	222°16'00"	9.32
10	17°42'10"	30,475	47	132°19'30"	19.815	69	201°16'22"	0.02	91	220°13'40"	1,005
11	47°21'20"	8,72	48	222°16'00"	21.835	70	132°19'30"	6.09	92	220°13'40"	16.65
12	171°12'15"	5.18	49	222°16'00"	79.815	71	222°16'00"	0.22	93	189°10'10"	0.845
13	312°19'30"	20.115	50	222°16'00"	41.115	72	222°16'00"	6.005	94	217°16'	25.85
14	312°19'30"	9.98	51	222°16'00"	23.37	73	312°19'30"	0.255	95	217°16'	25.85
15	138°18'15"	2.83	52	222°16'00"	19.815	74	312°19'30"	0.255	96	217°16'	25.85
16	138°18'15"	15.115	53	219°19'10"	61.535	75	131°14'20"	0.195	97	217°16'	25.85
17	222°16'00"	15.115	54	219°19'10"	61.535	76	222°16'00"	3.4	98	312°19'30"	20.115
18	222°16'00"	14.715	55	219°19'10"	31.245	77	131°17'50"	4.13	99	312°19'30"	30.4
19	132°19'30"	20.115	56	219°19'10"	10.045	78	220°13'40"	3.57	100	220°13'40"	38.85
20	132°19'30"	4.875	57	201°16'22"	4.59	79	222°16'00"	38.68	101	189°10'10"	3.57
21	317°00'	4.875	58	221°16'40"	7.465	80	222°16'00"	4.655	102	207°44'	6.34
22	317°00'	20.115	59	219°14'00"	35.305	81	222°16'00"	1.835	103	207°44'	6.34
23	222°16'00"	38.11	60	219°14'00"	35.305	82	222°16'00"	1.835	104	207°44'	6.34
24	222°16'00"	7.82	61	222°16'00"	1.835	83	222°16'00"	1.835	105	207°44'	6.34
25	222°16'00"	7.82	62	222°16'00"	1.835	84	222°16'00"	1.835	106	207°44'	6.34
26	222°16'00"	7.82	63	222°16'00"	1.835	85	222°16'00"	1.835	107	207°44'	6.34
27	222°16'00"	7.82	64	222°16'00"	1.835	86	222°16'00"	1.835	108	207°44'	6.34
28	222°16'00"	7.82	65	222°16'00"	1.835	87	222°16'00"	1.835	109	207°44'	6.34
29	222°16'00"	7.82	66	222°16'00"	1.835	88	222°16'00"	1.835	110	207°44'	6.34
30	222°16'00"	7.82	67	222°16'00"	1.835	89	222°16'00"	1.835	111	207°44'	6.34
31	222°16'00"	7.82	68	222°16'00"	1.835	90	222°16'00"	1.835	112	207°44'	6.34
32	222°16'00"	7.82	69	222°16'00"	1.835	91	222°16'00"	1.835	113	207°44'	6.34
33	222°16'00"	7.82	70	222°16'00"	1.835	92	222°16'00"	1.835	114	207°44'	6.34

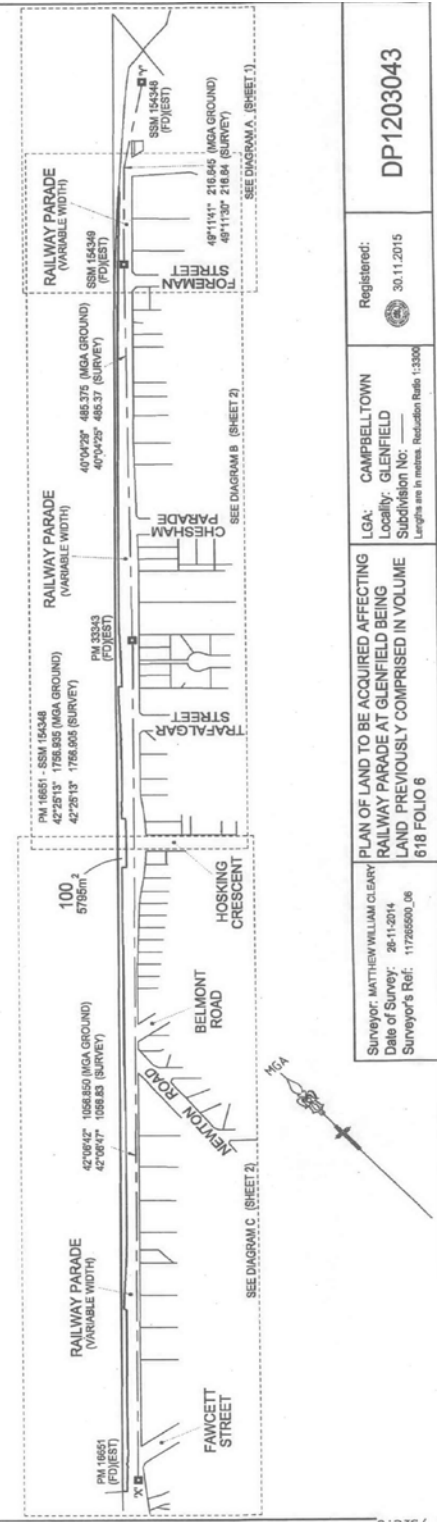
Number	Bearing	Chord	Arc	Radius
102	223°20'	68.33	68.34	1145.81

MARK	MGA CO-ORDINATES		ZONE	CLASS	ORDER
	EASTING	NORTHING			
PM 13353	304 650 264	6 238 313.988	59	B	2
PM 16641	302 680 924	6 238 020.044	59	B	2
SSM 152438	304 037 656	6 239 011.503	59	B	2
SSM 152439	300 873 440	6 239 486.479	59	B	2

SOURCE: S.C.M.S. 26/12/2014  
COMBINED SCALE FACTOR: 1.000060

MARK	M.G.A CO-ORDINATES		ZONE	CLASS	ORDER
	EASTING	NORTHING			
PM 16651	300 820 220	6 239 313.988	56	B	2
PM 33343	303 860 944	6 239 098.044	56	B	2
SSM 145438	309 037.460	6 239 611.093	56	B	2
SSM 145439	305 873.460	6 239 489.578	56	B	2

SCHEMATIC C.I.M. 2/10/14  
 CONVERSION FACTOR: 1.000000



DP1203043

Registered: 30.11.2015

LGA: CAMPBELLTOWN  
Locality: GLENFIELD  
Subdivision No: —

PLAN OF LAND TO BE ACQUIRED AFFECTING  
RAILWAY PARADE AT GLENFIELD BEING  
LAND PREVIOUSLY COMPRISED IN VOLUME

**Surveyor:** MATTHEW WILLIAM CLE  
**Date of Survey:** 26-11-2014

8812 / 1



2.1 Proposed Compulsory Acquisition Of Council Land By Transport For NSW At Railway Parade, Glenfield

## ATTACHMENT 2





### **3. FINANCIAL SERVICES**

#### **3.1 Revised Rateable Valuation Aggregation (Strata Schemes) Policy**

##### **Reporting Officer**

Manager Financial Services

---

##### **Attachments**

Revised Rateable Valuation Aggregation (Strata Schemes) Policy (contained within this report)

##### **Purpose**

To seek Council's endorsement of the revised Rateable Valuation Aggregation (Strata Schemes) Policy.

##### **History**

The abovementioned policy was adopted by Council on 12 February 2008 and was reviewed on 16 October 2012. The policy is now due for review in accordance with the Record Management Policy.

##### **Report**

The abovementioned policy has been reviewed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

The Rateable Valuation Aggregation (Strata Schemes) Policy has been reviewed and found that no changes were required. It is recommended that the policy be adopted and a new review date identified.

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

1. That the revised Rateable Valuation Aggregation (Strata Schemes) Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 March 2018.

##### **Committee's Recommendation: (Borg/Lake)**

That the Officer's Recommendation be adopted.

##### **CARRIED**

---



**Council Meeting 16 February 2016 (Mead/Lake)**


That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1

 <b>campbelltown</b> city council		<b>POLICY</b>
Policy Title	Rateable Valuation Aggregation (Strata Schemes) Policy	
Related Documentation	Nil	
Relevant Legislation	<i>Local Government Act 1993</i> <i>Valuation of Land Act 1916</i> <i>Strata Schemes (Freehold Development) Act 1973</i>	
Responsible Officer	Manager Financial Services	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Objectives

To aggregate valuations on certain parcels for the purposes of rating in order to apply minimum rates fairly and prevent hardship to a rateable person on up to three related assessments.

### Policy Statement

That Council aggregate the valuation used in strata schemes for rating purposes on the following basis;

- One car parking lot and one utility/storage lot be aggregated with the occupiable business or residential lot in the strata scheme
- The aggregation to apply from 30 June subsequent to a written application being received
- The aggregation to cease on 30 June subsequent to change in ownership or transfer of unit entitlement
- Aggregation be permitted only where the rateable parcel of land is owned solely by the applicant.

### Scope

This policy is intended to apply to all ratepayers within the Local Government Area. Its effect is anticipated to have a direct impact on no more than 150 persons or entities at any given time.

### Definitions

Aggregate	To add the predetermined unit entitlement allocated on a strata plan resulting in a new entitlement for rating purposes
Unit entitlement	A number representative to the value of an individual lot in the strata scheme

**Legislative Context**

The following sections are included and influence this policy.

- *Local Government Act 1993* - Section 531B and Section 548A
- *Valuation of Land Act 1916* - Section 7B and Section 14A
- *Strata Schemes (Freehold Development) Act 1973* - Section 90 and Section 93

**Principles**

The Manager Financial Services will be responsible for administering the principles of this policy by ensuring that appropriate steps are taken to maintain a level of confidentiality with data supplied for the purposes of applying aggregation fairly and equitably.

**Responsibility**

The Manager Financial Services may delegate responsibility to the Revenue Accountant to ensure proper procedural documentation is maintained at a level satisfactory to Council, relevant legislation and Financial Audit.

**Effectiveness of this Policy**

Key performance indicators:

- Apply maintenance changes to rateable assessments in a timely manner.
- Ensure effective communication is maintained with affected ratepayers.
- Monitor applications degree of compliance with this policy.

**END OF POLICY STATEMENT**

---

## **3.2 Cost Shifting Survey 2013-2014**

### **Reporting Officer**

Manager Financial Services

---

### **Attachments**

The impact of Cost Shifting on Local Government in NSW (contained within this report)

### **Purpose**

To advise Council of the results of the 2013-2014 cost shifting survey undertaken by Local Government NSW.

### **History**

This survey is a continuation of the cost shifting survey undertaken by the *Independent Inquiry into the Financial Sustainability of the NSW Local Government for 2006* and surveys for the financial years 2005-2006 through to 2011-2012 undertaken by Local Government NSW. There were 72 councils that participated in the survey conducted during May to November 2015.

The Local Government NSW survey conducted biennially, seeks to establish the extent of cost shifting by the Australian and NSW Government's onto NSW Local Government. It measures the amount of cost shifting for a representative sample of the 152 general purpose councils in NSW, calculates a cost shifting ratio for each council and estimates the total amount of cost shifting onto the whole of NSW Local Government.

### **Report**

According to the survey findings, cost shifting by the Australian and NSW Government's onto NSW Local Government in the financial year 2013-2014 is estimated to amount to 6.96% of Local Government's total income before capital amounts or \$670m.

The survey for 2013-2014 continues to include two cost shifting examples introduced in the survey for 2009-2010 which are contained in question 24 (revenue raising restrictions on council managed Crown lands) and question 25 (shortfall in cost recovery for assessing development applications as a result of fee regulation). The above figure is inclusive of these two examples.

This ratio has increased significantly with ratios established for previous financial years. In absolute terms, cost shifting is estimated to have increased from \$380m in 2005-2006 to \$670m in 2013-2014. For metropolitan councils, a ratio of 7.33% resulted for the sample (including examples 24 and 25) compared to 6.82% for 2011-2012. The survey findings found that metropolitan councils are more affected by cost shifting than rural councils. This can be attributed to cost shifting associated with the waste levy (question 21) and the provision of public libraries (question 5).

---



Campbelltown City Council's total amount of cost shifting in 2013-2014 was \$6.94m equating to 5.52% of total income. Major areas of cost shifting include:

- Contribution to NSW Fire Brigade of \$828,927
- Contribution to Rural Fire Service of \$199,246
- Contribution to NSW State Emergency Service \$191,994
- Pensioner rates rebate of \$817,321
- Public Library operations of \$2,190,000
- Administration of the *Companion Animal Act (NSW) 1998* of \$342,000
- Waste Levy of \$904,471
- Processing of Development Applications \$434,577.

The 2013-2014 cost shifting amount has a significant impact on councils' finances. Local Government NSW notes that 'these latest cost-shifting figures come hard on the heels of the IPART announcement of the tiny 1.8% rate cap, and illustrate the ever-increasing financial squeeze on councils in NSW'.

Contributions to the NSW Fire Brigade, NSW Rural Fire Service and NSW State Emergency Service, lack of adequate funding for public libraries and the NSW Government's failure to reimburse for mandatory pensioner rebates for rates are major examples. Councils are also not given sufficient financial resources for their responsibilities to regulate companion animals, manage contaminated land, control noxious weed, manage flood controls, or administer environmental regulation.

It is important to note that the survey excluded any capital expenditure related to the functional areas. Comments were provided by many councils that the inclusion of capital expenditure would significantly increase the amount of cost shifting.

The survey results help quantify the extent of cost shifting onto NSW Local Government and support Local Government's argument for that practice to end.

Local Government NSW now conduct the cost shifting survey biennially, implemented in the 2013-2014 financial year, as opposed to annually as done in past financial years.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Greiss/Mead)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---

## **ATTACHMENT 1**

**The Impact of Cost Shifting on NSW Local  
Government: A Survey of Councils  
- Financial Year 2013/14 -**

**Report by Local Government NSW**

**2015**

---

### KEY FINDINGS

Cost shifting by the NSW Government and the Australian Government on to Local Government in NSW in the financial year 2013/14 is estimated to amount to \$670 million or 6.96% of Local Government's total income before capital amounts – about \$88 million higher than the result for 2011/12 of \$582 million.

Since the first cost shifting survey, cost shifting is estimated to have increased significantly from \$380 million in 2005/06 to \$670 million in 2013/14.

The cost shifting ratio has increased significantly from 6.26% of total income before capital amounts for 2011/12 to 6.96% for 2013/14. The increase is mainly driven by significant increases above total sample trend in cost shifting in the metropolitan and urban regional council groupings associated with the functional areas "waste levy" (question 21) and, to a lesser degree, "community and human services" (question 20).

The majority of cost shifting is attributed to the NSW Government; with only a small portion of cost shifting attributed to the Australian Government.

### INTRODUCTION

The LGNSW cost shifting survey is an annual survey which seeks to establish the extent of cost shifting by the Australian and NSW Governments on to Local Government in NSW. The survey measures the amount of cost shifting for a representative sample of the 152 general purpose councils in NSW, calculates a cost shifting ratio for each council in the sample and for the whole sample and extrapolates, from the sample ratio, an estimate of the amount of cost shifting on to the whole of NSW Local Government.

This report provides the findings of LGNSW's cost shifting survey for the financial year 2013/14. The project was conducted during May to November 2015 and 72 councils were included in the final survey sample. LGNSW would like to thank all councils and the staff involved for their participation.

The survey is based on the work of the *Independent Inquiry into the Financial Sustainability of NSW Local Government* which found that more "hard data" about cost shifting was required and recommended that LGNSW undertake an annual survey of all councils to measure and monitor cost shifting. LGNSW's survey is a continuation of the cost shifting survey for the financial year 2004/05 undertaken by the inquiry in 2006.<sup>1</sup> LGNSW conducted surveys for the subsequent financial years 2005/06, 2006/07, 2007/08, 2008/09, 2009/10, 2010/11 and 2011/12.<sup>2</sup> Since the survey for 2011/12, LGNSW conducts the survey biennially.

The survey results help quantify the extent of cost shifting onto NSW Local Government and support Local Government's argument for that practice to end. It also assists in monitoring compliance with the national *Intergovernmental Agreement Establishing Principles Guiding Intergovernmental Relations on Local Government Matters* (2006).

### WHAT IS COST SHIFTING?

Cost shifting describes a situation where the responsibility for, or merely the cost of, providing a certain service, concession, asset, or regulatory function is "shifted" from one sphere of government on to another sphere of government without the provision of corresponding funding or the conferral of corresponding and adequate revenue raising capacity.<sup>3</sup>

---

<sup>1</sup> Independent Inquiry into the Financial Sustainability of NSW Local Government, *Final Report: Findings and Recommendations*, (2006), page 66-72.

<sup>2</sup> See for survey reports the LGNSW website at [www.lgnsw.org.au/policy/finance/cost-shifting-survey](http://www.lgnsw.org.au/policy/finance/cost-shifting-survey)

<sup>3</sup> This description does not necessarily address the question of which sphere of government should be assigned a particular expenditure function.



The definition adopted for the survey is based on the definition used in the survey undertaken for the *Independent Inquiry into the Financial Sustainability of NSW Local Government in 2006*.<sup>4</sup> The following cost shifting scenarios are covered:

The cost related to:

- the imposition of responsibility for providing a certain service, asset or regulatory functions upon Local Government by other spheres of government (Australian or State Government) without the provision of corresponding funding or compensation or the conferral of corresponding and adequate revenue raising capacity;
- the transfer of responsibility to Local Government for funding certain services or functions (including concessions and rebates) where the responsibility for the funding of which lies with other spheres of government;<sup>5</sup>
- the situation where Local Government agrees to provide a service/function on behalf of another sphere of government but funding is subsequently reduced or stopped, and Local Government is unable to withdraw because of community demand for the service/function;
- the situation where, for whatever reason, another sphere of government ceases or provides insufficient levels of a service/function it is responsible for and Local Government steps in because of community demand for the service/function.

#### **PARTICIPATION**

The survey for 2013/14 was provided online and was accessible to all 152 general purpose councils in NSW during a period of about ten weeks during May, June and July 2015. 81 councils completed the survey.

During August to November 2015, returned surveys were assessed and issues clarified with councils. Nine returned surveys were rejected from the sample. Rejection took place in the following circumstances:

- Returned surveys were incomplete;
- Doubtful data could not be satisfactorily clarified with council; or
- Cost estimates could not be provided in more than 25 per cent of the 26 functional areas.

Of the 72 councils included in the final sample, 23 are classified metropolitan; 28 urban regional and 21 rural.<sup>6</sup>

#### **METHODOLOGY**

The survey establishes the following figures:

##### **Cost shifting amount for each participating council**

The survey establishes the total amount of cost shifting based on the council estimates of the net ongoing cost (excluding capital expenditure) in each of the 26 functional areas identified by the survey. Councils were invited to add further financially significant examples of cost shifting. These additional examples were accepted where they were considered consistent with the survey's

---

<sup>4</sup> Independent Inquiry, op cit, pages 67 to 70; Moegle S, *The Impact of Cost Shifting on Local Government in NSW - A Survey of Councils*, (2006).

<sup>5</sup> Mere price increases (as long as they are appropriate and apply to all service recipients equally) are not considered cost shifting. In the context of payments to state government agencies, cost shifting can only occur where cost related to a service/function are transferred onto Local Government even though responsibility for funding lies with other spheres of government (e.g. pensioner rate rebates). This is not the case where Local Government pays for a service like all other recipients.

<sup>6</sup> The classification is based on the Australian Classification of Local Government. Metropolitan councils include the sub-classifications "capital city" (UCC), "metropolitan developed" (UD...), and "fringe" (UF...) if within the Sydney metropolitan area; urban regional councils include the sub-classifications "regional town/city" and "fringe" if outside the Sydney metropolitan area; rural councils include all rural sub-classifications (R...).

---



approach towards cost shifting. A list of the 26 functional areas can be found as appendix A to this report.

Two additional cost shifting examples continue being included since the survey for 2009/10:

- *Question/example 24 - Revenue limitations on crown reserve land under council management*  
Cost in \$ associated with limitations imposed by the State Government on revenue raising ability on council managed crown reserve land or requirements to transfer revenue from council managed crown reserve land to the State Government.
- *Question/example 25 - Processing of development applications*  
Cost in \$ of processing development applications under the *Environmental Planning and Assessment Act (NSW) 1979* and associated regulations less any revenue related to this function (e.g. development application fees, state government payments/subsidies).

Net ongoing costs generally refer to the total annual cost of providing the service or function (operational and administrative, excluding capital expenditure) less any annual revenue related to the provision of the service or function, (e.g. grants or subsidies from the NSW or Australian Government, fees or contributions collected by councils).

For consistency purposes, councils were asked to exclude corporate overheads and base their estimate of the direct net ongoing costs only.

In the instance that councils were unable to provide an actual estimate they were given the two following options which both received a cost value of "zero":

- "n/a" (not applicable) if the functional area does not apply; or
- "unable" (unable to reliably estimate) if the functional area applies to council but council is unable to reliably estimate the cost.

#### **Cost shifting ratio for each council**

As a second step, the survey establishes the cost shifting ratio for each individual council by dividing the cost shifting amount established for the council by the council's total income from operations before capital amounts.<sup>7</sup>

#### **Cost shifting ratio for sample**

As a third step, the survey establishes the cost shifting ratio for the sample councils by dividing the cost shifting amount established for the sample of councils by the sample's total income from operations before capital amounts.

#### **Cost shifting amount for all councils in NSW**

Finally, the survey extrapolates the total amount of cost shifting on to NSW Local Government in NSW by applying the established cost shifting ratio for the sample to the total income from operations before capital amounts of all NSW councils.

---

<sup>7</sup> Total income from continuing operations less grants and contributions provided for capital purposes, less profit from disposal of assets, and less profit from interests in joint ventures & associates as shown in the income statement of council's financial statements.

---

# **FINDINGS FOR INDIVIDUAL COUNCILS**

Table 1 below shows the survey findings for individual councils and council groups for the financial year 2013/14.

**Table 1: Proportion of cost shifting in relation to total ordinary revenue for the sample of 72 NSW councils, 2013/14**

Council	ACLG Cl.	Total income from operations before capital amounts in \$	Excluding questions 24 and 25		Including questions 24 and 25	
			Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income	Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income
Metropolitan						
Blacktown City Council	UDV	245,638,000	14,538,942	5.92%	14,710,808	5.99%
Botany Bay City Council	UDM	57,374,000	2,778,240	4.84%	3,550,240	6.19%
Burwood Council	UDM	37,650,000	3,556,644	9.45%	3,992,477	10.60%
Camden Council	UFM	64,851,000	4,013,436	6.19%	4,013,436	6.19%
Campbelltown City Council	UFV	125,630,000	6,503,536	5.18%	6,938,113	5.52%
Canada Bay City Council	UDL	73,931,000	4,768,940	6.45%	5,462,970	7.39%
Hornsby Shire Council	UFV	129,232,000	10,251,003	7.93%	11,077,069	8.57%
Hunters Hill Council	UDS	13,288,000	1,201,895	9.04%	1,669,549	12.56%
Hurstville City Council	UDL	66,162,551	6,328,008	9.56%	6,680,354	10.10%
Kogarah City Council	UDM	46,373,000	3,906,109	8.42%	3,906,109	8.42%
Ku-Ring-Gai Council	UDL	102,429,000	8,649,293	8.44%	8,723,630	8.52%
Leichhardt Municipal Council	UDM	78,845,000	5,644,629	7.16%	6,709,031	8.51%
Liverpool City Council	UFV	142,112,000	10,599,095	7.46%	10,778,487	7.58%
Marrickville Council	UDL	92,481,000	6,096,567	6.59%	7,343,913	7.94%
Mosman Council	UDS	41,359,000	3,355,958	8.11%	3,958,063	9.57%
Penrith City Council	UFV	177,686,000	11,896,258	6.70%	13,601,632	7.65%
Randwick City Council	UDV	128,467,000	9,736,784	7.58%	11,096,125	8.64%
Ryde City Council	UDL	96,058,000	12,219,529	12.72%	13,859,803	14.43%
Strathfield Municipal Council	UDM	30,871,000	2,964,264	9.60%	3,323,622	10.77%
Sutherland Shire Council	UDV	194,669,000	15,521,398	7.97%	15,817,598	8.13%
Sydney City Council	UCC	510,882,010	13,948,718	2.73%	18,465,662	3.61%
Warringah Council	UDV	150,351,000	12,526,447	8.33%	14,003,616	9.31%
Willoughby City Council	UDL	111,397,000	7,316,931	6.57%	9,524,580	8.55%
<b>Summary Metropolitan</b>		<b>2,717,736,561</b>	<b>178,322,624</b>	<b>6.56%</b>	<b>199,206,887</b>	<b>7.33%</b>



Council	ACLG Cl.	Total income from operations before capital amounts in \$	Excluding questions 24 and 25		Including questions 24 and 25	
			Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income	Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income
Urban Regional						
Albury City Council	URM	101,888,000	3,185,765	3.13%	3,185,765	3.13%
Ballina Shire Council	URM	69,263,000	2,589,819	3.74%	3,222,719	4.65%
Bathurst Regional Council	URM	73,452,000	2,358,400	3.21%	2,499,323	3.40%
Blue Mountains City Council	UFL	92,791,000	6,575,228	7.09%	8,006,171	8.63%
Broken Hill City Council	URS	29,713,000	1,493,497	5.03%	1,565,497	5.27%
Cessnock City Council	URM	64,836,000	9,066,043	13.98%	10,421,225	16.07%
Clarence Valley Council	URM	107,354,000	6,179,511	5.76%	7,027,918	6.55%
Coffs Harbour City Council	URL	135,882,000	4,694,898	3.46%	5,138,088	3.78%
Dubbo City Council	URM	86,739,000	2,998,761	3.46%	3,497,385	4.03%
Greater Taree City Council	URM	52,287,000	4,821,110	9.22%	4,974,131	9.51%
Hawkesbury City Council	UFM	64,461,000	5,793,527	8.99%	5,801,133	9.00%
Kempsey Shire Council	URS	53,466,000	4,750,151	8.88%	5,382,264	10.07%
Kiama Municipal Council	URS	48,796,000	1,677,954	3.44%	1,783,529	3.66%
Lake Macquarie City Council	URV	191,840,000	17,287,044	9.01%	17,756,696	9.26%
Lismore City Council	URM	90,709,000	5,660,587	6.24%	6,065,931	6.69%
Maitland City Council	URL	72,914,000	10,583,628	14.52%	10,583,628	14.52%
Newcastle City Council	URV	223,591,000	14,926,574	6.68%	14,984,219	6.70%
Orange City Council	URM	80,783,000	3,066,875	3.80%	4,171,992	5.16%
Port Macquarie-Hastings Council	URL	133,186,000	6,871,727	5.16%	6,871,727	5.16%
Queanbeyan City Council	URM	68,418,000	2,073,623	3.03%	2,269,427	3.32%
Shellharbour City Council	URM	69,303,000	8,061,667	11.63%	8,174,270	11.79%
Shoalhaven City Council	URL	187,946,000	13,281,172	7.07%	14,442,457	7.68%
Tamworth Regional Council	URM	121,288,000	2,980,213	2.46%	2,980,213	2.46%
Wagga Wagga City Council	URM	103,135,436	2,984,319	2.89%	3,570,319	3.46%
Wingecarribee Shire Council	URM	81,639,000	3,614,528	4.43%	3,614,528	4.43%
Wollondilly Shire Council	UFM	42,220,000	2,899,511	6.87%	3,360,592	7.96%
Wollongong City Council	URV	224,312,000	24,479,720	10.91%	27,507,015	12.26%

Council	ACLG Cl.	Total income from operations before capital amounts in \$	Excluding questions 24 and 25		Including questions 24 and 25	
			Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income	Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income
Wyong Shire Council	UFV	227,450,000	16,501,202	7.25%	17,554,554	7.72%
<b>Summary Urban Regional</b>		<b>2,899,662,436</b>	<b>191,457,054</b>	<b>6.60%</b>	<b>206,412,716</b>	<b>7.12%</b>
Rural						
Cabonne Shire Council	RAV	32,638,000	1,219,763	3.74%	1,219,763	3.74%
Carrathool Shire Council	RAM	13,641,000	476,096	3.49%	522,244	3.83%
Cobar Shire Council	RTL	23,628,000	844,439	3.57%	1,022,973	4.33%
Coonamble Shire Council	RAM	16,417,000	463,782	2.83%	479,599	2.92%
Cowra Shire Council	RAV	27,628,000	780,483	2.82%	942,221	3.41%
Dungog Shire Council	RAL	11,739,000	662,652	5.64%	947,179	8.07%
Forbes Shire Council	RAL	30,471,000	913,290	3.00%	974,790	3.20%
Gilgandra Shire Council	RAM	24,243,000	639,605	2.64%	639,605	2.64%
Gunnedah Shire Council	RAV	34,477,000	610,348	1.77%	996,799	2.89%
Inverell Shire Council	RAV	32,174,000	2,089,612	6.49%	2,377,925	7.39%
Leeton Shire Council	RAV	21,762,000	745,299	3.42%	745,299	3.42%
Lockhart Shire Council	RAM	9,451,000	317,445	3.36%	317,445	3.36%
Murrumbidgee Shire Council	RAM	5,991,000	162,171	2.71%	162,171	2.71%
Narrabri Shire Council	RAV	43,906,000	1,063,215	2.42%	1,063,215	2.42%
Narromine Shire Council	RAL	15,884,000	671,634	4.23%	671,634	4.23%
Temora Shire Council	RAL	15,196,000	778,818	5.13%	831,515	5.47%
Tumut Shire Council	RAV	28,072,000	1,210,140	4.31%	1,210,140	4.31%
Upper Hunter Shire Council	RAV	34,721,000	1,745,679	5.03%	1,783,464	5.14%
Upper Lachlan Shire Council	RAL	22,339,000	876,390	3.92%	884,390	3.96%
Walgett Shire Council	RAL	28,223,000	807,822	2.86%	807,822	2.86%
Warren Shire Council	RAM	10,937,000	515,061	4.71%	577,828	5.28%
<b>Summary Rural</b>		<b>483,538,000</b>	<b>17,593,744</b>	<b>3.64%</b>	<b>19,178,021</b>	<b>3.97%</b>
<b>Total sample</b>		<b>6,100,936,997</b>	<b>387,373,421</b>	<b>6.35%</b>	<b>424,797,623</b>	<b>6.96%</b>



## GENERAL FINDINGS AND DISCUSSION

### ***Survey ratio - baseline (questions 1 to 23)***

The cost shifting ratio for the complete survey sample is 6.35% of total income before capital amounts. This ratio is significantly higher than ratios established for previous financial years:

- 5.60% for 2011/12;
- 5.70% for 2010/11;
- 5.72% for 2009/10 and 2008/09;
- 5.92% for 2007/08;
- 5.95% for 2006/07; and
- 5.84% for 2005/06.

### ***Survey ratio - baseline plus additional questions 24 and 25***

Including the new examples contained in questions 24 and 25, the ratio increases to 6.96% of total income before capital amounts. This ratio is significantly higher than the equivalent ratios established for previous financial years:

- 6.26% for 2011/12
- 6.34% for 2010/11; and
- 6.35% for 2009/10.

Question 25 alone adds \$36,504,423 to the sample cost shifting amount.

### ***Cost shifting ratios of different council groups***

The findings for each of the three groups of councils (metropolitan, urban regional and rural) are as follows:

With respect to metropolitan councils, the cost shifting ratio for 2013/14 is:

- Survey baseline: 6.56% compared to 5.98% in 2011/12, 6.20% in 2010/11, 6.30% for 2009/10, 6.21% for 2008/09, 6.62% for 2007/08, 6.3% for 2006/07 and 6.1% for 2005/06; and
- Survey baseline plus additional questions 24 and 25: 7.33% compared to 6.82% in 2011/12; 6.96% in 2010/11 and 6.98% for 2009/10.

With respect to urban regional councils, the cost shifting ratio for 2013/14 is:

- Survey baseline: 6.60% compared to 5.63% in 2011/12, 5.49% in 2010/11, 5.47% for 2009/10, 5.44% for 2008/09, 5.63% for 2007/08, 6.0% for 2006/07 and 5.9% for 2005/06; and
- Survey baseline plus additional questions 24 and 25: 7.12% compared to 6.18% in 2011/12, 6.06% in 2010/11 and 6.09% for 2009/10.

With respect to rural councils, the cost shifting ratio for 2013/14 is:

- Survey baseline: 3.64% compared to 3.56% in 2011/12, 3.88% in 2010/11, 4.04% for 2009/10, 4.11% for 2008/09, 4.22% for 2007/08, 4.5% for 2006/07 and 4.5% for 2005/06; and
- Survey baseline plus additional questions 24 and 25: 3.97% compared to 3.95% in 2011/12, 4.23% in 2010/11 and 4.45% for 2009/10.

### ***Total cost shifting amounts***

By applying the established cost shifting ratio of 6.35% to the figure of total income from operations before capital for 2013/14 for all NSW councils (\$9,617,445,003),<sup>6</sup> the amount of cost shifting onto Local Government in NSW (i.e. all 152 general purpose councils) is calculated to amount to \$610,650,884. Including the new examples contained in questions 24 and 25, the amount of cost shifting onto Local Government in NSW (i.e. all 152 general purpose councils) is calculated as being \$669,654,954 (ratio of 6.96%).

### ***Discussion***

---

<sup>6</sup> The NSW Office of Local Government provided data on the total income from continuing operations before grants and contributions provided for capital purposes, gains from asset sales, and gains from interests in joint ventures as shown in the statement of financial performance of all 152 NSW general purpose councils for the financial year 2013/14 on 24 November 2015.



The significant increase in the cost shifting ratio from 5.60% for 2011/12 to 6.35% of total income before capital amounts (survey baseline) or 6.26% for 2011/12 to 6.96% (survey baseline plus additional questions 24 and 25) is mainly driven by significant increases above total sample trend in cost shifting in the metropolitan and urban regional council groupings associated with the waste levy (question 21) and, to a lesser degree, community and human services (question 20). Accordingly, as above findings show, cost shifting ratios have increased in the metropolitan and urban regional groupings and remained relatively stable in the rural grouping.

The group comparison also shows that metropolitan and urban regional councils suffer more from cost shifting than rural councils. This can be explained by a number of factors including the greater exposure of urban regional councils and metropolitan councils to cost shifting associated with the waste levy (question 21), the provision of public libraries (question 5), and, to a lesser degree, pensioner rate rebates (question 3) and the development application process (question 25).

The table in appendix B shows the cost shifting ratio for each council group in the sample for each individual question.

Only a small portion of cost shifting can be attributed to the Australian Government (0.23% of total cost shifting or just over \$ 994,088 for immigration and citizenship ceremonies (question 12); about 0.29% of total cost shifting or just over \$1,221,311 for half of the funding shortfall in the flood mitigation program (question 16) and an unidentified proportion of the funding shortfall in community and human services which represent 3.2% of total cost shifting or just over \$13,542,593 (question 20)).<sup>9</sup> The remainder is attributed to the NSW Government.

#### Comparison with previous surveys

Table 2 outlines the results of the surveys undertaken so far by LGNSW.

**Table 2: Ratio and total amount of cost shifting onto NSW Local Government**

Financial year	Sample size (no. of councils)	Total income from operations before capital amounts for all NSW councils	Ratio and total amount of cost shifting			
			Survey baseline (questions 1 to 23)	Baseline plus 2008 election cost shift	Baseline plus questions 24 and 25	Baseline plus questions 24 and 25 and 2008 election cost shift
2013/14	72	\$9,617,445,003	6.35% \$610,650,884	n/a*	6.96% \$669,654,954	n/a*
2011/12	73	\$9,268,064,244	5.60% \$519,236,368	5.63% \$521,498,905	6.26% \$579,981,213	6.28% \$582,243,750
2010/11	76	\$8,723,492,462	5.70% \$497,038,850	5.72% \$499,301,387	6.34% \$553,033,109	6.37% \$555,295,646
2009/10	84	\$8,209,306,141	5.72% \$469,191,741	5.74% \$471,454,278	6.35% \$521,626,171	6.38% \$523,888,708
2008/09	69	\$7,664,066,547	5.72% \$438,007,674	5.74% \$440,270,211	n/a**	n/a**
2007/08	65	\$7,280,361,566	5.92% \$431,284,746	n/a*	n/a**	n/a**
2006/07	84	\$6,928,487,164	5.95% \$412,244,986	n/a*	n/a**	n/a**
2005/06	84	\$6,502,482,000	5.84% \$379,744,949	n/a*	n/a**	n/a**

\*Cost shifting associated with the 2008 Local Government election is distributed among the relevant financial years 08/09, 09/10, 10/11 and 11/12.

\*\*Questions 24 and 25 were included for the first time in the survey for 09/10.

<sup>9</sup> Calculation based on baseline plus questions 24 and 25 scenario.

As table 2 shows, in absolute terms, cost shifting on to NSW Local Government is estimated to have increased significantly from approximately \$380 million in 2005/06, \$412 million in 2006/07, \$431 million in 2007/08, \$440 million in 2008/09, \$471 million (\$524 million including the new questions 24 and 25) in 2009/10, \$499 million (\$555 million including the new questions 24 and 25) in 2010/11 and \$521 million (\$582 million including the new questions 24 and 25) in 2011/12 to approximately \$611 million (\$670 million including the new questions 24 and 25) in 2013/14.

**Others**

Finally, the cost shifting ratio and amount established by the survey can be regarded as conservative for several reasons:

- Although councils were encouraged to add financially significant examples, councils basically worked within the 26 functional areas identified in the survey.
- The survey asked councils to exclude corporate overheads from the individual cost estimates for each cost shifting area. The addition of corporate overheads could increase costs by around 10% based on the average corporate overheads ratio established by the Independent Inquiry into the Financial Sustainability of NSW Local Government in a separate survey.<sup>10</sup>
- If councils were not able to reliably estimate the cost of individual areas of cost shifting these areas got a zero costing.<sup>11</sup>
- Lastly, and importantly, the survey, for most functional areas questioned, excluded any capital expenditure related to the functional areas and comments were provided by many councils that the inclusion of capital expenditure would significantly increase the amount of cost shifting.

---

<sup>10</sup> DG & AB Maxwell, *Corporate Overheads of Local Government*, (2006), page 14; Local Government Inquiry, *Interim Report: Findings and Options*, table 10.2, page 201.

<sup>11</sup> Unless returned surveys were rejected because cost estimates could not be provided in more than 25 per cent of the 26 functional areas.

---



**APPENDIX A - LIST OF THE 26 FUNCTIONAL AREAS**

1. Contribution to Fire and Rescue NSW.  
Please only include the relevant amount of the emergency service levy invoice from the Ministry for Police and Emergency Services.
2. Contribution to NSW Rural Fire Service.  
Please only include the relevant amount of the emergency service levy invoice from the Ministry for Police and Emergency Services.
- 2a. Contribution to NSW State Emergency Service.  
Please only include the relevant amount of the emergency service levy invoice from the Ministry for Police and Emergency Services.

3. Pensioners rates rebates.  
Net cost in \$ incurred due to mandatory pensioners rebates for rates and charges (total amount of mandatory concession minus state reimbursement). Please do not include in your calculation rebates for water supply and sewerage charges as these charges are subject to a separate fund and cost can be recovered across all users.

NSW is the only state that requires councils to fund approximately half the cost of mandatory pensioner concessions (ss575-584 of the Local Government Act (NSW) 1993).

4. Voluntary conservation agreements  
Net cost in \$ incurred due to rate exemptions as a result of voluntary conservation agreements.

Pursuant to section 555 of the *Local Government Act (NSW) 1993*, land (or the proportion of the landholding) that is subject to a voluntary conservation agreement between the landowner and the relevant NSW Minister (environment portfolio) under section 69 of the *National Parks and Wildlife Act (NSW) 1974* is exempt from all council rates.

5. Public library operations.  
Cost in \$ representing the proportion of operational expenditure that was not funded by the State Government but would have been funded had the original funding arrangement of a State Government subsidy of half the amount expended by council on the operation of libraries been applied (i.e. shortfall between actual State Government subsidies (prescribed amount pursuant to s13(4)(b) Library Act (NSW) 1939 and the regulation) and the subsidy council would have been eligible for pursuant to s13(4)(a) Library Act (NSW) 1939 (the original funding arrangement of a state subsidy of half the amount expended by council on the operation of libraries from rate income).

Do not include capital expenditure. Do not enter the total operational expenditure for libraries. Please explain if your figure is larger than half the expenses from continuing operations for public libraries in special schedule 1 of your financial statements.

6. Shortfall in cost recovery for regulation of on-site sewerage facilities.  
Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Please only include necessary costs that cannot be recovered as a result of regulatory constraints. Do not include capital expenditure.

Councils are required to regulate the installation, approve and monitor the operation and keep a register of all on-site sewage management systems (Local Government Act (NSW) 1993).

7. Shortfall in cost recovery for regulatory functions/services under the Companion Animal Act (NSW) 1998.
-



Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Do not include capital expenditure.

Councils' role was expanded from a pure enforcement role to a regulatory body with functions including preparation of companion animal management plan, operation of lifetime registration system, separation of cats and dogs, maintaining facilities, enforcement, and the collection of fees for the Department of Local Government which returns only a small proportion of those fees to Local Government.

8. Shortfall in cost recovery for regulatory functions/services under the Contaminated Land Management Act (NSW) 1997.

Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Do not include capital expenditure.

Councils are required to respond to contaminated land issues, undertake the administration, registration and mapping of contaminated sites not regulated by the NSW Environment Protection Authority, develop policies, and consider contamination in land-use planning processes.

9. Shortfall in cost recovery for functions under the Protection of the Environment Operations Act (NSW) 1997.

Cost in \$ of regulatory services/functions less any revenue related to them (fees, state government payments/subsidies).

Councils are required to administer the licensing system and enforce protective regulation (issuing of environmental notices, prosecution of environmental offences, undertaking of environmental audits) in relation to all non-scheduled activities not regulated by the NSW Environment Protection Authority.

10. Shortfall in cost recovery for functions as control authority for noxious weed.

Cost in \$ of regulatory services/functions less any revenue related to them (fees, state government payments/subsidies; e.g. grants from the NSW Department of Primary Industries) or cost in \$ of net contributions to other authorities for reasonably necessary regulation of noxious weeds on land other than council land and council managed Crown land. Do not include cost of other environmental weeds control or general bushland care. Do not include capital expenditure.

Councils are required to regulate and control noxious weeds pursuant to the Noxious Weeds Act (NSW) 1993 and s183 of the Local Government Act (NSW) 1993.

11. Functions under the Rural Fires Act (NSW) 1997.

Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Do not include capital expenditure. Please do not include the contributions to the Rural Fire Service and NSW Fire Brigade covered in questions 1 and 2.

Councils are required to administer and remedy complaints about fire hazards on council property, and to map and administer bushfire prone land (e.g. asset protection work, fire trails). Please include net cost of assistance provided to the Rural Fire Service to fight bushfires declared under s44 of the Rural Fires Act (NSW) 1997 on any land within the council area.

12. Immigration services and citizenship ceremonies.

Cost in \$ of providing these services less any revenue related to them (fees, state government payments/subsidies).

13. Shortfall in cost recovery for administering food safety regulation.

Cost in \$ of services/functions less any revenue related to them (fees, state government

---



payments/subsidies). Please only include necessary costs that cannot be recovered as a result of regulatory constraints.

Councils are required to undertake registration and inspection of food and food premises under the Food Act (NSW) 2003.

14. Provision of educational services.

Net cost in \$ of providing educational services due to the State Government's withdrawal from providing educational services that should be state government responsibility (e.g. sporting facilities used by public schools, education programs, classes for disadvantaged children in youth centres, but not child care as such). Do not include capital expenditure.

Please do not include council education programs the state government would not be responsible for (e.g. waste and sustainability education).

Where facilities are used by other governments (e.g. public schools) please estimate the proportion of operation and maintenance cost allocated to the use by the other level of government (not the total cost of operating the facility).

15. Crime prevention/policing.

Net cost in \$ of crime prevention/policing services in public spaces necessary because of insufficient services by other levels of government (e.g. CCTV surveillance, security patrols, crime prevention programs).

Please note that this only applies to crime prevention or policing activities that should have been undertaken by the state government (e.g. police). It should not include council activities to protect community from other risks (e.g. surfer and swimmer injuries (beach patrols), safety at council events, or security of council facilities). Do not include capital expenditure.

16. Flood Mitigation program.

Cost in \$ representing the proportion of expenditure that was not funded by other levels of government but would have been funded had the original funding arrangement been applied (originally the Australian Government and State Government provided 80% of the required funds; whereas now the Australian Government provides one third and the State Government is required to provide another one third, and the rest has to be made up by council). Please estimate shortfall in actual funding from other levels of government in comparison with what council would have obtained under the original funding arrangement.

Please only include activities that are eligible for or receive funding from other levels of government under the flood mitigation program. Please include in your calculation funding for infrastructure projects.

17. Transfer of responsibilities for roads under RMS road reclassification reviews.

Net cost (only operational) in \$ associated with all roads inherited due to reclassification of regionally important roads as local roads or state-important roads as regional or even local roads (since the significant reclassifications in the early 1990s). This is supposed to measure the ongoing maintenance cost associated with all roads so transferred since the 1990s – not about the cost associated with transfers in any one year. Please deduct any compensation associated with a reclassification.

18. Medical services.

Net cost in \$ of providing medical services necessary because of insufficient services by other levels of government (e.g. retaining general practitioners, nurses and dentists; aboriginal and other medical services required by the community). Do not include capital expenditure.

---



19. Road safety.

Net cost in \$ of road safety officer/road safety program necessary due to the NSW Government's (RMS) withdrawal of funding or cost of net contribution to other authorities that provide such officer/program. Do not include capital expenditure.

20. Community and human services.

Net cost in \$ of all programs necessary to the community where other levels of government have initiated the program and initially provided adequate funds but now provide inadequate funds or have withdrawn completely; e.g. State Government contribution do not increase in line with these actual costs (e.g. employment cost); i.e. the shortfall between adequate and actual funding for such programs that were initiated by other levels of government.. Do not include capital expenditure.

Community and human services include children service program, aged and disabled care programs, community development/liaison programs, youth development programs, aboriginal community programs, cultural development programs etc.

21. Waste levy.

Cost in \$ of paying levy to the State Government dependant on the amount of waste produced by council less any amounts recovered through meeting waste performance criteria (section 88 of the Protection of the Environment Operations Act (NSW) 1997 and Protection of the Environment Operations (Waste) Regulations (NSW) 2005).

The waste levy applies to the Sydney metropolitan area; the Illawarra, Hunter and Central Coast area (extended regulated area); and the area including the Blue Mountains, Wollondilly and local government areas along the coast north of Port Stephens to the Queensland border (regional regulated area).

Please provide estimate of net costs with respect to the 2013/14-scheme with a levy of \$107.80 per tonne (Sydney metro), \$107.80 (extended regulated area), and \$53.70 (regional regulated area).

22. Sewerage treatment system license fee.

Cost in \$ of license fee, load based and administrative, to be paid to State Government in relation to sewer effluent discharge.

Councils are required to pay this fee as polluter under the Protection of the Environment Operations Act (NSW) 1997.

23. Waste management site license fee.

Cost in \$ of license fee (administrative fee, no load based fee) to be paid to State Government.

Councils are required to pay this fee council as polluter under the Protection of the Environment Operations Act (NSW) 1997.

24. Taking away of revenue from crown reserve land under council management

Cost in \$ associated with the NSW Government taking over allowable revenue raising activities on council managed crown reserve land or with requirements to transfer revenue from council managed crown reserve land to the NSW Government Please note that this does not represent the total net cost of managing (maintaining) crown lands.

Please do not include in your calculations transfers associated with the caravan park levy.

Under the Crown Land Act (NSW) 1989, councils have full responsibility to maintain crown reserves under council management and are expected to subsidise shortfalls in maintenance cost from general revenue. This is considered appropriate as the benefits

---

from crown reserves under council management generally accrue to the local community. However, as a result, councils should also be entitled to any current or potential revenue from crown reserves that is required to cover maintenance and improvement cost (e.g. revenue from refreshment facilities, telecommunication facilities). Any action by the State Government to limit revenue raising capacity or require the transfer revenue to the State Government are considered cost shifting.

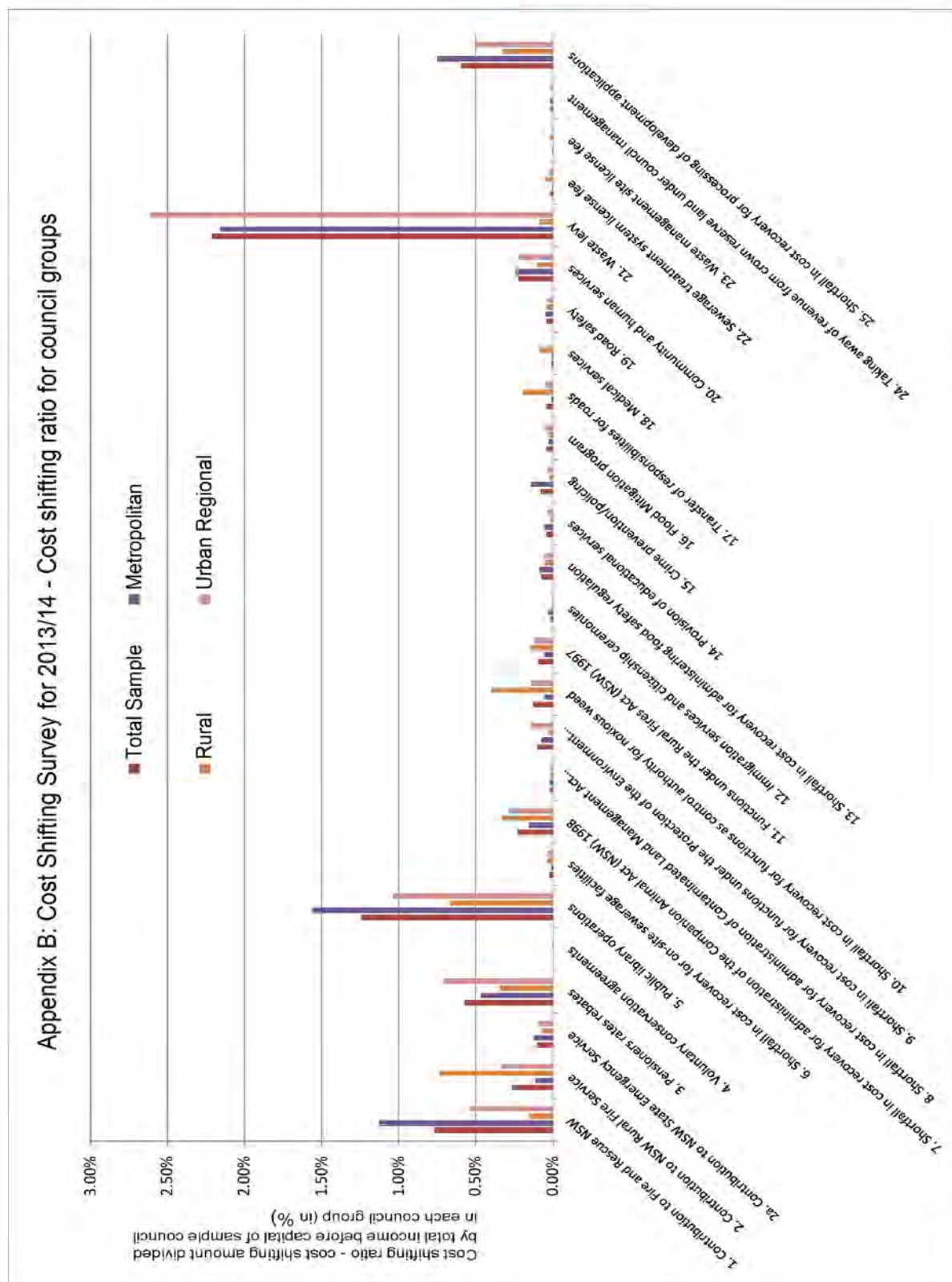
Please do not include in your calculation any surplus revenue over and above the total amount of maintenance and improvement cost for all of your crown reserve land.

25. Shortfall in cost recovery for processing of development applications

Cost in \$ of processing development applications under the Environmental Planning and Assessment Act (NSW) 1979 and associated regulations less any revenue related to this function (e.g. development application fees, state government payments/subsidies).

Please estimate the amount of costs of processing development applications that cannot be recovered through development application fees or any other related income. Please include costs associated with services by other agencies (e.g. initial fire safety reports from the NSW Fire Brigades, s144 of the Environmental Planning and Assessment Regulation (NSW) 2000).





### **3.3 Quarterly Budget Review Statement as at 31 December 2015**

#### **Reporting Officer**

Manager Financial Services

---

#### **Attachments**

Quarterly Budget Review Statement for the period 1 October 2015 to 31 December 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 December 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 October to December quarter, Council considered a number of reports that either required an adjustment to budget estimates or requested that consideration be given to funding programs. The recommendations from these reports have been included in this review.

---

The following items are detailed with corresponding adjustments recommended following the completion of the quarterly financial review:

**Executive Services - \$46,500 increase in expenditure**

Council is a member of a number of advisory and industry organisations and groups. In this financial year additional contributions and membership fees have been incurred. These have been a contribution to the NGAA Fund our Future campaign and a membership to the NSW Business Chamber for Western Sydney First. Funding for this adjustment has been provided for by savings in other areas.

**Planning Directorate - \$40,000 increase in expenditure**

During the current financial year the Planning and Environment Division has been operating with a number of staff acting in higher grade positions due to vacancies and the finalisation of the organisational restructure, as well as the establishment of the Director of Strategy position which was not included in the original budget. This adjustment is required to fund the salary costs anticipated this financial year and can be funded from additional planning income received.

**Animal Management - \$110,000 increase in expenditure**

During the process of upgrading the operation of the Animal Care Facility (ACF), in accordance with Council's resolution of 21 April 2015, four additional temporary positions have been allocated to facilitate interim service level improvements whilst Council revisits the feasibility of contracting out the operation of the ACF.

**On-Street Parking - \$55,000 increase in income**

Income from the parking surveillance program has been supplemented due to the engagement of an additional two parking rangers in 2015. These additional funds have been utilised to offset various adjustments throughout the budget.

**Building Certification/Development Assessment Unit - \$213,000 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 various adjustments throughout the budget.

**Flying Fox Camp Plan of Management - \$45,000 increase in expenditure**

Council at its meeting of 14 July 2015 resolved to make representations to governments to secure funding to prepare a Flying Fox Camp Management Plan for the Campbelltown Local Government Area. Council was unsuccessful in securing funding and as per the resolution, funds have been allocated in this financial review to enable Council to proceed with the Plan. This increase in expenditure has been offset by additional planning income received.

---

### **Strategic Planning - \$67,000 increase in income**

There have been a number of planning proposals lodged with Council which have required rezoning application fees. The high volume of proposals was not factored into the original budget calculations resulting in this additional income.

### **Christmas Decorations - \$26,600 increase in expenditure**

Council at its meeting of 15 December 2015 resolved to utilise the income that is received as a dividend from the Southern Phone Company to purchase additional Christmas decorations. This adjustment provides for the required purchases.

### **Customer Service - \$106,700 increase in expenditure**

As part of the ongoing service review of Customer Service, the General Manager has approved the appointment of two temporary staff for up to six months in the Customer Service Section. In addition to this, a position has been transferred from the Education and Care Section to Customer Service. This adjustment reflects the transfer of costs from Education and Care and also additional funding to employ the new staff.

### **City Services Directorate - \$140,000 increase in expenditure**

During the current financial year, the City Services Division has been operating with a number of staff acting in higher grade positions due to vacancies, along with the previous director being on long term leave and subsequent termination payment, as well as the employment of additional staff for special projects which were not included in the original budget. This adjustment is required to fund the salary costs anticipated this financial year and has been funded from salary savings in Assets, Supply and Building Services.

### **General Operations - Tree Care - \$250,000 increase in expenditure**

The demand for tree maintenance and removal continues to grow. This adjustment is required to fund continuing operations. The additional expense can be funded from increased income received from road and footpath restoration works, mainly as a result of increased activity due the installation of the NBN in the Campbelltown area.

### **Campbelltown Golf Course - \$35,000 increase in expenditure**

As per a previous report submitted to Council, funding has been provided to enable the landscaping works requested at the Campbelltown Golf Course. The expenditure can be offset by additional income received from ground leases for the telecommunications towers.

### **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/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1

Campbelltown City Council


**Quarterly Budget Review Statement**  
for the period 01/10/15 to 31/12/15

### 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 31/12/15 indicates that Council's projected financial position at 30/6/16 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



date: 27.1.16

Corinne Mears  
Responsible Accounting Officer

---

**Quarterly Budget Review Statement**  
for the period 01/10/15 to 31/12/15

Campbelltown City Council

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 31 December 2015

**Income & Expenses - Council Consolidated**

(\$'000's)	Original Budget 2015/16	Approved Changes				Revised Budget 2015/16	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	QBRs	Dec QBRs					
<b>Income</b>										
Rates and Annual Charges	94,933	-	-	200	-	95,133	-		95,133	95,386
User Charges and Fees	11,102	-	1	41	-	11,144	455	1	11,599	7,282
Interest and Investment Revenues	3,693	-	-	-	-	3,693	-		3,693	973
Other Revenues	4,926	-	(30)	962	-	5,858	41	2	5,899	5,493
Grants & Contributions - Operating	26,358	-	1,460	(101)	-	27,717	242	3	27,960	19,594
Grants & Contributions - Capital	2,453	15,391	(477)	-	-	17,367	-		17,367	3,628
<b>Total Income from Continuing Operations</b>	<b>143,465</b>	<b>15,391</b>	<b>955</b>	<b>1,102</b>	<b>-</b>	<b>160,913</b>	<b>738</b>		<b>161,651</b>	<b>132,356</b>
<b>Expenses</b>										
Employee Costs	62,373	313	232	28	-	62,946	62	4	63,008	33,517
Borrowing Costs	1,458	-	-	-	-	1,458	-		1,458	569
Materials & Contracts	23,927	2,862	(1,142)	14	-	25,662	363	5	26,025	10,554
Depreciation	25,918	-	-	-	-	25,918	-		25,918	3,726
Legal Costs	1,151	-	-	13	-	1,164	10	6	1,174	394
Consultants	951	1,143	403	65	-	2,562	87	7	2,649	734
Other Expenses	31,956	435	191	130	-	32,712	203	8	32,915	17,317
<b>Total Expenses from Continuing Operations</b>	<b>147,734</b>	<b>4,753</b>	<b>(315)</b>	<b>250</b>	<b>-</b>	<b>152,422</b>	<b>725</b>		<b>153,147</b>	<b>66,811</b>
<b>Net Operating Result from Continuing Operation</b>	<b>(4,269)</b>	<b>10,638</b>	<b>1,270</b>	<b>852</b>	<b>-</b>	<b>8,491</b>	<b>14</b>		<b>8,504</b>	<b>65,545</b>
Discontinued Operations - Surplus/(Deficit)	-	-	-	-	-	-	-		-	-
<b>Net Operating Result from All Operations</b>	<b>(4,269)</b>	<b>10,638</b>	<b>1,270</b>	<b>852</b>	<b>-</b>	<b>8,491</b>	<b>14</b>		<b>8,504</b>	<b>65,545</b>
<b>Net Operating Result before Capital Items</b>	<b>(6,722)</b>	<b>(4,753)</b>	<b>1,747</b>	<b>852</b>	<b>-</b>	<b>(8,876)</b>	<b>14</b>		<b>(8,863)</b>	<b>61,918</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/15 and should be read in conjunction with the total QBRs report

Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/15 to 31/12/15

**Income & Expenses Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes	Details
1	Increase in income from learn to swim program, footpath and road reinstatements and ground lease rentals.
2	Increase in income from additional parking fine income due to increased surveillance activity.
3	Increase in income received from development application fees, engineering inspection fees and rezoning application fees.
4	Variations in employee costs due to staff vacancies, HGP and acting roles, which in some case have been transferred to fund contracted staff or consultants, and funding for additional temporary staff.
5	Additional contractor costs allocated to fund tree program and to fund increase in the volume of road and footpath restorations due to the NBN rollout in the Campbelltown area.
6	Additional funds allocated to legal advice for Human Resources.
7	Additional consulting services required to finalise the consolidated LEP and to prepare a flying fox plan of management.
8	The movements in Other Expenses are mainly attributable to additional corporate memberships, increases in advertising requirements, utilisation of hired personnel and increased catering costs.



Campbelltown City Council

Capital Budget Review Statement

Budget review for the quarter ended 31 December 2015

Capital Budget - Council Consolidated

	Original Budget 2015/16	Approved Changes				Revised Budget 2015/16	Variations for this Dec Qtr	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs				
<b>(\$'000's)</b>									
<b>Capital Expenditure</b>									
New Assets									
- Plant & Equipment	332	1,468	-	-	-	1,800	-	1,800	323
- Land & Buildings	-	-	-	-	-	-	-	-	-
- Other	-	-	-	-	-	-	-	-	-
Renewal Assets (Replacement)									
- Plant & Equipment	3,977	24	-	-	-	4,001	146	4,147	1,559
- Office Equipment/Furniture & Fittings	142	156	309	8	-	615	(5)	610	103
- Land & Buildings	4,630	6,116	464	70	-	11,280	(115)	11,165	5,402
- Roads, Bridges, Footpaths	13,345	17,241	544	(51)	-	31,079	(11)	31,068	9,299
- Stormwater/Drainage	100	242	122	-	-	464	-	464	132
- Other Assets	300	-	-	-	-	300	-	300	103
Loan Repayments (Principal)	4,092	-	-	-	-	4,092	-	4,092	2,218
<b>Total Capital Expenditure</b>	<b>26,918</b>	<b>25,247</b>	<b>1,439</b>	<b>27</b>	<b>-</b>	<b>53,631</b>	<b>15</b>	<b>53,646</b>	<b>19,140</b>
<b>Capital Funding</b>									
Rates & Other Untied Funding	19,727	-	1,876	27	-	21,630	15	21,645	12,423
Capital Grants & Contributions	2,453	15,391	(477)	-	-	17,367	-	17,367	3,628
Reserves:									
- External Restrictions/Reserves	-	2,266	39	-	-	2,305	-	2,305	(7)
- Internal Restrictions/Reserves	2,656	7,590	1	-	-	10,247	-	10,247	2,063
New Loans	-	-	-	-	-	-	-	-	-
Receipts from Sale of Assets									
- Plant & Equipment	2,076	-	-	-	-	2,076	-	2,076	732
- Office Equipment/Furniture & Fittings	-	-	-	-	-	-	-	-	-
- Land & Buildings	-	-	-	-	-	-	-	-	301
- Other Assets	6	-	-	-	-	6	-	6	2
<b>Total Capital Funding</b>	<b>26,918</b>	<b>25,247</b>	<b>1,439</b>	<b>27</b>	<b>-</b>	<b>53,631</b>	<b>15</b>	<b>53,646</b>	<b>19,140</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/15 and should be read in conjunction with the total QBRs report

---

Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/15 to 31/12/15

**Capital Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes	Details
1	Purchase of replacement van for the Animal Care facility, additional swimming pool equipment and the purchase of a waste display trailer.
2	Purchase of minor equipment and the transfer of funds to the plant and equipment category.
3	Funds transferred from capital budget to fund operational expenditure at the Animal Care Facility and Educational Cycleway.
4	Funds transferred from capital budget to fund operational expenditure on the footpath reconstruction program.
5	Increase in untied funds utilised to fund capital works.

---

**Quarterly Budget Review Statement**  
for the period 01/10/15 to 31/12/15

Campbelltown City Council  
**Cash & Investments Budget Review Statement**

Budget review for the quarter ended 31 December 2015

**Cash & Investments - Council Consolidated**

(\$000's)

**Externally Restricted <sup>(1)</sup>**

Special Rates  
Stormwater Managemnt  
Specific Purpose Grants  
Specific Purpose Contributions  
Developer Contributions - S94  
Developer Contributions - Other  
Domestic Waste Management  
Self Insurance Workers Compensation Claims  
**Total Externally Restricted**

(1) Funds that must be spent for a specific purpose

**Internally Restricted <sup>(2)</sup>**

Property Development  
Committed Works  
Childcare  
Self Insurance Workers Compensation Claims  
Replacement of Plant and Vehicles  
Committed Works funded by Loans  
Employee Leave Entitlements  
Environmental Sustainability  
Asset Replacement  
Infrastructure Replacement Fund  
Olympic Ambassador  
Insurance Claims - Excess  
Local Government Elections  
Other  
**Total Internally Restricted**

(2) Funds that Council has earmarked for a specific purpose

**Unrestricted** (ie. available after the above Restrictions)

**Total Cash & Investments**

	Opening Balance 2015/16	Movement in Reserves		Current Balance 2015/16	Projected Movement Dec Qtr	Notes Projected Year End Balance	Actual YTD figures
		Income/ Expenses	Transfers to/from				
			Works in Kind				
	-	-	-	-	-	-	-
	322	-	(165)	156	-	156	156
	3,443	-	(439)	3,004	(1,500)	1,504	3,004
	3,921	-	(9)	3,912	-	3,912	3,912
	9,609	1,452	(278)	10,783	-	10,783	10,783
	1,047	146	-	1,193	-	1,193	1,193
	3,347	-	-	3,347	-	3,347	3,347
	4,210	-	-	4,210	-	4,210	4,210
	<b>25,899</b>	<b>1,598</b>	<b>(892)</b>	<b>26,605</b>	<b>(1,500)</b>	<b>25,105</b>	<b>26,605</b>
	12,818	-	(5)	12,814	500	13,314	12,814
	5,087	-	(1,334)	3,753	(2,500)	1,253	3,753
	-	-	-	-	-	-	-
	1,330	-	-	1,330	-	1,330	1,330
	2,747	-	(395)	2,353	(200)	2,153	2,353
	2,985	-	(569)	2,416	(500)	1,916	2,416
	10,577	-	-	10,577	(600)	9,977	10,577
	426	-	53	478	-	478	478
	4,844	-	374	5,218	(500)	4,718	5,218
	20,017	-	-	20,017	-	20,017	20,017
	100	-	5	105	-	105	105
	4,706	-	725	5,431	-	5,431	5,431
	439	-	200	639	-	639	639
	127	0	-	127	-	127	127
	<b>66,205</b>	<b>0</b>	<b>(946)</b>	<b>65,259</b>	<b>(3,800)</b>	<b>61,459</b>	<b>65,259</b>
	13,439	(1,598)	1,837	13,679	-	23,767	23,767
	<b>105,543</b>			<b>115,631</b>	<b>(5,300)</b>	<b>110,331</b>	<b>115,631</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/15 and should be read in conjunction with the total QBRs report



Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/15 to 31/12/15

**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 \$115,631,382

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
The date of completion of this bank reconciliation is 31/12/15

**Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

**\$ 000's**

Cash at Bank (as per bank statements)		5,531,040
Investments on Hand		112,818,561
less: Unpresented Cheques	(Timing Difference)	(36,943)
add: Undeposited Funds	(Timing Difference)	266,344
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	(2,951,271)
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	3,651
less: Unidentified Deposits (not yet actioned)	(Require Investigation)	-
add: Unidentified Outflows (not yet actioned)	(Require Investigation)	-
<b>Reconciled Cash at Bank &amp; Investments</b>		<b>115,631,382</b>
<b>Balance as per Review Statement:</b>		<b>115,631,382</b>
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 01/10/15 to 31/12/15

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 31 December 2015

(\$000's)	Current Projection		Original Budget	Actuals	
	Amounts	Indicator	15/16	14/15	13/14

NSW Local Government Industry Key Performance Indicators (OLG):

<b>1. Operating Performance</b>					
Operating Revenue (excl. Capital) - Operating Expenses	-8,876		-4.7	4.9	-2.9
Operating Revenue (excl. Capital Grants & Contributions)	143,546				

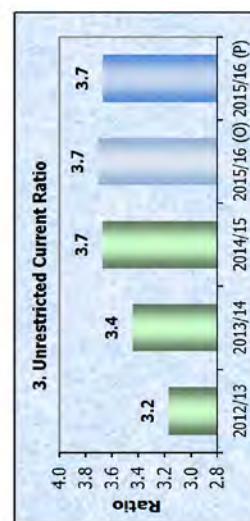
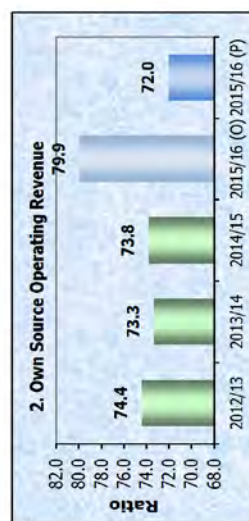
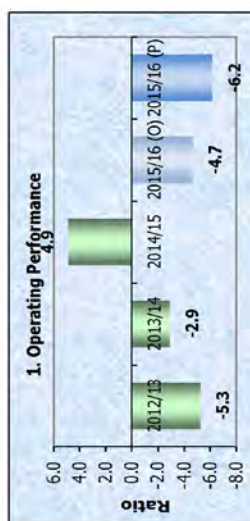
This ratio measures Council's achievement of containing operating expenditure within operating revenue. Benchmark is greater than 0%

<b>2. Own Source Operating Revenue</b>					
Operating Revenue (excl. ALL Grants & Contributions)	115,828		79.9	73.8	73.3
Total Operating Revenue (incl. Capital Grants & Cont)	160,913				

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%

<b>3. Unrestricted Current Ratio</b>					
Current Assets less all External Restrictions	88,112		3.7	3.7	3.4
Current Liabilities less Specific Purpose Liabilities	24,025				

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



Campbelltown City Council

Quarterly Budget Review Statement  
for the period 01/10/15 to 31/12/15

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 31 December 2015

(\$000's)	Current Projection		Original Budget 15/16	Actuals Prior Periods	
	Amounts 15/16	Indicator 15/16		14/15	13/14

NSW Local Government Industry Key Performance Indicators (OLG):

<b>4. Debt Service Cover Ratio</b>					
Operating Result before Interest & Dep. exp (EBITDA)	18,850		3.4	3.7	
Principal Repayments + Borrowing Interest Costs	5,550				
				5.5	3.8

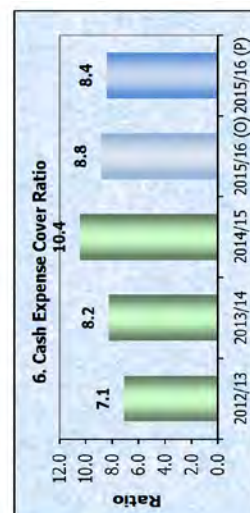
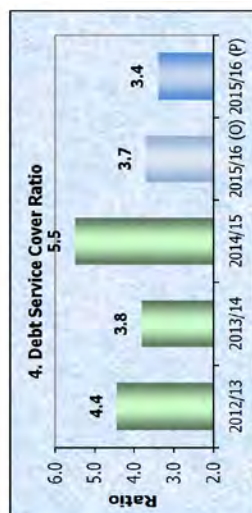
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.  
Benchmark is greater than 2

<b>5. Rates, Annual Charges, Interest &amp; Extra Charges Outstanding</b>					
Rates, Annual & Extra Charges Outstanding	3,988		4.2	4.1	4.3
Rates, Annual & Extra Charges Collectible	95,813				
				4.1	4.2

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

<b>6. Cash Expense Cover Ratio</b>					
Current Year's Cash & Cash Equivalents (incl. Term Deposits)	115,631		8.4	8.8	8.2
Operating & financing activities Cash Flow payments	137,500			10.4	

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





Campbelltown City Council		Quarterly Budget Review Statement for the period 01/10/15 to 31/12/15			
Contracts Budget Review Statement		Notes			
Budget review for the quarter ended 31 December 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)
<b>EXPENDITURE \$50,000 - \$150,000</b>					
Toolijooa Pty Ltd	Q15/14 Aquatic Weed Mapping	Public Quotation	12/10/15	2 years with 1 x 12 month option for extension	Y
Samson Hygiene Services Pty Ltd	Q15/20 Servicing of Sanitary and Nappy Units	Public Quotation	06/11/15	1 year with 2 x 12 month options for extension	Y 2
Strategic Leisure Pty Ltd	Q15/22 Development of a Sport and Recreational Strategy	Public Quotation	28/10/15	Until completion	Y
Perma-Liner Industries Australia Pty Ltd	Q15/25 Storm Water Joint Sealing Maintenance Program	Public Quotation	20/11/15	Until completion	Y 2
<b>EXPENDITURE \$150,000 - \$300,000</b>					
Mobile Stage Truck Pty Ltd	T15/25 Audio, Visual and Staging Requirements	Public Tender	18/11/15	1 year with 2 x 12 month options for extension	Y
Creative Recreation Solutions	Q15/24 Design and Install Playspaces	LGP	27/10/15	Until completion	Y 3
Moduplay Group Pty Ltd	Q15/27 Kerb and Gutter Reconstruction Program	Public Quotation	14/12/15	Until completion	Y
Forpark Australia Pty Ltd					
Shore Contracting Pty Ltd					
<b>EXPENDITURE &gt; \$300,000</b>					
Ascending Tree Services Pty Ltd	T15/26 Tree Pruning and Arboricultural Services	Public Tender	03/12/15	2 years with 2 x 12 month options for extension	Y 1
BJ's Tipper Hire Pty Ltd					
Treeserve Pty Ltd					
Picton Power Lines Pty Ltd	T15/18 Street Lighting on Eagle Vale Drive	Public Tender	17/12/15	Until completion	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 01/10/15 to 31/12/15

**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.
3	Contract price is per service, distributed amongst the panel.

Campbelltown City Council

**Quarterly Budget Review Statement**  
for the period 01/10/15 to 31/12/15

**Consultancy & Legal Expenses Budget Review Statement**

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	734,389	Y
Legal Fees	393,732	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



### 3.4 Investment Report - November and December 2015

#### Reporting Officer

Manager Financial Services

---

#### Attachments

1. Investment portfolio performance for the month of November 2015 (contained within this report)
2. Investment portfolio performance for the month of December 2015 (contained within this report)

#### Purpose

To provide a report outlining Council's investment portfolio performance for November and December 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 31 December 2015 stood at approximately \$113m. 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	November	December
Council Managed Funds	3.22%	3.09%
Benchmark: AusBond Bank Bill Index	2.09%	2.15%

---

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.

<b>Rolling year to date return</b>	<b>November</b>	<b>December</b>
Council Managed Funds	3.39%	3.34%
Benchmark: AusBond Bank Bill Index	2.36%	2.28%

Council's portfolio as at 31 December 2015 is diversified with 73% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 22% in floating rate 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.

<b>Maturity profile</b>	<b>31 December</b>
Short term at call	\$1,019,470
0 – 3 months	\$60,878,160
3 – 6 months	\$18,712,671
6 – 12 months	\$27,208,260
12 months +	\$5,000,000

All investments are placed with approved deposit taking institutions. No funds are placed with any unrated institutions.

<b>Credit exposure</b>	<b>31 December</b>
AAA to AA-	60%
A+ to A-	34%
BBB+ to BBB-	6%
Other approved deposit taking institutions	0%

### **Economic outlook**

The Board of the Reserve Bank of Australia (RBA) left the cash rate unchanged at the present level of 2% at its 1 December 2015 meeting, which was as anticipated by most market economists.

The statement of monetary policy accompanying the decision indicated that available information suggested moderate expansion in the economy, with business sentiment surveys being favourable of gradual improvement in conditions. Inflation has remained low and is forecast to remain consistent with the target for the next one to two years.

Whilst the Board members observed that the inflationary outlook may provide scope for further easing of interest rates in the future, it was judged that at present no change to monetary policy was appropriate at this point in time and that any improvement in economic conditions would be assessed in future decisions.

### **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: (Kolkman/Mead)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

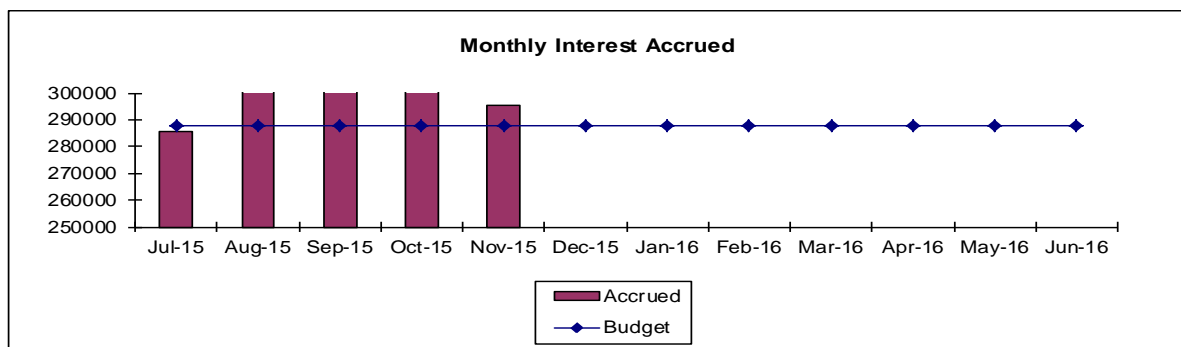
---

## ATTACHMENT 1

### CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary November 2015

Benchmark AusBond Bank Bill Index  
Portfolio Balance \$116,498,208.55

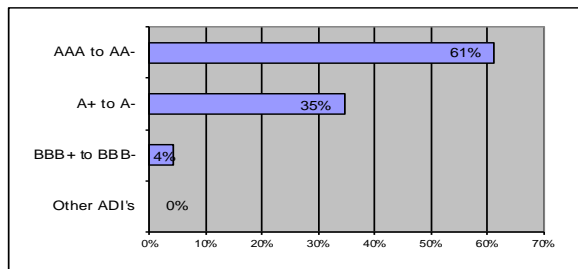
Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.17%	2.09%
Total Portfolio	0.26%	3.22%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.13%
Portfolio - Direct Investments	0.26%	3.22%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.14%
Short Term Call Account	0.20%	2.40%



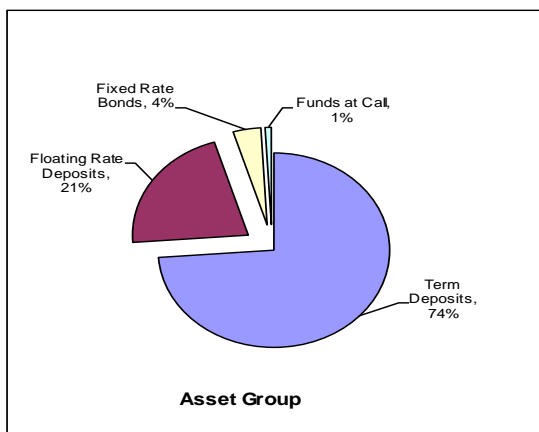
### Year to Date Performance Credit Exposure (S&P Long Term Rating)

Rolling 12 Month Period  
3.39% Council Managed Funds  
2.36% Benchmark

Interest Budget to Actual \$1,439,042  
Average Budget to Period \$1,502,029  
Actual Accrued to Period



### Portfolio Diversity



			%
NAB Funds at Call	\$ 1,017,395.83	AA-	1%
NSW Treasury	\$ 2,225,000.00	AA+	2%
National Australia Bank	\$ 38,991,747.22	AA-	33%
ANZ Bank	\$ 3,500,000.00	AA-	3%
Westpac Bank	\$ 4,000,000.00	AA-	3%
Commonwealth Bank	\$ 5,000,000.00	AA-	4%
Bank Western Australia	\$ 16,490,914.73	AA-	14%
AMP Bank	\$ 5,077,863.01	A+	4%
Suncorp Metway	\$ 17,116,411.04	A+	15%
Macquarie Bank	\$ 3,000,000.00	A	3%
Rural Bank	\$ 6,000,000.00	A-	5%
Bank of Queensland	\$ 9,046,010.96	A-	8%
Peoples Choice CU	\$ -	BBB+	0%
Credit Union Aust	\$ 3,000,000.00	BBB+	3%
ME Bank	\$ 2,032,865.76	BBB+	2%
	<b>\$ 116,498,208.55</b>		<b>100%</b>

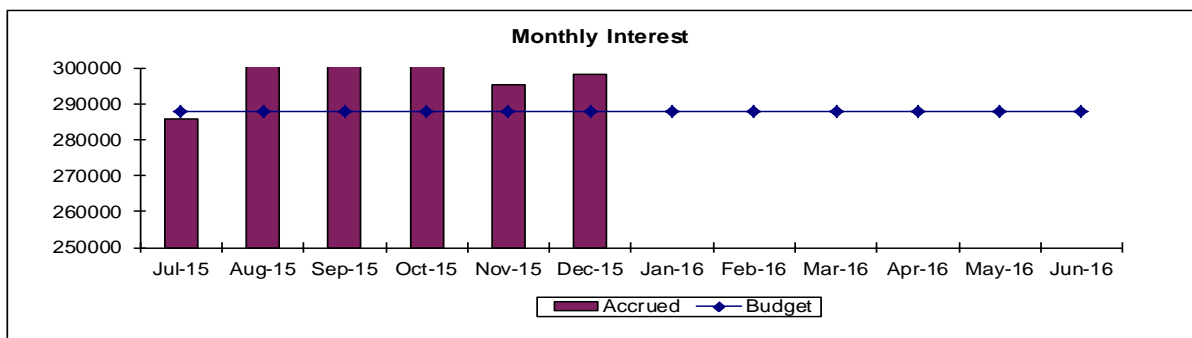


## ATTACHMENT 2

### CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary December 2015

Benchmark AusBond Bank Bill Index  
Portfolio Balance \$112,818,560.72

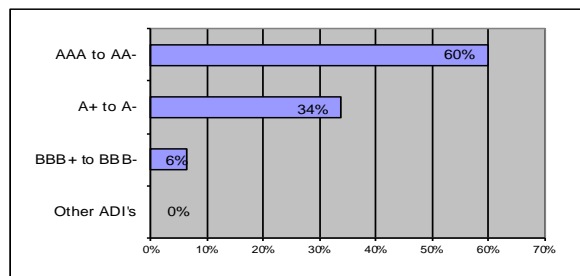
Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.18%	2.15%
Total Portfolio	0.26%	3.09%
<i>Performance to Benchmark</i>	+ 0.08%	+ 0.94%
Portfolio - Direct Investments	0.26%	3.09%
<i>Performance to Benchmark</i>	+ 0.08%	+ 0.95%
Short Term Call Account	0.20%	2.40%



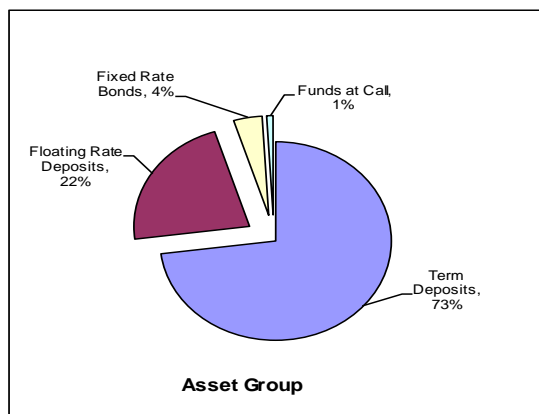
### Year to Date Performance Credit Exposure (S&P Long Term Rating)

Rolling 12 Month Period  
3.34% Council Managed Funds  
2.28% Benchmark

Interest Budget to Actual  
Average Budget to Period \$1,726,850  
Actual Accrued to Period \$1,800,383



### Portfolio Diversity



			%
NAB Funds at Call	\$ 1,019,469.64	AA-	1%
NSW Treasury	\$ 2,810,000.00	AA+	2%
National Australia Bank	\$ 38,991,747.22	AA-	35%
ANZ Bank	\$ 3,500,000.00	AA-	3%
Westpac Bank	\$ 4,000,000.00	AA-	4%
Commonwealth Bank	\$ 5,000,000.00	AA-	4%
Bank Western Australia	\$ 12,277,754.82	AA-	11%
AMP Bank	\$ 5,077,863.01	A+	5%
Suncorp Metway	\$ 15,062,849.31	A+	13%
Macquarie Bank	\$ 3,000,000.00	A	3%
Rural Bank	\$ 6,000,000.00	A-	5%
Bank of Queensland	\$ 9,046,010.96	A-	8%
Credit Union Aust	\$ 3,000,000.00	BBB+	3%
ME Bank	\$ 4,032,865.76	BBB+	4%
	<b>\$ 112,818,560.72</b>		<b>100%</b>

### 3.5 Sundry Debtors Report - December 2015

#### Reporting Officer

Manager Financial Services

---

#### Attachments

1. Debtors summary to 31 December 2015 (contained within this report)
2. Ageing of sundry debts to 31 December 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 31 December 2015.

#### Report

Debts outstanding to Council as at 31 December 2015 are \$2,114,272 reflecting an increase of \$612,418 since November 2015. The ratio of outstanding debts to current invoices has decreased from 29.3% in October to the current level of 11.3%. 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 – December 2015

During the month, 1138 invoices were raised totalling \$985,686. 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:

Government and other Grant -\$367,846 – The main invoices relate to:

Crime Prevention and Federal Offenders Branch - Safer Street Programme - Campbelltown City Council - CCTV for Campbelltown and Ingleburn CBD's Project Grant	\$130,000
Australia Council For The Arts – 2016 Campbelltown Arts Centre Live Art Program SWARM and 2016 - Aboriginal Musicians Strategy	\$100,364 (paid)
NSW Environmental Trust - Bush Connect Grants Program - O'Hares Creek Catchment	\$67,482
Thyne Reid Foundation Grant - Little Orange Artist Studio Year 1 (2016)	\$50,000 (paid)
Department of Infrastructure and Regional Development - Milestone 4 payment - Campbelltown City Rugby League Club Amenities Upgrade Project	\$20,000

---

Land and Building Rentals – \$124,884 – the main invoices relate to:

Aldi Foods Pty Ltd - monthly rental Macquarie Fields	\$25,214
Nuvezo Pty Ltd - monthly rental Campbelltown	\$24,243
Glenquarie Hotel Pty Ltd - monthly rental Macquarie Fields	\$20,438
Caltex Oil Australia Pty Ltd - monthly rental Macquarie Fields	\$15,974
Mycorp Group Pty Ltd - monthly rental Macquarie Fields	\$13,878

Footpath and Road Restoration – \$107,749 – the main invoices relate to:

Silcar Pty Ltd and Theiss Services – road restoration various locations within Campbelltown Local Government Area	\$107,749 (paid)
---	---------------------

Pool Hire - \$94,344 – the main invoices relate to:

St Catherine of Sienna Primary School - Learn to Swim Program	\$51,000
John Edmondson High School – Learn to Swim Program	\$12,650
Macarthur Adventist primary School – Learn to Swim Program	\$10,761

Receipts to the value of \$971,945 have been received during the period, the most notable in the following areas:

Government and other Grants	\$355,898
Corporate Administration	\$192,689
Land and Building Rentals	\$109,307
Road and Restorations	\$61,845
Pool Hire	\$46,905

### Sundry debts outstanding – 31 December 2015

Debts exceeding 90 days of age totalled \$193,784 as at 31 December 2015. The major invoices relating to this balance include:

Description	Date Invoiced	Balance at 31 December 2015
Debtor 10068316.8 - 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	\$5,200
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	\$6,946
Insight Mercantile Pty Ltd - abandoned motor vehicle, unable to locate owner of the vehicle. Vehicle held at auction house preparing for sale. Auction house is obtaining legal advice in regard to encumbrance laws delaying sale of vehicles	18/07/14	\$2,799
GE Automotive - abandoned motor vehicle, unable to locate owner of the vehicle. Vehicle held at auction house preparing for sale. Auction house is obtaining legal advice in regard to encumbrance laws delaying sale of vehicles	05/07/12	\$5,709

Debtor 10074366.5 - motor vehicle accident at the Animal Care Facility. Insurance company has agreed to pay debt and legal costs. Payment expected end January 2016	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	20/11/14	\$54,129
Bastow Civil Constructions - road restoration - various locations The Parkway Bradbury	19/08/15	\$13,058
Campbelltown City Kangaroos RLFC – various invoices relating to hire of Campbelltown Football Stadium, field hire and electricity charges. Seven day letter has been issued and contact made with the club who advised that payment would be made, expected end of January 2016	30/08/15	\$5,826
Debtor 10074441.6 – child care fees – contact made with Family and Community Services, change of office and caseworker has delayed payment but is expected to be finalised by end of January 2016	07/05/15	\$1,826
Debtor 10075795.4 – road restoration - 13 Bensbach Road Glenfield – seven day letter has been issued, no contact from debtor, will escalate to Council's debt recovery agents in January 2016	31/07/15	\$2,600
Debtor 10073212.2 – shop licence inspection fees and legal recovery costs, examination order filed by Council's debt recovery agents. Attended court and arrangement made by debtor \$200 per fortnight. Defaulted on arrangement, bank garnishee ordered December 2015	24/09/13	\$3,042

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 eight 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 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/Mead)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1

### DEBTORS SUMMARY 1 December 2015 to 31 December 2015

DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/11/2015	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/12/2015	% DEBT RATIO
Corporate Administration	218,645	24,173	192,689	50,128	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	359	0	270	89	0.01%
Sportsground and Field Hire	26,113	24,136	19,336	30,913	5.46%
Government and other Grants	1,438,541	367,846	355,898	1,450,488	12.87%
Public Hall Hire	17,825	33,465	28,936	22,354	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	44,098	124,884	109,307	59,675	5.63%
Healthy Lifestyles	2,595	38,048	31,709	8,934	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	36,803	21,204	15,832	42,175	1.85%
Pool Hire	13,267	94,344	46,905	60,705	0.39%
Private Works	9,434	0	450	8,984	0.52%
Road and Footpath Restoration	107,039	107,749	61,845	152,943	28.17%
Shop and Office Rentals	24,048	25,737	30,579	19,206	2.17%
Various Sundry Items	109,922	65,295	39,262	135,955	6.42%
Waste Collection Services	64,801	58,805	38,928	84,678	6.17%
	<b>1,501,854</b>	<b>985,686</b>	<b>971,945</b>	<b>2,114,272</b>	<b>100%</b>

## ATTACHMENT 2

### AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 December 2015

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due
Corporate Administration	22,650	10,984	2,463	14,032	50,128
Abandoned Items	0	0	0	6,662	6,662
Education and Care Services	18,710	0	0	0	18,710
Community Bus	89	0	0	0	89
Sportsground and Field Hire	10,727	144	9,474	10,568	30,913
Government and other Grants	217,482	1,197,538	0	35,468	1,450,488
Public Hall Hire	14,569	4,332	382	3,071	22,354
Health Services	0	0	0	350	350
Land and Building Rentals	57,699	1,064	911	0	59,675
Healthy Lifestyles	8,580	275	0	79	8,934
Licence Fees	16,794	3,696	3,560	18,126	42,175
Pool Hire	59,080	452	278	895	60,705
Private Works	1,189	0	0	7,795	8,984
Road and Footpath Restoration	107,749	13,924	13,932	17,338	152,943
Shop and Office Rentals	11,307	4,240	3,659	0	19,206
Various Sundry Items	42,578	3,881	10,096	79,401	135,955
Waste Collection Services	72,052	12,626	0	0	84,678
	<b>622,577</b>	<b>1,253,157</b>	<b>44,754</b>	<b>193,784</b>	<b>2,114,272</b>
Previous Month 90+ days					389,167

## **3.6 Monthly Rates Summary**

### **Reporting Officer**

Manager Financial Services

---

### **Attachments**

1. Monthly rate summary (contained within this report)
2. Actual to budget result (contained within this report)
3. Rates statistics (contained within this report)

### **Purpose**

To provide details of the 2015-2016 annual rates and charges levy and cash collections for the period ending 31 December 2015.

### **Report**

Rates and Charges levied for the period ending 31 December 2015 totalled \$97,101,523 representing 99% of the estimated total annual budget.

Receipts collected to the end of December totalled \$54,900,894. This amount represents 55.4% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 54.3%.

The second quarterly instalment became due for payment on 30 November 2015. An analysis of payments has revealed that 49% of ratepayers prefer to pay their accounts by BPAY via internet and telephone. Australia Post continues to remain popular with over the counter payments receiving 33% of all payments made.

Debt recovery action in regard to missed instalments commenced early in December and involved the issue of 8420 missed instalment reminder notices to all ratepayers with an outstanding balance of less than \$500. Ratepayers with balances exceeding \$500 received a seven-day letter of demand requesting urgent attention to payment of the amount due or suitable arrangements to be made on or before 20 December 2015. To avoid financial strains on ratepayers over the Christmas holiday period, a second seven-day letter was deferred until early January 2016.

Letters were issued to 2204 ratepayers on 10 December 2015 with the total amount due by ratepayers in arrears at \$2,406,520.

---



Ratepayers who have purchased property since the instalment notices were issued are sent a 'Notice to New Owner' letter. This letter advises ratepayers of the annual amount levied and any balance unpaid since settlement occurred. During December, 49 of these notices were sent to ratepayers.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Lake/Greiss)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1

### RATES SUMMARY

#### STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2015	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,443,224.65	54,430,506.63	1,405,056.41	398,398.66	55,867,073.53	30,478,726.76	25,388,346.77	306,773.85	25,695,120.25
BUSINESS	436,057.49	17,753,686.06		37,721.07	18,227,464.62	10,469,254.02	7,758,210.60		7,758,210.60
BUSINESS - IND	100.30	0.00		0.00	100.30	0.00	100.30		100.30
FARMLAND	0.00	597,545.27	884.79	2,105.09	598,765.57	238,418.14	360,347.43	147,078.07	507,425.50
MINING	0.00	23,937.48		0.00	23,937.48	23,937.48	0.00		0.00
LOAN	75,640.51	2,659.96		1,423.42	79,723.89	9,081.24	70,642.65	26,941.79	97,584.44
INFRASTRUCTURE	206,769.81	5,682,024.66		6,497.94	5,895,292.41	3,215,165.57	2,680,126.84	17,042.41	2,697,169.25
F5 ACCESS RAMPS	379.22	0.00		0.00	379.22	0.00	379.22		379.22
TOTAL	\$3,142,670.23	\$78,490,360.06	\$1,405,941.20	\$446,146.18	\$80,692,737.02	\$44,434,583.21	\$36,258,153.81	\$497,836.12	\$36,755,989.56
GARBAGE	674,774.34	18,295,158.99	829,784.44	22,079.39	18,162,228.28	9,867,896.78	8,294,331.50		8,294,331.50
STORMWATER	49,776.92	1,041,512.29		310.24	1,091,599.45	598,414.19	493,185.26		493,185.26
GRAND TOTAL	\$3,867,221.49	\$97,827,031.34	\$2,235,725.64	\$468,535.81	\$99,946,564.75	\$54,900,894.18	\$45,045,670.57	\$497,836.12	\$45,543,506.32

Total from Rates Financial Transaction Summary	45,070,313.91
Overpayments	-473,192.41
Difference	0.00

#### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	425,438.19
Rate accounts greater than 12 months less than 18 months in arrears	105,785.29
Rate accounts greater than 18 months in arrears	37,273.95
TOTAL rates and charges under instruction with Council's agents	\$568,497.43

## ATTACHMENT 2

### COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL REQD.	% RAISED
RESIDENTIAL	53,878,600	54,278,600	54,430,507	(151,907)	100.28%
BUSINESS	17,935,000	17,585,000	17,753,686	(168,686)	100.96%
FARMLAND	459,900	609,900	617,047	(7,147)	101.17%
MINING	23,900	23,900	23,937	(37)	100.16%
INFRASTRUCTURE	5,631,700	5,631,700	5,682,025	(50,325)	100.89%
TOTALS	77,929,100	78,129,100	78,507,202	(378,102)	100.48%
INTEREST CHARGES	238,000	238,000	141,554	96,446	59.48%
LEGAL COSTS RECOVERED	840,000	840,000	326,982	513,018	38.93%
PENSIONERS - Sec 575	(1,837,700)	(1,837,700)	(1,863,346)	25,646	101.40%
PENSIONERS - Sec 582	(389,800)	(389,800)	(372,380)	(17,420)	0.00%
PENSIONERS SUBSIDY	1,010,735	1,010,735	1,024,840	(14,105)	101.40%
SUB TOTAL	77,790,335	77,990,335	77,764,852	225,483	99.71%
DOMESTIC WASTE CHARGES	17,621,100	17,621,100	17,772,594	(151,494)	100.86%
COMMERCIAL WASTE CHARGES	444,600	444,600	522,565	(77,965)	117.54%
STORMWATER MNGMNT	1,138,000	1,138,000	1,041,512	96,488	91.52%
GRAND TOTALS	96,994,035	97,194,035	97,101,523	92,512	99.90%

### COLLECTIONS AS A % OF:

	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED
RESIDENTIAL	54.56%	56.00%		
BUSINESS	57.44%	58.97%	RATES	56.61%
FARMLAND	39.82%	39.90%	WASTE	53.94%
INFRASTRUCTURE	54.54%	56.58%	STORMWATER	57.46%
ALL RATES	55.07%	56.61%	TOTAL RATES & CHARGES	56.60%

## ATTACHMENT 3

### RATES STATISTICS

No. of documents issued	July	August	September	October	November	December	January	February	March	April	May	June	Dec-15
Rate Notices	50,454	56		121									7,734
Electronic - DoH	5,427												485
Instalment Notices				43,741									
Electronic - DoH				5,389									
Missed Instalment Notices			8,315			7,866							
- Pensioners > \$15.00			586			554							
Notice to new owner	105	51	41	21	56	49							41
7-day Letters - Council issued			2,073			2,023							2,058
- Pensioners > \$500.00			170			181							97
7-day Letters - Agent Issued			581										
Statement of Claim	209	29	13	220	18	11							13
Judgments	16	40	19	12	64	3							6
Writs	11	29	17	9	11	18							21
eRates	1,543	1,601	1,611	1,640	1,654	1,660							1,367
Arrangements	351	298	373	396	471	355							391



### **3.7 General Valuation - base date 2015**

#### **Reporting Officer**

Manager Financial Services

---

#### **Attachments**

Land valuation changes between 2012 and 2015 by locality (contained within this report)

#### **Purpose**

To update Council on the effects of valuation movements in the recent general valuation supplied by the Valuer-General.

#### **Report**

The Valuer-General's Department supplied new valuations to Council in November 2015. The valuations have since been imported into Council's computer database enabling further analysis.

In total the land valuation register increased from \$11.688b to \$16.712b, in percentage terms this represents an increase of 42.99%.

The Valuer-General's Department issued valuation notices to all land owners within the Local Government Area (LGA) on 18 January 2016. Ratepayers have the opportunity to request a review of their land valuation. Information regarding this process is included with the valuation notice and to anyone that contacted Council for assistance.

Comparisons of valuation changes have been grouped into the three key rating categories within the LGA: Residential, Business and Farmland. The average valuation changes from 1 July 2012 base date to 1 July 2015 for Residential land is an increase of 55.78%, Farmland is an increase of 24.11% and Business land is an increase of 26.79%.

The most significant changes to Residential land values have been increases in the Ingleburn, Blairmount, Macquarie Fields and Airds localities with increases of 89%, 84%, 81% and 80% respectively. Farmland values in Blairmount, Eagle Vale and Glenfield have increases of 88%, 63% and 46%.

Business land values for commercial premises such as shops, shopping centres, taverns, hotels and any other land that could not be categorised as being used for the purposes of residential or farming increased by between 5% and 97%, on average these valuations changed by 27%.

The effect of these valuation increases on individual ratepayers will be subject to a presentation to Council as part of the annual budget process.

---

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Lake/Borg)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 16 February 2016 (Mead/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1

### Changes in Land Valuations from 2012 to 2015 by locality

Locality	Residential	Farmland	Business
Airds	80.23%		18.63%
Ambarvale	48.99%		95.92%
Bardia	39.57%		27.55%
Blair Athol	24.55%		63.91%
Blairmount	84.04%	87.66%	79.41%
Bow Bowing	29.81%		27.76%
Bradbury	46.11%		29.82%
Campbelltown	54.22%	9.87%	33.08%
Claymore	72.09%		86.25%
Denham Court	40.11%	35.28%	27.19%
Eagle Vale	50.59%	62.86%	44.03%
Englorie Park	46.90%		96.66%
Eschol Park	47.46%	8.26%	45.20%
Gilead	4.24%	9.16%	7.33%
Glen Alpine	23.08%		57.96%
Glenfield	59.60%	46.48%	46.28%
Ingleburn	89.40%		20.10%
Kearns	47.09%	10.12%	58.23%
Kentlyn	11.54%	11.28%	14.43%
Leumeah	57.79%		20.19%
Long Point	20.60%		4.99%
Macquarie Fields	80.58%		46.94%
Macquarie Links	15.46%		
Menangle Park	51.36%	9.84%	29.12%
Minto	60.32%	11.21%	20.32%
Minto Heights	11.97%	11.17%	
Raby	47.64%		44.66%
Rosemeadow	40.15%		40.69%
Ruse	50.70%		77.09%
St Andrews	30.31%		52.85%
St Helens Park	32.78%	11.22%	59.19%
Varroville	13.59%	11.20%	10.36%
Wedderburn	31.66%	28.03%	4.94%
Woodbine	58.90%		
Average	55.78%	24.11%	26.79%

## **4. HUMAN RESOURCES**

**No reports this round**

## **5. INFORMATION MANAGEMENT AND TECHNOLOGY**

### **5.1 Online Report - July to December 2015**

#### **Reporting Officer**

Manager Information Management and Technology

---

#### **Attachments**

Online Report – July to December 2015 (contained within this report)

#### **Purpose**

To provide Council with information on the visitation patterns for Council's website and overall online presence during the July to December 2015 period.

#### **History**

To provide Council with information on the visitation patterns for Council's website during the July to December 2015 period.

#### **Report**

Council's website provides a range of information on programs, initiatives, services and events that can be accessed by visitors. Using Google Analytics, statistics on the usage patterns of our website are obtained for reporting purposes, including information about the total number of visits, most commonly accessed pages and how users are accessing the site.

This report also provides insights into Council's overall online presence, with information and statistics on:

- Council's Facebook pages
  - Visit Macarthur website
  - Fisher's Ghost website
  - eNewsletters.
-



### **Website Redevelopment**

The Website Redevelopment Project team have been working with the new website vendor, Seamless on developing Council's new website which is on track for an April 2016 launch. There will be a presentation to Councillors before the website launch.

### **Online Report Feature: Social Media**

The attached report highlights how Council uses Facebook to engage the community, with 12 pages helping to share information about Council events, initiatives and programs to target audiences. In particular, Council's corporate Facebook page has proven an effective tool to inform and engage the wider community.

Posts about playgrounds have prompted lots of commentary, shares and participation. It also acts as a key information source for any event changes/cancellation/weather updates etc. – for example, a post about the Fisher's Ghost Carnival closure due to extreme weather conditions reached more than 3,000 people within an hour of posting. Likewise, notification of sports ground closures is popular in terms of reach and sharing.

Facebook has also proven to be an effective way of promoting events. Our most popular posts are often photo albums of community events (for example, an album of Fisher's Ghost Street Parade images reached more than 7,000 people and had more than 150 likes).

Please refer to the attached online report for statistical information.

### **Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 16 February 2016 (Mead/Lake)**

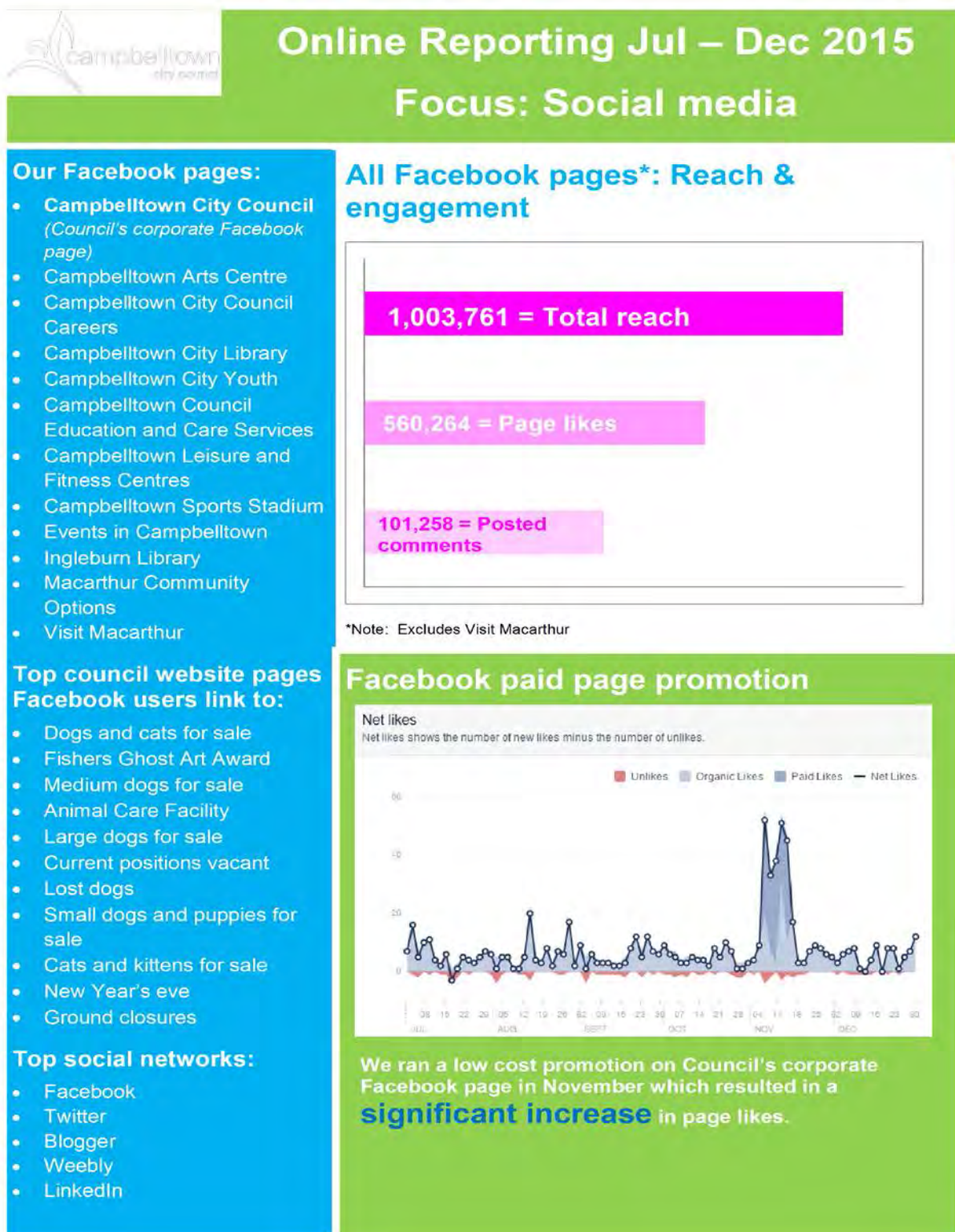
That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 15**

That the Officer's Recommendation be adopted.

---

## ATTACHMENT 1



## Council's corporate Facebook page: Post highlights

Top posts	Total reach	Post clicks	Likes received
60th Annual Fisher's Ghost Carnival	7,199	829	271
Fisher's Ghost Street Parade	7,179	10,938	193
Council – LIVE, WORK, PLAY and INVEST video	4,655	836	137
Mayor's Christmas video	4,127	1,038	145

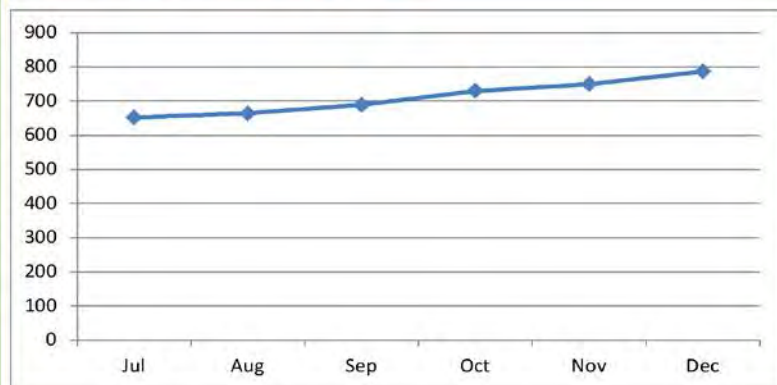
Community engagement posts	Total reach	Post clicks	Likes received
Abington Reserve, Glen Alpine	13,655	2,128	350
Manooka Reserve, Bradbury	9,475	954	388
Kentlyn Reserve	8,115	1,928	474
Eschol Park Sports Complex	5,944	903	107
Play Space Strategy – Online survey	2,707	312	72

## eNewsletter subscriptions...

### Total number of subscribers:

- Council's corporate eNewsletter = 787
- Visit Macarthur eNewsletter = 1,372
- Arts Centre electronic direct mail flyers = 3,500

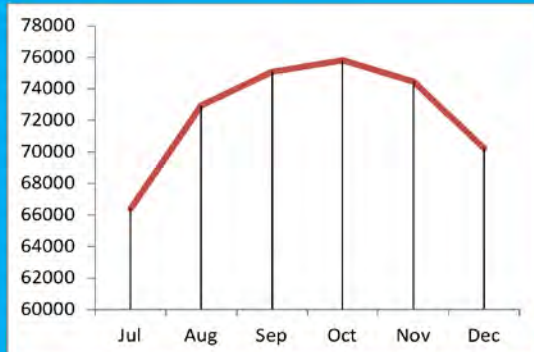
### Council's corporate eNewsletter: Subscription increase





## Council Website insights#...

### Monthly user traffic



### Top 10 viewed pages

1. Home page
2. Library
3. Dogs and cats for sale
4. Search
5. Current positions vacant
6. Positions vacant
7. Small dogs and puppies for sale
8. Need a kerbside clean up?
9. Medium dogs for sale
10. Animal Care Facility

### Top 10 keywords

1. forms
2. 149
3. jobs
4. history
5. maps
6. zoning
7. zoning maps
8. dcp
9. flood
10. google

### Top 10 document downloads

1. Campbelltown Urban Area Local Environmental Plan 2002 Zoning Maps
2. When do my bins get emptied - Zone Map
3. Campbelltown Sustainable City Development Control Plan 2014 Part 3 – Dwelling houses Narrow lots Multi Dwellings and Residential Subdivision
4. Fishers Ghost Art Award - FULL LIST OF 2015 FINALISTS
5. Financial information - Schedule of Fees and Charges
6. 149 Certificate Application Form
7. Campbelltown Sustainable City Development Control Plan 2014 Part 2 - Requirements Applying to all Types of Development
8. Bushfire Prone Lands Map
9. Improvement works – parks
10. Justice of the peace in Campbelltown

#Note: All Council website stats exclude internal traffic

## Visit Macarthur insights...

### Overview

- New visitors – **67.9%**
- Returning visitors – **32.1%**
- Page views – **212,140**
- Sessions – **97,418** (which is **13.5% increase over previous six month period**)
- Facebook likes for Visit Macarthur page – **10,737**

### Top 5 website pages

1. What's On
2. Dining
3. Attractions
4. Functions
5. Trip planner / maps

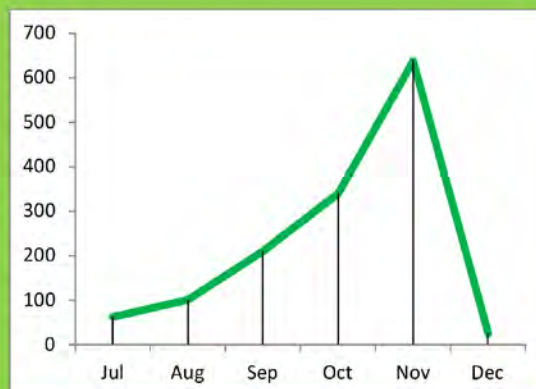


## Fishers Ghost insights...

### Top 10 pages

1. Fun Run
2. Home
3. Carnival
4. Street Parade
5. Calendar of events
6. Associated events
7. Street Fair
8. Fisher's Flicks
9. Miss Princess Quest
10. Fisher's Gig

### Monthly user traffic



## eService insights...

### Top 4 eService lodgments (Oct – Dec)

	October		November		December		Total lodgments by residents during Oct-Dec
eService	Council	Resident	Council	Resident	Council	Resident	Percentage
Kerbside clean up	2,845	1,614	2,511	1,688	2,739	2,139	40%
Missed service(bins)	660	39	562	32	622	73	7%
Damaged bins	291	45	314	49	284	65	15%
Illegally dumped rubbish	158	102	181	53	195	92	32%

**6. INTERNAL AUDIT**

**No reports this round**

**7. GENERAL BUSINESS**

Nil.

**24. CONFIDENTIAL ITEMS**

**No reports this round**

There being no further business the meeting closed at 6.03pm.

C Mead  
CHAIRPERSON

---

## **REPORTS FROM OFFICERS**

### **8. REPORT OF GENERAL MANAGER**

**No reports this round**

### **9. REPORT OF DIRECTOR BUSINESS SERVICES**

#### **9.1 Progress Report: Amounts Expended on Providing Facilities and Payment of Expenses - Mayor, Deputy Mayor and Councillors December 2015 and January 2016**

---

#### **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 December 2015 and January 2016 were as follows:

#### **Expenses**

1.	<b>Training Seminars and Conferences</b> Cost for December 2015 and January 2016.	\$15,241
2.	<b>Staff</b> Personal Secretary for the Mayor on a shared basis with the General Manager, together with Receptionist shared with Corporate Services. Apportioned cost for December 2015 and January 2016.	\$10,093
3.	<b>Stationery and Postage</b> Cost of Mayoral and Councillors' stationery, business cards and postage expenses. Approximate cost for December 2015 and January 2016.	\$9
4.	<b>Periodicals</b> Cost of annual subscriptions. Cost for December 2015 and January 2016.	\$119
5.	<b>Meals</b> Provision of meals in conjunction with Council and Committee Meetings and Inspections. Cost for December 2015 and January 2016.	\$1324
6.	<b>Refreshments</b> Provision of refreshments in the Mayor's Suite and Councillors' Lounge and Civic Receptions. Cost for December 2015 and January 2016.	\$2820
7.	<b>Insignia of Office</b> Replacement costs Mayoral robes, chain, badge and name plates. Cost for December 2015 and January 2016.	\$220



- |    |   |      |
|----|---|------|
| 8. | <b>Travelling Expenses for Use of Private Vehicle</b><br>Reimbursement of travelling expenses on authorised Council business.<br>Claims submitted for December 2015 and January 2016. | \$57 |
|----|---|------|

#### **Provision of Facilities**

- |    |  |          |
|----|--|----------|
| 1. | <b>Accommodation</b><br>Office located on the Third Floor of the Administration Building - costs are included in total maintenance and operating expenses of the Administration Building and apportioned on an area basis (3.5%). Cost for December 2015 and January 2016.   | \$10,290 |
| 2. | <b>Communication System</b><br>Mobile telephone, personal computer or a laptop, personal digital assistant and combined printer, copier, scanner, facsimile machine and telephone answering machine provided for the Mayor and Councillors.<br>Cost of equipment for December 2015 and January 2016 in accordance with Councillors Policy. | \$2590   |
| 3. | <b>Office Equipment</b><br>Facsimile machines, photocopier and telephone facilities for the Mayor and Councillors at the Civic Centre. Cost for December 2015 and January 2016.  | \$1842   |
| 4. | <b>Council Vehicle</b><br>Costs associated with the use of Council vehicles by the Mayor and Councillors on authorised Council business. All usage is subject to the prior approval of the Mayor. Cost for December 2015 and January 2016.   | \$1279   |
| 5. | <b>Internet Facilities</b><br>Costs associated with the provision of internet facilities in accordance with Council's Policy. Cost for December 2015 and January 2016.   | \$3165   |

The total cost for the payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors for December 2015 and January 2016 amounted to \$49,049.

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

That the information be noted.

#### **Council Meeting 16 February 2016 (Borg/Glynn)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 16**

That the Officer's Recommendation be adopted.

## **9.2 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 15 December 2015.

### **Officer's Recommendation**

That the information be noted.

### **Council Meeting 16 February 2016 (Lake/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 17**

That the Officer's Recommendation be adopted.

## ATTACHMENT 1

### Reports Requested as at 15 December 2015

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
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. <b>Comment:</b> proposal cannot be undertaken until City Works report on footpath upgrades is completed.	CS	March 2016
29.7.14 PL 3934158	CG3.3 - Report identifying alternative methods for managing the hire of Council's sporting fields. <b>Comment:</b> Sport and Recreation plan currently being commissioned.	CS	April 2016
24.04.15 MO 4275729	CS2.1 - That a further report be provided to Council: <ul style="list-style-type: none"> <li>• outlining the National Disability Insurance Scheme transition process once this information becomes available.</li> <li>• on the Regional Assessment Service once details on the funding and service requirements are available.</li> </ul> <b>Comment:</b> awaiting further information from the federal government to complete a detailed report back to Council.	CS	April 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
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. <b>Comment:</b> Report drafted, awaiting briefing date.	CW	April 2016

*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. <b>Comment:</b> Currently reviewing draft lease and obtaining information requested by agents.	BS	June 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. <b>Comment:</b> Undertaking an amended marketing campaign through an agent for a café opportunities on Council land.	BS	April 2016
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. <b>Comment:</b> 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. <b>Comment:</b> 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. <b>Comment:</b> discussions between the General Manager and State Government regarding infrastructure are yet to occur.	PE (EP)	March 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. <b>Comment:</b> Placed on hold pending the outcome of Glenfield-Macarthur Urban Renewal Corridor.	PE (EP)	April 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. <b>Comment:</b> further information is being investigated and considered.	PE (DS)	April 2016
18.6.13 RK 3451045	PE2.4 - Report identifying what impact the creation of the Local Land Services will have on the Campbelltown LGA. <b>Comment:</b> Rating structure report not yet released by Government.	PE (EP)	April 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. <b>Comment:</b> 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
14.10.14 CM 4033787	CG6.1 - 1. That a report be presented on the development application process, particularly as it relates to residential and small business, regarding: (i) 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. (ii) 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). 2. That Council contact the NSW Business Chamber and the local Chambers of Commerce and report on their suggestions regarding: (i) How Council could streamline the DA process for small business. (ii) Any developments currently requiring approval which they believe would be appropriate to be made exempt. <b>Comment:</b> Investigation continuing into this matter.	PE (DS)	March 2016

<b>*Date of Decision</b> <b>*Mover</b> <b>*DocSet</b>	<b>Item/Comments</b>	<b>Div.Resp</b>	<b>Comp Date</b>
27.10.15 GG 4526199	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.	PE (EP)	April 2016
15.12.15 RK 4607896	PE5.2 - 1.That a full report be presented to Council outlining the cost of a pet giveaway and the likely implications for sales from the Animal Care Facility in the balance of the year.  2.That the report include information about the potential for pets freely given from the Animal Care Facility to be abandoned by virtue of the fact that they were acquired at no cost.	PE (CS)	March 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
29.7.14 PL 3934241	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. <b>Comment:</b> scoping investigations proceeding.	Strategy (DSt)	March 2016
29.7.14 GG 3939939	PE5.3 - Report investigating possible further partnerships with University Western Sydney, Campbelltown and Campbelltown TAFE. <b>Comment:</b> 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. Strategic partnerships involving WSU's Innovation Corridor Strategy and Campbelltown/Macarthur Integrated Health Hub under active examination.	Strategy (DSt)	March 2016
17.02.15 GG 4189107	PE3.3 - 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. <b>Comment:</b> 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 February 2016.	Strategy (DSt)	March 2016
24.04.15 GG 4275787	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. <b>Comment:</b> Continues to be under investigation.	Strategy (DSt)	April 2016

## **9.3 IPART Review of Reporting and Compliance Burdens on Local Government**

---

### **Attachments**

1. Council's submission to the IPART (contained within this report)
2. Executive Summary of Draft report - Review of reporting and compliance burdens on Local Government (contained within this report)

### **Report**

The NSW Independent Pricing and Regulatory Tribunal (IPART) commenced its Review of Reporting and Compliance Burdens on Local Government in April 2015. The Review is part of the NSW Government's broader local government reform program that commenced in 2011 and is the result of a recommendation of the Independent Local Government Review Panel.

The Review seeks to:

1. identify any inefficient or unnecessary planning, reporting, compliance or regulatory burdens placed upon local government by legislation, policy or through other means
2. develop options to improve the efficiency of local government by reducing or streamlining planning, reporting and compliance burdens, including:
  - identifying and making recommendations to reduce any duplications in reporting requirements across State Government, including the estimated saving from making these changes
  - reviewing the necessity of reporting obligations on councils as an essential requirement of implementing State Government policies.

The Draft Report on the Review of Reporting and Compliance Burdens on Local Government (Draft Report) has been prepared following feedback from local government industry and stakeholders and others to an IPART Issues Paper released in July 2015. The draft report also considered feedback from NSW councils from a questionnaire and workshops at the same time the issues paper was released.

The IPART considered the following topics as part of its review:

- the rationale (or policy objective) of the State Government planning, reporting
- compliance requirements
- developments and relevant reviews in other jurisdictions
- best practice regulatory principles, including those developed by other highly regarded bodies undertaking relevant reviews and inquiries
- support that could be provided by State Government to help manage planning, reporting and compliance requirements upon councils
- any identified risks to the NSW Government and the community from reducing the regulatory and reporting requirements on councils.



The Draft Report contains 49 draft recommendations, which cover seven function areas as well as systemic issues that apply across a range of council activities.

1. Systemic Issues (Recommendations 1-9)
2. Water and Sewerage (Recommendations 10-14)
3. Planning (Recommendations 15-20)
4. Administration and Governance (Recommendations 21-33)
5. Building and construction (Recommendations 34-37)
6. Public land and infrastructure (Recommendations 38-44)
7. Animal Control (Recommendations 45-46)
8. Community order (Recommendations 47-49)

IPART's Draft Report calls for the State to work as a partner with local government when giving councils additional responsibilities by considering the cost to councils, by taking a whole-of-government approach, and by adopting risk-based approaches, including support for councils where needed.

The draft recommendations include:

- improving the planning system by expanding the use of the ePlanning Portal and developing a suite of standardised development consent conditions
- reforming regulation of council owned and operated Local Water Utilities that provide water supply and sewerage services
- addressing systemic issues to reduce cost shifting to councils, including requiring NSW Government agencies to consider the costs and benefits of any regulation on local government before making any change
- streamlining reporting requirements across local government administrative and planning functions.

IPART has also recommended reforms to reduce the burdens associated with building and construction, managing public lands and infrastructure, animal control and alcohol-free areas.

The Executive Summary of the Draft Report, along with a full list of the draft recommendations is provided as attachment 2 to this report. The Draft Report (in full) and additional information on the review process and public hearing is available on the IPART's website.

Council officers have provided feedback to the Draft Report and are generally supportive of the recommendations. Attachment 1 outlines the key points of Council's submission to the recommendations of the IPART's Draft Report.

## **Officer's Recommendation**

1. That Council note the IPART's Draft Report of the Review of Reporting and Compliance Burdens on Local Government.
2. That Council endorse the key points of Council's submission to the IPART Draft Report.

**Council Meeting 16 February 2016 (Borg/Greiss)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 18**

That the Officer's Recommendation be adopted.

# ATTACHMENT 1

## **CAMPBELLTOWN CITY COUNCIL RESPONSE - IPART DRAFT REPORT ON THE REVIEW OF REPORTING AND COMPLIANCE BURDENS ON LOCAL GOVERNMENT**

Campbelltown City Council welcomes the opportunity to provide feedback to the IPART on its Review of reporting and compliance burdens on Local Government. Council generally supports all of the 49 draft recommendations and draft findings contained in the draft report and makes the following observations and comments that may assist in the IPART in the finalisation of its Review.

- **Draft Recommendation 2 - Register of local government reporting, planning and compliance obligations**

Council strongly supports the development and maintenance of the proposed register and notes that it would be an invaluable resource to internal audit and governance practitioners.

- **Draft Recommendation 3 - Removal of restrictions on fees for statutory approvals and inspections**

Council supports the observations outlined in the report that not all statutory fees reflect the costs of service delivery and that local government should have reasonable flexibility to set fees to ensure such costs are covered. Council consider that the draft recommendations should go further to put in place effective mechanisms, to enhance capacity for Councils to recover fees, particularly for outstanding fees relating to property. For example, provisions could be put in place where outstanding fee debt may be recovered upon sale of a subject property. It is one thing to have ability to charge a fee to recover cost and another thing to actually have the fee paid. Cost recovery fee provisions need to be underpinned by effective and convenient mechanisms to realise payment where outstanding fees remain unpaid.

- **Draft Recommendation 4 - Fees set by statute are reviewed every 3-5 years and provide for annual CPI increase**

Council supports the recommendation that some fees should be set by statute, but requests that relevant government agencies effectively engage the sector in the review of statutory fees to set a new baseline upon which the recommended 3 -5 yearly review and CPI increases can be applied. Additionally, Council requests the IPART consider provision being made for adjusted fees to be prescribed in advance of fee and charge adoption deadlines.

- **Draft Recommendation 20 - standardised development consent conditions**

Council supports the Draft Recommendation to standardise development consent conditions as it should contribute to more effective and consistent regulation of approved development.

- **Draft Recommendations 45-46 - Animal Control**

Animal Control draft recommendations are generally supported, particularly the steps to modernise and streamline the registration process (for example one-step, online registration), easing the administrative burden on councils.

- **Draft Recommendation 47 - Application and Review of Alcohol Free Zone (AFZ) and Alcohol Prohibited Area (APA) provisions**

Council supports this recommendation but notes the current AFZ and APA provisions should be consistent, and the requirement to re-establish zones every four years is excessive given the onerous consultation requirements and need to alter existing signage.

- **Draft Recommendation 49 - amendment of *Graffiti Control Act 2008* to prosecute for bill poster display**

Amending the *Graffiti Control Act 2008* to provide capacity to prosecute those commissioning the bill poster display will significantly enhance the capacity of Council to more effectively control and regulate this practice.



## ATTACHMENT 2



Independent Pricing and Regulatory Tribunal

# Review of reporting and compliance burdens on Local Government

Local Government — Draft Report  
January 2016





Independent Pricing and Regulatory Tribunal

## **Review of reporting and compliance burdens on Local Government**

**Local Government — Draft Report**  
January 2016

© Independent Pricing and Regulatory Tribunal of New South Wales 2015

This work is copyright. The *Copyright Act 1968* permits fair dealing for study, research, news reporting, criticism and review. Selected passages, tables or diagrams may be reproduced for such purposes provided acknowledgement of the source is included.

ISBN 978-1-925340-47-1 S9-110

The Tribunal members for this review are:

Dr Peter J Boxall AO, Chairman

Ms Catherine Jones

Mr Ed Willett

Inquiries regarding this document should be directed to a staff member:

Heather Dear (02) 9290 8481

Lil Cullen (02) 9290 8410

Independent Pricing and Regulatory Tribunal of New South Wales

PO Box K35, Haymarket Post Shop NSW 1240

Level 15, 2-24 Rawson Place, Sydney NSW 2000

T (02) 9290 8400 F (02) 9290 2061

[www.ipart.nsw.gov.au](http://www.ipart.nsw.gov.au)

## Invitation for submissions

IPART invites written comment on this document and encourages all interested parties to provide submissions addressing the matters discussed.

**Submissions are due by 19 February 2016.**

We would prefer to receive them electronically via our online submission form <[www.ipart.nsw.gov.au/Home/Consumer\\_Information/Lodge\\_a\\_submission](http://www.ipart.nsw.gov.au/Home/Consumer_Information/Lodge_a_submission)>.

You can also send comments by mail to:

**Local Government Regulatory Burdens Review**  
Independent Pricing and Regulatory Tribunal  
PO Box K35,  
Haymarket Post Shop NSW 1240

Late submissions may not be accepted at the discretion of the Tribunal. Our normal practice is to make submissions publicly available on our website <[www.ipart.nsw.gov.au](http://www.ipart.nsw.gov.au)> as soon as possible after the closing date for submissions. If you wish to view copies of submissions but do not have access to the website, you can make alternative arrangements by telephoning one of the staff members listed on the previous page.

We may choose not to publish a submission—for example, if it contains confidential or commercially sensitive information. If your submission contains information that you do not wish to be publicly disclosed, please indicate this clearly at the time of making the submission. IPART will then make every effort to protect that information, but it could be disclosed under the *Government Information (Public Access) Act 2009* or the *Independent Pricing and Regulatory Tribunal Act 1992*, or where otherwise required by law.

If you would like further information on making a submission, IPART's submission policy is available on our website.



# Contents

<b>Invitation for submissions</b>	<b>iii</b>
<b>1 Executive summary</b>	<b>1</b>
1.1 Context of the review	5
1.2 What has IPART been asked to do?	6
1.3 How IPART has approached the task	6
1.4 How and when you can provide input to this review	7
1.5 What does the rest of this Draft Report cover?	8
<b>2 Listing of Draft Recommendations and Findings</b>	<b>9</b>
Systemic issues	9
Water and Sewerage	11
Planning	12
Administration and governance	13
Building and construction	15
Public land and infrastructure	16
Animal control	17
Community order	18
<b>3 Context</b>	<b>19</b>
3.1 Aims	19
3.2 Background	19
3.3 History	22
<b>4 Method</b>	<b>25</b>
4.1 The scope of our review	25
4.2 What makes an obligation a burden?	26
4.3 Identifying regulatory burdens	26
4.4 Developing options for reform	29
<b>5 Systemic issues</b>	<b>31</b>
5.1 Impact of new or amended regulatory obligations	32
5.2 Cumulative impact of regulations	37
5.3 Regulated fees	40
5.4 Complexity of grants system	44
5.5 Multiple reporting/data management	46
5.6 Public notices	49

<b>6</b>	<b>Water and sewerage</b>	<b>52</b>
6.1	Regulation of NSW Local Water Utilities by DPI Water	52
6.2	Best-Practice Management of Water Supply and Sewerage Framework – reporting and auditing	60
6.3	Onsite sewage management systems	64
<b>7</b>	<b>Planning</b>	<b>72</b>
7.1	Reporting to the Department of Planning and Environment	73
7.2	ePlanning and planning certificates	86
7.3	One-stop shop	92
7.4	Development approval process	97
<b>8</b>	<b>Administration and governance</b>	<b>101</b>
8.1	Integrated Planning and Reporting framework	102
8.2	Financial reporting	108
8.3	Tendering and Procurement	111
8.4	Ministerial approvals	113
8.5	Section 68 Local Government Act approvals	117
8.6	Recruitment and employment – temporary employment	121
8.7	Public Interest Disclosures Act reporting	123
8.8	Government Information (Public Access) Act 2009 (GIPA Act) reporting and compliance	125
<b>9</b>	<b>Building and construction</b>	<b>130</b>
9.1	Building Certifiers and Compliance Burden	131
9.2	Certification Fees	135
9.3	Fire Safety Statements	136
9.4	Fire safety enforcement actions	139
<b>10</b>	<b>Public land and infrastructure</b>	<b>142</b>
10.1	Crown reserves reporting and management	142
10.2	Crown road closures	145
10.3	Community land – plans of management	149
10.4	National Heavy Vehicle Regulation	150
10.5	Impounding unattended boat trailers, caravans and advertising trailers	153
<b>11</b>	<b>Animal control</b>	<b>155</b>
11.1	The Register and registration fees	155
<b>12</b>	<b>Community order</b>	<b>164</b>
12.1	Alcohol free zones and alcohol free areas	165
12.2	Graffiti control – enforcement	167
	<b>Appendices</b>	<b>169</b>
A	Terms of Reference	171
B	Other identified burdens	174
C	Out of Scope Issues	221
D	Consultation	226

# 1 | Executive summary

The purpose of this review is to identify inefficient, unnecessary or excessive burdens placed on local government by the State in the form of planning, reporting and compliance obligations, and to make recommendations for how these burdens can be reduced. In addressing these burdens, our draft recommendations would improve the efficiency of local government in NSW and enhance the ability of councils to focus on delivering services to their communities.

While we have identified improvements across a range of obligations, our draft recommendations in the areas of planning and the regulation of Local Water Utilities (LWUs) would bring the greatest improvements in the efficiency of councils.

The planning area was identified by stakeholders as imposing significant regulatory burdens, including the processes associated with planning approvals and reporting requirements. Our draft recommendations would improve a range of planning processes to reduce the reporting burden, and regulatory costs and delays for councils. They would also reduce costs and delays in the planning system.

Stakeholders identified the regulation of LWUs as imposing a range of excessive planning, reporting and compliance burdens. Stakeholders suggested that there is a need for broader review of this regulatory area, commenting that aspects are outdated, stifling innovation and outside the capacity of LWUs.

We consider that there is significant scope to improve LWU obligations. Our draft recommendations in this area aim to:

- ▼ tailor the regulatory framework for LWUs to reflect the capacity of each utility
- ▼ allow optimal water resource planning at the catchment level, and
- ▼ reduce the reporting and auditing burden on LWUs by taking a more efficient, targeted and 'whole-of-government' approach.

Our draft recommendations would make LWU regulation consistent with the regulation of other water utilities throughout the State, and address the burdens identified by stakeholders.

The extent to which local government encounters unnecessary or excessive burdens in undertaking its regulatory responsibilities is greatly influenced by how the State imposes its planning, reporting and compliance obligations. This means that improvements to the State's approach to devolving regulatory responsibility to councils would greatly reduce these burdens.

In particular, when imposing regulatory responsibilities on local government, the State should work as a partner with local government by:

- ▼ considering the impact and cost of their regulatory requirements on councils
- ▼ adopting risk-based regulatory approaches, including:
  - supporting councils where necessary and helping them build capacity
  - tailoring requirements to reflect the different capacities of councils, and
- ▼ taking a whole-of-government approach to minimising excessive and unnecessary burdens.

### Considering the impact and cost of regulatory requirements

Proper State consideration of the impact of regulatory proposals on councils is a key aspect of the partnership between State and local government and consistent with the principles of the Intergovernmental Agreement.<sup>1</sup> State agencies should consider the costs and benefits of placing obligations on local government. In particular, they should ensure that new or amended obligations are efficient and effective to avoid unnecessary or excessive burdens. Further, where State agencies do not provide funding or cost recovery mechanisms for new or amended regulatory obligations, council resources can be eroded through 'cost shifting'. This undermines local government's ability to undertake their reporting, planning or compliance functions efficiently.

We make a range of draft recommendations to change the way the State develops regulatory proposals that devolve responsibilities to councils to ensure the impacts on councils are properly considered. This involves ensuring the requirements on councils are reasonable and improving the tools and resources used by State agencies to:

- ▼ manage the cumulative impact of regulatory proposals on councils
- ▼ harness existing central websites and registers to consolidate council reporting and sharing of council data between State agencies, and
- ▼ assess new proposals to collect data from councils.

---

<sup>1</sup> *Intergovernmental Agreement to Guide NSW State-Local Government Relations on Strategic Partnerships*, signed on 8 April 2013.



These tools and resources include a proposed *Register of local government reporting, planning and compliance obligations*, the NSW ICT Strategy and Information Asset Registers, and a 'gateway' framework for assessing new State agency proposals for reporting from councils.

Our draft recommendations to deregulate certain fees charged by councils would allow councils to recover the costs of statutory approvals and inspections, lessening the financial impact on councils.

### **Risk-based regulatory approaches**

To reduce regulatory burdens on councils, the State should replace 'one-size-fits-all' approaches to councils with risk-based regulatory approaches. Agencies should minimise the level of prescription and regulatory oversight. This level may vary depending on the level of risk inherent in the regulatory function and the capacity of all councils, or individual councils: for example, the State should impose less regulatory oversight for certain low risk functions and for councils that have demonstrated capacity.

Where it is appropriate, a 'lighter touch' regulatory oversight would mean a reduction in reporting requirements (in frequency, scope or even the need to report at all), greater freedom in the way councils undertake their functions, and a reduction in the need to seek approvals from the State. It may also involve tailoring requirements to better suit the different circumstances of rural and regional councils.

Where councils undertake a regulatory function, they should be given the authority and responsibility to do this without unnecessary State involvement. For new regulatory functions, and for councils without the necessary resources, the State needs to provide greater support to assist councils in undertaking their assigned functions and to build their capacity. This support may include IT systems, training, dedicated staff resources to provide guidance and expertise, and standardised forms or toolkits.

We recommend that the NSW Government take risk-based approaches to reduce the burdens identified by stakeholders. An example is with regulating Local Water Utilities, where we recommend that the NSW Government adopt a less prescriptive regulatory approach for utilities with sufficient capacity, while maintaining support for utilities that need it.

In the area of Crown reserve reporting and management, our draft recommendations would reduce regulatory oversight, recognising the capability of local government in this area. Our recommendations complement the NSW Government's Crown land reviews and would reduce the reporting burden on councils.

We also recommend the State take a risk-based approach for council grants applications and administration. Many councils have robust internal controls, comprehensive external audit requirements and well-developed risk mitigation strategies that should be recognised in the level of risk control the State applies to councils' grant acquittals. This would lessen the administrative costs associated with grants.

For council tendering, we recommend the State further devolve authority and responsibility to lower-risk councils by increasing the threshold for using tendering processes, and allowing councils to delegate the acceptance of tenders to General Managers. This would lessen the administrative costs of tendering.

In some functional areas the State needs to provide greater support to councils. By way of example, for the relatively new council function of processing heavy vehicle access applications and undertaking route assessments, we have found that because some councils lack the competency to undertake this function, Roads and Maritime Services (RMS) should provide greater support to develop the competency and skills within councils. This would ensure that councils establish processes to undertake this function in a consistent, effective and efficient manner.

### **Whole-of-government approach to minimising burdens**

Councils provide a wide range of services in fulfilling their regulatory functions. They do this under 67 different Acts that are administered by 27 different State agencies. To minimise the burdens on local government, State agencies cannot operate in isolation. They must consider how their function-specific planning, reporting and compliance requirements are related to and interact with those of other agencies.

In taking this perspective, State agencies should:

- ▼ coordinate and streamline reporting requirements to remove unnecessary reporting and duplication in reporting to other agencies
- ▼ align the timing of reporting requirements with council reporting cycles
- ▼ make greater use of automated data collection, and
- ▼ make greater use of data portals to provide access across government and minimise the incidence of duplicative reporting and data collection.

Elements of the existing NSW Government's ICT Strategy and Information Asset Registers can be used to help State agencies achieve these outcomes. We recommend that the Office of Local Government (OLG) take the role of gate-keeper for reporting to State agencies on new and amended requirements imposed on councils. Under this 'gateway' framework, an agency would access a central repository or portal to consider the information that is already available and should use the relevant information instead of separately requesting the

same or similar information. OLG would also apply a cost benefit methodology to proposals for new or amended reporting to prevent excessive or duplicative requirements.

We also make draft recommendations across the range of functional areas to facilitate a whole-of-government approach to reduce duplication, streamline regulatory obligations and remove unnecessary reporting burdens. Examples include:

- ▼ Planning – removing duplication in reporting by implementing the Australian Bureau of Statistics (ABS) and Victorian Government central collection and data sharing model in NSW.
- ▼ Water and sewerage – removing duplication of data reported to the Department of Primary Industries Water, the Environment Protection Authority and NSW Health.
- ▼ Administration and governance – removing duplication in reporting, such as in councils' General Purpose Financial Statements.
- ▼ Animal control – automating the collection of data concerning animals in pounds by allowing data to be uploaded directly from pound systems into the new central *Register of Companion Animals*.

## 1.1 Context of the review

This review is part of the NSW Government's broader local government reform program that commenced in 2011. Over the past few years, the NSW Government has commissioned reviews into:

- ▼ options for changes to local government governance models, structural arrangements and boundaries to improve the strength and effectiveness of local government – undertaken by the Independent Local Government Review Panel (ILGRP)<sup>2</sup>
- ▼ the statutory framework for local government, the *Local Government Act 1993* and *City of Sydney Act 1988* – undertaken by the Local Government Acts Taskforce (LG Acts Taskforce),<sup>3</sup> and

<sup>2</sup> Independent Local Government Review Panel *Revitalising Local Government*, October 2013, at <http://www.localgovernmentreview.nsw.gov.au/>, accessed on 1 December 2015 (ILGRP Final Report).

<sup>3</sup> Local Government Acts Taskforce, *A New Local Government Act for NSW and Review of the City of Sydney Act 1988*, October 2013, at <http://www.olg.nsw.gov.au/sites/default/files/New-Local-Government-final-report.pdf> accessed on 1 December 2015 (LG Acts Taskforce Final Report).

- ▼ local government compliance and enforcement to reduce unnecessary regulatory burdens placed on businesses and the community by councils – undertaken by IPART.<sup>4</sup>

The NSW Government is currently implementing reforms recommended by the ILGRP and LG Acts Taskforce. One recommendation of the ILGRP was to commission IPART to undertake this whole-of-government review of the regulatory, compliance and reporting burdens on councils.<sup>5</sup>

Chapter 3 discusses the context of this review in more detail.

## 1.2 What has IPART been asked to do?

The full Terms of Reference for this review are at **Appendix A**. Under these Terms of Reference, IPART is to:

- ▼ identify inefficient or unnecessary planning, reporting and compliance obligations imposed on councils by the NSW Government through legislation, policies or other means
- ▼ develop options to improve the efficiency of local government by reducing or streamlining planning, reporting and compliance burdens, and
- ▼ collect evidence to establish the impacts on councils of reporting and compliance burdens, and to substantiate recommendations for reform.

The Terms of Reference also require us to estimate the savings associated with our recommendations. We will include these savings estimates in our Final Report.

## 1.3 How IPART has approached the task

We have focused our draft recommendations on the planning, reporting and compliance obligations placed on councils by State Government legislation and policies that are specific to councils. Consequently, several issues raised by councils that apply to any member of the community, government organisation or business undertaking a particular function, are deemed out of scope. These issues are discussed in Appendix C.

---

<sup>4</sup> IPART, *Local government compliance and enforcement - Draft Report*, October 2013, at [http://www.ipart.nsw.gov.au/Home/Industries/Regulation\\_Review/Reviews/Local\\_Government/Local\\_Government\\_Compliance\\_and\\_Enforcement](http://www.ipart.nsw.gov.au/Home/Industries/Regulation_Review/Reviews/Local_Government/Local_Government_Compliance_and_Enforcement), accessed on 1 December 2015 (IPART Compliance & Enforcement Draft Report).

<sup>5</sup> ILGRP Final Report, Recommendation 8.2, p 16.



We identified the regulatory burdens imposed on local government through a process of consultation, including submissions to our Issues Paper, council questionnaire and workshops. We also consulted with relevant NSW Government agencies regarding the burdens councils had raised, and sought feedback on the proposed solutions.

Appendix B includes a number of burdens identified by stakeholders for which we have not made a draft recommendation. We are open to considering these issues further, and invite comment on whether a recommendation should be made in the final report for these items.

Chapter 4 discusses in more detail how we have undertaken this review.

#### 1.4 How and when you can provide input to this review

We invite all interested parties to make written submissions in response to this Draft Report. We will also hold a public hearing on 8 February 2016. All interested parties are invited to attend and participate in the public hearing.

In general, we seek your response on the draft recommendations listed in Chapter 2, including any information on:

- ▼ the impacts of the suggested reforms, such as the costs or benefits, and
- ▼ any alternative ideas for reforms to the planning, reporting and compliance obligations imposed on local government which have been identified as inefficient, unnecessary or excessive.

Submissions may also comment on the issues included in Appendix B, as outlined above, as well as issues considered out of scope in Appendix C, or on any other issues stakeholders consider relevant to the review.

Submissions are due by **19 February 2016**. In accordance with IPART's public submission policy, late submissions may not be accepted at the discretion of the Tribunal. All submissions will be posted online as soon as possible after the closing date for submissions. Further information on how to make a submission can be found on page iii, at the front of this report.

After we have considered all the information and views expressed at the public hearing and in submissions, we will submit our Final Report to the NSW Government.

The following table sets out our timetable for this review.

**Table 1.1 Key dates for the review**

Task	Timeframe
Release of Draft Report	18 January 2016
Public hearing	8 February 2016
Stakeholder submissions due	19 February 2016
Final Report to Minister for Local Government	22 April 2016

**Note:** These dates are indicative and may be subject to change.

## 1.5 What does the rest of this Draft Report cover?

The rest of this report explains the context and approach for our review as well as our draft recommendations and findings. The report is structured as follows:

- ▼ **Chapter 2** lists our draft recommendations and findings.
- ▼ **Chapter 3** discusses our review in the wider context of local government reform and other reviews and reforms relevant to councils' regulatory responsibilities, as well as best practice regulatory principles.
- ▼ **Chapter 4** defines the scope of our review, explains what makes a regulatory obligation a burden, sets out the process we have undertaken to identify the inefficient, unnecessary and excessive regulatory obligations imposed on councils, and develops options for reform.
- ▼ **Chapter 5** discusses ways to address the systemic issues that are central to the State's regulation of local government.
- ▼ **Chapters 6-12** discuss specific issues and proposed solutions in the council functional areas of:
  - Water and sewerage
  - Planning
  - Administration and governance
  - Building and construction
  - Public land and infrastructure
  - Animal control
  - Community order.
- ▼ **Appendices A-D** set out:
  - The Terms of Reference
  - Other issues raised as burdens
  - Out of scope issues
  - Consultation.

## 2 | Listing of Draft Recommendations and Findings

Our draft recommendations and findings are set out below, along with the page number where each is discussed in the report.

### Systemic issues

#### Draft Recommendations

- 1 That the Department of Premier and Cabinet (DPC) revise the *NSW Guide to Better Regulation* to include requirements for State agencies developing regulations involving regulatory or other responsibilities for local government, as part of the regulation-making process, to: 34
  - consider whether a regulatory proposal involves responsibilities for local government 34
  - clearly identify and delineate State and local government responsibilities 34
  - consider the costs and benefits of regulatory options on local government 34
  - assess the capacity and capability of local government to administer and implement the proposed responsibilities, including consideration of adequate cost recovery mechanisms for local government 34
  - take a coordinated, whole-of-government approach to developing the regulatory proposal 34
  - collaborate with local government to inform development of the regulatory proposal 34
  - if establishing a jointly provided service or function, reach agreement with local government as to the objectives, design, standards and shared funding arrangements, and 34
  - develop an implementation and compliance plan. 34
- 2 That the NSW Government maintain a *Register of local government reporting, planning and compliance obligations* that should be used by State agencies in the regulation-making process to manage the volume of regulatory requirements imposed on councils and to avoid creating unnecessary or duplicative requirements. 38

- 3 That the NSW Government remove restrictions on fees for statutory approvals and inspections to allow for the recovery of efficient costs, subject to monitoring and benchmarking. 41
- 4 Where fees continue to be set by statute, that the relevant NSW Government agency reviews the level of the fees every 3-5 years and amends the relevant legislation to allow these fees to increase annually in line with CPI or an index of fee-related costs. 41
- 5 That if statutory fees are capped below cost recovery to ensure affordability or for other policy reasons, then the NSW Government should reimburse councils for the shortfall in efficient costs. 41
- 6 That the Department of Premier and Cabinet amend the *Good Practice Guide to Grant Administration*, to: 45
  - recognise Local Government as separate from non-government organisations 45
  - remove acquittal requirements for untied grants 45
  - explicitly address ongoing maintenance and renewal costs when funding new capital projects 45
  - require Agencies to rely on existing council reporting to assess financial stability and management performance of councils 45
  - lengthen acquittal periods for ongoing grant programs to four years, and use Memorandum of Understanding (MOU) arrangements, rather than requiring councils to reapply annually, and 45
  - provide for a streamlined acquittal process for grants of less than \$20,000 in total, examples of streamlining include: 45
    - o not requiring further external financial audit 45
    - o using risk-based controls and requirements, and 45
    - o confining performance measurement to outcomes consistent with the purpose of the grant. 45
- 7 That the Department of Finance, Services and Innovation use the NSW ICT Strategy and Information Asset Registers to: 47
  - provide a central website to consolidate Local Government reporting portals, searchable data sets, reports and publications 47
  - facilitate council use of the central website, and 47
  - facilitate sharing of Local Government data and information between State Government agencies. 47



- 8 That the Office of Local Government introduce a “gateway” framework, using a cost-benefit methodology, to assess new State agency proposals for reporting and data collection from Local Government. 47
- 9 That the Department of Planning and Environment, including through the Office of Local Government, review public notice print media requirements in the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*, the *Environmental Planning and Assessment Act 1979*, and the *Environmental Planning and Assessment Regulation 2000* and, where the cost to councils of using print media exceeds the benefit to the community, remove print media requirements and allow online advertising, mail-outs and other forms of communication as alternatives. 49

## Water and Sewerage

### Draft Recommendations

- 10 That the Department of Primary Industries Water (DPI Water) undertake central water planning for Local Water Utilities (LWUs) to ensure that water supply and demand options are considered in the context of catchments, replacing the water planning LWUs currently undertake individually through Integrated Water Cycle Management Strategies. 54
- 11 That the NSW Government enable LWUs with sufficient capacity to be regulated under the *Water Industry Competition Act 2006* as an alternative to their current regulation under the Best-Practice Management of Water Supply and Sewerage Framework and section 60 of the *Local Government Act 1993*. 54
- 12 That DPI Water amend the *Best-Practice Management of Water Supply and Sewerage Guidelines* to: 61
- streamline the NSW Performance Monitoring System to ensure each performance measure reported is: 61
    - linked to a clear regulatory objective 61
    - used by either most Local Water Utilities (LWUs) or DPI Water for compliance or meaningful comparative purposes 61
    - not in excess of the performance measures required under the National Water Initiative, and 61
    - not duplicating information reported to other State agencies. 61
  - reduce the number of performance measures and/or the frequency of reporting for small LWUs with fewer than 10,000 connections 61
  - align trade waste reporting with other performance reporting, on a financial year basis, subject to consultation with LWUs, LGNSW and the Water Directorate, and 61

- implement a risk-based auditing regime for LWU wanting to pay a dividend to their council's general fund. 61
- 13 That NSW Health determine a standardised service report template to be used by technicians undertaking quarterly servicing of aerated wastewater treatment systems, in consultation with councils. 65
- 14 That the *Local Government (General) Regulation 2005* be amended to require service reports to be provided to councils using the template determined by NSW Health as a standard condition of approval to operate an aerated wastewater treatment system. 65

## Planning

### Draft Recommendations

- 15 That the Department of Planning and Environment (DPE): 75
  - Implement a data sharing model with the Australian Bureau of Statistics in relation to building approvals in NSW. 75
  - Introduce a consolidated data request of councils for the purposes of the *Local Development Performance Monitoring (LDPM)*, *Housing Monitor*, *State Environmental Planning Policy (Affordable Rental Housing) 2009* (Affordable Rental Housing) and *State Environmental Planning Policy No 1 – Development Standards (SEPP 1 variations)*. 75
  - Fund an upgrade of councils' software systems to automate the collection of data from councils for the purposes of the LDPM, *Housing Monitor*, Affordable Rental Housing and SEPP 1 variations. 75
  - Publish the data collected from councils on Affordable Rental Housing and SEPP 1 variations data. 75
  - Seek agreement with the Land & Environment Court to obtain appeal data directly from the Court. 75
  - Remove the administrative requirement for councils to report to DPE on political donations or gifts under section 147 of the *Environmental Planning & Assessment Act 1979*. 75
- 16 That the *Environmental Planning and Assessment Act 1979* be amended to enable zoning and development standards information under section 149(2) of the *Environmental Planning and Assessment Act 1979* to be provided through the NSW Planning Portal. 86
- 17 That the *Environmental Planning and Assessment Regulation 2000* be amended to specify the information that can be provided by councils in accordance with section 149(5) of the *Environmental Planning & Assessment Act 1979*. 87

18	That DPE amend the NSW Planning Portal to provide for online:	87
	– payment of fees and charges by applicants and for the Planning Reform Fund fee to then be automatically directed to DPE	87
	– zoning and development standards information under section 149(2) of the <i>Environmental Planning &amp; Assessment Act 1979</i>	87
	– joint applications for development approvals and construction certificates, and	87
	– information under section 149(5) of the <i>Environmental Planning &amp; Assessment Act 1979</i> to be accessible via a link to council websites.	87
19	That DPE manage referrals to State agencies through a ‘one-stop shop’ in relation to:	93
	– planning proposals (LEPs)	94
	– development applications (DAs), and	94
	– integrated development assessments (IDAs).	94
20	That DPE develop suites of standardised development consent conditions and streamline conditions that require consultant reports or subsequent approvals, in consultation with councils, State government agencies and other key stakeholders.	98

## Administration and governance

### Draft Recommendations

21	That the NSW Government streamline the reporting requirements for the Integrated Planning and Reporting (IP&R) framework in the revised Local Government Act.	103
22	Ahead of the next IP&R cycle (2016), that the Office of Local Government:	103
	– provide councils with a common set of performance indicators to measure performance within the IP&R framework	103
	– conduct state-wide community satisfaction surveys and release the results to allow comparisons between councils and benchmarking	103
	– provide guidance to councils on the form and content of the End of Term Report and its relationship to local councils’ Annual Reports	103
	– clarify for councils the purpose, form and content of the State of the Environment report and clarify its relationship to the End of Term Report	103
	– work with the Office of Environment and Heritage, the NSW Environment Protection Authority and other relevant agencies to develop performance indicators for councils to use, and	103

- where relevant, amend the IP&R Guidelines and Manual to incorporate this material. 103
- 23 That the Office of Local Government remove requirements for councils to report more in the General Purpose Financial Statements than is required by the Australian accounting standards, issued by the Australian Accounting Standards Board, except for requirements which are unique and high value to local government such as Note 21 and Special Schedule 7. 108
- 24 That clause 163(2) of the *Local Government (General) Regulation 2005* be amended to allow the Office of Local Government to determine the councils for which the threshold for formal tendering would be increased to \$250,000, with this threshold to be reviewed every five years. 111
- 25 That section 377(1)(i) of the *Local Government Act 1993* be amended to allow the Council to delegate the acceptance of tenders. 111
- 26 That the Department of Planning and Environment, through the Office of Local Government, review the requirements in the *Local Government Act 1993* for Ministerial approvals; those that are not justified on the basis of corruption prevention, probity or protecting the interests of the State be removed. 114
- 27 That the Office of Local Government introduce guidelines that specify maximum response times for different categories of approvals. 114
- 28 That the Department of Planning and Environment, through the Office of Local Government, review all approvals required under section 68 of the *Local Government Act 1993* in order to: 117
  - determine the activities for which a separate local council approval under section 68 is necessary 117
  - revise the regulatory frameworks within NSW legislation to remove duplication 117
  - place as many approval requirements as possible in specialist legislation, and 117
  - where appropriate, enable mutual recognition of approvals issued by another council. 117
- 29 That the *Local Government Act 1993* be amended to transfer current requirements relating to the length of time for temporary appointments under section 351(2) to the *Local Government (General) Regulation 2005* or the relevant awards. 122
- 30 Extend the maximum periods of temporary employment from 12 months to four years within any continuous period of five years, similar to Rule 10 of the *Government Sector Employment Rules 2014*. 122



- 31 That section 31 of the *Public Interest Disclosures Act 1994* be amended to require councils to report on public interest disclosures in their annual reports and remove the requirement for an annual public interest disclosures report to be provided to the Minister for Local Government. 124
- 32 That section 125 of the *Government Information (Public Access) Act 2009* be amended to allow councils to lodge annual reports of their obligations under the Act within five months after the end of each reporting year. 126
- 33 That the Office of Local Government assist the Information and Privacy Commission to circulate to councils information related to the *Government Information (Public Access) Act 2009*. 126

### Draft Findings

- 1 That the principles and processes outlined in ICAC's *Guidelines for managing risk in direct negotiations* are best practice standards which can be applied where a lack of competition exists in a Local Government Area. 111

## Building and construction

### Draft Recommendations

- 34 That the Building Professionals Board include information on travel charges for certification services in regional areas when developing an indicative fee schedule. 135
- 35 That the Building Professionals Board or the proposed Office of Building Regulation (in consultation with Department of Planning and Environment, Fire & Rescue NSW and local government) design the new online system for submitting annual fire safety statements (AFSS) to allow councils to identify buildings in their area that require an AFSS, and where follow up or enforcement action is required. 137
- 36 That the *Environmental Planning and Assessment Regulation 2000* be amended to clarify what constitutes a 'significant fire safety issue'. 140
- 37 That section 121ZD of the *Environmental Planning and Assessment Act 1979* be amended to allow councils to delegate authority to the General Manager to consider a report by the Fire Brigade, make a determination and issue an order, rather than having the report considered at the next council meeting. 140

## Draft Findings

- 2 The draft recommendations of the *Independent Review of the Building Professionals Act 2005* (Lambert Building Review), if supported by the NSW Government, would: 131
  - Substantially improve the funding and ability of councils to effectively undertake their compliance functions in relation to unauthorised building work and refer certifier complaints to the Building Professionals Board. 131
  - Introduce more effective disincentives (for example, penalties) for unauthorised building work. 131
  - Institute a system of electronic lodgement of certificates and documentation from private certifiers to councils in a standardised form. This should reduce current record management burdens on councils, which would allow the information to be used to inform building regulation policy development and better targeting of council and state resources in building regulation. 131
  - Reduce the frequency of accreditation renewals from annually to every three to five years. 132
  - Create a new category of regional certifier to reduce the accreditation burden on councils and increase the number of certifiers in the regions. 132
- 3 That under the *Local Government Act 1993* councils can set their fees for certification services to allow for full cost recovery. These fees can include travel costs. 135
- 4 That the online Building Manual, proposed in the e-building initiative draft recommendation of the Lambert Building Review, would remove the current burden on councils of collecting and maintaining records of annual fire safety statements. 137

## Public land and infrastructure

### Draft Recommendations

- 38 That the NSW Government transfer Crown reserves with local interests to councils, as recommended by the NSW Crown Lands Management Review and piloted through the Local Land Program Pilot. 143
- 39 Consistent with its response to the Crown Lands Legislation White Paper, that the NSW Government ensure that Crown reserves managed by councils are subject to *Local Government Act 1993* requirements in relation to: 143
  - Ministerial approval of licences and leases, and 143
  - reporting. 143

- |    |   |     |
|----|---|-----|
| 40 | That the NSW Government streamline the statutory process for closing Crown roads, including the arrangements for advertising road closure applications.   | 146 |
| 41 | That the NSW Government reduce the backlog of Crown road closure applications to eliminate the current waiting period for applications to be processed.   | 146 |
| 42 | That the NSW Government streamline the provisions of the <i>Local Government Act 1993</i> relating to plans of management for community land to align public notice and consultation with councils' community engagement for Integrated Planning and Reporting purposes.                                  | 149 |
| 43 | That Roads and Maritime Services provide greater support for councils to develop the competency to conduct route access assessments and process heavy vehicle applications. This support should be focused on developing the competency and skills within councils to perform these regulatory functions. | 151 |
| 44 | That the <i>Impounding Act 1993</i> be amended to treat caravans and advertising trailers in the same way as boat trailers when considering whether they are unattended for the purposes of the Act.  | 153 |

## Animal control

### Draft Recommendations

- |    |  |     |
|----|--|-----|
| 45 | That the Office of Local Government's redesign and modernisation of the central <i>Register of Companion Animals</i> includes the following functionality: | 157 |
|    | – online registration, accessible via mobile devices anywhere  | 157 |
|    | – a one-step registration process, undertaken at the time of microchipping and identifying an animal   | 157 |
|    | – the ability for owners to update change of ownership, change of address and other personal details online  | 157 |
|    | – unique identification information in relation to the pet owner (ie, owner's date of birth, driver licence number or Medicare number)                     | 157 |
|    | – the ability to search by owner details   | 157 |
|    | – the ability for data to be analysed by Local Government Area (not just by regions)   | 157 |
|    | – the ability for data to be directly uploaded from pound systems, and   | 157 |
|    | – centralised collection of registration fees so funding can be directly allocated to councils.  | 157 |

- 46 That the *Companion Animals Act 1998* and *Companion Animals Regulation 2008* be amended to require unique identification information in relation to the pet owner (ie, owner's date of birth, drivers licence number or Medicare number), to be entered in the register at the time of entering animal identification information and when there is a change of ownership. 157

## Community order

### Draft Recommendations

- 47 That the NSW Government review how councils are currently applying Alcohol Free Zone (AFZ) and Alcohol Prohibited Area (APA) provisions in response to alcohol related anti-social behaviour and clarify the rationale and processes for declaring AFZs and APAs in the *Local Government Act 1993* and Ministerial Guidelines on Alcohol-Free Zones. 165
- 48 That the NSW Government provide an efficient process for consultation and decision making on temporary and events-based alcohol restrictions. 165
- 49 That the *Graffiti Control Act 2008* be amended to allow councils to prosecute individuals and organisations that commission or produce bill posters that are visible from a public place within their local government area. 168



## **10. REPORT OF DIRECTOR CITY WORKS**

### **10.1 City Works Activity Report**

---

#### **Attachments**

Activity Report

#### **Report**

Works activities are proceeding to program and on demand and are outlined in the Activity Report. Statistics on graffiti are also presented in the Activity Report. It should be noted that the Activity Report continues to be reviewed to better reflect the areas and program/projects being undertaken by Council.

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

That the information be noted.

#### **Council Meeting 16 February 2016 (Oates/Glynn)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 19**

That the Officer's Recommendation be adopted.

# ATTACHMENT 1

**OPERATIONAL SERVICES SECTION** (Reporting period 23 November 2015 to 24 January 2016)

## GRAFFITI

The Graffiti Action Team has for the period undertaken the following graffiti tasks to various Council assets.

Area	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	Nov 2015	Dec/ Jan 2016
Area 1	2343	3301	2706	2959	2212	2770	777	1087	975
Area 2	1946	2228	2309	3285	1534	3260	311	974	559
Area 3	492	848	570	1384	1122	1453	300	463	601
Area 4	2102	2368	1852	2730	1888	2429	404	1195	879
Total	6883	8745	7437	10358	6756	9912	1792	3719	3014

Council's contractor has removed 7sqm of graffiti from Council's public facilities throughout the local government area.

During the reporting period 9 Graffiti Removal Kits have been requested by the Community.

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	Nov 2015	Dec/ Jan 2016
18	16	12	32	4	22	1	2	9

## OPEN SPACE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Servicing of Parks and Reserves (Sites)	164	73	130	108	475
Road Verges (Sites)	71	79	43	68	261
Community/Childcare Centre's (Sites)	0	1	3	4	8
Servicing Laneways (Sites)	112	134	168	77	491
Litter/Rubbish Pickup	223	143	82	23	471
Herbicide Spraying (hrs)	23.5	13	25.5	25	87
Mulching (m <sup>3</sup> )	0	0	0	0	0
Garden Maintenance	0	0	0	0	0
Garden Refurbishment	0	0	0	0	0
Top Dressing (hrs)	0	0	0	0	0
Aeration of Fields	0	0	0	0	0
Sharps Pickup	0	0	0	0	0
Pathway Requests	52	32	15	9	108
Tractor Road Verge (Sites)	25	17	21	38	101
Tractor Servicing Parks and Reserves (Sites)	40	76	58	30	204
Cemetery	0	0	0	0	0
Fire Hazard Reduction	2	2	0	2	6
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)	53	67	36	43	199
Road Verges (Sites)	54	34	39	37	164
Community/Childcare Centre's (Sites)	25	22	20	14	81
Cemetery	0	0	0	0	0
Tractors Servicing Sporting Fields	79	58	82	81	300
Litter/Rubbish Pickups (hrs)	50	69	49	39.5	207.5
Herbicide Spraying (hrs)	30	43	47	34	154
Mulching (m <sup>3</sup> )	100	60	80	102	342
Garden Maintenance (Sites)	88	49	71	79	287
Garden Refurbishment (Sites)	0	0	0	0	0
Top Dressing (tonne)	5	8	10	8	31
Aeration of Fields (Sites)	3	1	3	3	10
Sharps Pickups	0	0	0	0	0
Miscellaneous Requests	0	0	0	0	0
Refilling of Sandpits	0	0	0	0	0
Plumbing	54	22	44	42	162
Placing of goal posts (Sites)	0	0	0	0	0
Cricket Wicket Maintenance	55	52	79	56	242

## HORTICULTURE ACTIVITIES

### Planting Activities

Apex Park, Bradbury - Approximately 2700 assorted plants and 6 advanced trees will have been planted on the site by the end of the week.

Richmond Villa – 20 shrubs planted at this location

Morgans Gate Bridge - 150 native grasses have been planted and the area mulched.

Mawson Park - Refurbishment and additional planting around the park is underway.

### Mulching

Mulching activities were undertaken at Apex Park, Bradbury, Eagles Nest Childcare Centre Eschol Park, Ingleburn CBD, Richmond Villa, Campbelltown and Park Central, Campbelltown.

## COUNCIL TREE INSPECTIONS

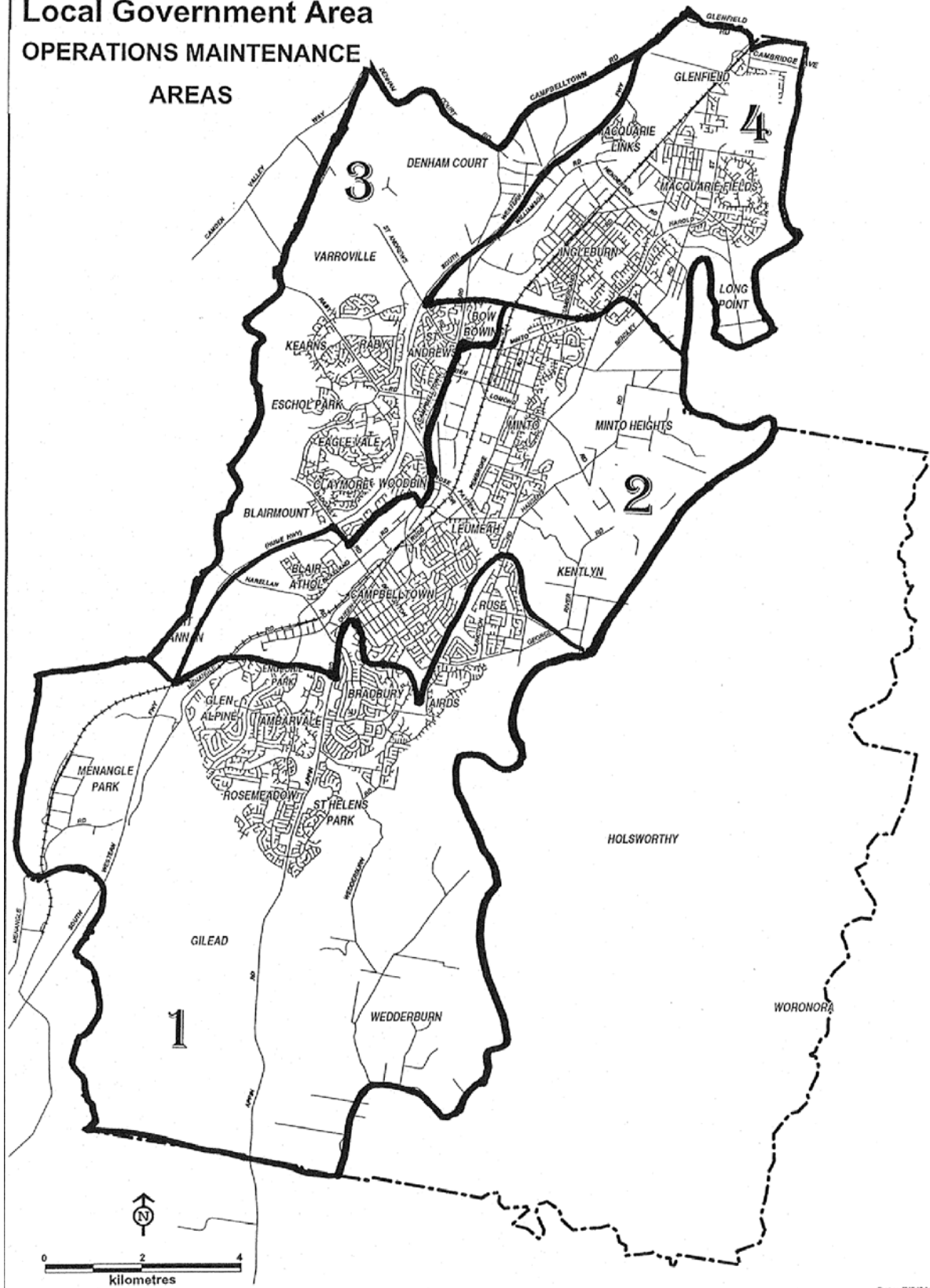
Activity	Area 1	Area 2	Area 3	Area 4	Total
Contract	23	16	27	21	87
Council	100	88	89	82	359
Termites	3	2	0	1	6
Plumber - Sewer Chokes	0	0	0	0	0
N/A	12	10	6	12	40
HOLD	2	1	1	0	4
Total	140	117	123	116	496

## PRIVATE PROPERTY TREE INSPECTIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Private Trees	37	33	24	36	130

# 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)	188	117	207	33	545
Road restorations (sqm)	0	27	16	0	43
AC Base Course Total (T)	26	31	40	8	105

### B. MINOR PATCHING - Roads And Footpaths

Activity	Area 1	Area 2	Area 3	Area 4	Total
Pot holes (no.)	112	222	143	142	619
Edge breaks (LM)	0	5	26	0	31
Restorations (sqm)	8	0	8	26	42
Car parks pot holes (no.)	51	0	47	30	128
Trip Hazard Footpaths (no.)	0	0	0	0	0

### C. ROADS RESERVE OPENING & RESTORATIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Vehicle crossings constructed	8	26	44	31	109
Telstra Inspections	1	3	6	4	14
Sydney Water inspections	3	8	9	14	34
Endeavour Energy Inspections	1	2	1	3	7
Jemena Gas Inspections	2	7	6	4	19
NBN	0	7	12	0	19
Customer & Road Opening requests	11	24	35	19	89

### D. MULTI FUNCTIONAL VERGE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Cleaning of gross pollutant trash	17	8	5	24	54
Pits cleaned by hand or suction	135	50	61	97	343
Tail out drains/headwalls	6	38	16	8	68
Removal of waste matter (m <sup>3</sup> )	100	64	15	85	264
Flushing of stormwater lines (LM)	1210	500	1010	578	3298
Underpass (drainage) cleaning	2	4	0	0	6
Trip hazards/footpath hazards	25	15	21	9	70
Dead animals removed	14	11	2	5	32
Parra webbing drainage	1	4	3	9	17
Sign retrievals and straightening	4	0	10	3	17
Syringes	230	15	44	11	300
Deliver and set up at venues	5	4	3	2	14
Paver repairs (sqm)	0	0	0	0	0
Oil/ paint spill/debris on road	2	6	1	2	11
Median cleaning/poisoning (LM)	351	19	225	83	678
Guide Posts	1	15	0	2	18

**E. STREET ACCESSORIES - Sign Manufacturer**

Activity	Area 1	Area 2	Area 3	Area 4	Total
Regulatory signs	8	15	4	16	43
Street signs	43	12	20	32	107
Ordinance signs	4	11	8	9	32
Directional signs	3	4	8	9	24
Warning signs	0	0	14	3	17
Community signs	3	23	7	14	47
Various council signs	10	32	23	21	86
Council special events	5	3	15	9	32
Banners/ Posters	0	0	0	0	0
Various Stickers / Labels	15	8	30	4	57
Total	91	108	129	117	445

**Sign Erection**

Activity	Area 1	Area 2	Area 3	Area 4	Total
Regulatory signs	150	52	32	80	314
Street signs	33	11	43	12	99
Ordinance signs	15	45	9	21	90
Directional signs	2	3	9	1	15
Warning signs	0	5	9	12	26
Community signs	15	17	2	4	38
Various council signs	0	0	0	0	0
Banner / Bin Installation	9	23	4	15	51
Graffiti Removal (sqm)	3	4	15	0	22
Works orders (traffic)	3	5	2	4	14
Bollard replacement/ repair	13	20	25	3	61
Line Marking/Car Park (sqm)	0	10	2	5	17

**F. FOOTPATH RECONSTRUCTION PROGRAM 2015 – 2016**

Stage 1A - 100% complete.

Stage 1B - 50% complete.

Stage 2 - 100% complete.

**G. NEW FOOTPATH CONTRUCTION PROGRAM 2015 – 2016**

Stage 1A - 100% complete.

Stage 1B - 30% complete.

**H. KERB AND GUTTER RECONSTRUCTION 2015 – 2016**

Stage 1 - 100% complete.

Stage 2 - 96% complete.

Stage 3A - 15% complete.

Stage 3B - 0% complete.

**I. FOOTPATH GRINDING PROGRAM 2015 – 2016**

20% complete.

**J. PAMPS PROGRAM**

0% complete.

#### **K. ROADS PROGRAM 2015 – 2016**

84% complete.

#### **L. OPERATIONS MINOR WORKS**

**Ingleburn CCTV Cameras** - 100% complete.

**Campbelltown CCTV Cameras** - 100% complete.

#### **M. CAPITAL WORKS**

**Eagle Vale Drive Road Stage 3 (Widening and Roundabout)** - 82% complete.

**Eagle Vale Drive Road (Wynn Street to Badgally Road)** - 40% complete.

**John Kidd Reserve Recreational Play Area** - 100% complete.

**Noorumba Fire Trail Drainage Works and Embankment Stabilisation Works** - 0% complete.  
Pending environmental assessment.

**Lynwood Park Soccer Synthetic Turf Installation** - 95% 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.

<b>Plant No</b>	<b>Item</b>	<b>Reason - Area of Repair</b>	<b>Repairer</b>	<b>Down Time Hrs</b>
<b>9767.02</b>	Horticulture Truck	Rust repairs in back tray area	CCC Workshops and Supplier	<b>80hrs</b>
<b>9694.02</b>	Sweeper Sucker Truck	Manufacture and replacement of rear snorkel and pivot arm	CCC Workshops	<b>90hrs</b>
<b>9714.02</b>	Horticulture Tractor	Replace hydraulic pump	CCC Workshops and Supplier	<b>34hrs</b>
<b>9973.02</b>	Horticulture Truck	Rust repairs in back tray area	CCC Workshops	<b>42hrs</b>

The following is a breakdown of the work performed since the last report **23 November 2015 – 24 January 2016**.

<b>9767.02</b>	Repairs have been completed and horticulture truck is back in use
<b>9694.02</b>	Repairs have been completed and sweeper sucker truck is back in use

<b>9714.02</b>	Tractor repairs completed and back in use
<b>9973.02</b>	Horticulture truck repairs continuing

All previous reported repairs have been completed and vehicles/plant are back in service.

Tyre Repairs	62
Services carried out	35
Repairs to trucks	42
Repairs to heavy plant	46
Repairs to trailers	32
Tractors/implements	50
SES repairs	0
RFS repairs	3
Small plant repairs	52
Repair to cars	13
Repairs to mowers	55
Repairs to sweepers	11
Pathway requests (completed)	7

Of the reported repairs above 21 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 **60,654 kWh** back to the grid.

The Workshop has also carried out the following duties:

- Manufacture and repair of various gates, locks, lock boxes and grates.
- Trailer repairs and modifications.
- Manufacture and repairs of truck bodies.

#### **HAZARD REDUCTION PROGRAM**

**Hazard Reduction Burning** - No hazard reduction burning has been conducted in the reporting period.

**Asset Protection Zones Maintenance** - 39 hazard reduction treatments were completed in the reporting period, totalling an area of 42.861 hectares with 1340 assets protected.

**Fire Trails** – No fire trail maintenance has been undertaken in the reporting period.

**Fire Trail Gates** – Fire trail gates have been installed in two separate entry points at Wedderburn Reserve (Charcoal Pits), to restrict access and prevent illegal waste disposal.



## **ASSETS AND SUPPLY SERVICES**

### **Procurement and Contract Management Services**

#### **Tenders/Quotes/Expressions of Interest and Agreements:**

##### **Tenders/Quotes currently being prepared:**

- Q16/01 Visual Defects Assessment for Road Pavements and Surfacing
- Q16/02 Rate Notice Production
- Q16/03 Gutter Cleans
- Q16/04 Sports Ground Floodlight Inspections
- T15/17 Traffic Signals on Eagle Vale Drive
- T15/19 Supply and Construct Recycling Shed at Suez site
- T15/20 Design and Construct Workshop at Suez site
- T16/14 Design, Supply and Maintenance of Irrigation Services
- T16/01 Roofing Services
- T16/02 Sports Grounds Floodlight Installation, Upgrades and Repairs
- T16/03 General Trades
- T16/04 Cleaning of Campbelltown Sports Stadium
- T16/05 Cleaning of Council Facilities and Depot
- T16/06 Supply and Transport Streetsweeper Waste Bin, Depot Bulk Bin
- T16/07 Processing and Disposal of Waste from Depot Bulk Bin and Casual Skip Bins
- T16/08 Processing and Disposal only of Streetsweeper Waste
- T16/09 Supply and Servicing Front Lift Bins
- T16/10 Horticultural Services
- T16/12 Demolition of Buildings
- T16/13 Concrete Works
- T16/15 Supply and Operate Carnival Rides and Amusements at Fishers Ghost Festival
- T16/16 Saw Cutting

##### **Tenders/Quotes currently advertised:**

- T15/31 Plumbing Services

##### **Tenders/Quotes currently under evaluation:**

- Q15/28 Removal and Relocation of Tennis Court Surface
- Q15/30 Wide Area Mower Attachment

## **ASSET MANAGEMENT**

### **Roads**

- Annual Road Inspection 2015-2016 by Council Staff is 100% completed.
- Visual and Laser Survey on Campbelltown City Council's Road Network by a Consultant is 100% completed.
- Treatments and condition data has been updated into SMEC.
- Overall Road Renewal Program 2015-2016 is 91% completed.

### **Car Parks**

- Car Park Inspection 2015-2016 is 10% completed.

### **Bridge and Culvert**

- The work for Safety Barrier Fencing Repair at Stennett Road Bridge and Minto Road Major Culvert is awarded to Evolution Civil Maintenance.
- The quotations for Bridge Joint Repair over the railway at Henderson Road has been sent to contractors for pricing.

### **Kerb and Gutter**

- The Traffic Island Inspection Program for 2015-2016 is 100% completed.
- The Traffic Management Device Inspection Program for 2015-2016 is 24% completed.

### **Footpath**

- The Footpath Stage 3 has been awarded to the Contractor.
- The Footpath condition inspection is 15% completed.

### **Stormwater**

- Stormwater pits inspection for 2015-2016 is 80% completed.
- 20 new stormwater pits and pipes have been captured in the system and mapped in MapInfo.

### **Parks and Public Spaces**

- Between 16 December, 2015 and 8 February, 2016, 1260 assets have been inspected at Parks and Reserves in the Local Government Area. This is a total of 47% of Parks and Reserve 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.
- 21 Pathways requests have been forwarded to Operations as results of these inspections.
- Simmos Beach Steps (South) construction: Purchase Order has been issued. Work to commence late February 2016.

### **Building Inspections**

- Building inspections have been carried out at 6 locations.
- 100% of "Other structure" condition inspections have been completed.
- All reactive issues discovered have been reported and all conditions and actions have been updated in Council's Asset Management System.

### **Playground Equipment**

- Reactive Repairs - Reactive repairs have been carried out at 29 locations.
- Operational playground inspections have been completed by the Consultant.
- Playground Program Maintenance has been completed at the following locations. Works include repainting and addressing compliance issues:

Apex Park, Bradbury  
Lorraine Cibilic Reserve, Woodbine  
Kingfisher Reserve, Ingleburn  
Fiveash Reserve, St. Helens Park  
Stranraer Reserve, St Andrews  
Lookout Park, Bow Bowling  
Midlothian Reserve, St Andrews  
Hallinan Park, Ingleburn

- Replenishment of softfall mulch has completed for 17 sites.
- Replenishment of softfall mulch has been issued for 3 sites.

## **2015-2016 Innovative Play Spaces Program**

Installation dates are as follows:

- Moncrieff Reserve – Has commenced and is due for completion late February.
- Merino Park – Has commenced and is due for completion late February.
- Gargery Reserve – 15 February 2016 to 26 February 2016.
- Salter Reserve – 19 February 2016 to 2 March 2016.
- Macquarie Field Indoor Sports – 20 February to mid March 2016.
- Budbury Reserve, Glenfield – To commence early March 2016.

### **Internal Assets– Electrical Testing and Tagging**

- 699 items of electrical equipment have been tested at locations throughout Local Government Area.

### **Asset Management System, Grants and Reports**

- Roads and Maritime Services monthly report for December have been sent.
- Australian Bureau of Statistics 2<sup>nd</sup> quarterly report for month of December have been sent.
- Fleet report and plant utilisation report have been sent.

## **BUILDING MAINTENANCE/CONSTRUCTION PROGRAM**

### **Reactive Maintenance**

There were 421 reactive maintenance requests during the months of January till 10 February, 2016.

### **Building Program Maintenance**

- **St Helens Park Reserve Skate Park** – Works are now completed.
- **Fullwood Rugby League New Amenities Building** – Works are now completed. Waiting on Telstra for line connection.
- **Animal Care Facility** – Cattery is completed. Waiting on Telstra for line connection.
- **Blinman Oval** – Steelwork is up, roof is on and the brickwork is 70% completed.
- **Civic Centre** – Stormwater rectification works are now completed.
- **Eschol Park 3** – Plans have been approved by the club to construct an internal storeroom and BBQ area. Works have now commenced.
- **Worrell Park Amenities** – Slab is down and steelworks are in progress.

## **11. REPORT OF DIRECTOR COMMUNITY SERVICES**

### **11.1 Macarthur Community Options Business Name**

---

#### **Attachments**

Nil

#### **Report**

As advised in a weekly memo to Councillors on 27 November 2015 the NDIS will begin to be rolled out locally from 1 July 2016.

The introduction of My Aged Care and the National Disability Insurance Scheme (NDIS) means that services provided by Macarthur Community Options (MCOP) will no longer be block funded. Under these new programs, funding packages are provided for individuals and are transferable to another provider, should the customer choose to change provider.

This new funding environment requires providers to be competitive in price, quality and their connection to existing and potential customers. In late 2015, the MCOP team conducted a rebranding workshop with its customers to ensure the service was still connecting with its customers and aware of their needs. As a result of this workshop a new service name was chosen, Life Designs NSW was the most popular choice from this process.

NSW has been included in the business name as services are no longer tied to the Macarthur area. Existing customers who move out of the Macarthur area can now be retained and new out of area customers can be serviced by our team, where practical. Improvements in information technology such as mobile devices, immediate updating of information and shared data make these changes possible.

The choice of a registered business name requires Council's approval as the business name is connected to Council's ABN. Multiple business names can be registered through one ABN so this registration would not affect any future business name applications by Council.

Registration of the business name will enable MCOP to begin promotion so that customers are familiar with the new name by the time of the introduction of the NDIS locally in July 2016.

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

That Council approve the change of service name from Macarthur Community Options to "Life Designs NSW" and register the new business name with the Australian Securities and Investments Commission (ASIC).



**Council Meeting 16 February 2016 (Glynn/Kolkman)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 20**

That the Officer's Recommendation be adopted.

**12. REPORT OF DIRECTOR PLANNING AND ENVIRONMENT**

**No reports this round**

**13. REPORT OF DIRECTOR STRATEGY**

**No reports this round**

## **17. NOTICE OF MOTION**

### **17.1 Lynwood Park**

---

Councillors Greiss and Rowell have given Notice in writing of their intention to move the following Motion at the next meeting of Council on 16 February 2016.

1. That Council recognise the excellent outcome in providing artificial turf at the Lynwood Park Soccer facility.
2. That Council recognise that this project was completed on time and on budget.
3. That Council also recognise the efforts of staff and contractors involved in this outstanding project.
4. That Council forward a letter of thanks to the Federal Member Russell Matheson MP for all of his efforts in securing a government grant of \$500,000 toward this project.
5. That Council also send a letter of thanks to the Macarthur Football Association for their efforts and contribution towards this project.

### **Council Meeting 16 February 2016**

Having declared an interest in regard to Item 17.1, Councillor Lound left the Chamber and did not take part in debate nor vote on this item.

### **Council Meeting 16 February 2016 (Greiss/Rowell)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 21**

That the Officer's Recommendation be adopted.

At the conclusion of the discussion regarding Item 17.1, Councillor Lound returned to the Chamber for the remainder of the meeting.

## **19. PRESENTATIONS BY COUNCILLORS**

### **19.1 Presentations by Councillors**

1. Councillor Thompson noted that a number of operational staff members have been working additional hours to ensure grassed areas are maintained and acknowledged the efforts they are making to ensure the beauty of our City is upheld.
2. Councillor Brticevic advised that he attended the opening of the St Helens Park Skate Park noting that it is a fantastic facility that has been well received by the community.
3. Councillor Borg advised that he recently attended the opening of the 100 new stables at Menangle Park Raceway. Councillor Borg acknowledged the investment made by Tabcorp in to our community.
4. Councillor Lake advised that he also recently attended the opening of the 100 new stables at Menangle Park Raceway noting that this facility is a great asset to our region.
5. Councillor Lake referred to the recent opening of the St Helens Park Skate Park acknowledging that the high calibre of skate parks within the Local Government Area. Councillor Lake noted that the three facilities have been well received in the wider community with some travelling great distances to utilise these facilities. Councillor Lake congratulated all that were involved in the development of the St Helens Park Skate Park.
6. Councillor Greiss referred to the recent periods of bad weather across the Local Government Area and acknowledged the work undertaken by the emergency services during these periods. Councillor Greiss asked the General Manager if she would consider writing a letter of acknowledgment to relevant services.
7. Councillor Rowell noted that he has visited the Animal Care Facility and complimented relevant Planning and Environment staff for their ongoing commitment and efforts for the benefit of and delivery of the facility.

Councillor Rowell advised that the project works are magnificent noting that in particular that cats are now housed in an outstanding facility which allows potential customers to directly interact and play with cats in a housed area.

The new facility is a great outcome for this community.

8. Councillor Matheson advised that she also attended the opening of the 100 new stables at Menangle Park Raceway on behalf of the Mayor. Councillor Matheson noted that this is an outstanding facility.



## **19. PRESENTATIONS BY COUNCILLORS**

### **19.1 Presentations by Councillors**

1. Councillor Thompson noted that a number of operational staff members have been working additional hours to ensure grassed areas are maintained and acknowledged the efforts they are making to ensure the beauty of our City is upheld.
2. Councillor Brticevic advised that he attended the opening of the St Helens Park Skate Park noting that it is a fantastic facility that has been well received by the community.
3. Councillor Borg advised that he recently attended the opening of the 100 new stables at Menangle Park Raceway. Councillor Borg acknowledged the investment made by Tabcorp in to our community.
4. Councillor Lake advised that he also recently attended the opening of the 100 new stables at Menangle Park Raceway noting that this facility is a great asset to our region.
5. Councillor Lake referred to the recent opening of the St Helens Park Skate Park acknowledging that the high calibre of skate parks within the Local Government Area. Councillor Lake noted that the three facilities have been well received in the wider community with some travelling great distances to utilise these facilities. Councillor Lake congratulated all that were involved in the development of the St Helens Park Skate Park.
6. Councillor Greiss referred to the recent periods of bad weather across the Local Government Area and acknowledged the work undertaken by the emergency services during these periods. Councillor Greiss asked the General Manager if she would consider writing a letter of acknowledgment to relevant services.
7. Councillor Rowell noted that he has visited the Animal Care Facility and complimented relevant Planning and Environment staff for their ongoing commitment and efforts for the benefit of and delivery of the facility.

Councillor Rowell advised that the project works are magnificent noting that in particular that cats are now housed in an outstanding facility which allows potential customers to directly interact and play with cats in a housed area.

The new facility is a great outcome for this community.

8. Councillor Matheson advised that she also attended the opening of the 100 new stables at Menangle Park Raceway on behalf of the Mayor. Councillor Matheson noted that this is an outstanding facility.

# RESOLUTIONS FROM THE CONFIDENTIAL SECTION OF THE ORDINARY MEETING OF COUNCIL HELD 16 FEBRUARY 2016

## Confidentiality Recommendation

It was **Moved** Councillor Lake, **Seconded** Councillor Brticevic 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

### 21.1 Expression of Interest for sale of BioBanking Credits

#### 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 16 February 2016 (Greiss/Glynn)

That Council approve the lodgement of a BioBank site expression of interest for sale of credits from Noorumba Reserve.

#### Council Resolution Minute Number 24

That Council approve the lodgement of a BioBank site expression of interest for sale of credits from Noorumba Reserve.

#### CARRIED

Councillor Dobson and Councillor Thompson asked for their name to be recorded in opposition to the resolution for Item 21.1 – Expression of Interest for sale of BioBanking Credits.

## **21.2 Confidential Report Directors of Companies**

### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### **Council Meeting 16 February 2016 (Kolkman/Glynn)**

That the information be noted.

### **Council Resolution Minute Number 24**

That the information be noted.

**CARRIED**

## **City Works Committee**

### **22.1 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 16 February 2016 (Greiss/Dobson)**

That the information be noted.

### **Council Resolution Minute Number 24**

That the information be noted.

**CARRIED**

## **Community Services Committee**

**No reports this round**

## **Corporate Governance Committee**

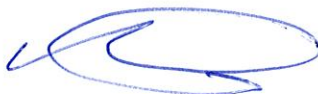
**No reports this round**

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

**At the Council Meeting held 22 March 2016 the following Council minutes were adopted:**

There being no further business at the meeting of 16 February 2016, the meeting closed at 9.17pm.

Confirmed by Chairperson:

A handwritten signature in blue ink, consisting of a series of loops and curves, positioned to the right of the text "Confirmed by Chairperson:".