

2017

ORDINARY BUSINESS PAPER

CAMPBELLTOWN CITY COUNCIL



12 September



5 September 2017

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 12 September 2017 at 6.30pm.

Lindy Deitz
General Manager

Agenda Summary

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1. ACKNOWLEDGEMENT OF LAND

I would like to acknowledge the Traditional Custodians, the Dharawal people, whose Lands we are now meeting on. I would like to pay my respects to the Dharawal Elders, past and present and all other Aboriginal people who are here today.

2. APOLOGIES

Nil at time of print.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 22 August 2017

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 22 August 2017, copies of which have been circulated to each Councillor, be taken as read and confirmed.

Report

That the Minutes of the Ordinary Meeting of Council held 22 August 2017 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 22 August 2017 (contained within this report)

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 22 August 2017.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 22 August 2017

Present

The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 Councillor R George
 Councillor B Gilholme
 Councillor G Greiss
 Councillor K Hunt
 Councillor P Lake
 Councillor D Lound
 Councillor R Manoto
 Councillor B Moroney
 Councillor W Morrison
 Councillor M Oates
 Councillor B Thompson

1. ACKNOWLEDGEMENT OF LAND

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

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES

Nil

Note: Councillor T Rowell has been granted a leave of absence from Council, incorporating all Council meetings until further notice.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 8 August 2017

It was **Moved** Councillor Lound, **Seconded** Councillor Gilholme:

That the Minutes of the Ordinary Meeting held 8 August 2017 copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests

Councillor Morrison - Confidential Item 14.3 - Blaxland Road, Campbelltown Blaxland Road, Campbelltown Land EOI - Review and Recommendations - Councillor Morrison advised that he has a local business interest and that he will leave the Chamber during discussion on this item.

Non Pecuniary – Significant Interests

Councillor Lound - Confidential Item 14.2 - Deed of Licences for Rosemeadow Sporting Complex - Councillor Lound advised that he is the Chairperson of Macarthur Football Association.

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

5. MAYORAL MINUTE

Nil

6. PETITIONS

Nil

7. CORRESPONDENCE

7.1 Camden Council - Greater Priority Growth Area - Menangle

It was **Moved** Councillor Lound, **Seconded** Councillor Oates:

That the letter be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Quarterly Legal Status Report April to June 2017

It was **Moved** Councillor Lound, **Seconded** Councillor Chowdhury:

That the information be noted.

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

8.2 Trial Summer Basketball Competition - Glenquarie Multi-Purpose Courts

It was **Moved** Councillor Lound, **Seconded** Councillor Thompson:

1. That the information be noted.
2. That Council write to the Macarthur Basketball Association and thank them for their support and partnership in the trial Summer Basketball Competition.

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

8.3 Outcome of Exhibition of Code of Meeting Practice

It was **Moved** Councillor Lound, **Seconded** Councillor Manoto:

1. That the Code of Meeting Practice shown as an attachment to this report be adopted.
2. That the review date for the Code of Meeting Practice be set at 30 September 2021.
3. That Council rescind the Policy for the Recording of General Business Items at Council Committees.

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

8.4 Online Report

It was **Moved** Councillor Lound, **Seconded** Councillor Chivers:

That the information be noted.

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

8.5 Reports and Letters Requested

It was **Moved** Councillor Oates, **Seconded** Councillor Lound:

That the information be noted.

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

8.6 Expenditure Allocation Revote

It was **Moved** Councillor Lake, **Seconded** Councillor Thompson:

That the projects listed in the attachment be reallocated for expenditure during 2017-2018.

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

8.7 Six Monthly Progress Report against the Delivery Program

It was **Moved** Councillor Moroney, **Seconded** Councillor Thompson:

That the information be noted.

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

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS

12.1 Local Planning Panels

It was **Moved** Councillor Gilholme, **Seconded** Councillor Morrison:

That the information be noted.

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

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Thompson thanked City Delivery for their ongoing work with regards to the beautification of our open space and residential areas within the Local Government Area and noted that our City is looking great.
2. Councillor Moroney advised that he recently attended the Georges River Combined Council Committee (GRCCC) meeting last week, and noted that it was a very proactive meeting particularly in regards to a new campaign Get the Site Right. The Get the Site Right Campaign links EPA compliance staff with Council compliance officers to inspect erosion and sediment control measures on construction sites to ensure sediment is not running off and contaminating the environment.

Councillor Moroney also noted that as a result of the Council amalgamations that the GRCCC will be considering a name change as there is confusion with regards to the newly established Georges River Council and the community not understanding the difference between the two.

3. Councillor Lake advised that he recently attended a meeting at the Campbelltown Chamber of Commerce, where the General Manager gave an insight in to the growth of Campbelltown to attendess.
4. Councillor Lake also acknowledged and congratulated the General Manager who was recently selected to represent Sydney at the 2017 Rockefeller Foundation Resilient Cities Summit in New York. It is an outstanding achievement to be selected on behalf of City Deals to represent Sydney at this conference.

The General Manager advised that the summit in New York was very insightful and that she is in the process of developing a presentation which will be presented to Councillors at a briefing evening. The General Manager also noted that she presented at the Summit with regards to growth in Western Sydney growth and the Western Sydney Airport and that it was a very rewarding experience.

4. Councillor Chivers advised that she was lucky enough to visit Koshigaya City a couple of weeks alongside the Mayor, the General Manager and Council staff, this trip confirmed the strong relationship that we have with Koshigaya, they were honoured that we were there. It was wonderful to view the Campbelltown Forest of Wild Birds.

Councillor Chivers thanked Amanda King for her planning and organisation of the trip and noted that the itinerary was well prepared and structured.

5. Councillor Oates advised that she recently represented the Mayor at the Campbelltown Airs Historical Society - Remembering our Founder Dr Thomas and Stories of the Society and Members over the last 70 years event. Councillor Oates noted that Dr Thomas' son presented at this event and it was wonderful to hear, through his son, you could see the man, hear the man and feel the pride that Dr Thomas had for our City.

6. Councillor Oates thanked Amanda King and staff for the planning and coordination of our recent visit to Koshigaya and the itinerary that was planned. The thing that I found exciting, is that our Mayor got on so well with the Mayor of Koshigaya. Councillor Brticevic broke down those barriers and it was such a friendly environment. It is important to note that our sister city relationship will work well into the future and further develop the exchange opportunities between the two Cities.

7. Councillor Brticevic noted that the recent visit to Koshigaya was well planned and that he found it very interesting in regards to seeing how they communicate with their community in regards to waste, education and health. It was also noted that the density and living arrangements is like no other and that the use of public transport is imperative.

Councillor Brticevic observed that the parks they have named after our City is admirable, their hospitality and the learning experience is invaluable.

8. Councillor Brticevic advised that he recently attended a function with the Croatia President noting that this is the only time a Mayor of Campbelltown has met with a Head of State and that he is proud of his heritage. The event was hosted by the Australian Croatia Chamber of Commerce.

9. Councillor Brticevic advised that he recently attended the official opening of the new Clinical School which was a joint project between the University and Council.

Councillor Brticevic noted that it is a impressive facility, and that it is wonderful to see students locally and from other Local Government Area's that attend this facility. Councillor Brticevic acknowledged and congratulated staff that worked on this project alongside the University, the Board of the hospital and the General Manager.

Confidentiality Recommendation

It was **Moved** Councillor Morrison, **Seconded** Councillor Thompson:

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.

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

The Ordinary Meeting of Council was adjourned at 7.38pm and reconvened as a meeting of the Confidential Committee at 7.39pm.

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Channel 7 Weather Camera at the Civic Centre

It was **Moved** Councillor Morrison, **Seconded** Councillor Thompson:

1. That Council approve to enter into a licence agreement with Vision TV for the weather camera based on the terms and conditions outlined in the body of the report.
2. That all documentation associated with the licence be executed under the Common Seal of Council.

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

14.2 Deed of Licence for Rosemeadow Sporting Complex

It was **Moved** Councillor Hunt, **Seconded** Councillor Morrison:

1. That Council approve to enter into a Deed of Licence with NSW Land and Housing Corporation over part of Lot 25 DP 700703 on the terms and conditions outlined in this report.
2. That all documentation associated with the licence be executed under the Common Seal of Council.

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

14.3 Blaxland Road, Campbelltown Land EOI - Review and Recommendations

It was **Moved** Councillor Lound, **Seconded** Councillor Moroney:

1. That Council proceeds with the Blaxland Road, Campbelltown land, in a manner consistent with the recommendations made in this report.
2. That updates are provided to Council as progress occurs.
3. That the subject land area be listed for an inspection.

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

Motion

It was **Moved** Councillor Hunt, **Seconded** Councillor Gilholme:

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.13pm.

Motion

It was **Moved** Councillor Greiss, **Seconded** Councillor Moroney:

That the reports of the Confidential Committee and the recommendations contained therein be adopted.

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

There being no further business the meeting closed at 8.14pm.

Confirmed by Council on

..... General Manager Chairperson

4. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

5. MAYORAL MINUTE

5.1 Vale Bruce McDonald

Recommendation

That a letter of condolence be forwarded to the family.

It is with sadness that I acknowledge the passing of one of Campbelltown's most influential figures, Mr Bruce McDonald.

On 29 July 2017, we lost a man who will be remembered for his unfettered commitment to our city and its people, and for his contribution to the early development of the area.

Mr McDonald had called Campbelltown home since moving here as a 19 year old, and demonstrated his passion for the Campbelltown community through both his employment and volunteer work.

Joining Campbelltown City Council in the mid 1950s, Mr McDonald was appointed Deputy Town Clerk in 1961 and held the position for ten years, playing an integral role in setting the foundations for the Campbelltown we know today. During this time, our city's first Olympic pool was opened, Campbelltown was declared a city, the railway line was electrified, and Campbelltown's 150th anniversary was celebrated.

Mr McDonald went on to succeed Harley Daley as Town Clerk for a further five years, until 1976, when he was appointed as General Manager of the Macarthur Development Board.

But it was arguably his volunteer work that will shape Mr McDonald's legacy as one of compassion and foresight.

From his role as President of Campbelltown Apex Club, to the integral part he played in the early and ongoing development of Campbelltown Catholic Club, Mr McDonald was the epitome of the strong community spirit that our city is renowned for.

Playing an instrumental role in the founding of Campbelltown Catholic Club – an idea that was borne from his involvement in a working bee to build more classrooms at St John's Catholic Primary School – Mr McDonald was an original and life member, contributing significantly to the growth of the club from its humble beginnings.

At his passing at 85 years of age, Mr McDonald is survived by his six children and 17 grandchildren, and his memory will live on for generations to come.

Attachments

Nil

6. PETITIONS

7. CORRESPONDENCE

Nil

8. REPORTS FROM OFFICERS

8.1 Rescission of the Trading in Public Places Policy

Reporting Officer

Director City Development
City Development

Community Strategic Plan

Objective	Strategy
4. A Safe, Healthy and Connected Community	4.3 The provision of activities that foster a sense of community spirit

Officer's Recommendation

That the Trading in Public Places Policy be rescinded.

Purpose

To seek Council's endorsement to rescind the Trading in Public Places Policy.

History

Council currently has in place a Trading in Public Places (TPP) Policy which prohibits trading activity for the purpose of selling any article within a public place without the prior written approval of Council. Under the TPP Policy, trading by commercial operators in public places is generally prohibited, except when undertaken in association with Council or other approved events.

Council has previously received community feedback to indicate the TPP Policy is too restrictive and that policy should provide greater opportunity for Council to support a range of activities (such as busking and street art performances) that would enhance the culture and vibrance of the City's public places. The feedback prompted the development of a replacement Street Trading Policy which was adopted by Council on 9 December, 2014.

Report

Due to an administrative oversight the TPP Policy was not initially rescinded upon adoption of the replacement Street Trading Policy, hence the purpose of this report. This report recommends that the TPP Policy be rescinded given the policy is now redundant and the policy provisions conflict with the provisions of the replacement Street Trading Policy.

Attachments

1. Trading in Public Places Policy (contained within this report)

 campbelltown city council		POLICY
Policy Title	Trading in Public Places	
Related Documentation	Requirements for the Operation of the One Day Food Stalls	
Relevant Legislation/ Corporate Plan	Local Government Act 1993, Section 68 - Approval of Activities	
Responsible Officer	Manager Compliance Services	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To control trading in public places within the City area.
2. To preserve the amenity of the City area.

Policy Statement

1. The use of a standing vehicle, or any article, including a stand or the like for the purpose of selling any article in a public place without the written approval of the Council is not permitted.
2. Applications to Council for approval shall be made in writing stating the details of the applicant, the purpose for which the trading is required, the type of articles to be sold; the day, date and times that trading is proposed; and the location in which trading is proposed to be conducted.
3. Applications for approval will only be received from non-profit charitable and community organisations with the exception of those applications relating to those locations designated for the Fishers Ghost Festival, Ingleburn Alive Festival, Riverfest, Australia Day, New Years Eve or for other special events for which applications will be received from commercial operators.
4. Applications for approval to trade in public places will only be considered by Council at the following events/locations:
 - a) Fishers Ghost Festival - Street Fair
 - b) Fishers Ghost Festival - Carnival at Bradbury Oval
 - c) Ingleburn Alive Festival - Various sites in Ingleburn
 - d) Riverfest - Koshigaya Park Campbelltown

- e) New Years Eve celebrations - Koshigaya Park Campbelltown
 - f) Australia Day Celebrations - Koshigaya Park Campbelltown & Hallinan Park Ingleburn
 - g) The pedestrian mall between Lithgow Street and Queen Street Campbelltown
 - h) At other locations/events approved by Council.
5. Any food preparation, handling, storage, display, labelling and distribution (including sale) must at all times comply with the provisions of the *Food Act 2003* and the Food Regulation 2010.
6. Details of the types of food, where it is proposed to sell food, method of storage, handling, preparation, display protection and labelling methods must be provided with the application. Council's Environmental Health Officer should be contacted for any advice concerning Council's requirements before the application is submitted to Council
7. Any person trading in a public place without Council's written approval will be directed to cease trading and to leave the area when directed by an authorised Council Officer.
8. Authorised Council Officers may, without prior warning issue a penalty notice under the *Local Government Act 1993* (penalty may exceed \$220.00) to any person trading in a public place, without Council's written approval.

Scope

This policy applies to all land that is a public place within the Campbelltown Local Government Area.

Definitions

application means an application made under Section 68 of the *Local Government Act 1993*.

approval means an approval issued by the Council pursuant to section 68 of the *Local Government Act 1993*

public place means:

- (a) a public reserve, public bathing reserve, public baths or public swimming pool
- (b) a public road, public bridge, public wharf or public road-ferry
- (c) a Crown reserve comprising land reserved for future public requirements
- (d) public land or Crown land that is not:
 - (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c))
 - (ii) a common
 - (iii) land subject to the *Trustees of Schools of Arts Enabling Act 1902*
 - (iv) land that has been sold or leased or lawfully contracted to be sold or leased
- (e) land that is declared by the Local Government regulations to be a public place for the purposes of this definition.

public reserve means:

- (a) a public park
- (b) any land conveyed or transferred to the council under section 340A of the *Local Government Act 1993*
- (c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the *Local Government Act 1993*
- (d) any land dedicated or taken to be dedicated under section 49 or 50 of the *Local Government Act 1993*
- (e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the *Crown Lands Consolidation Act 1913*
- (f) any land vested in the council, and declared to be a public reserve, under section 76 of the *Crown Lands Act 1989*
- (g) a Crown reserve that is dedicated or reserved:
 - (i) for public recreation or for a public cemetery
 - (ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order published in the Gazette by the Minister administering the *Crown Lands Act 1989*
 - (iii) being a Crown reserve in respect of which a council has been appointed as manager of a reserve trust for the reserve or for which no reserve trust has been established.
- (h) land declared to be a public reserve and placed under the control of a council under section 52 of the *State Roads Act 1986*
- (i) land dedicated as a public reserve and placed under the control of a council under section 159 of the *Roads Act 1993*.

and includes a public reserve of which a council has the control under section 344 of the *Local Government Act 1993* or section 48, but does not include a common.

public road means a road which the public are entitled to use.

public wharf means a wharf, boat ramp, jetty or other structure that is situated in, on or over water and that the public are entitled to use.

selling includes to barter, trade, offer, display for sale/auction any article, including the distribution of pamphlets or the collection of donations.

special event means a community event coordinated by Campbelltown Council that is similar to Fishers Ghost Festival, Ingleburn Alive Festival or Riverfest.

Legislative Context

The *Local Government Act 1993* gives Council the ability to regulate activities such as street trading and makes it an offence to conduct street trading without the prior approval of Council. Whilst applications may be made to Council to trade in public places under Section 68 of the Act, Council's Policy limits applications to those from non-profit charitable and community organisations with the exception of special events where commercial operators are permitted with Council's approval.

Since the adoption of Policy - Trading in Public Places, Council's Rangers have actively worked to prevent all types of trading on public land including Roadside Flower and Fruit Sellers, Soft Serve Ice Cream vendors and Home Made Goods/Crafts sales.

Principles

The main principle underpinning this Policy is public safety. Council first adopted this policy on 29 November 1994 following the tragic death of a toddler relating to a mobile food-vending operation in the Campbelltown area.

Other guiding principles include the protection of community health and the economic well being of business centres

By limiting trading in public places to organised events it is Council's intention to minimise negative impacts on local amenity and protect the safety of its residents while engaging in the purchase of goods from mobile traders.

Responsibility

Rangers from Council's Compliance Services Section are responsible for the enforcement of this Policy. Rangers are responsible for enforcing the provisions of the Policy in relation to unauthorised trading in public places, while staff from the Compliance Land Use Team are responsible for assessing applications for approval.

Effectiveness of this Policy

The Policy will only be effective if it actively enforced by Council. Therefore the effectiveness of the Policy will be measured by the number of complaints received from members of the public regarding unauthorised trading in public places.

END OF POLICY STATEMENT

8.2 Review of the Street Trading Policy

Reporting Officer

Manager City Standards and Compliance
City Development

Community Strategic Plan

Objective	Strategy
4. A Safe, Healthy and Connected Community	4.3 The provision of activities that foster a sense of community spirit

Officer's Recommendation

1. That the revised Street Trading Policy as attached to this report be adopted with amendments, as outlined in the body of the report.
2. That the policy review date be set at 30 March 2020.

Purpose

To seek Council's endorsement of the revised Street Trading Policy.

History

Council at its meeting held 9 December 2014, adopted the Street Trading Policy. The policy is now due for review in accordance with Council's Records Management Policy.

The Street Trading Policy was developed to replace the Trading in Public Places Policy as the Trading in Public Places Policy was considered too restrictive, particularly in terms of commercial activities prohibited under the policy (e.g. busking, street stalls, flyer distribution and banner display).

Report

The Street Trading Policy allows a range of commercial activities to be approved (such as street stalls, busking and outdoor dining) by way of a street trading permit application process which removes the need for formal development consent (i.e. in the case of outdoor dining) to be obtained.

The Street Trading Policy does not apply to larger scale initiatives to activate a public place, community events or festivals and a separate approvals process applies to these types of initiatives which are outside the scope of this policy.

The abovementioned policy has been reviewed in accordance with Council's record management policy and the adopted procedure for Policy Development and Review.

A number of policy amendments have been identified to make the policy less restrictive and increase flexibility of the policy to better align it with Council's intent to activate and enliven public spaces and make Campbelltown a more liveable and attractive city.

A summary of the amendments are outlined below:

Responsible officer

Title of responsible officer has been amended to the current title of Manager City Standards and Compliance (previously Manager Compliance Services).

Objectives and Aims

Amend Policy Objectives to ensure consistency with Policy Aims and also to include as an additional objective and aim to provide opportunity for place enlivenment or active street life.

Policy Statement

The policy statement has been broadened to apply to the Campbelltown Local Government Area generally with specific reference to the Campbelltown and Ingleburn CBD centres removed.

Part 4 - Permitted Activities which require Council approval

To amend Part 4 to allow permitted activities beyond designated areas in the policy and include an additional activity description; 8) other activities that contribute positively to place enlivenment or active street life in approved locations.

This will increase flexibility of the policy by enabling other activities and/or other locations beyond those currently prescribed within the policy to be considered for approval, where such activities and/or their proposed locations are considered to effectively contribute to place enlivenment and activation.

Part 5 - Prohibited activities

Amend Part 5, subsection 1) of the policy to acknowledge roadside trading by use of a stall, standing vehicle and the like may be permitted if it is otherwise permitted under the terms of the policy, for example if conducted in association with a Council or other approved event or place activation, such as a food market event.

Delete Part 5, subsection 9) of the policy to make the policy less restrictive and remove amplified music and announcements etc. as a prohibited activity as other suitable provision (e.g. street trading permit conditions) exist to control nuisance situations if and when they may occur.

Part 6 - Matters to be taken into account as part of the determination of application

Amend Part 6 to allow street stalls and busking activities to occur other than in designated locations prescribed under Part 6 of the policy, if it is considered that such activities will effectively compliment and contribute positively to place making, enlivenment and activation (refer to Part 4 subsection (8), Part 6 subsections 6.1.1 (1), 6.1.2 (1) and 6.2.1 (1) of the Street Trading Policy)

Amend Part 6 of the policy to allow food (other than pre-packaged food) to be sold in association with an activity (e.g. pop up stall or mobile food van) considered to effectively compliment and positively contribute to place making, enlivenment and activation (refer to Part 4 subsection (8), Part 6, subsections 6.1.1 (10), 6.1.1 (11) and 6.1.2 (11) of the Street Trading Policy).

Amend Part 6, subsection 6.1.2 (13) to remove the specific reference to approved community events and relax the restriction to allow the selling or distribution of goods from commercial stalls as approved by Council under the terms of the Street Trading Policy.

Amend Part 6, subsection 6.2.1 (12) to remove the restriction that buskers must not use sound amplification given sub section 6.2.1 (13) permits Council to direct a busker to moderate and cease performing if deemed to be creating a nuisance.

Amend Part 6, subsection 5 to clarify that place activation initiatives, community events, festivals and the like are subject to a separate approval process and are outside the scope of this policy.

Amend Part 6, subsection 6.6.4 (4) to permit live entertainment or amplified music within outdoor dining areas, but only with the specific written approval of Council.

Attachments

1. Street Trading Policy with amendments (contained within this report)
2. Street Trading Policy without amendments (contained within this report)

 campbelltown city council		POLICY
Policy Title	Street Trading	
Related Documentation	Street Trading Application Form Outdoor Dining Application Form	
Relevant Legislation	<i>Local Government Act 1993</i> - Section 68 - Approval of Activities	
Responsible Officer	Manager City Standards and Compliance Services	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

In dealing with street trading activities, Council aims to:

1. Protect public health and safety.
2. Preserve the amenity of the City area.
3. To provide opportunity for place enlivenment or active street life.
4. Give regard to the well-being of local lawfully established businesses and the principles of equity and fair competition.

STREET TRADING POLICY

CAMPBELLTOWN CITY COUNCIL

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Policy Statement

Campbelltown City Council supports the development of the City's business centres, with a vibrant mix of retail, business and community activities. Council seeks to encourage active street life and enhance community participation in the Campbelltown Local Government Area ~~and Ingleburn business centres~~ through the safe undertaking of certain non-commercial and commercial activities on footways and roadways (including road reserves).

The Street Trading Policy provides a framework for Council to deal with requests for the use of footways and roadways for certain non-commercial and commercial activities.

The Policy applies to all public footways and roadways in the Campbelltown Local Government Area (LGA) that are managed by Council directly or are under its care and control.

PART ONE - PRELIMINARY

1. Purpose

The purpose of the Street Trading Policy is to provide a framework for Council to deal with requests for the use of community land being footways and roadways, for certain non-commercial and commercial activities.

The Policy is to supplement provisions of the *Local Government Act* (the Act) and the Local Government (Approvals) Regulation 1993 by:

- Specifying the circumstances in which a person is not required to obtain a particular approval from the council;
- Specifying criteria which the Council must consider when determining whether or not to grant approval to a particular activity;
- Specifying other matters relating to approvals not dealt with by the Act or Regulations.

1.1 Aims

In dealing with street trading activities, Council aims to

1. Protect public health and safety.
2. Preserve the amenity of the City area.
3. To provide opportunity for place enlivenment or active street life.
4. Give regard to the well-being of local lawfully established businesses and the principles of equity and fair competition.

1.2 Legislative Context

The Local Government Act 1993 under **Section 68 - What activities generally require the approval of the council** states that:

- 1) A person may carry out an activity specified only with the prior approval of council, except in so far as this act, the regulations or a local policy adopted under Part 3 allows the activity to be carried out without that approval.

Section 68 of the *Local Government Act* specifies that Council approval is required in respect of a trade or business activity conducted on community land, unless there is a policy in place that exempts such an activity from requiring approval. This policy shall be read in conjunction with Section 68.

1.3 Definitions

The following terms when read in this Policy, shall be taken to mean as defined below:

application means an application made under Section 68 of the *Local Government Act 1993*.

approval means an approval issued by the Council pursuant to section 68 of the *Local Government Act 1993*.

busking means singing, playing a musical instrument or a dramatic or dance performance. Other forms of expression may include, but not strictly be limited to, mime or „live statues“.

Charitable or Non-commercial organisation means a type of non-profit organisation that is created and operates for philanthropic rather than pecuniary pursuits, as well as for social well-being (e.g. charitable, educational, religious or other similar purpose, serving the public interest or common good).

Commercial Organisation means a company or business organisation that engages in some form of commercial activity, such as selling goods or services, with the primary objective of making a profit.

public place means:

- (a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- (b) a public road, public bridge, public wharf or public road-ferry, or
- (c) a Crown reserve comprising land reserved for future public requirements, or
- (d) public land or Crown land that is not:
 - (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or
 - (ii) a common, or
 - (iii) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
 - (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or
- (e) land that is declared by the Local Government regulations to be a public place for the purposes of this definition.

public road means a road or road related area (land adjacent a road) which the public are entitled to use.

selling includes to barter, trade, offer, display for sale/auction any article, including the distribution of pamphlets or the collection of donations.

special event means a community event coordinated by Campbelltown City Council that is either the Fishers Ghost Festival, Ingleburn Alive Festival, Riverfest or a like event.

street trading means the selling, bartering or exposing or offering for sale of any article (including a living thing) or service on a public road or road related area. Trading also extends to include the distribution of pamphlets or the collection of donations.

1.4 Land policy applies to

This policy applies to land located within the Campbelltown Local Government Area.

PART TWO - TYPES OF STREET TRADING ACTIVITIES COVERED BY THIS POLICY

2. Types of activities covered by this Policy

This policy applies to a range of activities including:

- (i) Street stalls, information stands or like activities undertaken by recognised organisations such as local sporting clubs, schools, religious organisations, registered charities, community groups, government bodies and commercial organisations that may also involve the dissemination of general information for the purpose of promoting community awareness; charitable fundraising; or the sale of food or goods for charitable purposes.
- (ii) Commercial activities on public footways or roadways that include activities such as outdoor dining, busking, business promotion stalls or stands, distribution of flyers and the erection of promotional banners and signage within the Campbelltown Local Government Area (LGA).

PART THREE - PERMITTED STREET TRADING ACTIVITIES EXEMPT FROM THE NEED TO OBTAIN COUNCIL APPROVAL

3. Exemptions

The distribution of flyers or other promotional material that does not require the erection of a stand or stall or other equipment, and that is conducted on the public footway (located immediately adjacent to and in front of the business premises subject of the promotion) is an activity exempt from the need for prior Council approval (i.e. Street Trading Activity Permit) subject to the following:

- 1) Only one (1) person is permitted to stand outside the premises and distribute flyers or other promotional material;
- 2) Persons distributing flyers are not to impede, or cause an obstruction to pedestrians;
- 3) The direct sale of goods from the public footway is prohibited.
- 4) The organisation must ensure flyers or other promotional material is distributed lawfully and that the activity does not create a litter problem in the immediate vicinity.

Note: the placement of flyers or similar promotional material on vehicles is an offence under the *Protection of the Environment Operations Act 1997*.

PART FOUR - PERMITTED STREET TRADING ACTIVITIES WHICH REQUIRE COUNCIL APPROVAL

4. Permitted activities which require Council's approval

The following activities are permitted in certain designated or other areas (as otherwise permitted under this policy) within the Campbelltown LGA with prior written Council approval, by way of a Street Trading Activity Permit issued by Council:

- 1) Fundraising and promotional activities by registered charities or not for profit associations (by non-commission collectors) and community organisations that are located or who are active within the Campbelltown LGA e.g. The Salvation Army, Legacy, the Cancer Council, Lions Club, sporting clubs etc.,
- 2) Street stalls or information stands conducted by non-commercial organisations;
- 3) Business promotion/marketing stalls conducted by commercial organisations;
- 4) Mobile displays or stand-alone vehicles that promote or provide a community or government service e.g. road safety, or health awareness/health screening activities such as the NSW Blood Bank, Breast Screen NSW;
- 5) Busking, performances or cultural activities;
- 6) Banner signs for community, charity or commercial (i.e. "business expo") type events; and
- 7) Outdoor dining
- 8) Other activities, other than those that are expressly prohibited under this Policy, that are considered by Campbelltown City Council to contribute positively to place enlivenment or an active street life in approved locations.

PART FIVE - PROHIBITIONS

5. Prohibited activities

The following activities are prohibited within under the terms of this Policy the Campbelltown LGA:

- 1) Roadside trading (other than as otherwise permitted under Section 4 subsection 8 of this policy) by use of a stall, article, standing vehicle or the like and includes the selling, trading or giving of any goods or services;
- 2) Display of goods, promotions or behaviour that conflicts with acceptable community standards or such activities that are considered by Council to be likely to cause a nuisance or offence to the public;
- 3) Unauthorised street trading, business promotion, advertising or the selling of goods or services of any type;
- 4) Religious preaching;
- 5) Spruiking;
- 6) The erection of (bill) posters on any public place or property that bounds a public place;
- 7) Advertising structures (including: Variable Message Sign boards/trailers (VMS), A-Frames, flags, balloons etc.) on public roads, footpaths and road related areas;
- 8) Prostitution;
- 9) Amplification (e.g. amplified music, announcement, advertisement etc. as part of a street trading activity).

PART SIX – MATTERS TO BE TAKEN INTO ACCOUNT AS PART OF THE DETERMINATION OF APPLICATIONS

A range of specified matters will be taken into account by Council when assessing applications seeking the approval of permissible street trading activities.

6.1 Street Stalls

6.1.1 Street stalls operated by charitable or non-commercial organisations

- 1) Charitable or non-commercial organisations are permitted to hold street stalls with Council approval only at the designated areas listed below:
 - Lithgow Street Mall, Campbelltown
 - Queen Street, Campbelltown
 - Oxford Road, Ingleburn.

Refer to location maps at Part Nine for further details.

Street stalls may be permitted at other street or road related area locations subject to meeting the terms of this Policy (refer to Part 4, subsection 8).

- 2) The organisation must supply written evidence to Council of their charity registration or community organisation status;
- 3) Organisations are encouraged to apply to Council for a permit at least four weeks (20 working days) prior to the proposed activity;
- 4) The organisation must hold and maintain a current \$20 Million Public Liability Insurance Policy (noting Council as an interested party on this Policy). Such insurance arrangements shall satisfy Council that adequate indemnities are in place.
- 5) On the day of the activity, the organisation must display or have available for inspection, a permit or letter as required, stating that permission for the activity has been granted by Council;
- 6) Organisations may apply to undertake street stalls for a maximum of 12 occasions over a 12 month period and on no more than one occasion per month;
- 7) No more than one group will be permitted to occupy a designated marked street stall area at any one time, subject to the conditions outlined in the Council permit;
- 8) The organisation must keep the area free of waste and any other public risk at all times;
- 9) Applicants must be able to demonstrate to Council that such activities will contribute to an active street life, provide information, raise awareness or be of interest or benefit to the general community and that these activities will not cause offence or conflict with accepted community standards;
- 10) Except for Community Event stalls (or as otherwise permitted in this Policy, refer to Part 4, subsection 8), the sale of food is restricted to pre-packaged food only and must include labeling in accordance with the Food Standards Code (Food Standards Australia and New Zealand). Food that requires temperature control is not permitted to be sold or distributed other than at approved "community event" stalls. For Community Event stall operators, a separate application is required to be submitted to Council and food stall operators are to comply with Council's Requirements for the Operation of Temporary Food Stalls;

11) The sale or distribution of the following items from an approved street stall is prohibited: ~~are prohibited to be sold or distributed from street stalls;~~

- Weapons of any kind, including, but not limited to:
- Replica guns (including plastic guns, pellet guns, water pistols, cap guns)
- Ornamental weapon copies (e.g. Ninja swords)
- Knives and swords (including pen knives)
- Martial art supplies (e.g. nunchuks)
- Explicit or pornographic material of any type including books, magazines, clothing, calendars etc.
- Fake cigarettes
- Fuel type fire lighters
- Horns and trumpets
- Pressure pack containers
- Drugs or related goods (including cocaine kits, bongs etc.)
- Stink bombs
- Water bombs
- Silly string
- Fireworks / crackers
- Laser pointers
- Pop downs / throw downs
- Eight shot caps, strip caps or roll caps
- Any form of shooting projectile toys (e.g. bow and arrows).
- ~~Hazardous foods (other than that permitted in food stalls by Council at approved events).~~

12) For the sale or distribution of items including food, stall holders shall comply with Council's Requirements for the Operation of Temporary Food Stalls;

13) No overzealous trading or soliciting will be permitted.

6.1.2 Street stalls operated by commercial organisations

1) Commercial organisations are permitted to hold street stalls with Council approval ~~only~~ at the designated areas listed below:

- Lithgow Street Mall, Campbelltown
- Queen Street, Campbelltown
- Oxford Road, Ingleburn

Refer to location maps at Part Nine for further details.

Street stalls may be permitted at other street or road related area locations subject to meeting the terms of this Policy (refer to Part 4, subsection 8).

2) Council may grant a permit for street stall activities by commercial organisations providing it is satisfied that such activities will contribute to an active street life, provide or obtain useful or appropriate information of interest or benefit to the general community and provided Council is satisfied that these activities will not cause offence or conflict with accepted community standards;

- 3) Organisations are ~~encouraged~~ to apply to Council for a permit at least four weeks (20 working days) prior to the proposed activity;
- 4) The applicant must supply written evidence of their organisational status i.e. ABN Number;
- 5) The individual or organisation must hold and maintain a current \$20 Million Public Liability Insurance policy (noting Council as an interested party). Such insurance arrangements shall satisfy Council that adequate indemnities are in place;
- 6) On the day of the activity, the organisation must display at the location of the street stall or have available for inspection a permit or letter as required, stating that permission for the activity has been granted by Council;
- 7) A maximum of 3 individuals are allowed to conduct the permitted activity at any one time;
- 8) Approved organisations may apply for a street stall permit for up to a maximum of twelve days per year;
- 9) No more than one group will be approved to occupy a designated street stall area at any one time; subject to the conditions outlined in the Council permit;
- 10) The organisation must keep the area free of waste and any other public risk at all times;
- 11) Except for Community Event stalls (or as otherwise permitted in this Policy, refer to Part 4, subsection 8), the sale of food is restricted to pre-packaged food only and must include labeling in accordance with the Food Standards Code (Food Standards Australia and New Zealand). Food that requires temperature control is not permitted to be sold or distributed other than at approved "community event" stalls. For Community Event stall operators, a separate application is required to be submitted to Council and food stall operators are to comply with Council's Requirements for the Operation of Temporary Food Stalls;
- 12) Commercial activities that either replicate or inconvenience the activities of nearby lawfully established businesses will not be permitted unless the activities are conducted by that business;
- 13) Except as authorised by Council for approved community events, the direct selling or distribution of goods is not permitted; (unless otherwise permitted under this Policy, refer to Part 4, subsection 8)
- 14) The list of items that may not be sold or distributed as part of a street stall as outlined under Section 6.1.1 shall be complied with;
- 15) For the sale or distribution of items including food, stall holders shall comply with Council's Requirements for the Operation of Temporary Food Stalls;
- 16) No overzealous trading or soliciting will be permitted.

6.2 Busking

6.2.1 General

- 1) Busking activities are permitted with Council approval in Campbelltown and Ingleburn CBD's; (or at other locations as otherwise permitted in this Policy, refer to Part 4, subsection 8)
- 2) Buskers must apply to Council for and receive a busking permit prior to any activity taking place (See Section 7.1);
- 3) Buskers must not unreasonably interfere with pedestrian flow or public amenity or cause a nuisance to nearby businesses;
- 4) Buskers must not undertake any act that could be considered as causing offence or a public nuisance including excessive noise;
- 5) Buskers are advised that the performance of political, religious, racial, sexually explicit or homophobic acts or material that may be deemed unduly persuasive, offensive or discriminatory as determined by the *Anti-Discrimination Act 1977* is strictly prohibited;
- 6) Buskers are not permitted to use fire, pyrotechnics, knives, swords, chainsaws or other dangerous goods likely to cause harm to the public, environment or property;
- 7) Buskers are not permitted to use or discharge confetti or any other matter that may cause pollution or is likely to cause harm to the public, environment or property;
- 8) Buskers must not interfere in any way with any other approved event or activity;
- 9) Buskers must be a minimum of 16 years and must submit a letter of consent from a parent or guardian with an application for a permit if under 18 years of age;
- 10) Buskers may receive a monetary appreciation from the audience but must not actively solicit funds in any way;
- 11) Buskers must keep the footpath clear of obstruction, maintain the footway clear for pedestrian movement and the site clean during and following their performance to ensure that the activity does not pose a risk to public safety or the environment. A minimum unobstructed footpath width of 2.4 metres shall be maintained at all times;
- ~~12) Buskers must not use amplification via battery powered or mains voltage PA systems as part of their performance;~~
- 13) Council reserves the right to direct a busker to moderate or cease performing if deemed by Council to be creating a nuisance, threat to safety or the environment or to be causing offence;
- 14) Buskers are only permitted to occupy/perform at any location for a maximum period of 3 hours.

6.2.2 Group busking acts

Groups involved in busking are limited to a maximum of 3 people/members. This is to ensure that pedestrians are able to move freely through the approved area. For group acts, Council requires that each individual member hold a current busking permit which must be clearly displayed during the performance.

6.2.3 Pavement Art

Performers who utilise pavement (chalk only) art as a form of entertainment may only do so with a Street Trading Activity Permit issued by Council and where:

- 1) the material used is removable by water and does not leave a residue;
- 2) the surface is of a non-porous material, such as bitumen and concrete;
- 3) individual renditions of the artist's work may not be offered for sale to the public;
- 4) any proposed material to be used in carrying out pavement art must not be slippery (whether wet or dry) and must not be such as to be likely to cause a public hazard, nuisance or offence;
- 5) the site is used for no more than eight hours at any one time or otherwise as approved by Council;
- 6) the work space to be used is defined by being either roped or chained off with all tools and personal belongings kept within this area; A free passage of at least 2.4 metres shall be maintained for pedestrians at all times;
- 7) performers must be conscious of public safety and accessibility at all times.

6.3 Charity collection

6.3.1 Fundraising by registered charities (by non-commission collectors)

- 1) Charitable organisations are permitted to collect donations from the public with Council approval only at designated areas listed below:
 - Lithgow Street Mall, Campbelltown
 - Queen Street, Campbelltown
 - Oxford Road, Ingleburn.

Refer to location maps at Part Nine for further details.
- 2) The organisation must supply written evidence to Council of their charity registration or community organisation status;
- 3) Organisations are **encouraged** to apply to Council for a permit at least 4 weeks (20 working days) prior to the proposed activity;
- 4) The organisation must hold and maintain a current \$20 Million Public Liability Insurance Policy (noting Council as an interested party on this Policy). Such insurance arrangements shall satisfy Council that adequate indemnities are in place;
- 5) On the day of the activity, the organisation must display or have available for inspection, a permit or letter as required, stating that permission for the activity has been granted by Council;
- 6) Charitable organisations may apply for a permit to conduct fundraising for up to a maximum of 12 occasions over a 12 month period and on no more than one occasion per month;
- 7) No more than one charity organisation will be permitted to occupy a designated marked location at any given time, subject to the conditions outlined in the Council permit;

- 8) Charity organisations are to remain static and are not permitted to solicit donations from any area other than locations designated for this purpose in this Policy.

Refer to location maps at Part Nine for further details.

6.4 Banners

6.4.1 General

Approval may be granted by Council for the display of banners provided the intent is to promote community events, programs or services (i.e. an event or activity which is non-commercial or non-profit and offering a community benefit). NB: This opportunity is provided at no cost to community groups wishing to display a banner.

Consideration may be given to promoting "expo" type events that provide information relating to a range of services or by a group of local business providers for community benefit (e.g. Wedding Expos, Renovation Expos). Single business promotion will not be considered. A fee applies to permits issued for banners promoting "expo type" events.

A limited number of banner sites are available in the Campbelltown LGA (refer to Section 6.4.2) It should be noted that Council does not allow the advertising of offensive, political or religious statements or images on banners.

Banner signs may not be permitted to be erected any earlier than 14 days before the event and must be removed within 7 days after the event.

Council reserves the right to remove banners at any time if a banner is erected without approval or if any of the permit conditions are not complied with. Council also reserves the right to cancel bookings for the display of banners at designated locations at any time.

Note: Council does not issue permits for the placement of banners in elevated locations such as those on overhead bridges or walkways. Approval for these sites rests with the Roads & Maritime Services (RMS).

Organisations wishing to erect a banner in the Campbelltown LGA may only do so with a Street Trading Activity Permit issued by Council and must comply with the following requirements:

- 1) An organisation wishing to display a banner accepts responsibility for any claim for accidents or other issues arising from the erection, removal or display of the banner or the use of Council's infrastructure.
- 2) Any damage to Council's infrastructure and other facilities that is attributed to the display of a banner will be repaired at the expense of the organisation displaying the banner.
- 3) Evidence of the organisation's Public Liability Insurance of a minimum value of \$20 million, noting Council as an interested party, must be provided to Council before any permit for displaying a banner is issued.
- 4) Council is not liable or responsible for banners which are lost, damaged or stolen.

6.4.2 Locations where banners may be displayed

Banners are to be erected at or near ground level and are not permitted to be displayed within 50 metres of an intersection or within 3 metres of the road pavement and must not impede pedestrian movement. Only one banner is permitted to be erected at each designated location.

Banners may only be erected at the locations listed below:

- 1) Menangle Road, Campbelltown (approximately 500m south of Geary Street on west side of Road)
- 2) Narellan Road Campbelltown (approximately 150m west of Gilchrist Drive on south side of Road)
- 3) Appin Road Bradbury (adjacent to Silo's east side of Road)
- 4) Badgally Road, Eagle Vale (approximately 100m east of Eagleview Drive)
- 5) Raby Road, Raby (approximately 170m west of Thunderbolt Drive on South side of Road)
- 6) Campbelltown Rd, St Andrews (approximately 175m north of St Andrews Road)
- 7) Campbelltown Road, Minto (approximately 450m north of Rose Payton Drive).

6.4.3 Design and layout of banners

- 1) Commercial advertising is not permitted on banners, however, the logo of a sponsor/s or the co-ordinating organisation may be incorporated into the banner design.
- 2) The logo of a sponsor is to be a maximum of 10% of the total face area of the banner.
- 3) If several sponsor logos are to be included then the maximum area of the logos is to be no more than 20% of the total face area of the banner. The purpose of these restrictions is to promote community services, not commercial ventures.
- 4) The caption on the banner is to be succinct.
- 5) The maximum size of a banner is 4 square metres.
- 6) The lettering must be a minimum of 150mm in height. It is important in terms of safety that the message can be easily read by motorists and other road users.
- 7) If languages other than English are being displayed on the banner at least 50% in equal size shall appear as a direct translation in English.
- 8) The proposed design of the banner (message, sponsor logos and layout) must be submitted at the time of applying for a permit requesting the display of a banner and should also include nominated dates and specific sites.

6.4.4 Construction of banners

Banners are to be constructed of sturdy material such as PVC or canvas that will not tear in the wind and thereby present a hazard to traffic ("Tyvek" is not considered an acceptable material for the construction of banners).

6.4.5 Attachment and removal of banners

- 1) The erection of the banner is the responsibility of the organisation displaying the banner. The banner should be inspected every day to monitor security and its condition. Council is not liable or responsible for banners which are lost, damaged or stolen;
- 2) To ensure banners are installed appropriately, banners will be required to be installed strictly in accordance with Council guidelines and as outlined in the Street Trading Activity Permit;
- 3) Banner signs are to be anchored by the use of star pickets driven into the ground no more than 350mm;
- 4) The banner must be attached and removed by the organisation displaying the banner on the dates specified on the permit;
- 5) Any damage to Council's infrastructure and other facilities will be repaired at the expense of the organisation displaying the banner.

6.5 Place activation, special events, festivals and community celebrations

~~Council coordinated~~ Place activation initiatives, festivals or events such as Fishers Ghost and Ingleburn Alive are community events or initiatives that are coordinated by the Council for the whole community. Street stalls during these events or initiatives are permitted to sell commercial products (other than prohibited items listed in Section 6.1.1) and prepared food.

Council approves place activation initiatives and these types of special events under a separate approval process outside the scope of this Policy. ~~under section 68 of the Local Government Act 1993 (Refer to Campbelltown City Council Outdoor Event Application Guideline for further information).~~

6.6 Outdoor dining areas

6.6.1 General

Outdoor dining contributes to the vitality and cultural life within the Central Business Districts (CBDs) of the Campbelltown LGA.

The NSW Government under the *Roads Act 1993* and the *Local Government Act 1993* states that the placement of articles for commercial purposes on public roadways and footways requires prior consent from Council.

All food premises that intend to provide seating on the public footway for the purpose of outdoor dining are required to obtain a permit from Council. An annual permit shall be obtained from Council prior to operating outdoor dining on Council's footpath.

Applications for outdoor dining permits must comply with the following requirements:

6.6.2 Location requirements for outdoor dining

As an overriding principle, applications for outdoor dining on public footways, roadways or public spaces must not in Council's determination compromise pedestrian access or safety, must be sympathetic to the surrounding streetscape, provide a safe, comfortable and attractive environment for patrons and the general public, and not unreasonably interfere with other commercial amenity.

- 1) Locations that might be considered suitable for outdoor dining include areas that have wide footpaths, street malls and open space.
- 2) Unsuitable locations for outdoor dining include areas that have a steep incline, or uneven surfaces unsuitable for the placement of furniture, narrow footpaths or corner intersections with high traffic flow.
- 3) The proposed outdoor dining areas must be located adjacent to the frontage of the premises and shall not extend beyond the boundary line of the respective shop front, extended to the kerb-line.
- 4) The proposed outdoor dining areas must provide safe and unobstructed access for pedestrian traffic at all times, within and around the outdoor dining area. Proposals must also take into consideration the needs of people with disabilities with particular consideration for people who use wheelchairs and electric powered scooters, people with visual impairment, elderly people, and the needs of parents with young children with regards to prams. Unobstructed access must also be provided to authorised delivery vehicles across land or pedestrian thoroughfares if applicable.
- 5)
 - (i) The footpath shall be a minimum of 3.5 metres wide and allow for a minimum of 2.4 metres of unobstructed pedestrian access at all times.
 - (ii) Depending upon the location, outdoor dining areas are permitted either abutting the shop front or adjacent to the roadway. Where an outdoor dining area is located adjacent to a roadway, there shall be a minimum clearance of 300mm from the back of the kerb to any structure associated with the dining area and balustrading for the length of the outdoor dining area street frontage and sides (where applicable) must be provided.
 - (iii) Outdoor dining areas may not be considered for a permit, if there are existing articles or infrastructure existing within or adjacent to the proposed outdoor dining area (e.g. public seats, litter bins, utility poles, bicycle racks, phone booths, bus shelters etc).

6.6.3 Outdoor dining furniture

- 1) The business owner is responsible for all outdoor furniture and furnishings associated with outdoor dining. The furniture and furnishings shall enhance the street environment and integrate well with the existing surroundings.

In selecting furniture and furnishings the business owner shall ensure the furniture is to:

- (i) be generally in harmony with the existing streetscape;
- (ii) be of a safe design (i.e. no hinges or sharp edges) and designed for commercial outdoor use and be of a suitable size and shape for the approved area;
- (iii) be strong, durable, waterproof and weather resistant;
- (iv) be constructed of high quality non-reflective stainless/powder coated steel/aluminium or timber (natural/painted) and canvas;
- (v) be easily stacked and stored securely within the business premises outside operating hours;

- (vi) not contain legs or support structures that could damage the ground surface;
 - (vii) be able to be easily cleaned and maintained.
- 2) The use of planter boxes for the purpose of designating the approved outdoor dining boundary is generally discouraged by Council, however subject to a Council permit being issued, planter boxes must:
 - (i) Not exceed 900mm in height (including the height of the plants) and not pose a trip hazard;
 - (ii) be of a size and shape appropriate for either placement in the approved area or for use as a method of defining the approved area;
 - (iii) should be easily relocatable for storage within the premises outside of approved business hours;
 - (iv) make a positive contribution to the existing streetscape;
 - (v) be maintained to Council's satisfaction.
- 3) The use of free standing umbrellas is generally discouraged by Council and is not permitted under awnings, balconies or verandahs (or in other such areas where protective structures may reasonably be installed) however, subject to a Council permit, umbrellas must:
 - (i) be securely anchored to ensure stability during extreme weather by methods that will not produce a trip hazard on the pavement;
 - (ii) be able to be easily stored within the premises outside approved business hours or during extreme weather conditions;
 - (iii) have a minimum clearance height of 2.2 metres to allow safe headway clearance;
 - (iv) be located within the approved outdoor dining area and should not either overhang the boundary or in any way encroach upon adjacent pedestrian thoroughfares or carriageways.
- 4) Balustrade sections, subject to a Council permit
 - (i) shall be portable;
 - (ii) shall not exceed a height of 900mm or length of 2 metres;
 - (iii) shall be constructed of lightweight powder coated steel/aluminium frame with stabilising feet and with either a suitable metal, fabric or PVC banner type material or fabricated panel;
 - (iv) shall contain only the name of the premises and 1 product brand only.
- 5) Heaters, subject to a Council permit
 - (i) can only be used in areas that have adequate ventilation;
 - (ii) will be subject to a Council permit and shall detail manufacturers specifications;
 - (iii) shall have a ground clearance of 2.2 metres to the heating element of the appliance;
 - (iv) shall turn off automatically if overturned;
 - (v) shall be easily relocatable;

- (vi) shall be stored within the premises when not in use;
 - (vii) shall not be placed where they can be considered a fire hazard i.e. next to or under an umbrella, shrubs, trees etc.;
 - (viii) shall be installed in accordance with Australian Standard A4565-2004 Radiant gas heaters for outdoor and non-residential use.
- 6) Tableware, utensils and decorative items shall be of a windproof design and stored within the premises when not in use;
 - 7) All furniture and furnishings shall be able to be removed from the proposed outdoor dining area and stored securely within the premises outside of the permitted business hours and during extreme weather conditions;
 - 8) For approvals for outdoor dining that do not require the erection of permanent structures on the pavement (public footway), a street trading permit may be issued. For more complex applications that seek to install permanent structures/stalls/furniture and the like, a development application may be required to be lodged with Council.

6.6.4 Miscellaneous requirements for outdoor dining

- 1) The placement of advertising within the outdoor dining area shall comply with the relevant permit. A frame or sign boards are not permitted.
- 2) The hours of use for the approved outdoor dining area cannot exceed the hours permitted under the current Development Consent for the operation of the associated business premises and are assessed on an individual basis subject to Council approval.
- 3) No alcohol can be served in an outdoor dining area without an appropriate and current Liquor Licence being held by the associated business (as issued by the Office of Liquor, Gaming and Racing) and extended to cover the outdoor dining area.

A copy of the current Liquor Licence shall be submitted with the outdoor dining permit application and extended to cover the outdoor dining area for the life of the outdoor dining permit.

A copy of the current Liquor Licence shall be kept on the premises at all times and be made available for inspection upon request by relevant authorities.
- 4) Live entertainment or amplified music shall not be permitted within the outdoor dining area, (unless otherwise permitted under this Policy, refer to Part 4, subsection 8).
- 5) The permit holder is responsible for good conduct of patrons and staff at all times during hours of operation and to ensure that noise levels are kept to a minimum. Council and NSW Police will continue to handle noise and other complaints. The Office of Liquor Gaming and Racing has authority under the Liquor Act to investigate noise complaints and other concerns associated with licensed premises.

In the event of any continued noise complaints relating to the use of the outdoor dining area, Council reserves the right to terminate the Outdoor Dining Permit without prior notice.
- 6) The permit holder is responsible to ensure compliance with the *Companion Animals Act 1998* which allows animals of genuine assistance in food consumption areas.

- 7) Any outdoor dining area permitted to operate outside of daylight hours must provide adequate lighting to satisfy safety and amenity requirements and is subject to Council's authorisation. The location of an outdoor dining area shall be within a clear line of vision from the associated business.
- 8) In accordance with the Australia New Zealand Food Standards Code in particular 3.2.2 Food Safety Practices and General Requirements Division 5 Cleaning, Sanitising and Maintenance, Clauses 19-21, all food businesses must maintain all fixtures, fittings and equipment to ensure there is no accumulation of food waste, dirt, grease or other visible matter. These standards shall apply to outdoor dining areas with respect to use of the public footpath.

The permit holder shall be responsible for all waste and litter generated by the outdoor dining area and shall ensure that:

- i) waste and litter is disposed of lawfully, and not allowed to enter garden beds, gutters or stormwater drains;
 - ii) the outdoor dining area including the footpath, gutter, and neighbouring surrounds are to be kept clear of waste and rubbish at all times;
 - iii) any waste generated by the operation of the business is to be disposed of in bins located within the business premises and not in public litter bins;
 - iv) any breakages or spills that might prove hazardous to patrons, staff or the general public or that might stain or otherwise damage the footpath are to be removed immediately.
- 9) The permitted outdoor dining area is to be appropriately marked in a manner authorised by Council.

The permit holder shall:

- (i) be responsible for maintaining the approved outdoor dining area in accordance with the permit;
 - (ii) ensure that all fixtures and furnishings remain within the marked area at all times and do not overhang or impede upon any pedestrian or vehicular thoroughfares;
 - (iii) ensure that the area remains clearly marked at all times and that it can be easily identified by Council to monitor compliance.
- 10) Associated works to enhance an outdoor dining area with respect to permanent fixtures requires the separate and prior approval of Council and the cost of any such works are to be met by the applicant.
 - 11) Council reserves the right to carry out any type of maintenance work in or around the approved area at any time and will not accept any liability for interruption to business caused by such works or inclement weather.
 - 12) Outdoor advertising shall complement and be compatible with the footpath dining activities and local amenity and requires the separate and prior approval of Council.
A-Frames signs or sign boards are not permitted to be placed on the footway or within the outdoor dining area.
 - 13) For approvals for outdoor dining that do not require the erection of permanent structures on the public footway, a street trading permit may be issued. For more complex applications that propose permanent structures/stalls to be installed on the public footway, a Development Application may be required to be submitted to Council.

PART SEVEN – MAKING AN APPLICATION FOR STREET TRADING ACTIVITIES

7. Applying for approval to conduct a permitted street trading activity

7.1 Application requirements

Standard permit applications can be obtained from Council. All applicants, (individuals and groups) are required to apply in person. Street Trading activity shall not be conducted without first obtaining a permit issued by Council beforehand.

All applicants are required to present proof of identify with their application form before a permit is issued e.g. current motor vehicle licence, proof of age card or passport.

Details of the type of activity or entertainment proposed are required to be provided on the application.

Council reserves the right to refuse any permit application.

Applications for approval for activities that are described in this policy (as outlined in section 4) can be made by using the Street Trading Activities Permit application form or Outdoor Dining application form that is available from Council's Customer Service Centre or through Council's website: www.campbelltown.nsw.gov.au

As outlined on the forms, the following information shall be lodged with Council at least four weeks prior to the event or activity occurring, and the proposed activity must receive Council's permission prior to commencement.

The permit application must include the name of the individual(s) or organisation, the organisational status, i.e. registered charity, religious affiliation, community group, political organisation, commercial organisation, a brief outline of the organisation, a short description of the reason for the activity and the name and contact details of the person coordinating the activity.

For commercial organisations, the name of the company and a valid ABN number must be provided.

A site plan drawn to scale outlining key features of the activity layout (eg stalls, tables, chairs etc.) must also be supplied with the application. The plan should also clearly show the following details:

- Location of existing features such as trees, signage posts, bins etc.;
- Details of any proposed furniture including the design, construction; dimensions, colours and materials to be placed within the designated stall location;
- Any signage must be of a temporary nature and can only be displayed within the area/locations covered by the application (no other advertising materials or structures are permitted).

7.2 Permit fees

No permit fees apply to charities or not-for-profit organisations. An annual permit fee will apply to individuals or organisations that receive a commercial or financial gain from the permitted street trading activity.

Permit fees will be applied as detailed in Council's annual schedule of fees and charges. Permits are valid for up to 12 months from the commencement date. Permits are not transferable and fee payments are not refundable once the permit has been issued by Council.

7.3 Renewal of permits

Activity permits should be renewed before the expiry date should the activity continue. Street Trading shall not be conducted with an expired permit. Unauthorised Street Trading activity will also be subject to penalties as provided for under the *Local Government Act 1993*.

7.4 Insurance

The applicant (except where stated otherwise in this Policy) must provide a Public Liability Insurance Certificate of Currency from their insurer that notes Council as an interested party with regards to any personal injury or damage to property associated with the activity on a public footway, road or road related area for a minimum cover of \$20 Million or any other amount that Council may stipulate from time to time.

Buskers and Pavement Artists are exempt from this requirement and are not required by Council to hold their own Public Liability Insurance policy cover for busking and street art performances held on the streets/road reserve areas within the Campbelltown Local Government Area (LGA).

7.5 Additional application requirements for outdoor dining

Applications for activities described in Section 6.6 can be made by completing the Outdoor Dining application form.

Documentation required to be lodged with the permit application:

A site plan drawn to scale (1:50 or 1:100) with dimensions that clearly show the following:

- The building line of the premises in relation to adjoining premises;
- Distance from the kerb to the premises;
- Proposed layout with furniture and furnishings including chairs and tables, planters, bollards, balustrades, heaters, lights or articles;
- Access and service points to premises;
- Existing streetscape features such as street poles, signs, trees, seats, rubbish bins etc.;
- Diagram of the proposed area in relation to neighbouring premises.

The following information is also required to be lodged with a permit application:

- Details of manufacturers details particularly with regards to heaters and lights;
- Details of artwork, advertising or signage including dimensions and location;
- Written consent from the property owner;
- Evidence of current Public Liability Insurance (noting cover for the specific activity location and noting Council as an interest party) for a minimum of \$20 Million;
- Evidence of a current NSW Liquor Licence if applicable to the premises.

PART EIGHT – MISCELLANEOUS MATTERS

8.1 Approval of applications

Approval to use a public footway for street trading activities is subject to Council's discretion. Council reserves the right to impose on any permit such conditions as it determines necessary, appropriate and reasonable.

8.2 Street trading restrictions

Certain street trading activities being street stalls, charity collections and busking will be prohibited during the times at which approved community events are conducted within a nominated business centre.

8.3 Fees

All fees associated with street trading activities are to be identified in Council's Schedule of Fees and Charges and will be reviewed annually. Application fees shall be paid when an application is lodged with Council and are non-refundable, once the application is determined and regardless of the outcome of the determination of the application.

8.4 Display of permit

A copy of the permit issued by Council for an authorised street trading activity shall be on display at the activity location at all times.

8.5 Compliance/inspections

Council reserves the right to carry out compliance inspections as required.

8.6 Period of permit

Permits for street trading activity will be granted by Council for a period up to a maximum of 12 months in the first instance. Longer permit periods may be allowed by Council upon renewal, subject to review. A new application must be submitted to Council prior to the end of each permit period.

8.7 Variation of permit conditions

Any variation to a current permit will require a new application to be lodged with Council. A change of business ownership will also require a new permit application to be lodged with Council.

8.8 Street trading activity must not cause obstruction and be marked on the pavement

All street trading activity must not occupy an area larger than necessary to safely conduct the activity. At all times the activity must not cause obstruction to other users of the footway or unreasonably interfere with pedestrian flow, ensuring sufficient clear pedestrian access is maintained (minimum 2.4 metres wide pedestrian access shall be provided at all times). The permitted area for the street trading activity will be clearly defined on the Street Trading Activity Permit and shall be marked on the pavement by Council where appropriate for the above purpose.

8.9 Protocols for non-compliance

The following is a general guideline that will be taken into account by Council when seeking to remedy non-compliance issues associated with Street trading. Council has discretion to vary its approach depending upon individual circumstances, the extent of non-compliance and any prior infringements.

8.9.1 Operating without a permit

Written or verbal notice issued. A Penalty Notice may be issued if there is failure to act after a Notice to Comply, is issued. Continued non-compliance may result in further action being taken.

8.9.2 Breach of conditions

Written and or verbal notice will be issued to the operator requiring compliance. If no action is taken to remedy the breach after issuing a Notice to comply with a permit, a Penalty Notice may be issued.

Following the issuing of a Penalty Notice, the permit may be terminated and/or further action taken by Council. Special provisions may need to be applied in the case of an emergency/risk to public safety.

8.9.3 Operating with an expired permit

A Notice will be served upon the operator to cease the street trading activity or renew the permit. If the operator fails to comply with the Notice or renew the permit within the given time, a Penalty Notice may be served on the operator. Continued non-compliance may then result in further action being taken.

8.10 Termination of permit by the applicant

The applicant may terminate their Street Trading Activity Permit at any time by giving Council a minimum of one month's written notice.

8.11 Termination of permit by Council

Council reserves the right to terminate a Street Trading Activity Permit. Upon termination all property or materials associated with the street trading activity must be removed from the public area.

8.11.1 Reasons that Council may consider in deciding to terminate a permit

- 1) Non-compliance with conditions as outlined in the permit;
- 2) Change of business ownership;
- 3) Expired Public Liability Insurance;
- 4) Where the street trading activity is found to cause undue inconvenience to pedestrian access and or safety and public amenity;
- 5) Where Council or any other authority has received repeated complaints about an approved street trading activity that otherwise cannot be resolved.

PART NINE - DESIGNATED STREET TRADING ACTIVITY LOCATIONS

9.1 Location Maps

Designated areas for specified street trading activities are shown on the locality plans (below) for the Campbelltown and Ingleburn business centres.

9.1.1 Campbelltown Business Centre - Overall Locations for Street Trading:

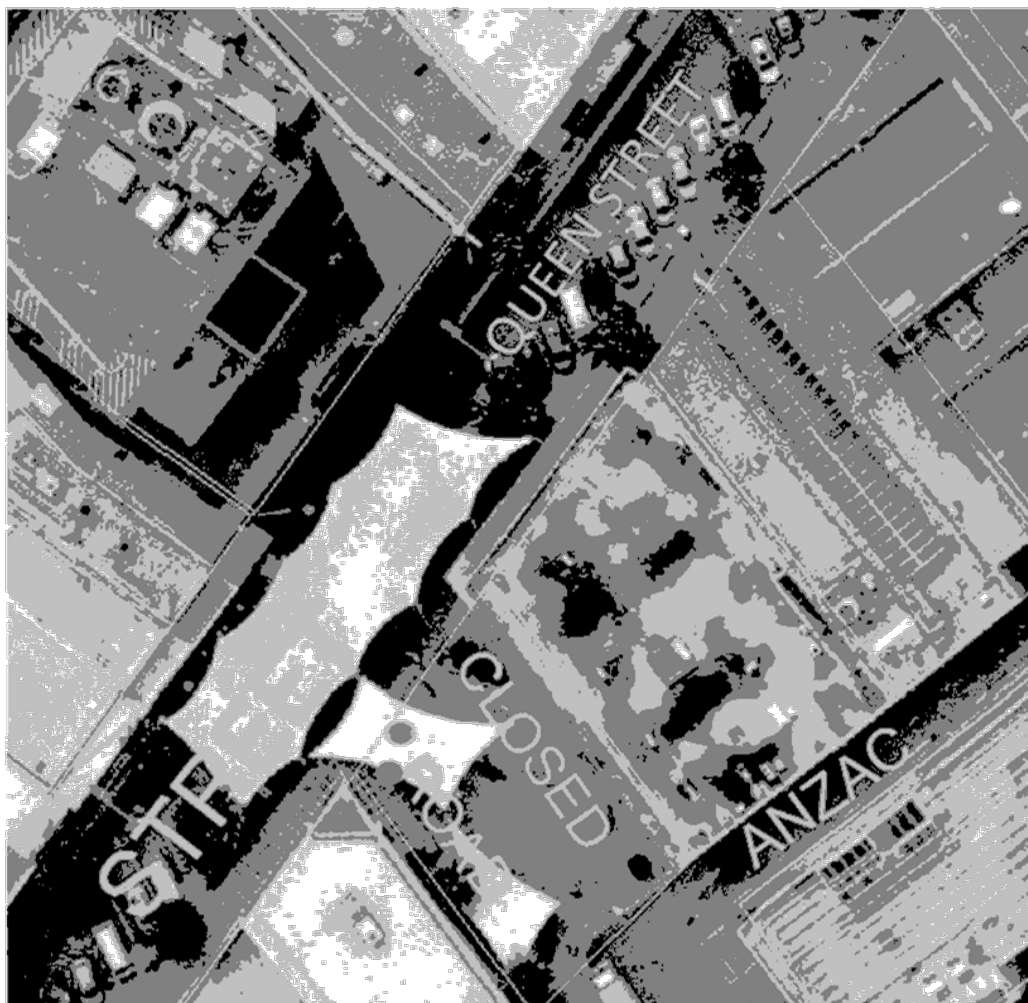
● Charity Collection ● Street Stall ● Street Art



9.1.1.1 Queen and Lithgow Street Intersection Locations for Street Trading (Detail):

 Charity Collection

 Street Stall



9.1.1.2 Queen and Cordeaux Street Intersection Locations for Street Trading (Detail):

e Charity Collection

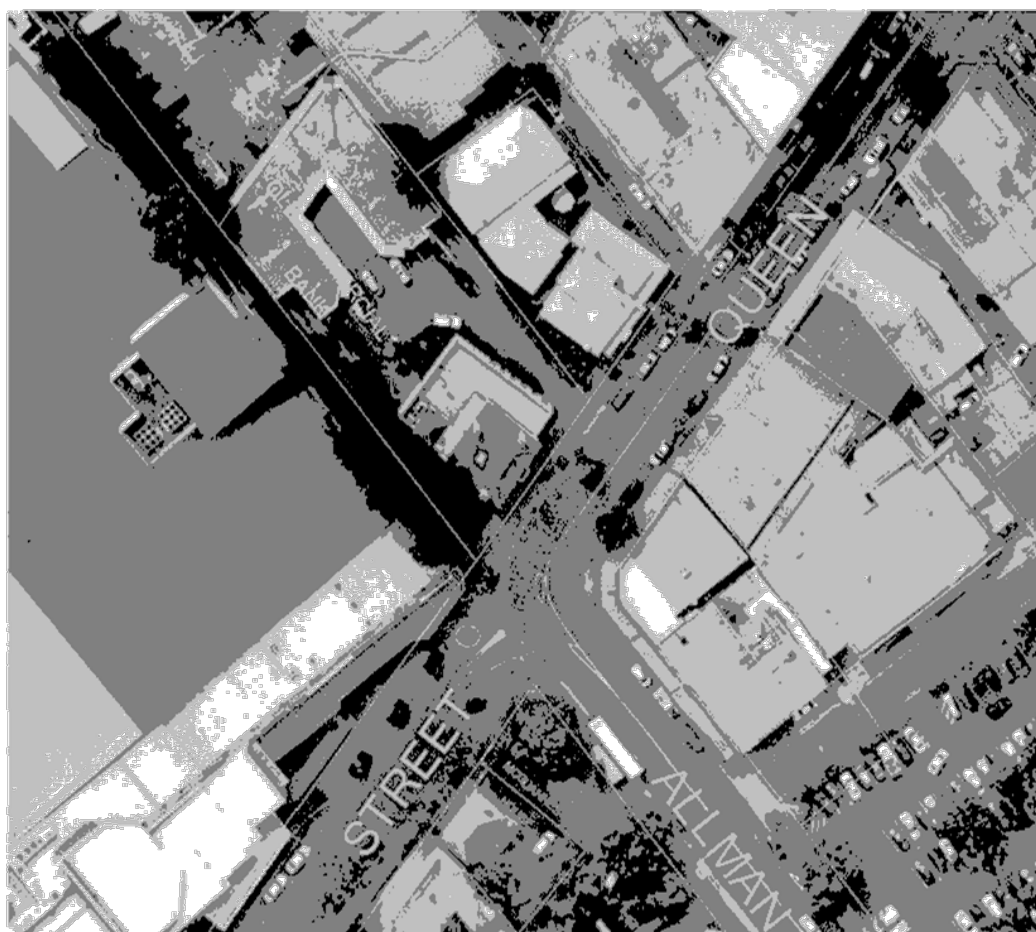


9.1.1.3 Queen and Allman Street Intersection Locations for Street Trading (Detail):

 Charity Collection

 Street stall

 Street Art



9.1.1.4 Queen and Dumaresq Street Intersection Locations for Street Trading (Detail):

 Charity Collection

 Street Stall



9.1.2 Ingleburn Business Centre Locations for Street Trading:

● Charity Collection ● Street Stall ● Street Art



END OF POLICY STATEMENT

 campbelltown city council		POLICY
Policy Title	Street Trading	
Related Documentation	Street Trading Application Form Outdoor Dining Application Form	
Relevant Legislation	<i>Local Government Act 1993 - Section 68 - Approval of Activities</i>	
Responsible Officer	Manager Compliance Services	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

In dealing with street trading activities, Council aims to:

1. Protect public health and safety.
2. Preserve the amenity of the City area.
3. Give regard to the well-being of local lawfully established businesses and the principles of equity and fair competition.

STREET TRADING POLICY

CAMPBELLTOWN CITY COUNCIL

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Policy Statement

Campbelltown City Council supports the development of the City's business centres, with a vibrant mix of retail, business and community activities. Council seeks to encourage active street life and enhance community participation in the Campbelltown and Ingleburn business centres through the safe undertaking of certain non-commercial and commercial activities on footways and roadways (including road reserves).

The Street Trading Policy provides a framework for Council to deal with requests for the use of footways and roadways for certain non-commercial and commercial activities.

The Policy applies to all public footways and roadways in the Campbelltown Local Government Area (LGA) that are managed by Council directly or are under its care and control.

PART ONE - PRELIMINARY

1. Purpose

The purpose of the Street Trading Policy is to provide a framework for Council to deal with requests for the use of community land being footways and roadways, for certain non-commercial and commercial activities.

The Policy is to supplement provisions of the *Local Government Act* (the Act) and the Local Government (Approvals) Regulation 1993 by:

- Specifying the circumstances in which a person is not required to obtain a particular approval from the council;
- Specifying criteria which the Council must consider when determining whether or not to grant approval to a particular activity;
- Specifying other matters relating to approvals not dealt with by the Act or Regulations.

1.1 Aims

In dealing with street trading activities, Council aims to

1. Protect public health and safety.
2. Preserve the amenity of the City area.
3. Give regard to the well-being of local lawfully established businesses and the principles of equity and fair competition.

1.2 Legislative Context

The Local Government Act 1993 under **Section 68 - What activities generally require the approval of the council** states that:

- 1) A person may carry out an activity specified only with the prior approval of council, except in so far as this act, the regulations or a local policy adopted under Part 3 allows the activity to be carried out without that approval.

Section 68 of the *Local Government Act* specifies that Council approval is required in respect of a trade or business activity conducted on community land, unless there is a policy in place that exempts such an activity from requiring approval. This policy shall be read in conjunction with Section 68.

1.3 Definitions

The following terms when read in this Policy, shall be taken to mean as defined below:

application means an application made under Section 68 of the *Local Government Act 1993*.

approval means an approval issued by the Council pursuant to section 68 of the *Local Government Act 1993*.

busking means singing, playing a musical instrument or a dramatic or dance performance. Other forms of expression may include, but not strictly be limited to, mime or 'live statues'.

Charitable or Non-commercial organisation means a type of non-profit organisation that is created and operates for philanthropic rather than pecuniary pursuits, as well as for social well-being (e.g. charitable, educational, religious or other similar purpose, serving the public interest or common good).

Commercial Organisation means a company or business organisation that engages in some form of commercial activity, such as selling goods or services, with the primary objective of making a profit.

public place means:

- (a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- (b) a public road, public bridge, public wharf or public road-ferry, or
- (c) a Crown reserve comprising land reserved for future public requirements, or
- (d) public land or Crown land that is not:
 - (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c), or
 - (ii) a common, or
 - (iii) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
 - (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or
- (e) land that is declared by the Local Government regulations to be a public place for the purposes of this definition.

public road means a road or road related area (land adjacent a road) which the public are entitled to use.

selling includes to barter, trade, offer, display for sale/auction any article, including the distribution of pamphlets or the collection of donations.

special event means a community event coordinated by Campbelltown City Council that is either the Fishers Ghost Festival, Ingleburn Alive Festival, Riverfest or a like event.

street trading means the selling, bartering or exposing or offering for sale of any article (including a living thing) or service on a public road or road related area. Trading also extends to include the distribution of pamphlets or the collection of donations.

1.4 Land policy applies to

This policy applies to land located within the Campbelltown Local Government Area.

PART TWO - TYPES OF STREET TRADING ACTIVITIES COVERED BY THIS POLICY

2. Types of activities covered by this Policy

This policy applies to a range of activities including:

- (i) Street stalls, information stands or like activities undertaken by recognised organisations such as local sporting clubs, schools, religious organisations, registered charities, community groups, government bodies and commercial organisations that may also involve the dissemination of general information for the purpose of promoting community awareness; charitable fundraising; or the sale of food or goods for charitable purposes.
- (ii) Commercial activities on public footways or roadways that include activities such as outdoor dining, busking, business promotion stalls or stands, distribution of flyers and the erection of promotional banners and signage within the Campbelltown Local Government Area (LGA).

PART THREE - PERMITTED STREET TRADING ACTIVITIES EXEMPT FROM THE NEED TO OBTAIN COUNCIL APPROVAL

3. Exemptions

The distribution of flyers or other promotional material that does not require the erection of a stand or stall or other equipment, and that is conducted on the public footway (located immediately adjacent to and in front of the business premises subject of the promotion) is an activity exempt from the need for prior Council approval (i.e. Street Trading Activity Permit) subject to the following:

- 1) Only one (1) person is permitted to stand outside the premises and distribute flyers or other promotional material;
- 2) Persons distributing flyers are not to impede, or cause an obstruction to pedestrians;
- 3) The direct sale of goods from the public footway is prohibited.
- 4) The organisation must ensure flyers or other promotional material is distributed lawfully and that the activity does not create a litter problem in the immediate vicinity.

Note: the placement of flyers or similar promotional material on vehicles is an offence under the *Protection of the Environment Operations Act 1997*.

PART FOUR - PERMITTED STREET TRADING ACTIVITIES WHICH REQUIRE COUNCIL APPROVAL

4. Permitted activities which require Council's approval

The following activities are permitted in certain designated areas within the Campbelltown LGA with prior written Council approval, by way of a Street Trading Activity Permit issued by Council:

- 1) Fundraising and promotional activities by registered charities or not for profit associations (by non-commission collectors) and community organisations that are located or who are active within the Campbelltown LGA e.g. The Salvation Army, Legacy, the Cancer Council, Lions Club, sporting clubs etc.,
- 2) Street stalls or information stands conducted by non-commercial organisations;
- 3) Business promotion/marketing stalls conducted by commercial organisations;
- 4) Mobile displays or stand-alone vehicles that promote or provide a community or government service e.g. road safety, or health awareness/health screening activities such as the NSW Blood Bank, Breast Screen NSW;
- 5) Busking, performances or cultural activities;
- 6) Banner signs for community, charity or commercial (i.e. "business expo") type events; and
- 7) Outdoor dining.

PART FIVE - PROHIBITIONS

5. Prohibited activities

The following activities are prohibited within the Campbelltown LGA:

- 1) Roadside trading by use of a stall, article, standing vehicle or the like and includes the selling, trading or giving of any goods or services;
- 2) Display of goods, promotions or behaviour that conflicts with acceptable community standards or such activities that are considered by Council to be likely to cause a nuisance or offence to the public;
- 3) Unauthorised street trading, business promotion, advertising or the selling of goods or services of any type;
- 4) Religious preaching;
- 5) Spruiking;
- 6) The erection of (bill) posters on any public place or property that bounds a public place;
- 7) Advertising structures (including: Variable Message Sign boards/trailers (VMS), A-Frames, flags, balloons etc.) on public roads, footpaths and road related areas;
- 8) Prostitution;
- 9) Amplification (e.g. amplified music, announcement, advertisement etc. as part of a street trading activity).

PART SIX – MATTERS TO BE TAKEN INTO ACCOUNT AS PART OF THE DETERMINATION OF APPLICATIONS

A range of specified matters will be taken into account by Council when assessing applications seeking the approval of permissible street trading activities.

6.1 Street Stalls

6.1.1 Street stalls operated by charitable or non-commercial organisations

- 1) Charitable or non-commercial organisations are permitted to hold street stalls with Council approval only at the designated areas listed below:
 - Lithgow Street Mall, Campbelltown
 - Queen Street, Campbelltown
 - Oxford Road, Ingleburn.

Refer to location maps at Part Nine for further details.
- 2) The organisation must supply written evidence to Council of their charity registration or community organisation status;
- 3) Organisations are encouraged to apply to Council for a permit at least four weeks (20 working days) prior to the proposed activity;
- 4) The organisation must hold and maintain a current \$20 Million Public Liability Insurance Policy (noting Council as an interested party on this Policy). Such insurance arrangements shall satisfy Council that adequate indemnities are in place.
- 5) On the day of the activity, the organisation must display or have available for inspection, a permit or letter as required, stating that permission for the activity has been granted by Council;
- 6) Organisations may apply to undertake street stalls for a maximum of 12 occasions over a 12 month period and on no more than one occasion per month;
- 7) No more than one group will be permitted to occupy a designated marked street stall area at any one time, subject to the conditions outlined in the Council permit;
- 8) The organisation must keep the area free of waste and any other public risk at all times;
- 9) Applicants must be able to demonstrate to Council that such activities will contribute to an active street life, provide information, raise awareness or be of interest or benefit to the general community and that these activities will not cause offence or conflict with accepted community standards;
- 10) Except for Community Event stalls, the sale of food is restricted to pre-packaged food only and must include labeling in accordance with the Food Standards Code (Food Standards Australia and New Zealand). Food that requires temperature control is not permitted to be sold or distributed other than at approved "community event" stalls. For Community Event stall operators, a separate application is required to be submitted to Council and food stall operators are to comply with Council's Requirements for the Operation of Temporary Food Stalls;

11) The following items are prohibited to be sold or distributed from street stalls:

- Weapons of any kind, including, but not limited to:
- Replica guns (including plastic guns, pellet guns, water pistols, cap guns)
- Ornamental weapon copies (e.g. Ninja swords)
- Knives and swords (including pen knives)
- Martial art supplies (e.g. nunchuks)
- Explicit or pornographic material of any type including books, magazines, clothing, calendars etc.
- Fake cigarettes
- Fuel type fire lighters
- Horns and trumpets
- Pressure pack containers
- Drugs or related goods (including cocaine kits, bongs etc.)
- Stink bombs
- Water bombs
- Silly string
- Fireworks / crackers
- Laser pointers
- Pop downs / throw downs
- Eight shot caps, strip caps or roll caps
- Any form of shooting projectile toys (e.g. bow and arrows).
- Hazardous foods (other than that permitted in food stalls by Council at approved events).

12) For the sale or distribution of items including food, stall holders shall comply with Council's Requirements for the Operation of Temporary Food Stalls;

13) No overzealous trading or soliciting will be permitted.

6.1.2 Street stalls operated by commercial organisations

1) Commercial organisations are permitted to hold street stalls with Council approval only at the designated areas listed below:

- Lithgow Street Mall, Campbelltown
- Queen Street, Campbelltown
- Oxford Road, Ingleburn

Refer to location maps at Part Nine for further details.

2) Council may grant a permit for street stall activities by commercial organisations providing it is satisfied that such activities will contribute to an active street life, provide or obtain useful or appropriate information of interest or benefit to the general community and provided Council is satisfied that these activities will not cause offence or conflict with accepted community standards;

- 3) Organisations are encouraged to apply to Council for a permit at least four weeks (20 working days) prior to the proposed activity;
- 4) The applicant must supply written evidence of their organisational status i.e. ABN Number;
- 5) The individual or organisation must hold and maintain a current \$20 Million Public Liability Insurance policy (noting Council as an interested party). Such insurance arrangements shall satisfy Council that adequate indemnities are in place;
- 6) On the day of the activity, the organisation must display at the location of the street stall or have available for inspection a permit or letter as required, stating that permission for the activity has been granted by Council;
- 7) A maximum of 3 individuals are allowed to conduct the permitted activity at any one time;
- 8) Approved organisations may apply for a street stall permit for up to a maximum of twelve days per year;
- 9) No more than one group will be approved to occupy a designated street stall area at any one time; subject to the conditions outlined in the Council permit;
- 10) The organisation must keep the area free of waste and any other public risk at all times;
- 11) Except for Community Event stalls, the sale of food is restricted to pre-packaged food only and must include labeling in accordance with the Food Standards Code (Food Standards Australia and New Zealand). Food that requires temperature control is not permitted to be sold or distributed other than at approved "community event" stalls. For Community Event stall operators, a separate application is required to be submitted to Council and food stall operators are to comply with Council's Requirements for the Operation of Temporary Food Stalls;
- 12) Commercial activities that either replicate or inconvenience the activities of nearby lawfully established businesses will not be permitted unless the activities are conducted by that business;
- 13) Except as authorised by Council for approved community events, the direct selling or distribution of goods is not permitted;
- 14) The list of items that may not be sold or distributed as part of a street stall as outlined under Section 6.1.1 shall be complied with;
- 15) For the sale or distribution of items including food, stall holders shall comply with Council's Requirements for the Operation of Temporary Food Stalls;
- 16) No overzealous trading or soliciting will be permitted.

6.2 Busking

6.2.1 General

- 1) Busking activities are permitted with Council approval in Campbelltown and Ingleburn CBD's;
- 2) Buskers must apply to Council for and receive a busking permit prior to any activity taking place (See Section 7.1);
- 3) Buskers must not unreasonably interfere with pedestrian flow or public amenity or cause a nuisance to nearby businesses;
- 4) Buskers must not undertake any act that could be considered as causing offence or a public nuisance including excessive noise;
- 5) Buskers are advised that the performance of political, religious, racial, sexually explicit or homophobic acts or material that may be deemed unduly persuasive, offensive or discriminatory as determined by the *Anti-Discrimination Act 1977* is strictly prohibited;
- 6) Buskers are not permitted to use fire, pyrotechnics, knives, swords, chainsaws or other dangerous goods likely to cause harm to the public, environment or property;
- 7) Buskers are not permitted to use or discharge confetti or any other matter that may cause pollution or is likely to cause harm to the public, environment or property;
- 8) Buskers must not interfere in any way with any other approved event or activity;
- 9) Buskers must be a minimum of 16 years and must submit a letter of consent from a parent or guardian with an application for a permit if under 18 years of age;
- 10) Buskers may receive a monetary appreciation from the audience but must not actively solicit funds in any way;
- 11) Buskers must keep the footpath clear of obstruction, maintain the footway clear for pedestrian movement and the site clean during and following their performance to ensure that the activity does not pose a risk to public safety or the environment. A minimum unobstructed footpath width of 2.4 metres shall be maintained at all times;
- 12) Buskers must not use amplification via battery powered or mains voltage PA systems as part of their performance;
- 13) Council reserves the right to direct a busker to moderate or cease performing if deemed by Council to be creating a nuisance, threat to safety or the environment or to be causing offence;
- 14) Buskers are only permitted to occupy/perform at any location for a maximum period of 3 hours.

6.2.2 Group busking acts

Groups involved in busking are limited to a maximum of 3 people/members. This is to ensure that pedestrians are able to move freely through the approved area. For group acts, Council requires that each individual member hold a current busking permit which must be clearly displayed during the performance.

6.2.3 Pavement Art

Performers who utilise pavement (chalk only) art as a form of entertainment may only do so with a Street Trading Activity Permit issued by Council and where:

- 1) the material used is removable by water and does not leave a residue;
- 2) the surface is of a non-porous material, such as bitumen and concrete;
- 3) individual renditions of the artist's work may not be offered for sale to the public;
- 4) any proposed material to be used in carrying out pavement art must not be slippery (whether wet or dry) and must not be such as to be likely to cause a public hazard, nuisance or offence;
- 5) the site is used for no more than eight hours at any one time or otherwise as approved by Council;
- 6) the work space to be used is defined by being either roped or chained off with all tools and personal belongings kept within this area; A free passage of at least 2.4 metres shall be maintained for pedestrians at all times;
- 7) performers must be conscious of public safety and accessibility at all times.

6.3 Charity collection

6.3.1 Fundraising by registered charities (by non-commission collectors)

- 1) Charitable organisations are permitted to collect donations from the public with Council approval only at designated areas listed below:
 - Lithgow Street Mall, Campbelltown
 - Queen Street, Campbelltown
 - Oxford Road, Ingleburn.

Refer to location maps at Part Nine for further details.
- 2) The organisation must supply written evidence to Council of their charity registration or community organisation status;
- 3) Organisations are encouraged to apply to Council for a permit at least 4 weeks (20 working days) prior to the proposed activity;
- 4) The organisation must hold and maintain a current \$20 Million Public Liability Insurance Policy (noting Council as an interested party on this Policy). Such insurance arrangements shall satisfy Council that adequate indemnities are in place;
- 5) On the day of the activity, the organisation must display or have available for inspection, a permit or letter as required, stating that permission for the activity has been granted by Council;
- 6) Charitable organisations may apply for a permit to conduct fundraising for up to a maximum of 12 occasions over a 12 month period and on no more than one occasion per month;
- 7) No more than one charity organisation will be permitted to occupy a designated marked location at any given time, subject to the conditions outlined in the Council permit;

- 8) Charity organisations are to remain static and are not permitted to solicit donations from any area other than locations designated for this purpose in this Policy.

Refer to location maps at Part Nine for further details.

6.4 Banners

6.4.1 General

Approval may be granted by Council for the display of banners provided the intent is to promote community events, programs or services (i.e. an event or activity which is non-commercial or non-profit and offering a community benefit). NB: This opportunity is provided at no cost to community groups wishing to display a banner.

Consideration may be given to promoting "expo" type events that provide information relating to a range of services or by a group of local business providers for community benefit (e.g. Wedding Expos, Renovation Expos). Single business promotion will not be considered. A fee applies to permits issued for banners promoting "expo type" events.

A limited number of banner sites are available in the Campbelltown LGA (refer to Section 6.4.2) It should be noted that Council does not allow the advertising of offensive, political or religious statements or images on banners.

Banner signs may not be permitted to be erected any earlier than 14 days before the event and must be removed within 7 days after the event.

Council reserves the right to remove banners at any time if a banner is erected without approval or if any of the permit conditions are not complied with. Council also reserves the right to cancel bookings for the display of banners at designated locations at any time.

Note: Council does not issue permits for the placement of banners in elevated locations such as those on overhead bridges or walkways. Approval for these sites rests with the Roads & Maritime Services (RMS).

Organisations wishing to erect a banner in the Campbelltown LGA may only do so with a Street Trading Activity Permit issued by Council and must comply with the following requirements:

- 1) An organisation wishing to display a banner accepts responsibility for any claim for accidents or other issues arising from the erection, removal or display of the banner or the use of Council's infrastructure.
- 2) Any damage to Council's infrastructure and other facilities that is attributed to the display of a banner will be repaired at the expense of the organisation displaying the banner.
- 3) Evidence of the organisation's Public Liability Insurance of a minimum value of \$20 million, noting Council as an interested party, must be provided to Council before any permit for displaying a banner is issued.
- 4) Council is not liable or responsible for banners which are lost, damaged or stolen.

6.4.2 Locations where banners may be displayed

Banners are to be erected at or near ground level and are not permitted to be displayed within 50 metres of an intersection or within 3 metres of the road pavement and must not impede pedestrian movement. Only one banner is permitted to be erected at each designated location.

Banners may only be erected at the locations listed below:

- 1) Menangle Road, Campbelltown (approximately 500m south of Geary Street on west side of Road)
- 2) Narellan Road Campbelltown (approximately 150m west of Gilchrist Drive on south side of Road)
- 3) Appin Road Bradbury (adjacent to Silo's east side of Road)
- 4) Badgally Road, Eagle Vale (approximately 100m east of Eagleview Drive)
- 5) Raby Road, Raby (approximately 170m west of Thunderbolt Drive on South side of Road)
- 6) Campbelltown Rd, St Andrews (approximately 175m north of St Andrews Road)
- 7) Campbelltown Road, Minto (approximately 450m north of Rose Payton Drive).

6.4.3 Design and layout of banners

- 1) Commercial advertising is not permitted on banners, however, the logo of a sponsor/s or the co-ordinating organisation may be incorporated into the banner design.
- 2) The logo of a sponsor is to be a maximum of 10% of the total face area of the banner.
- 3) If several sponsor logos are to be included then the maximum area of the logos is to be no more than 20% of the total face area of the banner. The purpose of these restrictions is to promote community services, not commercial ventures.
- 4) The caption on the banner is to be succinct.
- 5) The maximum size of a banner is 4 square metres.
- 6) The lettering must be a minimum of 150mm in height. It is important in terms of safety that the message can be easily read by motorists and other road users.
- 7) If languages other than English are being displayed on the banner at least 50% in equal size shall appear as a direct translation in English.
- 8) The proposed design of the banner (message, sponsor logos and layout) must be submitted at the time of applying for a permit requesting the display of a banner and should also include nominated dates and specific sites.

6.4.4 Construction of banners

Banners are to be constructed of sturdy material such as PVC or canvas that will not tear in the wind and thereby present a hazard to traffic ("Tyvek" is not considered an acceptable material for the construction of banners).

6.4.5 Attachment and removal of banners

- 1) The erection of the banner is the responsibility of the organisation displaying the banner. The banner should be inspected every day to monitor security and its condition. Council is not liable or responsible for banners which are lost, damaged or stolen;
- 2) To ensure banners are installed appropriately, banners will be required to be installed strictly in accordance with Council guidelines and as outlined in the Street Trading Activity Permit;
- 3) Banner signs are to be anchored by the use of star pickets driven into the ground no more than 350mm;
- 4) The banner must be attached and removed by the organisation displaying the banner on the dates specified on the permit;
- 5) Any damage to Council's infrastructure and other facilities will be repaired at the expense of the organisation displaying the banner.

6.5 Special events, festivals and community celebrations

Council coordinated festivals or events such as Fishers Ghost and Ingleburn Alive are community events coordinated by the Council for the whole community. Street stalls during these events are permitted to sell commercial products (other than prohibited items listed in Section 6.1.1) and prepared food.

Council approves these types of special events under a separate approval process under section 68 of the *Local Government Act 1993* (Refer to Campbelltown City Council Outdoor Event Application Guideline for further information).

6.6 Outdoor dining areas

6.6.1 General

Outdoor dining contributes to the vitality and cultural life within the Central Business Districts (CBDs) of the Campbelltown LGA.

The NSW Government under the *Roads Act 1993* and the *Local Government Act 1993* states that the placement of articles for commercial purposes on public roadways and footways requires prior consent from Council.

All food premises that intend to provide seating on the public footway for the purpose of outdoor dining are required to obtain a permit from Council. An annual permit shall be obtained from Council prior to operating outdoor dining on Council's footpath.

Applications for outdoor dining permits must comply with the following requirements:

6.6.2 Location requirements for outdoor dining

As an overriding principle, applications for outdoor dining on public footways, roadways or public spaces must not in Council's determination compromise pedestrian access or safety, must be sympathetic to the surrounding streetscape, provide a safe, comfortable and attractive environment for patrons and the general public, and not unreasonably interfere with other commercial amenity.

- 1) Locations that might be considered suitable for outdoor dining include areas that have wide footpaths, street malls and open space.
- 2) Unsuitable locations for outdoor dining include areas that have a steep incline, or uneven surfaces unsuitable for the placement of furniture, narrow footpaths or corner intersections with high traffic flow.
- 3) The proposed outdoor dining areas must be located adjacent to the frontage of the premises and shall not extend beyond the boundary line of the respective shop front, extended to the kerb-line.
- 4) The proposed outdoor dining areas must provide safe and unobstructed access for pedestrian traffic at all times, within and around the outdoor dining area. Proposals must also take into consideration the needs of people with disabilities with particular consideration for people who use wheelchairs and electric powered scooters, people with visual impairment, elderly people, and the needs of parents with young children with regards to prams. Unobstructed access must also be provided to authorised delivery vehicles across land or pedestrian thoroughfares if applicable.
- 5)
 - (i) The footpath shall be a minimum of 3.5 metres wide and allow for a minimum of 2.4 metres of unobstructed pedestrian access at all times.
 - (ii) Depending upon the location, outdoor dining areas are permitted either abutting the shop front or adjacent to the roadway. Where an outdoor dining area is located adjacent to a roadway, there shall be a minimum clearance of 300mm from the back of the kerb to any structure associated with the dining area and balustrading for the length of the outdoor dining area street frontage and sides (where applicable) must be provided.
 - (iii) Outdoor dining areas may not be considered for a permit, if there are existing articles or infrastructure existing within or adjacent to the proposed outdoor dining area (e.g. public seats, litter bins, utility poles, bicycle racks, phone booths, bus shelters etc).

6.6.3 Outdoor dining furniture

- 1) The business owner is responsible for all outdoor furniture and furnishings associated with outdoor dining. The furniture and furnishings shall enhance the street environment and integrate well with the existing surroundings.

In selecting furniture and furnishings the business owner shall ensure the furniture is to:

- (i) be generally in harmony with the existing streetscape;
- (ii) be of a safe design (i.e. no hinges or sharp edges) and designed for commercial outdoor use and be of a suitable size and shape for the approved area;
- (iii) be strong, durable, waterproof and weather resistant;
- (iv) be constructed of high quality non-reflective stainless/powder coated steel/aluminium or timber (natural/painted) and canvas;
- (v) be easily stacked and stored securely within the business premises outside operating hours;

- (vi) not contain legs or support structures that could damage the ground surface;
 - (vii) be able to be easily cleaned and maintained.
- 2) The use of planter boxes for the purpose of designating the approved outdoor dining boundary is generally discouraged by Council, however subject to a Council permit being issued, planter boxes must:
 - (i) Not exceed 900mm in height (including the height of the plants) and not pose a trip hazard;
 - (ii) be of a size and shape appropriate for either placement in the approved area or for use as a method of defining the approved area;
 - (iii) should be easily relocatable for storage within the premises outside of approved business hours;
 - (iv) make a positive contribution to the existing streetscape;
 - (v) be maintained to Council's satisfaction.
- 3) The use of free standing umbrellas is generally discouraged by Council and is not permitted under awnings, balconies or verandahs (or in other such areas where protective structures may reasonably be installed) however, subject to a Council permit, umbrellas must:
 - (i) be securely anchored to ensure stability during extreme weather by methods that will not produce a trip hazard on the pavement;
 - (ii) be able to be easily stored within the premises outside approved business hours or during extreme weather conditions;
 - (iii) have a minimum clearance height of 2.2 metres to allow safe headway clearance;
 - (iv) be located within the approved outdoor dining area and should not either overhang the boundary or in any way encroach upon adjacent pedestrian thoroughfares or carriageways.
- 4) Balustrade sections, subject to a Council permit
 - (i) shall be portable;
 - (ii) shall not exceed a height of 900mm or length of 2 metres;
 - (iii) shall be constructed of lightweight powder coated steel/aluminium frame with stabilising feet and with either a suitable metal, fabric or PVC banner type material or fabricated panel;
 - (iv) shall contain only the name of the premises and 1 product brand only.
- 5) Heaters, subject to a Council permit
 - (i) can only be used in areas that have adequate ventilation;
 - (ii) will be subject to a Council permit and shall detail manufacturers specifications;
 - (iii) shall have a ground clearance of 2.2 metres to the heating element of the appliance;
 - (iv) shall turn off automatically if overturned;
 - (v) shall be easily relocatable;

- (vi) shall be stored within the premises when not in use;
 - (vii) shall not be placed where they can be considered a fire hazard i.e. next to or under an umbrella, shrubs, trees etc.;
 - (viii) shall be installed in accordance with Australian Standard A4565-2004 Radiant gas heaters for outdoor and non-residential use.
- 6) Tableware, utensils and decorative items shall be of a windproof design and stored within the premises when not in use;
 - 7) All furniture and furnishings shall be able to be removed from the proposed outdoor dining area and stored securely within the premises outside of the permitted business hours and during extreme weather conditions;
 - 8) For approvals for outdoor dining that do not require the erection of permanent structures on the pavement (public footway), a street trading permit may be issued. For more complex applications that seek to install permanent structures/stalls/furniture and the like, a development application may be required to be lodged with Council.

6.6.4 Miscellaneous requirements for outdoor dining

- 1) The placement of advertising within the outdoor dining area shall comply with the relevant permit. A frame or sign boards are not permitted.
- 2) The hours of use for the approved outdoor dining area cannot exceed the hours permitted under the current Development Consent for the operation of the associated business premises and are assessed on an individual basis subject to Council approval.
- 3) No alcohol can be served in an outdoor dining area without an appropriate and current Liquor Licence being held by the associated business (as issued by the Office of Liquor, Gaming and Racing) and extended to cover the outdoor dining area.

A copy of the current Liquor Licence shall be submitted with the outdoor dining permit application and extended to cover the outdoor dining area for the life of the outdoor dining permit.

A copy of the current Liquor Licence shall be kept on the premises at all times and be made available for inspection upon request by relevant authorities.
- 4) Live entertainment or amplified music shall not be permitted within the outdoor dining area.
- 5) The permit holder is responsible for good conduct of patrons and staff at all times during hours of operation and to ensure that noise levels are kept to a minimum. Council and NSW Police will continue to handle noise and other complaints. The Office of Liquor Gaming and Racing has authority under the Liquor Act to investigate noise complaints and other concerns associated with licensed premises.

In the event of any continued noise complaints relating to the use of the outdoor dining area, Council reserves the right to terminate the Outdoor Dining Permit without prior notice.
- 6) The permit holder is responsible to ensure compliance with the *Companion Animals Act 1998* which allows animals of genuine assistance in food consumption areas.

- 7) Any outdoor dining area permitted to operate outside of daylight hours must provide adequate lighting to satisfy safety and amenity requirements and is subject to Council's authorisation. The location of an outdoor dining area shall be within a clear line of vision from the associated business.
- 8) In accordance with the Australia New Zealand Food Standards Code in particular 3.2.2 Food Safety Practices and General Requirements Division 5 Cleaning, Sanitising and Maintenance, Clauses 19-21, all food businesses must maintain all fixtures, fittings and equipment to ensure there is no accumulation of food waste, dirt, grease or other visible matter. These standards shall apply to outdoor dining areas with respect to use of the public footpath.

The permit holder shall be responsible for all waste and litter generated by the outdoor dining area and shall ensure that:

- i) waste and litter is disposed of lawfully, and not allowed to enter garden beds, gutters or stormwater drains;
 - ii) the outdoor dining area including the footpath, gutter, and neighbouring surrounds are to be kept clear of waste and rubbish at all times;
 - iii) any waste generated by the operation of the business is to be disposed of in bins located within the business premises and not in public litter bins;
 - iv) any breakages or spills that might prove hazardous to patrons, staff or the general public or that might stain or otherwise damage the footpath are to be removed immediately.
- 9) The permitted outdoor dining area is to be appropriately marked in a manner authorised by Council.
The permit holder shall:
 - (i) be responsible for maintaining the approved outdoor dining area in accordance with the permit;
 - (ii) ensure that all fixtures and furnishings remain within the marked area at all times and do not overhang or impede upon any pedestrian or vehicular thoroughfares;
 - (iii) ensure that the area remains clearly marked at all times and that it can be easily identified by Council to monitor compliance.
 - 10) Associated works to enhance an outdoor dining area with respect to permanent fixtures requires the separate and prior approval of Council and the cost of any such works are to be met by the applicant.
 - 11) Council reserves the right to carry out any type of maintenance work in or around the approved area at any time and will not accept any liability for interruption to business caused by such works or inclement weather.
 - 12) Outdoor advertising shall complement and be compatible with the footpath dining activities and local amenity and requires the separate and prior approval of Council.
A-Frames signs or sign boards are not permitted to be placed on the footway or within the outdoor dining area.
 - 13) For approvals for outdoor dining that do not require the erection of permanent structures on the public footway, a street trading permit may be issued. For more complex applications that propose permanent structures/stalls to be installed on the public footway, a Development Application may be required to be submitted to Council.

PART SEVEN – MAKING AN APPLICATION FOR STREET TRADING ACTIVITIES

7. Applying for approval to conduct a permitted street trading activity

7.1 Application requirements

Standard permit applications can be obtained from Council. All applicants, (individuals and groups) are required to apply in person. Street Trading activity shall not be conducted without first obtaining a permit issued by Council beforehand.

All applicants are required to present proof of identify with their application form before a permit is issued e.g. current motor vehicle licence, proof of age card or passport.

Details of the type of activity or entertainment proposed are required to be provided on the application.

Council reserves the right to refuse any permit application.

Applications for approval for activities that are described in this policy (as outlined in section 4) can be made by using the Street Trading Activities Permit application form or Outdoor Dining application form that is available from Council's Customer Service Centre or through Council's website: www.campbelltown.nsw.gov.au

As outlined on the forms, the following information shall be lodged with Council at least four weeks prior to the event or activity occurring, and the proposed activity must receive Council's permission prior to commencement.

The permit application must include the name of the individual(s) or organisation, the organisational status, i.e. registered charity, religious affiliation, community group, political organisation, commercial organisation, a brief outline of the organisation, a short description of the reason for the activity and the name and contact details of the person coordinating the activity.

For commercial organisations, the name of the company and a valid ABN number must be provided.

A site plan drawn to scale outlining key features of the activity layout (eg stalls, tables, chairs etc.) must also be supplied with the application. The plan should also clearly show the following details:

- Location of existing features such as trees, signage posts, bins etc.;
- Details of any proposed furniture including the design, construction; dimensions, colours and materials to be placed within the designated stall location;
- Any signage must be of a temporary nature and can only be displayed within the area/locations covered by the application (no other advertising materials or structures are permitted).

7.2 Permit fees

No permit fees apply to charities or not-for-profit organisations. An annual permit fee will apply to individuals or organisations that receive a commercial or financial gain from the permitted street trading activity.

Permit fees will be applied as detailed in Council's annual schedule of fees and charges. Permits are valid for up to 12 months from the commencement date. Permits are not transferable and fee payments are not refundable once the permit has been issued by Council.

7.3 Renewal of permits

Activity permits should be renewed before the expiry date should the activity continue. Street Trading shall not be conducted with an expired permit. Unauthorised Street Trading activity will also be subject to penalties as provided for under the *Local Government Act 1993*.

7.4 Insurance

The applicant (except where stated otherwise in this Policy) must provide a Public Liability Insurance Certificate of Currency from their insurer that notes Council as an interested party with regards to any personal injury or damage to property associated with the activity on a public footway, road or road related area for a minimum cover of \$20 Million or any other amount that Council may stipulate from time to time.

Buskers and Pavement Artists are exempt from this requirement and are not required by Council to hold their own Public Liability Insurance policy cover for busking and street art performances held on the streets/road reserve areas within the Campbelltown Local Government Area (LGA).

7.5 Additional application requirements for outdoor dining

Applications for activities described in Section 6.6 can be made by completing the Outdoor Dining application form.

Documentation required to be lodged with the permit application:

A site plan drawn to scale (1:50 or 1:100) with dimensions that clearly show the following:

- The building line of the premises in relation to adjoining premises;
- Distance from the kerb to the premises;
- Proposed layout with furniture and furnishings including chairs and tables, planters, bollards, balustrades, heaters, lights or articles;
- Access and service points to premises;
- Existing streetscape features such as street poles, signs, trees, seats, rubbish bins etc.;
- Diagram of the proposed area in relation to neighbouring premises.

The following information is also required to be lodged with a permit application:

- Details of manufacturers details particularly with regards to heaters and lights;
- Details of artwork, advertising or signage including dimensions and location;
- Written consent from the property owner;
- Evidence of current Public Liability Insurance (noting cover for the specific activity location and noting Council as an interest party) for a minimum of \$20 Million;
- Evidence of a current NSW Liquor Licence if applicable to the premises.

PART EIGHT – MISCELLANEOUS MATTERS

8.1 Approval of applications

Approval to use a public footway for street trading activities is subject to Council's discretion. Council reserves the right to impose on any permit such conditions as it determines necessary, appropriate and reasonable.

8.2 Street trading restrictions

Certain street trading activities being street stalls, charity collections and busking will be prohibited during the times at which approved community events are conducted within a nominated business centre.

8.3 Fees

All fees associated with street trading activities are to be identified in Council's Schedule of Fees and Charges and will be reviewed annually. Application fees shall be paid when an application is lodged with Council and are non-refundable, once the application is determined and regardless of the outcome of the determination of the application.

8.4 Display of permit

A copy of the permit issued by Council for an authorised street trading activity shall be on display at the activity location at all times.

8.5 Compliance/inspections

Council reserves the right to carry out compliance inspections as required.

8.6 Period of permit

Permits for street trading activity will be granted by Council for a period up to a maximum of 12 months in the first instance. Longer permit periods may be allowed by Council upon renewal, subject to review. A new application must be submitted to Council prior to the end of each permit period.

8.7 Variation of permit conditions

Any variation to a current permit will require a new application to be lodged with Council. A change of business ownership will also require a new permit application to be lodged with Council.

8.8 Street trading activity must not cause obstruction and be marked on the pavement

All street trading activity must not occupy an area larger than necessary to safely conduct the activity. At all times the activity must not cause obstruction to other users of the footway or unreasonably interfere with pedestrian flow, ensuring sufficient clear pedestrian access is maintained (minimum 2.4 metres wide pedestrian access shall be provided at all times). The permitted area for the street trading activity will be clearly defined on the Street Trading Activity Permit and shall be marked on the pavement by Council where appropriate for the above purpose.

8.9 Protocols for non-compliance

The following is a general guideline that will be taken into account by Council when seeking to remedy non-compliance issues associated with Street trading. Council has discretion to vary its approach depending upon individual circumstances, the extent of non-compliance and any prior infringements.

8.9.1 Operating without a permit

Written or verbal notice issued. A Penalty Notice may be issued if there is failure to act after a Notice to Comply, is issued. Continued non-compliance may result in further action being taken.

8.9.2 Breach of conditions

Written and or verbal notice will be issued to the operator requiring compliance. If no action is taken to remedy the breach after issuing a Notice to comply with a permit, a Penalty Notice may be issued.

Following the issuing of a Penalty Notice, the permit may be terminated and/or further action taken by Council. Special provisions may need to be applied in the case of an emergency/risk to public safety.

8.9.3 Operating with an expired permit

A Notice will be served upon the operator to cease the street trading activity or renew the permit. If the operator fails to comply with the Notice or renew the permit within the given time, a Penalty Notice may be served on the operator. Continued non-compliance may then result in further action being taken.

8.10 Termination of permit by the applicant

The applicant may terminate their Street Trading Activity Permit at any time by giving Council a minimum of one month's written notice.

8.11 Termination of permit by Council

Council reserves the right to terminate a Street Trading Activity Permit. Upon termination all property or materials associated with the street trading activity must be removed from the public area.

8.11.1 Reasons that Council may consider in deciding to terminate a permit

- 1) Non-compliance with conditions as outlined in the permit;
- 2) Change of business ownership;
- 3) Expired Public Liability Insurance;
- 4) Where the street trading activity is found to cause undue inconvenience to pedestrian access and or safety and public amenity;
- 5) Where Council or any other authority has received repeated complaints about an approved street trading activity that otherwise cannot be resolved.

PART NINE - DESIGNATED STREET TRADING ACTIVITY LOCATIONS

9.1 Location Maps

Designated areas for specified street trading activities are shown on the locality plans (below) for the Campbelltown and Ingleburn business centres.

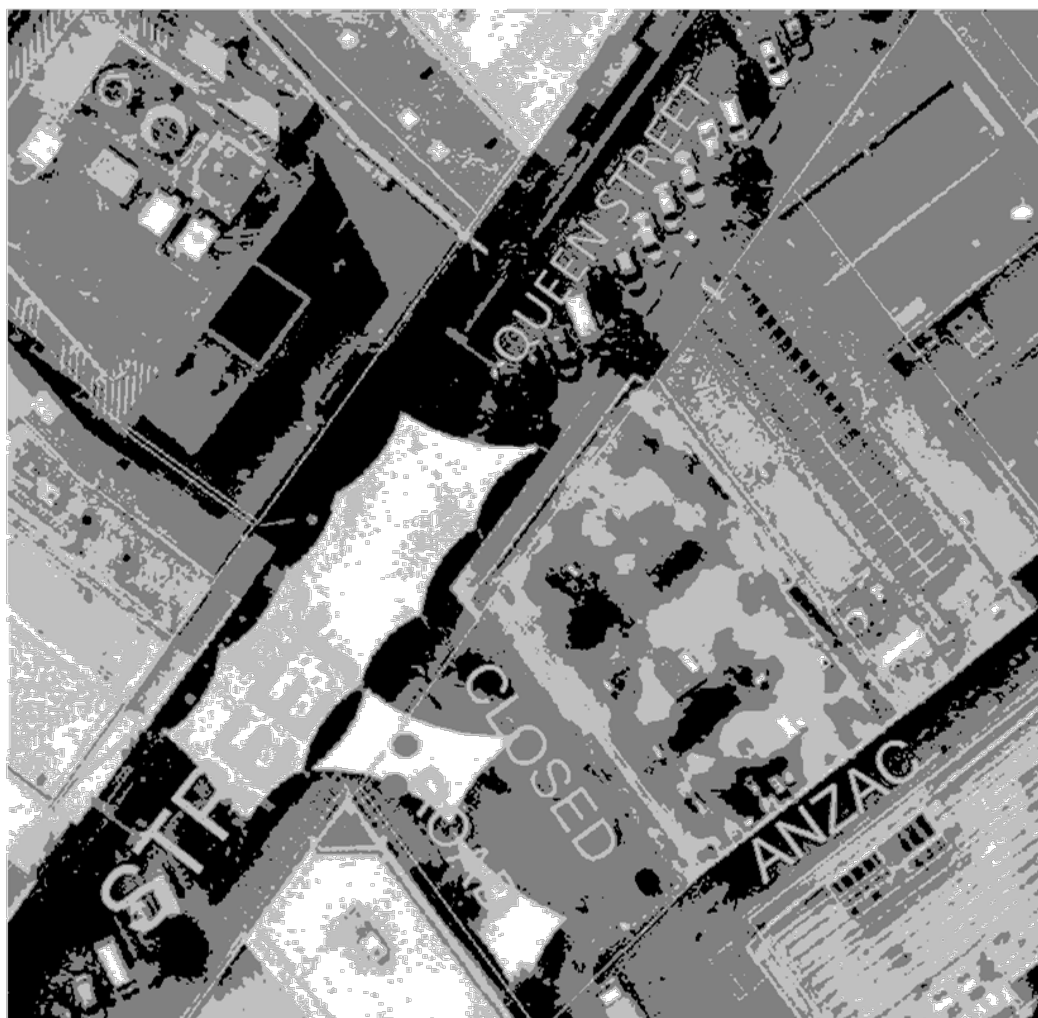
9.1.1 Campbelltown Business Centre - Overall Locations for Street Trading:

● Charity Collection ● Street Stall ● Street Art



9.1.1.1 Queen and Lithgow Street Intersection Locations for Street Trading (Detail):

● Charity Collection ● Street Stall



9.1.1.2 Queen and Cordeaux Street Intersection Locations for Street Trading (Detail):

● Charity Collection



9.1.1.3 Queen and Allman Street Intersection Locations for Street Trading (Detail):

● Charity Collection ● Street Stall ● Street Art



9.1.1.4 Queen and Dumaresq Street Intersection Locations for Street Trading (Detail):

● Charity Collection ● Street Stall



9.1.2 Ingleburn Business Centre Locations for Street Trading:

● Charity Collection ● Street Stall ● Street Art



END OF POLICY STATEMENT

8.3 Construction of a warehouse, fit out and 24 hour use as a warehouse and distribution centre, associated car parking and landscaping

Reporting Officer

Director City Development
City Development

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

Officer's Recommendation

1. That Council allow the variation to Clause 4.3 of Campbelltown Local Environmental Plan 2015 which relates to the maximum height of buildings for development.
2. That subject to recommendation No. 1, development application 342/2017/DA-I for the construction of a warehouse, fit out and 24 hour use as a warehouse and distribution centre, associated car parking and landscaping at 415 Pembroke Road, Minto, be approved, subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendation 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.

Purpose

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

This development application is required to be reported to Council pursuant to Department of Planning Circular PS 08-014 dated 14 November 2008 as the application is seeking a variation of greater than 10 per cent to a development standard contained in Campbelltown Local Environmental Plan 2015.

A variation is sought from the maximum height of building of 12 metres, pursuant to the provisions of Clauses 4.3 and 4.6 of the Campbelltown Local Environmental Plan 2015.

Property Description 415 Pembroke Road, Minto

Application No 342/2017/DA-I

Applicant Goodman Property Service

Owner	GTA Industrial Custodian Pty Ltd
Statutory Provisions	State Environmental Planning Policy 55- Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (State and Regional Development) 2011 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Campbelltown Local Environmental Plan 2015
Other Provisions	Campbelltown (Sustainable City) Development Control Plan Campbelltown 2025 - Looking Forward
Date Received	6 February 2017

Report

The development application was lodged with Council on 6 February 2017 for the construction of a warehouse, fit out and 24 hour use as a warehouse and distribution centre, associated car parking and landscaping at 415 Pembroke Road, Minto.

Site and Surrounding Locality

The site is legally described as Lot 15 in DP 1140085, 415 Pembroke Road, Minto. The site is within the Keylink South industrial estate. The Keylink South industrial estate has an area of 16.81 hectares and is bound by Pembroke Road to the east, Rose Payten Drive to the south, the Main Southern Railway Line to the west, and an industrial development to the north. Across Pembroke Road to the east are residential dwellings and Leumeah Public School. The proposed development is not within close proximity of the Main Southern Railway.

The Keylink South site is currently occupied by four warehouses with vehicular access provided from Pembroke Road to a private access road, which services the existing warehouses. The proposed warehouse, known as Lot 4 within the industrial estate would also be accessed via the private road.

The property is not listed as an item of environmental heritage, and is not located within a heritage conservation area.

Background

A number of development consents have been issued by Council over time at the site. Some relevant consents include:

SA/51/1998

An application for subdivision to create 12 industrial lots and a new road was approved by Council.

F/349/2004

An application for a master plan of the subject site was approved by Council on 3 August 2004.

G/15/2004

An application for Torrens Title subdivision creating 14 industrial lots, 2 residue lots and associated landscaping, earthworks and road construction was approved by Council on 18 August 2004.

2726/2009/DA-S

An application for subdivision of an industrial estate into five allotments and dedication of estate access road as a public road was approved by Council on 27 July 2010.

1512/2012/DA-CW

A development application for cut and fill earthworks, construction of retaining walls, building pads and landscaping was approved by Council on 18 December 2012.

751/2015/DA-I

An application for construction of a warehouse with associated car parking and landscaping and its use as a distribution facility operating 24 hours, 7 days a week was approved by Council on 3 August 2015.

949/2015/DA-CW

An application for the construction of retaining walls and building pads and cut and fill earthworks was approved by Council on 4 June 2015.

2944/2015/DA-I

A development application for the construction and fit out of four industrial buildings including car parking, landscaping, signage and use of Building 1A for storage and distribution was approved by Council on 13 May 2016.

873/2017/CDCPCI

A complying development certification for warehousing of brewery equipment for first use in warehouse 1B was issued by a private certifier.

Proposal

The proposal includes the construction of a single storey warehouse with an ancillary office. The warehouse includes five loading docks, a recessed dock, a 10m awning, 66 a-grade car parking spaces, signage and landscaping. The proposal also includes the use of the premises as a warehouse and distribution centre.

The application seeks approval to operate the 24 hours a day 7 days per week, similar to that of the surrounding warehouses within the estate. Notwithstanding the above, the applicant notes that generally, operating hours are anticipated to be 7.00am to 6.00pm and use would employ 70 people.

1. Vision**1.1 Campbelltown 2025 - Looking Forward**

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

- responds to what Council understands people want the City of Campbelltown to look, feel and function like
- recognises likely future government policies and social and economic trends

The document establishes a set of strategic directions to guide decision making and development outcomes.

The strategic directions relevant to this application are:

- growing the Regional city
- creating education, employment and entrepreneurial opportunities

The application is consistent with the above strategic directions as the proposal would provide employment opportunities during the construction phase of the warehouse and would support the creation of employment opportunities as part of the ongoing operation of the business once the warehouse is complete.

2. Planning Provisions

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

2.1 State Environmental Planning Policy 55 - Remediation of Land

Under the provisions of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55), where a development application is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) it has considered whether the land is contaminated
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The potential for contamination of the site has been previously investigated for the master planning and subdivision of the land. Given the historical use of the land for agricultural purposes, Douglas Partners Pty Ltd conducted a preliminary contamination assessment of the site in June 2002, which concluded that the site can be safely used for industrial purposes without any further investigation.

The current proposal would not alter the previously submitted contamination assessment of the land. This being the case, the proposal is considered to satisfy the requirements of SEPP 55 and accordingly no further investigation or remediation is required.

2.2 State Environmental Planning Policy (Infrastructure) 2007

Due to the sites location on Pembroke Road and the nature of the proposed development, the provisions of SEPP (Infrastructure) 2007 apply.

101 Development with frontage to classified road

- (1) The objectives of this clause are:

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads
 - (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.
- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:
 - (a) where practicable, vehicular access to the land is provided by a road other than the classified road
 - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land
 - (ii) the emission of smoke or dust from the development
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land
 - (c) The development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The proposed warehouse facility would be accessed via the existing private road, which is accessed from Pembroke Road. Avoiding access from Pembroke Road is not practical, given that the access road from Pembroke Road is existing and operational.

It is noted that although the site is accessed by Pembroke Road, the access for all warehouses within the estate has been rationalised into a single location, with appropriate RMS-approved median barriers and line marking.

The proposed development is not considered to have any major impact on the safety or ongoing operation of Pembroke Road with regard to vehicular access, emissions or volume and frequency of vehicles using Pembroke Road to access the development. The Traffic Impact Assessment submitted by Ason Group in support of the proposed development states the proposal would not have a significant impact on the operation of the surrounding street network.

104 Traffic-generating development

- (1) This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves:
 - (a) new premises of the relevant size or capacity
 - (b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.
- (2) In this clause, relevant size or capacity means:
 - (a) in relation to development on a site that has direct vehicular or pedestrian access to any road—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3

- (b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.

The proposed development would most closely meet the definition of industry under Schedule 3 of the SEPP, and has a capacity greater than 5,000sqm with access to a road that connects to a classified road (Pembroke Road). The intersection of the private road and Pembroke Road is considered to be the access point for the development. The proposal meets the threshold requirement for industry development required to be referred to the RMS as traffic generating development.

- (3) Before determining a development application for development to which this clause applies, the consent authority must:
 - (a) give written notice of the application to the RMS within seven days after the application is made
 - (b) take into consideration:
 - (i) any submission that the RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RMS advises that it will not be making a submission), and
 - (ii) the accessibility of the site concerned, including:
 - (a) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
 - (b) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and
 - (iii) any potential traffic safety, road congestion or parking implications of the development.

The application was referred to Roads and Maritime Services on 7 June 2017.

Comments received are as follows:

1. It is noted from the swept path plan that 26m B-double vehicles access the subject site. Roads and Maritime advises that Pembroke Road is an approved 25m B-double route. However, 26m B-double vehicles are also permitted to use the route provided they meet the safety standards that allow the extra metre in length detailed in the National Class 2 Heavy B-double Authorisation (Notice) 2014 (No.2) under definitions
2. Roads and Maritime has previously acquired a strip of land for road along the Pembroke Road frontage of the subject property.

The subject property abuts a County Road Reservation. Therefore, all buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Pembroke Road boundary

3. Detailed design plans and hydraulic calculations of any changes to the Roads and Maritime's stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works

4. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Pembroke Road during construction activities
5. All vehicles are to enter and exit the site in a forward direction
6. A construction zone will not be permitted on Pembroke Road
7. All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime.

It is also noted that heavy vehicles cross the centre line of internal road to access the site. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

Concerns were raised by the RMS with regard to the movement and access to the property via the private road, as detailed above. However, Council's engineers have reviewed the proposal and raised no issue with the proposed development as access is obtained via a private road. In addition, the consent shall be appropriately conditioned to ensure the development satisfies AS2890 and appropriate conditions will be imposed to restrict construction impacts upon Pembroke Road and address items 3 to 7 above.

2.3 State Environmental Planning Policy (State and Regional Development) 2011

Proposals involving activities that are listed in Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011) are identified as being State Significant Development.

Clause 12 of Schedule 1 states:

12 Warehouses or Distribution Centres

- (1) Development that has a capital investment of more than \$50m for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.

The proposed development has a Capital Investment Value of \$9m, which is below the \$50m threshold. Therefore, the development is not classified State Significant Development under Clause 12 of Schedule 1 of SEPP (State and Regional Development) 2011.

2.4 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

The proposal is within the Georges River Catchment and thus this policy applies. Relevant aims and objectives of this plan are as follows:

- a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the catchment
- b) to protect and enhance the environmental quality of the catchment for the benefit of all users through the management and use of the resources in the catchment in an ecologically sustainable manner

- c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries
- f) to provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.

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

2.5 Campbelltown Local Environmental Plan 2015

The subject site is zoned IN1 General Industrial in accordance with the Campbelltown Local Environmental Plan 2015. The proposed development is defined as a warehouse or distribution centre as follows:

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

The proposed development is considered to be consistent with the relevant objectives of the IN1 General Industrial Zone:

- to provide a wide range of industrial and warehouse land uses
- to encourage employment opportunities
- to minimise any adverse effect of industry on other land uses
- to support and protect industrial land for industrial uses
- to facilitate diverse and sustainable means of access and movement.

The proposed warehouse is considered to satisfy the objectives of the zone by providing employment opportunities, whilst minimising the effect of industry on other land uses. The proposed development is not considered to adversely affect the surrounding land uses on the site or the surrounding area.

Provision	Compliance	Comment
Part 4 Principal Development Standards		
4.3 Height of Buildings 12m maximum	No	The proposed development has a maximum height of 18.5m, see discussion below.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Campbelltown LEP 2015 to vary the 4.3 development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 5 Miscellaneous Provisions		
5.9 Preservation of trees or vegetation	N/A	The site is predominantly cleared of trees and vegetation. The proposal includes the retention of trees on the property boundary to Pembroke Road.

Part 7 Additional local provisions		
7.1 Earthworks	N/A	The earthworks to the site were undertaken under a separate development consent (949/2015/DA-CW) relating to earthworks to construct building platforms and excavation works have been completed.
7.2 Flood Planning	Yes	The subject application was referred to Council's City Delivery department for comment. In summary, the proposed development is not considered to be flood affected.
7.10 Essential Services	Yes	The development shall be provided with essential services to facilitate the development.

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Campbelltown LEP 2015.

Exceptions to Development Standards

Clause 4.3 Height of buildings

The proposal has an average building height of 13.7m above existing ground level and a maximum height of 18.5m, which exceeds the height of buildings development standard of 12m prescribed under clause 4.3 of Campbelltown LEP 2015 by a maximum of 6.5m or 54 per cent.

A written request pursuant to clause 4.6 of Campbelltown LEP 2015 has been made, seeking to vary the development standard. The justification presented in the written request is summarised as follows:

- the proposal is consistent with the bulk and scale of warehouse development within the Pembroke Road precinct
- the excess non compliance of the proposal is due to the topography of the site
- the appearance of the structure from the public domain will appear as a compliant structure
- the proposed height is necessary to accommodate the racking system within the building to facilitate the proposed use as a warehouse and distribution centre.

In seeking a variation to the development standard an assessment against Clause 4.6 is detailed below:

Clause 4.6 Exceptions to development standards

(1) the objectives of this clause are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

Flexibility in the application of the height of building development standard is considered to be appropriate for the particular development. Overall, the proposal is generally compliant with the controls with regard to setbacks, built form, landscaping and car parking.

The proposal results in a moderate departure from the controls primarily resulting from the restriction of the height of the development and the topography of the site. The increased height of the warehouse serves to facilitate greater potential for occupancy of the development.

Given a review of similar application approved within the subject site it is noted that all of the warehouse developments previously approved on the site exceed 12m in height. The warehouse is designed to match the height of the surrounding warehouse developments on the site, which were approved with minimum heights of 13.7m. The approvals for the surrounding developments were obtained prior to the gazettal of the CLEP 2015.

The developments were approved under Council's previous development controls, which were contained within a previous version of the SCDP, which did not restrict the height of industrial development in metres, instead a storey control was imposed over industrial development, with which the developments complied.

The topography of the site results in the appearance of the height of the structure as a compliant built form, when viewed from Pembroke Road. Therefore, the full extent of the height of the structure is not visible from a public road or surrounding residential development, which is considered to be an acceptable outcome with regard to varying the development standard.

- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

The variation to the development standard will result in a preferable design outcome with regard to the streetscape and built form and will result in greater functionality of the proposed building for the ongoing use of the premises. The proposed development is not considered to detract from the existing streetscape and is considered to be consistent with the bulk and scale of the surrounding industrial development, which were all approved with a minimum height of 13.7m, consistent with the proposed development.

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

The clause does not exclude the variation of Clause 4.3 of the CLEP 2015.

- (3) development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

The proposed development seeks an overall variation of 14 per cent to a maximum of a 54 per cent variation to the Height of Building development standard. Compliance with the clause will significantly alter the design and restrict the functionality of industrial development on the subject site. The increased height of the building does not detract from the amenity of the surrounding residential development with regard to views or privacy, and the height of the structure does not affect the streetscape presentation of the building to Pembroke Road, where the development presents as a compliant built form.

The proposed development demonstrates compliance with regard to built form, setbacks, landscaping, access, and car parking. The compliance of the proposal with regard to the aforementioned controls demonstrates that variation to the Height of Building control is acceptable, given the circumstances of the case.

- (4) Development consent must not be granted for development that contravenes a development standard unless:
- (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Secretary has been obtained.

The proposed variation to the height of building development standard is considered to satisfy the objectives and is also considered to be in the public interest considering the circumstances of the case. The applicant's written request is considered to be satisfactory for the proposed development having regard to subclause (3). Variation to the development standard is considered to be acceptable given the proposal is consistent with the built form and scale of the surrounding industrial development. The proposed variation is considered to be acceptable and adequate justification is provided for contravention of the development standard. The proposal is consistent with the objectives of the height of building development standard and the IN1 zone, and is therefore supported for approval. The variation is recommended to be supported.

Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation %	Concurring authority
CLEP 2015	IN1 – General Industrial	Clause 4.3	The proposal is consistent with the surrounding built form and the topography of the site increases the extent of the variation. The height of the structure from a public road and surrounding residences appears as a compliant built form.	Maximum 54 per cent	Campbelltown City Council

Table 1: Clause 4.6 Summary Table

2.6 Campbelltown (Sustainable City) Development Control Plan 2015

The purpose of Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) is to provide more detailed provisions to supplement the Campbelltown Local Environmental Plan 2015 (CLEP 2015).

Pursuant to Clause 79C(1)(a)(iii) Council is required to consider the relevant provisions of the applicable development control plan of the Campbelltown Local Government Area (LGA), being SCDCP 2015.

The following details the assessment of the proposal in accordance with the relevant requirements of the Campbelltown (Sustainable City) Development Control Plan 2015.

Part 2 - Requirements Applying to All Types of Development

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

		Campbelltown (Sustainable City) Development Control Plan 2015	
Control	Requirement	Proposed	Complies
2.2 Site Analysis	The development application for all development involving the construction of a building and the Torrens title subdivision of land.	The site analysis plan submitted to Council is considered to be compliant with the requirements for a Site Analysis plan in accordance with Section 2.2 of the SCDCP 2015.	Yes
2.4.1 Rainwater Tanks	A rain water tank shall be provided for all new buildings containing a roof area greater than 100sqm for all development not specified by BASIX. The rain water tank shall have a minimum capacity in accordance with Table 2.4.1.	The proposed development requires a rainwater tank of 20,000 litres in size. Two rainwater tanks are shown on the plans. However, the sizes of the rainwater tanks have not been detailed. To ensure the proposed development complies with Council's controls, as specified in the Statement of Environmental Effects a condition of consent shall be imposed to require a 20,000 litre rainwater tank to the development.	Yes
2.4.1 Rainwater Tanks	All rainwater tanks shall comply with AS3500 (as amended) – National Plumbing and Drainage Code Guidelines for Plumbing Associated with Rainwater Tanks in Urban Areas and Sydney Water's Guideline for Rainwater Tanks on Residential Properties.	The consent shall be conditioned to require the installation of the rainwater tanks complies with the controls	Yes

2.4.1 Rainwater Tanks	Above ground water tanks shall be located behind the primary or secondary building line.	As the tanks are located on the eastern side of the development with frontage to Pembroke Road, the rainwater tank shall be condition to be screened from view of Pembroke Road.	Yes
2.5 Landscaping	Landscape design shall enhance the visual character of the development and complement the design/use of spaces within and adjacent to the site.	The applicant has submitted a landscape plan in support of the proposed development which has been prepared by a Landscape Architect and includes a range of plantings to the property boundaries and car park area.	Yes
2.5 Landscaping	Landscape design shall retain and enhance the existing native flora and fauna characteristics of a site wherever possible.	The species of plants selected are generally inconsistent with Council's Native Gardening Guide. Therefore, a condition of consent shall be imposed to ensure over 50 per cent of the plant species are selected from the Native Gardening Guide.	Yes
2.5 Landscaping	Landscape design shall add value to the quality and character of the streetscape.	The proposed landscape design will add character to the streetscape and increase the provision of plants and trees within the locality.	Yes
2.7 Erosion and Sediment Control	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface. For requirements relating to the preparation of an ESCP, refer to Appendix 5 of Volume 1 and Council's Engineering Design Guide for Development.	The applicant has submitted an 'erosion and sedimentation control plan' in support of the proposed development. The consent will be appropriately conditioned to ensure the sediment control plan is implemented during works.	Yes
2.7 Erosion and Sediment Control	Site activities shall be planned and managed to minimise soil disturbance.	Site activities are designed to minimise soil disturbance.	Yes
2.7 Erosion and Sediment Control	Catch drains or diversion banks shall be designed and constructed to divert water around any area of soil	The erosion and sedimentation control plan includes measures to divert water around soil disturbance.	Yes

	disturbance.		
2.7 Erosion and Sediment Control	All stockpiles shall be located within the sediment control zone and shall not be located within an overland flow path.	The consent shall be conditioned to ensure all stockpiles are located within the property boundaries.	Yes
2.8 Cut, fill and floor levels	A Cut and Fill Management Plan (CFMP) shall be submitted with a development application where the development incorporates cut and/or fill operations.	The building pad and earthworks for the subject site were approved under a separate development application 949/2015/DA-CW.	N/A
2.8 Cut, fill and floor levels	Any excavation within the zone of influence of any other structure requires a dilapidation report (prepared by a suitably qualified person) demonstrating that adequate ameliorative measures are to be implemented to protect the integrity of any structure.	A dilapidation report is required as a condition of consent to protect surrounding development.	Yes
2.8 Cut, fill and floor levels	All fill shall be Virgin Excavated Natural Material (VENM).	The consent shall be conditioned to ensure any fill is certified.	Yes
2.10.2 Stormwater	All stormwater systems shall be sized to accommodate the 100-year ARI event refer to Section 4 of Council's Engineering Design Guide for Development	The development was designed in accordance with Council's controls and reviewed by Council's Development Engineer.	Yes
2.10.2 Stormwater	The design and certification of any stormwater system shall be undertaken by a suitably qualified person.	The drainage for the estate was constructed as part of the subdivision of the site. The design of the stormwater for the proposed development was completed by a suitably qualified person.	Yes
2.10.2 Stormwater	Development shall not impact on adjoining sites by way of overland flow of stormwater unless an easement is provided. All overland flow shall be directed to designated overland flow paths such as roads.	The development is not considered to result in impacts on adjoining sites, suitable conditions of consent have been imposed by Council's Engineer.	Yes

2.10.2 Stormwater	A major/minor approach to drainage is to be taken for stormwater flows.	The development was designed in accordance with Council's controls and reviewed by Council's Development Engineer.	Yes
2.10.2 Stormwater	Stormwater collected on a development site shall be disposed of (under gravity) directly to the street or to another Council drainage system/device.	The stormwater is designed to drain via gravity into the stormwater network for the estate, which will discharge to the kerb to the west of the site.	Yes
2.10.2 Stormwater	Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development	The stormwater is designed to drain via gravity into the stormwater network for the estate, which will discharge to Council's stormwater system.	Yes
2.10.3 Stormwater Drainage	A stormwater Drainage Concept Plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction, demonstrating to Council how the stormwater will be collected and discharged from the site.	The applicant has submitted a Stormwater Management Plan to drain via gravity to the stormwater system for the site which has an outlet within the private access road, which satisfies Council's controls.	Yes
2.12 Retaining Walls	Any retaining wall that is not complying or exempt development as specified in the E&CDC shall be designed by a suitably qualified person.	The consent shall be appropriately conditioned to require all retaining walls to be designed by a structural engineer.	Yes, with condition
2.12 Retaining Walls	In the case of retaining walls constructed to support proposed fill on an allotment, the following design criteria shall apply: i) No filling shall be permitted within 2 metres of any property boundary.	The location of retaining walls and cut and fill within 2m of the boundary is acceptable as the development is an industrial warehouse and the structure does not affect the amenity of residential properties.	Yes
2.12 Retaining Walls	In the case of retaining walls constructed to support proposed cut on an allotment, the following design criteria shall apply:	The retaining walls are setback 450mm from the property boundary.	Yes

	i) The retaining wall shall be setback a minimum of 450mm from the rear and side boundary		
2.12 Retaining Walls	Any retaining wall shall not adversely alter surface flows to adjoining private land.	The retaining walls do not alter the surface flow of water onto adjoining private land.	Yes
2.12 Retaining Walls	Any retaining wall and associated structures shall be designed to be located wholly within the property boundary, except where written or legal agreements have been reached between relevant parties to Council's satisfaction.	The retaining walls are located within the property boundary	Yes
2.12 Retaining Walls	Any excavation within the zone of influence for any other structure or building requires a Structural Engineering Report (prepared by a suitably qualified professional) demonstrating that adequate and appropriate measures are to be implemented to protect the integrity of any structure.	The consent will be conditioned to require a dilapidation report.	Yes, with condition
2.13 Security	Development shall be designed to: iii) clearly identify and illuminate access points to buildings and designated public places; and iv) clearly differentiate between private and public space.	The proposed development provides a clearly defined entry to the building and visible car parking area. The development would be well lit to reduce the incidence of anti-social behaviour.	Yes
2.13 Security	External lighting shall be designed to: i) encourage the use of safe areas; ii) define safe corridors for movement of people; and iii) allow facial recognition of approaching pedestrians at 15 metres.	External lighting will be required as a condition of consent.	Yes
2.13 Security	Development shall incorporate appropriate	Landscaping to the site delineates	Yes

	landscaping, fencing and security devices to assist in crime prevention.	between private and public spaces.	
2.13 Security	Commercial and industrial buildings that are not secured from public access after close of business shall have external finishes that are graffiti resistant.	The business would be able to operate 24 hours with appropriate lighting. Conditions of consent shall be applied to remove graffiti from the property.	Yes, with condition
2.15.1 Waste Management Plan	A detailed Waste Management Plan (WMP) shall accompany development applications for certain types of development/land uses, as detailed in Table 2.15.1 and for any other development that in the opinion of Council a WMP is required.	The applicant has submitted a Waste Management Plan in support of the proposed development.	Yes
2.15.2 Waste Management during demolition & construction	All waste and recyclable streams shall be stored separately on site.	The waste storage area is surfaced and sealed and conveniently located for access at ground level with sufficient manoeuvring access. As the waste storage area is located externally a condition shall be imposed to enclose the space, which is not visible from the public domain.	Yes, with condition
2.15.2 Waste Management during demolition & construction	All storage areas/containers for each waste and recycling stream shall be kept on the site at all times and shall be indicated on the site plans/drawings as part of the WMP.	The waste storage area is indicated on the plans.	Yes
2.15.2 Waste Management during demolition & construction	Where material cannot be reused or recycled, it shall be disposed of at an appropriately licensed waste management facility. Details of disposal arrangements shall be specified in the WMP.	Due to the nature of the development, private waste collection arrangements are required, which is enforced by a condition of consent.	Yes
2.15.2 Waste Management during demolition and construction	Convenient and safe vehicular access to waste and recycling material storage areas shall be provided.	Convenient access to the waste storage area is provided.	Yes

Part 7 – Industrial Development

The provisions of Part 7 of the Plan apply to industrial development. Compliance with the relevant provisions of Part 7 of the Plan is discussed as follows:

		Campbelltown (Sustainable City) Development Control Plan 2015	
Control	Requirement	Proposed	Complies
7.2.1 Building Design	<p>Building design shall incorporate the following features to assist in the reduction of the perceived bulk and mass of development:</p> <p>i) provision of vertical and/or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses;</p> <p>ii) articulate architectural details around doors, windows front facades, roofs and entrances;</p> <p>iii) articulate walls through the use of texture, colour, material changes, shadow lines and other facade treatments, at least every 15 metres; and</p> <p>iv) at least 50% of the total surface area of the front elevation to be constructed of masonry material.</p>	<p>The façade provides offsets and changes to the materials and colours to articulate the façade of the building. Additional architectural details are provided around the building entry and office area, which provide appropriate articulation to the building, particularly to the Pembroke Road (east) elevation.</p> <p>The design of the proposal does not include 50 per cent of the front elevation as masonry material. For the purpose of this assessment, the front façade is taken to be the street façade visible from Pembroke Road. The façade provided is not considered to meet the 50 per cent masonry component required by the control. Therefore, the consent shall be appropriately conditioned to require the building elevation to Pembroke Road to include 50 per cent masonry materials.</p>	Yes, with condition
7.2.1 Building Design	Buildings shall be predominantly single storey.	The building is single storey, with the exception of the office, which is two storeys, but is contained within the single storey appearance of the warehouse.	Yes
7.2.1 Building Design	Mezzanines shall not comprise an area of more than 50 per cent of the gross floor area of the ground floor of the respective unit.	No mezzanines are proposed except for the office area.	Yes
7.2.1 Building Design	Offices shall not comprise more than 30 per cent of the gross floor area of the respective unit.	The office area is 7 per cent of the gross floor area of the warehouse.	Yes

7.2.1 Building Design	No building shall rely upon a required path of egress (as defined within the BCA) over adjoining private land.	The applicant shall provide details of an alternate solution to comply with the BCA as the warehouse discharges over the adjoining lot to the south. The provision of additional information at the Construction Certificate stage is supported by Council's Building Surveyor.	Yes, with condition
7.2.1 Building Design	No building or structure shall be erected within a right of carriage way or easement.	No building or structure is proposed to be erected over a right of way or easement.	Yes
7.2.1 Building Design	A schedule of proposed colours, materials and finishes shall accompany all development applications for new industrial buildings	A schedule of finishes was submitted with the application. The finishes selected are considered to be appropriate for the site and complement existing buildings within the estate.	Yes
7.2.1 Building Design	The main entry to the building shall be easily identifiable from the street and directly accessible from the front of the building or driveway in the case of a multi-unit complex.	The main entry of the building is easily identifiable from the street frontages and the proposed car park.	Yes
7.2.2 Building Setbacks	Industrial development shall be setback by: i) 30 metres to: – the main southern railway corridor, - Pembroke Road	The eastern side of the site is adjacent to Pembroke Road. The building complies with the 30m setback to Pembroke Road.	Yes
7.3 Car Parking and Access	Off street parking and loading shall be designed in accordance with Australian Standard AS 2890.1 and 2 (as amended), except as otherwise provided by this Plan.	The car park shall be conditioned to ensure the design complies with AS2890 1 and 2 (as amended).	Yes, with condition
7.3 Car Parking and Access	For that part of the gross floor area occupied by office areas, lunch rooms and any associated office storage areas, car parking shall be provided at a rate of one space per 35sqm.	13 car parking spaces are required for the office areas.	Yes
7.3 Car Parking and Access	For that part of the gross floor area occupied by uses other than office	38 spaces are required for the warehouse.	Yes

	<p>areas, lunch rooms and any associated office storage areas, car parking rates shall be provided in accordance with the following:</p> <p>i) a minimum of two (2) spaces (per unit), plus</p> <p>ii) one space for every 100sqm of gross floor area for buildings up to 2000 square metres; plus</p> <p>iii) One space per 250sqm for that part of the building exceeding 2000 square metres in gross floor area.</p>	<p>In total 51 car parking spaces are required for the proposed development.</p> <p>The proposed 66 car parking spaces, exceeds the number of car parking spaces required for the proposed development</p>	
7.3 Car Parking and Access	In addition to clauses 7.3.1 (b) & (c), one car parking space shall be provided for every 300sqm of outdoor storage space.	No outdoor storage is proposed.	N/A
7.3 Car Parking and Access	Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point movement to exit the site in a forward direction.	The car park provides sufficient space, so that no vehicle is required to make more than a three point movement to exit the site in a forward direction.	Yes
7.3 Car Parking and Access	No car parking spaces shall be designed in a stacked configuration.	The car parking is not designed in a stacked configuration.	Yes
7.3 Car Parking and Access	No required car parking spaces shall be created as a separate strata or Torrens title allotment.	The spaces are not identified as separate allotments.	Yes
7.3 Car Parking and Access	Each site shall have a: i) Maximum of one ingress and one egress for heavy vehicles (combined or separated). ii) Each site may have an additional ingress/egress for cars (and other light vehicles).	The site has separate access for heavy vehicles and light vehicles.	Yes
7.3 Car Parking and Access	A minimum of 10 per cent of the required car parking spaces, including disabled spaces, shall be located within close proximity to the main pedestrian entry to the	The car parking spaces are located within close proximity of the main pedestrian entry to the building.	Yes

	building.		
7.3.2 Loading and Unloading	Each industrial factory/unit shall be provided with a loading bay.	The warehouse is provided with 5 on grade docks and 2 recessed docks.	Yes
7.3.2 Loading and Unloading	Provision shall be made for all loading and unloading to take place wholly within the designated loading area.	Sufficient provisions have been made in the design to ensure loading and unloading takes place within the loading area.	Yes
7.3.2 Loading and Unloading	No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways.	Sufficient provisions have been made in the design to ensure loading and unloading takes place within the loading area. Conditions of consent will further enforce this requirement.	Yes
7.3.2 Loading and Unloading	Each industrial building/unit having a gross floor area : iii) More than 1500 square metres shall provide a loading area to allow for a heavy rigid vehicle to manoeuvre on site.	The warehouse is provided with 5 on grade docks and 2 recessed docks.	Yes
7.3.2 Loading and Unloading	Heavy rigid vehicle swept turning paths shall be provided demonstrating that a heavy rigid vehicle can enter and exit the site in a forward direction for all industrial sites.	The applicant has provided heavy vehicle swept path diagrams demonstrating the vehicles can enter and depart the site in a forward direction.	Yes
7.3.2 Loading and Unloading	Where it is proposed to service the site with articulated vehicles exceeding 12.5m in length, swept turning paths are to be provided for that vehicle type.	The applicant has provided swept path diagrams on the plans.	Yes
7.3.3 Access for People with Disabilities	Industrial 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).	The design includes the provision of an accessible bathroom on each level of the office, a lift to facilitate access between the ground and first floor. The proposal also includes an accessible car parking space with level access to the building.	Yes
7.4 Landscaping	A detailed landscape plan and report shall be	A landscape plan prepared by a landscape architect was	Yes

	prepared by a suitably qualified person and submitted with all development applications for the industrial development.	submitted in support of the proposed development.	
7.4 Landscaping	Landscaping shall be provided to a minimum depth of 50 per cent of the following required setback area located: i) along the full width of each street frontage (other than vehicle driveways); and ii) along the full width of setbacks from adjoining open space, residential and/or commercial areas.	All street frontages are provided with hedging and landscaping.	Yes
7.4 Landscaping	The first three metres of all required street front landscaped area (as measured from the street boundary) shall be planted of advanced canopy trees that are: i) a minimum of two metres in height with a minimum 400 litre pot size at the time of planting; ii) of native species; and iii) planted /placed every 10 metres.	The proposed development provides a 3m setback of planting to Pembroke Road. The trees to Pembroke Road exceed 2m in height and are proposed to be planted with a pot size of 400L, which complies with the controls.	Yes
7.4 Landscaping	Side boundary landscaping of a minimum of one metre width shall be provided between the street boundary and the building line.	Side boundary landscaping to the remaining boundaries exceeds 1m in width.	Yes
7.5 Outdoor Storage Areas	No outdoor storage shall occur without development consent.	The proposed use of the premises as a warehouse and distribution centre does not require the provision of outdoor storage other than rainwater tanks.	N/A
7.5 Outdoor Storage Areas	Outdoor storage areas shall not be located between the primary or secondary street boundary and any building on the allotment.	The only outdoor storage is the waste storage area, which is conditioned to be enclosed.	Yes, with condition
7.6 Industrial	Industrial development	The premises would have a	Yes, with

Waste Management	shall make provision for an enclosed on site waste and recycling facility that has adequate storage area to accommodate the waste generated from the development.	waste storage area located on the eastern corner of the site. The area is not visible from a public road. A condition shall be imposed to ensure the waste area is enclosed similar to other developments on the site.	condition
7.6 Industrial Waste Management	Adequate provision shall be made for the screening and storage of all industrial waste behind the front building setback.	The waste storage area is located behind the front setback behind the retaining wall and is not visible from Pembroke Road. As mentioned above, the waste area will be conditioned to be enclosed.	Yes
7.6 Industrial Waste Management	All industrial premises shall hold evidence of a contract with a licensed collector for garbage and recycling collection	A condition of consent shall be imposed to require private waste collection.	Yes, with condition
7.7.1 Liquid Storage	The storage and handling of flammable and combustible liquids shall be in accordance with Australian Standard 1940 - The Storage and Handling of Flammable and Combustible Liquids and the Environment Protection Authority publication, Bunding and Spill Management (as amended).	The proposed development does not detail the provision of liquid storage. The consent would be appropriately conditioned to ensure liquid storage is not permitted.	Yes, with condition
7.7.1 Liquid Storage	All above ground liquid storage facilities, including waste shall be in a covered bunded area that is constructed of impervious materials.	No liquid storage is proposed.	N/A
7.7.1 Liquid Storage	Above ground tanks shall be contained in a bunded area	No above ground tanks are proposed.	N/A
7.7.2 Air Quality	Any development that is likely to or capable of generating levels of air emissions exceeding the requirements of the <i>Protection of the Environment Operations Act 1997</i> shall demonstrate appropriate measures to mitigate against air	The proposed warehouse is not considered to be capable of generating air emissions that exceed <i>PEOA 1997</i> .	Yes

	pollution.		
7.7.3 Noise	Any development that is likely to or capable of generating levels of noise exceeding the requirements of the Industrial Noise Policy (published by the Office of Environment and Heritage) shall demonstrate appropriate measures to mitigate against noise pollution.	The proposed use of the premises as a warehouse and distribution centre is not considered to result in noise levels capable of exceeding the industrial noise policy. The applicant has submitted a noise and vibration impact assessment report. The report includes measures for noise mitigation. The report would be endorsed as a consent document.	Yes
7.7.4 Stormwater and Drainage	All activities with the potential to pollute the stormwater system from a system failure shall be carried out within a covered and bunded area sited, designed and constructed to Council's satisfaction.	The use of the premises as a warehouse and distribution centre does not require the provision of a Trade Waste permit.	Yes
7.7.4 Stormwater and Drainage	Development shall not result in water run-off causing flooding or erosion on adjacent properties.	The stormwater management plan is designed to minimize water run off to adjoining properties.	Yes
7.7.4 Stormwater and Drainage	Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with Council's Engineering Design Guide for Development.	The runoff from the development shall be managed by the stormwater management plan submitted to Council. The stormwater shall pass through a GPT prior to disposal of run off into the stormwater system of the site.	Yes
7.8 Residential Interface	Loading areas, driveways, waste storage areas and roof top equipment shall not be located adjacent to residential areas.	Residential properties are located across Pembroke Road. The provision of the staff car parking to Pembroke Road frontage is appropriate to minimise noise from trucks.	Yes
7.8 Residential Interface	External and security lighting shall be positioned to avoid light spillage to adjacent residential development.	The consent shall be appropriately conditioned to ensure lighting to the premises does not affect residential properties or nearby public roads.	Yes
7.8 Residential Interface	An acoustic and/or a vibration report shall be prepared as part of a development application where the proposed	The applicant has submitted a noise and vibration assessment report.	Yes

	development is adjacent to residential or other sensitive uses, such as religious establishments, educational establishments and child care centres.		
7.8 Residential Interface	The interface shall be appropriately screened/vegetated so as to reduce the visual impact of the industrial development.	Suitable level of landscaping is provided between the eastern setback to Pembroke Road and the residential properties. The proposed landscaping is considered to reduce the visual impact of the proposed development. Notwithstanding, the subject site is currently populated with several warehouse developments that are also visible from the residential properties in the nearby residential estate.	Yes
7.9 Industrial Units	Each industrial unit proposed on land zoned IN1 General Industrial under the CLEP shall have a minimum LFA of 400 square metres.	The proposal is for the construction of a single warehouse with an area of 5840sqm, which complies with the control.	Yes

Part 11 – Vegetation and Wildlife Management

The site has been generally cleared of trees and largely comprises exotic grasses, with some regrowth of eucalyptus and native shrubs. Flora and fauna studies were previously conducted for the development of the site under development consent G15/2004. No significant species of flora or fauna have been identified on the land.

The flora study prepared for the development of the site by Anne Clements and Associates confirmed that the cleared areas of the site are largely exotic grasses with no significant environmental value. Remnant trees on the site were identified on the eastern, south-eastern and western boundaries, comprising individual stands of eucalyptus trees with exotic species dominating the understorey. Native and exotic wetland species were identified in the drainage line near the southern boundary of the site.

The report concluded that:

- No threatened species listed on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* or the NSW *Threatened Species Conservation Act 1995* were recorded on the site
- The vegetation on the site did not appear to meet the criteria for the endangered ecological community, Cumberland Plain Woodland.

A fauna survey and assessment of the site has also previously been undertaken by Ambrose Ecological Services. Relevant conclusions from this report are outlined below:

- All native fauna species recorded on the subject site are widespread throughout the Sydney Basin Bioregion and are generally tolerant to disturbances in the urban environment. Given the isolation of the site from bushland areas, its already degraded state and relatively small size, it is highly unlikely that any native fauna would be dependent on, or significantly affected by, the site's limited resources;
- The subject site is an isolated and highly degraded remnant of fauna habitat that is surrounded by industrial and residential development and is not part of a regional wildlife corridor. The main regional corridor is formed by bushland areas in Georges River Nature Reserve, Holsworthy Military Reserve, and bushland areas in the north-western region of the Campbelltown Local Government Area, which will not be impacted on by the proposed development. Therefore, the proposed development will not fragment local or regional wildlife corridors;
- Eight-part tests for seven threatened fauna species listed under the schedules of the *TSC Act* were conducted. The tests concluded that the proposed development would not significantly impact on the status of these species to the extent that a Species Impact Statement is required;
- There is no potential habitat on the subject site for threatened species listed under the schedules of the *EPBC Act*. Therefore, no nationally threatened species will be impacted on by the proposed development.

On the basis of these previous studies undertaken for development on the subject allotment and the relevant controls incorporated as a result, there would be no adverse impacts on any fauna or flora species resulting from the proposed future industrial development of the site.

3. Planning Assessment

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

3.1 Natural Environment

It is considered the impacts of the development on the natural environment would be minimal, having regard to development of the site's immediate vicinity and long-term planning for large-scale industrial uses in the locality.

3.2 Built Environment

It is considered the impacts of the development on the built environment would not cause a significant adverse impact on the built environment.

Built Form

The primary frontage of the development is to a private road, which is not visible from the public domain or the residential properties to the east of the site. The building elevation to Pembroke Road is considered to be the primary building elevation, which is therefore considered to require the use of masonry materials to 50 per cent of the building elevation, to satisfy Section 7.2 (a) (iv) of the Sustainable City DCP 2015. The applicant was requested to

revise the plans to ensure the Pembroke Road elevation complied with the control, consistent with a similar consent issued to Lot 5 on the site.

However, this is not evident on the plans. Therefore, the consent shall be appropriately conditioned to amend the plans to provide 50 per cent masonry materials to the Pembroke Road elevation, prior to the issue of a construction certificate.

Overall, the bulk and scale of the development is not highly visible from the Pembroke Road street frontage and is not considered to detract from the streetscape or the built environment of the surrounding area.

Traffic

The proposed development is provided access from a classified road (Pembroke Road) via a private access road, which services the estate. The RMS has noted that heavy vehicles cross the centre line of the internal road to access the site and have recommended that the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. The issue was brought to the attention of Council's Engineer who stated, as the road was an internal service road for a private development and not a public road, the manoeuvring issue was acceptable.

The RMS have stated that conditions of consent are required to be imposed with relation to road occupancy licence for traffic flows affecting Pembroke Road and restrictions to construction zones over Pembroke Road, which have been addressed by way of condition.

The applicant has submitted a traffic report in support of the application which states sufficient car parking is provided for the proposed development, the internal configuration of the site has been designed in accordance with AS2890.1, 2890.2 and 2890.6 and additional traffic movements will have no material impact on the existing operation of Pembroke Road.

It is considered that the car parking and manoeuvring within the site is appropriate and the proposal supported, subject to the imposition of appropriate conditions of consent.

Use of premises

The proposal includes the use of the premises as a warehouse and distribution centre, operating 24 hours a day, seven days per week. Appropriate conditions of consent shall be applied to the consent with regard to the hours of operation, restrictions on the use of the premises including retail sales and storage and waste management provisions for the site.

Noise and Vibration

The applicant has submitted a noise and vibration report in support of the proposed development which has assessed noise and vibration for the construction and ongoing use of the development.

The report states that no structural damage is anticipated by the vibration levels during the construction of the building. In addition, the report has stated the ongoing noise from the development will comply with the industrial noise policy and best practice measures will be implemented for the duration of construction and for the ongoing use of the premises to manage construction noise impacts. The report is endorsed as a consent document which will require best practice measures to be implemented during construction and operation.

3.3 Social and Economic Impacts

It is considered the social and economic impacts of the proposed development will be positive.

Economically, it is considered the proposal is beneficial to the local economy overall with workers being employed during the construction phase of the development and employment of staff for the operation of the business during occupation.

3.4 Site Suitability

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

The principal matters for attention are discussed in considering the LEP 2015 and DCP 2015.

It is considered the site is suitable for the development of industrial development having regard to the zoning of the land, and the proposed design and scale of the buildings. The proposal exhibits a high level of compliance with Council's controls and the bulk and scale is consistent with similar development on the lot and is consistent with industrial development within the locality and the wider Local Government Area. Therefore, the site is considered to be suitable for the proposed development and the application is supported.

4. Public Participation

Part 9 of Campbelltown (Sustainable City) Development Control Plan 2015 outlines Council's public participation policy in regard to Council strategic planning documents (CSPDs) and development applications (DAs).

The policy requires applications proposing specified land uses and construction on land adjoining allotments where residential development is permissible to be publicly notified. The subject application proposes construction of a warehouse, fit out and 24 hour use for warehouse and distribution centre, associated car parking and landscaping and as such was required to undergo the notification and public exhibition process.

The application was placed on public exhibition with advertisements placed in the local papers and copies of plans available to view at Council, HJ Daley Library, Campbelltown and Greg Percival Library, Ingleburn. The proposal was also notified to the surrounding property owners by way of a letter and accompanying plans. The members of the public were provided a period of 14 days between 2 May 2017 and 19 May 2017 to provide comments regarding the proposal. Additionally, a sign bearing a set of notification plans was required to be displayed on site for the duration of the assessment.

No submissions were received in relation to the proposed development.

5. Conclusion

The development application 342/2017/DA-I proposes construction of a warehouse, fit out and 24 hour use for warehouse and distribution centre, associated car parking and landscaping at 415 Pembroke Road, Minto. The proposal has been assessed under Section 79C of the *Environmental Planning and Assessment Act 1979*.

The developments impacts on the natural and built environment are considered to be minimal, subject to management of potential issues during the demolition and construction phases, including noise and dust. Further, the design is consistent with existing industrial development at 415 Pembroke Road, whilst also not offending the existing established streetscape or the wider residential area to the east of the site.

The proposed development includes variation to Clause 4.3 of the Campbelltown Local Environmental Plan 2015. The maximum variation sought is 54 per cent, which exceeds the 10 per cent permitted to be determined under delegation. Therefore, the application has been referred to Council for determination. The variation to the development standard is assessed in detail in this report. The variation sought is considered to be acceptable in this instance and is supported.

The development was notified to the adjoining neighbours and publicly exhibited for a period of 14 days. No submissions were received in relation to the application.

The proposal is largely compliant with the relevant development standards and controls, with the exception of some minor variations to the controls, which are addressed within this report and found to be acceptable on merit or have been addressed by way of condition. Therefore, the proposal is recommended for approval.

Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Site plan (contained within this report)
4. Elevations (contained within this report)
5. Floor plan (contained within this report)
6. Landscape plan (contained within this report)
7. Clause 4.6 Variation (contained within this report)
8. Notification plan - confidential for privacy reasons (distributed under separate cover)

ATTACHMENT 1**342/2017/DA-I****Recommended Conditions of Consent****GENERAL CONDITIONS**

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

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

1. Approved Development

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

Plan/ Document No.	Version/ Revision	Prepared by	Date
DA-101 Overall Site Plan	Issue B	SBA Architects	23.01.2017
DA-102 Site Plan	Issue C	SBA Architects	23.01.2017
DA-201 Warehouse Floor Plan	Issue D	SBA Architects	16.06.2017
DA-202 Roof Plan	Issue B	SBA Architects	23.01.2017
DA-210 Office Floor Plans	Issue B	SBA Architects	23.01.2017
DA-301 Warehouse Elevations	Issue F	SBA Architects	19.06.2017
DA-310 Warehouse Sections	Issue B	SBA Architects	19.06.2017
DAC400 – Cover sheet, notes and locality plan	Issue B	AT&L	16.12.2016
DAC401 – Typical Sections	Issue B	AT&L	16.12.2016
DAC410 - Siteworks and stormwater plan	Issue B	AT&L	16.12.2016
DA420 – Cut/Fill Plan	Issue B	AT & L	16.12.2016
DAC421 – Pavement Plan	Issue B	AT&L	16.12.2016
DAC422 – Erosion and Sedimentation Control Plan	Issue B	AT&L	16.12.2016
DAC423 - Erosion and Sedimentation Control Details	Issue B	AT&L	16.12.2016
Dwg No 000 Cover Sheet	Issue H	Site Image Landscape Architects	12.02.2017
Dwg No 101 Landscape Plan	Issue F	Site Image Landscape Architects	12.02.2017
Dwg No 102 Landscape Plan	Issue G	Site Image Landscape Architects	
Dwg No 501 Landscape Details	Issue C	Site Image Landscape Architects	22.10.2015

- a. Noise and Vibration Impact Report prepared by Acoustics and Air Version B dated December 2016.
- a. Waste Management Plan prepared by Goodman dated December 2016.
- b. BCA Assessment Report prepared by Blackett Maguire & Goldsmith, Revision 1 dated 25.1.2017.
- c. Fire Safety Strategy prepared by Core Engineering Group, dated 12 December 2016.
- d. Traffic Impact Assessment Report prepared by Ason Group Ref 0131r02v3 dated 14/12/2016.

- e. Civil Report prepared by AT&L, issue 3 dated 16 December 2016.

2. Amended Plans

The development is to incorporate the following amendments and the amended plans are to be submitted to the Principal Certifying Authority, for approval, prior to the issuing of a Construction Certificate:

- a. The eastern building elevation shall be amended to provide 50% masonry material to the elevation.
- b. Minimum rainwater tank size of 20,000litres shall be installed to the development. The tank shall be screened from view from Pembroke Road.
- c. The landscaping plan shall be amended to provide 50% native landscaping with plant species to be selected from the *Native Gardening Guide for Campbelltown Local Government Area*.
- d. The outdoor waste storage area shall be an enclosed room and shall be suitably covered, bunded and drained to the sewer. The waste storage receptacles must be maintained in good order and repair at all times. In addition, the structure is not permitted to obstruct vehicle swept paths and vehicular access to the development.

3. Building Code of Australia

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

4. Construction Zones

Construction zones are not permitted on Pembroke Road and a Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Pembroke Road during construction activities.

5. Liquid Storage

No consent is given or implied with regard to the storage or handling of flammable or combustible liquids.

6. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

7. Air Emissions

The use of the premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act, 1997. No injury being caused to the amenity of the

neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.

8. External Finishes

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

9. Switchboards/Utilities/Air Conditioning Units

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

10. Driveway

The gradients of driveways and manoeuvring areas shall be designed in accordance with Australian Standards *AS 2890.1*, *AS 2890.2* and *AS 2890.6 (as amended)*.

The finishes of the paving surfaces are to be non-slip.

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

11. Deliveries

Vehicles servicing the site shall comply with the following requirements:

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

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

12. Use of Building

Separate development consent is required for the fit out of the premises prior to the occupation of the building.

13. Advertising Signs – Separate DA Required

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

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

14. Lighting

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

15. Storage of Goods

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

16. Security Fencing

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

17. Graffiti Removal

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

18. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the Campbelltown (Sustainable City) DCP (as amended) and Campbelltown City Council Engineering Design Guide for Development (as amended).

19. Operating Hours

The approved hours of operation for the premises are 24 hours a day, 7 days per week.

20. Retail Sales

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

21. Retaining Structures

All retaining walls adjacent to Council property or existing public infrastructure shall be of masonry construction and must be wholly within the property boundary, including footings and sub soil drainage lines. Construction of retaining walls or associated drainage works adjacent to common boundaries shall not compromise the structural integrity of any existing structures.

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

22. Traffic Controls

Council recommends installing of appropriate advance warning signs (warning of a driveway entry) on both approaches to the right angle bend on the access road. Also, parking restrictions at the bend may need to be assessed and provided as required.

A “No Stopping” restriction is to be provided between Pembroke Road extending 10m on the departure side of the driveway for light vehicles.

The existing double barrier line (BB) in the middle of the access road shall be replaced by a new dividing (separation) S1 line.

All costs associated with providing of traffic control signs are to be borne by the applicant. Operation and maintenance of all the signs and line marking of the access road is the responsibility of the property owner or his/her representative.

23. Car Parking Spaces

Sixty-six car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

24. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

25. Shoring and Adequacy of Adjoining Property

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

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

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

26. Rain Water Tank(s)

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

All rainwater tanks shall comply with AS3500 (as amended) – National Plumbing and Drainage Code Guidelines for Plumbing Associated with Rainwater Tanks in Urban Areas and Sydney Water's Guideline for Rainwater Tanks on Residential Properties.

27. Construction Certificate

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

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

28. Utility Servicing Provisions

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

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

29. Geotechnical Report

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

30. Soil and Water Management Plan

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

31. Pollution Control

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall provide engineering details for approval of a suitable gross pollutant trap(s) and/or water quality treatment in accordance with the relevant guidelines of Office of Environment and Heritage (OEH), NSW Office of Water, and with the design requirements of the Campbelltown (Sustainable) City DCP (as amended) and Campbelltown City Council Engineering Design Guide for Development (as amended) for the stormwater drainage system prior to discharge from the site.

Operation and maintenance of all the gross pollutant traps and/or water quality treatment is the responsibility of the property owner or his/her representative.

32. Waste Management – Private Collection

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit to Council details of the collection and disposal of internal waste generated by the occupants to be arranged through a licensed authorised contractor.

33. Stormwater Management Plan (Development)

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval.

Additional drainage pits shall be provided within the car parking area to capture surface flows and connected it to Lot 4 drainage system. No overland flows from the proposed Lot 4 shall be directed to the proposed Lot 3. Stormwater drainage system of the proposed Lot 4 shall be located wholly within the proposed Lot 4 boundaries and shall be conveyed to the nearest stormwater pit located in the access road.

All proposals shall comply with the requirements detailed in the Campbelltown City Council Engineering Design Guide for Development (as amended).

34. Drainage in Loading Bay Recess

Inlet capacity of the proposed stormwater pit in loading recess shall be designed in such a way to minimise the water ponding in that area during major storm events. Design calculations and construction details shall be provided for approval prior to issue of a construction certificate.

35. Dilapidation Report

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

36. Work on Public Land

Where applicable and prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council/RMS for any works proposed on public land. Should it be necessary, inspection of this work shall be undertaken by a representative of the relevant authority, at the applicant's expense. A compliance certificate, approving the works, shall be obtained from the relevant authority prior to the principal certifying authority issuing an occupation certificate.

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

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

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

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

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

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

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

38. Design for Access and Mobility

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

39. Telecommunications Infrastructure

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

40. Sydney Water

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

41. Erosion and Sediment Control

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

42. Erection of Construction Sign

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

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours

- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

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

43. Toilet on Construction Site

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

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

44. Trade Waste

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

45. Vehicular Access during Construction

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

46. Public Property

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

47. Hoarding / Fence

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

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

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

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

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

48. Construction Work Hours

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

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work.

49. Erosion and Sediment Control

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

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

50. Work Zones

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

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

51. Excavation and Backfilling

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. Must preserve and protect the building from damage; and

- b. If necessary, must underpin and support the building in an approved manner, and
- c. Must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

52. Fill Compaction Requirements

Any filling carried out on the site shall be compacted to a minimum dry density of 98% Standard Compaction. Density testing shall be certified by a qualified geotechnical engineer.

53. Fill Contamination

Any landfill used on the site is to be validated in accordance with the Environment Protection Authority's guidelines for consultants reporting on contaminated sites. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

54. Dust Nuisance

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

55. Excess Material

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

56. Public Safety

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

57. Compliance with Council Specification

All design and construction work shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Campbelltown (Sustainable City) DCP (as amended) & Campbelltown City Council Engineering Design Guide for Development (as amended);
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

58. Footpath

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

59. Industrial / Commercial Driveway and Layback Crossing

The applicant shall provide two reinforced concrete footpath crossings and laybacks at the entrance to the site, in accordance with Council's Industrial/Commercial Vehicle Crossing Specification and the Campbelltown City Council Engineering Design Guide for Development (as amended).

60. Associated Works

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

61. Completion of Construction Works

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

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

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

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

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

62. Structural Engineering Certificate

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

63. Completion of External Works Onsite

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

64. Certification for Structures

Prior to issue of an occupation certificate, structural engineer's certification for all structures including retaining walls, drainage structures etc. shall be submitted to Principal Certifying Authority. A copy of the certification shall be provided to Council where Council is not the Principal certifying Authority.

65. Works as Executed Plans

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council, for its records, one A1 size copy of a fully marked up and certified set of work as executed plans, and a copy in PDF format, which have been prepared in accordance with the requirements detailed in Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and the Campbelltown City Council Engineering Design Guide for Development (as amended).

The applicant shall also submit a copy of the Works as Executed information to Council in an electronic format in accordance with the following requirements:

Survey Information

- Finished ground and building floor levels together with building outlines.
- Spot levels every five (5) metres within the site area.
- Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
- A minimum of fifteen (15) site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- The surface levels of all other infrastructure.

Format

- MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System
- All level information to Australian Height Datum (AHD)

AutoCAD Option

- The "etransmit" (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

Package Type	zip
File Format	AutoCAD 2012 Drawing Format or later
Transmittal Options	Include fonts Include textures from materials Include files from data links Include photometric web files Bind external references The drawing is not to be password protected.

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will also be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

66. Public Utilities

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

67. Line Marking / Sign Posting Documentation (development)

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council, for its records, two copies of the work as executed plans showing the line marking and/or sign posting that was undertaken in conjunction with the development. The plan shall also indicate the date/s of installation.

68. Council Fees and Charges

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

ADVISORY NOTES

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

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

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

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

Advice 2. Tree Preservation Order

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

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

Advice 3. Provision of Equitable Access

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

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

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

Advice 4. Retaining Walls

A separate development application shall be submitted and approved for any retaining walls that exceed 0.9 metres in height.

Advice 5. Covenants

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

Advice 6. Tenancy Fit Out

A separate development application is required to be submitted for the fit out of individual tenancies.

Advice 7. Inspection within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

Advice 8. Adjustment to Public Utilities

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

Advice 9. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Campbelltown (Sustainable City) DCP (as amended) and Campbelltown City Council Engineering Design Guide for Development (as amended).

Advice 10. Asbestos Warning

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

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

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

Advice 11. *Smoke Free Environment Act*

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

Advice 12. *Dial before you Dig*

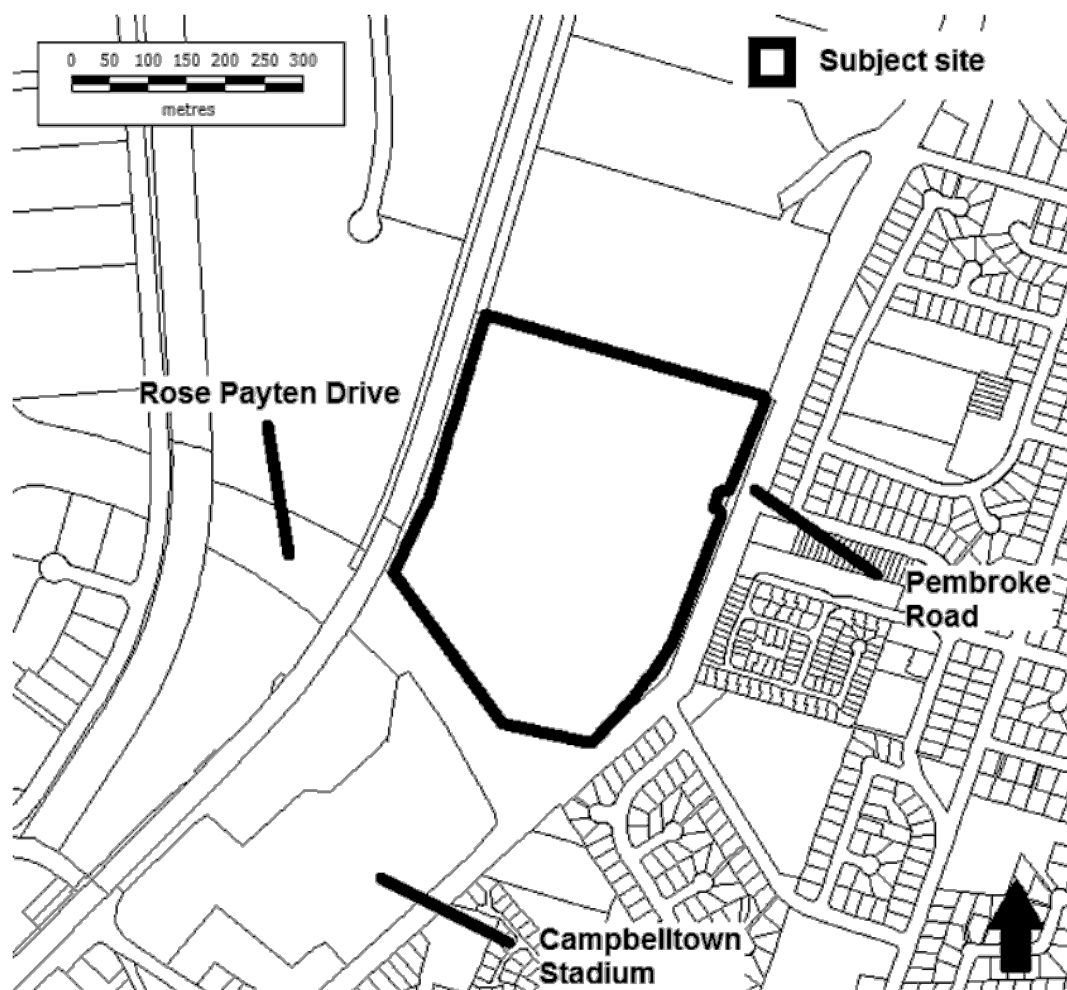
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law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

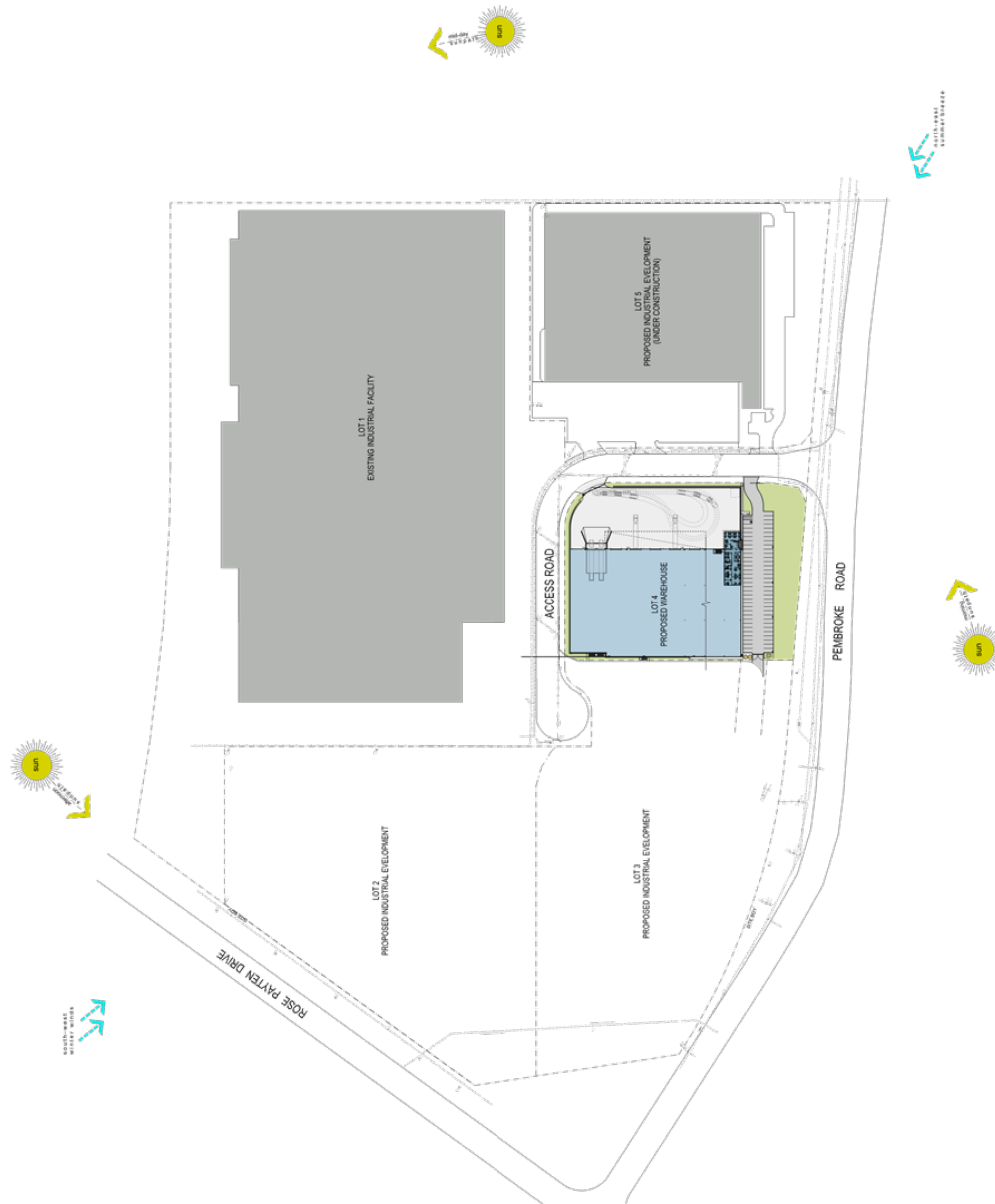
Advice 13. *Telecommunications Act 1997 (Commonwealth)*

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

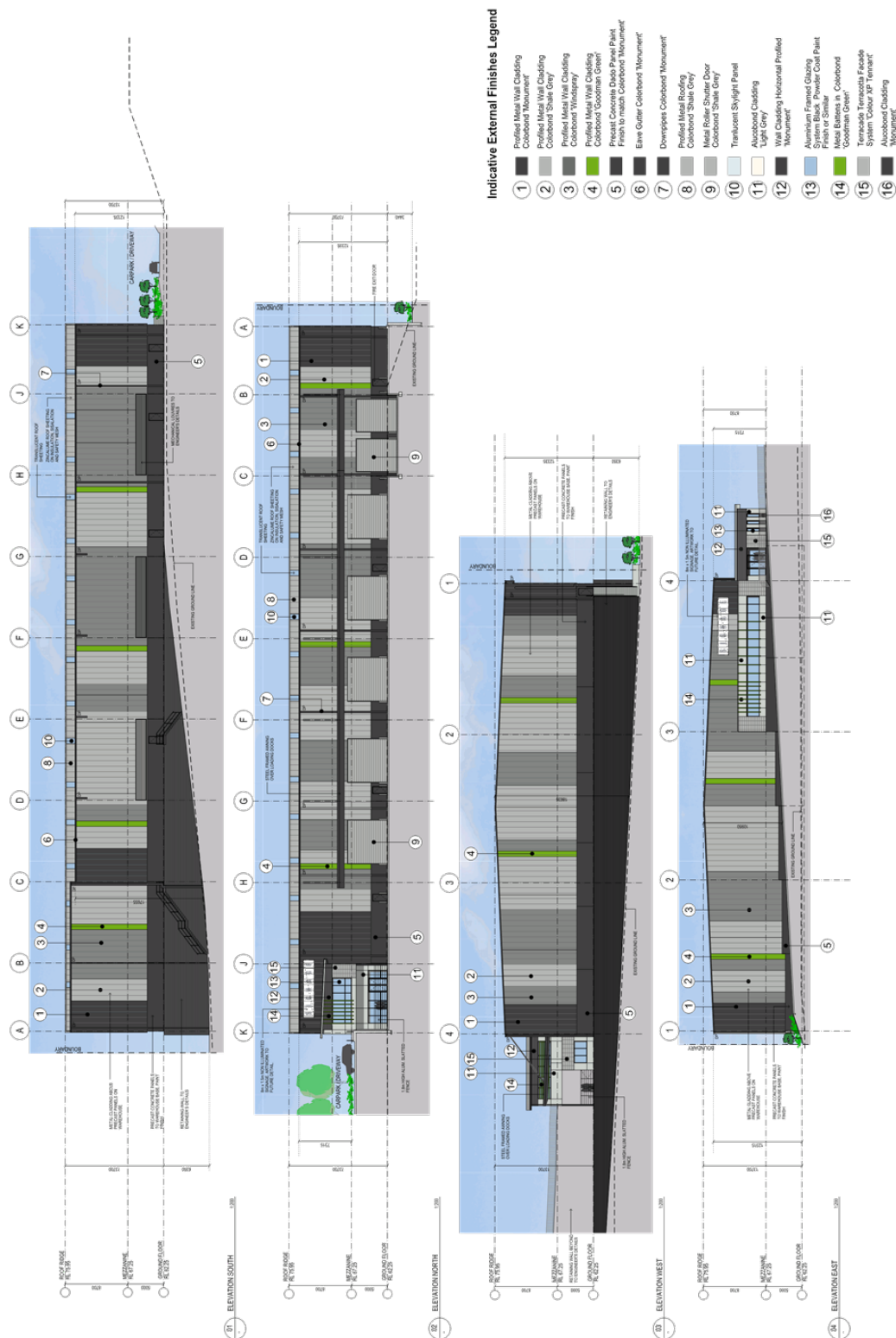
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity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

END OF CONDITIONS

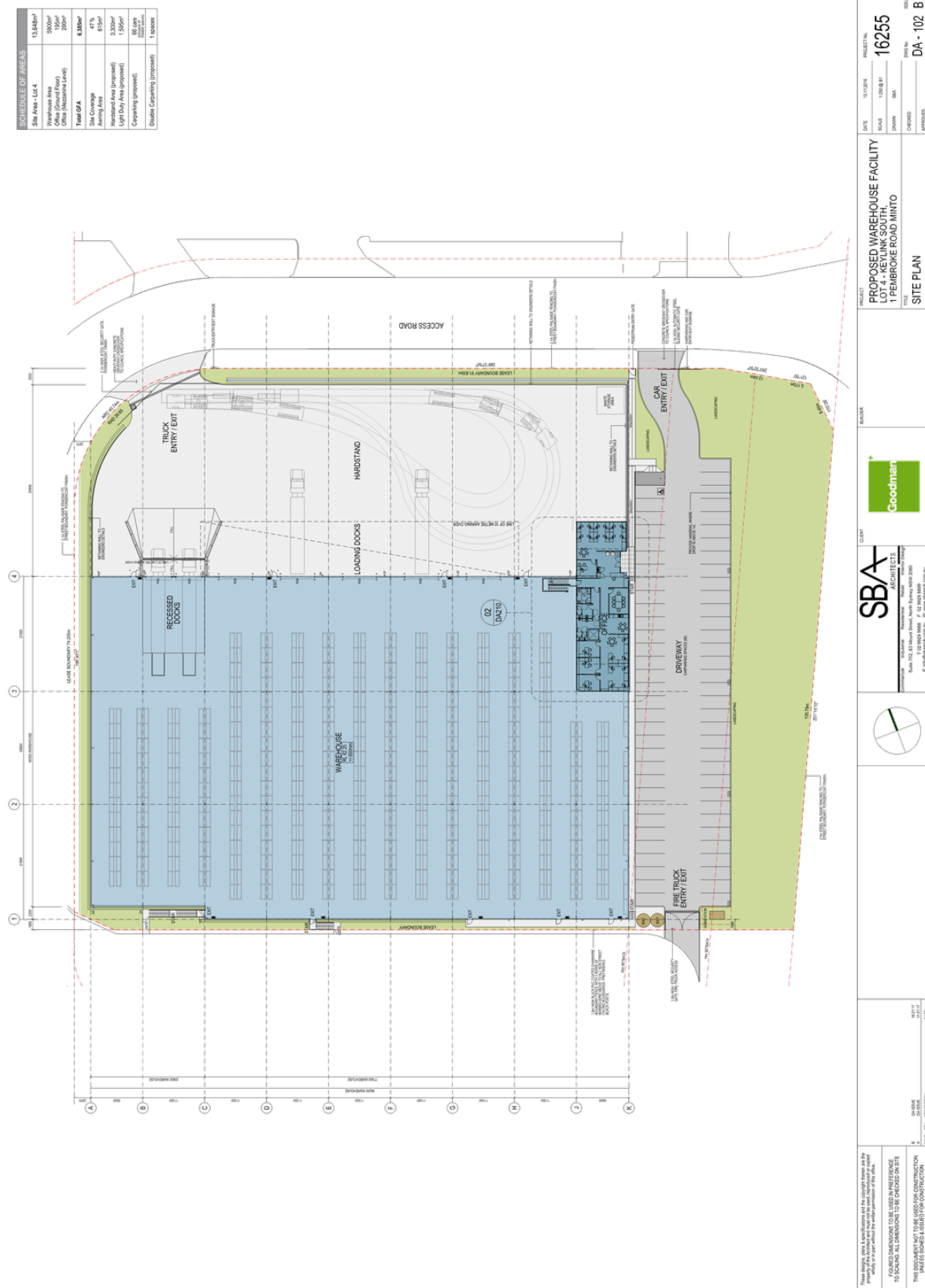


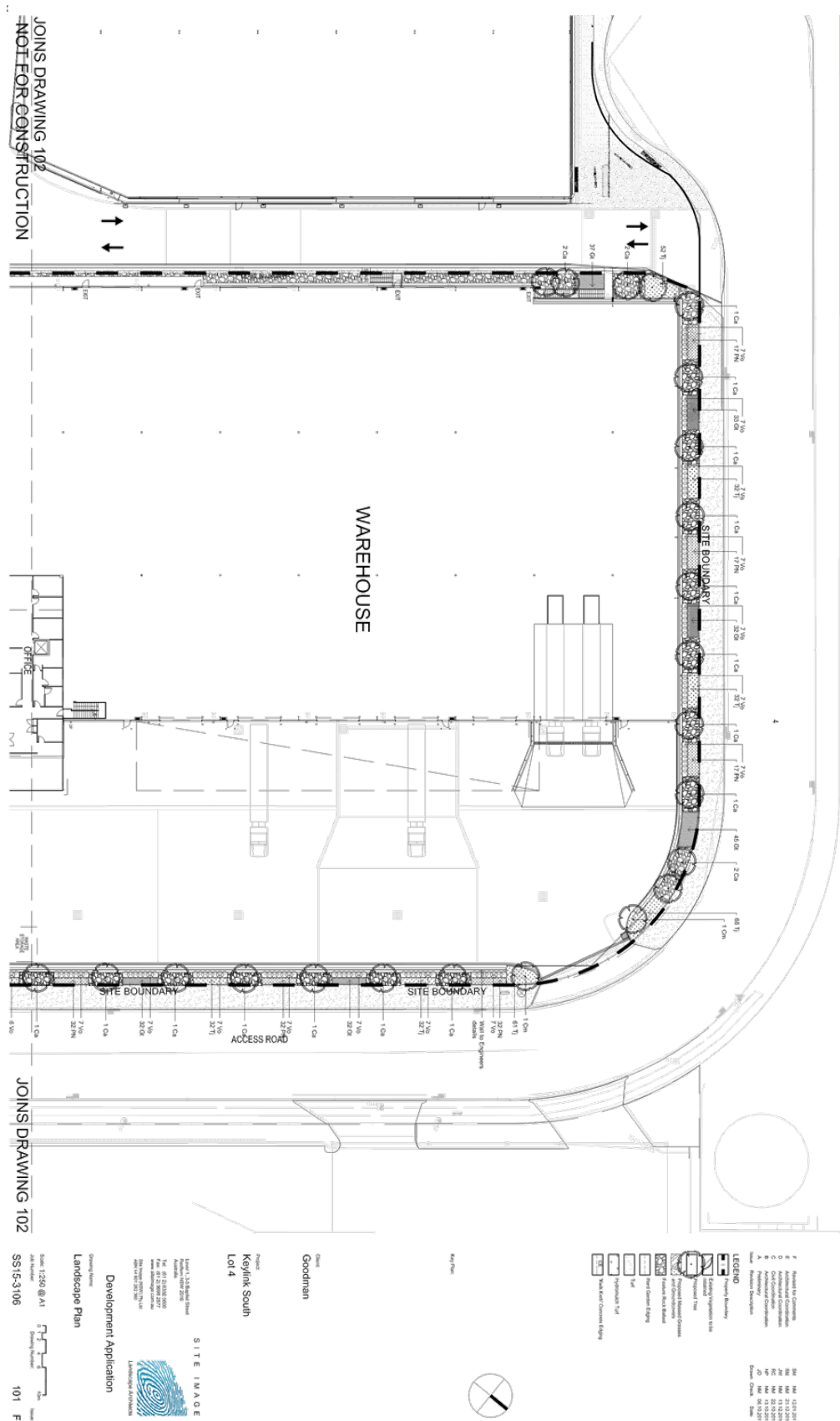


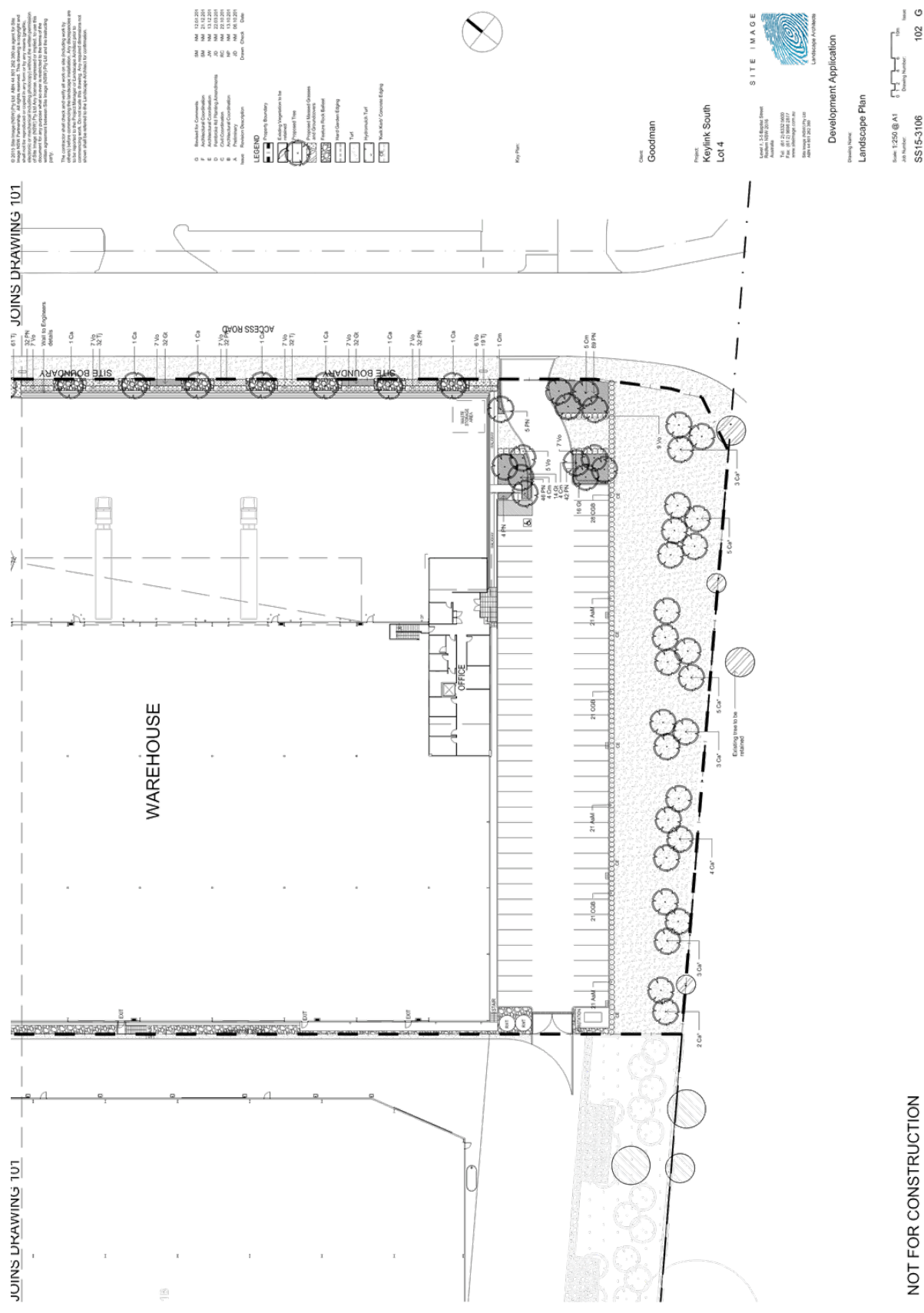
<p>These drawings are a preliminary design and are subject to change without notice. The client is responsible for ensuring that the drawings are used for the intended purpose and are not used for any other purpose.</p> <p>THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION. ANY USE FOR CONSTRUCTION IS AT THE USER'S RISK.</p>		<p>DATE: 11/15/17 SCALE: 1:1000 DRAWN: BMA CHECKED: [Signature] APPROVED: [Signature]</p>	
<p>PROJECT: PROPOSED WAREHOUSE FACILITY LOT 4 - KEYLINK SOUTH, 1 PEMBROKE ROAD MINTO</p>		<p>PROJECT NO: 16255 SHEET NO: DA-101 A</p>	
<p>CLIENT: SBA ARCHITECTS SBA ARCHITECTS Suite 102, 10000 Highway 10, North York, Ontario M2H 3G5 Tel: 416-491-1000 www.sbaarchitects.com</p>		<p>DESIGNER: Goodman</p>	
<p>DATE: 11/15/17</p>		<p>SCALE: 1:1000</p>	



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NOT FOR CONSTRUCTION

SS15-3106 501 C

Site Image

Development Application

Landscaping Details

Project

Keylink South

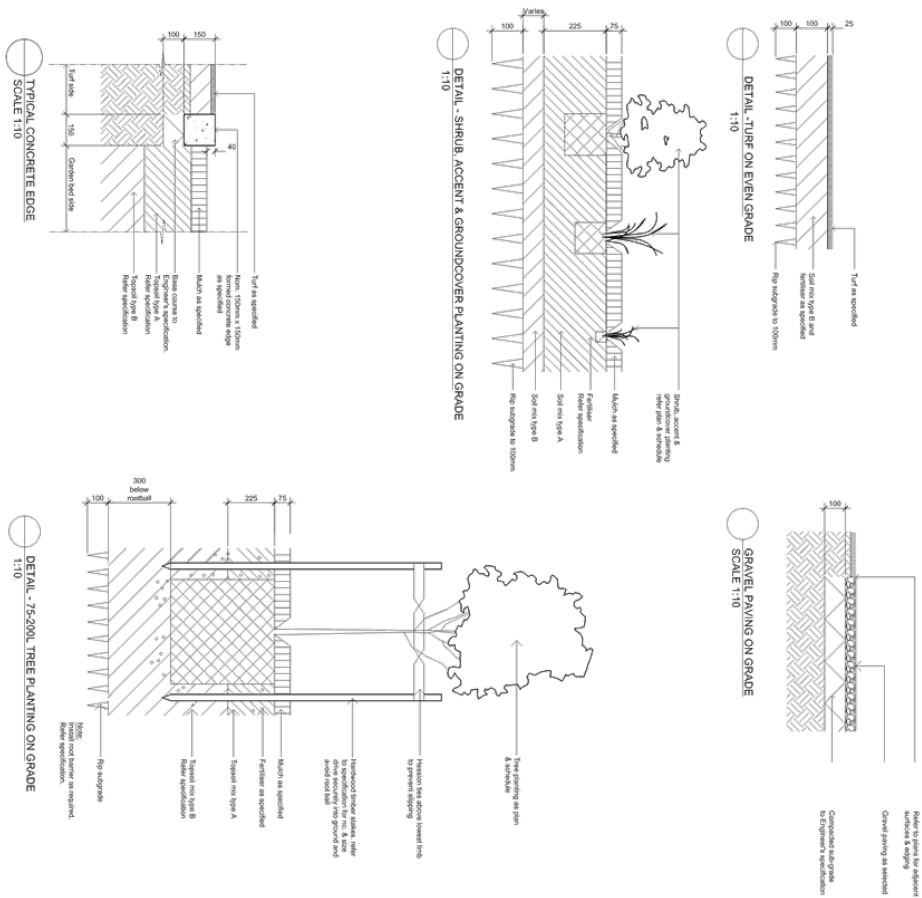
Lot 4

Client

Goodman

Site Plan

SS15-3106



Appendix 2 – Clause 4.6 Variation

Campbelltown Local Environmental Plan 2015

Part 4 - 4.6 Exceptions to development standards

The change in topography across Lot 4, Keylink South results in a departure of 12m height limit across the site at certain parts of the proposed building relative to the ground level. The primary height of the warehouse is 13.7m from the proposed ground floor to the apex of the roof. The height calculated from the existing ground levels at the buildings varies elevations are as follows:

- **East Elevation** (facing Pembroke Road / public domain) – between **7.32m** and **10.95m**
- **West Elevation** (facing onto Goodman owned estate road / not visible from public domain) – between **13.75m** and **18.685m**
- **North Elevation** (facing onto the Goodman owned estate road / not visible from public domain) – between **8.7m** and **13.7m**
- **South Elevation** (facing onto Goodman owned Lot 2,3 warehouse / not visible from public domain) – between **13.7m** and **20.05m**

The proposal seeks a Clause 4.6 variation to enable the proposed warehouse building to depart from the 12m height limit at certain locations.

It should be noted that the only perspective of the proposed building viewable from the public domain is that of the East elevation, facing Pembroke Road – the remainder of the other elevations face into the Goodman Keylink South Estate. Therefore from the public domain the building will appear to be between 7.32m and 10.95m. Furthermore, and as there is a slope from Pembroke Road towards the building, the height of the building will appear even less. The environmental impacts resulting from any departure of the 12m height is therefore considered to be acceptable from a visual environmental impact.

The variation to the 12m height in the proposal responds to Clause 4.6, as follows (response in red):

(1) The objectives of this clause are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,**

As the building appears from the public domain to have a compliant height between 7.3m and 11m, flexibility should be applied to the proposal with the departure from the height limit. The 13.75m from warehouse ground level to apex of the roof is required as is the tried and tested optimum height in terms of warehouse and distribution operation. The 13.75m height is applied to all Goodman warehouses across Australia, including those at Lot 1, 2, 3 & 5 at Keylink South.

- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.**

The flexibility in permitting a departure from the 12m height control would enable a better operational outcome for the proposed building, given that the 13.75m height is required for racking system within the building.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

The proposed departure from the height control is not a development standard expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

The strict compliance with the standard is unreasonable and unnecessary for the following reasons:

The Campbelltown LEP 2015 has only recently come into effect. As a result the height limit has not been applied to other warehouse development within the Keylink South Precinct, which have a consistent height of 13.75m. Adherence to the 12m height limit for the Lot 4 proposal would therefore result in inconsistency in height with that of the approved warehouses for Lot 1, 2, 3 and 5.

The proposed height and building form is considered suitable and in proportion given the single-storey form of the warehouse. The height is considered appropriate with respect to the scale of the proposed building.

The objective of the 12m height control is limit the appearance to bulk / scale to the public domain and adjacent properties. As warehouse will appear below 7.32m min and 10.95m max from the public domain and Pembroke Road, strictly enforcing the height limit is unreasonable as the appearance of height, bulk and scale is largely attributable to the topography and will only impact internally within Goodman's Keylink South Estate and not adjacent properties and the public domain. From within Keylink South, the proposed building height will mirror that of other adjacent warehouse buildings. The internal bulk and scale of the building will be softened, like that for warehouse 2, 3 & 5, by landscape treatment.

The proposed height is necessary to accommodate the racking system within the building.

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

In addition to the above justification for the departure of height at certain points of the building, the following environmental grounds provide additional justification for contravening the development standard:

The topography of the land, with the site sloping away from Pembroke Road will reduce the appearance of height from the public domain.

Significant setbacks from Pembroke Road and Rose Payten Drive will provide a high level of separation between the proposed warehouse facilities and Pembroke Road and residential development, reducing the appearance of bulk, scale and height.

- Significant deep-soil landscaping will provide a significant visual buffer reducing the appearance of bulk and scale which may result from the additional height.
- There is no overlooking or overshadowing impact from the warehouse building to adjacent properties.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and**

Written justification for the development standard is hereby provided, with Clause 3 addressed above.

- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and**

The proposal is in the public interest as it will permit the development of the site to its full potential, providing an industrial facility which will encourage employment opportunities.

(b) the concurrence of the Secretary has been obtained.

Noted.

(5) In deciding whether to grant concurrence, the Secretary must consider:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and**

The proposal does not appear to contravene any matter of significance for State or regional environmental planning.

- (b) the public benefit of maintaining the development standard, and**

There is minimal public benefit in retaining the development standard, as the height of the proposal will appear reduced from the public domain due to the sloping nature of the site and the proposed landscape screening.

- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.**

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:

The proposed departure does not concern subdivision of the site or any land zoned as above. This clause does not therefore apply to the proposal.

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

Noted

(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(a) a development standard for complying development,

Not applicable as the proposal is not complying development

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

Not applicable to the proposal

8.4 ICTC Mainstreet Conference Melbourne 25 - 27 October 2017

Reporting Officer

Director City Development
City Development

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.1 - Support the resilience, growth and diversity of the local economy

Officer's Recommendation

1. That the Director City Development, relevant staff and any interested Councillors be authorised to attend the 2017 ICTC Conference in Melbourne.
2. That all associated expensed be paid in accordance with Council's Policy.

Report

The International Cities, Town Centre and Communities Society (ICTC) is a society that aims to assist cities, towns and communities to be as environmentally, socially and economically sustainable as possible. The society brings together visionary professionals to discuss the challenges of replacing sprawl with compact environmentally, socially and economically acceptable environments. It aims to enhance the quality of life of inhabitants of cities, towns and communities, and to facilitate world best practices in the planning, development and management of cities, towns and communities and particularly the planning, development and management of public spaces and infrastructure.

In 2017, the ICTC will be holding its Mainstreet Conference (the conference) to shine the spotlight on people, connections and communities and making great places to live, work, play and visit. The conference is targeted at those people who lead, plan and develop right through to those who activate, program and manage great places. The event will focus on how innovation, collaboration and strong leadership play significant roles in helping to advance and transform our places into vibrant, liveable centres.

This year's conference will be held in Melbourne for the period 25-27 October 2017. The theme for the three day conference is Innovation, Collaboration and Leadership. In addition to a number of tours highlighting Melbourne's evening economy innovations, the conference program includes a number of informative speakers who will discuss the future of social and digital infrastructure, innovative technologies, visionary urban design and creative economic development initiatives which are all key influencers of how we will live, work and play.

Speakers at the conference include Mike Lydon, who is the Principal of the Street Plans Collaborative who are an international award winning planning, design and research advocacy firm from Miami as well as Jessica Lappin, President of Alliance for Downtown New York and President of the Downtown Lower Manhattan Association who have advanced Lower Manhattan as a global model for the 21st century Central Business District for businesses, residents and visitors.

Included with these international speakers will be local speakers from Deloitte, the Victorian Planning Authority, MacroPlanDismasi and well as the City of Port Phillip.

In line with Campbelltown's desire for best practice planning, development, provisioning and management of community facilities and public spaces that result in vibrant, liveable centres where our communities can genuinely live, work, play and invest, it is considered appropriate and recommended that the Director City Development, relevant staff and interested Councillors be authorised to attend the 2017 ICTC Mainstreet Conference in Melbourne.

Attachments

1. ICTC Mainstreet Conference 2017 - conference brochure (contained within this report)



17th International Cities
Town Centres and
Communities Conference &
6th National Mainstreet
Australia Conference

25-27 October 2017
Melbourne VIC Australia

*Innovation,
Collaboration
& Leadership*

**Registration
Brochure**

www.ictcmainstreet.org

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Welcome to Melbourne

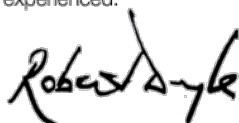
Here at the City of Melbourne, we are committed to our continual evolution as a sophisticated, competitive and forward-thinking city.

That's why we are proud to host the 17th International Cities and Town Centres Mainstreet Conference.

This conference will showcase how innovation, collaboration and strong leadership helps advance and transform places into vibrant centres.

Urban planning continues to move towards a people and place-based approach and away from conventional street designs. For Melbourne the first priority of city streets is people; and after all great streets make great cities.

We look forward to welcoming you and invite you to take the time to discover the magic of Melbourne. Ours is a city to be experienced.



Robert Doyle AC
Lord Mayor



Welcome to the **ICTC Mainstreet Conference 2017**, where innovation, collaboration and leadership are the key themes.

This year's conference focuses on people, connections and communities, and making great places to live, work, play and visit, which are also at the heart of our Stonnington community.

Stonnington is a connected community that celebrates diversity and creativity. We continue to plan for a municipality that has vibrant activity centres that provide a range of living, working, shopping and community opportunities at the heart of their respective neighbourhoods.

I hope you enjoy this conference, listen to the many educational presentations, participate in the dynamic workshops, and make the most of the networking opportunities.

Enjoy the field trip around Stonnington – home to two of Melbourne's largest and iconic shopping destinations, Chapel Street and Chadstone, among many other world-class retail gems.

Good luck over the three days and remember to Eat. Play. Stay in Stonnington.

Yours sincerely



Cr Jami Klisaris
Mayor, City of Stonnington



Contacts

Anita Siiankoski & Renee O'Halloran

ICTC Society Inc
PO Box 2313, BROOKSIDE CENTRE QLD 4053
Tel: (+61) 7 3161 5901 Email events@ictcsociety.org

Venue

Crown Promenade Melbourne
8 Whiteman Street, Southbank Victoria

Located in the heart of Melbourne's Southbank, this unique purpose-built Convention Centre features world class facilities with direct access to Crown Promenade's contemporary rooms, business centre, leisure and dining options.

Prices

	Early bird by 21 July	Mid rate by 8 Sep	Late rate after 8 Sep
ICTC/Mainstreet Member full reg	\$955	\$1055	\$1155
Non-member full reg	\$1055	\$1155	\$1255
ICTC/Mainstreet Member day reg	\$625	\$685	\$745
Non-member day reg	\$695	\$765	\$845

Register before 21 July and save
Visit www.ictcmainstreet.org to register

Sponsors & Exhibitors



Exhibition & Poster Presentations

The conference will feature a 2 day trade exhibition and poster presentations showcasing an interesting mix of industry offerings, products and services. Further information regarding sponsorship and exhibition opportunities can be downloaded from the conference website or simply contact the conference manager.

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City of Melbourne is a proud supporter
of the ICTC Mainstreet Conference

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Armadale. Chadstone. Glen Iris. Hawksburn.
Kooyong. Malvern. Malvern East. Prahran.
South Yarra. Toorak. Windsor.

What's On Stonnington
 WhatStonnington
 Whats_On_Stonnington

Invited Speakers



Mike Lydon

Principal, The Street Plans Collaborative, New York, Miami, San Francisco, USA

Tactical Urbanism: A community changemaker's guide to collaboration in the 21st century city

Mike Lydon is a Principal of The Street Plans Collaborative, an international award-winning planning, design, and research-advocacy firm based in Miami, New York City, and San Francisco. Mike is an internationally recognized planner, writer, and advocate for liveable cities. NPR, The New York Times, CNN Headline News, ABC News, City Lab, Smithsonian Magazine, Salon, Next City, and Architect Magazine have featured his work, among many other national and international publications.

Mike collaborated with Andres Duany and Jeff Speck in writing *The Smart Growth Manual*, published by McGraw-Hill in 2010 and named one of the top ten planning books of 2010 by Planetizen. He is also the creator and primary author of the *The Open Streets Project* (2012), the co-creator and editor of *The Mercado Project: Lessons from 20 Markets Across South America*, and the globally acclaimed, four-volume Tactical Urbanism digital publication series (2011 – 2014). With Tony Garcia, Mike is the recipient of the 2017 Seaside Prize and co-author of *Tactical Urbanism: Short-term Action for Long-term Change*, published by Island Press in 2015 and also named by Planetizen as one of the top 10 planning books of the year. Most recently, Mike co-authored *The Tactical Urbanist's Guide to Materials and Design*, published by Street Plans with the support of the Knight Foundation.

Before launching Street Plans in 2009, Mike worked for Smart Growth Vermont, the Massachusetts Bicycle Coalition, and Ann Arbor's Get Downtown Program. From 2006 – 2009 Lydon worked for Duany Plater-Zyberk and Company (DPZ), an international leader in the practice of smart growth planning, design, and research techniques.

Mike received a B.A. in American Cultural Studies from Bates College and a Masters in Urban Planning from the University of Michigan. Mike lives in Brooklyn, New York and he encourages you to trade four wheels for two.



Jessica Lappin

President, Alliance for Downtown New York, USA

Jessica Lappin is the President of the Alliance for Downtown New York. The organization manages New York City's largest Business Improvement District (BID) and provides service, advocacy, research and information to advance Lower Manhattan as a global model of a 21st century Central Business District for businesses, residents and visitors. Lappin also serves as the President of its sister organization, the Downtown Lower Manhattan Association.

A lifelong New Yorker, and recent Crain's "40 Under 40" honoree, Ms. Lappin has a distinguished record in civic life and public service. Since taking the helm of the Alliance in February 2014, Lappin has emerged as the voice of the downtown business community and ensured that the BID remains at the forefront of efforts to shape the neighborhood. Under her leadership, the Alliance has advocated

successfully for incentives to improve the business climate, significantly expanded its free public WiFi network, produced award winning marketing videos, instituted a district-wide solar-powered recycling program and helped secure nearly \$100 million in resiliency funding for Lower Manhattan. Lappin has also led the organization's economic development efforts to create a first-of-its kind innovation hub, workspace and collaboration center called Lower Manhattan HQ.

Prior to her tenure at the Alliance, Lappin was elected to serve two terms in the New York City Council, representing the Upper East Side, East Midtown, and Roosevelt Island, and was praised by the New York Times for her "steely resolve, dedication, and energy." She played a key role in bringing the Cornell Technion Applied Science and Engineering Campus to Roosevelt Island, oversaw the approval of over 20,000 new public school seats citywide and 5 new schools on the East Side, helped keep 100 senior centers from closing, expanded the city's recycling efforts and spearheaded the successful development of four new waterfront parks.

The Aspen Institute, a renowned international think tank, selected her as a Rodel Fellow in 2011. The Rodel program is focused on transcending political partisanship and addressing overarching questions of leadership and effective governance.

She also serves on the Steering Committee of the Association for a Better New York (ABNY) and the boards of the FDR Memorial and Four Freedoms Park, Battery Conservancy and as an Ex Officio member of New York City Center and NYC & Company.



Professor Rob Adams

Director City Design and Projects, City of Melbourne

The art of incremental city transformation

Rob is currently the Director City Design and Projects at the City of Melbourne and a member of the Cities of the Future Council of the World Economic Forum.

With over 45 years' experience as an Architect and Urban Designer and 34 years at the City of Melbourne, Rob has made a significant contribution to the rejuvenation of central Melbourne. He and his team have been the recipients of over 150 Local, National and International Awards including on 4 occasions receiving the Australian Award for Urban Design and the C40 Cities Climate Leadership Award 2014 for its Adaptation and Resilience Projects.

Rob has also been awarded the Prime Minister's Environmentalist of the Year Award in 2008 and the Order of Australia in 2007 for his contribution to Architecture and Urban Design. In December 2016, Rob was conferred with the degree of Doctor of Architecture from the University of Melbourne.

Some key projects include Postcode 3000, CH2 Australia's first 6 Star Green Commercial Office Building, Birrarung Marr, Swanston Street, City Square, Return to Royal Park, the Open Space and Urban Forest Strategies and numerous community buildings including Docklands, Boyd, East Melbourne and Kathleen Syme Libraries. His team is currently involved in two major city shaping projects, the Queen Victoria Market Renewal and Metro.

His recent focus has been on how cities could be used to accommodate and mitigate rapid population growth and the onset of climate change. He has published and presented extensively on the subject of *'Transforming Cities for a Sustainable Future'*.



Gary Horwitz

Head Of Retail, Investment Management, Lendlease & Board Member, Shopping Centre Council of Australia

Creating streets in malls - the new normal

Gary has over 30 years' experience in the retail industry. He has a passion for developing distinct retail destinations and enhancing public spaces. Gary leads initiatives that enhance place-making and social sustainability across Lendlease's retail asset management and urban regeneration portfolios.

Gary has created unique retail precincts including award winning Lakeside Joondalup and Darling Quarter; retail development bids on the Barangaroo and RNA Showgrounds projects; and was

instrumental in the vision and delivery of Melbourne's greenfield regional shopping centre site, Craigieburn Central.

Over the past two years Gary has led the retail and ground plane component of Australia's largest \$6billion Urban Generation project, Barangaroo South. Opened fully leased with over 90 retailers, it has captured the hearts and minds of commercial tenants, visitors and tourists to the precinct. His current redevelopment projects include newly opened Macarthur Square and Sunshine Plaza due for completion late 2018.

Prior to joining Lendlease, Gary was a successful retailer, having been part of the Australian retail landscape for over 20 years, as Founder and Director of popular homewares/food retail concept Bayswiss – which grew to a national chain of 30 stores.



Robbie Robertson

Partner, Spatial & Brand Experience, Deloitte

Innovation in Digital & Physical: Two Worlds become one

What drives Robbie to come to work every day is a deep passion for developing spaces that have a tangible purpose, and is more than simply a well designed environment. Fusing digital, brand and customer experience into a retail store, innovation centre or workplace is at the core of every project that Robbie leads.

With 20 years of global experience working in the UK, US, SE Asia and now Australia, Robbie is helping to develop omni channel solutions for his clients, which include, Priceline, NAB, ANZ, Siam Bank, Federal Govt and Telstra. He is also an industry commentator and speaker (Good Design Australia, AIMIA, Worktech, ADMA, CX Aus). Finally, he is avid supporter of diversity and inclusion in the workplace, and is the lead Partner for Globe@Deloitte.

He was recently recognised by the Australian Financial Review as one of the top most influential LGBT executives in Australia. Robbie has a Masters in Urban Design and Business Administration.



Brian Haratsis

Executive Chairman, MacroPlanDimasi

Big cities vs regions – Is it the end of regional cities?

Brian is a futurist, best selling author and thought leader regarded by corporate Australia as the leading economic and strategic advisor in the property sector locally and internationally.

He has over 30 years experience delivering business and property strategy, precise forecasting of niche trends, successful facilitation of strategic outcomes and delivery of major projects and policies.

Brian commands an unparalleled, on -the-ground knowledge of property markets across Australia, having worked extensively and regularly in all capital cities and key regional markets.

Brian's third book Destructive Cities analyses how the service sector, globalisation and technology can reshape Australia. The book builds on Australia 2050: A Big Australia (2010) and Beyond the Fringe (2012) and informs transformational rather than trend thinking.



Stuart Moseley

Chief Executive Officer, Victorian Planning Authority

The importance of collaboration, innovation and leadership when transforming key precincts in an urban environment

Stuart Moseley is a respected practitioner, values-driven leader and communicator, with a strong track record of leading organisational change encompassing strategy, culture and delivery.

Stuart has over 30 years of experience in planning, urban management and project delivery, including as Chief Executive of Adelaide Council. He was most recently the Deputy Director General (Planning Group) for Queensland Department of Infrastructure, Local Government and Planning, delivering

flagship reforms, including the introduction of new planning legislation and a regional plan for South East Queensland, concentrating on new land supply metrics and affordable living and design quality.

He is a registered planner and has previously served as National Vice President of the Urban Development Institute of Australia (UDIA).



Peter Smith

CEO, City of Port Phillip

Public sector leadership: Creating new value for cities

Peter has over 25 years' experience working in the public sector at all three levels of government in Australia. He has held senior management roles within the federal government, New South Wales and South Australian state governments and also at Adelaide City and now Port Phillip in Melbourne.

Peter is passionate about community engagement and building community capacity and resilience through co-creation with governments and has a relentless focus on achieving better outcomes for the communities that he works with. His strengths include strategy, governance, placemaking, housing and urban development, leadership development and organisational change.

For over ten years he has been an adjunct professor teaching MBA students strategy and leadership in Hong Kong and Singapore. Most recently he worked as an Asia Pacific representative on the international Future of Places Advisory Board which worked directly with UN Habitat to recognise and establish the importance of public space within the new Urban Agenda of the UN.



David Hall

Chief Operating Officer, MAB Corporation

The ups and downs of planning and creating places

David commenced with MAB in 2003 as General Manager Business Parks and was responsible for a portfolio of industrial and mixed-use projects, including Northcorp, Global, National, Translink Business Parks and the mixed-use University Hill project. David also held the role of General Manager Major Projects, with a key focus on the planning and delivery of the 770 hectare mixed-use Merrifield project.

Prior to commencing with MAB, David held a number of executive positions in local government in the areas of property, planning and development, economic development and governance. David holds

a Bachelor of Business and a Graduate Diploma in Management and is a graduate of the Advanced Management Program of Harvard Business School.



Jacyl Shaw

Director Engagement, Carlton Connect Initiative

Carlton Connect Innovation Precinct: Australia's first innovation precinct

Jacyl oversees the creation and delivery of a suite of programs to foster a culture of innovation at CCI and leads the engagement strategies for current and prospective partners in community, government and industry.

Jacyl's former roles include senior international strategic advisor to the University's Deputy Vice Chancellor Global Engagement, Deputy Director of the Festival of Ideas and Strategic Adviser to the Director of the Australia India Institute and Director of Asialink Business & Community Partnerships.

In 2011 Jacyl was awarded the University of Melbourne's Vice Chancellor's Professional Staff Award for Engagement.. She represents the University in the Committee for Melbourne's Future Focus Leaders Program.



Marcus Westbury

CEO, Contemporary Arts Precinct, Founder, Renew Australia

Creating Infrastructure: Developing the Collingwood Arts Precinct

Marcus Westbury is the inaugural CEO of Contemporary Arts Precincts Ltd that is leading the development of the Collingwood Arts Precinct in Melbourne. Marcus is the founder of the multi award winning Renew Newcastle and Renew Australia projects that have helped launch more than two hundred creative and community projects in Newcastle, NSW and reopened more than a hundred vacant properties across Australia.



The City of Greater Dandenong, just 30 minutes from Melbourne's CBD, is recognised as the most culturally diverse municipality within Victoria and second in the whole of Australia.

www.greaterdandenong.com/visit

Program

Wednesday 25 October 2017

10.00am - 4.00pm Stonnington Field Trip	10.00am - 4.30pm Dandenong Field Trip	9.30am - 4.30pm Geelong Field Trip
4.30pm - 7.30pm Darebin Field Trip	5.00pm - 7.45pm Melbourne Evening Economy Tour	

Thursday 26 October 2017

8.30-10.25	Session 1: Conference Opening & Keynote Presentations				
	Jessica Lappin, President, Alliance for Downtown New York, USA “#DownsWhatsUp: How collaboration and innovation brought downtown NYC back” Professor Rob Adams, Director City Design and Projects, City of Melbourne The art of incremental city transformation				
10.25-10.55	Refreshment Break & Exhibition				
10.55-11.55	Session 2A		Session 2B		
	Robbie Robertson, Partner, Spatial & Brand Experience, Deloitte Innovation in Digital and Physical: Two worlds becoming one Brian Haratsis, Executive Chairman, MacroPlanDimasi Big Cities vs Regions – is it the end for regional cities?		Stuart Moseley, CEO, Victorian Planning Authority The importance of collaboration, innovation and leadership when transforming key precincts in an urban environment Peter Smith, CEO, City of Port Phillip Public Sector Leadership: Creating new value for cities		
11.55-12.55	Session 3A	Session 3B	Session 3C	Session 3D	Session 3E
	Co-working & Incubators	Revitalisation	Future Places & Trends	Regional Collaboration & Activation	Investment & Development
	Australia's coworking culture: The growth, trends and drivers behind the coworking industry Kimberley Paterson, Associate Director, Knight Frank	Lismore city CBD revitalisation – An award winning case study Brent McAlister, Executive Director, Sustainable Development & Isaac Smith, Mayor, Lismore City Council	Liveability and productivity in the future mega metro regions of Australia in 2057 David Barnard, Technical Director - Urban Design and Master Planning, AECOM	Cut the red tape and the benefits for communities will keep flowing Robyn Hobbs, NSW Small Business Commissioner, Office of the NSW Small Business Commission	The ups and downs of planning and creating places David Hall, Chief Operating Officer, MAB Corporation
	Small business in the fast lane (Newtown business accelerator) Duncan Gilchrist, Economic Development Manager, Inner West Council	Queanbeyan CBD transformation – a mash up of opportunities Martin Darcy, Service Manager - Business and Innovation, Queanbeyan-Palerang Regional Council	The role of local government: Public spaces, activation and community – Where are we heading? Susan Hecker, Director, Futurelocal Public Realm Consulting	Future proofing regional towns Kylie Legge, Director & Emily O'Halloran, Place Maker, Place Partners	Can councils stimulate private investment through catalyst sites? Kate Roffey, Director, City Economy Innovation and Liveability, City of Wyndham
12.55-13.50	Lunch & Exhibition				QVM tour departs 1.45pm

Note: The program is subject to change at any time.

13:50-15:20	Session 4A	Session 4B	Session 4C	Session 4D	Session 4E
	Co-location & Creative Places	Pop Up	Main Streets	Regional Collaboration	Workshop
	Australia's first innovation precinct: Carlton Connect Initiative Jacyl Shaw, Director Engagement, Carlton Connect Initiative	Shopfronts & Place – simple improvements that transforms and activates a shopping precinct Ching Ching Lee, Founder, POP Creative Collective	Bridge Rd - case study of marketing and managing an activity centre in transition Herschel Landes, President, Bridge Rd Mainstreet Inc	#imagnetomorrow – West Toowoomba local plan collaboration, techniques and tools Michelle Milton, Senior Planner, Strategic Planning and Economic Development, Toowoomba Regional Council	Design for social innovation Julia Suh Urban Strategist Urban Toolbox
	Creating infrastructure: Developing the Collingwood Arts Precinct Marcus Westbury, CEO, Contemporary Arts Precinct & Founder, Renew Australia	Places for people - Moreland Parklet Program Munir Vahanvati, Unit Manager, Urban Design & Sarah Borg, Senior Urban Designer, Moreland City Council	What is real innovation and creativity in a modern mainstreet - it's not just about apps and technology Ali Uren, Founder & Director, Klikstart Pty Ltd	Can a collaborative plan for the delivery of infrastructure help shape the future growth of a regional city? Bridget Maplestone, Strategic Planner - Projects, City of Greater Bendigo	
	Sydney Road, Brunswick – Exploring our future: the Siteworks Story Will Coogan, Place Manager, Moreland City Council & Joseph Norster, Creative Director Programming, These Are The Projects We Do Together	Place-making, Identity & Pride: How a suburban shopping centre pop-Up park reconnected a community Fae Ballingall, Strategic Planner, Banyule City Council & Sam Walsh, Director, Chatterbox Projects	Resilience of neighbourhood main streets Jackie Fristacky, Councillor, City of Yarra	Connecting communities: place making in a regional context Anne Cleverley, Community Development Coordinator & Simon Schweitzer, Manager Community Culture and Information, Bega Valley Shire Council	
15:20-15:50	Refreshment Break & Exhibition				
15:50-16:40	Session 5A	Session 5B	Session 5C	Session 5D	Session 5E
	Tourism & Economic Development	Waterfront Revitalisation	Engagement & Collaboration	Main Street Panel Session	Heritage
	Short term games, long term gains David Cooke, Director, City Collective	Place-making: a shared approach Paola McCarthy, Events and Marketing Manager & Samuel Burke, General Manager, Darwin Waterfront Corporation	Imagine Ermington Nicole Carnegie, Place Manager, City of Parramatta Council	Leading by example Heidi Crundwell, Centre Manager, Victoria; Graeme Cullen, President, Carnegie Traders Association; Louise Zelenich, Owner, Pallino bar, Thornbury; John Rae, President, Portarlington Business Association; Joseph Tabacco, Manager Property & Economic Development, Banyule City Council; Peter McNabb, Peter McNabb and Associates *	Old town new edge William Fulton, Director, Fulton Ross Team Architects
	The Elton effect Gerald Carlyon, Director Development Services & Samantha Self, City Centre Coordinator, Mackay Regional Council	Redcliffe Foreshore Master Plan and activation strategy Jo-Ann Baynham, Senior Strategic Planner/Project Manager, Moreton Bay Regional Council	Adaptive community engagement: an agile approach to rebuild community trust and confidence Lily Wang, Place Manager, City of Parramatta Council		Down on mainstreet – adaptive reuse of Auckland's heritage buildings Lloyd Macomber, Director, Salmond Reed Architects
16:40-17:20	Session 6 Panel				
	Innovation, collaboration and leadership in cities: What's the big deal? Mike Lydon, Founder, Street Plans Collaborative, Professor Rob Adams, Director City Design and Projects, Victorian Planning Authority representative and Jessica Lappin, President for Downtown New York				Proudly sponsored by Victorian Planning Authority
17:30-19:00	Networking Function on the Yarra				

* See full details online

Friday 27 October 2017

08:45-10:20	Session 7 Keynote Presentations				
	Mike Lydon, Principal, The Street Plans Collaborative, Miami, USA Tactical Urbanism: A community changemaker's guide to collaboration in the 21st century city Gary Horwitz, Head of Retail, Investment Management, Lendlease Creating Streets in Malls - the new normal				
10:20-10:50	Refreshment Break & Exhibition <i>Proudly sponsored by Brain&Poulter</i>				
10:50-12:50	Session 8A	Session 8B	Session 8C	Session 8D	Session 8E
	Innovation & Technology	Investment & Sustainability	Community Led Place	Creative Places	Main Street Marketing
	Using technology to engage and improve your communities Rob Kyne, Senior Consultant, Pracsys/Culture Counts	Open space reinvestment – recycling open space for community benefit Natalie Boyd, Practice Director, KJA & Amanda McMurtrie, Strategic Property Officer, Penrith City Council	Is it worth the effort? Honest perspectives on placemaking, tactical urbanism and community-led approaches to building urban resilience Lucinda Hartley, CEO/CoFounder & Helen Rowe, Principal, CoDesign Studio	The art of place leadership, innovation & curation of place to the commons: From Carlton Connect to the Adelaide laneways Gilbert Rochecoste, Managing Director, Village Well	Creating a better business mix David West, Principal Consultant, Premier Retail Marketing
	Virtual Moreland Project Munir Vahanvati, Unit Manager Urban Design, Moreland City Council	Embarking on building the world's most sustainable shopping centre Jack Davis, Development Manager, Retail at Frasers Property Australia	How can we enable citizens to become city-makers and work with what we've got to achieve diverse, flexible and unique places? Brooke Williams, Associate, Codesign Studio	Building creative infrastructure to maintain cultural capital Siu Chan, Unit Manager, Arts Culture and Venues & Amanda Stone, Mayor, City Of Yarra	You get more bees with honey -harnessing the collective energy of people who work in city centres Jodie Reyntjes, Executive Officer, Central Geelong Marketing/ City of Greater Geelong
	Free Wi-Fi in retail centres, what works, what doesn't and whats needed Phill Loader, Economic Development Coordinator, Maribyrnong City Council	It's too darn hot – a sustainable solution in the city Tara Wilkinson, Place Management Coordinator, City of Canada Bay Council	The neighbourhood project, a journey in community-led placemaking Tracey O'Connor, Senior Project Manager - Landscape Architect, City of Whitehorse	Art and culture; what do they mean in urban development? Mark McClelland, Co-founder and Creative Director, Cultural Capital	How main streets and local businesses are utilising digital; how social media supports marketing and where are the future opportunities Therese Ceniti, Digital business and tourism officer, City of Darebin; Stavros Zikou, Centre Manager, Victoria & Maleik Edwards, Marketing Manager, 100 Burgers Group
	Incrementally smart! The story of the city of Canada Bay's journey to creating a more intelligent city Stephanie Kelly, Manager Place Management & Philip Edney, Director Community Development, City of Canada Bay	White Gum Valley: infill development that invites the eccentric and outlaws 'business as usual' Tanya Babaeff, PhD Candidate, Curtin University			
12:50-13:45	Lunch & Exhibition				

* See full details online

13:45-15:15	Session 9A	Session 9B	Session 9C	Session 9D	Session 9E
	Innovative & Diverse Economies	Building Pride	Transport & Activation	Investment, Engagement & Design	Visioning/Workshop
	Transforming Hobart Ron Christie, Deputy Lord Mayor, City of Hobart	Community pride, business investment and improved economic performance requires meaningful town & main street branding Andrew Hoyne, Principal and Founder, Hoyne	Car parking: It's more than just car parking Tim Lecky, Consultant, MRCagney	Revealing your true centre—a place-based approach to data-driven decision making in town and neighbourhood centres Beth Andean, Senior Project Officer & Alexia Bonilla, Project Officer, Place Services, City of Parramatta Council	The future of visioning Justin Ray, Principal, Urban Design, Tract
	Leading change and innovation – from mining to higher education Fiona Plesman, Acting Director, Planning, Community and Corporate Services, Muswellbrook Shire Council	Tapping into community pride for place making success - Pride of Melton Project Bruce Marshall, Coordinator Economic Development and Tourism & Terri Johnston, Place Engagement and Activation, Melton City Council	Main streets... principles and innovations Peter Annand, Director, Annand Associates	Activate Ku-Ring-Gai Bill Royal, Team Leader Urban Design & Andrew Watson, Director Strategy and Environment, Ku-ring-gai Council	'No Vacancies' Workshop Sarah Poole, Director, Thriving Places
	Facilitating development in a transitioning mining economy Gerard Carlyon, Director Development Services, Mackay Regional Council	A renewed approach to neighbourhood renewal Emma Price, Neighbourhood Development Officer, Maribyrnong City Council	An integrated place-based approach to one of Melbourne's most famous streets—the Acland Street up-grade David Power, Economic Development Coordinator & Craig McLean, Coordinator City Design, City of Port Phillip	Age'n'dem, age and dementia friendly streetscapes toolkit, walking environments to support older people to walk more and for longer Carmel Boyce, Director, Equity Justice Access & Guy Luscombe, Director Architects, Johannsen and Associates	
15:15-15:45	Refreshment Break & Exhibition				
15:45-16:55	Session 10A Industry Specialists			Session 10B Industry Specialists	
	Smart cities still need to be good for people Kylie Legge, Director, Place Partners			Putting the EAT in strEAT - re-invigorating towns through strategic use of F&B Suzee Brain, Director, Brain&Poulter Pty Ltd	
	Innovative ways to create liveable neighbourhoods and activity centres Dean Landy, Architect & Urban Designer, ClarkeHopkinsClarke Architects			Retail and cultural activation that works: The DNA of vibrant and successful night economies Gilbert Rochecouste, Managing Director, Village Well	
16:55-17:30	Session 11 Keynote Presentation and Conference Wrap Up				
17:30	Close of Educational Sessions				

* See full details online

Note: The program is subject to change at any time.



Masterclasses & Workshops

Design for Social Innovation Workshop

Thursday 26 October 1.50 pm– 3.20pm

Workshop presented by: Julia Suh, Urban Strategist, Urban Toolbox

How do we create happy and healthy communities without leaving anyone behind? Social inclusion is a prevalent theme in design and planning, yet too often, marginalised groups -- the homeless, elderly, children, youth, gender & ethnic minorities, people with disability and other economically excluded groups -- don't have a voice in how our shared spaces are shaped and used. This workshop interrogates the state of our urban equality and explores possibilities for positive change via urban design and placemaking.

Julia Suh will share her learnings from Westpac Social Change Fellowship. Participants are invited to bring an example of a marginalised group in their community, and work in groups to ideate actions.

Inclusive for full conference delegates. Maximum of 20 participants.

No Vacancies Workshop

Friday 27 October 2.15pm – 3.15pm

Workshop presented by: Sarah Poole, Director, Thriving Places

Role playing is one of the most effective ways to 'walk a mile in someone else's shoes'. To change the pace of your morning, and hit the 'pause' button on listening to others speak, you will actively take on a persona of one of the characters involved in both a thriving main street scenario and a declining main street scenario.

By working together, the characters will explore their responses to questions and to each other's perspectives, sharing new insights and observations. You will leave this workshop feeling more energised, inspired and erudite!

Inclusive for full conference delegates. Maximum of 20 participants.

Field Trips and Networking Activities

Wednesday 25 October 2017

Stonnington – A tale of 2 retail icons

Wednesday 25 October 10:00am – 4:00pm

Proudly sponsored by



City of
STONNINGTON



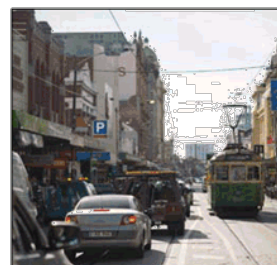
Chadstone

The Fashion Capital is the southern hemisphere's largest shopping centre and a world-renowned fashion and entertainment hub for local and international visitors. An all-encompassing retail experience, Chadstone features over 550 stores, designer boutiques and more than 30 luxury brands. We offer the very best in food, with gourmet providores and fresh food specialists, as well as an impressive line-up of international restaurants, casual dining eateries and quick bite options. We love to entertain, and visitors looking to extend on their shopping experience can: sit back and relax in our HOYTS Cinema Complex; and visit Australia's first and only LEGOLAND Discovery Center. You will hear about the changing face of Chadstone from its 1960's beginnings to the recent \$660 million expansion completed in 2016.

Chapel Street

Chapel Street is an iconic Precinct known globally as the place to shop, eat, and drink in Melbourne. Spanning South Yarra, Prahran & Windsor, and the Chapel Street Precinct has distinctive shopping and hospitality spaces. From high-end to high street, independent fashion labels, vintage, bespoke and boutique – the Chapel Street Precinct is a retail destination that is unparalleled in uniqueness.

To complete with the rise of mega-malls, with mega marketing budgets, the Chapel Street Precinct Association gives Chapel Street a distinct and bold voice, focusing on cheeky, cut through marketing and events, a strong digital presence and injections of excitement and buzz into the Precinct.



Greville Street Improvement Plan

Greville Street is one of Prahran's most iconic streets and is set to undergo some significant improvements in the coming months. The changes will create a better environment for the local community, business owners and visitors to enjoy! The new and exciting spaces will provide a range of opportunities for public events, activities and daily life. The new spaces include wider bluestone footpaths, additional public seating, additional street dining/ trade opportunities. Shared pedestrian zones to create new and exciting spaces for public events, improve pedestrian safety. Learn about the engagement program for this project, the trial of temporary spaces and the eventual permanent changes.

Cato Square Project

Cato Square is the \$60+ million transformation of the old Cato Street car park in Prahran into nearly 10,000m² of multifunctional urban parkland with underground car parking.

When completed in 2019, Cato Square will provide urgently needed open space for passive recreation, events, festivals and markets in Prahran and 20 per cent more car parking spaces for shoppers and retailers in the surrounding Chapel and Greville Street precincts.

Cato Square will become an iconic cultural and recreational destination for residents, traders, shoppers and visitors to Stonnington, with spaces for quiet contemplation or vibrant community events. Learn more: stonnington.vic.gov.au/catosquare



Forrest Hill Precinct

From warehouses to high density mixed use, dramatic changes have occurred over the last decade or so in the Forrest Hill precinct. Identified by State and local policy to accommodate a significant amount of growth, Forrest Hill's planning framework has allowed investment and new community in the area to flourish. Hear about the successes and lessons learnt from the development of this precinct.

Field trip departs/returns Crown Promenade and includes catering and transport.

Early bird \$35 | Full Price \$45pp

(numbers strictly limited and available to full conference delegates only)

Dandenong – Journey to cultural diversity

Wednesday 25 October 10:00am - 4:30pm

Proudly sponsored by



Dandenong Civic Centre & Harmony Square

Dandenong is the regional capital for the south-east and civic heart of Greater Dandenong. A cosmopolitan metropolitan activity centre, with benchmark urban design and award winning public spaces it has undergone a significant transformation in the last decade since the State Government's \$290 million funded Revitalising Central Dandenong initiative. Experience the vibrant new Civic Centre, library and Public Square.

Dandenong Award winning Lonsdale Street Boulevard

The vision for a renewed Lonsdale Street was to make it one of Melbourne's great boulevards, as a green and pedestrian-friendly main street with the retail and business vibrancy of a capital city. The transformed street acts as a gateway to central Dandenong, uniting the city centre's commercial and retail precincts. Lonsdale Street now offers a pedestrian oriented environment with a mix of spaces to meet and socialise including cafés, restaurants, open spaces, gardens, civic spaces and community facilities.

After exploring city centre highlights hear about the planned redevelopment of the Masonic Hall into a state of the art community gallery. Dandenong Masonic Hall, which was built in 1923 and used by the Freemasons until 1991, is a powerful visual landmark in what is a popular pedestrian thoroughfare. The proposal to develop the site as a new art gallery will add vibrancy to Halpin Way, have a striking and unique visual art gallery that connects to the streetscape through a contemporary architectural response that is sympathetic to the heritage character of the building.

Dandenong Afghan Bazaar Cultural Precinct

Dandenong is renowned for its amazing global food scene, is home to Victoria's second oldest and largest market, and cultural precincts that highlight the fusion of food. Dandenong's much loved and highly acclaimed Afghan Bazaar has undergone a multi-million dollar streetscape enhancement informed by an exemplar pre-design community visioning process. After a short walk through the newly upgraded Afghan Bazaar, experience a traditional Afghan banquet lunch on the fringe of the multi award winning precinct.



Noble Park Activity Centre

Noble Park Level Crossing Removal Project Elevated Rail Viewing Platform – Noble Park is poised for improved connectivity, integrated green space and a new railway station resulting from the Victorian Government's Level Crossing Removal initiative. Delegates will visit the site of the level crossing removal project and experience it from the elevated rail viewing platform. Hear about Council's collaboration with the Level Crossing Removal Authority to leverage future investment and build on pedestrian connections within the centre to enhance its village feel.

Springvale Road Boulevard and Laneway Revitalisation Project

Springvale is home to one of Melbourne's largest and most established south East Asian cultural precinct influenced by settlement of people from the Commonwealth Government's 'Enterprise' Migrant Hostel in the 1970s and 80s. Its strong Vietnamese & Cambodian influence gives it a unique Asian food and retail offer. Weave through laneways and bustling arcades, and be captivated by the affordable and unique produce. Delegates will hear about the extensive community engagement processes that have provided a design framework for the multimillion dollar streetscape upgrade of Springvale Road and enhancement of key pedestrian laneways.

Springvale Mix Use Development

Delegates will visit Multicultural Place, Springvale's only public square and see in reality the leadership taken by Council to develop it as part of a public private partnership. The site combines a 350 space public car park, much needed public square, residential living and retail edge within the heart of Springvale. Reflecting the Asian influence, street furniture and public infrastructure is culturally themed.

Springvale Placemaking Program

Springvale is renowned for its bustling commercial trade, central public square, festivals, public art, free public Wi-Fi and iconic cultural gateways. The undergrounding of Springvale Station has been a catalyst for investment in the centre. See how various placemaking projects are celebrating local narratives and adding to the transformation of the activity centre.



Field trip departs/returns Crown Promenade and includes catering and transport.

Early bird \$35 | Full Price \$45

(numbers strictly limited and available to full conference delegates only)

Transforming Central Geelong

Wednesday 25 October 9:30am - 4:30pm

Proudly sponsored by



Within an hour from Melbourne, and with a population of over 230,000, Geelong is a dynamic city with much to offer.

See first-hand the continuing physical and economic revitalisation of Central Geelong and the stunning Waterfront Precinct.

Wander through Central Geelong to experience some of the new physical works undertaken, including the Johnstone Park Rain Garden, Laneways Precinct, Malop Street Green Spine and the Arts & Culture Precinct including the award winning dome of the Geelong Library and Heritage Centre.

Learn more about the Central Geelong place management strategy and the impact and benefits of the relocation of major organisations such as TAC, Worksafe and NDIS to Central Geelong.



Hear how key initiatives and business marketing activities funded via a special rate scheme and undertaken by Central Geelong Marketing, help create a vibrant city centre and encourage people into Central Geelong for the economic benefit of business and property owners.

Explore the Geelong Waterfront and the stunning north facing Corio Bay and see the linkages to the Deakin University waterfront campus and railway station precinct.

Field trip departs/returns Crown Promenade and includes catering and transport.

Early bird \$35 | Full Price \$45

(numbers strictly limited and available to full conference delegates only)

EAT • SHOP • PLAY • EXPLORE



MAKE IT A GEElong Weekend

Central Geelong continues to transform.
Discover our vibrant, thriving and dynamic city centre.
Visit centralgeelong.com.au/geelong-weekend


#LOVECENTRALGEELONG

An initiative of Central Geelong Marketing



Explore Darebin - Discover your inner hipster

Wednesday 25 October 4:30pm–7:30pm

Proudly sponsored by



Northcote – Active spaces and live music

Jump on tram 86 and head for Northcote - the hipster heart of Melbourne. Experience a bespoke tour which includes a visit to a creative business and participant in Darebin's Active Spaces program. Hear how businesses in this program are creating vibrancy and economic opportunities for creative entrepreneurs.

Delve into the buzzing music scene at Northcote Social Club, sample some local refreshments and hear firsthand how successful place making has been integral to ensuring that the live music venues are around for future generations.

Welcome to Thornbury

The '86' will then whisk you away to your final destination 'Welcome to Thornbury', Melbourne's first permanent Food Truck park; see how this business has become a beacon for visitors and cultivated a thriving, collaborative business and entertainment precinct.

Make no mistake, this is a Melbourne adventure you will not want to miss. Return back to Melbourne City and Crown at your leisure on the tram.

Field trip departs Crown Promenade and includes dinner and return tram transport.

Early bird \$30 | Full Price \$35 (numbers strictly limited and available to full conference delegates only)



EXPLORE DAREBIN!

From our rich migrant and indigenous communities to our artisans, creators and musicians, we have many stories to share.

WWW.DAREBIN.VIC.GOV.AU



the place to live







Melbourne Evening Economy

Wednesday 25 October 5:00pm-7:45pm

Proudly sponsored by



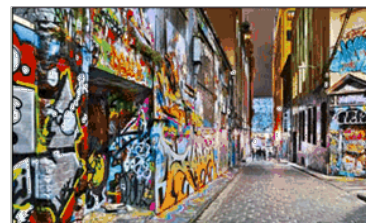
5.15pm- 6.15pm City of Melbourne presentation at Town Hall
6.15pm - 7.45pm The walking tour

People who live and work in cities as well as domestic and international tourists, are attracted to a city as a result of its safety, work and study opportunities, diversity and vitality. Activities at night and night-time economies are also an integral part of a city's commercial, cultural and social fabric, with a city's competitiveness by day and by night relying heavily upon its reputation.

This tour begins with a short guided walk through the bustling CBD to the historic Melbourne Town Hall where you will hear from the City of Melbourne about how they have been working strategically and innovatively for a number of years to transform Melbourne into a 24 hour city. *The Australian Night Time Economy report 2009-2014* notes Melbourne's NTE revenue is valued at \$2.721 billion dollars, second to Sydney's \$3.5 billion dollars. Melbourne has an established reputation as the leisure food capital of Australia with food led business making up the largest component of the Melbourne NTE.

After hearing all about Melbourne at night delegates will then have the opportunity to see it in action with a 1.5 hour guided tour by 'Hidden Secrets' which will allow you to experience the amazing array of architecture, urban design, art, signage, lighting and venues.

You'll be tempted to stop a while, soak up the atmosphere with the locals or perhaps even sample some of Melbourne's world renowned food, entertainment and roof-top bars. Walk back to your hotel at your leisure.



Tour departs from Crown Promenade 5pm or meet at Town Hall 5.15pm.

Early bird \$65 | Full Price \$70

(numbers strictly limited and available to full conference delegates only)

The **Victorian Planning Authority (VPA)** is a State Government statutory authority that acts under the direction of the Minister for Planning.

Victoria is growing, with a projected population of up to 10 million people by 2051. The VPA helps manage this growth, so that Melbourne and our regional towns and cities continue to be great places to live.

The VPA facilitates long-term integrated land use and infrastructure planning, to ensure Victorians have equitable access to employment, public transport, attractive public space and affordable housing.

If you would like to share your views on the future of Victoria, please call Rachel on 9651 9600 or email info@vpa.vic.gov.au

vpa
Victorian Planning Authority

vpa.vic.gov.au

VICTORIA
State Government

Thursday 26 October 2017

Queen Victoria Market Precinct Renewal

Thursday 26 October 1:45pm-4:45pm

Proudly sponsored by



Note: This tour runs concurrently with programmed sessions 4 & 5 -commencing after delegate lunch.



Take a guided tour by tram over to Queen Victoria Markets to see and hear about the largest single market renewal in the world right now. The Queen Victoria Market has been part of the city's history and culture for more than 130 years. Over that time, the market has continued to evolve to what it is today, a marketplace loved by locals and an iconic tourist destination.

The \$250m investment will preserve the history and atmosphere, upgrade trader infrastructure and create new open public space in the market precinct and ensure the continued success of the country's leading open-air market.

The renewal program is part of the City of Melbourne's plan to ensure Melbourne remains the world's most liveable city. It will help Council protect Melbourne's environment and heritage, respond to population growth and provide essential services for residents and visitors.

The field trip will cover:

- planning considerations, sustainability and design
- engagement and consultation process, particularly with traders and customers

Field trip departs/returns Crown Promenade and includes transport.

Early bird \$30 | Full Price \$35

(numbers strictly limited and available to full conference delegates only)



Networking Function

Thursday 26 October 5.30pm – 7.00pm

Situated on the beautiful Yarra River South Wharf, enjoy the spectacular views of the river at night as you meet fellow delegates and new friends at the award winning Boatbuilders Yard. Immerse yourself in the charm of Melbourne's famous Maritime precinct whilst enjoying delicious canapes and drinks only minutes from the CBD and Crown Promenade Melbourne. An experience not to be missed.

\$65pp (partners tickets can also be purchased)
Includes canapes and drinks.



Social Activities and Touring

Melbourne has been named the most liveable city for the past 6 years and it is no wonder due to the vibrancy and excitement the destination offers. Melbourne prides itself on its culturally dynamic atmosphere filled with hidden charms, fascinating street art, boutique shops, rooftop bars and understated pop up theatres. Exploring the city by foot, bike or tram can easily entertain one's senses. Whether you stay for one night or a week, Melbourne has so much to offer.

Things to do

Free transport in the city

Melbourne offers a free tram service within the CBD making it easy for commuters to get around, all tram journeys within the zone are free so no need to touch on with a myki card. For details on the Free Tram Zone see [Map](#).

Note: Crown Promenade Melbourne is outside the free transport zone however only a short walk across one of the bridges to Flinders Street and you're in the free tram zone.



Melbourne Museum

A visit to Melbourne Museum is a rich, surprising insight into life in Victoria, it is located in Carlton Gardens and designed by Denton Corker Marshall.

For Details: www.museumvictoria.com.au/melbournemuseum/

I'm Free Walking Tours

Join the group and you will uncover the history and explore the sites of Australia's cultural capital. Your friendly and knowledgeable Melbourne tour guide will give you insights into the people, places and events of this city.

For Details: www.imfree.com.au/melbourne/



Markets

Markets are an institution in Melbourne and no one does it quite like they do, be spoilt for choice at Queen Victoria Markets fresh food halls including smallgoods, fine cheeses and delicious baked treats. Opening Thursday – Sunday. If you love all things creative Melbourne showcases its best and brightest at their local arts and crafts markets located throughout the city including St Kilda and Fitzroy. For Details: www.visitmelbourne.com/Regions/Melbourne/Things-to-do/Shopping/Markets



Yarra Valley

When visiting Melbourne you can't miss a trip to the beautiful Yarra Valley, only a 1 hour drive from the Melbourne CBD, you will experience some of Australia's best Pinot Noir, Chardonnay and sparkling wine. Visit Domaine Chandon and enjoy a glass of bubbles while taking in the sweeping views of Yarra Valley, don't forget your camera.

Visit: www.yarravalleywinetastingtours.com.au

More tours and information

There is so much to do in Melbourne that we can't possibly list it all. For ideas on tours or interesting places to visit see our conference website or visit www.visitmelbourne.com

Post touring

Rugby League World Cup 2017 – Friday 27 October

Friday 27th October Opening the 2017 Rugby League World Cup - Australia VS England. In 2017, the best Rugby League players from around the world will be all hoping to be crowned World Cup winners and hold aloft the Paul Barrière Trophy.

For Details: www.rlwc2017.com/australian-fixtures

Melbourne Cup Carnival – 4 to 11 November

The Emirates Melbourne Cup is the pinnacle of the Australia racing calendar, join thousands of racegoers to watch the best staying handicap in the world.

For Details: www.flemington.com.au/melbournecupcarnival



General information

Who should attend?

Local Government - Mayors, Councillors, CEO's, Managers and other decision makers

State and Federal Government

Private firms, Main Street Businesses and Consultants

Business Associations, Academics and Industry Groups

With interests in:

- Innovation, Collaboration and Leadership
- Planning, Urban Design, Development, Property
- Main Streets, Retail, Shopping and Town Centres
- Economic Development, Demography
- Placemaking, Project Management, Marketing
- Architecture, Landscape, Environment
- Infrastructure, Resources, Energy, Transport
- Engineering, Surveying, Public Works
- Banking, Law, Finance, Technology

Registration Fees

All rates are quoted in Australian dollars unless otherwise stated. To be eligible for the early bird discount, your registration form must be returned with full payment by Friday 21 July 2017. To be eligible for the mid-rate discount, your registration form must be returned with full payment by Friday 8 September 2017. The Late Rate will be applicable for all registrations and payments received after 8 September 2017. Discounted registrations are only applicable if registration and payment is received by the due date.

Members of the ICTC Society and Mainstreet Australia are entitled to discounted registration fees at the member rate. All delegates will be given password access to speaker's papers after the conference.

Note: Registrations are for individuals only and cannot be shared.

Inclusions

Full delegate registration for speakers, members and non-members include:

- Attendance at all conference sessions –Thursday and Friday
- All conference day catering – Thursday and Friday
- Conference satchel and handbook
- Entry to trade exhibition – Thursday and Friday
- Delegate list *
- Wednesday day and evening field trips ranging from \$30 to \$65
- Optional inclusive Design for Social Innovation & Thriving Places workshops
- Optional Thursday evening Networking Function at \$65
- Option to register for masterclasses offered

Day delegate registration for members and non-members include:

- Attendance to sessions for nominated day – Thursday or Friday
- Conference day catering for nominated day –Thursday or Friday
- Conference satchel and handbook
- Entry to trade exhibition for nominated day –Thursday or Friday
- Delegate list *
- Optional Thursday evening Networking Function at \$65

Speakers: Please note that subsidised Speaker registrations are limited to 2 presenters per presentation.

* Due to privacy laws, delegate lists include only name and organisation. If you do not wish to be included in this list, please tick the appropriate box on the registration form.

Note: The program and information contained in this brochure is preliminary. The ICTC Society and Mainstreet Australia reserve the right to change or alter any aspect of the program or contents herein at its discretion prior to the conference.

Payment

All prices quoted in this brochure are in Australian dollars and are inclusive of GST (unless otherwise stated). Registrations will not be processed until payment is received. Payment can be made by the following methods:

- Credit card – Visa or MasterCard only. A 1.2% credit card surcharge applies.
- Cheque
 - Australian delegates: personal or company cheques made payable to "ICTC Society No 2 Account".
 - New Zealand and International delegates: bank draft or international money order in Australian dollars, drawn on an Australian bank and made payable to "ICTC Society No 2 Account".
- EFT payments can be made but will only be accepted if the conference EFT Payment Form is used and emailed when the EFT payment is made. The form can be downloaded once you reach the payment section of your online registration. No responsibility will be taken for any EFT payments that are made without forwarding the EFT Payment Form that should include the invoice number and delegate(s) name(s).

Cancellation – Registration

Registration cancellations will only be accepted in writing. Cancellations made prior to 14 September 2017 will be refunded less \$150.00 to cover administration costs. No refunds will be made after this date. As an alternative to cancellation, your registration may be transferred to another person without incurring any penalty. The information in this brochure is correct at the time of printing.

Insurance – Registration, Travel and Accommodation

It is strongly recommended that participants take out insurance for and during the conference, covering cancellation fees for registration, travel and accommodation bookings, as well as personal injury and loss or injury to property, including baggage. The organisers will be in no way responsible for any claims concerning insurance. In the event of industrial disruptions or force majeure, the ICTC Society, Mainstreet Australia and the organising committee accept no responsibility for losses incurred by delegates and/or partners.

Special Needs and Dietary Requirements

Every effort is made to cater for people with special needs. Should you require any specific assistance, including dietary requirements or wheelchair access, please include this in the relevant section of the registration form.



Accommodation, Travel and Transfers

Airport and Transfers

Melbourne's Tullamarine Airport is approximately 50 minute drive to the CBD and Crown Promenade Melbourne. Delegates can travel to Crown Melbourne via direct airport transfers, car hire or private car.

Airport Transfers

Bluebird Melbourne Airport Shuttle is a pre-booked airport transfer offering Door to Door service to many destinations within Melbourne city. Daily shuttle services starting at 5am from Melbourne Airport until last flight.

Prices one way \$25 per person/return \$49 per person. Visit www.bluebirdshuttle.com.au/ Ph: 03 9039 5500

Taxi

Designated taxi ranks at the airport are located on the ground floor outside Terminal 1, 3 and 2. Fares to Crown can range between \$80-\$130 depending on traffic.

Visit www.silvertop.com.au

Ph: 131 008 or 03 8413 8111

Visit www.13cabs.com.au

Ph: 13 2227 or 03 9277 3877

Visit www.uber.com/en-AU/

Skybus

Catch SkyBus Melbourne City Express Service to Southern Cross Station (major station for Melbourne city), departs from Terminals 1, 3 and 4 arrivals every 10-15 minutes. From Southern Cross station, take the free hotel transfer service to your hotel.

Tickets are \$18 one way / \$36 return. Visit www.skybus.com.au/ Ph. 1300 759 287

Car Hire

If you want to be able to travel more independently during your visit to Melbourne, you might consider hiring a car. You can find one at the airport as there are several car rental operators. Keep in mind that many of the hotels in the city will charge you for parking.

	Within Australia: 13 63 33	Outside Australia: 61 03 9338 1800	www.avis.com.au
	Within Australia: 13 27 27	Outside Australia: 61 03 9241 6366	www.budget.com.au
	Within Australia: 1300 13 13 90	Outside Australia: 61 03 9241 6800	www.europcar.com.au
	Within Australia: 13 30 39	Outside Australia: 61 03 9338 4044	www.hertz.com.au
	Within Australia: 1300 36 72 27	Outside Australia: 61 03 9241 6100	www.thrifty.com.au
	Within Australia: 1300 66 88 10	Outside Australia: 61 02 8303 2222	www.redspot.com.au

Accommodation Bookings & Payment

All bookings must be made via the online conference registration site to receive the discounted accommodation rate. In order to secure a reservation, all hotel bookings must be accompanied by either a deposit (equivalent to one night) or full payment dependant on the hotels terms and conditions, payment can be made by Visa or MasterCard. All credit card details will be forwarded to your chosen accommodation venue as payment for your booking. If the cardholder is not the delegate please ensure you have downloaded and completed the third party credit card authority form and forward it to events@ictcsociety.org. Delegates are responsible for any damage they cause and must settle the balance of their account with the accommodation venue upon departure.

Details on credit card surcharges and cancellation policies for each hotel are specified in the accommodation section when booking online.

All rooms will be released from sale on 20 September 2017. ICTC will accept accommodation bookings after this date but cannot guarantee accommodation will be available at the selected hotels or at the printed room rates during this peak time in Melbourne.

Accommodation

Discounted room rates listed below have been negotiated on behalf of ICTC Mainstreet delegates – to receive these rates delegates must book via the online conference registration site. All properties listed below are located within a short distance to the conference hotel.

Crowne Promenade Melbourne

8 Whiteman Street, Southbank (conference hotel)

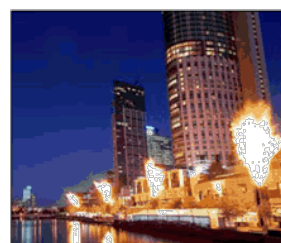
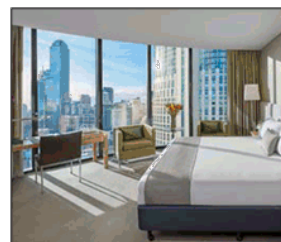
Crown Promenade is a 4.5 star luxury hotel offering direct elevator access to Crown's conference centre and a dedicated business centre facility. Situated directly on the Yarra River, Crown's leisure facilities are second to none with a 25m heated infinity spa pool and gymnasium offering a full range of gym and fitness equipment with spectacular views of Melbourne City and the River.

The Crown Entertainment Complex offers world renowned dining and entertainment options including Village Cinemas movie complex, shopping Melbourne's biggest lifestyle brands under one roof, outstanding international cuisine and a selection of the best bars and nightclubs Melbourne has to offer. Offering endless opportunities to catch up with delegates during your stay.

Stylish, welcoming and modern, Crown Promenade Melbourne's guest rooms feature floor to ceiling windows offering an abundance of natural light and amazing city views of Melbourne. Standard King features include a king size bed, large desk/dining table, ISD telephones, in-house movies, PayTV, Wi-Fi, mini bar and refrigerator, oversized shower and an ottoman window seat to take in Melbourne's city and bay views. The Corner King offers a larger spacious corner room 37m2 with floor to ceiling windows on two sides and all the inclusions as the Standard King.

Standard King	\$270/night
Corner King	\$305/night

Buffet breakfast \$33pp/day. Valet parking \$37/24 hours *subject to availability



Bella Apartment Hotel

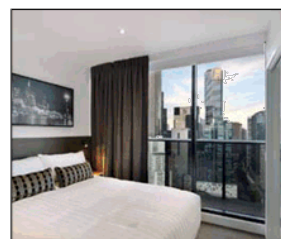
250 City Road, Southbank – 5 minute walk to conference venue.

Located 5 mins walk from the Crown Promenade Melbourne, Bella Apartment Hotel offers spacious 1 and 2 bedroom apartments in the heart of Southbank, featuring a fully equipped gym onsite, 24 hour reception and daily housekeeping.

Each apartment features separate living and dining rooms, air conditioning, high speed internet access, LED TV with Foxtel and fully equipped kitchenette facilities and showers only. Queen bedding in one bed apartments, two queen beds in two bed apartments and 1 x queen and 2 x singles in the executive family apartment.

1b Executive Apartment	\$219/nt
2b Apartment	\$249/nt
2b Deluxe Apartment	\$269/nt
2b Executive Apartment	\$309/nt
2b Executive Apartment - Family	\$309/nt

Continental breakfast \$12.50 pp/day. Car parking \$25/day *subject to availability



WRAP on Southbank

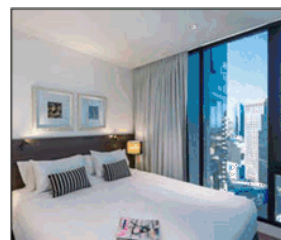
133-139 City Road, Southbank – 6 minute walk to conference venue.

Make the most of Wrap on Southbank's proximity to Southbank's thriving art, dining and entertainment precincts. All one bedroom apartments are self-contained and offer stunning city and river views. Facilities include 24hr reception, indoor heated swimming pool, sauna and gym.

All one bedroom apartments include a full kitchen, private balcony, queen bed, bathrooms have showers only, air conditioning, Foxtel, iPad dock, internet access and laundry / ironing facilities.

1b Apartment	\$244/nt
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Breakfast chargeback available at Rumour Cafe (outside the hotel). Car parking \$25/day *subject to availability



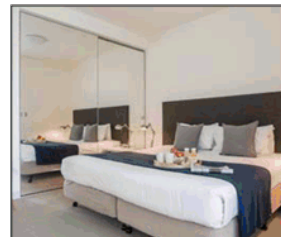
Aria Hotel Apartments

285 City Road, Southbank – 8 minute walk to conference venue.

Aria Hotel Apartments 4 star property offer art inspired rooms in the heart of the city only a short walk from Crown Promenade.

Facilities include 24hr reception, daily housekeeping, unlimited free Wi-Fi, fitness centre (charges apply). All rooms include a starter pack for the fully equipped kitchen, 1 bed offers queen bedding, 2 bed have a queen and 2 x singles and 3 bed offers 2 x queens and 2 x singles, bathroom and laundry, tea and coffee tray and free unlimited Wi-Fi.

1b Apartment	\$199/nt
2b Apartment	\$279/nt
3b Apartment	\$379/nt



Breakfast vouchers \$12pp for A Treat of France Patisserie (located outside the hotel). Car Parking \$17/day *subject to availability

Ibis Styles Kingsgate Hotel

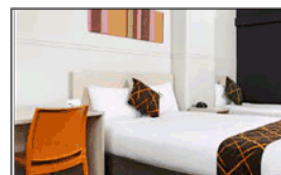
131 King Street, Melbourne – 15 minute walk to conference venue

Located in Melbourne's CBD Ibis Styles Kingsgate Hotel is a great economy accommodation option, Featuring restaurant, bar, Wi-Fi access, and 24hr reception.

Standard rooms feature ensuite, air-conditioning, and TV. Superior rooms have recently been fitted out with new furnishings and all rooms offer showers only and 1 x double bed.

NB: This property is currently going through renovations, there will be work crews on all floors from 9-6pm daily.

Standard Rooms	\$129/nt	W/end Rate \$199/nt
Superior Rooms	\$154/nt	W/end Rate \$224/nt



Hot breakfast \$17pp/day. Car parking offsite check with reception *subject to availability

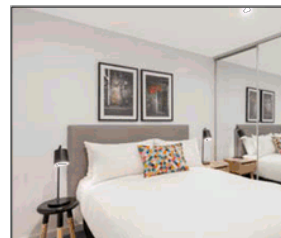
Oaks on Southbank

57-61 City Road – 12 minute walk to conference venue.

Providing a comfortable and modern base in the popular arts, dining and entertainment hub of Southbank, Oaks Southbank 3.5 star property provides effortless stays with one bedroom apartments on offer.

Guests will enjoy spacious apartments with full kitchen and laundry facilities, 24 hour reception, broadband access and daily room service. All one bed apartments offer queen beds, showers only and stunning city and river views and easy access to Southbank and all it has to offer.

1b Apartment	\$229/nt
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Breakfast chargeback available at La Camera (outside the hotel). Car parking \$25/day *subject to availability

Travelodge Southbank

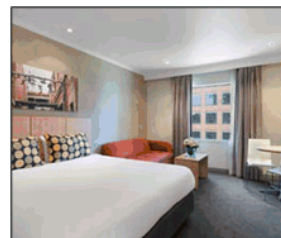
9 Riverside Quay, Melbourne – 10 minute walk to conference venue.

The 4 star Travelodge Southbank is located only a one minute walk from Melbourne CBD, within easy walking distance to great restaurants and cafes, impressive shopping, renowned art galleries and 10 mins to Crown Promenade.

The hotel offers 24 hour reception, express checkout, laundry (coin operated), mini bar at reception.

The rooms include tea and coffee facilities, queen bed and shower only, kitchenette and complimentary Wi-Fi.

Guest Room	\$179/nt
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Buffet breakfast \$19 pp/day. Car parking \$35/day *subject to availability

Best Western Riverside Serviced Apartments

474 Flinders Street, Melbourne – 15 minute walk to conference venue.

Riverside Serviced Apartments comprise of two apartment complexes with reception for both properties located in Highlander Lane. The Best Western Riverside Serviced Apartments are located on the top three floors of a modern 17 story building. Most rooms offer panoramic views of the Yarra River, Port Phillip Bay and Melbourne city skyline. The Riverside Annex Apartments is the sister property which comprises of unique one bedroom boutique apartments.

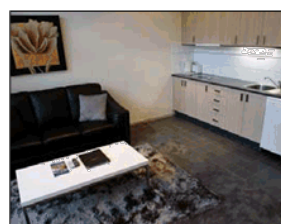
Facilities include 24hr reception, grocery delivery service until 9pm, and complimentary use of the city gym plus free unlimited Wi-Fi.

All apartments feature fully equipped kitchens and laundry. The 1 bedroom Annex apartments are located on the lower 3 floors with queen bed and shower only. The Riverside Apartments are located on the top floors, these are larger apartments, the 1 bed offers a queen bed and shower only and the 2 bed offers queen and 2 x single beds with bath and shower facilities.

There is no restaurant onsite however cafés are located nearby with breakfast options.

1b Apartment	\$185/nt
2b Apartment	\$285/nt
1b Apartment Annex	\$145/nt

Car parking \$35/day *subject to availability



Mantra Southbank Melbourne

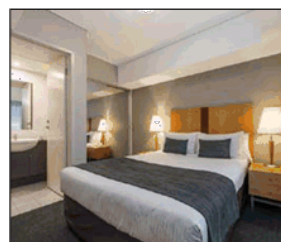
31 City Road, Southbank – 10 minute walk to conference venue.

Mantra Southbank Melbourne offers large, contemporary apartments, 24hr reception, indoor heated pool, spa and full gym and onsite restaurant, daily housekeeping. Wi-Fi is available for \$5/day.

All apartments include full kitchen and laundry, City apartments offer queen bed and 2 bed apartments 2 x queen beds or queen and 2 x singles, all rooms have showers only.

City Apartment	\$239/nt (3nt min. stay)
2b Apartment	\$329/nt (3nt min. stay)

Buffet breakfast \$19 pp/day. Car parking \$20/day*subject to availability



Punthill Northbank

560 Flinders Street, Melbourne – 15 minute walk to conference venue.

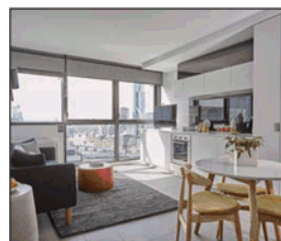
Punthill Northbank is a 4.5 star property providing the perfect base to Melbourne's famous city bars, restaurants and public transport.

The property houses a trendy bar/cafe and top floor gym, with many of the rooms offering panoramic views and 24hr reception and Wi-Fi.

All apartments feature kitchen, climate control, laundry facilities and are serviced daily, bathrooms have showers only. One bed apartment offers queen or 2 x singles and two bed apartment offers 2 x queens or 1 x queen and 2 x singles.

1b Apartment	\$200/nt
2b Apartment	\$300/nt

Breakfast chargeback available from Café located onsite. Parking offsite at 522 Flinders Lane \$18/day *subject to availability



Quay West Suites Melbourne

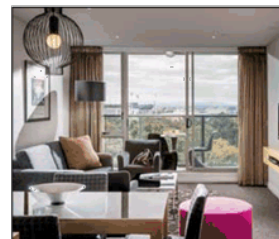
26 Southgate Avenue, Southbank – 15 minute walk to conference venue.

Quay West Suites Melbourne is a stylish 5-star all-suite hotel in Melbourne, Southbank, overlooking the Yarra River. The property offers 24 hour reception, heated salt pool and spa, modern gym, steam room and restaurant with outdoor terrace. Wi-Fi (fee). Free Wi-Fi for all Accor loyalty club members.

The studio apartment offers kitchenette, ensuite and balcony (on request), king bed and serviced daily. The one bedroom superior offers a full kitchen, balcony, dining table and tea and coffee making facilities, queen and sofa bed. All offer showers only.

Studio Apartment	\$235/nt
1b Superior Apartment	\$255/nt

Buffet breakfast \$20 pp/day. Car parking \$30/day *subject to availability



Adina Apartments Northbank

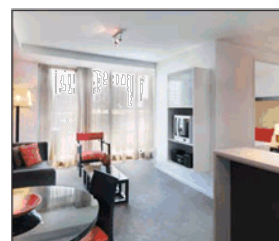
550 Flinders Street, Melbourne – 15 minute walk to conference venue.

This 4.5 star apartment is ideally located in the CBD and offers 24 hour reception, grocery delivery service, restaurant/bar/cafe, heated swimming pool, sauna and gym. All apartments offer kitchen and laundry facilities, separate lounge/dining/work area and individual climate control air conditioning, queen bed and bath/shower combo.

Breakfast is available from café next to hotel, chargeback is available.

Studio Room	\$180/nt
1b Apartment	\$210/nt

Car parking \$35/day *subject to availability



Oaks on Collins

480 Collins Street, Melbourne – 15 minute walk to conference venue.

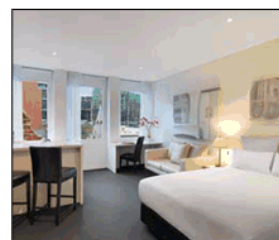
Overlooking rows of mature elm trees and some of Victoria's most classic architecture, the 4.5 star Oaks on Collins is fashioned on New York-style living and stretches 20 floors up, providing uninterrupted access to the business, shopping and entertainment precincts that lie below.

Oaks on Collins offers an outdoor plunge pool, sauna, well-equipped gym and a valet laundry service.

The studio executive rooms feature scenic views or private balconies and full kitchens, daily room service, Wi-Fi (fee), queen bed or two singles can be requested.

Studio Executive Room	\$239 /nt
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Buffet breakfast \$17 pp/day. Parking available off site at 522 Flinders Lane at \$10 per exit.*check at Reception.



Mantra on Little Bourke

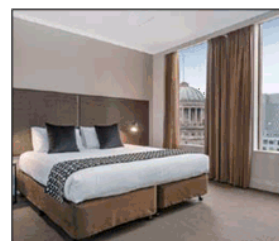
471 Little Bourke Street, Melbourne – 15 minutes or catch tram 55 to conference venue.

Mantra on Little Bourke is a 4.5 star property centrally located in Melbourne's CBD. Facilities include 24 hr reception, a fully equipped gym, sauna, onsite restaurant and free Wi-Fi.

The executive studio includes 1 x queen bed or 2 x queen beds and kitchenette, whereas the one bedroom and two bedroom family rooms offer king beds with additional options for sofa beds and singles to accommodate any group type. The one bedroom and two bedroom rooms also offer a corner spa bath.

Executive Studio	\$235/nt	(2nt min. stay)
1b Apartment	\$255/nt	(2nt min. stay)
2b Family Apartment	\$425/nt	(2nt min. stay)

Buffet breakfast \$23 pp/day. Car parking \$25/nt *subject to availability



Accommodation changes and cancellations

Each hotel has its own cancellation and refund policy. It is highly recommended, before you make your booking, that you read the hotel's policies on cancellation and refunds on the conference website.

Any changes to or cancellations of reservations made through the conference website must be modified online and confirmed by email to events@ictcsociety.org and not to the hotel directly.

How to register

Registrations are to be completed online via the secure online registration form. To register go to www.ictcmainstreet.org and click on the new registration button.

	Early bird by 21 July	Mid rate by 8 Sep	Late rate after 8 Sep
ICTC/Mainstreet Member full reg	\$955	\$1055	\$1155
Non-member full reg	\$1055	\$1155	\$1255
ICTC/Mainstreet Member day reg	\$625	\$685	\$745
Non-member day reg	\$695	\$765	\$845

Register before 21 July and save
Visit www.ictcmainstreet.org to register



8.5 Trial Library Education Autism Program (LEAP) for Children on the Autism Spectrum

Reporting Officer

Executive Manager Community and Cultural Services
City Lifestyles

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

Officer's Recommendation

1. That Council be advised of the trial Library Education Autism Program (LEAP) for children on the autism spectrum, commencing mid October until early December 2017.
2. That Council note the support and expert advice from ASPECT Macarthur in designing the trial program to be conducted at HJ Daley Library Campbelltown.
3. That a further report be provided to Council at the conclusion of the trial.

Purpose

To advise Council of the trial Library Education Autism Program (LEAP) for children on the Autism Spectrum.

History

Council at its meeting held 8 November 2016 resolved:

To investigate and report on how to provide a program that could be trialled through Library Services that caters for children on the autism spectrum, which includes but is not limited to:

- a. considering timing options for the program (e.g. opening a library service earlier on a Saturday for access for children on the autism spectrum) as well as how best to promote such a program to targeted audiences
- b. obtaining advice from experts in programming for children on the autism spectrum on how this can be best delivered (including programs involving therapy dogs and shadow puppet shows)
- c. providing a collection of resources for parents and carers of children on the autism spectrum (if Council does not already have some) to supplement such a program.

Council at its meeting held 18 April 2017 considered a report on the trial program and subsequently resolved that a decision on this matter be deferred pending further information.

Report

Research and consultation has been undertaken with a range of specialist agencies and as well as families into the needs of children on the autism spectrum to assist in the formulation of the trial program. This has included:

- gathering information around programs already available
- identifying potential partners, spaces and resources required to successfully deliver a trial program
- contacting groups in the Autism Services Directory produced by the Macarthur Autism Spectrum Family Support Group including Macarthur Disability Services (MDS), KU Children's Services, Aspect Macarthur, Mater Dei Early Intervention Program, Disability Services Australia, Autism Spectrum Australia, Department of Education Early Intervention, Touched by Olivia Foundation and the Community Health Service
- reviewing library program attendance which identified the number of children (on the autism spectrum and with other related additional needs) already engaging in mainstream programs within the libraries
- seeking information regarding similar programs in other libraries focusing on children on the autism spectrum
- surveying families to assess the type of programs and activities carers of children on the autism spectrum are seeking
- identifying whether families already use the library service with their children
- gaining feedback on the requirements of children on the autism spectrum and their families/carers to allow the spaces offered to be as comfortable and adaptable as possible for their individual needs.

Following this research, discussions were held with specialist providers, such as Aspect Macarthur and Macarthur Disability Services (MDS) to establish principles for the program. These include:

- working on developing safe relationships
- understanding boundaries
- opportunities to learn how to socialise and to do so in a safe, supported environment.

Aspect Macarthur (Aspect) is a specialist in the provision of services and programs for children on the spectrum and is part of the Aspect Macarthur, the largest service provider for people on the autism spectrum. Aspect has provided valuable advice and assistance in shaping the trial program.

Proposed Trial Programs

Following the research undertaken, analysis of consultation results and discussions with Aspect and MDS the trial Library Education Autism Program (LEAP) was developed, consisting of two components.

Component 1: A music based program

A music based program for children on the autism spectrum for children aged 0-12 years of age will be conducted during term four at HJ Daley Library Campbelltown.

This will be an eight week program commencing on the first Tuesday in Term 4 of School, between 10.00am-11.00am.

This program will be a partnership program between Council and Aspect Macarthur, who will bring a small group of six children from a satellite class from a local school to attend,

alongside other children from the community aged two to five years. In setting this program up for success Aspect has advised that they will work with their teachers to undertake social stories with the children and will also provide photos of the library team members involved and the music presenter to the children as part of the preparation phase.

Component 2: Saturday morning early opening program

This component involves families with children on the autism spectrum being invited to visit the library at a quiet time to become familiar with, explore and utilise the library space in a relaxed manner.

The library will provide a trial program through which families book in for an individualised orientation between 8.00am-9.00am on a Saturday morning. This will commence on Saturday 14 October and be offered until Saturday 18 November as part of the trial.

This will be individualised and by appointment. This will enable the library team members to discuss with the parent or primary caregiver any individual requirements that their child may have, their child's special interests as well as what they would like to achieve for themselves or their child as a result of participating.

To support the introduction of both programs and as part of the partnership, Aspect Macarthur have undertaken an audit of the library physical environment, provided training for the Council staff involved in delivering the trial program as well as assisted in the establishment of operational protocols to support the delivery of the trial programs.

Financial Implications

It is anticipated that the operational cost for this project would be \$3,500 for the program and additional staffing costs associated with the LEAP.

These costs will be absorbed within the existing 2017 - 2018 operational budget.

Communication Strategy

Marketing and promotion of the LEAP program to families will occur through targeted marketing via local schools, specialised services and agencies, including via Aspect Macarthur.

General promotion of the program will also be provided through Council's usual media channels to raise awareness of the initiative. This will include via social media, website and media releases.

Conclusion

The trial Library Education Autism Program will offer new experiences for children on the autism spectrum and their families. The collaboration with MDS and Aspect Macarthur as well as consultation undertaken when developing the trial program has already raised awareness within the community. The trial program offers the opportunity to test ideas and seek feedback from the children involved, families and other stakeholders to inform future directions to foster an inclusive community.

Attachments

Nil

8.6 Investment and Revenue Report - July 2017

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the information be noted.

Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of July 2017.

Report

Investment Portfolio

Council's Investment Portfolio as at 31 July 2017 stood at approximately \$201m. 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.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions. Any funds placed with institutions that have a BBB long term rating have maturity lengths in the short term of up to 12 months, effectively A-2 rated, in accordance with Council's investment policy.

In response to recent downgrades to some lower tier financial institutions by Standard and Poors, Council staff liaised with Council's financial advisor regarding the placement of funds with these institutions. As a result the levels of investment held with each of these institutions, along with the cumulative totals within this rating category will be reduced. This reduction will be achieved through retirement of maturities as they fall due in the coming months. A further assessment will be made in conjunction with the annual investment policy review.

The return on Council's investments is tracking in accordance with budget expectations. Returns continue to outperform the benchmark of the AusBond bank bill index.

The official cash rate has remained steady with no movement in 12 months since August 2016 at its present level of 1.50 per cent.

Regular liaison with Council's external financial advisor in assessing any new investment products offered assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio.

Rates

Rates and Charges levied for the period ending 31 July 2017 totalled \$104,685,187 representing 97.4 per cent of the current budget estimate.

The rates and charges receipts collected to the end of July totalled \$9,116,750. In percentage terms 8.8 per cent of all rates and charges due to be paid have been collected, representing an increase to the amount collected in the same period last year of 0.6 per cent.

Debt recovery action during the month involved the issue of 119 Statements of Claim to ratepayers with two or more instalments outstanding and a combined balance exceeding \$500. Further recovery on accounts with previous action resulted in 9 Judgements and 10 Writs being served on defaulters that have not made suitable payment arrangements or failed on multiple occasions to maintain an agreed payment schedule.

Council staff continue to provide assistance to ratepayers experiencing difficulty in settling their accounts. This includes the monitoring of 303 ratepayers with a total arrears balance of \$491,362, who have made suitable payment arrangements.

Ratepayers who purchased property since the July notices are issued with a Notice to new owner letter. During the month, 122 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Sundry Debtors

Debts outstanding to Council as at 31 July 2017 are \$1,471,390 reflecting a decrease of \$435,222 since June 2017. During the month, 1,294 invoices were raised totalling \$803,211. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report in attachments. Debts exceeding 90 days of age totalled \$602,103 as at 31 July 2017.

Included in the debts aged more than 90 days are two of significance, the first is in relation to Roads and Maritime Services (RMS) grants for the Active Transport Program – 2016-2017 for \$340,013 the second is in relation to road safety works as part of non-compliance with a development consent on Shri Shiva Mandir Limited for \$101,882.

The RMS grants have been agreed for the provision of cycle ways and shared footpaths at various locations within the local government area. The agreed works were completed in April 2017 and subsequently invoiced. Council officers have been in regular contact with representatives of the RMS however this has been made difficult and resulted in delays due to changes in RMS staff responsibilities. At the time of this report the advice has been that payment is due shortly as all due diligence checks have been completed.

Council staff have been in contact with representatives of Shri Shiva Mandir Limited for an extensive period of time and prior to any debts being incurred as a result of changes required to Eagle View Road to address traffic safety issues.

A Tax Invoice had been issued in March 2017 following completion of works by Council. Council has received a payment proposal that was rejected on the basis that it represented a four year repayment period and falls outside of Councils Hardship Policy. Council is continuing to negotiate with Shri Shiva Mandir Limited with a view to reaching a suitable outcome in terms of repayment period.

Debt recovery action is undertaken in accordance with Council's Sundry Debtors 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, 12 accounts were issued a letter of demand on Council's letterhead advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agent.

Council's agents were instructed to issue eight letters of demand, one judgment application lodged resulting in recovery of debt and a bank Garnishee on one of Council's debtors for damage charges incurred regarding hall hire.

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.

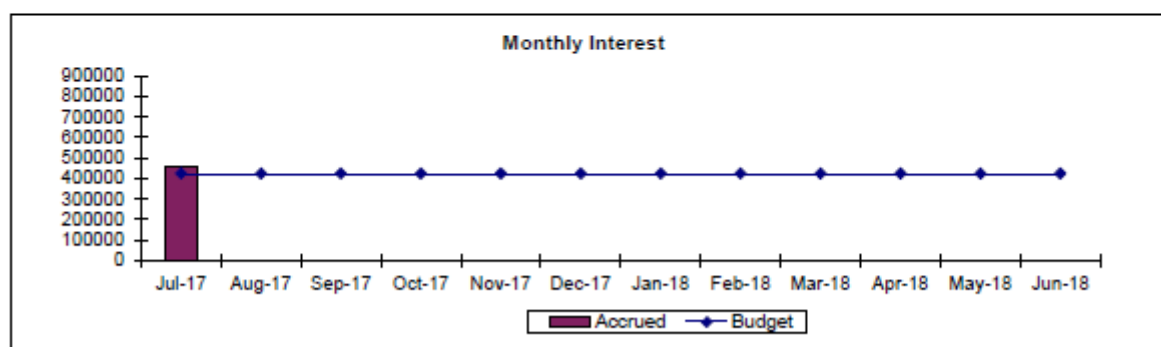
Attachments

1. Investment Portfolio Performance for July 2017 (contained within this report)
2. Rates Summary and Statistics (contained within this report)
3. Debtors Ageing of Sundry Debts to 31 July 2017 (contained within this report)
4. Debtors Summary of Sundry Debts to 31 July 2017 (contained within this report)

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO**July 2017**

Benchmark AusBond Bank Bill Index
 Portfolio Balance \$201,544,203.93

Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.15%	1.75%
Portfolio - Direct Investments	0.23%	2.71%
<i>Performance to Benchmark</i>	<i>+</i> 0.08%	<i>+</i> 0.96%
Short Term Call Accounts	0.17%	1.95%
Managed Funds	0.21%	2.48%

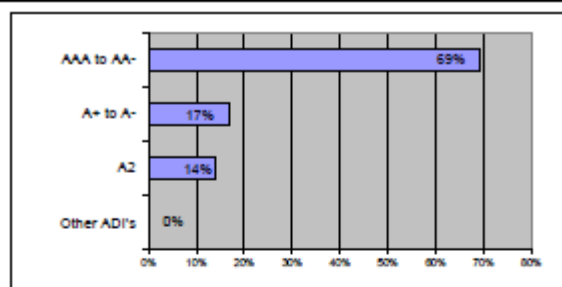
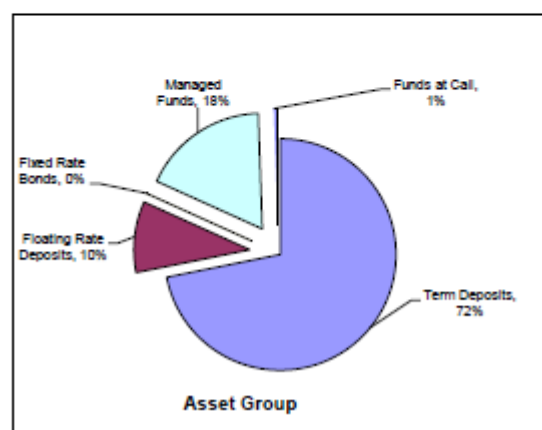
**Year to Date Performance****Credit Exposure (S&P Long Term Rating)****Rolling 12 Month Period**

2.80% Council Managed Funds
 1.77% Benchmark

Interest Budget to Actual

Avg Original Budget to Period
 Actual Accrued to Period

\$422,917
 \$457,491

**Portfolio Diversity**

			%
Funds at Call	\$ 1,154,180.03	AA-	1%
NSW Treasury	\$ 38,422,149.81	AA+	19%
National Australia Bank	\$ 40,227,037.19	AA-	20%
Westpac Bank	\$ 28,091,574.41	AA-	14%
Commonwealth Bank	\$ 25,104,393.09	AA-	12%
Bank Western Australia	\$ 6,445,373.75	AA-	3%
AMP Bank	\$ 5,000,000.00	A	2%
Suncorp Metway	\$ 23,780,834.30	A+	12%
ING Bank	\$ 5,000,000.00	A-	2%
Members Equity Bank	\$ 5,000,000.00	A2	2%
Rural Bank	\$ 6,026,369.86	A2	3%
Bank of Queensland	\$ 10,115,876.69	A2	5%
MyState Bank	\$ 3,068,722.74	A2	2%
Credit Union Aust	\$ 4,107,692.06	A2	2%
	\$ 201,544,203.93		100%

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2017	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,102,238.73	59,109,565.28	1,340,914.44	117,923.58	59,988,813.15	4,981,264.65	55,007,548.50	260,348.73	55,266,350.93
BUSINESS	315,185.85	18,446,981.01		7,697.22	18,769,864.08	1,804,758.14	16,965,105.94		16,965,105.94
FARMLAND	0.00	449,524.02	691.32	71.07	448,903.77	15,916.25	432,987.52	139,324.04	572,311.56
MINING	0.00	26,080.56		0.00	26,080.56	0.00	26,080.56		26,080.56
SR - LOAN	0.00	0.00		37.56	37.56	341.80	-304.24	8,473.65	0.00
SR - INFRASTRUCTURE	262,966.59	5,881,665.65		686.68	6,145,318.92	513,011.84	5,632,307.08	30,932.17	5,671,408.66
TOTAL	\$2,680,391.17	\$83,913,816.52	\$1,341,605.76	\$126,416.11	\$85,379,018.04	\$7,315,292.68	\$78,063,725.36	\$439,078.59	\$78,501,257.65
GARBAGE	625,322.26	20,461,730.72	822,378.04	2,503.73	20,267,178.67	1,670,206.36	18,596,972.31		18,596,972.31
STORMWATER	50,503.34	1,344,684.40		53.57	1,395,241.31	131,250.93	1,263,990.38		1,263,990.38
GRAND TOTAL	\$3,356,216.77	\$105,720,231.64	\$2,163,983.80	\$128,973.41	\$107,041,438.02	\$9,116,749.97	\$97,924,688.05	\$439,078.59	\$98,362,220.34

Total from Rates Financial Transaction Summary	98,065,007.77
Overpayments	-297,212.57
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears 473,703.52

Rate accounts greater than 12 months less than 18 months in arrears 70,344.07

Rate accounts greater than 18 months in arrears 46,663.57

TOTAL rates and charges under instruction with Council's agents \$590,711.16

RATES STATISTICS

No. of documents issued	July	August	September	October	November	December	January	February	March	April	May	June	Jul-16
Rate Notices	49,616												50,590
Electronic - DoH	5,266												5,282
Instalment Notices													
Electronic - DoH													
Missed Instalment Notices													
- Pensioners > \$15.00													
Notice to new owner	122												167
7-day Letters - Council issued													
- Pensioners > \$500.00													
7-day Letters - Agent issued													
Statement of Claim	119												198
Judgments	9												13
Writs	10												14
eRates	1,993												1,801
BPAView	1,248												49
Arrangements	303												320

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 July 2017

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due
Corporate Administration	87,160	99,197	8,479	109,497	304,333
Abandoned Items	0	0	0	1,068	1,068
Education and Care Services	18,710	0	0	0	18,710
Community Bus	89	0	0	0	89
Sportsground and Field Hire	38,656	38,861	24,549	3,071	105,137
Government and other Grants	159,565	33,940	0	340,013	533,518
Public Hall Hire	56,882	29,818	22,278	42,257	151,236
Health Services	0	0	0	350	350
Land and Building Rentals	63,794	1,935	0	0	65,729
Healthy Lifestyles	17,801	13,474	0	160	31,435
Licence Fees	7,653	3,192	2,308	18,350	31,503
Pool Hire	852	280	0	1,763	2,895
Private Works	1,189	0	0	1,423	2,612
Road and Footpath Restoration	64,561	685	0	1,204	66,450
Shop and Office Rentals	18,659	2,196	0	0	20,855
Various Sundry Items	29,333	26,394	7,372	82,948	146,047
Waste Collection Services	28,103	0	0	0	28,103
	554,329	249,972	64,986	602,103	1,471,390
					<i>Previous Month 90+ days</i>
					111,075
					1,068
					0
					0
					4,271
					0
					46,981
					350
					0
					267
					20,640
					1,603
					1,423
					859
					0
					78,831
					0
					267,369

DEBTORS SUMMARY 1 July 2017 to 31 July 2017

DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/06/2017	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/07/2017	% DEBT RATIO
Corporate Administration	280,928	87,848	64,444	304,333	29.49%
Abandoned Items	1,068	0	0	1,068	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	89	0	0	89	0.01%
Sportsground and Field Hire	194,026	41,820	130,709	105,137	5.46%
Government and other Grants	805,557	159,565	431,604	533,518	12.87%
Public Hall Hire	191,041	42,680	82,485	151,236	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	44,714	131,328	110,313	65,729	5.63%
Healthy Lifestyles	25,208	55,595	49,368	31,435	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	36,626	9,789	14,913	31,503	1.85%
Pool Hire	11,838	3,429	12,372	2,895	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	6,973	81,267	21,790	66,450	28.17%
Shop and Office Rentals	26,237	39,695	45,077	20,855	2.17%
Various Sundry Items	299,642	79,430	233,025	146,047	6.42%
Waste Collection Services	-330	70,766	42,333	28,103	6.17%
	1,906,612	803,211	1,238,432	1,471,390	100%

8.7 Insurance Renewals 2017-2018

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That the information be noted.

Purpose

To inform Council of the 2017-2018 insurance program.

History

Campbelltown City Council is a long-standing member of the Statewide Mutual schemes for NSW local government, established in response to adverse insurance market conditions. Statewide Mutual membership is comprised of 150 local authorities. The chairman and board are elected from the members, with brokerage services provided by Jardine Lloyd Thompson (JLT).

In April 2017, Council commenced the required renewal process for the insurance policies falling due on 30 June 2017.

Report

The insurance program has been renewed for 2017-2018, with receipt of the Insurance Renewal Report on 25 June 2017. The overall change in premiums and fund contributions from 2016-2017 is approximately -\$49,652 or a reduction of 4.06 per cent. This is within the 2017-2018 budgeted figures for the premiums, as previously adopted by Council. A number of the individual policies are discussed below.

Councillor and Officers Liability

In recent years the Councillor and Officers liability risk increased significantly in NSW, principally due to investigations by the Independent Commission Against Corruption (ICAC) and high legal defence costs. Although Campbelltown City Council has not been directly involved in these matters, the associated insurance claims and notifications have historically put pressure on premiums. In the past two years, premiums have stabilised with no increase in Council's 2017-2018 premium.

Fidelity Guarantee (Crime)

Statewide Mutual advises that the fidelity guarantee scheme has been re-rated and premiums have remained stable with no change for 2017-2018. The policy has been upgraded to include Cyber Crime claims. This will include any claims resulting in the loss of costs associated with cyber extortion threats, digital asset replacement, security and privacy liability.

Motor Vehicle

The motor vehicle premium has increased by 2.25 per cent in 2017-2018, mainly due a slight increase in claims costs and a slight increase in the number of notifiable events. Motor Vehicle risk management will continue to be reviewed in 2017-2018 to improve claims data analysis, information gathering and reporting, and driver awareness and training.

Public Liability and Professional Indemnity

The scheme provides coverage for public liability for personal injury, damage to property, products liability, professional negligence, error or omission and breach of duty of care. Member contributions to the scheme have remained relatively stable with no increase for 2017-2018.

Council has participated in the Continuous Improvement Pathway (CIP) program with the development and implementation of a Risk Management Action Plan. Member participation in the CIP contributes to a risk management incentive bonus, a form of adjustment, which is intended to encourage members of the mutual to commit to risk management best practice.

Property (Industrial Special Risk)

Property insurance value reflects the estimated cost of reconstruction and recovery inputs, and is separate to market or fair value. It should be noted that most of the overall decrease in premium for 2017-2018 relates to the removal of the Fire Services Levy resulting in an 11.53 per cent decrease in premium overall.

Rebates

The incentive rebate scheme rewards continuous improvement and best practice implementation of risk management initiatives, as shown by the quality and execution of risk management action plans.

During 2016-2017 Council received a total rebate across its insurance portfolio of \$53,819.21. The majority of this rebate was from the Property scheme and while subject to good performance of the entire pool of insured Councils, reflects Council's improved risk management practice over the 2016-2017 period.

Self-Insurance

Financial liabilities may arise from under-excess claims and other risk sources excluded by Council's insurance policies. Council's self-insurance reserve is currently \$5.27m and is considered sufficient to meet unknown potential liabilities. The reserve may also be used to fund improved enterprise risk management, reducing Council's overall risk exposure, and minimising exposure to insurance cost pressures.

Attachments

1. Insurance Premiums 2017-2018 (contained within this report)

ATTACHMENT 1

Class of Insurance	Total Annual Premium
Public Liability-Professional Indemnity	\$370,308.03
Casual Hirers Liability	\$13,860.00
Crime	\$29,634.70
Property	\$491,370.61
Councillors and Officers Liability	\$65,039.85
Motor Vehicle	\$74,679.00
Personal Accident	\$8,487.60
Workers' Compensation Excess of Loss	\$40,562.50
Marine Hull Commercial	\$677.71
Property Artworks	\$12,625.50
Broking Fee	\$66,000.00
Total	\$1,173,245.50

8.8 T17/22 Tender for the Supply and Installation of Shower and Toilet Partitions

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

1. That Council declines to accept the offer of Castlereagh Group Industries Pty Ltd for the supply and installation of shower and toilet partitions.
2. That Council enter into negotiations with the two incumbent providers under a quotation process.
3. That the unsuccessful Tenderer be notified of the result of tender process.

Purpose

To advise Council of the tenders received for the supply and installation of shower and toilet partitions and recommend Council decline to accept the tender, and invite two quotations from the incumbent organisations pursuant to section 178(3)(e) of the *Local Government (General) Regulation 2005*.

History

Council currently has in place a panel services arrangement for the supply and installation of shower and toilet partitions with two organisations:

- CTCI Pty Ltd t/as Waterloo Toilet and Shower Partitioning
- The Almar Group Pty Ltd t/as Duracube.

When shower and/or toilet partition works are required, these two organisations are invited to provide a quotation to Council. Council Officers then select the most competitive quotation to undertake the works. The incumbent contractors have provided a satisfactory service to Council under contract since October 2014.

The current contract arrangement is due to expire on 14 October 2017. As Council continues to require the services, a new contract will need to be in place prior to the expiration of the current 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 was proposed to be for a period of three years with two by 12 options for extension.

Advertising of Tenders

Tenders were advertised in The Sydney Morning Herald, The Macarthur Advertiser and The Macarthur Chronicle in the weeks commencing 26 June 2017 and 3 July 2017. 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:

- experience, including details of any subcontractors and their experience
- works proposal
- scenario response inclusive of price
- insurances
- work health and safety management system
- environmental practices
- conflict of interest declaration
- collusive submission declaration
- additional terms of contract protecting the organisation's business requirements.

Tenders Received

Tenders closed on Tuesday 18 July 2017. One on-time response was received from Castlereagh Group Industries Pty Ltd.

Evaluation Process

The evaluation panel, consisting of officers from assets evaluated the tenders against the following weighted assessment criteria:

- experience of the company
- response time
- financial stability
- scenario response

- suitability of quoted prices/scenarios
- suitability of 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 scoring of tendered prices was determined using the normalised price score methodology (lowest tendered price/tendered price x 10 (maximum score)) based on fictional scenario.

The Work Health and Safety and Environmental Practices criteria were assessed on the basis of fully complies, partially complies and does not comply.

Recommendation of the Evaluation Panel

Castlereagh Group Industries Pty Ltd submitted a tender that was deemed unsatisfactory in terms of company experience and the submitted works proposal. Their documentation relating to WHS Management System and Environmental Practices was only partially compliant.

The evaluation panel recommends declining to accept the tender submitted and to request quotations from the incumbent contractors in accordance with section 178 of the Local Government (General) Regulation 2005 which provides:

- (1) After considering the tenders submitted for a proposed contract, the council must either:
 - (a) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or
 - (b) decline to accept any of the tenders.
- (3) A council that decides not to accept any of the tenders for a proposed contract... must, by resolution, do one of the following:
 - (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender...

Delegation

As the recommendation is to decline to accept the tender, the Council must resolve to do so. The General Manager does not hold the delegation under the *Local Government Act 1993*.

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.

Attachments

Nil

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Directors of Companies - City Development

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

14.2 Suites 6 and 7 Milgate Arcade, Campbelltown

Reason for Confidentiality

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CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 12 September 2017.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 12 September 2017

Present The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 Councillor R George
 Councillor B Gilholme
 Councillor G Greiss
 Councillor K Hunt
 Councillor D Lound
 Councillor R Manoto
 Councillor B Moroney
 Councillor M Oates
 Councillor B Thompson

1. ACKNOWLEDGEMENT OF LAND

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

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES

It was **Moved** Councillor Greiss, **Seconded** Councillor George:

That the apology from Councillor P Lake and Councillor W Morrison be received and accepted.

Note: Councillor T Rowell has been granted a leave of absence from Council, incorporating all Council meetings until further notice.

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

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 22 August 2017

It was **Moved** Councillor Manoto, **Seconded** Councillor Chowdhury:

That the Minutes of the Ordinary Meeting held 22 August 2017 copies of which have been circulated to each Councillor, be taken as read and confirmed noting that the Presentations by Councillors Item 8 be amended to read as follows:

8. Councillor Bricevic advised that he recently attended a function with the Croation President noting that this is the only time a Mayor of Campbelltown has met with a Head of State from Croatia. The event was hosted by the Australian Croation Chamber of Commerce.

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

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests - Nil

Non Pecuniary – Significant Interests

Councillor Manoto - Item 8.3 - Construction of a warehouse, fit out and 24 hour use as a warehouse and distribution centre, associated car parking and landscaping and Confidential Item 14.1 - Directors of Companies - City Development - Councillor Manoto advised that a family member is an employee of the applicant and that he will leave the Chamber and not take part in debate nor vote on the matter.

Non Pecuniary – Less than Significant Interests - Nil

Other Disclosures - Nil

5. MAYORAL MINUTE

5.1 Vale Bruce McDonald

It was **Moved** Councillor Thompson, **Seconded** Councillor Oates:

That a letter of condolence be forwarded to the family.

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

6. PETITIONS

Nil

7. CORRESPONDENCE

Nil

8. REPORTS FROM OFFICERS

8.1 Rescission of the Trading in Public Places Policy

It was **Moved** Councillor Thompson, **Seconded** Councillor Lound:

That the Trading in Public Places Policy be rescinded.

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

8.2 Review of the Street Trading Policy

It was **Moved** Councillor Moroney, **Seconded** Councillor Thompson:

1. That the revised Street Trading Policy as attached to this report be adopted with amendments, as outlined in the body of the report.
2. That the policy review date be set at 30 March 2020.

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

Having declared an interest in regard to Item 8.3, Councillor Manoto left the Chamber and did not take part in debate nor vote on this item.

8.3 Construction of a warehouse, fit out and 24 hour use as a warehouse and distribution centre, associated car parking and landscaping

It was **Moved** Councillor Oates, **Seconded** Councillor Lound:

1. That Council allow the variation to Clause 4.3 of Campbelltown Local Environmental Plan 2015 which relates to the maximum height of buildings for development.
2. That subject to recommendation No. 1, development application 342/2017/DA-I for the construction of a warehouse, fit out and 24 hour use as a warehouse and distribution centre, associated car parking and landscaping at 415 Pembroke Road, Minto, be approved, subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendation 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, B Gilholme, M Chivers, B Moroney, G Greiss and R George.

Voting against the Resolution were Councillor B Thompson.

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

At the conclusion of the discussion regarding Item 8.3, Councillor Manoto returned to the Chamber for the remainder of the meeting.

8.4 ICTC Mainstreet Conference Melbourne 25 - 27 October 2017

It was **Moved** Councillor Hunt, **Seconded** Councillor Chowdhury:

1. That the Director City Development, relevant staff and any interested Councillors be authorised to attend the 2017 ICTC Conference in Melbourne.
2. That all associated expensed be paid in accordance with Council's Policy.

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

8.5 Trial Library Education Autism Program (LEAP) for Children on the Autism Spectrum

It was **Moved** Councillor Chivers, **Seconded** Councillor Lound:

1. That Council be advised of the trial Library Education Autism Program (LEAP) for children on the autism spectrum, commencing mid October until early December 2017.
2. That Council note the support and expert advice from ASPECT Macarthur in designing the trial program to be conducted at HJ Daley Library Campbelltown.
3. That a further report be provided to Council at the conclusion of the trial.

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

8.6 Investment and Revenue Report - July 2017

It was **Moved** Councillor Manoto, **Seconded** Councillor Greiss:

That the information be noted.

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

8.7 Insurance Renewals 2017-2018

It was **Moved** Councillor Gilholme, **Seconded** Councillor Lound:

That the information be noted.

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

8.8 T17/22 Tender for the Supply and Installation of Shower and Toilet Partitions

It was **Moved** Councillor Oates, **Seconded** Councillor Thompson:

1. That Council declines to accept the offer of Castlereagh Group Industries Pty Ltd for the supply and installation of shower and toilet partitions.
2. That Council enter into negotiations with the two incumbent providers under a quotation process.
3. That the unsuccessful Tenderer be notified of the result of tender process.

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

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS**13. PRESENTATIONS BY COUNCILLORS**

1. Councillor Chivers advised that she recently represented the Mayor at the Passfield Park School Celebrate Learning Book Week and Education Week assembly. This event was fantastic and the kids had a great time, the staff at Passfield Park worked so hard to put his all together so the children could showcase their work.
2. Councillor Chivers advised that she recently represented the Mayor at the Quota International Awards held at Campbelltown RSL which was a combination of both senior and junior representatives from a number of areas. On behalf of Council, the overall junior winner Mia, was presented with a book on Anzacs in Macarthur. Mia passed on her gratitude to Council.
3. Councillor Chivers advised that she recently represented the Mayor at a writing competition titled What Matters which was held at the Whitlam Institute, Ryde. It was noted that a number of dignitaries were in attendance at this event.

What Matters is an annual writing competition run by the Whitlam Institute. Inspired by Gough Whitlam's commitment to involving young people in the shaping of Australia's future, the competition is open to NSW, the ACT and Tasmania school students in years 5 to 12. Responding to the simple question 'what matters?', entrants are free to express their views on any matter they care about.

Grace Roodenrys a local student from Mt Carmel High School was announced as the runner up in the Year 11 category out of 4,000 entries. Grace's piece was Aleppo was the place that the children have stopped crying.

4. Councillor Gilholme advised that he had the great honour of attending the launch of the Disability Inclusion Action Plan, at this event there were a number of community members in attendance to gain an understanding of the wide range of services that are available to them. It was great to see this action plan come to fruition. Councillor Gilholme congratulated staff for their hard work and dedication.
5. Councillor Gilholme advised that he recently attended the Hume Scouts Volunteer Awards where many of our scout leaders were recipients of an award.
6. Councillor Manoto advised that he recently represented the Mayor at the NSW Volunteer of the Year awards for the Macarthur and South West regions. It was noted that a number of dignitaries were in attendance. Volunteers from our area were recognised for their contribution to our community.

Winners from the Local Government Area include:

- Tia Brennan of Minto – Young Volunteer of the Year award
- Brian Kearney of Bow Bowing – Senior Volunteer of the Year award

Councillor Manoto noted that volunteering is a selfless commitment to share one's time and effort that enhances the well being of our community. Councillor Manoto commended all volunteers for their ongoing contribution. Councillor Manoto also thanked Ms Rygate for her hard work and dedication.

7. Councillor Chowdhury advised that he recently attended the NSW Council for Pacific Communities Award Night at the Cube. The event was very successful and had great music and entertainment, it was also noted that a number of dignitaries were in attendance.
8. Councillor Chowdhury advised that he represented the Mayor at the Eid al-Fitr celebrations which celebrates the end of Ramadan.
9. Councillor Oates advised that she recently attended the Threatened Species Art and Writing program held at the Australian Botanical Garden. This program celebrates flora and fauna and gives local youths an opportunity to express their concerns for our environment in artistic or written form.
10. Councillor Brticevic advised that he attended the opening of the refurbished Eagle Vale Central last week together with the Deputy Mayor. Councillor Brticevic noted that the centre has had extensive enhancement works completed including: resurfacing the fibreglass pool, the purchase of a new portable mobility hoist, the facility has been re-painted, gym equipment has been updated and most exciting is the new outdoor area, that now incorporates a beach volleyball court, grassed area and outside exercise area.

Councillor Brticevic acknowledged all staff for their hard work and the great outcome. This area is an outstanding multi- functional facility that will be well used by the local community.

Confidentiality Recommendation

It was **Moved** Councillor Gilholme, **Seconded** Councillor Greiss:

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.

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

The Ordinary Meeting of Council was adjourned at 7.07pm and reconvened as a meeting of the Confidential Committee at 7.08pm.

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Directors of Companies - City Development

It was **Moved** Councillor Thompson, **Seconded** Councillor Oates:

That the information be noted.

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

14.2 Suites 6 and 7 Milgate Arcade, Campbelltown

It was **Moved** Councillor Thompson, **Seconded** Councillor Greiss:

1. That Council approve to enter into a new lease for Suites 6 and 7 Milgate Arcade Queen Street, Campbelltown with the current lessee, based on the terms and conditions as outlined in the body of the report.
2. That all documentation associated with the lease be executed under the Common Seal of Council.

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

Motion

It was **Moved** Councillor Chowdhury, **Seconded** Councillor Oates:

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 7.09pm

Motion

It was **Moved** Councillor Chowdhury, **Seconded** Councillor Oates:

That the reports of the Confidential Committee and the recommendations contained therein be adopted.

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

There being no further business the meeting closed at 7.10pm.

Confirmed by Council on

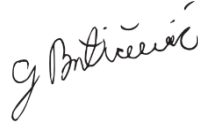
..... General Manager Chairperson

CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES

At the Council Meeting held 26 September 2018 the following Council minutes were adopted:

There being no further business at the meeting of 12 September 2017, the meeting closed at 7.10pm.

Confirmed by the Chairperson:

A handwritten signature in black ink, appearing to read 'G. Anticic', is written over the text 'Confirmed by the Chairperson:'.