



CAMPBELLTOWN
CITY COUNCIL

ORDINARY BUSINESS PAPER

9 MARCH 2021

COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BASIX	Building Sustainability Index Scheme
BCA	Building Code of Australia
BIC	Building Information Certificate
BPB	Buildings Professionals Board
CLEP 2002	Campbelltown Local Environmental Plan 2002
CLEP 2015	Campbelltown Local Environmental Plan 2015
CBD	Central Business District
CPTED	Crime Prevention Through Environmental Design
CSG	Coal Seam Gas
DA	Development Application
DCP	Development Control Plan
DDA	<i>Disability Discrimination Act 1992</i>
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
FFTF	Fit for the Future
FSR	Floor Space Ratio
GRCCC	Georges River Combined Councils Committee
GSC	Greater Sydney Commission
HIS	Heritage Impact Statement
IDO	Interim Development Order
IPR	Integrated Planning and Reporting
KPoM	Koala Plan of Management
LEC	Land and Environment Court
LEC Act	<i>Land and Environment Court Act 1979</i>
LEP	Local Environmental Plan
LGA	Local Government Area
LG Act	<i>Local Government Act 1993</i>
LPP	Local Planning Panel
LTFP	Long Term Financial Plan
NGAA	National Growth Areas Alliance
NOPO	Notice of Proposed Order
NSWH	NSW Housing
OEH	Office of Environment and Heritage
OLG	Office of Local Government, Department of Premier and Cabinet
OSD	On-Site Detention
OWMS	Onsite Wastewater Management System
PCA	Principal Certifying Authority
PoM	Plan of Management
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PMF	Probable Maximum Flood
PN	Penalty Notice
PP	Planning Proposal
PPR	Planning Proposal Request
REF	Review of Environmental Factors
REP	Regional Environment Plan
RFS	NSW Rural Fire Service
RL	Reduced Levels
RMS	Roads and Maritime Services
SANSW	Subsidence Advisory NSW
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
SSD	State Significant Development
STP	Sewerage Treatment Plant
SWCPP	Sydney Western City Planning Panel (District Planning Panel)
TCP	Traffic Control Plan
TMP	Traffic Management Plan
TNSW	Transport for NSW
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement
PLANNING CERTIFICATE	- A Certificate setting out the Planning Rules that apply to a property (formerly Section 149 Certificate)
SECTION 603 CERTIFICATE	- Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	- Certificate from Sydney Water regarding Subdivision



02 March 2021

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 9 March 2021 at 6:30 pm.

Lindy Deitz
General Manager

Agenda Summary

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1. ACKNOWLEDGEMENT OF LAND

I acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land.

I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here tonight.

2. APOLOGIES/LEAVE OF ABSENCE

Nil at time of print.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 9 February 2021

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 9 February 2021, 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 9 February 2021 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 9 February 2021 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 9 February 2021.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 9 February 2021

Present The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 Councillor B Gilholme
 Councillor G Greiss
 Councillor K Hunt
 Councillor D Lound
 Councillor R Manoto
 Councillor B Moroney
 Councillor W Morrison
 Councillor M Oates
 Councillor T Rowell

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/LEAVE OF ABSENCE

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

That the apologies from Councillor B Thompson and Councillor P Lake be received and accepted.

Note: That Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

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

3. CONFIRMATION OF MINUTES**3.1 Minutes of the Ordinary Meeting of Council held 8 December 2020**

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

That the Minutes of the Ordinary Council Meeting held 8 December 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

002 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

Nil

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

7.1 State Government Funding of Public Libraries

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

That the letters be received and the information be noted.

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

7.2 Protection for Campbelltown's Koalas

Meeting note: Mr Les Shearim addressed the meeting. The written submissions from Ms Patricia Durman, Ms Maria Bradley, Ms Celia Collins and Ms Sharyn Cullis were read at the meeting.

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

That the letters be received and the information be noted.

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

7.3 National Broadband Network (NBN) - Business Fibre Zones in the Campbelltown LGA

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

That the letter be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Development Application Status

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

That the information be noted.

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

8.2 Planning Proposal - Reclassification of Land - Campbelltown

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

1. That Council endorse the planning proposal at attachment 1 which seeks to reclassify land from community to operational land and forward the planning proposal to the Department of Planning, Industry and Environment for a Gateway Determination.
2. That subject to satisfying the requirements of the Gateway Determination, the draft planning proposal be placed on public exhibition and the outcome of the exhibition and public hearing be reported to Council.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, G Greiss and T Rowell.

Voting against the Resolution were Nil.

007 The Motion on being Put was **CARRIED** unanimously.

8.3 Investments and Revenue Report – November/December 2020

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

That the information be noted.

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

8.4 Quarterly Business Review Statement as at 31 December 2020

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

That the adjustments in the Quarterly Business Review be adopted.

009 The Motion on being Put was **CARRIED** unanimously.

8.5 Reports and Letters Requested

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

That the comments and updates to the reports and letters requested be noted.

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

8.6 Proposed Road Names for use within the Claymore Urban Renewal Project (Stage 3)

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

1. That Council approve the proposed road names in the attachment to this report for use in the Claymore Urban Renewal project area.
 2. That Council advertise its proposal to use these road names and notifies the authorities prescribed by the Roads Regulation 2018.
 3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.
-

An **Amendment** was **Moved** Councillor Oates, **Seconded** Councillor Brticevic:

1. That Council amend the proposed road names for use in the Claymore Urban Renewal Project area to include both the first and second names of each of the selected artists.
2. That Council advertise its proposal to use these road names and notifies the authorities prescribed by the Roads Regulation 2018.
3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.

The Amendment was **CARRIED**.

The Amendment became the Motion.

011 The Motion on being Put was **CARRIED** unanimously.

8.7 Proposed Additional Road Names for use in Willowdale (East Leppington Precinct)

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

1. That Council approve the proposed road names in the attachment to this report for use in the East Leppington Precinct of the South West Growth Centre.
2. That Council advertise its proposal to use these road names and notifies the authorities prescribed by the Roads Regulation 2018.
3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.

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

8.8 T20/31 Floor Coverings

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

That Council:

1. In accordance with section 178 of the Local Government (General) Regulation 2005 declines to accept any of the tenders received for floor coverings services as Council issued the Request for Tender utilising the Standing Offer Deed with the intention to enter in to a panel contractor arrangement. As there is only one satisfactory Tenderer, the Standing Offer Deed is not suitable for a single contract.
2. Enter into negotiations with SR Flooring Pty Ltd utilising a Minor Services Contract as the only tenderer providing an overall satisfactory response including reference checks and that no value would be achieved through undergoing a second round of tenders given the open market has just been tested.
3. Notify the unsuccessful Tenderer of the result of the tender process.

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

8.9 Easement for Electrical Purposes over a section of Lot 758 DP 870673 Eagle Vale

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

1. That approval be granted for the creation of an easement for electrical supply in favour of Endeavour Energy over Council land at Eagle Vale as described in the body of this report.
2. That all documentation associated with the creation of the easement for electrical supply be executed under the Common Seal of Council, if required.

014 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 Meg Oates shared her excitement to welcome the Sydney Festival Committee to Campbelltown Arts Centre for The Complication of Lyrebirds performance as part of the Sydney Festival. Councillor Oates commended the Arts Centre for consulting with the local indigenous community ensuring the dance reached out to the audience producing a thought provoking and emotional performance.
2. Councillor Meg Oates attended the opening of Yarning Circle in Koshigaya Park. Councillor Oates emphasised that the Yarning Circle is a permanent visual reminder of steps taken to connect and support the community in the spirit of reconciliation. The project showing the efforts of both Council and the Dharawal community working together to create a beautiful space for everyone to enjoy and communicate in. The Mayor, Councillor Brticevic thanked the 2020 Committee for their work to ensure the completion of the Yarning Circle despite the COVID-19 implications giving special thanks to committee members Councillor Oates, Councillor Chowdhury, Annette Lamb and Josh Bell.
3. Councillor Ben Gilholme on 17 December attended the PCYC Campbelltown to celebrate the graduation of the students who completed the Fit for Work Program. The program targets young people aged 15 to 18 who are facing challenges at home, school or in the community and aims to reduce and prevent their involvement in antisocial behaviour and/or crime by providing them with positive opportunities that will educate, inspire and empower them into the workforce. Fit for Work is a 10 week program which involves participants attending workshops 3 days per week and finishes with a graduation ceremony attended by family and friends.
4. Councillor Ben Gilholme attended the Hume Region Scouts Big Day Out at Glenfield Scout Activity Centre. NSW Chief Commissioner, Neville Tomkins OAM along with John and Liam Keats attended the day designed to promote scouting and look forward to a 2021 where scouting activities can return to normal. The day showcased scouting skills from Joeys, Cubs, Scouts, Venturers and Rovers. Councillor Gilholme thanked Hume Region Commissioner Sue Bartlett for the invitation to the event.
5. Councillor Margaret Chivers on 29 January attended St Gregory's College, Campbelltown for the 2020 High Achievers and Dux Assembly. Councillor Chivers commended the efforts of the 2020 graduating class with 10 students achieving an ATAR of over 90. Councillor Chivers noted the inspirational speech the 2020 Dux, David De Vecchis gave to current students sharing his motivation which enabled him to achieve his results.

6. Councillor Warren Morrison attended the opening of the Yarning Circle at Koshigaya Park. Councillor Morrison thanked to all the staff for opening and noted the opportunity the Yarning Circle creates as a welcoming space for everyone. Councillor Morrison passed on his congratulations to Uncle Ivan in being declared the 2021 Citizen of the Year.
7. The Mayor, Councillor Brticevic on 26 January attended the Citizenship Ceremony at the Civic Centre. Councillor Brticevic noted that this was the first time in a year that the ceremony had been held in person due to COVID-19. Councillor Brticevic shared that the families in attendance were ecstatic to receive their citizenship awards.
8. The Mayor, Councillor Brticevic on 26 January announced the Australia Day Awards. Uncle Ivan Wellington was announced as the Citizen of the Year and Councillor Brticevic thanked him for his work in the community with helping with the yarning circle, his work with juvenile justice acting as a mentor to the residents and his involvement with the youth of Campbelltown, particularly the Aboriginal youth to increase their awareness of the history of the first nations. Councillor Brticevic congratulated Jaden Legaspi for being awarded the Young Citizen of the Year for his time with community work and his contribution to sport and charity. Councillor Brticevic shared how he had known Jaden from a young age and watched him grow into a fine young man. Councillor Brticevic congratulated all the winners and thanked them for their contribution to the community. Due to COVID-19 restrictions the Australia Day ceremony was an online event with the video released online. Councillor Brticevic after Australia Day presented the award recipients with framed certificates at Koshigaya Park.
9. The Mayor, Councillor Brticevic advised the Australia day celebrations this year due to COVID-19 were held across 6 locations across the LGA at Ingleburn Reserve, Macquarie Fields, Rizal Park, Rosemeadow, Redfern Park, Minto, Dimeny Park, Claymore, Q-Lithgow Street Mall, Campbelltown and Eagle Farm Reserve, Eagle Vale. Councillor Brticevic attended Eagle Farm Reserve to open the new park equipment. Councillor Brticevic thanked the Rotary Club, and community groups for cooking the BBQs and the Ingleburn RSL and Community Pipes and Drums for their performance. Councillor Brticevic noted how wonderful it was to have the community celebrate Australia Day across the 6 locations.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Confidentiality Recommendation

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

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of items 14.1 and 14.2 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

Item 14.1 Assignment of Lease Macquarie Fields

Item 14.1 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council

is conducting (or proposes to conduct) business.

Item 14.2 Expression of Interest to lease Council Land

Item 14.2 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.

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

The Ordinary Meeting of Council was adjourned at 7:44 pm and reconvened as a meeting of the Confidential Committee at 7:45 pm.

Recommendations of the Confidential Committee

14.1 Assignment of Lease Macquarie Fields

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

1. That Council agree to the assignment of lease to the new operator as detailed in the body of the report.
2. That all documentation associated with the assignment of lease be executed under the Common Seal of Council, if required.

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

14.2 Expression of Interest to lease Council Land

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

1. That Council endorse the tender of the subject property for lease on terms set out in this report.
 2. That Council endorse the selection of the successful tender on criteria set out in this report.
 3. That the lease is executed under the Common Seal of Council (if required).
-

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

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

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 7:55 pm and the Mayor advised that the resolutions for Item 14.1 and 14.2 were adopted.

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

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

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

There being no further business the meeting closed at 7:56 pm.

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 Recognition of Patricia Thomson

Recommendation

That Council recognise the contributions of Patricia Thomson to the community of Campbelltown.

Patricia Thomson has been a strong advocate for the community for many years and an active member of a number of committees and volunteer groups, including the Disability Inclusion Action Plan Advisory Group.

Patricia has been instrumental in supporting accessibility and access for people with a disability and older people who use mobility equipment, having devoted more than 20 years to volunteering and supporting the community through her participation in a range of initiatives and committees, as well as in her professional capacity.

I am always humbled to see how generous and big-hearted the members of our community are, regularly giving their time and energy to help those in need. Pat is an outstanding example of the community spirit that we are so fortunate to have here in Campbelltown.

In February Patricia retired from the Disability Inclusion Action Plan Advisory Group and I would like to take this opportunity to thank Pat for her contributions and passion on behalf of the community of Campbelltown.

Patricia's contribution to the disability sector, the community and those living with disability is commendable and I would like to wish her all the best for the future.

Attachments

Nil

6. PETITIONS

7. CORRESPONDENCE**7.1 Formation of the National Federation Reform Council and Cessation of the Council of Australian Governments.**

Officer's Recommendation

That the letter be received and the information be noted.

That the letter received from Dr Mike Freeland MP containing a copy of the letter from the Hon Ben Morton MP regarding the formation of the National Federation Reform Council (NFRC) and cessation of the Council of Australian Governments (COAG).

Attachments

1. Copy of the letter from Dr Mike Freeland MP and the Hon Ben Morton MP (contained within this report)



23 JAN 2021

18th January 2021

Ref: 180121GB-ML

M/s. Lindy Deitz
General Manager
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Dear Lindy,

I am writing to you in relation to my recent representations on behalf of the Mayor, Cr. George Brticevic to the Prime Minister, the Hon. Scott Morrison MP.

Please see attached for the response that I have received to this enquiry.

I sincerely hope that the information provided in this response has been useful to this enquiry, please do not hesitate to let me know if you require any further assistance.

Kind regards,



DR MIKE FREELANDER MP
Federal Member for Macarthur

Office: 37 Queen St Campbelltown NSW 2560 **Mail:** PO BOX 88 Campbelltown NSW 2560
Phone: (02) 4620 0293 **Fax:** (02) 4620 4414 **Email:** Mike.Freeland.MP@aph.gov.au



COPY



THE HON BEN MORTON MP
ASSISTANT MINISTER TO THE PRIME MINISTER AND CABINET

Reference: MC20-177535

Dr Mike Freeland MP
Member for Macarthur
P.O. BOX 88
CAMPBELLTOWN NSW 2560

Dear Dr Freeland

Thank you for your letter of 18 November 2020 to the Prime Minister, the Hon Scott Morrison MP, on behalf of Councillor George Bricevic, on the role of the Australian Local Government Association (ALGA) in Australia's intergovernmental architecture. The Prime Minister has asked me to respond on his behalf. I apologise for the delay in responding.

On 9 June 2020, the Prime Minister wrote to the former President of ALGA, Mayor David O'Laughlin, confirming the decision of National Cabinet on 29 May 2020 to continue the National Cabinet, form the National Federation Reform Council (NFRC) and cease the Council of Australian Governments (COAG).

Under the new model, National Cabinet, the Council on Federal Financial Relations and ALGA will meet in person once a year as the NFRC, with a focus on priority national federation issues such as Indigenous affairs and women's safety. ALGA has made an important contribution through COAG for many years and we look forward to this continuing under the new NFRC.

I am pleased to note that Councillor Linda Scott, President of ALGA, attended the inaugural meeting of the NFRC in Canberra on 11 December 2020. Councillor Scott presented information on the enormous efforts of local governments in 2020 to support communities dealing with the effects of bushfires, drought, and COVID-19. These efforts were recognised by the Commonwealth, state and territory governments, and all levels of government looked ahead to the collaborative effort needed in 2021 to support Australia's economic recovery.

I have copied this letter to the Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coulton MP.

Parliament House CANBERRA ACT 2600

Thank you again for writing to the Prime Minister.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

A handwritten signature, likely of Ben Morton, consisting of a stylized, cursive 'B' followed by some less legible characters.

BEN MORTON

16/11/2020

8. REPORTS FROM OFFICERS

8.1 Development Application Status

Reporting Officer

Director City Development
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

Officer's Recommendation

That the information be noted.

Purpose

To advise Council of the status of development applications within the City Development Division.

Report

In accordance with the resolution of the Council meeting held 13 March 2018, that:

Councillors be provided with monthly information detailing the status of each report considered by the Local Planning Panel (LPP), South Western City Planning Panel and approved by the General Manager under delegation of a value of more than \$1 million, the attachment to this report provides this information as requested.

Attachments

1. List showing status of Development Applications (contained within this report)

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
389/2017/DA-RA	'Raith' 74 Fern Avenue, Campbelltown	Construction of a residential development containing 134 residences and alterations to and use of the existing heritage building.	\$26,000,000	>20 million (registered prior to \$30mil threshold)	Panel briefing set for March 2021	
434/2020/DA-C	158 Queen Street Campbelltown	Amalgamation of two allotments, demolition of structures and construction of an 11 storey building comprising of a 2 storey RSL club with 152 hotel rooms above	\$50,056,894	>\$30 million capital investment value	Deferred for amendment and additional information at Panel's 8 February 2021 meeting	
4609/2018/DA-SW	Appin Road, Gilead	Staged subdivision to create 424 residential lots, 20 residue lots and associated civil works	\$33,446,465	>\$30 million capital investment value	Under assessment	
4079/2017/DA-CD	Western Sydney University, 183 Narellan Road, Campbelltown	Concept application for the staged development of residential, mixed use and open space land uses including Stage 1 for super lot subdivision and civil works	\$6,175,279	>\$5 million capital investment value Crown development	Under assessment	
906/2020/DA-SW	Gidley Crescent, Claymore	Subdivision to create 179 residential lots two residual lots including associated works - Stage 4	\$13,940,148	>\$5 million capital investment value Crown development	Under assessment	

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
4079/2017/DA-CD	Western Sydney University, 183 Narellan Road, Campbelltown	Concept application for the staged development of residential, mixed use and open space land uses including Stage 1 for super lot subdivision and civil works	\$6,175,279	>\$5 million capital investment value Crown development	Under assessment	
906/2020/DA-SW	Gidley Crescent, Claymore	Subdivision to create 179 residential lots two residual lots including associated works - Stage 4	\$13,940,148	>\$5 million capital investment value Crown development	Under assessment	
504/2021/DA-SW	Clarendon Place, Winbourne Place, Rawdon Place, Dalkeith Place, Greengate Road, Airs	Subdivision to create 82 lots comprising of 80 residential lots and 2 lots for parks and associated works - Stage 8	\$6,354,141	>\$5 million capital investment value Crown development	Preparing for public exhibition	
535/2021/DA-SW	Woolwash Road, Greengate Road, Teeswater Place, Wallinga Place, Katella Place and Mamre Crescent, Airs	Subdivision of 71 existing lots to create 214 lots comprising of 207 residential lots, 2 lots for future development, 1 lot containing an existing senior housing - Stage 7	\$13,914,412	>\$5 million capital investment value Crown development	Preparing for public exhibition	

Development Application Register

DAs to be considered by the Department of Planning						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
SSD 17_8593	16 Kerr Road, Ingleburn	Expansion of existing waste recovery and reuse facility, extension of operating hours to 24 hours per day	\$1,813,000	State Significant Development	Under assessment	

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2225/2020/DA-DW	Lot 8177 DP 881519, 1 Denfield Place, St Helens Park	Construction of a single storey dwelling	\$84,500	Development standard variation greater than 10%	Report prepared for Panel's February 2021 meeting	Unavailable at time of report preparation
2675/2008/DA-S	Lot 7304 Kellerman Drive, St Helens Park	Subdivision into 355 residential lots and associated civil and road works	\$9,000,000	More than 10 unique objections	Under assessment	
2687/2018/DA-SW	Appin Road, Gilead	Subdivision of land and associated civil works into 139 residential lots and 3 residue lots	\$7,972,417	More than 10 unique objections, planning agreement	Under assessment	

Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2135/2020/DA-C	19 Parliament Road, Macquarie Fields	Change of use to a community facility, alterations to the existing premise (ground floor), use of adjoining lands for car parking and associated works	\$120,000	Includes Council-owned land	Report prepared for Panel's February 2021 meeting	Unavailable at time of report preparation
681/2018/DA-SW	Menangle and Cummins Roads, Menangle Park	Subdivision of land and associated civil works into 90 residential lots and 3 residue lots	\$6,930,000	Planning agreement	Under assessment	
2611/2019/DA-M	42 Brenda Street, Ingleburn	Demolition of existing structures and construction of three semi-detached dwellings	\$855,350	Development standard variation greater than 10%	Under assessment	
3859/2019/DA-M	116 Ingleburn Road, Ingleburn	Demolition of existing structures and construction of three x two storey semi-detached dwellings	\$878,000	Development standard variation greater than 10%	Waiting on information from applicant	
1786/2020/DA-C	10 Wickfield Street, Ambarvale	Mixed use commercial, child care centre and residential development	\$12,585,013	SEPP 65 - Residential Apartment	Waiting on information from applicant	

Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
3233/2020/DA-82A	37 Cumberland Road, Ingleburn	Review of Determination - Demolition of an existing dwelling and construction of a four storey residential apartment building, basement car-parking and associated site works	\$6,267,272	Review of application Determined by the Panel, SEPP 65 - Residential Apartment	Under assessment	

DAs with a value of \$1 million or more approved under Delegated Authority since last Council meeting						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
Nil	Nil	Nil	Nil	Nil	Nil	Nil

8.2 Request to Exhibit amendments to the Campbelltown (Sustainable City) Development Control Plan 2015

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

Officer's Recommendation

1. That Council endorse the draft Amendment No.11 to Volume 1 and Volume 2 of Campbelltown (Sustainable City) Development Control Plan 2015 as shown in attachments 1 and 2 to this report for the purpose of public exhibition.
2. That should Council receive any submissions during the public exhibition of draft Amendment No 11, that a further report be provided to Council following the completion of the public exhibition period.
3. That where Council receives no submissions on draft Amendment No 11, that the amendments be adopted and notified in accordance with the Environmental Planning and Assessment Regulation 2000.

Executive Summary

- Council staff undertake regular reviews of the controls in the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) to ensure that they are relevant and achieve Council's desired vision for the City
- A review has been undertaken of controls in Volume 1 of the SCDCP. Changes are proposed to:
 - provide enhanced detail on Council's expectations for waste management
 - clarify noise attenuation requirements
 - clarify open space requirements for secondary dwellings
 - detail site requirements and space configuration of open space living areas for multi dwelling housing
 - provide guidelines for downstream stormwater easements for infill development
 - include requirements for undergrounding power lines
 - introduce a control requiring higher design standards for Residential Flat Buildings and mixed-use developments for active street frontage

- clarify parking rates for industrial premises
 - ensure sufficient area is maintained between driveways for on street parking in front of any new dwelling house or multi dwelling development
 - increase the maximum area of mezzanines in industrial units
 - introduce controls for pedestrian safety for child care facilities
 - remove unnecessary clauses
 - fix typographical errors
- Changes are also proposed to Volume 2 Part 13 of the SCDCP to address the requirements of Clause 6.3 of Campbelltown Local Environmental Plan 2015 (CLEP 2015) for the Maryfields site
 - The proposed changes to the SCDCP are outlined in attachments 1 and 2 to this report
 - This report recommends that Council place the proposed amendments to the SCDCP on public exhibition for 28 days.

Purpose

To advise Council of a number of proposed amendments to the SCDCP, and seek its approval to place draft Amendment No 11 on public exhibition for community input.

History

Council at its meeting held 16 February 2016 adopted the SCDCP, which came into effect on 11 March 2016 to coincide with the commencement of Campbelltown Local Environmental Plan 2015 (CLEP 2015).

Since its commencement in March 2016, the SCDCP has amended on other occasions to realign the SCDCP with newly introduced State wide planning policies and guidelines and/or adopt site specific development controls under Volume 2 Site Specific DCPs.

Report

This section of the report provides a more detailed explanation of the proposed amendments to the SCDCP.

- a) Proposed amendment under Volume 1 Development Controls for All Types of Development:-
 - a. Proposed amendments to the waste management provisions specified in Part 2 (Requirements Applying to all Types of Development), Part 2.15 (Waste Management), Part 3 (Low and Medium density Residential Development and Ancillary Residential Structures), Part 5 (Residential Flat Building and Mixed-Use Development), Part 6 (Commercial Development), Part 8 (Centre-Based Child Care Facilities), Part 17 (Boarding Houses) and Part 19 (Seniors Living and Housing for People with a Disability).
 - b. Proposed amendments to Part 2 (Requirements Applying to All Types of Development) requiring the design and implementation of appropriate noise attenuation measures for all development.

- c. Proposed amendment to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) to ensure that sufficient area is maintained along the street frontage of any new dwelling house and medium density development for maximising on street parking.
- d. Proposed amendments to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) to align the secondary setback for residential development in the R2 Low Zone with the Housing Code.
- e. Proposed amendment to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) requiring a minimum private open space area of 12 m² for all Secondary Dwellings in Section 3.6.2 (Secondary Dwellings – Zones R2, R3, R4 and R5).
- f. Proposed amendments to Parts 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) and Part 5 (Residential Flat Building and Mixed-Use Development), requiring minimum bedroom sizes for all residential development proposed in the R2, R3, R4 and R5 zones.
- g. Proposed amendments to Parts 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) requiring the open floor plans to include furnishing to demonstrate that the proposed living and dining areas are able to accommodate seating arrangements that are sufficient for the occupants.
- h. Proposed amendment to Parts 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) to require a minimum allotment width for the construction of multi dwelling housing within Medium density areas.
- i. Proposed amendment to Parts 5 (Residential Flat Buildings and Mixed-Use Development) and 6 (Commercial Development), requiring all above ground power lines, in front of any pro-posed large scale commercial development, residential flat and/or mixed-use development (in the R4, B3 and B4 zones), be relocated underground.
- j. Proposed amendment to Part 5 (Residential Flat Buildings and Mixed-Use Development) to relocate sections (d) and (e) from Section 5.4.8.5 (Strata Subdivision) of the SCDCP which includes irrelevant controls that relate to car parking design.
- k. Proposed amendment to Part 5 Residential Flat Buildings and Mixed-Use Development requiring high design standard design for new mixed use development, proposed within the B1 (Neighbourhood Centre), B2 (Local Centre) zones and RU5 Village Zone.
- l. Proposed amendment to Part 7 (Industrial Development) to increase the area occupied by mezzanine floors for storage purposes.
- m. Proposed amendment to Part 7 (Industrial Development) to ensure that all new factory developments are not able to utilise the lower car parking rate of one space per 250 m² for individually occupied factory units.

- n. Proposed amendment to Part 8 (Centre-based Child Care Facilities) to improve pedestrian safety and facilitate the pickup/drop of children, and their carers, who require access to this type of facility.
- o. Proposed amendment to the 'Appendixes' in Volume 1 of the SCDCP providing guidelines to owners/applicants in relation to obtaining a storm water easement through a down-stream property and how to make application under the provisions outlined in Section 88B of the *Conveyancing Act 1919*.
- b) Proposed amendment to Part 13 Maryfields DCP of Volume 2 Site Specific Development Control Plans to reintroduce item (j) to the table in the Maryfields DCP which addresses Clause 6.3 (Development Control Plan) of the Campbelltown Local Environmental Plan 2015.

Each of the above proposed amendments is discussed in more details below:

- a. **Proposed amendments to the waste management provisions specified in Part 2 (Requirements Applying to all Types of Development), Part 2.15 (Waste Management), Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures), Part 5 (Residential Flat Buildings and Mixed-Use Development), Part 6 (Commercial Development), Part 8 (Centre-Based Child Care Facilities), Part 17 (Boarding Houses) and Part 19 (Seniors Living and Housing for People with a Disability).**

Council's Waste Services division has recommended that significant changes be made to a number of waste and resource recovery provisions in the SCDCP. This includes a requirement that any relevant section of the Better Practice Guide for Resource Recovery in Residential Development (dated April 2019 (the EPA Guide), prepared by the Environmental Protection Authority (EPA) - now be considered when preparing a Waste Management Plan for any residential Development Application.

The EPA Guide provides invaluable advice on how Council can satisfactorily achieve better waste management outcomes for residential development.

The objectives of the EPA Guide are to:

- raise awareness that waste and recycling collection systems are essential services that must be properly designed for
- recognise the need to plan and design waste and recycling systems early in the building development process
- provide guidance on how to make the collection of waste and recycling convenient and safe for occupants and waste collection personnel
- provide guidance on how to improve the performance of waste and recycling collection systems
- minimise impacts on the visual or other amenity of the building or neighbourhood.

The proposed amendments to various waste management Parts of the SCDCP have been prepared to:

- Align the waste controls within the SCDCP with the EPA's Guide
- Provide clarification and more detail on the waste development controls that already exists in the SCDCP
- Provide rationale and reasoning behind the numerical standards to provide flexibility for certain development applications where strict compliance with the numerical controls is not possible.
- Provide additional specifications and details for designers/architects primarily in relation to waste vehicles and bin sizes to enable better compliance with the SCDCP standards at the early stages of the building design.
- Fill in any gaps within the current waste controls
- Provide new controls and additional details in relation to a number of matters including a new section on collecting waste from laneways.

A new provision is proposed to be introduced to Part 3.8 (Residential Subdivision) entitled 'Laneways' which forms part of the waste management information, requiring all new subdivisions to provide waste and recycling collection points from rear access laneways.

b. Proposed amendments to Part 2 (Requirements Applying to All Types of Development) requiring the design and implementation of appropriate noise attenuation measures for all development.

Following an acoustic assessment course presented by GHD and attended by a number of Council Environmental Health and Development Assessment officers, it was determined that assessment criteria need to be included in the SCDCP to ensure that any future proposed residential development reflected satisfactory compliance with the relevant noise, air, vibration and quality assurance provisions specified in the Protection of the Environment Operations Act 1997, by the EPA and in relevant Australian Standards.

With the aim being to prevent noise issues as residential densities increase, the objective is to create a positive amenity for future occupants by introducing specific noise assessment criteria into the SCDCP which are designed to adequately attenuate impacts emanating from noise sources.

There are no current noise attenuating provisions in the SCDCP. It is therefore proposed to introduce appropriate "Acoustic Privacy" provisions into Part 2 which will facilitate ensuring that a reasonable level of acoustic privacy is maintained.

It is recommended that a new section to be added to the SCDCP as:

- Section 2.21 – Acoustic Privacy (Part 2 – Requirements Applying to All Types of Development)

c. Proposed amendment to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) to ensure that sufficient area is maintained along the street frontage of any new dwelling house and medium density development for maximising on street parking.

The main objective of this proposed amendment to the DCP is to ensure that sufficient area is maintained along the street frontage of any new low and medium density residential development to maximise on street parking. This can be achieved through careful design of driveway access as it relates to the street and the distance between driveways.

This control will also contribute in providing the neighbourhood with additional on-street 'visitor' parking and encourage placing driveways on adjoining sites adjacent to each other to facilitate having sufficient area to park vehicles along the site frontage.

It is recommended that a new control be added as:

- 3.4.2 k) – General requirements, Low and Medium Density Residential Development

The proposed control reads:

- k) Garages and driveways shall be located and designed to minimise the loss of any on street parking and ensure that sufficient area is maintained along the site frontage for the provision of on street parking spaces, where possible.

d. Proposed amendments to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) to align the secondary setback for residential development in the R2 Low Zone with the Housing Code.

Section 3.6.1.3, currently requires that a building be setback a minimum of 3 m from the secondary street frontage which is not in line with the 2 m secondary street setback permitted under the Housing Code (State Environmental Planning Policy – Exempt and Complying Development Codes 2008). It is recommended that this development control be amended to be in line with the Housing Code.

e. Proposed amendment to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) requiring a minimum private open space area of 12 m² for all Secondary Dwellings in Section 3.6.2 (Secondary Dwellings – Zones R2, R3, R4 and R5).

The main objective of this amendment is to ensure that any proposed secondary dwelling is provided with an area of private open space for the exclusive use of the occupants of the secondary dwelling.

It is recommended that a new control be added as:

- 3.6.2.1 c) – General requirements, Secondary dwellings

The proposed control reads:

- c) A secondary dwelling shall be provided with at a least 12 m² area of private open space for the exclusive use of the occupants of the secondary dwelling. The area shall be accessible from the living area, have a minimum width of 3 m² and not be steeper than 1:50.

Note: This area is to be included in the calculation for the requirement of open space for the principle dwelling, i.e. the combined area of private open space for the secondary dwelling and the principle dwelling shall be a minimum of 75 m².

f. Proposed amendments to Parts 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) and Part 5 (Residential Flat Buildings and Mixed-Use Development), requiring minimum bedroom sizes for all residential development proposed in the R2, R3, R4 and R5 zones.

Council's development assessment officers have recently assessed a significant number of medium density residential applications where the dimensions of the proposed bedrooms fail to provide sufficient space for a queen size bed as well as other essential furniture, including a wardrobe.

As there are currently no bedroom size provisions in the SDCDP, it is intended to introduce the following requirements into the associated "Size of Indoor Living Areas" sections, located in Parts 3 and 5, which will facilitate providing more appropriate room dimensions, better internal layouts and increased ease of access for those residing in these dwellings.

It is recommended that new controls be added as the following sections:

- 3.6.5.3 c) - The Size of Indoor Living Areas for Attached Dwellings - Zone R2
- 3.6.5.3 d) - The Size of Indoor Living Areas for Attached Dwellings - Zone R2
- 3.7.1.3 c) - The Size of Indoor Living Areas for Attached Dwellings - Zone R3
- 3.7.1.3 d) - The Size of Indoor Living Areas for Attached Dwellings - Zone R3
- 3.7.2.3 c) - The Size of Indoor Living Areas for Multi Dwelling Development - Zone R3
- 3.7.2.3 d) - The Size of Indoor Living Areas for Multi Dwelling Development - Zone R3
- 5.5.3 f) - General Requirements for Residential Flat Buildings
- 5.5.3 g) - General Requirements for Residential Flat Buildings

These proposed controls read:

- *) Master bedrooms shall have a minimum internal area of 12 m² (excluding wardrobe space)
- *) All other bedrooms proposed shall have a minimum internal area of 9 m² (excluding wardrobe space)

g. Proposed amendments to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) requiring floor plans to include furnishing to demonstrate that the proposed living and dining areas are able to accommodate seating arrangements that are sufficient for the occupants

The main objective of this proposed amendment to the SCDCP is to ensure that living spaces within medium density residential development have sufficient floor area and suitable configuration to provide a reasonable level of amenity for the occupants.

This came as a result of proposals with poor configuration of living areas that would provide a challenge for future occupants to furnish, particularly when the majority of the space provided would be used for circulation, leaving little useful space. Illustrating how the living areas will be furnished is a simple exercise that would ensure the availability of meaningful and sufficient space for the future occupants.

It is recommended that new controls be added as:

- 3.6.5.3 e) - The Size of Indoor Living Areas for Attached Dwellings - Zone R2
- 3.7.1.3 e) - The Size of Indoor Living Areas for Attached Dwellings - Zone R3
- 3.7.2.3 e) - The Size of Indoor Living Areas for Multi Dwelling Development - Zone R3

The proposed clause reads:

- e) All dining and living areas shall be well designed and of sufficient size for both furniture and movement/circulation through the dwelling. Submitted plans shall include examples of furnished floor plans that demonstrate that the design enables the use of each room for its intended purpose in a manner that does not restrict the movement of people within and through the room.

h. Proposed amendment to Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) to require a minimum allotment width for the construction of multi dwelling housing within the R3 medium density zone.

The proposed amendment to the SCDCP includes a minimum allotment width of 25 metres for multi-dwelling housing. At present, the SCDCP does not specify a minimum allotment width for multi-dwelling housing (although it does specify a minimum allotment width for dual occupancies, attached dwellings, semi-detached dwellings and residential flat buildings). The absence of such a control results in developers seeking to develop a single site with multi-dwelling housing instead of consolidating a number of sites.

The table below shows a comparison of other Councils' minimum allotment width standards for multi-dwelling developments:

Council	Minimum allotment width for multi-dwelling housing
Camden	25 m
Liverpool	22 m (18 m if dwellings less than 80 m ² are proposed)
Wollondilly	20 m (however density restrictions apply for frontages below 30 m)
Sutherland	20 m
Campbelltown	None

The benefits of wider site frontages for multi-dwelling developments include:

- The streetscape would contain fewer driveways and more landscaping, because over time driveways accessing single dwellings (one per dwelling) would be replaced by driveways accessing multi-dwelling developments (one driveway per development).
- It becomes easier for developments to provide two-way vehicular access, as the driveway would occupy a lower proportion of the land than would be the case if a narrow site were to be developed on its own.
- Improved architectural outcomes are able to be achieved as there is more space available for windows and architectural features facing the street, as well as more landscaping.
- Ensure sufficient frontage is available for the placement of waste bins.

It is recommended that a new control be added as:

- 3.7.2.1 a)– Site Requirements for Multi Dwelling Housing – Zone R3

It is proposed that the new control shall read:

- a) Multi dwelling housing shall only be permitted on an allotment having a minimum width of 25 m measured between the extended property side boundaries, or in the case of a corner allotment, the secondary street boundaries where they intersect with the kerb line.

i. Proposed amendment to Part 5 (Residential Flat Buildings and Mixed-Use Development) and Part 6 (Commercial Development), requiring all above ground power lines, in front of any proposed large scale commercial development, residential flat and/or mixed-use development (in the R4, B3 and B4 zones) to be relocated underground.

The main objective of this amendment is to enhance the existing streetscape by relocating any existing overhead power lines underground to remove the unsightly appearance of such infrastructure from negatively impacting the street presentation of any new large scale residential and commercial development (\$30 million and higher).

It is recommended that new controls be added as:

- 5.4.3 h)– Site services for residential flat buildings and mixed used development
- 6.4.1 m)– Building form and character for commercial development

The proposed controls read:

- *) For applications involving new construction work with a value of \$30 million or greater, any existing above ground power lines, traversing the property's frontage, shall be relocated underground at the developers expense.

Note: To facilitate this requirement, the applicant must liaise with the relevant power authority requesting to install a conduit within the adjacent footpath (road reserve) area for the future provision of an underground power supply and extension of the conduit up to the wall of any

proposed building. It must also be demonstrated that ready connection to the building(s) can be made in future when the overhead connection is replaced with a new underground line.

j. Proposed amendment to Part 5 (Residential Flat Buildings and Mixed-Use Development) to relocate sections (d) and (e) from Section 5.4.8.5 (Strata Subdivision) of the SCDCP which includes irrelevant controls that relate to car parking design.

A number of sections are proposed to be relocated from Section 5.4.8.5 (Strata Subdivision) as they provide irrelevant information about the car parking design which gives the impression that these controls only apply to applications seeking strata subdivision.

It is proposed that the controls be relocated from:

- 5.4.9 d) – formerly 5.4.8.5 d) – Strata subdivision, Residential Flat Buildings and Mixed Use Development
- 5.4.9 e) – formerly 5.4.8.5 e) – Strata subdivision, Residential Flat Buildings and Mixed Use Development

to:

- 5.4.10 a) – Car Parking, Residential Flat Buildings and Mixed Use Development
- 5.4.10 b) – Car Parking, Residential Flat Buildings and Mixed Use Development

The relocated controls shall read:

- d) Car parking provided for the residential dwellings shall be secured, separated from commercial car parking (where relevant) and have a separate access.
- e) The design of car parking spaces shall take into consideration the principles of Crime Prevention through Environmental Design (CPTED) to minimise opportunities for crime and enhance security.

k. Proposed amendment to Part 5 Residential Flat Buildings and Mixed-Use Development requiring high design standards for new mixed use development, proposed within the B1 (Neighbourhood Centre), B2 (Local Centre) zones and RU5 Village Zone.

The SCDCP does not include controls relating to the quality of design for mixed use development in the B1 Neighbourhood Centre, B2 Local Centre and RU5 Village zones. Adding these controls will encourage development that addresses the public domain and requires the ground floor of mixed use developments to create active street frontages to enable developments to make a positive contribution to the streetscape and locality.

This control will be added to as the following sections:

- 5.7.1 k) – General Requirements (areas zoned RU5, B1 and B2)
- 5.7.1 l) – General Requirements (areas zoned RU5, B1 and B2)
- 5.7.1 m) – General Requirements (areas zoned RU5, B1 and B2)
- 5.7.1 n) – General Requirements (areas zoned RU5, B1 and B2)
- 5.7.1 o) – General Requirements (areas zoned RU5, B1 and B2)

It is proposed that the new controls shall read:

- k) Building design shall consider foremost the qualities (both natural and built) and the desired future character of the areas including the significance of any heritage item on the land.
- l) Building design shall incorporate the following features to assist in the achievement of high quality architectural outcomes:
 - i) incorporation of appropriate facade treatments that help the development properly address the respective street frontages, key vistas and to add visual interest to the skyline;
 - ii) incorporation of articulation in walls, roof lines, variety of roof pitch, individualised architectural features (balconies, columns, porches, colours, materials etc) into the facade of the building;
 - iii) variation in the vertical planes of exterior walls in depth and/or direction;
 - iv) variation in the vertical and horizontal planes of the building so that the building appears to be divided into distinct base, middle and top massing elements; and
 - v) utilisation of landscaping and interesting architectural detailing at the ground level.
- m) Building design shall demonstrate to Council's satisfaction that the development will:
 - i) facilitate casual surveillance and active interaction with the street;
 - ii) be sufficiently setback from the property boundary to enable the planting of vegetation to soften the visual impact of the building at street level; and
 - iii) maximise cross flow ventilation, therefore minimising the need for air conditioning.
- n) Building colours, materials and finishes shall generally achieve subtle contrast. The use of highly reflective or gloss materials or colours shall be minimised to feature and highlight elements only.
- o) Building materials shall be high quality, durable and low maintenance.

I. Proposed amendment to Part 7 (Industrial Development) to increase the area occupied by mezzanine floors for storage purposes

The current controls within the SCDP limit mezzanines to no more than 50 per cent of the space above the ground floor level. It is considered that a larger area can provide more options for storage and greater efficiency of the use of industrial land. There are few external impacts from increasing the size of a mezzanine within the unit, particularly where it is used for storage.

Clause 7.2.1 d) of the SCDCP currently states:

- d) Mezzanines shall not comprise an area of more than 50% of the gross floor area of the ground floor of the respective unit.

The reasons for limiting the area of the mezzanines' floor are:

- to allow for efficient forklift movement within the ground floor to enable goods to be transported between the ground level and the mezzanine level
- ensure an area with a sufficient height at ground floor level is available for the storage of forklifts as opposed to parking them on driveways
- ensure that industrial units are designed to allow the occupation of a range of industrial uses.

To provide for additional opportunities for larger mezzanines, it is recommended that the following control be added to section 7.2.1 e) – Building design

- e) Despite subclause (d), a mezzanine level may comprise up to 75 per cent of the gross floor area of the ground floor of the respective unit, providing that it can be demonstrated to Council's satisfaction that:
- i. The unit shall be able to facilitate the safe and efficient transportation of goods between the ground floor and mezzanine level
 - ii. Regardless of the proposed land use, a forklift shall be able to manoeuvre internally within the unit to facilitate vertical transportation of goods without leaving the unit
 - iii. Any part of the mezzanine level over 50 per cent of the gross floor area of the ground floor of the respective unit is of lightweight construction and can be easily removed without impacting on the structural integrity of the building.

To strengthen the intended outcome of the above development control it is also proposed to add the following 2 additional objectives under the Objectives of Section 7.2 Building Form and Character.

- Ensure that industrial units are designed to be able to accommodate a wide variety of businesses.
- Ensure that industrial units are able to facilitate the safe and efficient transportation of goods between floors/levels in a building.

m. Proposed amendment to Part 7 (Industrial Development) to ensure that all new factory developments are not able to utilise the lower car parking rate of one space per 250 m² for individually occupied factory units.

The main objective of this amendment is to ensure that any proposed factory units are provided with sufficient off street parking.

On a number of occasions, developers have incorrectly assumed that once the gross floor area of their individual factory units exceed 2,000 m² they are able to utilise the lower car parking rate of one per 250 m² and, therefore, do not have to provide sufficient spaces to meet compliance with the relevant one space per 100 m² provision.

It is recommended that a new control be added as:

- 7.3.1 d) - General requirements for car parking and access
- d) Despite clause 7.3.1 c) ii), any proposed factory unit development (regardless of the overall combined floor area), shall provide parking at a rate of one space per 100 m².

n. Proposed amendment to Part 8 (Centre-based Child Care Facilities) to improve pedestrian safety and facilitate the pickup/drop off of children, and their carers, who require access to this type of facility.

The main objective of these amendments is to ensure that the vehicular and pedestrian access areas for any new child care centre development have been appropriately designed to facilitate the safe passage of all those wishing to gain access to this type of facility from adjoining car parking.

In this regard, the car parking area shall also be designed to ensure that:

- (a) Safe pedestrian access is segregated from all vehicular manoeuvring areas on site with clearly defined paths to-and-from the child care facility.
- (b) On-site parking and drop off/pick up points must be provided in convenient locations which are clearly lit and in close proximity to the facility's main entrance."

It is recommended that the following new controls be added to section 8.4.1:

- g) Where a child care centre site is proposed to be situated on a main collector road, pedestrian safety measures on adjoining roads (eg pedestrian crossings and refuges etc) may be required to be installed at no cost to Council.
- h) The vehicular and pedestrian access points to/from the centre must be adequately lit (during operating hours) and appropriately signposted.
- n) Any fencing on site shall be designed to be of appropriate height and shall not obstruct sight distances between pedestrians and vehicles.

Additionally, it is proposed that the following controls be amended:

- 8.4.1 k) – formerly j) – Car parking and access
- 8.4.1 l) – formerly k) – Car parking and access

It is proposed that the amended controls shall read:

- k) Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point turn to exit the site in a forward direction. Significant reverse movements for vehicles within child care centres shall not be permitted.
 - l) The car parking area shall be suitably line marked and delineated by appropriate signage and pavement line marking. This shall include the line-marking and signposting of disabled car parking spaces, staff parking arrangements, emergency and service vehicle parking bays.
- o. Proposed amendment to the 'Appendixes' in Volume 1 of the SCDP providing guidelines to owners/applicants in relation to obtaining a storm water easement through a downstream property and how to make application under the provisions outlined in Section 88B of the Conveyancing Act 1919.**

Section 2.10.2 (h) (Stormwater) of the SCDP currently requires developers/applicants to make a genuine attempt to obtain an easement. However, there have been instances where such a request has been rejected by the downstream property owner/s. When this has occurred, Council's engineers have then been requested by the applicant to consider other options that would potentially create negative impacts on downstream properties and/or require a high level of ongoing maintenance in perpetuity.

In addition, applicants in the past have not been required to provide compelling evidence of whether the appropriate amount of compensation was offered to downstream property owner/s and whether the owner/s were briefed on their rights and obligations. Such practices are creating an undesirable precedence for the management of stormwater within infill developments.

To address this issue, Council's engineers have prepared guidelines (Appendix 14) on the process that needs to be followed by the applicants to ensure that genuine attempts have occurred to create a legal stormwater easement through downstream properties. A copy of draft Appendix 14 has been attached to draft Volume 1 which is attachment 1 to this report.

2. Proposed amendment to the Maryfields DCP to reintroduce item (j) which addresses Clause 6.3 (Development Control Plan) of the Campbelltown Local Environmental Plan 2015.

The following item (j) is proposed to be reintroduced into the Maryfields DCP which was inadvertently deleted when the adopted DCP was being converted into a working document.

- (j) Suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

Vehicular access will be available along the public road network with parking provided in conjunction with the development of each nominated precinct under the masterplan. The main lake and surrounds will be accessible to pedestrians/cyclists via the nominated path network. The site is accessible to the adjacent Blair Athol Community Centre and higher order public facilities within the Campbelltown City Centre. An environmental/heritage interpretation centre with appropriate on-site parking is also planned for the heritage precinct which will facilitate community access.

The amendment to the Maryfields DCP, which reintroduces item (j), has been included as attachment 2 Section P to this report.

3. Other inconsequential changes

Other minor changes have been made throughout volume 1 to remove typographical errors and assist with the display and formatting of the document. None of these changes have has any material effect on the objective or controls of the SCDCP.

Conclusion

It is good practice to regularly review and update the Campbelltown (Sustainable City) Development Control Plan 2015 to identify ways to make sure that controls are encouraging good development and clearly explain Councils expectations for development. A review has been completed and has identified a range of improvements as discussed throughout this report.

It is recommended that the Draft Amendment No.11 to the Campbelltown (Sustainable City) Development Control Plan 2015 be publicly exhibited for a period of 28 days consistent with Council's Community Participation Plan. This exhibition will be consistent with the requirements of the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000*.

Following public exhibition it is proposed to report back to Council if there have been any submissions on Draft Amendment No. 11 to the Campbelltown (Sustainable City) Development Control Plan 2015. If there are no submissions during the public exhibition period, it is recommended that this report not be required and the amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 be notified and made in accordance with legislative requirements. Should this be the case, Councillors will be advised of the date of adoption of this amendment by way of a Councillors Weekly Bulletin.

Attachments

1. Volume 1: Campbelltown (Sustainable City) Development Control Plan 2015 Amendments (due to size)(distributed under separate cover)
2. Volume 2 Part 13 Maryfields Development Control Plan (distributed under separate cover)

8.3 Request to Exhibit a Site Specific Development Control Plan for the Campbelltown RSL Planning Proposal

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

Officer's Recommendation

1. That Council endorse the public exhibition of proposed amendment no. 12 to the Campbelltown (Sustainable City) Development Control Plan which seeks to add Part 15 'Site Specific Development Control Plan - Campbelltown RSL' to volume 2, as shown in attachment 1 to this report.
2. That subject to Council endorsement, the Site Specific Development Control Plan be forwarded with the Planning Proposal to the Department of Planning, Industry and Environment for their endorsement prior to public exhibition in accordance with the Gateway Determination.
3. That all land owners be advised of the decision.

Executive Summary

- Council has supported a planning proposal for the Campbelltown RSL site at 158-168 Queen Street, 3 and 11 Cordeaux Street and 1 Carberry Lane, Campbelltown. This planning proposal also has a positive Gateway determination.
- It is a requirement of the Gateway determination that a site specific development control plan be prepared and publicly exhibited at the same time as the planning proposal.
- A draft site specific development control plan has been prepared and is attachment 1 to this report.
- This report seeks Council's endorsement of the public exhibition of this draft site specific development control plan. If exhibited and adopted the draft will be added as Part 15 of Volume 2 of the Campbelltown (Sustainable City) Development Control plan 2015 (SCDCP).

- The Department of Planning, Industry and Environment's agreement is required prior to public exhibition and will be sought if Council agrees to the recommendation of this report.

Purpose

The purpose of this report is to seek Council's endorsement to proceed with the public exhibition of a draft amendment to the SCDCP to introduce a new part 15 'Site Specific DCP for the Campbelltown RSL site' to volume 2 once the planning proposal for the Campbelltown RSL is ready for public exhibition. Part 15 will provide site specific controls to guide future development on the subject land.

Property Description:

158-168 Queen Street, Campbelltown (Lot 1 DP 558320 and Lot 5 DP 1167855)
3 Cordeaux Street, Campbelltown (Lot C DP 377836)
11 Cordeaux Street, Campbelltown (Lot 2 DP 568986)
1 Carberry Lane, Campbelltown (Lot 4 DP 1167853)

Applicant: Think Planners Pty Ltd

Owner: Cabra-Vale Ex-Active Servicemen's Club Ltd and TPG Enterprises Pty Ltd

History

Council at its meeting of 14 August 2018 endorsed the Campbelltown RSL planning proposal which sought an amendment to the Campbelltown Local Environmental Plan 2015 Height of Buildings Map. The proposed amendment sought to increase the maximum permissible heights from 32 m to 45 m for the site located on 158-168 Queen Street and 32 m to 85 m for the remainder of the site which encompasses 1 Carberry Lane, and 3 and 11 Cordeaux Street, Campbelltown.

Gateway Determination was issued for the proposal on 29 January 2019 which included a number of conditions including a requirement for the preparation of a site specific development control plan (DCP) which is to be publically exhibited at the same time as the planning proposal.

The draft DCP was referred to the Design Excellence Panel (DEP) on 26 March 2020. The DEP requested some changes be made which have been incorporated into the DCP in attachment 1.

Endorsement from the Department of Planning, Industry and Environment is also required prior to public exhibition of the planning proposal and DCP. Should council endorse the proposed amendment to the DCP, Council Staff will forward the planning proposal and DCP amendment to DPIE for approval to publically exhibit the documents.

It is relevant to note that a development application has already been submitted for the construction of an RSL and hotel on the part of this site closest to Queen Street. The Sydney Western City Planning Panel is the consent authority for the application. This application has been deferred by the Panel pending the further progression of the planning proposal.

Report

As part of the conditions identified in the Gateway Determination issued by DPIE, a site specific DCP is required to complement the planning proposal for the subject site. The draft DCP is required to be publically exhibited concurrently with the planning proposal. This report seeks endorsement from Council to exhibit the draft DCP located at attachment 1.

The draft site specific development controls have been prepared and are proposed to form Part 15 of Volume 2 of the Campbelltown (Sustainable City) DCP. The purpose is to provide additional controls in relation to the future development of the site. Where development controls are not specified in the site specific DCP, development would be required to be consistent with the requirements in Volume 1 of the Campbelltown (Sustainable City) DCP.

Layout/Master Plan

The draft DCP includes a layout for the site that specifies the pedestrian and traffic access, traffic movements and open space, including a civic plaza of a minimum of 500 m² in publically accessible space.

Setbacks

The draft site specific DCP outlines the following setbacks in relation to the project:

- A zero setback for podiums is to be provided to all street frontages to provide a strong built form and activation along all street frontages.
- The main building entry to Queen Street is to deliver a semi private and public space that creates a highly permeable pedestrian environment cognisant of the existing fine grain character of Queen Street.
- Tower setbacks of 4-6 m are required for Queen Street. Tower design elsewhere is to provide for distinction between the tower and podium within the design detailing.
- Setbacks are to enhance amenity in terms of daylight, outlook, view sharing, ventilation, wind mitigation.

Heritage

The subject site is located in close proximity to Glenalvon House. The item is listed under Schedule 5 of the CLEP 2015 as a State Heritage Item. As a result, controls are proposed in the site specific DCP to minimise any future impacts from the development on the heritage item.

The proposed controls within the DCP seek to provide a north-south site pedestrian link and the introduction of architectural design features in materiality to respond to the heritage significance of Mawson Park and Glenalvon House.

Views and Visual Context

The setting of Campbelltown as a city in a valley is one of importance to our community. It is important that distant views of the building not pose a significant impact on the wider views of the LGA, and in that regard the buildings need to be sufficiently separated to allow views to penetrate between buildings to the hills. The appearance and perception given by the buildings both during the day and at night, through form, scale and lighting, will assist in building the image of Campbelltown as a thriving centre, as a place and as a community.

The applicant provided information as part of the submission of the planning proposal request that demonstrated the visual impact of the proposed development, including orientation of buildings and location to Queen Street which would promote active linkages and activation.

Interface with Public Domain

The site specific DCP also provides the following controls in relation to activating street frontages including Queen Street:

- New pedestrian links are required to provide high quality access and connection from the mixed-use buildings to Mawson Park and Glenalvon.
- Provide shade trees and establish windbreaks where possible from southerly and westerly winter winds.
- Pedestrian site through links, publicly accessible spaces and entries to buildings and carparks are to be designed to ensure safety to persons.

Additional to these controls, Clause 7.9 of the CLEP 2015 will apply to the assessment of any future development applications for the site. Clause 7.9 provides that development consent must not be granted to the erection of a building that will contain a residential component unless the consent authority is satisfied that the building will have an active street frontage. An active street frontage, in this clause, means that all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises. The proposed DCP controls are considered to complement those of the CLEP 2015.

Further to this, the draft DCP includes a requirement that any future development application is to be submitted to the Design Excellence Panel before detailed design, ie at concept design phase.

Preliminary State Government Consultation

On 21 February 2020, letters were sent to the State Agencies listed in the Gateway Determination for preliminary comments on the planning proposal. Responses were received responses from Heritage NSW, Transport for NSW and Endeavour Energy.

Heritage NSW raised concerns with regards to the planning proposal and its impact on the nearby State listed heritage item Glenalvon. The attached DCP has been amended to respond to the comments provided by Heritage NSW by including a section dedicated to the heritage interface and the future relationship of the site with the heritage item.

Transport for NSW were provided the planning proposal including the traffic and car parking assessment provided to Council by the Applicant. Transport for NSW raised no concerns in relation to the proposal.

Endeavour Energy provided comments relating to their assets and the location of future assets should a future development application be submitted. It was noted that the concerns raised by Endeavour Energy would be more appropriately considered and managed at the development application stage.

The Agencies listed in the gateway determination will be provided another opportunity should the planning proposal and site specific DCP proceed to public exhibition.

Public Participation

Notwithstanding the approval sought from the Council, the public exhibition of this planning proposal is dependent on the approval of the Department of Planning, Industry and Environment in accordance with condition 2 of the Gateway Determination.

The draft site specific DCP is reported to Council seeking approval to exhibit. The current Gateway Determination requires the planning proposal and draft site specific DCP to be exhibited concurrently. Therefore public exhibition of the DCP cannot occur until DPIE have agreed the planning proposal is also suitable for exhibition.

Conclusion

Council has supported a planning proposal seeking to increase the maximum permissible height for 158-168 Queen Street, Campbelltown from 32 m to 45 m and 32 m to 85 m for the remainder of the site.

The draft site specific DCP attached to this report proposes to provide development design and guidance for the subject site by ensuring that all future applications align with the site specific controls detailed in the plan. The site specific DCP has been considered by the Design Excellence Panel and the Applicant has amended the DCP to align with the comments outlined by the Panel.

To assist with the timely progression of the proposal, it is recommended that Council endorse the public exhibition of the draft site specific DCP, pending approval of DPIE for public exhibition to occur.

Attachments

1. Site Specific DCP for Campbelltown RSL (contained within this report)

CAMPBELLTOWN (SUSTAINABLE CITY) DEVELOPMENT CONTROL PLAN 2015



Volume 2

Site Specific DCP

Part 15: Campbelltown RSL

158-168 Queen Street, 1 Carberry Lane and 3 & 11 Cordeaux Street,
Campbelltown

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15.1 Application

This Development Control Plan (DCP) applies to land at 158-168 Queen Street, 1 Carberry Lane and 3 and 11 Cordeaux Street, Campbelltown being the land identified in Figure 15.1 below. The subject site comprises five (5) lots and is known legally as Lot 1 DP 558320, Lot 5 DP 1167855, Lot C DP 377836, Lot 4 DP 1167853 and Lot 2 DP 568986.

The land is situated in the Campbelltown CBD fronting Queen Street. The sites form part of the commercial core of the Campbelltown CBD which is largely made up of other small retail and commercial premises. The site is also located in close proximity to 'Glenalvon', a State Heritage Item.

The site is 8136.9sqm and is generally flat and has a large frontage to Queen Street. Queen Street is the main entry road to the Campbelltown CBD. The site is within 400m from the entrance to the railway station. Queen Street is a main bus route, and the site is well served by public transport.



Figure 15.1 – Land to which this part applies

15.1.1 Purpose of this Part

The purpose of this Part is to establish a supplementary planning framework (beyond the general provisions of the Campbelltown Sustainable City DCP) for achieving the Council endorsed proposal for the subject land (Campbelltown RSL) at 158-168 Queen Street, 1 Carberry Lane and 3 and 11 Cordeaux Street, Campbelltown, through the establishment of site specific objectives and controls. In doing so it provides a platform against which Council will assess future development applications for a mixed use development at the subject site.

The written controls are to take precedence over any figure or site diagram provided which are included to assist in understanding site context.

15.1.2 Relationship with Campbelltown (Sustainable City) DCP

This DCP forms part of the Campbelltown (Sustainable City) DCP ('CSCDCP') and provides additional controls and guidelines that apply specifically to development at 158-168 Queen Street, 1 Carberry Lane and 3 and 11 Cordeaux Street Campbelltown. Where a development control is not specified in this Part, development is subject to all other relevant controls of Volume 1 of the CSCDCP.

Where there is an inconsistency between this Part and any other provision of the CSCDCP, this Part applies to the extent of the inconsistency.

15.2 Vision and Development Objectives

Objectives

- To encourage a building form that is conducive to the creation of a vibrant, mixed use centre that provides a range of retail, business and residential uses.
- To provide a high level of ground floor activation, through site connections to streets and important places, pedestrian amenity, and new public domain in the City Centre.
- To provide a high quality mix of new dwellings to meet the changing demand for housing in Campbelltown.
- Encourage the use of a range of high quality building materials to make a positive contribution to the streetscape and amenity of the neighbourhood.
- Podium and tower relationships must retain pedestrian scale in the articulation and detailing of the lower levels of the building.
- Development is to achieve variety in architectural design and character and to provide a fine grain which enriches and enlivens the public realm.
- Create a fine-grained pattern of development which are generally oriented to maximise solar access.
- The siting and configuration of buildings must consider the impact on surrounding development and public spaces in terms of amenity, shadowing, visual privacy and view sharing for residential buildings.
- Ensure the building foyer is oriented to the street and are appropriately scaled to allow sufficient ground floor space for fine grain active frontages.
- Ensure that development complements the desired future character of the precinct and responds to the topography, natural features, orientation, street pattern, street width, existing development, heritage buildings, street block size, land use and protects important public view corridors.
- Ensure the development contributes to the realisation of the Re-imagining Campbelltown City Centre Master Plan.
- Landscape design is to be high quality and create interest and character through measures such as indigenous tree species, well integrated public art, pavement design and other appropriate elements.
- Public open space is to include native vegetation that connects native fauna habitat corridors to major open spaces and water bodies.

15.3 Development Objectives and Controls

15.3.1 Building Design, Orientation and Layout

Objectives

1. To create a sense of visual separation between buildings, podiums and tower levels.
2. To provide appropriate building separation to ensure privacy, access to light and ventilation and a high-quality visual outlook from residential apartments.
3. To establish a public realm and pedestrian network to enhance liveability and building siting and massing.
4. To encourage a city centre environment that is consistent with the Re-imagining Campbelltown City Centre Master Plan.
5. To be sensitive to the impacts of development on Mawson Park, Glenalvon House and the urban streetscape by encouraging design excellence and development suitable for all weather and seasons.
6. To activate street frontages to create a vibrant mixed use development with a high quality visual outlook.
7. To ensure that the development enhances the public domain, defines the streetscape and creates a physical and visible connection between built form and the public space.
8. To provide a high degree of articulation that establishes a fine grain frontage at ground/podium level.
9. To reinforce pedestrian comfort at street level, including a sheltered/shaded and attractive pedestrian environment.

Controls

- All development applications for new buildings shall be referred to the Campbelltown Design Excellence Panel prior to lodgement and before detailed design.
- All development proposals shall include public domain spaces which add to the visual and environmental amenity of the site and which are designed to maximise safety and security.
- Any development application for new building works or construction of the plaza shall include details showing the impact of potential or constructed development on 1 Cordeaux Street, Campbelltown (Lot 1 DP 628344) on the plaza area.
- Provide shade trees and establish windbreaks where possible from southerly and westerly winter winds.
- Accent lighting for the proposed building, shall be directed downward on to the building or object and not toward the sky or on to adjacent properties. Details shall be submitted with any development applications for new building works.

- The maximum building width for each individual tower shall not to exceed 40m.
- The street wall height must relate to the human scale. The podium height is to be between 2 and 4 storeys as generally shown in the images below.
- The street wall shall be designed to provide a well-modulated pedestrian experience at street level.
- Towers are to be located and designed to minimise overshadowing impact to open space.



Figure 15.2 – Desirable podium form

15.3.2 Building Separation and setbacks

Objectives

1. To reinforce street edges and the public domain.
2. To create a sense of visual distinction and separation between the podium and tower levels.
3. To ensure compliance with the Apartment Design Guide.

Controls

- A zero setback for podiums is to be provided to all street frontages to provide a strong built form and activation along all street frontages.
- The main building entry to Queen Street is to deliver a semi private and public space that creates a highly permeable pedestrian environment cognisant of the existing fine grain character of Queen Street.
- Tower setbacks of 4-6m are required for Queen Street. Tower design elsewhere is to provide for distinction between the tower and podium within the design detailing.
- Setbacks are to enhance amenity in terms of daylight, outlook, view sharing, ventilation, wind mitigation and weather protection.
- Building setbacks must also enhance the quality of the public domain in terms of wind mitigation and daylight access.
- A wind impact assessment report is to be provided with a development application for buildings.

15.3.3 Building heights

Objectives

1. To require a range of building heights that will provide a variety in built form and land use intensity across the development site.
2. To maximise solar access to the public domain, open space and pedestrian areas.
3. To minimise undesirable visual impact, disruption of views, loss of privacy and solar access to adjoining land.
4. To establish an interesting skyline.

Controls

- A range of building heights shall be provided to establish an interesting skyline with a variety of building heights.
- The skyline is to be sympathetic to the topography of the land.
- The building massing and arrangement of the skyline must carefully consider how the development makes a positive contribution to the city skyline.
- Buildings shall be located to maximise views from the city centre to significant heritage features and landscapes.

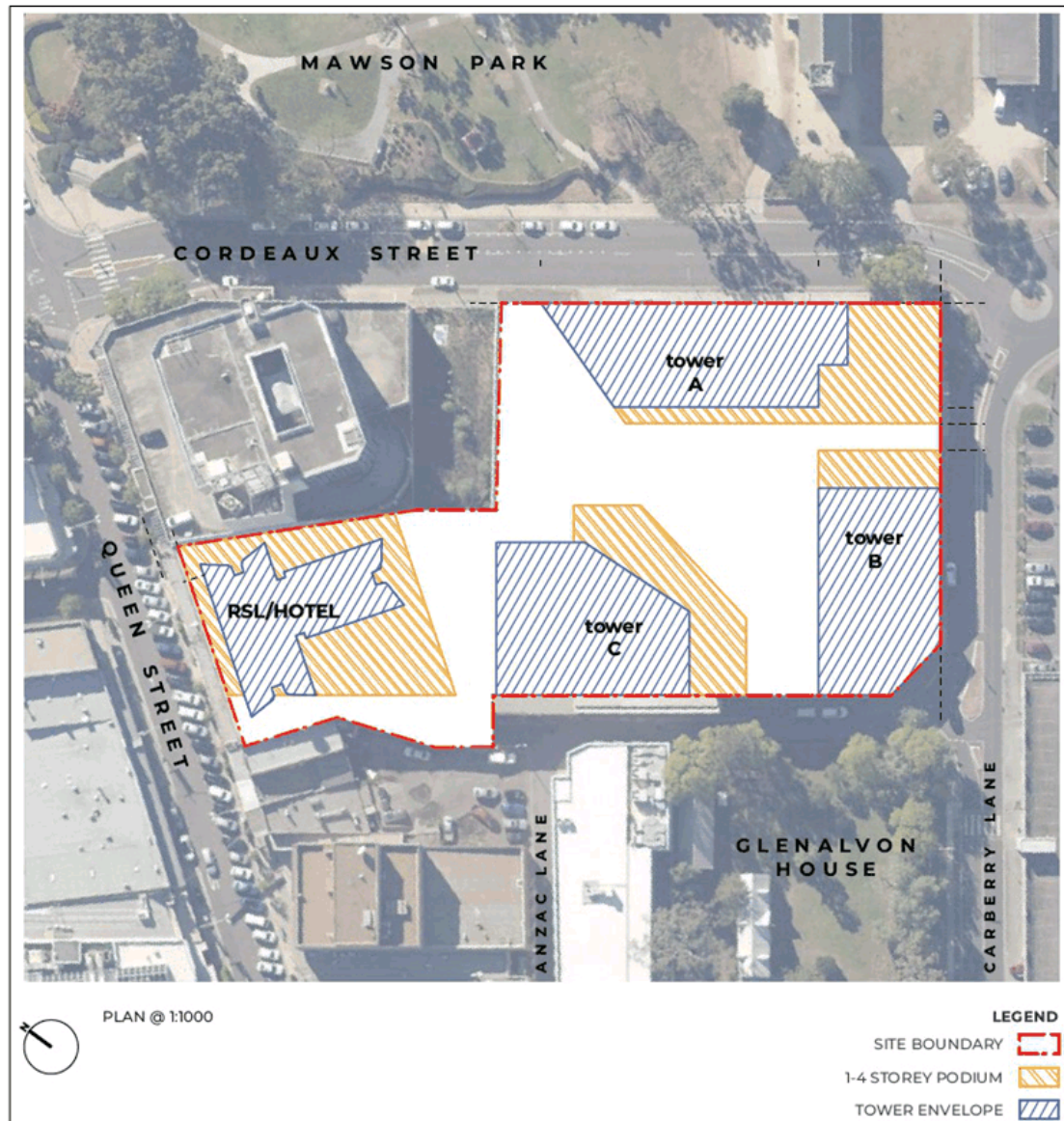


Figure 15.3 – One example of potential podium levels

15.3.4 Heritage Interface

Objectives

1. Provide an appropriate visual relationship with Mawson Park and Glenalvon House as seen from the site north-east and south-east interfaces.
2. Ensure the proposal provides opportunities to celebrate the nearby heritage items and create and enliven linkages between the new development and the historic sites within proximity of the site.

Controls

- Provide a north-south through site pedestrian link that will improve walkable linkages and connections between Mawson Park and Glenalvon House and that will contribute to the experience of visiting heritage items within the CBD.
- Respond to the interface with Mawson Park by providing an active frontage that addresses the Park.
- Respond to the potential interface and the potential to provide an opening at the rear of Glenalvon House by providing activation and opportunities for an alfresco dining precinct along Anzac Lane.
- Introduce architectural design features and changes in materiality to respond to the heritage significance of Mawson Park and Glenalvon House.
- Design buildings to respond to the pedestrian desire lines between Mawson Park and Glenalvon House.
- The interface with Mawson Park is to break down any large areas of built form to articulate the building and create a fine grain appearance to this aspect. Should a single built form front Mawson Park then it must be designed with a variety of materials and architectural styles that provide visual relief to this interface. A large solid homogenous built form to interface Mawson Park is not acceptable.
- Avoid locating "back of house" services and carpark entries in the vicinity of the heritage items to ensure there are minimal impacts.
- Overshadowing of heritage listed gardens/items shall be minimised by careful location and distribution of towers and their heights.

15.3.5 Landscaping and Public Open Space

Objectives

1. To establish a useable area of public open space to cater for the amenity of future residents, workers and visitors.
2. To allow for passive recreation opportunities, catering for a broad range of activities and intergenerational needs.
3. To facilitate community interaction and gathering for local residents, workers and visitors.
4. To provide public open space with good solar access and high standards of amenity.
5. To activate the edge of the public open space to encourage safe and legitimate use of the open space and foster passive surveillance.
6. To ensure sufficient deep soil to enable the growth of large trees within open space and buffer areas/heritage interface.
7. To ensure safety and security of users and residents associated with the usage of the open space.
8. To ensure open space is appropriately landscaped with hard and soft materials, street furniture, trees, planting, and walking paths.
9. To encourage and enable the provision of public art.

Controls

The development site is to include:

- A minimum of 500m² of publicly accessible entertainment plaza space. This site shall include the provision of utility services and street furniture to facilitate the functioning of the plaza. Details shall be provided at the development application stage.
- A pedestrian connection is to be provided from Cordeaux Street through to Anzac Lane.
- A pedestrian connection is to be provided from Queen Street through to Anzac Lane.
- The provisions of the Campbelltown (Sustainable City) Development Control Plan included in Part 2, 2.13 must be addressed in a future development application. These controls relate to the requirements of Crime Prevention Through Environmental Design.
- Development applications shall include details of lighting to spaces to provide safety to pedestrians and embrace the principles of crime safety through environmental design.
- All development applications that provide or interact with the public domain shall include details of public art.



Figure 15.4 – Potential location of through site links

15.3.6 Circulation and access

Objectives

1. To prioritise pedestrian and public amenity throughout the development.
2. Provide convenient, efficient and safe access for vehicles, services (including deliveries and waste), pedestrians and cyclists.
3. To minimise the impact of vehicle accessways from the public domain.
4. Encourage residents to walk or cycle, in preference to using motor vehicles, as a way of gaining access to schools, shops and local community and recreation facilities.

Controls

- Provide a pedestrian connection through the site from Cordeaux Street to Anzac Lane in a form that enables a visual connection between Mawson Park and Glenalvon House.
- Provide a high quality public domain with awnings to create a pedestrian friendly and weather protected environment.
- A basement setback is not required.
- Access to the basement car parking is from Anzac Lane to reduce the impact of vehicle crossings on the public domain.
- All development applications for land uses that have public access shall include details of measures to be incorporated to reduce reliance on private vehicular transport.

8.4 Glenfield Place Strategy Submission

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

Officer's Recommendation

That Council endorse a formal submission to the NSW Department of Planning, Industry and Environment and Transport for NSW on the draft Glenfield Place Strategy and Cambridge Avenue Upgrade with matters contained in this report.

Executive Summary

- The NSW Department of Planning, Industry and Environment and Transport for NSW have jointly exhibited a draft Glenfield Place Strategy and Cambridge Avenue, Options Evaluation Report for public submissions.
- The draft Glenfield Place Strategy (the draft Strategy) proposes amendments to the Campbelltown Local Environmental Plan 2015 that would support future development of approximately 7,000 dwellings over the next 30 years. This would be supported by a future upgrade of Cambridge Avenue by TfNSW that involves duplication and extension of Cambridge Avenue westward from Moorebank Avenue to Campbelltown Road.
- Key concerns generally relate to the reliance on Roy Watts Road for the majority of traffic movements within the western precinct, which would be compounded by school access and commuters. This would partly be resolved via the provision of a future intersection on Cambridge Avenue that provides for all turn movements.
- In relation to open space acquisition, the proposal to nominate Council as the future acquisition authority of five privately owned lots is not supported. Alternate arrangements are capable of being progressed that would address the place making and local open space needs of the future community.
- Although the retention of lands for the future agriculture needs of the Hurlstone Agricultural High School is not ideal for place making, the proposed structure plan and supporting controls are generally supported. It is recommended that Council endorse the making of a submission that addresses key issues that would support the successful delivery of the plan.

Purpose

On 9 December 2020, DPIE and Transport for NSW released the draft Glenfield Place Strategy, Explanation of Intended Effects (EIE) and Cambridge Avenue upgrade, Options Evaluation Report for public comment. The purpose of this report is to identify key issues for the making of a submission.

Draft Glenfield Place Strategy Overview

The exhibited draft Glenfield Place Strategy (draft Strategy) reflects the NSW Government's decision to retain Hurlstone Agricultural High School at its current location. This would ensure the future agricultural education requirements of the school and educational needs more generally are maintained.

The draft Strategy is supported by a structure plan, urban design report, development principles, supporting technical studies and proposed amendments to landuse zones, building heights and other supporting development controls.

The proposed structure plan focuses primarily on the Hurlstone land holdings on the western side of the Glenfield Train Station (the Station). The eastern precinct is bound by Railway Parade, Fawcett Street and Canterbury Road.

Key features of the strategy include:

- Approximately 50 ha of land retained for Hurlstone Agricultural High School's agricultural education purposes
- Up to 6 new playing fields, including 30 ha of accessible open space
- Provision for up to 4,000 dwellings within the western precinct and up to 3,000 dwellings within the eastern precinct
- A plan for green links connecting open spaces, parks and plazas
- A new town centre with heights up to 12 storeys
- Identification of sites for new health and community facilities
- Shared streets which prioritise pedestrian movement and active transport and
- Improved cycleway connections and upgrades to regional active transport links
- Guiding design principles that include:
 - celebrating heritage
 - a well-designed place
 - a green place
 - delivery of affordable and diverse housing

- two vibrant and connected centres
- creation of new job opportunities
- an accessible place

The vision for Glenfield as outlined in the draft Strategy is:

"In 2040 Glenfield will be South West Sydney's premier regional sporting and education destination. Glenfield will be a connected, inclusive community, where people come together enjoying parks and playing fields, green cover and abundant open space. Its educational heritage will be protected and enhanced, with existing schools retained, Hurlstone Agricultural High School upgraded, and a potential future primary school built. Revitalised retail and commercial areas will make Glenfield a self-contained new centre that offers jobs closer to home. A variety of housing will meet the community's changing needs, whether people are downsizing or starting a family."

The strategy would be implemented via the following moves:

- remove Glenfield from the SEPP (Sydney Growth Centres) 2006 to support a change in Biodiversity Certification to be replaced by the proposed Cumberland Plain Conservation Plan
- insert or amend land use zones, development standards, local provisions and heritage controls into the Campbelltown Local Environmental Plan 2015 (CLEP 2015)
- infrastructure would be delivered via amendment to Councils Development Contributions Plan 2018, Special Infrastructure Contributions and Voluntary Planning Agreements

Council would also be responsible for undertaking future amendments to its development control plan to identify any site specific controls to support the future assessment and determination of development applications.

Cambridge Avenue Upgrade Overview

Transport for NSW has identified a recommended design to link Moorebank Logistics Park and the Hume Motorway to improve access.

The recommended design would involve duplication and extension of Cambridge Avenue westward from Moorebank Avenue to Campbelltown Road including:

- four lanes between Moorebank Logistics Park and Canterbury Road
- extending of Cambridge Avenue as a dual-carriageway with provision for up to 6 lanes between Glenfield Road and Campbelltown Road
- an improved M31 Hume Motorway and Campbelltown Road interchange access which would enable motorists travelling:
 - north on the Hume Motorway to exit to Campbelltown Road

- on Campbelltown Road to join the M31 Hume Motorway to take either M5 eastbound or M7 northbound
 - south on the M7 Motorway to exit to Campbelltown Road.
- Campbelltown Road would also be upgraded between Ingleburn Gardens Drive and Parkers Farm Place.
- new bridge over the Main South and East Hills rail lines and the Southern Sydney Freight Line at Glenfield
- new bridge over Georges River with flood immunity for 1 in 100 year flood
- new bridge over the East Hills Rail Line at Moorebank
- new bridge over the Hume Motorway on Campbelltown Road.

The project would require acquisition of some properties that would be the responsibility of Transport for NSW.

Report

This report addresses key issues and recommended responses that represent Council's formal submission.

1. Statutory Planning Issues

a) Minimum Lot Size

Concern is raised with the minimum lot size of land in proximity of the Macquarie Fields House. The suggested minimum lot size of 1,200 m² is considered too small to achieve generous landscape setting. A more appropriate minimum lot size would be between 2,000 m² and 4,000 m².

The sensitivity of the locality surrounding and close to Macquarie Fields House is evidenced by way of the most recent refusal by the Council in May 2017, of a Concept Masterplan for the residential subdivision of Macquarie Fields House, which proposed a low density development with lot sizes ranging from approximately 1000 m² to 5500 m². The majority of lot sizes ranged between 1000 m² and 2500 m² with the refusal in large part being based on on-site environmental heritage impacts and the adverse impact on views and vistas to and from Macquarie Fields House as a result of the development of the land.

The proposed minimum lot size of 180 m² for designated precincts within the western precinct is not consistent with recently supported minimums for Menangle Park or Mt Gilead. A minimum of 250 m² is considered more appropriate, particularly as Torrens subdivision of this product can result in complying development on lots of 200 m² or more that may not comply with building envelope plans determined as suitable at the subdivision stage. Larger allotments provide for greater design flexibility that is more suitable in circumstances where merit based assessment, via the development application process, is not followed.

Recommendation: That the minimum lot size for Torrens subdivision of residential dwellings is not less than 250 m².

b) Car Parking

Two options for car parking are outlined in the draft Strategy that seek to balance the need for access to and provision of adequate parking. Option one seeks to apply a maximum rate approach, whereas option two would apply a more conventional minimum rate approach.

Concern is raised that option one would result in future development that does not provide sufficient off-street parking and result in future occupants competing with rail and school users for on-street parking. This may limit development feasibility or the ability to attract commercial and retail tenants who rely on sufficient off-street parking. This is particularly relevant, as the Edmondson Park Town Centre, located only one stop away, has more generous parking rates.

Recommendation: That car parking be based on a minimum rate of provision to be more in keeping with nearby centres and to ensure that development is capable of providing its own off-street parking. Development standards for car parking should only be contained within a development control plan to reduce the need for applicants undertake a Clause 4.6 where variations are proposed.

c) Public Open Space Acquisition

The plan proposes the acquisition of 5 private allotments, of which the acquisition authority is shown as Council. Property Nos. 12 – 16 Hosking Crescent are proposed for public open space and Nos. 108 to 110 Railway Parade are proposed for a town square.

Council understands the selection principles for these allotments are based on the NSW Government Architect's draft publication titled 'Greener Places Design Guide' which is a design policy for green infrastructure in urban areas throughout NSW. The draft policy identifies a preference for local parks to be accessible within 200 m of high density development.

Concern is raised that sufficient public open space is generally available within a 200 to 400 metres of these lands and that the rate of existing provision exceeds the generally accepted standard of 2.83 ha of open space per 1,000 residents. Of this, approximately 1.46 ha per 1,000 residents would be reserved for passive open space.

Council's records indicate that Glenfield Park is approximately 5 ha and Seddon Park is 11 ha and are both within 200 to 400 metres of most future residents in the eastern precinct. Therefore, based on more conservative development yield of 2,500 dwellings for the eastern precinct, 7.3 ha of local open space would be required. This provision could be met within these existing reserves, with upgrades to improve their amenity which would be a more efficient use of development contributions.

In relation to Nos. 108 – 110 Railway Parade, a parking reserve of equivalent size exists behind this land under the control of Council. A better solution to the provision of an iconic, corner square would be to negotiate a land swap upon the lodgement of a future development application. This would forego the need for Council to acquire the land and provide an incentive for future developers to incorporate the properties into a development site.

Recommendation: That the reservation of property Nos. 12 – 16 Hosking Crescent and Nos. 108 to 110 Railway Parade for acquisition by Council is not supported.

d) Biodiversity

The western precinct has existing biodiversity value by virtue of its remnant habitat and riparian aligned vegetation.

The supporting Biodiversity Assessment was undertaken in 2016 and does not address more recent changes in legislation (including the offset provisions) threatened species listings, survey methodology and biodiversity policy development.

Although future development would be reliant on the Cumberland Plain Conservation Plan (CPCP) which is yet to be finalised, the Structure Plan should be capable of assessment against the current biodiversity framework. Particularly if development applications for subdivision are lodged shortly after making of the required amendments to the CLEP 2015.

Recommendation: That the Draft Place Strategy only be finalised if supported by the prior commencement of the Cumberland Plain Conservation Plan.

2. Draft Structure Plan Issues**a) Hume Motorway Interface**

The western boundary of the Glenfield precinct directly interfaces with the Hume Motorway (and Campbelltown Road in part). The visual and acoustic impact of residential development on this sensitive interface is of high importance, particularly given that not all land is screened by the landscape mound and any residential development in proximity to a major roadway will be affected to varying levels at day and night by noise generated by vehicles moving along the motorway.

Recommendation: Future development should be responsible for the extension/augmentation of the existing landscape mound to provide a complete, naturalised screen from the highway. All dwellings in proximity to the major roads such as the motorway and Cambridge Avenue, should include adequate noise reductions within their building specifications. These aspects should form part of the structure plan to support future translation into a development control.

b) Heritage and Visual Landscape

The design of the western precinct is significantly influenced by the heritage sensitivities associated with Macquarie Fields House and its visual context and Hurlstone precinct generally.

The Heritage Assessment predates the exhibited structure plan which should be updated to address the following:

- Whether the amended structure plan sufficiently addresses the retention of the key views
- Whether the low density development to the northeast of Macquarie Fields House is appropriate; and
- Whether medium density residential development to the west of the proposed playing fields is likely to impact on view corridors associated with Macquarie Fields House.

Recommendation: An update of the supporting Heritage Assessment be undertaken to ensure its recommendations are reflected in the final structure plan, including illustration of the view corridors on the final structure plan.

c) Sports fields

The development of Glenfield 'as a premier regional sporting' locality is largely encapsulated in the proposed formal playing fields situated in the central open space corridor on the west. The precinct is depicted in the structure plan to be 'tightly' bounded by urban development and the school farm land.

This configuration provides little scope for amenities and parking requirements to service a precinct of such scale. Additionally, provision should be made to ensure that the facility caters for both junior and senior sport spatial demands and appropriate buffers to surrounding sensitive urban uses.

Recommendation: The draft structure plan be reviewed to ensure that it caters for both junior and senior sporting demands, required parking and amenities infrastructure whilst also incorporating appropriate buffers to surrounding sensitive urban uses. If required, a sporting field should be removed in favour of utilising the same land for passive uses or greater curtilage.

d) Health and Community Facilities

The draft structure plan locates the potential future health and community facilities approximately one kilometre from the Glenfield Railway Station, on the fringe of the western town centre precinct. The proposed facilities may also include a library and cultural space, which would have an important place making role.

Concern is raised that this facility should be located closer to the mixed use town centre hub and train station. This would enhance the place making role of the facility and optimise opportunity for patrons to access the facility by public transport.

Recommendation: The structure plan be reviewed to consider relocating the future health and community facilities to be closer to the walkable catchment of the train station precinct.

e) Accessibility

Glenfield is strategically located at the northern extremity of the Campbelltown Local Government Area and forms an important heavy rail dominated public transport node.

The Glenfield rail radiates to Leppington to the west, to Airport and the city to the east and Liverpool, Parramatta and the city to the north. This rail node is a critical foundation for the Structure Plan.

Despite the presence of the rail, the structure plan is not underpinned by an integrated public transport strategy, nor is there a bus interchange facility plan.

Recommendation: That an integrated public transport strategy and bus interchange solution be urgently advanced.

f) Integration with Glenfield Road Urban Release Area

The existing Glenfield Road Urban Release Area (GRURA) to the north remains a 'free-standing' disconnected community. Although land use provision was made for a mid-block connection to the Hurlstone site, the retention of agricultural land for the school now removes this opportunity.

Access for the GRURA community to the Glenfield railway station via pedestrian and cycleways should be fully integrated into future works.

Recommendation: Access for the GRURA community to the Glenfield railway station via pedestrian and cycleways should be fully integrated into future works associated with Cambridge Avenue upgrade.

g) Water Management

The detention basin in the north western corner adjacent to the intersection of Campbelltown Road and Cambridge Avenue is not shown. There is also no assessment of the land area requirement for water quality treatments which should occur before zoning is finalised, as this may require additional land.

The detention basin to the south west of Glenfield Park School is slightly south of the natural low point and careful integration of the topography would be required to ensure the properties to the north are not affected by flooding.

Recommendation: Relocate the proposed basin that is south-west of Glenfield Park School to the natural low point. An assessment of the land area requirement for water quality treatment should also be undertaken before finalising the plan.

h) Western Town Square

The location of the urban square in the western town centre should be located closer to the centre of the precinct and be of a more adequate size. It is considered more appropriate for the urban square to be located more centrally to the town centre rather than the edge to enhance commercial place making opportunity. The proposed location does not align well with access from the train station or any other attractor.

Recommendation: Locate the western town square to more central location or move further south to align with the active transport link and review the required land areas to optimise place making opportunity.

i) Footpaths

The provision of 1.8m wide footpaths to facilitate active transport is not supported. Consideration should be given to two-way share paths of 2.5 m wide on one side and 1.5 m wide pedestrian only paths on the other side. This would also need a corresponding update to street widths to allow for a suitable tree planting allocation.

Recommendation: The width of active transport links and provision and allocation for tree planting be reviewed in consultation with Council.

3. Transport Planning Issues

a) Roy Watts Road

The section of Roy Watts Road parallel to the rail corridor is currently shown as being owned by Railcorp and this road does not become a public road, until it reaches the roundabout at Glenfield Road. Council or any private developer should not be responsible for resolving acquisition of this road for a public purpose.

Recommendation: The sections of Roy Watts Road owned by Railcorp should be excised by the State and dedicated as public road prior to finalising the plan to ensure access to the precinct can be secured.

b) Access to Western Precinct from Cambridge Avenue

The proposed Cambridge Avenue upgrade provides limited access to the proposed western urban release area. This means that all traffic wanting to head east will need to use Roy Watts Road. Similarly there is no right turn into the development from the western access road, so all trips from this direction will need to access via Roy Watts Road.

Roy Watts Road will be required to support a significant level of local development and trip demand, include vehicle trips that don't want to be on this side of the development.

Recommendation: It is strongly recommended that both access roads be designed to split traffic demand and make some provision in the situation where there is an incident that requires traffic to divert. All turn movements into/and from the western precinct must be provided from the mid-block intersection on Cambridge Avenue.

c) Future Transport Facility

The site nominated as a proposed future transport facility is an existing facility and fully patronised.

Recommendation: Additional provision of a similar commuter parking facility, supported by a parking strategy be provided.

d) Pedestrian priority

The station character area talks of prioritising pedestrian and cycle movements over vehicles. Given the concentration of development on this side of the precinct and the need for road access via Roy Watts Road (which is the only link on this side of the precinct to the main road network outside the precinct), it will be important to separate vehicles and pedestrians.

Recommendation: That an extension of the existing overpass from the station to the western side of Roy Watts Road be identified as state infrastructure.

e) School and commuter car parking

Concern is raised that proposed routes to the school and associated parking/waiting requirements have not been properly considered due to competing demand for on street parking from adjoining railway and future higher density development. This should also include movements around the existing multi-deck carpark.

It may be necessary to include an overbridge from the carpark to the eastern side of Roy Watts Road to minimise conflict with the significant increase in vehicles which will be using this road.

Continued use of the at-grade pedestrian crossing will cause significant delay and may become a safety issue.

Recommendation: Greater consideration should be given to the drop off zones for both the existing schools and the proposed school.

f) Active Transport

The potential regional active transport links shown are unlikely to be deliverable and realistic expectations should be reflected in the plan. The western link is through Bunbury Curran Creek traverses land which is bounded but not fenced by part of the Macquarie Links community scheme. It is unlikely that this would be an acceptable outcome for the community residents. Also, the flows in this section of Bunbury Curran Creek are significant in even minor events and pose a significant risk to safety.

The link to the east would need to pass under the rail corridor and Railway Parade. This would be very difficult to achieve due to the topography and physical constraints in this area. Additionally it is unlikely to be acceptable from a public safety perspective.

Recommendation: That the proposed regional active transport links be re-designed to follow routes that can be implemented.

g) Existing Cultural Tree

The siting of the existing cultural tree in a precinct of proposed medium density residential development will challenge its survival and interpretative context. This land should be appropriately zoned to ensure its ongoing management by a relevant authority.

Recommendation: The culturally significant tree should be on more appropriately zoned land that can be managed in perpetuity.

4. Cambridge Avenue Upgrade

a) Land requirement

The preferred route option would result in the loss of multiple houses in Minstrel Street and Guardian Crescent off Glenfield Road. Unfortunately, the overview map does not illustrate this accurately such that impacted land owners may not be fully aware.

The evaluation report indicates that the future urban development of the surplus Hurlstone Agricultural School would limit the yield of this precinct as reason (in part) for selection the option that requires private land resumption.

Concern is raised that alternate methods of construction, such as retaining wall systems or an elevated roadway have not been considered due to maintenance concerns. These alternate methods may limit the extent of batters required and reduce the need for land acquisition.

Recommendation: That alternate construction methods that reduce the extent of land acquisition be considered. An elevated roadway may also facilitate a more direct pedestrian/cycle connection between the Hurlstone precinct and the GURA.

b) Road Design

Concern is raised that grade intersections at Campbelltown Road off ramps will increase, not reduce, congestion.

The proposed bridge to the north of the existing bridge would be closer to the intersection of Railway Parade and the current private road that serves the Glenfield Waste site. While not an issue with current traffic volumes, the waste site is zoned for industrial development, including uses that could be ancillary to the Moorebank Logistics Park.

Concern is also raised with the absence of right turn provision from the M5/M31 at Campbelltown Road. This would result in a longer route for motorists with 6 additional traffic signals. It is understood this right turn cannot be provided due to the height difference between the old bridge and the new bridge. Although the new bridge would be built to current height clearances, assurance is sought that raising of the existing bridge is on the works program for TfNSW. If it is not, it does not make sense to raise the new bridge deck and make it impossible to include the right turn movement.

Finally, the Glenfield Land Use and Infrastructure Plan shown in Figure 6 of the Options Evaluation Report is not consistent with current planning for Glenfield as shown on the DPIE website. Confirmation is sought that assessment of intersections on Cambridge Ave has considered the latest proposal for growth in Glenfield and can provide appropriate levels of service.

Recommendation: Provision should be made in current design to permit right turn movement at the M5/M31 intersection with Campbelltown Road. Confirmation is also required that the latest growth projections have been used to inform intersection performance.

5. Infrastructure Funding and Delivery

The provision of timely, fit for purpose infrastructure is critical to the delivery of the draft Strategy. Although major infrastructure would be provided by the NSW Government, Council would be responsible for local infrastructure such as open space, drainage infrastructure and community facilities.

Council's exiting Contributions Plan adopted in December 2018 currently applies to both the western and eastern precincts. It is anticipated that this plan would continue to apply to the eastern precinct, with opportunity to consider voluntary planning agreements or a site specific contributions plan for the western precinct that is approved by the Independent Pricing and Regulatory Tribunal.

Concern is raised that without an approved special infrastructure levy by the NSW Government, developers could be charged different rates for the same form of development as each would be required to enter in a voluntary planning agreement with the NSW Government. Although satisfactory arrangements provisions are supported, this should be supported by a transparent plan in the same way that Council is required.

Recommendation: That a special infrastructure contribution be finalised and published contemporaneously with amendments to Councils CLEP 2015.

Conclusion

The recent public exhibition of the Draft Glenfield Place Strategy and Cambridge Avenue upgrade reflect a whole of government approach to resolving the future role and function of the precinct and Hurlstone Agricultural School. As the first railway station of the new connection to the Aerotropolis, and one that provides a critical public transport connection to a significant part of the wider Sydney area, Glenfield is uniquely located to provide strategic and high quality mixed tenure housing that is supported by commercial and other institutional uses.

To support the successful implementation of this plan, it is recommended that Council forward a submission to the Department of Planning, Industry and Environment and Transport for NSW indicating its general support of the exhibited documents, subject to addressing the issues outlined in this report and not support the proposal to acquire private lands at Hosking Crescent and Railway Parade for the purpose of public open space.

Attachments

Nil

8.5 Quarterly Report – Clause 4.6 Variations to Development Standards

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

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 advise Council of approvals where Clause 4.6 'Variations to Development Standards' was used.

Background

Clause 4.6 of Campbelltown Local Environmental Plan 2015 permits the Council to consider applications that do not comply with specified development standards contained within its Local Environmental Plan (LEP) or other environmental planning instruments, such as State Environmental Planning Policies. This is a common rule that applies to all Councils across NSW.

Generally, a development standard is a requirement of an environmental planning instrument that has a numerical value. Common requirements include building height, lot size and floor space ratio. Development control plan numerical values are not development standards.

Clause 4.6 is common to all standard-instrument LEPs across all NSW Councils. The objectives of the Clause are:

- a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
- b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Planning Circular PS20-002, issued by the Department of Planning, Industry and Environment, specifies how Councils throughout NSW can use and interpret the Clause.

The Circular also contains information about reporting requirements. For example, the respective Council is required to report its (or its Local or Regional Panel's) use of Clause 4.6 to the Department of Planning, Industry and Environment.

Clause 4.6 has a high threshold to meet in order to establish a clear reason (or reasons) as to why a development standard might be varied in the circumstances. As such, the variations are not particularly common.

Report

All Councils are required to report its (or its Local or Regional Panel's) use of Clause 4.6 to the Department of Planning, Industry and Environment.

As per this requirement, attachment 1 to this report details the applications, standards varied and extent of variation approved during the October 2020 to December 2020 quarter.

This is provided for the Council's and public's information.

Attachments

1. Fourth Quarter 2020 Clause 4.6 Report (contained within this report)
2. Varying Development Standards Guideline (contained within this report)

Council DA reference number	Lot number	DP number	Street number	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined
2385/2020/DA-RS	23	247206	4	Wonga Place	INGLEBURN	2565	Residential - New multi unit	Campbelltown Local Environmental Plan 2015	R3 - Medium Density Residential	Cl 4.4 - Floor Space Ratio	Negligible impact on neighbouring properties, indiscernible variation in terms of additional floor area, proposal remains consistent with zone and Clause objectives	< 1%	Council	23/12/20



Planning &
Infrastructure

Varying development standards: A Guide

August 2011

The NSW planning system provides flexibility in planning controls by providing the ability for a council to vary development standards in certain circumstances. This Guide will assist applicants to vary development standards where appropriate as well as councils in determining applications.

GUIDELINES

Introduction

Development standards are a means to achieving an environmental planning objective and can be numerical or performance based. Some developments may achieve planning objectives despite not meeting the required development standards. The planning system provides flexibility to allow these objectives to still be met by varying development standards in exceptional cases.

If someone wishes to vary a development standard contained within an environmental planning instrument, their development application is to be supported by a written application that compliance with that development standard is unreasonable or unnecessary in the circumstances of the case. This guide outlines matters that need to be considered in these applications.

This guide is to also assist council when determining applications to vary development standards where they are required to take into consideration whether the non-compliance with the development standard raises any matter of significance for State or regional environmental planning, and the public benefit of maintaining the planning controls adopted by the environmental planning instrument.

Further advice and assistance is available from the Regional Offices of the Department of Planning & Infrastructure. Throughout these guidelines reference is made to various functions exercised by the Director-General. However, the first point of contact in relation to varying a development standard should always be the local Regional Office.

How are development standards varied?

The NSW planning system currently has two mechanisms that provide the ability to vary development standards contained within environmental planning instruments:

- Clause 4.6 of the Standard Instrument Local Environment Plan (SI LEP); and
- State Environment Planning Policy No 1 – Development Standards (SEPP1).

Both Clause 4.6 and SEPP 1 provide flexibility in the application of planning controls by allowing councils to approve a development

application that does not comply with a development standard where this can be shown that compliance is unreasonable or unnecessary.

Clause 4.6

In new local environmental plans (in the Standard Instrument format), clause 4.6 *Exception to development standards (compulsory)* replaces SEPP 1. The Standard Local Environmental Plan incorporates many State environmental planning policies, including SEPP 1. SEPP 1 does not apply to land to which a Standard Instrument LEP applies as Clause 4.6 provides for exceptions to development standards (see **Appendix 1**).

If your council has recently adopted a Local Environmental Plan (LEP) that was prepared under the standard instrument (known as a Standard Instrument LEP), an application to vary a development standard can be made under Clause 4.6. This clause was modeled along the lines of SEPP 1 but with some differences. It aims to provide an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Clause 4.6 also requires the concurrence of the Director-General to be obtained prior to the granting of consent for development that contravenes a development standard (see section on Concurrence below).

Clause 4.6 is not to be used in Rural or Environmental zones to allow subdivision of land that will result in 2 or more lots less than the minimum area specified for such lots by a development standard, or the subdivision of land that will result in any lot less than 90% of the minimum area specified for such lots by a development standard in the following SI zones: Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Rural Small Holdings, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living.

GUIDELINES

SEPP 1

SEPP 1 (see **Appendix 2**) applies where council has an existing LEP that was not prepared through the Standard Instrument and to any development standard that is not a 'non-discretionary development standard'. In its 25 years of operation, it has been a valuable planning tool for allowing flexibility.

A consent authority may not grant consent to a development application to subject to a SEPP 1 application, except with the concurrence of the Director-General of Planning & Infrastructure. Consent authorities have broad delegation from the Director-General to assume concurrence in respect of SEPP 1 applications. The main exception is an application to subdivide land zoned rural or non-urban where permissibility of residential accommodation development is linked to the subdivision standard (see section on Concurrence below).

What is an environmental planning instrument?

Environmental Planning Instruments (EPIs) are made under the *Environmental Planning and Assessment Act 1979* (EP&A Act) and guide development through mandatory legal requirements on a wide range of issues. Provisions within EPIs are not able to be varied by a council under delegation without the concurrence of the Director General. In exceptional cases, SEPP 1 or Clause 4.6 for Standard Instrument LEPs permits these standards to be relaxed or varied where a case is justified on planning grounds.

EPIs can include:

- State Environmental Planning Policies (SEPPs)
- Deemed SEPPs
- Local Environmental Plans (LEPs)
- Deemed EPIs

Most variations relate to the development standards contained within a Local Environmental Plan (LEP), which is the primary document to guide planning decisions for local government areas. Through zoning and development controls, they allow councils and other consent authorities to manage the ways in which land is used.

What are 'Standard Instrument LEPs'?

In 2006, the NSW Government gazetted the Standard Instrument Order which set out a template for preparing new LEPs. Since then many councils in NSW have prepared a Standard Instrument LEP which introduces consistency of approach for terminology, zoning and principal development standards. Councils are able to include localised planning objectives and provisions specific to their area where justified and consistent with the mandatory provisions of the template, as well as determine zoning, additional land uses, heritage items, and principal development standards such as height, floor space ratio and minimum lot sizes.

SEPP 1 will be retained until all council have new SI LEPs in place. When this occurs, there will be no need for SEPP 1 to exist and it will be repealed.

What are development standards?

The term 'development standards' is defined in the *Environmental Planning and Assessment Act 1979*. They are provisions in environmental planning instruments that guide development to be carried out in accordance with particular requirements under certain circumstances, such as minimum building heights in residential areas. They can be numerical or may require compliance with a particular condition or require facilities to be provided in association with certain development.

The Standard Instrument LEPs include Principal Development Standards being minimum lot sizes, height and floor space ratio. Development standards in non-Standard Instrument LEPs include both numerical and non-numerical standards and will vary between each council area.

A proposed variation to a development standard may, in some circumstances, achieve the underlying purpose of the standard as much as one which complies. If the development is not only consistent with the underlying purpose of the standard, but also with the broader planning objectives for the locality, strict compliance with the standard would be deemed to be unreasonable and unnecessary and council could approve a variation.

GUIDELINES

It is important to note that even if a development standard is met, it does not guarantee that it will be approved. All development applications are to be assessed on a merits basis and as such may be refused despite development standards being met.

Making an application to vary a development standard

If an applicant wishes to vary a development standard in an environmental planning instrument, they can formally lodge a written application justifying the variation along with their development application to council. Applicants may use the form (at **Appendix 3**) or a letter to justify the variation to the development standards. This Guide also contains details of the information applicants are required to submit to the council to assist council assess development applications and associated applications to vary a standard.

Because of the nature of such variation to a development standard, an applicant may wish to engage a professional to prepare your submission, someone who is aware of the legal and technical requirements. A professional may be, for example, a town planning consultant, an architect or similar. To locate a suitable professional, applicants may wish to contact the relevant industry association (Planning Institute of Australia, Australian Institute of Architects or similar).

The applicant and their consultant may wish to have a pre-development application meeting with a council development assessment officers to discuss the development proposal and any proposed development standard variations. The council officer may be able to provide some information on whether the type of proposed variation has previously been considered by council, and in general terms how similar types of variations have been viewed by council. In addition, the council officer may be able to offer some general information regarding the size of the proposed variation and how similar size variations have been viewed by council in the past.

It is important to note that there is no automatic right to vary a development standard. SEPP 1 and Clause 4.6 places the onus on the applicant to provide a written justification for the variation to the development standard through application.

Applicants should also make themselves aware of the 'five part test' outlined on page 5.

Matters to address in an application

When applicants lodge development applications and associated applications to vary a development standard, they must give grounds of objection to the development standard. Variation of a development standard may be justified where it is consistent with the objectives that the relevant environmental planning instrument is attempting to achieve. The application must:

- address whether strict compliance with the standard, in the particular case, would be unreasonable or unnecessary and why, and
- demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard.

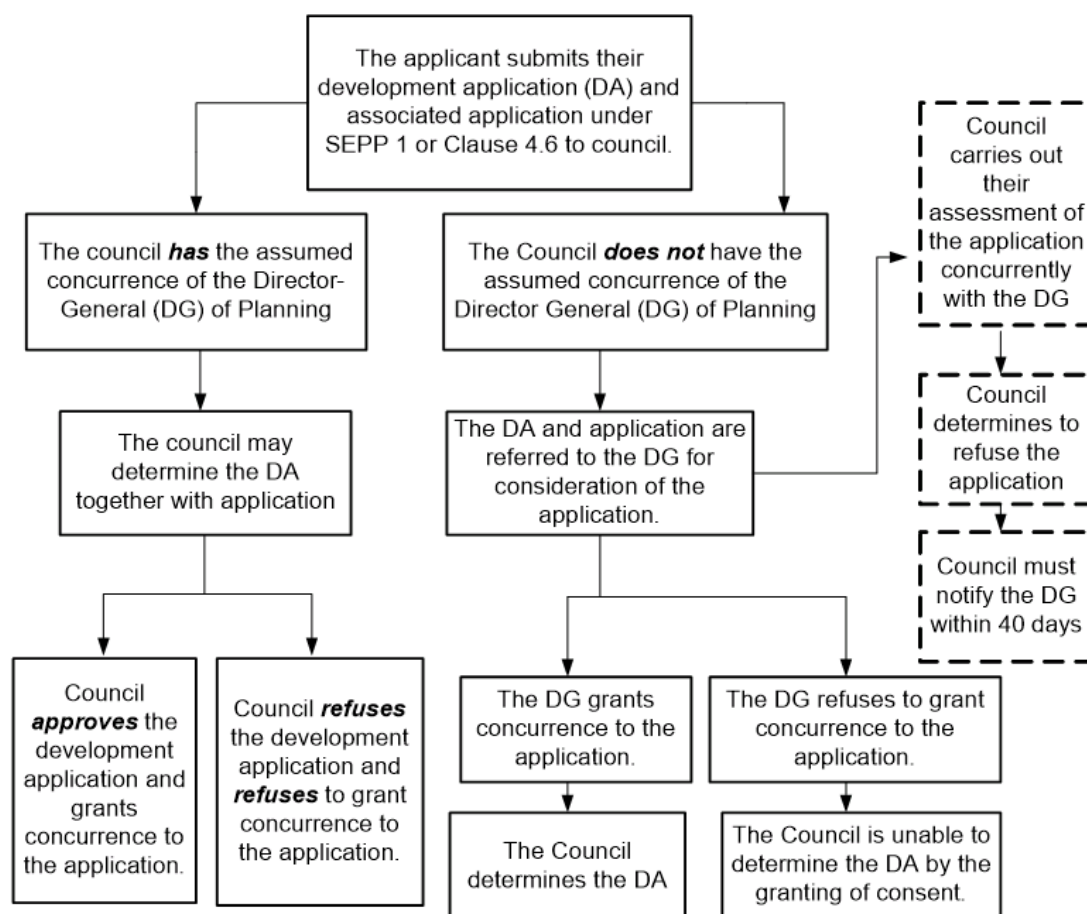
Refer to the Application Form at **Appendix 3**.

What does the application process involve?

Councils may determine development applications with associated applications to vary development standards only where they have assumed concurrence (see section on Concurrence below). Where councils do not have assumed concurrence, they must refer the SEPP 1 application to the Director-General of Planning & Infrastructure for consideration and determination, and if concurrence is granted, then the council may consider and determine and development application.

Section 79B of the *Environmental Planning and Assessment Act 1979* (EP&A Act) sets out the procedure for determining development applications with concurrence requirements such as SEPP 1 or Clause 4.6 applications. The process is shown below.

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Consideration of applications by councils

In deciding whether to approve a development application and associated application to vary a standard, council must consider whether non-compliance with the development standard raises any matter of significance for State and regional planning, and the public benefit of maintaining the planning controls adopted by the environmental planning instrument. As part of the consideration, council should examine whether the proposed development is consistent with the State, regional or local planning objectives for the locality, and, in particular, the underlying objective of the standard.

Consideration of Clause 8 in SEPP 1

Clause 8 requires council to assess whether non-compliance with the development standard raises any matter of significance for State and regional planning, and the public benefit of maintaining the planning controls adopted by the environmental planning instrument. Councils must furnish written evidence that they had considered the matters referred to in clause 8 of SEPP 1 in their assessment of an application.

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The 'five part test'

Written applications to vary development standards will not only address the above matters but may also address matters set out in the 'five part test' established by the NSW Land and Environment Court. Councils may choose to not only use the principles of Clause 4.6 and SEPP1 but also this five part test.

Court cases dealing with applications to vary development standards resulted in the Land and Environment Court setting out a five part test for consent authorities to consider when assessing an application to vary a standard to determine whether the objection to the development standards is well founded:

1. the objectives of the standard are achieved notwithstanding non-compliance with the standard;
2. the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
3. the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
4. the development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;
5. the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

What objectives should council consider when assessing applications?

The planning objectives for certain land generally identified in State (Metropolitan and Regional Strategies) and more specifically in local environmental planning instruments. Objectives may relate to the purpose of the zone and intended strategic land use direction, or they may be set out in local provisions addressing matters such as residential amenity, heritage conservation, riparian corridor protection etc.

The planning objectives of a development standard are usually stated in the relevant clause, as well as being interpreted within the context of the whole EPI. For example, a floor space ratio for commercial development in a business zone is designed to indicate the desired scale of development for business, office and retail purposes. It reflects the intended regional and local distribution of commercial space and the capacity of the transport system to service the area.

The planning objectives for a locality may overlap to some extent with the objective of the development standard, but are likely to include a broader range of considerations than those attached to the development standard. In some cases, to assist councils in identifying matters of State or regional importance, councils have been notified directly by the Department's regional offices concerning the standards regarded as having State or regional significance in their region.

What objectives should councils consider where council has a Standard Instrument LEP?

Some councils may have implemented a new Standard Instrument LEP or may be preparing a Standard Instrument LEP. When assessing applications for varying development standards under Clause 4.6 of the Standard Instrument, council should take into account both the mandatory zone objectives as well as any additional objectives. Mandatory (core) zone objectives are included in the Standard Instrument to ensure consistency in how zones are applied across NSW and reflect the intended strategic land use direction. Councils when preparing their Standard Instrument LEPs can apply additional LEP zone objectives relevant to their locality which clearly articulate what additional goals are intended to be achieved in the zone, provided they support the core objectives.

Councils should also take into consideration mandatory or added objectives set out in clauses contained in Part 4 of the SI – *Principal Development Standards*. The objectives of these clauses explain the intention of planning tools to be used to achieve the overall objectives of the zone. The hierarchy of policy intention is established from the overarching *Aims of the Plan* (SI Clause 1.2), zone objectives, land use table and the objectives in SI clauses setting out development standards (see PN 09-005).

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Concurrence of the Director-General to vary development standards

An environmental planning instrument may provide that consent cannot be given by a local council unless the Director-General or Minister grants concurrence and therefore agrees to the granting of consent. Where the council is satisfied that the application to vary a development standard is well founded and wishes to grant consent to that development application, it may, with the concurrence of the Director-General, grant consent to that development application.

Assumed concurrence under SEPP 1

In March 1989, councils were advised by Circular B1 that they may assume the Director-General of Planning & Infrastructure's concurrence under SEPP 1 in relation to all development applications, with the following exceptions:

- (a) To erect a dwelling on an allotment of land zoned rural or non-urban or within the zones listed in Schedule A to Circular B1 (see **Appendix 4**);
- (b) To subdivide land which is zoned rural or non-urban or within the zones listed in Schedule A to this Circular B1 (see **Appendix 4**);

Councils may assume the Director-General's concurrence under SEPP 1 in relation to these applications but only if:

- (i) Only one allotment does not comply with the minimum area; and
- (ii) That allotment has an area equal to or greater than 90 percent of the minimum area specified in the development standard.

Concurrence required from Director-General under SEPP 1

The *EP&A Regulation* contains provisions setting out the requirements for all development applications which have a concurrence requirement. Concurrence from the Director-General is required if a development application and associated SEPP 1 application is for the types of developments listed in (a) and (b) above and does not comply with (i) or (ii) above.

In these circumstances, the council must forward a copy of the development application and associated SEPP 1 application to the

Department of Planning & Infrastructure (to the relevant Regional Team) for consideration by the Director-General (or delegate) within 2 days of receiving the DA.

The Director-General then either grants concurrence (with or without conditions) or refuses concurrence. The Department of Planning & Infrastructure must advise the council (within 40 days of receiving the SEPP 1 application) of the Director-General's decision on the SEPP 1 application. However, the council may refuse the DA prior to the 40-day concurrence period, if so, the council must advise the Department of Planning & Infrastructure of the determination.

Where a council has been separately notified since 26 April 1985 of a modification to or revocation of the assumed concurrence arrangements described above, that modification or revocation continues to apply. If in doubt, councils should contact the Department of Planning & Infrastructure Regional Team.

Boundary adjustments

In August 1991, the Director-General advised councils of additional assumed concurrence arrangements under section 81 of the *EP&A Act* relating to boundary adjustments.

The Director-General's concurrence may be assumed in respect of development applications with associated SEPP 1 applications for boundary adjustments between two existing allotments where both are already below the minimum allotment size for the zone, subject to the following conditions:

- (a) that no additional allotments are created;
- (b) that no additional housing entitlement is created and;
- (c) the council is satisfied that any existing or potential agricultural use of the land will not be compromised

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Assumed concurrence under the Standard Instrument

In May 2008, the Planning Circular PS 08-003 advised councils that arrangements for the Director-General's concurrence can be assumed in respect of any environmental planning instrument that adopts clause 4.6 of the Standard Instrument or similar clause, which provide for exceptions to development standards. Notification of this is in the box below.

Notification of assumed concurrence of the Director-General under clause 4.6(4) (and the former clause 24(4)) of the Standard Instrument

- (1) Under clause 64 of the Environmental Planning and Assessment Regulation 2000, council is notified that it may assume the Director-General's concurrence for exceptions to development standards, subject to paragraphs (2) and (3), in respect of all applications made under:
 - (a) clause 4.6 (or the former clause 24, or any future amended version of this clause) of the Standard Instrument (Local Environmental Plans) Order 2006, or
 - (b) any other clause that is based on a substantially similar format and has a substantially similar effect to the clause described in (1)(a), where such a clause is adopted in an environmental planning instrument to provide for exceptions to development standards.
- (2) Council may assume the Director-General's concurrence in respect of an application to vary a development standard relating to the minimum lot size for the erection of a dwelling on land zoned RU1, RU2, RU3, RU4, RU6, R5, E2, E3 or E4 (or equivalent zone) only if:
 - (a) only one allotment does not comply with the minimum area, and
 - (b) that allotment has an area equal to or greater than 90% of the minimum area specified in the development standard.
- (3) This notification may be varied or revoked by further written notice provided by the Director-General.

Local environmental plans that adopt the Standard Instrument will repeal the application of SEPP 1 for the land to which the plan applies. To avoid any doubt, Planning Circular PS 08-003 provides that the above notification

does not vary existing notifications to councils for assumed concurrence of the Director-General in respect of applications under SEPP 1.

Rural subdivision and the Standard instrument

It should be noted, that Clause 4.6 of the Standard Instrument LEP states:

- (6) *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 Rural Small Holdings, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*
 - (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.*

This means, variations to these development standards, greater than those set out above, cannot be approved by Council.

Boundary adjustments in LEPs under the Standard Instrument

Clause 2.6 *Subdivision – consent requirements* – (Please note: proposed to be amended in early 2011) provides that a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings or lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned, is a development for which consent is not required.

What should councils send to the Department when seeking concurrence under SEPP 1?

For matters where the Director-General's assumed concurrence has been given, councils will have to seek the Director-General's concurrence on a case by case basis. When seeking the Director-General's concurrence to the use of SEPP 1, councils are required to provide all the information necessary to enable a decision to be made. This includes:

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- a copy of the development application,
- a copy of the report to the council, and
- a copy of the applicant's objection pursuant to clause 6 of SEPP 1.

If the SEPP 1 application is supported by the Director-General (or his delegate) then the Director-General grants concurrence, and advises council. Then the council may not determine the development application by the granting of consent.

If the SEPP 1 application is not supported by the Director-General, the Director-General refuses concurrence and advises council. Then the council is unable to grant consent and must determine the application by refusing consent.

If any further clarification or advice is required either on the broad interpretation of the Policy or on matters of State or regional significance, councils should contact the Department's regional office for their area.

What are council's reporting requirements?

In November 2008, Planning Circular PS 08-14 advised councils that all development applications with SEPP 1 applications with variations greater than 10% must be reporting to council for determination. This was in response to the findings of the Independent Commission Against Corruption investigation into corruption allegations affecting Wollongong City Council.

Councils were required, amongst other things, to:

- Require all development applications where there has been a variation greater than 10% in standards under SEPP 1 to be determined by full council (rather than general manager or nominated staff member); and
- Provide a report to each council meeting on the development applications determined where there had been a variation in standards under SEPP 1.

A small number of councils have obtained limited exemptions to the reporting requirements outlined in (a) by making a written application to the Department of Planning & Infrastructure. These limited exemptions have related to a specific

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

Effects of varying development standards

In addition to the legislative requirements outlined above, there are additional matters that councils should be aware of when assessing and determining variations to development standards.

Cumulative effects

Councils should consider whether the cumulative effect of similar approvals will undermine the objective of the development standard or the planning objectives for the zone. If the council considers that the decision should be made not to approve others like it.

If the development standard is clearly inappropriate in general terms, the council should review its planning controls by means of a local environmental plan. The new Standard Instrument LEPs which are being prepared by councils should include a review of any development standards that are the subject of frequent SEPP 1 applications.

Consideration when preparing a Standard Instrument LEP

Where a local environmental plan is being prepared under the Standard Instrument LEP, councils should be cautious in using SEPP 1 on the basis of the draft plan, since there is no guarantee that a draft instrument will proceed to finalisation. Repeated application of the Policy under these circumstances can bring about a de facto amendment to the plan. The policy is an administrative rather than a policy-making tool and the distinction needs to be kept clearly in mind.

Standards involving existing uses

Special care needs to be taken when dealing with development applications to extend more than 10% in the floor space of the premises associated with the existing use, as specified

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in Clause 41 of the *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)*. The underlying purpose of these provisions is to prevent excessive expansion of existing uses and to permit gradual and controlled adaptation of these uses to those which are compatible with the zoning. The Policy should not be used to allow expansion of existing uses in a way which is substantially inconsistent with the intentions of the zone.

Monitoring the use of SEPP 1 & Clause 4.6

In October 1989, the Department's Circular B1 requested that councils monitor the use the Director Generals' assumed concurrence under SEPP 1 on a quarterly basis. In May 2008, Planning Circular PS 08-003 reminded councils to keep accurate records of the use of SEPP 1 and clause 4.6 of the Standard Instrument (or similar provision). An updated reporting form was provided (**see Appendix 6**).

The quarterly reports on SEPP 1 usage are required for the quarters ending March, June, September and December each year. Quarterly reports are to be emailed to developmentstandards@planning.nsw.gov.au. The Department intends to integrate reporting of SEPP 1 usage into the Local Development Performance Monitor.

In response to the findings of an Independent Commission Against Corruption (ICAC) investigation into corruption allegations affecting Wollongong City Council, all NSW councils were advised through Planning Circular PS 08-014 *Reporting variations to development standards* that they were required to adopt a number of additional reporting measures in respect of their SEPP 1 usage and that the Department would be undertaking a number of random audits on such matters. Those measures provide increased transparency and accountability in the making of SEPP 1 decisions.

Monitoring of councils' SEPP 1 returns helps the Department to check whether councils are keeping accurate records of the use of SEPP 1, to assess whether any particular development standards are being regularly varied by a council and may require review, and to detect anomalies (e.g. exceeding of delegations) if they are occurring. In addition, councils are required, amongst other things, to

establish a register of development applications determined with variations in standards under SEPP 1; and make the register available to the public on the council's website.

In 2009, four councils were drawn at random to be audited by the Department: Blue Mountains, Byron, Tenterfield, and Wingecarribee Councils. The audit found that the four councils mostly followed due process in making the SEPP 1 decisions that were audited, although each had some inadequacies in their reporting and/or administrative procedures. A summary can be found at www.planning.nsw.gov.au.

Other information

Complying development

SEPP 1 does not apply to complying development. This means that predetermined development standards for complying development cannot be varied using a SEPP 1 application.

SI Clause 4.6(8)(a) also excludes a development standard for complying development from the application of this clause.

SEPP 1 and Joint Regional Planning Panels

In May 2010, Circular PS 10-009 *Joint Regional Planning Panels – Review and Changes* advised councils that the Joint Regional Planning Panels Operational Procedures now provide information regarding the determination of DAs by a regional panel and consideration of associated SEPP 1 applications.

Obtaining concurrence from the Director General to the SEPP 1 application is a matter for the relevant council. However, where concurrence is assumed there are no additional procedural requirements for council to follow.

As the consent authority, it will be a matter for the regional panel to determine that a SEPP 1 objection is well founded and to form the opinion that granting consent is consistent with the aims of SEPP 1.

Further information



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If you are an applicant, enquiries regarding the use of SEPP 1 or the application of SI Clause 4.6 *Exceptions to development standards* should be directed to your local council. Councils with enquiries should direct them to their relevant Department of Planning Regional Team.

General information on the NSW planning system can be found at www.planning.nsw.gov.au

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Definitions

Act (or **EP&A Act**) means the *Environmental Planning and Assessment Act 1979*.

development control plan (or **DCP**) has the same meaning as in the EP&A Act and means a development control plan made, or taken to have been made, under Division 6 of Part 3 and in force.

development standards has the same meaning as in the EP&A Act and means provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of:

- (a) the area, shape or frontage of any land, the dimensions of any land, buildings or works, or the distance of any land, building or work from any specified point,
- (b) the proportion or percentage of the area of a site which a building or work may occupy,
- (c) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,
- (d) the cubic content or floor space of a building,
- (e) the intensity or density of the use of any land, building or work,
- (f) the provision of public access, open space, landscaped space, tree planting or other treatment for the conservation, protection or enhancement of the environment,
- (g) the provision of facilities for the standing, movement, parking, servicing, manoeuvring, loading or unloading of vehicles,
- (h) the volume, nature and type of traffic generated by the development,
- (i) road patterns,
- (j) drainage,
- (k) the carrying out of earthworks,
- (l) the effects of development on patterns of wind, sunlight, daylight or shadows,
- (m) the provision of services, facilities and amenities demanded by development,
- (n) the emission of pollution and means for its prevention or control or mitigation, and
- (o) such other matters as may be prescribed.

Environmental planning instrument has the same meaning as in the EP&A Act and means an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 and in force.

local environmental plan (or **LEP**)— see section 24 (2) of the EP&A Act.

Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act 1979 (extract)

5 The objects of this Act are:

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

State environmental planning policy (or **SEPP**) see section 24 (2) of EP&A Act.



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Source Documents

Department of Planning, Additional assumed concurrence arrangements under section 81 of the *Environmental Planning and Assessment Act 1979*, relating to boundary adjustments proposed for the Director's concurrence under State Environmental Planning Policy No. 1 – Development Standards.

Department of Urban Affairs and Planning, Circular No. B1 State Environmental Planning Policy No. 1 – Development Standards. Issued 17 March 1989.

Department of Planning, Planning Circular PS 08-003, *Variations to development standards*. Issued 9 May 2008.

Department of Planning, Planning Circular PS 08-014, *Reporting variations to development standards*.

Department of Planning, Use of State Environmental Planning Policy No. 1: *Development Standards in Rural Areas*.

Environmental Planning and Assessment Act 1979.

Environmental Planning and Assessment Regulation 2000.

Standard Instrument – Local Environmental Plan.

State Environmental Planning Policy No. 1 – Development Standards.

Wehbe v Pittwater Council [2007] NSWLEC 827 (21 December 2007).

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Appendix 1: Clause 4.6

Exceptions to development standards [compulsory]

- (1) The objectives of this clause are:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) 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.
- (3) 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.
- (4) 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 Director-General has been obtained.
- (5) In deciding whether to grant concurrence, the Director-General must consider:
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.
- (6) 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 Rural Small Holdings, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
 - (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).
- (8) This clause does not allow consent to be granted for development that would contravene any of the following:
 - (a) a development standard for 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,
 - (c) clause 5.4.

Direction. Additional exclusions may be added.

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Appendix 2: SEPP 1

State Environmental Planning Policy No 1—Development Standards

1 Name of Policy

This State environmental planning policy may be cited as *State Environmental Planning Policy No 1—Development Standards* (hereinafter referred to as **the Policy**).

2 Definitions

In this Policy, except in so far as the context or subject-matter otherwise indicates or requires:

Act means the *Environmental Planning and Assessment Act 1979*.

development application includes an application for consent referred to in clause 7 (1) of the *Miscellaneous Acts (Planning) Savings and Transitional Provisions Regulation 1980*.

development standards has the meaning ascribed thereto in section 4 (1) of the Act.

3 Aims, objectives etc

This Policy provides flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5 (a) (i) and (ii) of the Act.

4 Application of Policy

(1) This Policy applies to the State, except as provided by this clause.

(2) This Policy does not apply to the land shown edged heavy black and shaded on the map marked "State Environmental Planning Policy No 1—Development Standards (Amendment No 5)" deposited in the head office of the Department of Planning and copies of which are deposited in the office of Wollongong City Council.

4A Policy does not apply to complying development

This Policy does not apply to complying development.

5 Relationship to other environmental planning instruments

This policy prevails over any inconsistency between it and any other environmental planning instrument, whenever made.

6 Making of applications

Where development could, but for any development standard, be carried out under the Act (either with or without the necessity for consent under the Act being obtained therefore) the person intending to carry out that development may make a development application in respect of that development, supported by a written objection that compliance with that development standard is unreasonable or unnecessary in the circumstances of the case, and specifying the grounds of that objection.

7 Consent may be granted

Where the consent authority is satisfied that the objection is well founded and is also of the opinion that granting of consent to that development application is consistent with the aims of this Policy as set out in clause 3, it may, with the concurrence of the Director, grant consent to that development application notwithstanding the development standard the subject of the objection referred to in clause 6.

8 Concurrence

The matters which shall be taken into consideration in deciding whether concurrence should be granted are:

- (a) whether non-compliance with the development standard raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the planning controls adopted by the environmental planning instrument.

9 Objections under s 342NA etc

An objection made or purporting to have been made under section 342NA, or 342VA of the *Local Government Act 1919* at any time before this Policy takes effect, not being an objection which had prior to 1 September 1980 been referred to the Local Government Appeals Tribunal, shall be deemed to be an objection referred to in clause 6.

GUIDELINES**Appendix 3: Application Form to vary a development standard****Written application providing grounds for variation to development standards**

To be submitted together with the development application (refer to EP&A Regulation 2000 Schedule 1 Forms).

- 1. What is the name of the environmental planning instrument that applies to the land?**

- 2. What is the zoning of the land?**

- 3. What are the objectives of the zone?**

- 4. What is the development standard being varied? e.g. FSR, height, lot size**

- 5. Under what clause is the development standard listed in the environmental planning instrument?**

- 6. What are the objectives of the development standard?**

- 7. What is the numeric value of the development standard in the environmental planning instrument?**

- 8. What is proposed numeric value of the development standard in your development application?**

- 9. What is the percentage variation (between your proposal and the environmental planning instrument)?**

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10. How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

11. How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act.

Note: If more than one development standard is varied, an application will be needed for each variation (eg FSR and height).

12. Is the development standard a performance based control? Give details.

Additional matters to address

As outlined in "Varying Development Standards: A Guide" there are other additional matters that applicants should address when applying to vary a development standard.

13. Would strict compliance with the standard, in your particular case, would be unreasonable or unnecessary? Why?

14. Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.

GUIDELINES**Appendix 4 Schedule 1 Circular B1****Schedule A**

Land which, under an environmental planning instrument, is within one of the following zones:

- (a) Environment protection
- (b) Environmental protection
- (c) Rural environment protection
- (d) Rural environmental protection
- (e) Coastal lands protection
- (f) Coastal lands acquisition
- (g) Special Uses (water catchment)
- (h) Municipality of Camden – I.D.O. No. 7, Zone Nos. 7(a) and 7(b) Scenic protection Area
- (i) City of Campbelltown –
 - I.D.O. No. 13, Zone No. 7(b) Scenic Protection Area
 - I.D.O. No. 14, Zone Nos. 7(a) and 7(b) Scenic Protection Area
 - I.D.O. No. 21, Zone Nos. 7(c) and 7(d) Scenic Protection Area
 - I.D.O. No. 23, Zone No. 7(c) Scenic Protection
 - I.D.O. No. 24, Zone Nos. 7(c) and 7(f) Scenic Protection Area
 - I.D.O. No. 25, Zone Nos. 7(a) and 7(d) Scenic Protection
 - I.D.O. No. 27, Zone Nos. 7(d1) and 7(d6) Scenic Protection
 - I.D.O. No. 28, Zone Nos. 7(c) Scenic Protection Area
- (j) City of Gosford – I.D.O. No. 122, Zone No. 7(a) Conservation
- (k) City of Lismore – I.D.O. No.40, Zone No. 5(c) Special; Uses (Flood Liable)
- (l) Shire of Richmond River – L.E.P. No. 3, Zone No. 6(c) Open Space (Waterfront Recreation and Open Space)
- (m) Shire of Wyong – I.D.O. No.58, Zone No. 7(a) Conservation.

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Appendix 5: Additional considerations for rural development applications – Does not apply to Standard Instrument LEPs

APPLICATIONS FOR RURAL SUBDIVISION OR ERECTION OF A DWELLING HOUSE IN A RURAL ZONE

In rural areas, most development applications with associated SEPP 1 applications relate to varying development standards that set:

- (a) the minimum area required to allow the subdivision of land; or
- (b) the minimum area required for the erection of a dwelling house in a rural zone.

The minimum area varies from one rural zone to another, and from one council area to another. You will need to identify the particular standard that applies in your case by reading the environmental planning instrument, typically the councils local environmental plan. Should you need any assistance with the councils local environmental plan, please contact your local council in the first instance.

This guide sets out what you must cover in your SEPP 1 application. In addition, a variation to a development standard may also be justified where it can be shown that the proposal for subdivision or erection of a dwelling house is consistent with the existing development pattern for the area and that the necessary services are available.

The use of SEPP 1 may be justified to create a boundary adjustment between allotments which are less than the minimum standard subdivision area. It may also be used to allow a subdivision or dwelling associated with a viable rural enterprise. In this case, the supportive views of NSW Agriculture and Fisheries would assist the application.

An example of a situation where the use of the SEPP 1 might be justified, are in cases where the proposal:

- is clearly consistent with the development pattern of the area.

Examples of situations where the use of the SEPP 1 might not be justified, are in cases where the proposal:

- is clearly inconsistent with the development pattern of the area;
- is based solely on the case of a 'natural' subdivision, where a property is divided by a road or a watercourse;
- would result in an unreasonable demand on services;
- is located on land subject to high environmental hazard – flood, coastal erosion, landslip, bushfire, etc;
- conflicts with existing agricultural practices in the area;
- give rise to an additional dwelling entitlement; or
- would result in fragmentation of rural land with possible adverse economic impacts and inefficiencies in rural productivity.

The following information will help both the council, and the Director General of Planning, to determine your application.

- What is the zoning of your land?
- What are the aims and objectives of the zone where your land is? (Ask council.)
- How is your proposal consistent with these?
- What development standard needs to be varied? What is the reason for the standard? (Again ask council.) Is it important that the standard be maintained?
- Is your application to subdivide land, or to build a dwelling house, or both? This needs to be stated on your application to avoid any misunderstanding or the need for a second application.
- What is the pattern of subdivision and the location of dwelling houses in the locality? (A map of the area showing the size of holdings and locations of houses within 2km will make this clear.) How does your proposal conform to the existing pattern?
- Where is your land located in relation to the nearest town which provides services?

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- Is sewage or water supply available to your land? If not is your land suitable for on site sewage disposal?
- Is rainfall adequate to collect potable roof water for domestic use?
- Is overground or bore water available to meet other needs (e.g. bushfire fighting, stock etc)?
- What is the condition of the road to the proposed lot or house? Are there any special access problems?
- Is the means of access to the land from a State highway, main road or local road?
- What will be the effect of your proposal on the agricultural potential of the land? (An opinion from a recognised agricultural expert of the NSW Agriculture & Fisheries might help with this.) What sort of agricultural activities are currently being carried out on your land? How will the land be used in the future?
- Are there nearby agricultural uses which could be in conflict with your proposal? (Examples of this are the use of aerial agricultural sprays or the close location of a piggery, cattle feed lot or abattoir.)
- Does your land have high bush fire risk, soil slip/erosion or flooding/ drainage problems?
- Does the proposal give rise to an additional dwelling entitlement?
- Is your proposal consistent with all relevant State environmental planning policies and any regional plan? (Ask your council)

In certain instances, your SEPP 1 application will be referred to the Department of Planning for consideration by the Director General of Planning. If the Director General grants concurrence, then council may determine your development application (see Section 5.3)

CONSIDERATION OF RURAL DEVELOPMENT APPLICATIONS

The council must be satisfied that the SEPP 1 application accompanying the development application satisfies the general requirements for SEPP 1 applications (see Section 5.1.1). In addition, councils should also refer to the advice to applicants regarding additional considerations for rural development applications with accompanying SEPP 1 applications (see Section 4.3).

In certain instances, after council has determined the development application and associated SEPP 1 application, the council will have to refer the SEPP 1 application to the Department of Planning for the Director General's concurrence (see Section 6)

GUIDELINES**Appendix 6: Reporting Form****General Council Data****COUNCIL INFORMATION**

Council name	
Contact name	
Phone	
Email	
Start date	
End date	
Please enter NIL for no variations under SEPP1 or Clause 4.6	

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8.6 Re-appointment of Local Planning Panel Members

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

Officer's Recommendation

That:

1. Council re-appoint the current, Chair, expert and community members to 30 June 2021 as follows:
 - a) Mr Ian Reynolds as Chair and Mr Stuart McDonald as the alternate Chair.
 - b) Ms Mary-Lynn Taylor and Mr Scott Lee as the expert members and Ms Helena Miller as the alternate expert member.
 - c) Ms Cecilia Cox as the community member and Mr Phil Hayward and Mr Edward Saulig as the alternate community members.
2. Due to the resignation of Dr Keith Dedden and Ms Jenny Rudolph, the General Manager be delegated the authority to select an alternate Chair and expert member from the NSW State Government's expert pool for the temporary period to 30 June 2021.

Purpose

To seek Council's endorsement to extend the membership of the current appointed members of Council's Local Planning Panel until 30 June 2021.

History

Council considered a report at its Ordinary Meeting on 13 February 2018 on the appointment of Community and Expert Nominations to Council's Local Planning Panel and resolved in part:

That Council notes the appointment of the following members and alternatives by the General Manager for the Campbelltown Independent Hearing and Assessment Panel for a period of three years as follows:

- a. Mr Ian Reynolds as Chair and Mr Stuart McDonald and Mr Keith Dedden as alternate Chairs.
- b. Ms Mary-Lynn Taylor and Ms Jenny Rudolph as the expert members and Mr Scott Lee and Ms Helena Miller as the alternate expert members.
- c. Ms Cecilia Cox as the community member and Mr Phil Hayward and Mr Edward Saulig as the alternate community members.

On 2 December 2020, advice was issued by the Planning Panels Secretariat that the Minister for Planning and Public Spaces has requested the Department of Planning, Industry and Environment conduct an expression of interest during early 2021 to refresh the chair and expert pools from which councils make appointments to their local planning panels.

As this timing coincides with the end of the first 3 year term of office for local planning panel members on 28 February 2021, councils have been requested to reappoint current chairs and alternate chairs up to 30 June 2021. Councils can choose to re-appoint current expert members or choose different experts from the expert pool for appointment up to 30 June 2021.

Report

In accordance with the Minister's advice, it is recommended that Council re-appoint the Chair, expert and community members to 30 June 2021 who have expressed interest with continuing.

Advice from Mr Keith Dedden (alternate Chair) and Ms Jenny Rudolph (expert) indicates they are no longer available.

Therefore, it is also recommended the General Manager be authorised to select an alternate Chair and alternate expert member if required from the NSW Government's expert list for a temporary period up to 30 June 2021, to ensure the ongoing operation of Council's Local Planning Panel is not interrupted.

Attachments

Nil

8.7 Cambridge Avenue Upgrade and Extension Submission

Reporting Officer

Director City Delivery
City Delivery

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.1 - Advocate and plan for enhanced connectivity, accessibility and movement within, to and from our city through improved public transport, road and traffic management infrastructure, cycling and pedestrian movement

Officer's Recommendation

That Council endorse a formal submission to the Transport for New South Wales (with a copy to the Department of Planning Infrastructure and Environment) on the Cambridge Avenue Upgrade proposal and draft Glenfield Place Strategy with matters contained in this report.

Purpose

In December 2020, Transport for New South Wales released the Cambridge Avenue upgrade proposal documents including the Options Evaluation Report for public comment. The purpose of this report is to identify key issues for the making of a submission.

History

Council will be aware that Cambridge Avenue has been a longstanding issue across the Georges River as it has been difficult to navigate through Glenfield Road.

Council urged the Federal Government to upgrade Cambridge Avenue in Glenfield to avoid closure when heavy rainfall occurs and to support the increased traffic demands within the area.

Report

Options Evaluation Report Overview

The exhibited Cambridge Avenue Upgrade Options Review Report (September 2020) includes consideration of a number of options for the alignment and construction methodology of Cambridge Avenue to a dual carriageway, 4 lane standard from Moorebank Avenue, across the Georges River, along a similar alignment to Cambridge Avenue with a new extension through the Hurlstone land to Campbelltown Road with additional works to provide access to and from the M31, M5 and M7.

This upgraded road would provide flood free access across the Georges River and improve access from the eastern side of the rail corridor to the higher order roads at The Crossroads.

The primary purpose of the upgrade is identified in the report as providing secondary access to the Moorebank Logistics Park and to address growth in Liverpool, Glenfield and Moorebank.

Cambridge Avenue Upgrade Overview

Transport for NSW has identified a recommended design to link Moorebank Logistics Park and the Hume Motorway to improve access.

According to the Cambridge Avenue Upgrade Options Evaluation Report, the recommended design would involve duplication and extension of Cambridge Avenue westward from Moorebank Avenue to Campbelltown Road including:

- dual carriageway 4 lane road between Moorebank Logistics Park and Canterbury Road
- extending of Cambridge Avenue as a dual carriageway with provision for up to 6 lanes between Glenfield Road and Campbelltown Road
- an improved M31 Hume Motorway and Campbelltown Road interchange access which would enable motorists travelling:
 - north on the Hume Motorway to exit to Campbelltown Road
 - on Campbelltown Road to join the M31 Hume Motorway to take either M5 eastbound or M7 northbound
 - south on the M7 Motorway to exit to Campbelltown Road.
- Campbelltown Road would also be upgraded between Ingleburn Gardens Drive and Parkers Farm Place.
- new bridge over the Main South and East Hills rail lines and the Southern Sydney Freight Line at Glenfield
- new bridge over Georges River with flood immunity for 1 in 100 year flood
- new bridge over the East Hills Rail Line at Moorebank
- new bridge over the Hume Motorway on Campbelltown Road.

This report addresses key issues and recommended responses that represent Council's formal submission.

PROPERTY ACQUISITION ISSUES

Concern is raised that the preferred option will require the loss of 13 houses in Minstrel Street and Guardian Crescent, Glenfield which are less than a decade old. Council officers have, throughout the concept design meetings with Transport for New South Wales, indicated that this was an unacceptable outcome.

Unfortunately, the overview map does not illustrate this accurately such that impacted land owners may not be fully aware.

Concern has been raised throughout the concept design meetings that alternate methods of construction, such as retaining wall systems and elevated roadways have not been considered due to maintenance concerns. These alternate methods may limit the extent of batters required and reduce the need for land acquisition. Tunnelling was also proposed by Council officers which would have minimised impacts on private property, rail and power infrastructure and the riparian corridor.

Recommendation: That Council expresses its significant concern at the loss of properties in Glenfield that will occur if the recommended option proceeds and requests that Transport for New South Wales further investigates construction methods that would minimise this impact.

Integration with Glenfield Urban Release Area

The existing Glenfield Urban Release Area (GURA) to the north remains a 'free-standing' disconnected community. Although land use provision was made for a mid-block connection to the Hurlstone site, the retention of agricultural land for the school now removes this opportunity.

The Cambridge Avenue Extension will sever the GURA community from the new development proposed on the Hurlstone site. The Hurlstone development proposes, schools, shops and medical facilities, none of which are provided in the GURA community.

Recommendation: Whichever option is finally adopted for the Cambridge Avenue Extension must include active transport connectivity between the GURA and the Proposed Glenfield Precinct at Hurlstone.

TRANSPORT PLANNING ISSUES

a) Access to and from the proposed Western Precinct of the Hurlstone Precinct

The proposed Cambridge Avenue upgrade provides limited access to the proposed Western Precinct.

Traffic from the west can only access the Western Precinct via a proposed intersection near Roy Watts Road. This includes traffic approaching from Campbelltown Road, the proposed M5/M7 off ramps and Camden Valley Way.

Traffic from the east can access the Hurlstone precinct via the new road near Roy Watts Road, Glenfield Road or a new subdivision road within the proposed Western Precinct which allows some splitting of the traffic load.

For traffic leaving the Hurlstone Precinct, all traffic wanting to head east will need to use Roy Watts Road as no right turn is proposed from the new Western Precinct road. Traffic heading west will have the choice of the new road to the north of Roy Watts Road or the new subdivision road in the Western Precinct.

Roy Watts Road will be required to support a significant level of local development and trip demand, including vehicle trips that don't want to be on this side of the development.

Recommendation: It is strongly recommended that the intersections for both access roads to the Hurlstone site be designed to split traffic demand, allowing a split in the demand at each location.

b) Road Design

Concern is raised that the proposed at grade intersection of the Cambridge Avenue Extension with Campbelltown Road will increase, not reduce, congestion.

The opportunity to introduce a new southbound slip lane from the proposed Cambridge Avenue extension to Campbelltown Road for traffic entering the M31 has not been considered. This would reduce stop start traffic at this location. With the function of the road to service the Moorebank Logistics Park, a reduction in the number of heavy vehicles stopping and starting will reduce the noise and air pollution associated with this movement and the impact this would have on nearby residential development.

The new Cambridge Avenue bridge is proposed to the north of the existing bridge which would move it closer to the intersection of Railway Parade and the current private road that serves the Glenfield Waste site. While not an issue with current traffic volumes, the waste site is zoned for industrial development, including uses that could be ancillary to the Moorebank Logistics Park. As such, queues and traffic grid lock at this location could become excessive in the future.

Concern is also raised with the absence of right turn provision from the M5/M7 at Campbelltown Road from the proposed new bridge. This would result in a longer route for motorists wishing to exit the M5 to get onto Campbelltown Road southbound, with 6 additional traffic signals to be traversed. It is understood this right turn cannot be provided due to the height difference between the old bridge and the new bridge. Although the new bridge would be built to current height clearances, assurance is sought that raising of the existing bridge is on the works program for TfNSW. If it is not, it does not make sense to raise the new bridge deck and make it impossible to include the right turn movement.

Finally, the Glenfield Land Use and Infrastructure Plan shown in Figure 6 of the Options Evaluation Report is not consistent with current planning for Glenfield as shown on the DPIE website. Confirmation is sought that assessment of intersections on Cambridge Avenue has considered the latest proposal for growth in Glenfield and can provide appropriate levels of service.

Recommendation: Provision should be made in current design to permit right turn movement at the M5/M7 intersection with Campbelltown Road. Inclusion of a left slip lane from the Cambridge Avenue Extension to Campbelltown Road and the M31 should be included in the design. Appropriate separation should be provided between the Railway Parade/Canterbury Road/Cambridge Avenue intersection and the service road intersection to allow for future zoned growth to occur. Confirmation is also required that the latest growth projections have been used to inform intersection performance.

c) Tunnel Option

Council officers have lobbied throughout the concept design phase for full consideration to be given to the tunnelling of Cambridge Avenue from west of the Georges River to the M31 and M7. Early in the project we were advised tunnelling had been considered but was not considered to be economically or logistically feasible. Limited details were provided and no peer review was possible. Tunnelling most of this route could have multiple benefits:

- would limit property loss
- noise from the 24/7 traffic from the Moorebank Logistics Park would not impact houses adjoining the road corridor
- air pollution from the heavy vehicles servicing the Moorebank Logistics Park could be filtered before being released to the air
- without intersections the speed in the tunnels could be increased over the proposed surface route speeds
- B-Doubles, and road trains could have direct access to the Moorebank Logistics Park from the M7 and M31
- the massively expensive and logistically impractical bridge over the rail corridor would not be required
- conflict with, and the need to move and construct around and under, the significant above ground electricity stanchions would not occur. Between the possession times available for work in the rail corridor and the available times for work to move electricity stanchions, it is nearly impossible to actually build the bridge
- the second skew bridge over the M31 could be scaled down. It is considered that this may still be required in some form
- connections to and from the M31 and M7 could be direct instead of requiring dog leg turns through multiple traffic signals
- connections to the motorways could be placed to give the best separation distances instead of the proposed weaving which is likely to cause confusion and accidents.
- reduced conflict and delays at the intersection with Campbelltown Road
- traffic signals and grade intersections could be reduced in size and/or eliminated reducing stop/start driving for trucks which would also reduce fuel consumption, noise and emissions
- the existing bridge over the rail corridor could be used for local surface access to the proposed urban development on the Hurlstone site and would not need additional lanes as it would only operate in a local capacity.

Recommendation: Council again request that the opportunity to tunnel the route be revisited.

d) Active transport connection

Council has also requested that the off road cycleway that traverses along the M7 be extended as an off road cycleway to connect to Cambridge Ave proposed cycleway via the new ramp proposals for the M31, M5 and M7 motorways as part of the upgrades in addition to connections to the local active transport network. This is an essential link to enable the future connection of active transport through the whole LGA.

Recommendation: Council again request that the active transport link be provide that connects the existing off road cycleway on the M7 to Cambridge Ave.

Conclusion

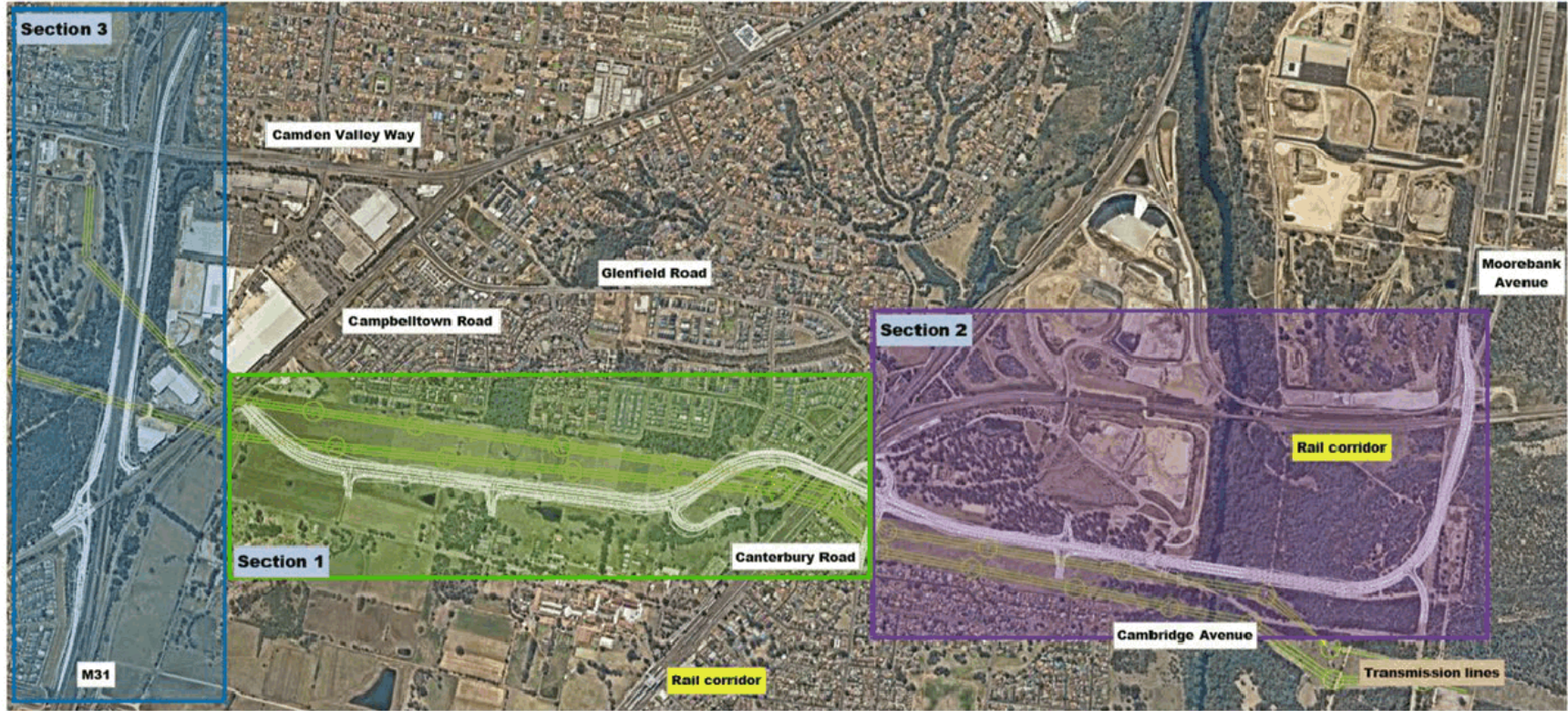
The recent public exhibition of the Cambridge Avenue Upgrade project proposed a range of options for the future alignment of Cambridge Avenue, Glenfield. None of these is without issue. The recommended option will have significant impact on existing properties in Minstrel Street and Guardian Crescent in Glenfield.

To support the successful delivery of Cambridge Avenue into the future in its role as a regional arterial road, there are still a number of important issues which need to be addressed to ensure that the road does not cause undue impacts for existing development and will be consistent with future development on the Hurlstone site.

Attachments

1. Figure One Recommended Option (contained within this report)

Figure 1: Recommended option



8.8 Sarah Redfern Playing Fields - Licence Deed and Agreement

Reporting Officer

Acting Executive Manager Community Life
City Lifestyles

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.5 - Host and promote major sporting events, showcasing our city's sporting facilities and encouraging community participation in sport and recreation

Officer's Recommendation

That Council authorise the General Manager to execute the Licence Deed and Agreement for the ongoing use and management of the Sarah Redfern Playing Fields.

Purpose

To inform Council of the new Licence Deed and Agreement that the Department of Education proposes to enter into with Council to allow Council's ongoing management and use of the Sarah Redfern Playing Fields.

History

The majority of Sarah Redfern Playing Fields located on Durham Street, Minto and adjacent to Sarah Redfern High School are on parcels of land that are owned by the Department of Education.

A Deed of Agreement between the Department of Education and Campbelltown City Council for the shared use of the Sarah Redfern Playing Fields was executed in 1993. This agreement was for a term of 50 years and provided for general community use of the fields outside of school hours off-set by Council taking on responsibility for field maintenance.

In October 2019 the NSW Minister for Education announced her intention to fast track redevelopment and relocation of Passfield Park School as a result of the substandard state of the facilities at the school's current location.

Schools Infrastructure NSW (SINSW) consequently advised Council that they would be utilising the Department of Education owned land at Sarah Redfern Playing Fields, located at the corner of Durham Street and Pembroke Street for this purpose.

Due to the change in the size and function of the sporting fields, the Department and Council undertook to develop a new Licence Deed and Agreement. Council's intention in developing this new Deed was to identify opportunities to limit impact on the sporting capacity for the local sporting bodies which may be affected by the repurposing of the nominated area.

Report

In May 2020, Council's Executive Group and SINSW signed a non-binding Key Agreement Terms that would set the foundation for negotiations for the new Deed. Council Officers then began negotiating with the delegated staff at SINSW regarding the full Licence Deed and Agreement in October 2020.

Throughout these negotiations Officers continued to advocate for outcomes, obligations and conditions for both Council and the existing community/sports users that were the same or closely resembling those in the original Deed. As a result, a draft Licence Deed and Agreement has now been prepared for consideration and execution. Within this Deed are the following key conditions and themes:

- 10 Year Term with a 10 Year Option.
- No Licence Fee payable by Council.
- A one-off Department of Education contribution of \$276,100 (inc GST) to fund ancillary sports field upgrades to off-set the loss of playing fields at Sarah Redfern, as follows:
 - Levelling and re-turfing of an unused area of Sarah Redfern Playing Fields
 - Sports field lighting to an additional area of Sarah Redfern Playing Fields
 - Installation of an additional cricket pitch at Victoria Park, Minto
 - Installation of irrigation at Victoria Park cricket fields.
- Council access to Sarah Redfern Playing Fields - outside of 8 am to 4 pm, Monday to Friday.
- Use of the Passfield Park School carpark by Council hirers – 5 am to 8 am and 4 pm to 10 pm, Monday to Friday and from 5 am to 10 pm on weekends.
- Council to maintain Playing Fields to an equivalent standard of all other Council owned community playing fields. This includes mowing, top dressing, spraying, fertilising, irrigation, floodlighting, wet weather closures and re-turfing as required.
- Council to take on responsibility to mow the swale area that forms part of the flood mitigation requirements for the school and surrounds.
- The schools to retain access to the Council-owned amenities building when using the Playing Fields.

Attachments

1. Draft Licence Deed and Agreement - Sarah Redfern Playing Fields (contained within this report)

**The Minister for Education and Early Childhood Learning as
landowner in respect of Sarah Redfern Public School,
Sarah Redfern High School and Passfield Park Public
School (Licensor)**

Campbelltown City Council (Licensee)

Licence Deed and Agreement

CONFIDENTIAL AND LEGALLY PRIVILEGED

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Licence Deed and Agreement

Parties

The Minister for Education and Early Childhood Learning as landowner on behalf of the NSW Department of Education in respect of Sarah Redfern Public School, Sarah Redfern High School and Passfield Park Public School, 35 Bridge Street, Sydney ("Licensor")

Campbelltown City Council of 91 Queen Street, Campbelltown, NSW 2560 ("Licensee")

Background

- A. The Licensor is the owner of an estate in fee simple in the land on which the School is located adjacent to certain lands of Council used as playing fields and sporting facilities.
- B. The Licensor has agreed to grant to the Licensee and the Licensee has agreed to accept a licence to use the Premises on the term and conditions of this deed of agreement.
- C. The parties have agreed to enter into this licence deed of agreement by way of replacement of all former arrangements between them in respect of the joint use of various assets of the Licensor and Licensee.

Agreed terms

1. Definitions and interpretation

1.1 Definitions

In this deed of agreement the following terms shall have the following meanings:
"Access Hours" means the hours specified in Item 2.

"Additional Charges" means the items identified in Item 7 as invoiced from time to time by the Licensor to the Licensee.

"Council Hours" means the hours specified in Item 3.

"Commencement Date" means 1 July 2020.

"Department Contribution" means the terms and amount specified in Item 12.

"Item" means the number as identified in Schedule 1.

"Licence Fee" means the amount, if any, specified in Item 9.

"Permitted Use" means the making available of the Premises during the Council Hours to be used by the Licensee as playing fields available to the School and the public.

"Premises" means that part of the School site as identified in Item 1 in the general location shown on the Site Plan of the School and Site Plan of the playing field attached as Schedule 2 and shaded in yellow.

"Principal" means the person occupying the position or, or acting as, Principal of the Sarah Redfern High School, Sarah Redfern Primary School and Passfield Primary School.

"Security Deposit" is the amount specified in item 6.

“**School**” means the schools identified in Item 8.

“**Term**” means the period specified in Item 10.

1.2 Interpretation

In this deed of agreement:

- (a) references to the Licensor and Licensee include their administrators, trustees, successors and permitted assigns and in relation to the Licensor and Licensee where the context permits, their employees, customers, contractors and invitees;
- (b) Licensor and Licensee where the context permits, their employees, customers, contractors and invitees;
- (b) words importing the singular or plural including the plural and singular number respectively and words importing a gender include each other gender;
- (c) a reference to a schedule or to an Item is a reference to a schedule of Item in this deed of agreement.
- (d) In the event of any perceived inconsistency between the provisions of the body of this Deed of Agreement and any schedule, the provisions of the schedule will apply unless the School otherwise agrees in writing.

2. Grant of Licence

2.1 Term

The Licensor grants to the Licensee a licence to occupy the Premises for the Permitted Use on a non-exclusive basis for the Term during the Council Hours.

2.2 Holding Over

If the Licensee with the consent of the Licensor continues to occupy the Premises after the termination of this deed of agreement the Licensee shall be a monthly Licensee only and either party shall be able to terminate such licence by written notice to the other of one month.

3. Termination

3.1 Termination for Cause

If the Licensee is in breach of this deed of Agreement, the Licensor may issue a written Notice to the Licensee requiring that it remedy the Breach within one calendar month of the date of service of the Notice and if the Licensee shall fail to take any necessary steps to remedy the breach within that period, The Licensor may terminate this deed of Agreement.

3.2 Termination without Cause

Either party may terminate this deed of Agreement by provision of not less than 6 months written notice at any time, without being required to provide any reasons for termination.

4. Goods and Services Tax

4.1 Definition

In this clause terms used are as defined in the *A New Tax System (Goods and Services Tax) Act 1999*.

4.2 Licensee to pay GST

All sums payable to the Licensor under this deed of agreement are calculated on an amount that is exclusive of the goods and services tax and any goods and services tax applicable to such payments shall be made by the Licensor.

5. Utilities

5.1 Water and Electricity

The Licensee must ensure that the Premises are separately metered for all utilities including water and electricity and pay all utility costs incurred in respect of the Premises and indemnify the Licensor against any such costs for the term. If the Licensee can demonstrate, that the Licensor or its pupils misuse the utilities at the Amenities building situated on Council owned land, and this increases the normal cost of usage by the Licensee, the Licensor must pay those additional costs.

6. Cleaning

6.1 Licensee to clean/tidy

The Licensee must leave tidy by the conclusion of the Access Hours all parts of the Premises used in the conduct of the Permitted Use.

6.2 Collection of rubbish

The Licensee must at the conclusion of the Council Hours and before the expiration of the Access Hours cause all rubbish generated at the Premises arising from the conduct of the Permitted Use to be placed in rubbish collection receptacles of the School.

7. Use of Premises

7.1 Use of Premises

The Licensee must use the Premises for the Permitted Use and must not without the consent of the Licensor permit the Premises to be used for any other purpose.

7.2 Licensee obligations

The Licensee must conduct the Permitted Use in good faith and in a reputable manner.

7.3 Not cause nuisance

In conducting the Permitted Use the Licensee must not bring up on the Premises or permit to be done any act, matter or thing which may be a nuisance or inconvenience or cause damage or annoyance to the licensor, its students or invitees on the School or which may breach any law or requirement of any competent authority for the time being in force with regard to the conduct of the Permitted Use from the Premises.

7.4 Comply with statutory requirements

The Licensee must at all times comply with the terms and conditions of any development approval applicable for the conduct of the Permitted Use from the School unless those terms and conditions are inconsistent with any provision of this licence. If the provisions in this licence impose conditions on the Licensee which are different to those in the development approval the provisions of this licence prevail.

7.5 No Dogs

The Licensee must use its reasonable endeavours to enforce the policy of the Licensors that prohibits dogs being upon the School.

7.6 Change in hours or use

If the licensee wishes to vary the Access Hours, Council Hours or to vary the Permitted Use the Licensee must submit a written request in writing to the Principal who may consider that request in the absolute discretion of the Principal. No change is authorised unless approved in writing by the Principal.

7.7 Licensee to maintain

The Licensee shall undertake at its expense such usual maintenance of the Premises including the playing field maintenance, which shall be carried out to a standard not less than the standards set out in Schedule 3. If the Licensee requires the playing field to receive additional maintenance for the conduct of the Permitted Use including any additional mowing the Licensee will seek Licensors' approval to undertake such work at the Licensee's expense.

7.8 No exterior signs

The Licensee must not erect signage or other structures or place anything else on the exterior surfaces of any building in the School or on the grounds of the School without the prior written consent of the Licensors with such consent not to be unreasonably withheld. Consent will be given for such reasonable sign or signs required to enable invitees to readily locate the Premises. The Licensee must maintain such signs and remove them on the termination of this licence or if required by the Principal at the termination of the Access Hours on each day of use of the Premises.

7.9 No smoking

The Licensee must use its best endeavours during the Access to enforce a no smoking policy within the Premises.

7.10 Surface Standards and Operational Rules

The Licensee must comply with the Surface Standard requirement and operational rules set out in Schedule 3 or as otherwise agreed in writing between parties from time to time.

8. Licensee to obtain consents

The Licensee must obtain any necessary approval from any applicable competent authority for the conduct of the Permitted use from the Premises and produce to the Licensors evidence of such consents.

9. Security and Access**9.1 Access through School**

The employees and invitees of the Licensee may pass and repass over such parts of the School as directed by the Licensors as is reasonably necessary to gain access to the Premises.

9.2 No unnecessary/access of School

The Licensee must use its best endeavours to ensure that its employees and invitees do not unnecessarily access other parts of the School.

9.3 Comply with School requirements

Thy Licensee must observe all reasonable security requirements that may be stipulated from time to time by the Licensor with regard to the use of the Premises and access to the Premises.

10. Car parking**10.1 Use of car park**

The Licensee and its invitees must ensure that all motor vehicles are parked outside the School grounds and premises from the licence commencement date, to allow the new Passfield Park School construction works to be undertaken.

From the date that a certificate of occupancy is granted for use of the carpark, the Licensee may use area marked as 'carpark' in Schedule 2 from 5am to 8am and 4pm to 10pm, Monday to Friday and from 5am to 10pm on Weekends. The certificate of occupancy is expected to be granted by 30 June 2022; however, this is subject to change and the Licensor will advise the licensee of any delays, but not be responsible for any delays.

10.2 Comply with directions

The Licensee must comply with any requirements of the Principal, local government council applicable to the Premises, the Police Department and the Roads and Traffic Authority in relation to the movement of vehicular traffic to and from the Premises and any other requirement with regard to the parking of motor vehicles.

11. Toilet facilities**11.1 Toilets to be used**

The Licensee will make available to the Licensor and its invitees toilet facilities of the Licensee adjacent to the Premises. This use to be limited to outside of Council's designated access hours only, and only during schools access hours as per item 13.

11.2 Keep clean

The Licensee will clean the toilets at the beginning of each week, as a result of each weekends use.

11.3 Licensee to make available necessary supplies

The Licensee must supply the paper and soap as required in the toilets.

12. No exclusive rights**12.1 Licensor not to be excluded**

The Licensee acknowledges that the rights granted under this deed of agreement are a licence and not a lease and that of consequence the Licensee is not entitled to exclude the Licensor from the Premises or any part.

12.2 Licensor not to interfere

The Licensor will not interfere with the rights granted to the Licensee under this licence deed of agreement so as to interfere with the capacity of the Licensee to conduct the Permitted Use.

13. No assignment

The Licensee is not entitled to assign, transfer, sublicense or part with possession of the Premises or any part.

14. Suspension of Permitted Use**14.1 Wet weather**

If in the opinion of the Licensee to be exercised in its sole discretion there has been wet weather prior to the Access Hours or during Access Hours such that in the opinion of the Licensee the conduct of the Permitted Use will damage any part of the Premises it may by prompt notice to the Principals of each school, if necessary by telephone or by electronic mail and if possible on the morning of the applicable day, require that the Permitted Use not be conducted or if after the commencement of the Access Hours require that the Permitted Use close down for the balance of the Access Hours, in line with the Licensee's closure of other fields within the Local Government Area.

14.2 Unacceptable behaviour

If there should occur during Access Hours behaviour that the Licensor considers in its absolute discretion to be dangerous or not in the best interests of the School or should an event occur that the Licensor considers in its absolute discretion may endanger people during Access Hours the Licensor may by notice to the Licensee, if necessary by telephone, require that the Permitted Use or so particular part of the Permitted Use immediately close down.

14.3 No suspension of Licence Fee

If this deed of agreement is suspended pursuant to clauses 14.1 or 14.2 the Licensee will have no claim against the Licensor.

15. Restrictions on conduct of Permitted Use

In the conduct of the Permitted Use:

- (a) no glass bottles are to be permitted to be brought upon the Premises;
- (b) no alcohol or any illegal substances are to be permitted to be brought upon the Premises;
- (c) no public address system is to be used other than to make reasonable announcements in relation to the organisation of the Permitted Use or to make such emergency announcements as may be required; and
- (d) noise generated from the conduct of the Permitted Use must not interfere with the reasonable use of any nearby residential area and in this regard the Licensor must comply with any directions given by the Principal.

16. Child Protection

16.1 Comply with CP Act

The Licensee must be aware of and comply with the requirements of the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013 and the Children (Education and Care Services) National Law (NSW) (collectively the **CP Act**) and any other ancillary legislation and the policies of the Licensor on child protection.

16.2 Extent of obligation

The Licensee must ensure that all persons who are engaged in child related work in relation to the Permitted Use, as defined in the CP Act, which include subcontractors and volunteers, comply with the requirements of the CP Act.

16.3 Notify Police

The Licensee must notify the Police if an allegation is made against one of its workers or invitees of disqualifying offences within the meaning of Schedule 2 of the CP Act.

16.4 Notification to Principal(s)

The Licensee must notify the Principal(s) within 1 working day when it becomes aware that one of its workers or invitees:

- (a) has been referred to the Police in relation to a disqualifying offence within the meaning of Schedule 2 of the CP Act;
- (b) has been charged by the Police in relation to a disqualifying offence within the meaning of Schedule 2 of the CP Act; or
- (c) has been found guilty of a disqualifying offence within the meaning of Schedule 2 of the CP Act.

16.5 Acknowledgments in relation to child protection

The Licensee acknowledges that:

- (a) the safety, welfare and wellbeing of children and in particular protecting them from child abuse, is the paramount consideration when the Licensor considers what further use or disclosure will be made of the information received. This will include informing various other persons in compliance with the Licensor's requirements and may include informing members of the School community of the information provided under Clause 16.4 where those community members may be directly affected by the information;
- (b) it is responsible after consulting with the Police and/or the Department of Community Services for advising the parents of any children who use their service of the matters set out in Clause 16.4;
- (c) it must provide the Principal(s) with evidence of the contact it has made with such parents; and

- (d) no obligation placed on the Licensee to inform any person should be regarded as removing the right of the Principal(s) to take any additional action considered necessary to contact the Police or other appropriate authority or inform members of the School community.

16.6 Verification of compliance

The Licensee must complete and sign the Child Protection Declarations as required under the CP Act or by the Licensors.

16.7 Persons to be excluded

The Licensee must not employ, or continue to employ as a worker a person in child related work if the Licensee knows or has reasonable cause to believe that:

- (a) the worker is not the holder of a working with children check clearance under the CP Act that authorises that work or contact with children and that there is no current application by the worker to the Children's Guardian for a clearance of a class applicable to that work; or
- (b) the worker is subject to an interim bar.

16.8 Change in Licensors requirements

The Licensors may in its absolute discretion at any time change the provisions of this agreement in relation to child protection. Upon notification of any change, the Licensee must comply with the changes as notified within such reasonable time as is specified in the notice.

16.9 Application of clause

For the purposes of this clause:

- (a) "child" means a person under the age of 18 years;
- (b) "Children's Guardian" means the Children's Guardian appointed under section 178 of the Children and Young Persons (Care and Protection) Act 1998;
- (c) "Joint Investigation Response Team" is a team of representatives of NSW Police, Department of Community Services and NSW Health formed to undertake a joint investigation of child protection matters where there is a possibility the abuse of a child is a criminal offence;
- (d) "Principal" means the person occupying the position of, or acting as, principal of the School in which a child is enrolled and/or is known to attend;
- (e) "School" means a government school or registered non-government school within the meaning of the Education Act 1990;
- (f) "worker" includes a person who is engaged in work in any of the following capacities:
 - (1) employee;
 - (2) self-employed person or is a contractor or subcontractor;

- (3) volunteer;
- (4) undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience); and
- (5) as a minister, priest, rabbi, mufti or other like religious leader or spiritual officer of a religion or other member of a religious organisation.

16.10 Other notification requirements

The Licensee will provide the Principal with information it obtains relating to the safety, welfare or well-being of a particular child or class of children the Licensee knows to attend the School where it reasonably believes this information would assist the Principal to make any decision, assessment or plan or conduct any investigation or provide any service relating to the safety, welfare or well-being of the child or a class of children. This may include but is not restricted to the following information:

- (a) educational records, assessments, welfare reports and counselling records,
- (b) reports of health-related incidents where:
- (c) medication (for example, asthma reliever medication) was administered to the child;
- (d) the child was transported to a hospital or his or her parents were advised to take the child to a health care professional to a hospital; and
- (e) medical attention was provided on site by an ambulance officer or health care professional;
- (f) apprehended personal violence orders or apprehended domestic violence orders or information that a child may have been exposed to domestic violence;
- (g) allegations that a child has been or is at risk of being physically or sexually abused or ill-treated unless the Licensee is specifically advised not to provide this information to the Principal by the Police or a Joint Investigation Response Team. In such circumstances the Licensee must write to the Police or the Joint Investigation Response Team and request that the Police inform the Principal as soon as the Police deem it appropriate to do so.

17. No Alterations

The Licensee must not make any alterations or additions to the Premises.

18. Damage to property of Licensor

18.1 Not cause damage

The Licensee must take all steps necessary to ensure that pathways, roadways and any paved areas are not damaged by the conduct of the Permitted Use and must at own expense promptly make good any such damage so caused to the Premises.

18.2 Rectify damage

If any part of the School is damaged due to the bringing upon or the removal from

the Premises of plant, equipment, machinery or any other things or by the parking of motor vehicles the Licensee must promptly rectify at its expense the damage.

18.3 Removal of Equipment

All plant, equipment and machinery and any other item brought upon the Premises by the Licensee must be removed at the conclusion of the Access Hours.

18.4 No damage to the Premises

The Licensee must take reasonable steps to ensure that the Premises are not damaged as a result of the conduct of the Permitted Use and must replace all divets and otherwise rectify any damage to the Premises. If in the reasonable opinion of the Principal the Premises are damaged by the Licensee or its invitees the Licensee must pay as Additional Charges to the Licensor the reasonable cost incurred by the Licensor in rectifying such damage whenever it occurs.

19. Inflammable substances

The Licensee must not bring upon the Premises any inflammable substances except such as may be reasonably required in connection with the proper conduct of the Permitted Use and in that event must advise the Licensor of the identity and quantity of such substances and comply with all reasonable rules stipulated by the Licensor as to the storage of such substances and must pay any increase in the premium applicable to the fire policy held by the Licensor for the buildings at the School arising from the presence of inflammable substances.

20. Pesticide substances

The Licensee must not bring upon the Premises any pesticide substances except such as may be reasonably required in connection with the proper conduct of the Permitted Use and in that event must advise the Licensor of the date, time and reason for the use of the pesticide. The Licensee must also notify the Licensor the identity and quantity of such substances and comply with all reasonable rules stipulated by the Licensor as to the storage of such substances.

The Licensee must undertake safe work practices in line with Safe Work NSW, when using pesticide substances on the Premises at all times.

21. Responsible person

The Licensee must at all times advise the Principal of the person in charge of the operations of the Licensee at the Premises together with an after-hours telephone contact number. That person must be present during the Access Hours and carry a mobile phone the number of which must be given to the Licensor.

22. Insurance

The Licensee must maintain a policy of public risk insurance for the Premises and the business carried on at the Premises. The policy of public risk insurance must:

- (a) provide insurance for an amount which may be payable arising out of any one single accident or event of not less than Twenty Million Dollars or such other sum as in the reasonable opinion of the Licensor is adequate cover;
- (b) extend to cover death or injury to any person and damage to property of any person, sustained when such person is at the Premises or using or entering or near any entrance, passage, vestibule into or of the Premises or any part of the School;
- (c) name the insured, Licensor, Licensee and any person designated by the Licensor.

23. Accidents

If any accident should occur at the Premises or within the grounds of the School involving the Licensee or any employee or invitee of the Licensee, the Licensee must promptly provide to the Principal a written report of the accident with sufficient details to enable the Licensors to respond to any claim that may be made against the Licensors for damages arising from such accident.

24. Disclaimers, indemnities and releases

24.1 No warranty as to use

The Licensors do not warrant that the Premises are now or will remain suitable for the Permitted Use.

24.2 Licensee occupies at own risk

The Licensee agrees to occupy and use the Premises at its own risk and releases to the full extent permitted by law the Licensors from all claims and demands resulting from any accident, damage or injury occurring at the Premises and the Licensors shall have no responsibility or liability for any loss of or damage to the stock, fixtures, plant, equipment and machinery of the licensee at the Premises.

24.3 Licensee indemnities

The Licensee indemnifies, the Licensors from and against all actions, claims, damages and expenses arising from or in consequence of the following:

- (a) the negligent use by the Licensee of any utility or other services and facilities contained in the Premises;
- (b) loss, damage or injury from any cause to property or person caused or contributed to by the use of the Premises by the Licensee; or
- (c) loss damage or injury from any cause to the property or person within or without the Premises or the school occasioned or contributed to by any act, omission, neglect, breach or default by the Licensee.

25. Consent of Licensors

The Licensors delegates to the Principal of the School the authority to consent on, behalf of the Licensors wherever in this licence the consent of the Licensors is required to be obtained by the Licensee.

26. Notices

26.1 In writing

All notices under this deed of agreement unless otherwise provided must be in writing and must be given to or served upon a party as provided in this clause.

26.2 Service on Licensors

All notices served on the Licensors must be:

- (a) directed to the Principal; and
- (b) sent to the School; and

- (c) Emailed to Manager, Leases and Licences at Property@det.nsw.edu.au.

26.3 Service on Licensee

All notices served on the Licensee must be:

- (a) directed to the person specified in Item 5;
- (b) sent to either address specified in Item 4;
- (c) signed by the Principal or by a lawyer acting for the Licensors.

26.4 Change of address

Each party may notify the other party of a change of address for service of notices or change of person to receive notices.

27. Costs

27.1 Licence preparation

Parties must pay their own costs in relation to the preparation of this deed of agreement.

27.2 Costs on default

The Licensee must pay the legal costs and disbursements of the Licensors arising out of any default by the Licensee under this deed of agreement.

28. Rules and Restricting Access

The Licensors may from time to time impose Rules as it sees fit provided that any Rule does not conflict with any specific provision of this licence. Initial Rules are as set out in Schedule 3.

The Licensors, reserves the right to restrict access to the oval in line to meet with obligations with infection control or Pandemic control in line with New South Wales Government Health announcements.

29. Option to renew

29.1 Grant of further term

The Licensee may subject to clause 28.3 require the Licensors to enter into a further licence of the Premises for the period specified in Item 11 commencing from the last day of the Term provided that:

- (a) the Licensee serves a notice in writing upon the Licensors requiring the Licensors to enter into the further licence;
- (b) the Licensors receives the notice not less than 3 months prior to the last day of the Term; and
- (c) the Licensee is not in default under this Licence as at the date of giving the notice and on the last day of the Term and this Licence has not been terminated before the last day of the Term.

29.2 Terms and conditions of further term

The further licence shall contain identical provisions as are contained in this licence except:

- (a) this clause will be deleted and Item 11 will disclose no further option to renew;
- (b) the Term will be amended to reflect the provisions of this clause; and
- (c) the Licence Fee condition in Item 9 will be identical in provision as are contained in the previous Licence, unless prior arrangements and adjustments are to be made by either parties and expressed in writing.

29.3 Right of Licensor to not grant further term

Upon the receipt of the notice under clause 28.1 the Licensor may within 2 months calculated from the date of service serve a notice on the Licensee advising that the Licensor will not grant a further licence. The Licensor will not be required to give any reasons. If this notice is given there will be no further term, this licence will terminate at the expiry of the Term and the holding over provisions in clause 2.2 will not apply.

30. Essential terms

The parties acknowledge that the following are essential terms of this licence:

- (a) clause 3.1;
- (b) clause 8;
- (c) clause 14;
- (d) clause 17; and
- (e) clause 22.

31. Default and Costs

31.1 Events of default

If the Licensee:

- (a) fails to pay any moneys due to the Licensor according to the terms of this licence within 14 days of the due date;
- (b) receives a notice from any competent authority of a breach of any requirement of that competent authority for the conduct of the Permitted Use;
- (c) breaches any other covenant of the Licensee under this licence and does not rectify such failure within 1 calendar month of being notified of the omission by the Licensor or such shorter period as the Licensor may reasonably specify;

the licensor is entitled at any time thereafter without further notice to take any of the action referred to in clause 30.

31.2 Consequences of default

If clause 30 applies, the Licensor may do any one or more of the following:

- (a) determine the licence by re-entry, by notice or by any other action available to it;

- (b) by notice to the Licensee convert the Term into a monthly, licence with effect from receipt of the notice;
- (c) take any action it considers necessary or desirable in order to give effect to its rights under this licence;
- (d) elect to treat the conduct or failure to perform as a repudiation of the licence by the Licensee; and
- (e) recover from the Licensee an amount equal to the damages or loss it sustains.

31.3 Costs payable for entire term

If the Licensor re-enters the Premises or determines the licence or accepts a repudiation, the Licensor (in addition to any other of its rights and remedies) is entitled to recover as damages maintenance costs and outgoings and other money it would have been entitled to receive or would not have had to pay for the balance of the Term had the re-entry, determination or acceptance of repudiation not occurred, subject to its obligation to mitigate.

31.4 Conversion to monthly licence

If the Licensor converts the Term of the licence to a monthly licence which is subsequently determined, the Licensor is entitled to recover damages equal to the cost of maintenance for the unexpired Term of this licence and outgoings and other money would have been entitled to receive or would not have had to pay but for the termination as if the conversion had not occurred.

31.5 No waiver

Acceptance by the Licensor of any money or of any breach of the licence by the Licensee does not constitute a waiver of the Licensor's rights.

31.6 Interest on overdue payments

If the Licensee fails to pay any money by the due date the Licensee must pay interest calculated on a daily basis from the due date until the date of payment at current bank interest rates, as at the overdue date.

32. Prior Arrangements Release

The parties expressly acknowledge that with effect from the entry into this deed of agreement the parties mutually release each other from any and all obligations which would otherwise exist under any prior joint use or licencing arrangements between the Minister of Education and Early Childhood Learning and the Council of the city of Campbelltown, particularly so far as concerns various premises and prior promises and it being noted that the School may retain any funds previously in the hands of the management committee which existed under the prior arrangements, to be used towards maintenance of and/or improvements to the Premises.

33. Pandemic Control

The Licensor, reserves the right to restrict access to the premises in line with obligations including Infection control or Pandemic control in line with New South Wales Government Health announcements.

Schedule 1

Item 1 Premises:	Those parts of the area shown highlighted in yellow as playing fields on the plan in Schedule 2.
Item 2 Licensees Access Hours:	15 minutes before and 15 minutes after the Licensors Access Hours.
Item 3 Licensee Hours:	All hours outside the Licensors (Departments) exclusive hours.
Item 4 Address to serve notices to Licensee	91 Queen Streets, Campbelltown NSW 2560
Item 5 Person to be served notices on behalf of Licensee:	TBA
Item 6 Security Deposit	Nil
Item 7 Additional Charges	Clause 18.4 damage to fields as invoiced by the Licensor. Clause 7.7 as to additional playing field preparation charges as invoiced by the Licensor
Item 8 School(s)	Sarah Redfern Public School, Sarah Redfern High School and Passfield Park Public School
Item 9 Licence Fee	Council to maintain all playing fields in the licence area for term of the licence
Item 10 Term	From the Commencement Date for 10 years
Item 11 Option Period	10 years
Item 12 Department Contribution	The Department will pay a maximum of \$276,100 (including GST) to council in contribution for the Council undertaking all works required to relocate sporting facilities from Department owned land to Council land. This contribution will be payable within 31 calendar days from the execution of this Deed.
Item 13 Licensors Exclusive use of Premises/Sports Fields	8.00am to 4.00pm Monday to Friday, year round

Schedule 2

Site Plan



Licensee area highlighted in yellow and car park identified and Licensee Amenities Block

Schedule 3

Site Standards and Operational Rules

Site Standards

1 TURFED AREAS

General

The Licensee must maintain healthy, clean and attractive areas of turf, by conducting weed treatment programmes (at least once annually in spring or summer), and ensure the playing fields are free from litter (i.e. branches, garbage and foreign matter).

The Licensee must maintain a record of all maintenance works undertaken in the Licensed Area and provide such information in electronic form by email to the Department's Designated Officer quarterly and at any other time requested by the Designated Officer.

Seasonal Maintenance Plans

Prior to each season every year (Summer season being the period from 4th Saturday in September to 3rd Sunday in March and Winter Season being from 1st Saturday in April to 2nd Sunday in September) the Licensee must develop and provide to the Department (licensor) a plan setting out the intended seasonal maintenance to be undertaken to the Licensed Area for that season, including:

- a) Fertilising;
- b) Renovating;
- c) Weed control (both post and pre-emergent);
- d) Topdressing (every second year from the commencement of the agreement);
- e) Line marking and goal erection as and when required (after mowing) to mark sporting fields on the those parts of the Playing fields requiring line marking;
- f) Servicing and maintenance plans for the irrigation systems.

The maintenance plan undertaken by the Licensee in line with other sporting fields, must include details of all treatment products to be used in the Licensed Area (including fertilisers, weed controlling products etc.). The Department may request reasonable amendments to the plan if considered unsuitable.

The Licensee must undertake all routine maintenance, in accordance with the Deed, in addition to seasonal maintenance specified in the plan.

Mowing

The Licensee must ensure that all turfed areas in the Licensed Area are mowed at the following times:

Summer Season (4th Saturday in September to 3rd Sunday in March): once per week with approved turf mowing equipment, by the Licensee.

Winter Season (1st Saturday in April to 2nd Sunday in September): once every 4 weeks (or such lesser timeframes as reasonably required by the Department) with approved turf mowing equipment,

The Licensee must comply with the following mowing standards:

- a) all turf must be cleanly mowed to an even, uniform height on each turf area and precautions taken for the prevention of damage to any other surfaces (e.g. concrete, paved areas or synthetic cricket pitch etc.);

- b) the Licensee must use approved turf mowing machinery that is appropriate for the Licensed Area;
- c) lawn mowing must be undertaken over the full extent of each lawn area up to any structural edges (e.g. paving, walls, fences etc.). However, no mowing is to occur within 5m of any natural edge (e.g. Waterway, natural area);
- d) during the summer season, the Playing Fields is to be mown to a grass height range of 25-50mm.
- e) during the winter season, the Playing Fields is to be mown to a grass height range of 35-50mm.
- f) in inclement weather conditions the Licensee shall delay all turf mowing operations until such times that normal operations can be undertaken without causing damage to existing turf surfaces. In the event instalment weather cause mowing operations to cease over an extended period, the Licensee must ensure that as soon as suitable weather permits, mowing operations must immediately recommence;
- g) prior to mowing all extraneous materials such as stones, cans, bottles, papers, glass etc. must be removed/from the turfed areas as far as reasonably practical;
- h) on completion of mowing operations, all grass clippings must be cleared from footways, paved areas, drains etc.; no grass clippings are to be discharged onto garden areas or used as mulch,
- i) the Licensee must ensure that staff assigned to mowing operations have received satisfactory training and while performing their duties they are correctly attired and wearing appropriate safety protection (including leather closed in shoes, long pants and eye protection).
- j) mowing to be conducted before 10.30am and after 2pm during school terms. Further, the school Principal of Sarah Redfern Public School will notify the Lessor of their allocated P.E/Sports days at the beginning of each school term so there is no clash between school use and mowing of the Premises during the School Access Hours.
- k) any damage to turf areas caused by mowing machinery or equipment must be repaired immediately at the Licensee's expense.

Trimming and Edging

The Licensee must also trim, either physically or chemically, lawn edges and tufts around trees and seats, light standards, refuse bins and other furniture to the same height, frequency and standard as the surrounding lawn areas.

Re-Turfing

- a) From time to time areas of turf will be worn and will require returfing. At the request of either party, the parties' Designated Officers (or such other authorised person appointed on behalf of a party) must meet to conduct an inspection of the Licensed Area to consider whether re-turfing is required. In the event that there is a dispute in this regard, the parties will agree that re-turfing is to be undertaken when the Premises is showing significant patches of dirt or is bare of grass and returfing is required for the playing fields to be maintained in a good condition for the permitted use during summer

and winter seasons.

- b) Despite any part of the turfed areas being re-turfed in accordance with (a) above, the Licensee must arrange for fields to be inspected after the 2nd Sunday in September, and to identify which parts of the playing fields are in need, if any for re-turfing,
- c) In either case, the Licensee must ensure that once the new turf is laid (including replacement underlay if required) it is levelled by top dressing and any affected parts of the turf at least once annually on a case by case basis, and it required,
- d) On each third anniversary of the commencing date, the parties Designated Officers must meet to determine if the entire Playing Fields are to be top-dressed at a minimum.
- e) All re-turfing of the Playing Fields is to be to the standard and specification set out in Schedule 3 of this Agreement.

The Licensee must attend to re-turfing at the Licensee's expense.

Covering Cricket Wickets

The Synthetic grass cricket wicket (on concrete base) may be required to be covered and maintained for the duration of the winter season, if required, as a result of potentially interfering with the winter season. The licensee must arrange for such covered to be put in place during the winter season, if the item does interfere with the hirers use.

2 IRRIGATION SYSTEMS

For the purposes of the Licensee's maintenance obligations, "irrigation system" includes the water tanks, pumps connected thereto and all irrigation lines, belonging to the Department and located/in the Licensed Area.

- a) the Licensee must ensure that all components of the irrigation systems within the Licensed Area are kept fully operational, including free of leaks and defects;
- b) all water service attachments and standards must comply with the appropriate water authority's regulations;
- c) in the event any water restrictions are introduced by the appropriate authorities, the Licensee must liaise with the Department to implement suitable emergency procedures for the continued use (if possible) of the irrigation system, to maintain the Licensed Area;
- d) the Licensee must carry out an inspection of the irrigation systems in the Licensed Area annually and service of all irrigation systems in the Licensed Area at the same time should the inspection identify a need;
- e) in the event of any obvious requirement for replacement and or repair of sprinkler heads or irrigation system generally due to vandalism or misuse, the Licensee must arrange for repair of such damage immediately;
- f) the Licensee will be liable for all costs associated with repair or replacement of irrigation equipment damaged as a result of use of the Licensed Area by the licensee, its invitees and licensees and/or maintenance works undertaken by the Licensee,
- g) the Licensee is required to meet all costs associated with watering and irrigation system in the Licensed Area;

- h) the Licensee will be responsible for replacement parts and service calls in respect of the irrigation system;
- i) the irrigation system must only operate outside the Departments Use Hours, unless otherwise agreed in writing between the Department and the Licensee.

3 KEEPING PREMISES IN A CLEAN STATE

- a) The Licensee must maintain the Licensed Premises in a safe, clean and tidy condition free of litter, garbage, glass, debris, branches and other extraneous materials and communicate this with its community uses for the duration of the Licensees Access Hours.
- b) the Licensee must ensure that special attention is given to the removal of glass (and other dangerous materials, such as metal, syringes etc.) from the Licensed Area prior to mowing.
- c) the Licensee will remove any household rubbish and other items, left or dumped in the Licensed Area outside Department Use Hours.
- d) the Licensee must comply with all of the Department's cleaning procedures as identified within Clause 3 of Schedule 3.
- e) the Licensee acknowledges that the Department does not provide any rubbish receptacles in the Licensed Area, however at the Licensee's expense, the Licensee may install suitable receptacles (fire proof and lockable) in the Licensed Area at locations to be agreed. Once installed, the Licensee must ensure that they remain locked at all times and are emptied in accordance with the Site Rules.

4 AMENITIES

The Licensee acknowledges that there are no amenities located in the Licensed Area and the Licensee and its authorised users are not permitted to access any amenities in the School.

The Licensor's students and invitees may use the amenities located to the north eastern portion of Sarah Redfern Oval (as shown on Schedule 2 non-highlighted) which is owned by the Licensee.

All repair and maintenance of the Amenities Building situated on the Licensee's land is to be undertaken by the Licensee at the Licensee's expense.

5 FENCING

The Licensee is responsible for all repairs and maintenance to fencing in the Licensed Area (excluding the security fencing between the Licensed Area and the School, which has been erected by the Department (Security Fence) including but not limited to gates, locks, holes, panels and hinges, for damage caused at any time.

The Licensee is responsible for all repairs to the Security Fence including but not limited to gates, locks, holes, panels and hinges, for damage (including but not limited to vandalism etc.) caused outside Department Use Hours.

6 LIGHTING

The Licensee must conduct or arrange suitable qualified contractors to conduct (routine maintenance) checks of all lighting in the Licensed Area (including lighting in amenities building) if and when there is a fault or repair which is needed, as a result of the lighting not working.

- a) The Licensee/will be responsible for costs of repair or replacement of damaged or non-functioning lighting.
- b) Any damage or destruction to lighting in the Licensed Area must be reported to the Department (Licensor) immediately, including notice of whether it is unsafe to use the Licensed Area (or any part thereof) until the lighting is repaired. The Licensee must arrange for urgent repairs to be undertaken to any affected lighting. The Licensee, its invitees and/or licensees are not to use the Licensed Area until such repairs have been conducted or appropriate lighting can be used on the Premises for the Permitted use.

7 Maintenance of Grassland Swale

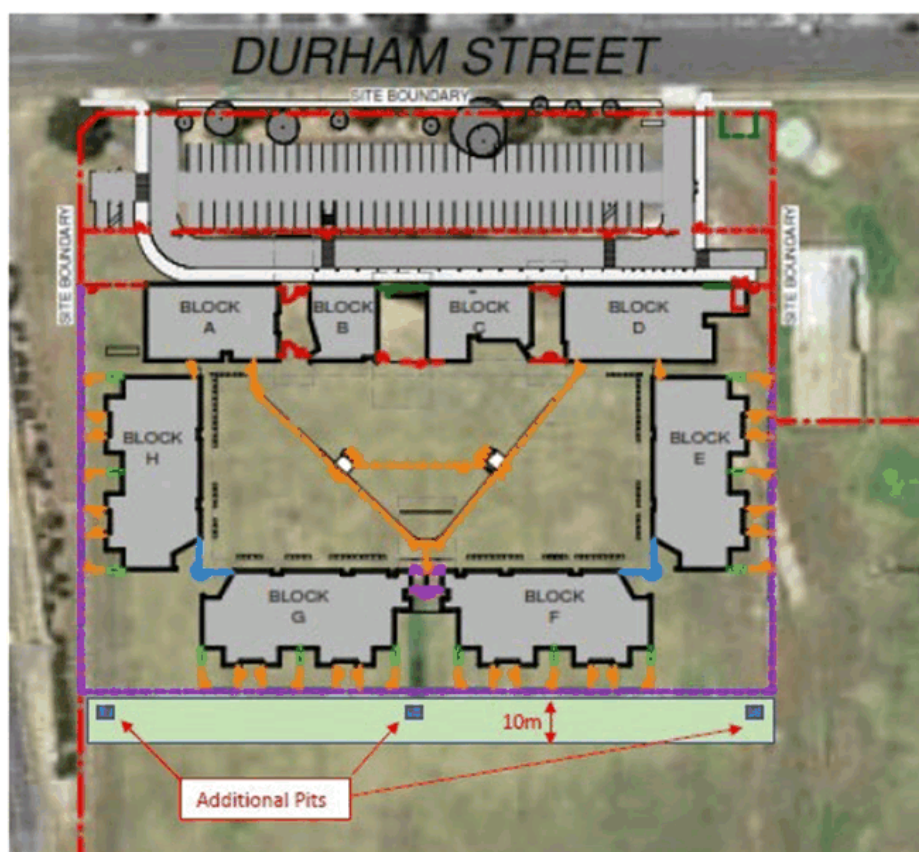
Please refer to the following Site Plan under this clause, identified as green highlighted area which is located to the external boundary wall along the southern elevation within Sarah Redfern Fields and of the proposed new Passfield Park School.

The agreed Flood Mitigation Design requires a grassland swale and its pits to be incorporated to manage overland flow up to 1:1000 year scenario.

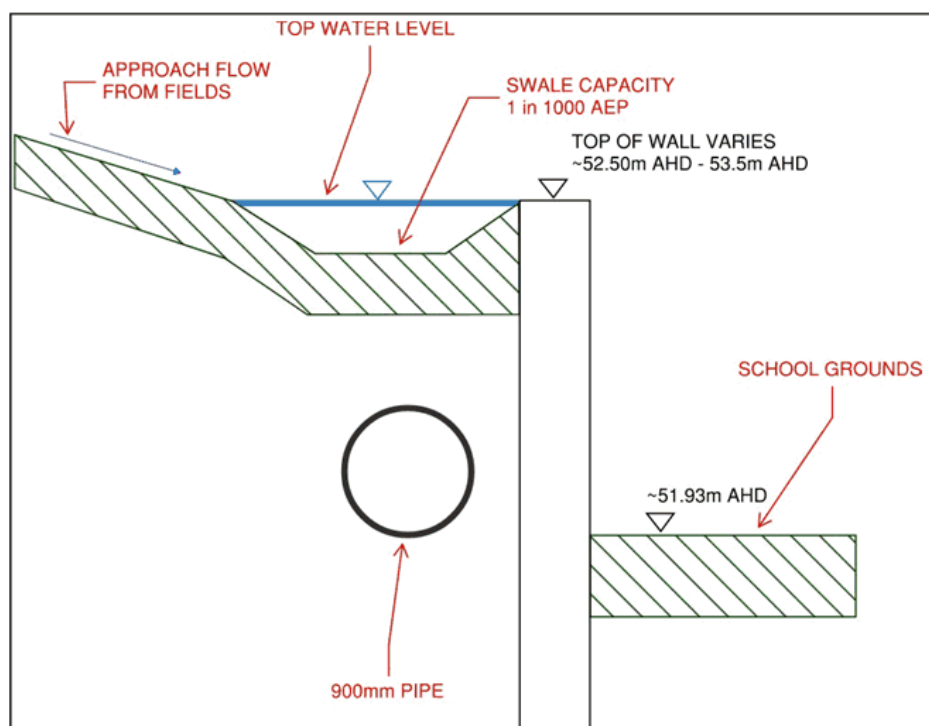
The set out of the swale will be approx. 10 metres south of the proposed boundary wall, inclusive of a 2 metre base and 1.4 height side batters, the longitudinal gradient will generally match existing on site.

Additional pits and underground pipework will be installed to manage the flow of water in such rare events, these pits will have a concrete apron surround and be located within the extent of the swale.

The Licensee must also trim and/or mow, physically, the lawn within the green highlighted area, which is identified in the following site plan, to the same height, frequency and standard as the surrounding lawn areas. The Licensee must not fill in the swale such as with any soil or remove any items which will comprise the performance of it in a flooding scenario to act as a drain.



Please refer to the below side section detail for further information.



8 Amendments to the Maintenance Standards

Changes to these maintenance standards can be made by the parties upon agreement, which is to be in writing.

Operational Rules

1. Sporting Field Closure

The Licensee and the School must immediately inform the other of any issue which may require the closing of any part(s) of the Premises. Such issues include but are not limited to:

- The grounds being damaged (for example by heavy rain, burnt/dry grass or fallen tree branches);
- Cleaning is required (for removal of dangerous objects such as needles, glass etc.);
- Major maintenance or urgent repairs;
- Fertilising and weed control spraying being conducted, with prior notice to the School.

The Licensee must ensure that as part of its maintenance and management obligations, it takes all necessary steps to rectify any issue and enable the Premises to be re-opened when it is safe to do so, being as soon as reasonably practical after closure of the area.

2. Notice of Incident

The Licensee must immediately provide written notice to the School of:

- Any notice received from any government authority (e.g. WorkCover);
- any incident occurring on or in the vicinity of the Premises (including but not limited to any injury, act of violence, any emergency requiring the presence of the police, an ambulance or the fire brigade or any matter likely to give rise to claim on insurance);
- a report of an incident occurring on or in the vicinity of the Premises (including but not limited to any injury, act of violence, any emergency requiring the presence of the police, an ambulance or the fire brigade or any matter likely to give rise to claim on insurance) reported to the Licensee by a user (and for that purpose the Licensee must maintain and make available to the School a listing of all hirers/users of the Premises

3. Specific Licensee Rules

The Licensee must:

1. Communicate with the hirers of the fields and request they inspect the Premises prior to each use to ensure it is fit for use and maintain a written record of those inspections and produce those records to the School upon reasonable request;
2. provide to the School at least annually (in advance) and at such other times as reasonably requested, a timetable of proposed usage of the Premises, including details of the intended user (e.g. the Council or a third party user) in electronic form (Timetable);

3. update the Timetable as required with any changes in details or proposed new use etc. and provide the updated version to the School following every update;
4. provide the Department School with notice and seek the School's approval of any casual signage required by users and the Licensee must ensure such users do not cover any signage erected by the School or otherwise required pursuant to the Deed.
5. where gates are installed and locked by the school, must ensure hirers close and lock the gates are locked after each use.
6. maintain a list of all persons to whom the Licensee issues keys to the Premises and produce this list as required. Keys must only be provided to authorised staff of the Licensee and to only one nominated third party hirers of the specific club for the use of the premises only. The Licensee will be responsible for arranging for replacement of any lost keys, at the Licensee's cost.
7. Not permit any illegal activity to be carried out on or in the vicinity of the Premises.
8. Not permit any person to enter onto the school land, other than the Premises.

4. School Obligations

The School will:

- inspect the Premises prior to 8:00 am on each school day to identify any damage or maintenance concerns which have arisen outside the School use hours.
- lock any gates at the expiration of the School use hours each day.

5. Hire of Premises for School Purposes inside Access Hours

If part of the premises is required for School purposes at any time in Access Hours:

- then the School Principal or other authorised person on behalf of the School may submit a written request to the Licensee for use of the area during the period specified in the notice.
- the School will have priority to use the Premises provided that such booking is to occur within two months of the date of its application to the Licensee and there is no prior booking of the Premises at the time the application is made.

6. Licensee Use of School premises during School Use Hours

Not applicable

7. Fees and Charges

The Licensee must pay the Licence Fee and all usage charges, as specified in the Deed.

The Licensee may charge a usage fee to third party hirers or the community, as outlined within the adopted Fees & Charges as provided by The City of Campbelltown City Council. The Licensee acknowledges that the School is not responsible for any failures by third parties to pay such fees.

The Licensee acknowledges that failure by any third party to pay a fee does not reduce the

Licensee's liability to pay the Licence Fee or any other charges payable by it in accordance with this Deed of Agreement.

8. Services

The Licensee will ensure, at its cost, that all Utilities that service the Premises, are separately metered from the Utilities servicing the rest of the land upon which the School is conducted. In accordance with this Deed of Agreement, the Licensee will be responsible for all utility charges incurred during the Access Hours. However, nothing in this Deed of Agreement or these rules precludes the Licensee recovering part of those charges from third party hirers in relation to their use of the Premises.

The Licensee must ensure that the Premises are separately metered for all utilities including water and electricity and pay all utility costs incurred in respect of the Premises and indemnify the Licensor against any such costs for the term. If the Licensee can demonstrate, that the Licensor or its pupils misuse the utilities at the Amenities building situated on Council owned land, and this increases the normal cost of usage by the Licensee, the Licensor must pay those additional costs.

9. Garbage Removal

The Licensee is responsible for removal of garbage and must comply with the garbage access and removal arrangements set out below:

- The Licensee must comply, with the School's directions as to timing and location of garbage bins and access thereto, if they allocate any on the Premises;
- The Licensee will arrange to have all garbage collected from the amenities building before 8:00am each Monday morning (or the next business day in the case of a public holiday).

10. Prohibited

The Licensee must prohibit use of skate boards and food and beverage dispensing machines at all times on the premises.

11. School Fencing

As shown on the Plan, fencing has been erected between the School and the Premises. The Licensee must ensure that the fence is not damaged or breached in anyway during the Permitted Access Hours by the Hirers or Community Uses and its invitees, and in the event of such damage or breach the Licensee must undertake emergency repairs to repair the fence, at its cost. Any damage to the fence which may have been undertaken after the licensee's access hours would be investigated by the Licensor and assisted by the Licensee.

12. No Animals

No animals are permitted in the Premises (except assistance animals as permitted by law). The Licensee must enforce this policy including the erection of appropriate signs during all Permitted Access Hours. The Licensee will be liable for all costs of, cleaning, repair or maintenance required to the Premises as a result of breach of this policy during the Permitted Access Hours.

Executed as an deed of agreement on 2021

SIGNED by **Campbelltown City Council**
in accordance with the requirements of
the Local Government Act in the presence of:

.....

Signature of authorised person

.....

Signature of witness

.....

Name of authorised person PLEASE PRINT

.....

Name of Witness PLEASE PRINT

.....

Office held

.....

Address of Witness

SIGNED for and on behalf of **The
Minister of Education and Early
Childhood Learning** by the duly authorised
Delegate in the presence of:

.....

Signature of Delegate

.....

Signature of witness

.....

Name of Delegate PLEASE PRINT

.....

Name of witness PLEASE PRINT

.....

Address of Witness

8.9 Investments and Revenue Report - January 2021

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 January 2021.

Report

This monthly report provides details of Council's investment and revenue portfolio.

Investments

Council's investment portfolio as at 30 January 2021 stood at approximately \$243 million. Funds are currently being managed by both 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.

The return on Council's investments whilst historically has, and continues to outperform the AusBond Bank Bill Index benchmark, the interest income will not reach the estimated original budget, which is a direct result of the ongoing impact to the economy of historically low interest rates. The impact is significant and adjustments to expected revenue have been reflected in quarterly budget reviews.

For the month of January, Council's return exceeded the benchmark by some 96 basis points on an annualised basis which is a positive on an absolute basis. This return excludes funds held in at call account but includes the 30 day notice saver account and the NSW TCorp Cash Fund. The yield on the AusBond Bank Bill Index is very low and while Council's investment performance has fallen in recent times, it has however maintained an excellent return over the benchmark index and relative to comparative councils.

The portfolio is diversified with maturities ranging up to a 5 year period in accordance with Council's Investment Policy.

Council's investment advisor, Amicus Advisory have confirmed that Council's investment portfolio is being well managed and is compliant with current policy settings, with clear buffers between exposures to individual entities and credit limits.

Council's total liquidity of around \$40 million to meet short to medium term cash flow needs remains strong with \$1 million held in an at call account, \$26 million in the TCorp Cash Fund and \$3 million in a 30 day notice account and \$10 million in an at call cash accelerator account. The latter two accounts are effectively a hybrid of a term deposit and an at call account that attract slightly higher market interest rates.

The official cash rate is 0.10 per cent, where it has remained since the November 2020 Reserve Board of Australia Board meeting. The Board remains optimistic that in Australia economic recovery is under way, however it is still expected to be uneven and drawn out and dependant on policy support. The ASX200 closed at 6,607.40 at the completion of January. This represents an annualised monthly performance result of positive 3.70 per cent ex dividend, the monthly change was positive 0.31 per cent.

It is important to note that councils are restricted to conservative investments only in line with the Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

Rates

Rates and Charges levied for the period ending 31 January 2021 totalled \$124,167,157 representing 100 per cent of the current budget estimate.

The rates and charges receipts collected to the end of January totalled \$70,245,523. In percentage terms 57 per cent of all rates and charges due to be paid have been collected, compared to 58.8 per cent collected in the same period last year.

The NSW Government set penalty interest charges to zero per cent on all unpaid rates and charges for the period between 1 July 2020 and 31 December 2020, this rate reverted back on 1 January 2021 to 7 per cent.

Due to the current COVID-19 pandemic, formal debt recovery action has not been taken allowing the community the time needed to bring their accounts up to date. Letters were sent regarding 'starting the conversation' with a view to getting back on track with payments or a suitable payment arrangement. These were sent to ratepayers that had not made any payments since 1 July 2020 and with a balance exceeding \$1,000.

Council staff have been actively assisting ratepayers to manage any overdue quarterly instalments and advise on options available such as regular weekly payments. Council has created a dedicated 'Here for you' support page on the website including links to assistance packages provided by the Federal Government in the form of 'JobKeeper' and 'JobSeeker' along with detailed information on support packages offered in the Community.

Positive feedback has been received from Pensioners that can now make an application to receive a Pension Rebate Concession over the phone and via the internet. During the month, 96 applications were made over the phone and 38 online. Given the level of success, implementation for both phone and internet will continue as a permanent service to the community alongside the paper based over the counter process.

Ratepayers who purchased property since the annual rates and charges notices had been issued are provided a 'Notice to new owner' letter. During the month, 48 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 January 2021 are \$3,019,263 reflecting a decrease of \$444,200 since December 2020. During the month 929 invoices were raised totalling \$1,369,288. 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 attachment 3.

Debts exceeding 90 days of age totalled \$1,154,802 as at 31 January 2021. The majority of this debt relates to Government and Other Grants totalling \$668,249. The most significant portion is \$600,000 relating to the Department of Regional NSW for the Campbelltown Billabong Parklands Project claim. A slight processing delay over the holiday period has occurred though Council has been advised payment is now being expedited. Also incorporated in this debt is \$60,298 grant for the Environment Protection Authority regarding the Regional Coordination and Strategy Program 2020-21, Council is pursuing the speedy recovery of this debt.

Corporate Administration outstanding debts of \$157,382 includes a \$137,915 debt owed by Suez Recycling and Resource Recovery Pty Ltd that has since been paid. This debt is regarding the quarterly payment of the Container Deposit Scheme Refund Sharing Agreement, contact has been made with Suez to expedite the payment.

Road and Footpath Restoration debts outstanding of \$129,018 relating primarily to Jemena Gas who advised delays in payment were due to a system change with payment expected by the end of the month.

Various Sundry items total \$65,201. A major portion of this amount relates to Road and Footpath occupancy fees of \$10,547 being for a development in Broughton Street. A legally binding settlement of \$5,271 per month was entered and subsequently defaulted due to hardship. Council's agents successfully negotiated a new arrangement of \$3,000 per month commencing October 2020 under the provision that no further defaults will be negotiated and legal judgment would commence without further notice. Unfortunately no payments have been received and Council's agents have been instructed to enter Judgment on the account.

Also Incorporated within the sundry items group is \$11,284, which relates to a ticket sale rebate for the "Crusty Demons Event" at Campbelltown Sports Stadium in August 2019. The company involved has gone into voluntary administration, Council has submitted a proof of debt to the Administrators who have established that the Company is insolvent and at their recommendation have placed the company into liquidation. A report to creditors was sent in March 2020 advising that a dividend would be unlikely. Council seeks regular updates on the status of the findings however no further information could be provided as at the time of writing this report.

Debts categorised in Sports and Field Hire totalled \$44,727, the most significant portion is \$26,220 for "catering sales commission" for events at Campbelltown Sports Stadium. The company involved had entered into an arrangement with Council for payment of \$5,000 per month. Unfortunately this arrangement has defaulted due to hardship and after many request to bring the payments up to date, the company has not paid resulting in the account being referred to our agents for the recovery of the debt. Other significant debt in this category for the combined value of \$9,690 relates to various sporting groups within the community affected by the current pandemic. Council staff continue to liaise with committee members of these sporting groups to negotiate a suitable payment arrangement with positive resolutions.

Public hall hire fees of \$22,262 are a result of debts raised in advance and in accordance with council policy do not need to be finalised until two weeks prior to function. This process also gives hirers an option to book in advance and then to make smaller regular payments leading up to their event.

Debt recovery action is normally 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.

Council's agents were not instructed to issue any legal action for the month.

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. Summary of Council's Investment Portfolio January 2021(contained within this report)
2. Rates and Charges Summary and Statistics January 2021(contained within this report)
3. Debtors Summary and Ageing Report January 2021(contained within this report)

Summary of Council's Investment Portfolio

Portfolio as at 31 January 2021



Product Type	Face Value	% of Total
At Call Deposits	11,102,465	4.6%
Notice Account	3,019,564	1.2%
Term Deposits - Fixed Rate	84,585,755	34.8%
Term Deposits - Floating Rate	79,000,000	32.5%
Fixed Rate Bond	10,000,000	4.1%
FRN	29,750,000	12.2%
Managed Funds - TCorp	25,567,097	10.5%
Grand Total	243,024,880	100.0%

Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AA+	6,900,000	4.2%
AA-	116,515,444	71.2%
A+	1,000,000	0.6%
BBB+	13,153,901	8.0%
BBB	22,016,410	13.5%
Baa2	4,000,000	2.4%
Total Term Deposits	163,585,755	100.0%

Fixed and Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
none	NT Treasury Corp	Aa3	15-Dec-22	0.90% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Dec-23	0.80% Annually	\$5,000,000
AU3FN0046769	Newcastle Perm	BBB	26-Feb-21	3m BBSW + 1.10%	\$500,000
AU3FN0031886	CBA	AA-	12-Jul-21	3m BBSW + 1.21%	\$5,000,000
AU3FN0044269	Credit Union Aus	BBB	6-Sept-21	3m BBSW + 1.25%	\$500,000
AU3FN0034021	Newcastle Perm	BBB	24-Jan-22	3m BBSW + 1.65%	\$1,500,000
AU3FN0046793	Credit Union Aus	BBB	4-Mar-22	3m BBSW + 1.23%	\$3,200,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	\$1,850,000
AU3FN0046777	NAB	AA-	26-Feb-24	3m BBSW + 1.04%	\$4,000,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0049730	ANZ	AA-	29-Aug-24	3m BBSW + 0.77%	\$3,500,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 0.84%	\$5,000,000

Summary of Council's Investment Portfolio - January 2021 cont'd

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	71.5%	40%	100%	Yes
A+, A, A- and above	78.6%	60%^	100%	Yes
BBB+, BBB, BBB- and above	100.0%	100%	100%	Yes
TCorp MTGF and LTGF	0%	0%	20%	Yes
TCorp Hour Glass Cash Fund	10.5%	0%	20%	Yes

Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund & Notice Saver Account) provided a weighted average return (running yield) of:

31 January 2021	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.073%	1.243%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.001%	0.287%
Performance Relative to Benchmark	0.072%	0.956%

Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	Net Arrears 1/7/2020	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,134,057.23	69,312,297.25	1,479,947.98	17,593.93	70,984,000.43	39,510,637.26	31,473,363.17	301,396.38	31,774,759.55
Business	608,426.97	20,115,508.99		4,310.53	20,728,246.49	12,640,027.29	8,088,219.20		8,088,219.20
Farmland	16,104.97	551,706.46	215.39	97.24	567,693.28	311,887.07	255,806.21	269,741.07	525,547.28
Mining	0.00	28,627.08		0.00	28,627.08	28,627.08	0.00		0.00
SR - Loan	525.47	0.00		16.10	541.57	0.00	541.57	132.44	674.01
SR - Infrastructure	368,470.21	6,822,587.80		1,130.97	7,192,188.98	4,009,758.24	3,182,430.74	57,181.60	3,239,612.34
Total	\$4,127,584.85	\$96,830,727.58	\$1,480,163.37	\$23,148.77	\$99,501,297.83	\$56,500,936.94	\$43,000,360.89	\$628,451.49	\$43,628,812.38
Garbage	956,513.47	23,067,456.63	874,732.21	4,982.65	23,154,220.54	12,887,600.56	10,266,619.98		10,266,619.98
Stormwater	70,141.68	1,441,426.52		70.18	1,511,638.38	856,985.87	654,652.51		654,652.51
Grand Total	\$5,154,240.00	\$121,339,610.73	\$2,354,895.58	\$28,201.60	\$124,167,156.75	\$70,245,523.37	\$53,921,633.38	\$628,451.49	\$54,550,084.87

Total from Rates Financial Transaction Summary	53,747,918.54
Overpayments	-802,166.33
Difference	0.00

Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	229,110.00
Rate accounts greater than 12 months less than 18 months in arrears	0.00
Rate accounts greater than 18 months in arrears	0.00
TOTAL rates and charges under instruction with Council's agents	\$229,110.00



Rates Statistics

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Feb-20
Rate Notices	56,941	485		57	3								94
Electronic - DoH	4,929												
Instalment Notices				49,133			48,053						47,825
Electronic - DoH				4,895			4,836						5,040
Missed Instalment Notices						10,871							
- Pensioners > \$15.00						801							
Notice to new owner	144	133	119	107	22	44	48						39
7-day Letters - Council issued							674						
- Pensioners > \$500.00							13						
7-day Letters - Agent Issued							617						179
Statement of Claim													57
Judgments													42
Writs													19
Electronic - eRates & BPAYView	9,019	9,577	9,881	9,935	10,082	10,171	10,265						7,516
Pensioner applications	149	170	603	486	475	460	134						-
Arrangements	199	165	134	98	88	73	63						399

DEBTORS SUMMARY 1 January 2021 to 31 January 2021

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/12/2020	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/01/2021	% DEBT RATIO
Corporate Administration	481,993	34,301	237,056	279,238	29.49%
Abandoned Items	1,949	0	0	1,949	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	117,738	37,752	39,135	116,356	5.46%
Government and other Grants	1,869,529	661,469	1,089,519	1,441,479	12.87%
Public Hall Hire	39,620	17,841	14,979	42,482	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	131,386	401,520	218,119	314,786	5.63%
Healthy Lifestyles	27,127	29,157	33,842	22,442	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	159,389	17,981	60,952	116,418	1.85%
Pool Hire	2,777	2,972	3,613	2,136	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	145,118	3,474	4,474	144,118	28.17%
Shop and Office Rentals	48,702	63,370	63,852	48,220	2.17%
Various Sundry Items	429,420	78,148	12,151	495,417	6.42%
Waste Collection Services	25,633	21,302	35,795	11,140	6.17%
	3,463,463	1,369,288	1,813,488	3,019,263	100%

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 January 2021

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	31,051	2,087	88,718	157,382	279,238	19,523
Abandoned Items	0	0	0	1,949	1,949	1,949
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	33,703	36,749	1,177	44,727	116,356	41,600
Government and other Grants	120,850	650,971	1,410	668,249	1,441,479	407,950
Public Hall Hire	7,284	9,875	3,060	22,262	42,482	20,901
Health Services	0	0	0	350	350	350
Land and Building Rentals	310,844	3,071	731	140	314,786	1,506
Healthy Lifestyles	4,799	1,633	1,152	14,858	22,442	18,326
Licence Fees	18,269	48,612	4,360	45,178	116,418	38,431
Pool Hire	303	0	300	1,533	2,136	1,655
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	1	6,865	8,235	129,018	144,118	8,168
Shop and Office Rentals	40,648	2,328	2,711	2,533	48,220	2,322
Various Sundry Items	73,822	294,705	61,689	65,201	495,417	63,952
Waste Collection Services	11,140	0	0	0	11,140	0
	634,022	1,056,896	173,543	1,154,802	3,019,263	628,055

8.10 24 Hour Fight Against Cancer Macarthur

Reporting Officer

Manager Governance and Risk
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 Council determine the request for a 3 year sponsorship arrangement the 24 Hour Fight Against Cancer Macarthur 2021 to 2023 including coverage of the cost of Campbelltown Athletics Stadium hire, security and cleaning associated with the 24 Hour Fight Against Cancer Macarthur Annual Walk event as detailed in the report.

Purpose

This report has been prepared for Council to consider the request for a 3 year sponsorship arrangement for the 24 Hour Fight Against Cancer Macarthur event, 2021 to 2023.

History

The 24 Hour Fight Against Cancer Macarthur has been conducted since October 2005. Council has been a long term supporter of the 24 Hour Fight Against Cancer Macarthur and has sponsored the annual fundraising walk through venue hire and other associated costs also being provided by Council since the inaugural event.

Report

A request has been received by the 24 Hour Fight Against Cancer Macarthur Inc to enter into a three year sponsorship arrangement to support the 24 Hour Fight Against Cancer Macarthur annual walk from 2021 to 2023 (inclusive). The in-kind support sought from Council under the arrangement includes:

- hire of the Campbelltown Athletics Stadium Leumeah for the 24 Hour Walk Against Cancer Macarthur event
- security for the event and
- cleaning services over the 24 hours of the event.

The value of the sponsorship arrangement sought is \$4,000 per year for a 3 year period.

Use of the Campbelltown Athletics Stadium, Leumeah is sought on the second weekend of October for the term of the agreement. Should Council approve the request it is recommended that the sponsorship arrangement provide for an appropriate weekend in October as agreed with Council.

In 2021 the event will take place on Saturday 9th October – Sunday 10th October.

The attached correspondence states that more than 1,500 local residents participate during the weekend and their efforts, combined with a number of other high profile fundraising events, raised much needed funds for the Macarthur Cancer Therapy Centre, the Oncology Ward and the Paediatric Ambulatory Care Unit located in Campbelltown Hospital and the Palliative Care Unit and its outreach services based at Camden Hospital. Since the inaugural event in 2005, in excess of \$4.7 million has been raised.

Under the Grants, Sponsorship and Donations Policy, the elected Council has authority to approve grants or other financial assistance. This request is referred to the Council for its consideration and determination as the in-kind value of this request over the 3 year term exceeds the delegation provided to the General Manager under the policy.

Attachments

1. 24 Hour Fight Against Cancer Macarthur (contained within this report)

Fight Against Cancer Macarthur Inc
PO Box 233N
Campbelltown North NSW 2560



Clr George Brticevic
Mayor
Campbelltown City Council
PO Box 57 CAMPBELLTOWN NSW 2560

Dear Mayor

I write to request that Campbelltown City Council continue their sponsorship of the 24 Fight Against Cancer Macarthur Inc. signature fundraising event, for the period 2021- 2023 inclusive by providing:

- use of the Campbelltown Athletics Stadium Leumeah on the second weekend of October at no cost
- security for the event, and
- cleaning services over the 24 hours.

In 2021 the event will take place on Sat 9th October – Sunday 10th October.

More than 1500 local residents participate during the weekend and their efforts, combined with a number of other high profile fundraising events, raised much needed funds for the Macarthur Cancer Therapy Centre, the Oncology Ward and the Paediatric Ambulatory Care Unit located in Campbelltown Hospital and the Palliative Care Unit and its outreach services based at Camden Hospital.

It is also my pleasure to inform you, as our patron, that the total raised for local cancer care by the 24Hr Fight Against Cancer Macarthur to date totals more than \$4.7m. I am sure you agree that this is an outstanding achievement by local residents and businesses across the Macarthur community across 17 years.

The generous support of the Campbelltown City Council, as one of our valued Foundation sponsors, will be acknowledged on our publicity material which includes banners, signage, brochures, posters and team booklets and on the event T-shirts. The logo will also be displayed on the Macarthur Cancer Therapy Centre patient transport bus that was purchased through this fundraising.

I look forward to welcoming you on the day and announcing the details of the continued support of Campbelltown City Council.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Warren Morrison
Chairperson
16 February 2021

FIGHT AGAINST CANCER MACARTHUR INC.
Fundraising Authority under the Charitable Fundraising Act 1991
Registered Charity - Donations over \$2 are tax deductible

8.11 Reports and Letters Requested

Reporting Officer

Director City Governance
City Governance

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

Officer's Recommendation

That the information be noted.

Report

Attached for the information of Councillors is a status list of reports requested from Council as at 2 March 2021. Please note there are no outstanding letters requested.

Attachments

1. Reports requested listing (contained within this report)

Reports requested effective 2 March 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Delivery			
12.11.19 RM	ORD NM - 11.2 Stormwater Usage That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	May 2021
10.12.19 WM	ORD NM - 11.2 Grey Water Usage 1. That a report be presented on the feasibility of the re-use of grey water within the community.	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	May 2021
13.10.20 PL	ORD NM - 11.1 Charging for parking within the Campbelltown Local Government Area That a full feasibility report be presented to Council outlining the financial and non-financial implications of introducing paid parking into the Campbelltown Local Government Area.	The matter is being investigated.	July 2021
City Development			
13.11.18 GB	ORD - 8.3 Household E-Waste Drop Off Event 2. That a further report be provided to Council on the future recycling arrangements for e-waste upon confirmation of the completion timeframe for the construction of the Community Recycling Centre.	This report is subject to the time frame of the Community Recycling Centre.	April 2021
09.04.19 WM	ORD - 8.2 Planning Proposal - Ingleburn CBD 4. That a further report be provided to Council after the Gateway Determination with public exhibition with the planning proposal a draft Development Control Plan for Ingleburn CBD to be placed on public exhibition with the draft planning proposal.	Development Control Plan preparation held pending study completion.	June 2021

Reports requested effective 2 March 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
09.04.19 BT	ORD 8.6 Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct) 5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.	To be included in the next amendment to the Campbelltown Contribution Plan 2018.	October 2021
06.08.19 GG	ORD 14.1 Campbelltown Design Excellence Panel That a report providing a review of the Panel's operation be provided to Councillors after it has been in operation for 1 year.	First meeting held 26 March 2020.	April 2021
10.09.19 KH	ORD 8.1 Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use 5. That following an exhibition, a report on submissions be presented to Council.	Extension for Gateway requested.	December 2021
10.03.20 WM	ORD 8.2 Menangle Park - Draft Planning Proposal 4. That following the public exhibition a report on any submissions received be presented to Council.	Gateway received October 2020. Works to be carried out by proponent.	December 2021
10.03.20 MO	ORD 8.6 Mt Gilead - Draft Planning Proposal 3. That should the Minister determine under section 3.3.4(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination. 4. That following the public exhibition a report on any submissions received be presented to Council.	Gateway received October 2020. Works to be carried out by proponent.	June 2021

Reports requested effective 2 March 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
12.05.20 BT	ORD 8.3 Planning Proposal to rezone Land at the corner of Appin Road and Kellerman Drive, St Helens Park 3. That subject to satisfying the requirements of the Gateway determination, the Proposal be placed on public exhibition and the outcome of that exhibition be reported to the Council.	Awaiting additional information from proponent to comply with Gateway conditions.	June 2021
10.11.20 DL	ORD 8.3 Re-establishment of South Area Alcohol Free Zones 2. Any submissions received during the public exhibition period be reported back to Council. 4. Any submissions received from the organisations/groups listed in Recommendation No.3 during the notice period be reported to Council.	2. Public exhibition ended on 23/12/2020. No public submissions were received. 4. Letters are currently being drafted to provide formal notice to the organisations/ groups listed in Recommendation No. 3.	June 2021
10.11.20 MO	ORD 8.5 The Meadows, Ingleburn Gardens Planning Proposal That following the public exhibition: (a) where submissions are received by Council during the public exhibition period, a submissions report be presented to Council, or (b) where no submissions are received by Council during the public exhibition period, the draft Planning Proposal be finalised.	Gateway issued 28/1/2021. Currently preparing exhibition.	June 2021
8.12.20 KH	ORD 8.2 Amendments to the Mount Gilead Stage 2 Biodiversity Certification Application 3. That a further report be provided to Council detailing the outcomes of the public exhibition process and associated amendments to the Biodiversity Certification Application.	Public exhibition closed on 14/2/2021. A report is being drafted and anticipated to be presented to Council at the April 2021 meeting.	April 2021

Reports requested effective 2 March 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Governance			
9.06.20 GB	<p>NM 11.1 - Extension of the Sponsorship Policy</p> <p>1. That Council seeks a feasibility report to consider extending the sponsorship policy in relation to the following:</p> <p>a. The extension of the roundabout beautification program by offering corporate sponsorship of major thoroughfare locations such as the intersection of Pembroke and Ben Lomond Roads at Minto.</p> <p>b. Expanding Council tree planting days by offering corporate sponsorship and consideration be given to include the expansion in the Koala Town Project.</p>	Consultation with the business has commenced and a report is anticipated to be presented to Council at the April 2021 meeting.	April 2021
9.06.20 BG	<p>NM 11.2 - Data Capture</p> <p>That a report be presented to Council that explores opportunities to engage and educate our community on the value of capturing, sharing and using data to help people, businesses and government make better evidence-based decisions and improve the lives of our citizens</p>	Management are currently reviewing opportunities and aim to have a report to Council at the April 2021 meeting.	April 2021
City Growth			
11.12.18 BM	<p>ORD - 14.4 - Engagement of Architects for Construction of a New Childcare Centre</p> <p>1. That Council approves the engagement of the preferred Architects based on their fee proposal submitted to Council – subject to legal confirmation that the negotiated contract terms are satisfactory</p> <p>2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates</p> <p>3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.</p>	<p>Due to COVID-19 this project is on hold. The team is currently reviewing the feasibility for construction of a childcare.</p> <p>Investigations are being completed regarding the feasibility of progressing this project.</p>	June 2021

Reports requested effective 2 March 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
09.07.19 KH	<p>ORD NM 11.1 Reimagining Campbelltown</p> <p>1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.</p> <p>2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.</p>	<p>1. The team is investigating options for potential locations for vehicle charging stations with a report anticipated to be presented to Council at the June 2021 meeting.</p> <p>2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.</p>	June 2021
10.03.20 BM	<p>ORD 8.12 Latest Findings on Climate Change</p> <p>1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.</p>	Research has now commenced to support this project.	June 2021
09.06.20 PL	<p>ORD 8.1 Development Application Status</p> <p>That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.</p>	This project will be included as part of a broader digital and data transformation program for Council to ensure alignment and increase the potential capability and value of a 3D visualisation and planning tool/model.	June 2021
8.12.20 WM	<p>ORD NM 11.1 Advertising Campbelltown</p> <p>That a report be presented to Council detailing the feasibility of erecting signage before the northern and southern M31 city entrances advertising the unique attractions of the Campbelltown LGA, including, but not limited to heritage, historical, environmental, and entertainment places of interest to help attract passing traffic into the city for tourism and business for the benefit of the community.</p>	Investigations into the feasibility have commenced.	May 2021

8.12 Proposed Road Names for use within the Claymore Urban Renewal Project (Stage 3)

Reporting Officer

Executive Manager Corporate Support Systems
City Governance

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

Officer's Recommendation

1. That Council approve the revised proposed road names (using second names only) in the attachment to this report for use in the Claymore Urban Renewal Project area.
2. That Council advertise its proposal to use these road names and notifies the authorities prescribed by the Roads Regulation 2018.
3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.

Purpose

To seek Council's approval of a revised list of proposed road names (using second names only) for use within the Claymore Urban Renewal Project area following the Secretariat of the Geographical Names Board of NSW (GNB) rejecting the road names (using both first and second names) previously proposed by Council for this area.

History

Council at its meeting on 9 February 2021, Item 8.6 Proposed Road Names for use within the Claymore Urban Renewal Project (Stage 3), resolved:

1. That Council amend the proposed road names for use in the Claymore Urban Renewal Project area to include both the first and second names of each of the selected artists.
2. That Council advertise its proposal to use these road names and notifies the authorities prescribed by the Roads Regulation 2018.

3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.

Report

In accordance with Council's resolution, the authorities prescribed by the Roads Regulation 2018 were notified of the proposed road names (including both first and second names) listed in the attachment to the previous report by lodgement on 16 February 2021 of a proposal in the NSW Place and Road Naming Proposal System.

On 17 February 2021, Council received notification that the Secretariat of the GNB had rejected all of the road names in this proposal on the grounds that they do not comply with Principle 6.7.5 of the NSW Address Policy and User Manual. This principle states in part that 'When commemorating a person only one of the person's names shall be used eg a given name or surname.'

Legislation and authority for road naming

Road naming is legislated under the *Roads Act 1993* (Act). Section 162 of this Act empowers the roads authority in charge of a road with the rights to name it. Section 7 of this Act prescribes that the council is the roads authority for all public roads within a local government area, other than freeways, Crown roads or any road for which another public authority is declared by the regulations to be the roads authority for. Campbelltown Council therefore has the authority under this Act to name the roads within the Claymore Urban Renewal Project area.

The process Council must follow when naming roads is outlined in Clause 7 of the Roads Regulation 2018. This clause states that 'A roads authority (other than the Minister) may not proceed with a proposal to name or rename a road against an objection made by a relevant party except with the approval of the Minister.' The Surveyor-General is listed as a relevant party under this clause. As the Chair of the GNB, the Surveyor-General has delegated this responsibility to the Secretariat of the GNB to assess all road naming proposals for compliance with current policies and guidelines.

The NSW Address Policy and User Manual outlines the principles, procedures and processes to standardise the production, aggregation, publication and usage of address data, including road names, in an open and timely manner. The road naming principles contained within it conform to Australian Standard AS/NZS 4819:2011 and are designed to ensure that naming practices in NSW are of the highest possible standard, resulting in intuitively clear road names that minimise confusion, errors and omissions.

Under previous GNB guidelines and policies relating to road naming, the use of both first and second names was allowed in some situations. However, the NSW Address Policy and User Manual has replaced all previous GNB guidelines and policies relating to road naming since it was first released in 2014, with the latest release being endorsed by the Surveyor-General in October 2019.

The overriding principle for road naming is that road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services. In addition, reliable and accurate address information is considered to be fundamental to identity management in a digital economy and society. In response to enquiries by Council staff specifically in relation to the use of both first and second names in road names, the GNB has advised that they believe that this can lead to longer road names that have a greater potential to cause confusion, particularly in emergency situations. In addition, the use of common first names (such as John or Anne) in more than one road name may create names that are similar in spelling or sound that may be confusing and would therefore be unacceptable under Principle 6.7.4 (Uniqueness Duplication) of the NSW Address Policy and User Manual. With the centralisation of emergency service operational dispatch centres in NSW, uniqueness is considered the most essential quality when proposing a new road name. Duplication of similar and like sounding road names can cause confusion for operational dispatch and delay emergency response times as an emergency call taker will need to make many decisions to refine a call to the correct location.

Options available to Council

As Council has now received an objection from the Secretariat of the GNB on behalf of the Surveyor-General, it cannot proceed with its proposal to name the roads within the Claymore Urban Renewal Project area using both first and second names. The following options are now available to Council in relation to this road naming proposal:

1. Council may appeal the decision of the GNB and have the naming proposal (using both first and second names) referred to the Minister for Transport and Roads. The Minister can then either overturn or uphold the decision by the GNB.

It should be noted that on 16 February 2016, in relation to a similar proposal to use both first and second names in the road names for Stages 1 and 2 of the Claymore urban Renewal Project, Council wrote to the then Minister for Roads Maritime and Freight requesting support for the use of both first and second names as a sign of both respect and identification when individuals were commemorated in street names in future subdivisions. In his reply, the Minister advised Council to raise its concerns about road naming protocols directly with the GNB. In accordance with Council's resolution at its meeting on 21 June 2016, a letter was sent to the GNB requesting that the use of first and second names be allowed in the naming of roads within the Campbelltown Local Government Area. At its meeting on 22 November 2016, the Board considered this request and resolved not to amend Principle 6.7.5 of the NSW Address Policy and User Manual.

2. Council can amend the road naming proposal to comply with the principles of the NSW Address Policy and User Manual by using second names only. This revised proposal would then be advertised and notified to the authorities prescribed by the Roads regulation 2018. As the proposal would then comply with the principles contained in the NSW Address Policy and User Manual, it is expected that the proposed road names (using second names only) would be approved by the Secretariat of the GNB through its delegated authority.

Conclusion

Landcom have indicated to Council that delays in the approval of street names will have a significant adverse impact on the timing of the release of land within this stage of the Claymore Urban Renewal Project. This will have ongoing significant impacts on the release of finance to potential purchasers, impacts on house building timeframes and consequential financial impacts on future residents with increased house building contract prices and extended rental periods whilst waiting for the completion of their homes.

Given the lengthy timeframe and likely outcome of the process outlined in Option 1, it is therefore recommended that Council approve the revised list of proposed road names (using second names only) listed in the attachment to this report. This will ensure the timely delivery of affordable housing land within the Claymore Urban Renewal Project area to the community.

Subject to Council's endorsement to publicly exhibit and notify this revised list of proposed road names, should no objections be received from the public or the authorities prescribed in the Roads Regulation 2018, it is also recommended that Council complete the road naming process by publishing notice of these new road names in the NSW Government Gazette. Should any objections be received during the exhibition and notification process, then a further report will be presented to the next available Council meeting.

Attachments

1. Revised list of proposed road names using second names only (contained within this report)

Revised list of proposed road names using second names only

Road Name	Origin
Brassil Avenue	Joan Brassil AM (1919 - 2005) was an Australian artist who worked with many elements to create installation art works that relate to nature. She was in her early fifties when she began her full time career after teaching art for 20 years, mainly at Campbelltown High School. She lived in Wedderburn and was one of the founding artists to establish the thriving arts community in the area. 'A Tether of Time', one of her sound sculptures, is a permanent feature of the Sculpture Garden at the Campbelltown Arts Centre.
Dorrington Street	Annie Dorrington (1866 - 1926) was an Australian artist who was known for her wildflower paintings and watercolours. She was also one of the designers of the Australian flag.
Backler Street	Joseph Backler (1813 - 1895) was an English-born Australian painter. Transported to Australia as a convict in 1832, he obtained a ticket of leave in 1842 and was active as a painter from 1842 to 1880.
Southern Street	Clara Southern (1860 - 1940) was an Australian artist associated with the Heidelberg School, also known as Australian Impressionism. She was active between the years 1883 and her death in 1940.
Meeson Street	Dora Meeson (1869–1955) was an Australian artist and an elected member of the Royal Institute of Oil Painters in London, England. She was a member of the British Artists' Suffrage League and was married to fellow artist George James Coates.

8.13 Minutes of the Audit Risk and Improvement Committee meeting held 23 February 2021

Reporting Officer

Director City Governance
City Governance

Officer's Recommendation

That the minutes of the Audit Risk and Improvement Committee held 23 February 2021 be noted.

Purpose

To seek Council's endorsement of the minutes of the Audit Risk and Improvement Committee meeting held 23 February 2021.

Report

Detailed below are the recommendations of the Audit Risk and Improvement Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

Reports listed for consideration

6.1 Internal Audit Progress Report on 2020-21

That the Committee receive and note the progress report on the 2020-21 Audit Plan.

6.2 Report on revisions to Audit, Risk and Improvement Committee Charter

1. That the review date of the Audit, Risk and Improvement Committee Charter be extended to March 2022.
2. That the Committee endorse the Audit, Risk and Improvement Committee Charter.
3. That the Audit, Risk and Improvement Committee Charter be submitted to Council for approval.

6.3 Report on revisions to Internal Audit Charter

1. That the review date of the Internal Audit Charter be extended to March 2022.
2. That the Committee adopt the Internal Audit Charter.

6.4 Outstanding ARIC Actions

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

6.5 2021 Annual Engagement Plan

That the information be noted.

6.6 Audit Office of NSW Management Letter

That the information be noted.

6.7 Enterprise Risk Management Update

That the Committee note the information contained in this report.

6.8 Compliance and Reporting Matters

That the information be noted.

6.9 Business Excellence Report

That the information be noted.

Attachments

1. Minutes of the Audit Risk and Improvement Committee held 23 February 2021 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Audit Risk and Improvement Committee Meeting held at 4:00 pm on Tuesday 23 February 2021.

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Minutes of the Audit Risk and Improvement Committee Meeting held on 23 February 2021

Present Mr Bruce Hanrahan - Independent Member (Chairperson)
Mr Jim Mitchell - Independent Member
Councillor Warren Morrison - Elected Council Representative

In attendance Mr Sam Helweh - Internal Auditor
Mr Phu Nguyen - Director City Governance
Mr Destry Puia - Acting Director City Lifestyles
Ms Somaiya Ahmed - Director, Financial Audit Services - Audit Office of NSW
Mr Ali Amjad - Audit Leader - Audit Office of NSW
Ms Monique Dunlop - Manager Governance and Risk
Mr Christopher Magee - Manager Insights and Corporate Strategy
Mr Warren Kear - Risk Coordinator
Ms Cathy Gavin - Senior Financial Accountant
Ms Samantha Fletcher - Financial Reporting Accountant
Ms Wendy Fogarty - Senior Business Excellence Officer
Mr Joseph Kanti - Risk Management Officer
Ms Erin Austin - Executive Support

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Mr Bruce Hanrahan.

2. APOLOGIES

Committee's Recommendation: (Hanrahan/Mitchell)

That the apology from the General Manager, Ms Lindy Deitz be received and accepted.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held 24 November 2020

Committee's Recommendation: (Hanrahan/Mitchell)

That the information be noted.

4. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

5. GENERAL MANAGER UPDATE

- The Committee was advised that the ARIC recruitment process to fill the vacant independent member is well underway. The position has been advertised and a number of applications have been received. The recommended independent member will be endorsed by panel members and Council.
- The Committee was advised that the recruitment process for a new Director City Lifestyles has commenced and we have recently welcomed a new Executive Manager, Community Business, Dean Hargreaves who has hit the ground running.
- COVID-19 continues to have an impact on the financials. Interest revenue continues to be a challenge and Council has been exploring alternative investment classes. The committee was reassured that a balanced budget was presented to Council and the focus is on maintaining a balanced budget through managing costs.
- The Committee was reminded that COVID-19 continues to be front of mind for Council in business planning and teams are focussed on how they can deliver programs and services in a safe way.

6. REPORTS

6.1 Internal Audit Progress Report on 2020-21

Purpose

To provide the Committee an update on the progress of the internal audit work undertaken in accordance with the approved 2020-21 Audit Plan.

Officer's Recommendation

That the Committee receive and note the progress report on the 2020-21 Audit Plan.

Committee's Recommendation: (Mitchell/Morrison)

That the Committee receive and note the progress report on the 2020-21 Audit Plan.

6.2 Report on revisions to Audit, Risk and Improvement Committee Charter

Purpose

This report provides a revision Audit, Risk and Improvement Committee Charter. The document is designed to improve governance, efficiency and effectiveness of the internal audit function.

Officer's Recommendation

That the Committee consider to review the Council's Audit, Risk and Committee Charter.

Committee's Recommendation: (Hanrahan/Mitchell)

1. That the review date of the Audit, Risk and Improvement Committee Charter be extended to March 2022.
 2. That the Committee endorse the Audit, Risk and Improvement Committee Charter.
 3. That the Audit, Risk and Improvement Committee Charter be submitted to Council for approval.
-

6.3 Report on revisions to Internal Audit Charter

Purpose

This report provides a revision to the Internal Audit Charter. The document is designed to improve governance, efficiency and effectiveness of the internal audit function.

Officer's Recommendation

That the Committee consider to review the Council's Internal Audit Charter.

Committee's Recommendation: (Mitchell/Morrison)

1. That the review date of the Internal Audit Charter be extended to March 2022.
 2. That the Committee adopt the Internal Audit Charter.
-

6.4 Outstanding ARIC Actions

Purpose

To ensure the Committee is aware of all outstanding actions and all completed actions.

Officer's Recommendation

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

Committee's Recommendation: (Mitchell/Hanrahan)

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

6.5 2021 Annual Engagement Plan

Purpose

To provide the Committee with the Annual Engagement Plan as provided by the Audit Office of NSW for the period ending 30 June 2021.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Hanrahan/Mitchell)

That the information be noted.

6.6 Audit Office of NSW Management Letter

Purpose

To provide the Committee with an update of the status of management letter points relating to the 2019-20 external audit.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Mitchell/Morrison)

That the information be noted.

6.7 Enterprise Risk Management Update**Purpose**

To provide the Committee with an update on the work of Council's risk management function.

Officer's Recommendation

That the Committee note the information contained in this report.

Committee's Recommendation: (Mitchell/Morrison)

That the Committee note the information contained in this report.

6.8 Compliance and Reporting Matters**Purpose**

To provide a six monthly report to the Audit, Risk and Improvement Committee of compliance and reporting matters to the Independent Commission Against Corruption (ICAC), the Office of the NSW Ombudsman and the Office of Local Government.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Morrison/Mitchell)

That the information be noted.

6.9 Business Excellence Report

Reporting Officer

Purpose

To provide the Committee with a progress update on the continuous improvement activities since November 2020.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Mitchell/Hanrahan)

That the information be noted.

7. GENERAL BUSINESS

Nil

The next meeting of the Audit Risk and Improvement Committee will be held Tuesday 18 May 2021 at 4:00 pm at the Civic Centre, Campbelltown.

Bruce Hanrahan

Chairperson

Meeting Concluded: 4:34 pm

8.14 Audit, Risk and Improvement Committee Charter

Reporting Officer

Internal Auditor
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 Council adopt the Audit, Risk and Improvement Committee Charter.

Purpose

For the Council to consider the revised Audit, Risk and Improvement Committee Charter.

Report

In accordance with the Audit, Risk and Improvement Committee Charter, a review of the charter is required every 2 years, the Audit, Risk and Improvement Committee has reviewed the changes necessary in line with the charter.

The Audit, Risk and Improvement Committee endorsed the Audit, Risk and Improvement Committee Charter at their meeting on 23 February 2021. The Audit, Risk and Improvement Committee Charter is presented for adoption by Council.

Attachments

1. Audit, Risk and Improvement Committee Charter - Current (contained within this report)
2. Audit, Risk and Improvement Committee Charter - Proposed (contained within this report)



AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER

February 2021

MANDATE**Terms of Reference**

To provide independent assurance and assistance to Campbelltown City Council on risk management, control, governance, and external accountability responsibilities.

Aims

The Committee is to undertake its responsibilities in accordance with the Department of Premier & Cabinet, Division of Local Government's Internal Audit Guidelines September 2010, and in respect of Council's requirements outlined for the following (Refer to Appendix 2 of Guidelines):

- Risk Management
- Control Framework
- External Accountability
- Legislative Compliance
- Internal Audit
- External Audit
- Business Improvement

Term

September 2018 – September 2020 (next Council election) ~~March 2022~~

The maximum number of terms an independent external member can sit on the committee is two consecutive terms.

Vacancy/Absence

In the case of resignation from the committee by an independent external member, the General Manager will select a new independent member following the process outlined in this Charter.

In the case of resignation by the Chair, one of the other current serving external independent members will be appointed as Chair by the remaining members.

In the absence of the appointed Chair, ~~the other~~ ~~another~~ current serving independent external member shall serve as the Chair for the period of absence of the duly ~~nominated~~ ~~appointed~~ Chair.

Code of Conduct

All members of the Audit, Risk and Improvement Committee are to abide by Campbelltown City Council's Code of Conduct.

Meetings

A minimum of three times per year or as otherwise determined by the Committee and an additional meeting should be scheduled as to allow the Committee to review the Audited Financial Statements prior to being submitted to Council for adoption.

Quorum

A quorum will consist of a majority of Independent Committee members.

Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

Reporting

The Committee will provide an annual performance report to Council, on its operation and activities during the year, including evaluation of the Internal Audit function

MEMBERSHIP

Members

The Committee will comprise of four members, three independent members. This may or may not include members of the community, one elected member (not Mayor). All independent members will be voting members.

The independent members will be appointed for four year term of Council, after which they will be eligible for re-appointment in accordance with merit based recruitment and selection process.

Chairperson

The Chair to be elected for the term of this Committee by voting members and must be an independent member of the Committee.

Attendees (non-voting)

General Manager or nominee
Director, City Governance
Internal Auditor
Representatives of the external auditor

Invitees (non-voting)

Representatives of the external auditor
Other officers may attend by invitation as requested by the Committee or General Manager.

Support staff

Support staff provision shall be provided by Council for secretariat support to the Committee.

The Internal Auditor will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained.

Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

Notes

- The Committee will have regard to matters proposed by the Department of Premier & Cabinet, Division of Local Government in the Internal Audit Guidelines September 2010, and as may be amended from time to time.
- Remuneration to be determined by Council.

- At least once every two years the Audit, Risk and Improvement Committee will review this Charter to ensure it remains current and reflects roles and objectives.
- The Committee will endorse any changes to this charter

APPROVAL

Version	1.0
Endorsed:	General Manager November 2018
Approved:	ARIC on 20 November 2018
Reviewed:	February 2021
Next Revision Date:	September 2020 March 2022

OTHER REFERENCES

NSW Division of Local Government Internal Audit Guidelines, 2010



AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER

February 2021

MANDATE**Terms of Reference**

To provide independent assurance and assistance to Campbelltown City Council on risk management, control, governance, and external accountability responsibilities.

Aims

The Committee is to undertake its responsibilities in accordance with the Department of Premier & Cabinet, Division of Local Government's Internal Audit Guidelines September 2010, and in respect of Council's requirements outlined for the following (Refer to Appendix 2 of Guidelines):

- Risk Management
- Control Framework
- External Accountability
- Legislative Compliance
- Internal Audit
- External Audit
- Business Improvement

Term

September 2018 – March 2022

The maximum number of terms an independent external member can sit on the committee is two consecutive terms.

Vacancy/Absence

In the case of resignation from the committee by an independent external member, the General Manager will select a new independent member following the process outlined in this Charter.

In the case of resignation by the Chair, one of the other current serving external independent members will be appointed as Chair by the remaining members.

In the absence of the appointed Chair another current serving independent external member shall serve as the Chair for the period of absence of the duly appointed Chair.

Code of Conduct

All members of the Audit, Risk and Improvement Committee are to abide by Campbelltown City Council's Code of Conduct.

Meetings

A minimum of three times per year or as otherwise determined by the Committee and an additional meeting should be scheduled as to allow the Committee to review the Audited Financial Statements prior to being submitted to Council for adoption.

Quorum

A quorum will consist of a majority of Independent Committee members.

Induction	New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.
Reporting	The Committee will provide an annual performance report to Council, on its operation and activities during the year, including evaluation of the Internal Audit function
MEMBERSHIP	
Members	<p>The Committee will comprise of four members, three independent members. This may or may not include members of the community, one elected member (not Mayor). All independent members will be voting members.</p> <p>The independent members will be appointed for four year term of Council, after which they will be eligible for re-appointment in accordance with merit based recruitment and selection process.</p>
Chairperson	The Chair to be elected for the term of this Committee by voting members and must be an independent member of the Committee.
Attendees (non-voting)	<p>General Manager or nominee</p> <p>Director, City Governance</p> <p>Internal Auditor</p> <p>Representatives of the external auditor</p>
Invitees (non-voting)	<p>Representatives of the external auditor</p> <p>Other officers may attend by invitation as requested by the Committee or General Manager.</p>
Support staff	<p>Support staff provision shall be provided by Council for secretariat support to the Committee.</p> <p>The Internal Auditor will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained.</p> <p>Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.</p>
Notes	<ul style="list-style-type: none"> ▪ The Committee will have regard to matters proposed by the Department of Premier & Cabinet, Division of Local Government in the Internal Audit Guidelines September 2010, and as may be amended from time to time. ▪ Remuneration to be determined by Council.

- At least once every two years the Audit, Risk and Improvement Committee will review this Charter to ensure it remains current and reflects roles and objectives.
- The Committee will endorse any changes to this charter

APPROVAL

Endorsed:	November 2018
Approved:	20 November 2018
Reviewed:	February 2021
Next Revision Date:	March 2022

OTHER REFERENCES

NSW Division of Local Government Internal Audit Guidelines, 2010

8.15 Migrating Financial Management System to a Cloud-based Solution

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 approve an exemption from the tendering requirements in accordance with section 55(3)(i) of the *Local Government Act 1993*, noting that, due to unavailability of competitive tenders, a satisfactory result would not be achieved by inviting tenders for the provision of transitioning the financial management system to a cloud-based solution.
2. That Council notes the reason why a satisfactory result would not be achieved by inviting tenders is, that the recommended organisation's offer represents value for money to continue with a strategic partnership with TechnologyOne to leverage their industry expertise and proven product set as a modern Cloud based offering. This product set is not available via other vendors or a channel partner.
3. An agreement between Council and TechnologyOne Limited is approved to be signed by the General Manager under delegation.

Purpose

To seek Council's approval of an exemption from the tendering requirements and to enter into a new agreement with TechnologyOne for the provision of a cloud-based financial management system.

History

Following a successful tender process TechnologyOne has been Council's preferred supplier, since 2003, for Council's financial management system. TechnologyOne is well regarded in the industry as a leading developer of financial management solutions. Their solutions are also well regarded at the Local, State and Federal tiers of Government. Their existing product has a proven history of being reliable, fit for purpose and its development roadmap aligns with various ICT and business strategies within Council.

Council's corporate applications strategy supports cloud first solutions. Migration to cloud-based solutions has already occurred for a number of applications including payroll, safety, recruitment, corporate planning, and the recently implemented information management system. There exists an opportunity to continue this trend in partnership with TechnologyOne for the financial management system as well.

Report

Council has identified an opportunity to grow its partnership with TechnologyOne. Council can collaboratively modernise the current on-premise financial management system by adopting an "evergreen" cloud based platform, feature rich product development roadmap and transforming business processes that will drive efficiencies, savings and deliver benefits.

A satisfactory outcome is unlikely if Council was to invite tenders for a new cloud based financial management system. An entirely new financial management system would incur substantial commercial outlay for the procurement and implementation of such a system. It would also increase the overall scope of work and require exhaustive change management, thereby significantly increasing the overall spend for a potential new solution.

Council's strategic view is to meet current and future organisational needs and to provide a pathway that will support continual improvement in its information management practices. In order to do this, Council will need to enter a new agreement with TechnologyOne Limited.

Due to the anticipated level of expenditure, exceeding the legislative threshold over the life of the contract with TechnologyOne Limited, Council would be required to publically invite tenders for the services in accordance with section 55(1) of the *Local Government Act 1993*.

However, section 55(3)(i) of the *Local Government Act 1993* details that the requirements for tendering under section 55(1) do not apply to a contract where because of the unavailability of competitive tenders, and Council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

Attachments

Nil

8.16 Progress Report - July to December 2020

Reporting Officer

Manager Insights and Corporate Strategy
City Growth

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 Council receive and note the 6 monthly progress report which outlines the progress of principle activities and service delivery for the July–December 2020 period.

Purpose

To advise Council of the progress on the principle activities and service delivery outlined in the Delivery Program 2017–21 and Operational Plan 2020–21 for the July–December 2020 period.

History

Council provides a 6 monthly progress report to meet requirements of the Integrated Planning and Reporting framework and Section 404(5) of the *Local Government Act 1993*. This allows Council, the community, and stakeholders to collectively monitor the delivery of services and principle activities including projects and initiatives towards achieving the long-term vision for Campbelltown.

Report

This report is a key piece of reporting and accountability towards the long-term vision for Campbelltown as documented in Campbelltown 2027, Community Strategic Plan (CSP). The CSP is Council's highest level strategy and guides our operations for the next 10 years. The CSP sets the following four outcomes, each of which has specific goals and strategies:

1. A vibrant, liveable city
2. A respected and protected natural environment
3. A thriving, attractive city
4. A successful city

This report provides a summary of progress against activities and service delivery over the past 6 months, as well as a status update for every action we have committed to. We also provide some key highlights, which you may have already heard about through our regular communications.

This report aims to help you monitor, and stay informed about, the progress of projects and actions we are working to deliver for Campbelltown.

The full set of our Corporate Planning and Reporting documents can be found on Council's website. campbelltown.nsw.gov.au/CouncilandCouncillors/CorporatePlanningandStrategy

Our Progress

We are progressing well against our commitments with 23 actions completed and 139 actions on track for the end of June 2021. The COVID-19 pandemic has had an impact on our progress. For example, 8 actions need some closer attention, 4 are currently not on track to be achieved this year, and one action has not yet commenced. For these actions, we are working to identify solutions so these can be completed this year. The very small number of actions that are 'not complete' were not possible to deliver due to the COVID-19 restrictions.

For a detailed status update on our actions please refer to the Action Progress Tables further within this report.

Update on our Financial Position

COVID-19 continues to have an ongoing impact on the economy which has resulted in a direct impact to our interest income and user fees and charges. Historically, the return on our investments, has and continues to outperform the AusBond Bank Bill Index benchmark, however the interest income will not reach our original estimation, due to the historically low interest rates. We have revised our estimates down by \$1.8 million through quarterly financial reviews offset primarily by vacancy savings. The impacts will continue to be monitored closely and further adjustments may be required in future quarterly budget reviews however it is anticipated to not be material. We continue to progress our Investment Property Strategy in order to hedge the minimal returns on financial instrument investments.

Highlights - July to December 2020

Community, Events and Education

- Go the Bulls! Macarthur FC successfully made their A-League debut on 30 December 2020 at Bankwest Stadium and marked the occasion with a 1-0 win over the Western Sydney Wanderers. This was the culmination of a 3 year establishment process and will see Macarthur FC using Campbelltown Stadium as its official home ground from 2021.
- In our first Rocking around Campbelltown Santa convoy, Santa visited Campbelltown Travelling 137 km over 8 hours. Santa was supported by carolers from the Campbelltown Theatre Group, Batman and his Batmobile, volunteers from the Lynwood Park Rural Fire Brigade, and the C91.3 road crew, with Police keeping the convoy moving safely.
- The new Three Steps to Success Sustainability Framework was launched at our Education and Care Services facilities. In this fun program, children learn about sustainability practices, water quality and conservation, biodiversity, waste, sustainable food and smarter shopping.

City Growth, Investment and Tourism

- Our collaborative approach towards the development of the Reimagining Campbelltown City Centre Master Plan received a 2020 Greater Sydney Planning Award.
- We launched the 'We are Campbelltown' tourism docuseries. This showcases our spirited community members, unique businesses, enviable landscapes and local attractions. See our website for some cool stories, interesting people, real experiences, awesome food and sharable moments.
- COVID-19 restrictions did not prevent students participating in the CSIRO Generation STEM Schools Program. Five schools participated in year two and they have shown that the future of Campbelltown is in great hands.

Health, Safety and Regulation

- During November, we supported 16 days of activism to educate and promote zero tolerance of violence against women. Activities included the DV convoy, bin sticker and street banner campaign, social media messaging, online messaging and streamlining of processes.

Roads, Parking and Transport

- Full construction work has been completed along Feldspar Road, Eagle Vale and rehabilitation works completed at Cleopatra Drive, Rosemeadow.
- We have been exploring innovative ways to reuse concrete and building materials for road base at car parks across our city including Victoria Park, Minto, Minto Indoor Basketball and Eschol Park Sports Complex. This allows us to save money and reduce our environmental impact through our asset renewal program. We also store green waste from tree pruning, storm damage and maintenance programs for future use as organic garden mix.

City Planning and Amenities

- Our development processes are now easier for everyone, supported by our new electronic planning portal. All development applications and building information certificates are now submitted electronically via this portal which has improved our determination times. We are also achieving 100 per cent of planning information certificates being issued in less than 10 working days, a fantastic result.

Environmental Protection

- We received 2 awards at the Local Government NSW Excellence in the Environment Awards:
 - our Koalatown campaign received Highly Commended for Communication, Education and Empowerment
 - our program to eradicate *Amazon Frogbit* (an invasive aquatic weed) from the Georges River, received the top prize.
- We have been busy conducting research into the Platypus population of the Georges River and baseline studies of our koala population. We look forward to using these results to guide and improve our existing programs.

Waste and Recycling

- We serviced over 2.5 million bins in our city over the past 6 months, including more than 1.1 million recycling and garden waste bins.

Open Space and Recreation

- We have employed more accredited swim instructors to deliver our popular Learn to Swim program that caters for all ages and abilities. Available at our 3 leisure centres, the presence of extra staff has enabled almost 500 additional people to sign up for swim classes.
- Families are now able to enjoy a new district level playground at Eagle Farm Reserve, next to the picturesque Eagle Vale duck pond. The new playground features a combination play unit, climbing net, accessible swing, combination swing set, accessible carousel and trampoline.
- New playgrounds also opened at Byrne Reserve, St Andrews and replacement playgrounds were completed at Mandurama Reserve, Ambarvale and Ashfield Reserve, Glen Alpine. The new playgrounds include a combination of modern play equipment, landscaping works and new seating areas as well as shade sails.

Libraries, Art and Culture

- We continued to celebrate the 2020 Bicentenary of Campbelltown through the Break the Cinnamon Branch Conversations. This is a podcast series with seven families from around Campbelltown who share their lives with artist Jagath Dheerasesekaras.
- Our libraries were very proud to win top prize for our showcase of the 50th anniversary of the moon landing at the Innovation in Outreach Awards for the NSW Public Library Association.

Governance and Administration

- Our Procurement Policy has been updated to support improved community outcomes including local supplier consideration, social procurement and Aboriginal and Torres Strait Islander business/employment outcomes.
- We encourage and support local job seekers from diverse backgrounds including CALD, indigenous and people with a disability to participate in programs to support job readiness. We recently hosted work experience for people with disability, participated in video project with Disability Services Australia and have been training staff internally to promote future opportunities.

What's New

Our comprehensive Delivery Program and Operational Plan outlines the great initiatives and services we had planned to deliver for our community during this financial year. In addition, over the past six months, we have been able to take advantage of some new opportunities (eg additional government funding) to implement further actions that align with our community's goals and vision. Some new additions to our plans are detailed below.

- OnQ has been a hugely successful start to the reimagining and activation of Campbelltown City Centre. We have already experienced the fun of Christmas Markets and there will be other ideas such as live music, public art, wider footpaths, seating, shared spaces for vehicles and cyclists, additional trees and gardens, stalls and outdoor dining trialed on Queen Street over the next 12 months. The project is funded by the NSW Government through the Streets as Shared Spaces grants, created for temporary activation projects to support the community during COVID-19 and test ideas for more permanent improvements.

What's Coming

New play spaces are on their way following community consultation sessions held at the end of 2020 for Colorado Reserve, Eucalyptus Reserve and Scriven Reserve. We are now finalising designs and are looking forward to seeing everyone enjoying the new facilities very soon.

Action Progress - July to December 2020

The following tables provide a status update for actions listed in the Operational Plan 2020-21 using the definitions below:

- Completed – the action has been finalised
- On Track – the action is on track to be substantially completed this year
- Needs Attention – the action requires some further attention to substantially progress this year. A comment below the action provides further detail
- Not on Track – the action is not on track to be completed this year. A comment below the action provides further detail
- Not Completed – the action could not be completed. A comment below the action provides further detail.

Outcome One: A vibrant, liveable city

1.1 Provide opportunities for our community to be engaged in decision making processes and to access information

Service	Action	Status
Community Engagement	Establishment and roll-out of community engagement platform/software	Completed
	Update the Community Engagement Strategy to align with current practices, reporting needs and identification of future opportunities Comment: This project will be aligned with the review of the Community Strategic Plan (CSP) which will begin its development during the second half of this year	Needs Attention
Council Communications	Implementation of a system to maintain catalogue of digital assets, including photos, design elements and videos	On Track
	Develop and implement a Communications Strategy that outlines how we will communicate with the community and staff, including channels, opportunities and priorities Comment: This project is in progress	Needs Attention
Customer Service	Review to improve Council's Customer Request Management (CRM) system	On Track
	Develop a 'whole organisational' approach to the customer experience Comment: The impact of Covid-19 on operations and staff turnover has impacted the commencement of this project. This will be revisited in Q3	Needs Attention
	Review to improve the current bookings system	On Track
	Install statistics board (digital) for visibility on callers waiting for service	On Track

1.2 Create safe, well maintained, activated and accessible public spaces

Service	Action	Status
City Cleansing and Operations	Implement an improved operating model to enable increased efficiencies throughout Council's Operations	On Track
	Review service delivery methodology for improved efficiency and overall cost reduction	On Track
	Implement the Mobile Operations Management System (MOMS) as designed in 2019-20	On Track
	Continue business model review to drive cultural reform to facilitate organisational change and increased operational service delivery to meet future operational demands e.g. Operations Trainee Program	On Track
Community Safety	Promote Council as a leader in zero tolerance of violence against women	On Track
	Deliver the Child Restraint Fitting Program	On Track
	Deliver the Speed Reduction Program	On Track
	Deliver the Learner/Novice Driver Programs	On Track
City Safety	Undertake alarm panel upgrades to Council facilities	Completed
Enforcement of Regulations and Animal Control	Implementation of corporate telephone recording for improved customer service Comment: A trial of this program has commenced in Customer Service	Not on Track
	Actively promote and participate in CAWS cat and dog subsidised de-sexing program	Completed
	Install Dangerous Dog Enclosures at ACF	Completed
Waste and Recycling Management	Construction of Community Recycling Centre (CRC)	On Track
	Investigate a regional procurement for long term processing and disposal of household waste and recyclables_ Project 24 Domestic Waste Contract	On Track
	Investigate feasibility of establishing a local Waste Transfer Station (WTS)	On Track
	Develop a Waste Education Strategy to include the necessary means to reduce contamination levels in recyclables and garden organic streams in the lead up to the next contract in 2024	On Track
	Participate at Community Events that support Council's ongoing community education initiatives in resource recovery and waste management Comment: Council was unable to undertake the planned activities at schools and public events due to the impact of COVID-19 restrictions. Outreach activity will recommence once pandemic restrictions are lifted.	Not Complete

1.3 Ensure that Campbelltown is an inclusive city

Service	Action	Status
Healthy Lifestyle Services and Promotion	Develop a Healthy Food and Drinks Policy to control and influence increased availability of healthy food options for the community	Completed
	Develop a Healthy Streets Strategy to inform healthy design and planning for the Central Business District (CBD) as part of Reimagining Campbelltown	On Track
	Implement the actions from the Immunisation Review. Comment: This project is currently on hold and will be reviewed in the context of COVID-19	Not Complete
	Implement the actions from the Learn to Ride review	On Track
Social Planning and Partnerships	Develop a cultural interpretation strategy to address design integration of the cultural diversity of communities' in the public realm Comment: The Cultural Interpretation Strategy is now being integrated as part of the development of the City Design Framework, a project that will commence this year, but will be substantially completed next year.	On Track
	Develop a social impact framework that identifies key social issues for Campbelltown Comment: The Social Impact Framework is now being integrated as part of the development of the Resilience Strategy, a project that will commence this year, but will be substantially completed next year.	On Track
	Undertake feasibility assessment into meeting the need for a further domestic violence service	On Track
	Plan for delivery of a district level community centre at East Leppington in accordance with the Community Facilities Strategy	On Track

1.4 Provide and support exciting and curious events and festivals for the local community and visitors

Service	Action	Status
Community Events and Activation	Deliver Council's Major Events Program Comment: Our annual events program has been impacted heavily by the impact of COVID-19. We have revised our program and continued to deliver events wherever possible (eg Carols, FEAST), however, there have been some inevitable cancellations including Winterland, New Year's Eve, and major components of the Festival of Fisher's Ghost including the Street Parade, Fun Run, Street Fair and Carnival.	Not on Track
	Plan and deliver the first Community event once restrictions are modified or lifted	On Track
	Review the current Event Toolkit to include the redesign of the event guidelines and streamline current approval processes Comment: This has been paused during COVID-19	Not Complete
	Deliver the Campbelltown 2020 Program that celebrates the history and future of the city	Completed
	Deliver the Signature Events Program that promotes social cohesion and a sense of community pride	On Track

1.5 Host and promote major sporting events, showcasing our city's sporting facilities and encouraging community participation in sport and recreation

Service	Action	Status
Sporting Grounds and Venues	Amplify the Leumeah Sports and Entertainment Precinct	On Track
	Complete construction (Stage 1) of the Sport and Health Excellence Centre of excellence Comment: The project plan is being finalised in alignment with the confirmed budget, scope and timeline	Not Complete
	Implement the recommendations of the Sport and Recreation Strategy (2016-2036) for Sports Field Improvements / Upgrades	On Track
	Deliver an integrated event programs to celebrate the Pacific Island community and the successful hosting of the Pacific Test international rugby league event at Campbelltown Sports Stadium Comment: The Pacific Test has been Postponed for 2020-21 due to ongoing impacts of COVID-19	Not Complete
	Implementation and preparedness of systems and services agreements to support Macarthur FC's debut season in the A-League.	On Track
Sports and Recreation	Deliver the Cricket High Performance Indoor Facility in partnership with Cricket Australia and Cricket NSW at Raby Sports Complex Comment: Additional external funding sought in Q3 in order to support the delivery of the project	Not Complete
Leisure Services	Finalise Council's Aquatic and Indoor Sports Strategy	On Track
	Develop an action plan, and staged implementation with estimated costings for each stage of the Aquatic and Indoor Sports Strategy	On Track
	Align all Leisure Facility signage with new city branding including external pylon identifier and internal wayfinding	On Track
	Review and grow the Learn to Swim Program	On Track

1.6 Foster a creative community that celebrates arts and culture

Service	Action	Status
Cultural Services	Present a series of projects in partnership with Sydney Festival	On Track
	Present Breaking the Cinnamon Branch 2020 Program	Completed
	Arts Health Project	On Track

1.7 Create places where people feel good, and are likely to stay, return to and tell others about their experiences

Service	Action	Status
Place and Projects	Install public art mural on the Silos at Appin Road	On Track
	Deliver large centre space activation initiatives	On Track
	Deliver small centre space activation initiatives	On Track
	Implement the Claymore Collective Impact program	On Track
	Deliver Contemporary Youth Engagement programs	On Track
	Identify properties for creative culture and community purpose through the Platform Program	On Track
	Streamline administration and promotion of suitable sites for operating food markets and mobile food trucks	On Track

Outcome Two: A respected and protected natural environment

2.1 Implement and advocate for initiatives that conserve the city's natural environment

Service	Action	Status
Planning for the Environment	Develop a resilience strategy for Campbelltown	On Track
	Develop a plan that outlines the emission reduction pathways required for Council and the community to achieve net zero emissions Comment: Council has continued to develop a data platform to visualise Council's emissions. This data is Stage 1 of the broader project to develop the net zero strategy	Needs Attention
	Identify and implement actions to support climate change adaptation and mitigation opportunities	On Track
	Commence preparation of an Integrated Water Solutions Plan for the City Centre	On Track
	Undertake the initial scoping and planning for the Campbelltown Biodiversity Strategy	On Track
	Finalise Grey Headed Flying Fox Camp Management Plans HFF to provide a framework for ensuring long term flying fox health and reduce impacts to the local communities	On Track
	Delivery of the Koalatown Campaign initiatives including key actions and projects to improve habitat and reduce key threats	On Track
	Implement urban heat findings	On Track
	Review and update Councils existing Climate Change Risk Assessment	On Track
	Update DCP to align with best practice sustainability and resilience requirements	On Track
	Deliver the Sydney Water Partnership Program	On Track
	Deliver Platypus Study in Georges River and education relating to key impacts including recreational fishing	On Track
	Develop scope and undertake on-ground surveys to inform development of draft plan that prioritises works at key bushland reserves	On Track
	Develop long-term monitoring strategy to monitor koala population, distribution and overall health	On Track
	Revegetation of core koala habitat and koala corridors	Completed
	Restoration of urban koala habitat and significant corridor at Smith's Creek Reserve	Completed
	Develop site management plans for 7 Bushcare volunteer sites within the Campbelltown Local Government Area	On Track
	Develop annual schools environmental education plan including key initiatives highlighted in key plans and projects	On Track

Outcome Three: A thriving, attractive city**3.1 Ensure that service provision supports the community to achieve and meets their needs**

Service	Action	Status
Education and Care Services	Complete a Strategic Service Assessment of Councils centre based education and care service delivery Comment: This project is currently on hold, and is due to be actioned in Q3 and Q4	Not Complete
	Deliver the Environmental Sustainability Framework within all of Councils Education and Care services	On Track
	Implement new accounting practices for the income received for service delivery	On Track
Libraries and Community Learning	Continue to progress the new Civic Library project	On Track
	Implement the new Library Management System	On Track
	Implement the Campbelltown 2020 Library programs	On Track
	Implement the branch renewal program	On Track
	Deliver the Visitor Information Centre Service Assessment	Completed

3.2 Become an innovative city where advances in technology, creativity and community participation are nurtured and embraced

Service	Action	Status
Information Technology	Implement the Information and Communication Technology (ICT) Infrastructure and Application Program	On Track
	Review and redesign how we operate towards Digital Service Transformation	On Track
	Implement ePlanning Portal Stage 2_Develop mobile inspections for all Planning DA and certificates processes to enable 100% digital Comment: Dependencies on the vendor and system upgrades have pushed out the project completion date to End of March 2021	Needs Attention
	New Library Management System	On Track
	Develop requirements to select and implement a new contract management software to improve Council's compliance with standard processes and reduce contract risk Comment: This project will now be included as part of the corporate application review and roadmap to be completed next financial year	Needs Attention
	Develop requirements to select and implement a new survey tool to improve the customer experience and business insights	Completed
	Develop requirements to select and implement a new event ticketing application to improve the customer experience and business insights relating to council events, school holiday programs etc. Comment: This project will be rescheduled to align with the review of the website Content Management System to ensure adequate integration	Needs Attention
	Develop a Geographic Information System (GIS) Strategy and action plan to prioritise program of work	On Track
	Fund digital action plan and other digital connectivity initiative through the Western City Deal	On Track

3.3 Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity

Service	Action	Status
City Marketing and Economy	Implement priority actions from the Economic Development Strategy	On Track
	Deliver the Macarthur Health, Knowledge, and Innovation District	On Track
	Support CSIRO Generation STEM Schools program	On Track
	Coordinate the Micro Business Expo Comment: This expo will be most beneficial when delivered face-to-face. Due to COVID-19 restrictions the event has been cancelled for 2020-21 and will be reviewed for future year's consideration. All business development workshops are still being made available to the micro-business market	Not Complete
	Coordinate the Women in Business Leadership Program Comment: This program is most effective when delivered face-to-face. We are working closely with the external program facilitator in an attempt to deliver the workshop before the end 2021, although this is heavily dependent on COVID-19 restrictions	Not Complete

3.4 Public funds and assets are managed strategically, transparently and efficiently

Service	Action	Status
Asset Management	Deliver the annual Asset Renewal Program	On Track
	Utilise smart technologies for asset condition assessments Comment: A pilot project using drone technology has been used to undertake asset condition assessments of our footpaths.	Completed
	Determine long-term funding requirements to achieve desired service levels and reduce asset renewal backlog	On Track
	Complete technical levels of services for all asset categories in terms of OSI (Overall Service Index)	On Track
	Deliver the Annual Building Renewal Program including works at Rosemeadow Oval, Clark Reserve and Bensley Road	On Track
Strategic Property	Undertake early property investigations in creating CBD Vertical Education Campuses Comment: Work on this project is currently on hold. Council is currently undertaking a broader project to understand the strategic value of its City Centre land holdings, and this will inform this piece of work	Not on Track
Financial Services	Prepare and plan for Councils External Financial Audit	On Track
	Review policy and portfolio for long term financial planning Comment: COVID-19 continues to have an ongoing impact on the economy which has resulted in a direct impact to our interest income and user fees and charges. Historically, the return on our investments, has and continues to outperform the AusBond Bank Bill Index benchmark, however the interest income will not reach our original estimation, due to the historically low interest rates. We have revised our estimates down by \$1.8 million through quarterly financial reviews offset primarily by vacancy savings. The impacts will continue to be monitored closely and further adjustments may be required in future quarterly budget reviews however it is anticipated to not be material. We continue to progress our Investment Property Strategy in order to hedge the minimal returns on financial instrument investments.	Not on Track
	Align budget bids and discretionary budget expenditure to strategic priorities through the budget development phase	On Track

Service	Action	Status
Property Services	Support further development of financial acumen across Council	On Track
	Review the existing financial management information system	Completed
	Undertake revaluations on Council assets	On Track
	Develop policy and process framework for investment strategy and present to Council for endorsement	Completed
	Develop communications strategy to ensure the organisation has a clear understanding of Property Services' core function	On Track
	Grow rental revenue from the existing property portfolio through new lease negotiations and market rent reviews	On Track
	Secure new revenue opportunities	On Track

3.5 Provide strong governance for all Council activities

Service	Action	Status
Corporate Planning	Undertake community engagement activities to review the Community Strategic Plan (CSP)	On Track
	Deliver the Integrated Planning and Reporting Activities including all associated documentation	On Track
	Complete a review of Council's Key Performance Indicators	On Track
	Implement key internal and external Corporate Planning engagement initiatives	On Track
	Implement the revised strategic process and calendar	On Track
Business Excellence	Commence service delivery assessments using ABEF tool as the precursor to coordinated strategic service review prioritisation program	On Track
	Commence Continuous Improvement Program including rollout process management training and incorporate service assessment data into the service delivery catalogue	On Track
	Expand process mapping with 2nd year trial of ProMapp software and customer journey mapping	On Track
	Increase presence at Minto Works Depot by facilitating workshops with operational staff on basic computer skills, navigating the intranet and internal processes	On Track
Information Management	Implement the Electronic Document and Records Management System (EDRMS)	Completed
Project Management Office	Develop an Enterprise-wide Project Management Methodology and Framework	On Track
	Establish the Project Management Tools to support the delivery of Reimagining Campbelltown	On Track
	Establish and Implement Project Governance Structure	On Track
Governance and Risk	Undertake a major review on Council's Procurement Policy	Completed
	Deliver sustainable sourcing through category management for corporate spend through a number of key improvement initiatives	On Track
	Implement a contracts management system to improve governance, reporting, visibility, accountability, data analytics and performance reporting	On Track
	Conduct an inhouse audit on performance and capabilities of contracts managers	On Track
	Lead resource in developing robust and efficient procurement plans for major projects including Billabong, Centre of Excellence and Project 24	On Track
	Deliver business impact analysis, threat assessment, development of continuity strategy and plan including desktop testing	On Track

Service	Action	Status
	Develop chain of responsibility risk register for heavy vehicles; speed management, drug and alcohol and fatigue management	On Track
	Develop and implement an Asbestos Management Framework	On Track
	Develop a Competency Assessment Framework for high risk tasks	On Track
	Implement a consistent approach in creation, revision and rescindment of Council's corporate documents	Completed
	Implement and maintain a holistic organisation governance and excellence framework	On Track
	Implement a Access to Information Framework which provides Council with a consistent approach to complying with the requirements of the <i>GIPA Act and PPIP Act</i>	On Track
	Develop an Enterprise Risk Management framework	On Track
	Implementation of the new Corporate Document Framework	On Track
	Review of Privacy Management Framework	On Track
	Develop Fraud and Corruption Prevention Framework	On Track
	Undertake preparations for the 2021 Local Government Election	On Track
People and Performance	Deliver the Leadership Development Program to all people leaders within Council	On Track
	Implementation of Model Code including the commencement of drug and alcohol testing	On Track
	Implementation of an Onboarding module to provide a streamlined and self-driving onboarding experience to new employees	Completed
	Develop a Work Placement Program to offer local job seekers from diverse backgrounds including CALD, indigenous and people with disability to participate in work placement to support job readiness	On Track

Outcome Four: A successful city

4.1 Advocate and plan for enhanced connectivity, accessibility and movement within, to and from our city through improved public transport, road and traffic management infrastructure, cycling and pedestrian movement

Service	Action	Status
Local Roads	Upgrade of intersections Spitfire Drive and Eagle Vale Drive to traffic signals	On Track
	Deliver Road Renewal program	On Track
	Deliver Footpath Renewal program	On Track
	Deliver Kerb and Gutter Renewal program	On Track
	Deliver road resurfacing part of Council's Annual Renewal Program	Completed
Traffic and Transport Management	Undertake Campbelltown CBD Traffic Modelling	Completed
	Design for replacement of two bridges at Railway Parade Glenfield and Airds Road Minto	On Track

4.2 Support and advocate for infrastructure solutions that meet the needs of our city and pay an economic and liveability dividend

Service	Action	Status
Infrastructure Delivery	Undertake stormwater drainage improvement works at Townson Ave, Minto	Completed
	Design St Helens Park Reserve Car Park Comment: Design has not progressed further as there are some external influences that need to be addressed (eg adjoining DAs and Open space design the park)	Needs Attention
Stormwater Management	Develop Stormwater Renewal and Maintenance Program	On Track
	Complete detailed drainage system upgrade designs and estimates to support various Council projects such as the Billabong, Reimagining Campbelltown and Corridor development and as required	On Track
	Undertake flood assessments	On Track
	Undertake renewal work on 50 stormwater pits as per the Stormwater Pit Maintenance program	On Track

4.3 Responsibly manage growth and development, with respect for the environment, heritage and character of our city

Service	Action	Status
City Development	Finalise the Local Environmental Plans (LEP) review	On Track
	Review and adoption of the Campbelltown Local Housing Strategy to identify how and where housing targets will be met	On Track
	Progress the Ingleburn Planning Proposal by preparing flooding controls and site specific development control plan	On Track
	Use of full scale Planning Portal for all development applications (DAs submitted electronically)	Completed
Building Certification	Streamline the planning application process Comment: The implementation of the Planning Portal has substantially streamlined the planning application process.	On Track

4.4 Maintain and create usable open and recreational spaces that set our city apart from others

Service	Action	Status
Open Space and Natural Areas	Design and deliver the Campbelltown Billabong; our outdoor swimming facility with associated built facilities and landscape works	On Track
	Transformation of Bow Bowling Creek – Stage 1 including initial feasibility studies and early works project at Leumeah Comment: Project scoping has not been finalised. This will be addressed in the next quarter with resources allocated to complete the project	Not yet commenced
	Deliver stage 1 of the 5 Million Tree Project	On Track
	Deliver Milton Park / Macquarie Fields Masterplan	On Track
	Redevelopment of Seddon Park sporting fields stage 1	On Track
	Design and delivery of the Glenfield Park Inclusive Playspace including carparking and toilet facilities	On Track
	Design and delivery of Ingleburn Reserve Picnic Area upgrades including track work, signage, carpark works, picnic facilities and planting	On Track
	Design and construction of walking tracks at Keith Longhurst Reserve	On Track
	Delivery of play spaces at Colorado Reserve, Eucalyptus Reserve and Scriven Reserve	On Track

4.5 Work in partnership with the State Government to achieve positive planning outcomes

Service	Action	Status
City Growth and Strategy	Undertake feasibility investigations for the Queen Street Precinct	On Track
	Develop a Place Based Integrated Transport and Healthy Streets Strategy	On Track
	Develop a City Centre Blue-Green Grid Strategy	On Track
	Implement the 2020 LSPS (Local Strategic Planning Statements)	On Track
Strategic Partnerships	Create the South West Sydney Community and Justice Precinct	On Track
	Coordinate the implementation of Reimagining Campbelltown CBD Masterplan and associated actions	On Track
	Establish an enduring governance structure and group to achieve the actions in the Place Strategy	Completed
	Work in collaboration with the three levels of government to achieve intended outcomes from the Western Sydney City Deal	On Track
	Work with the eight councils in the Western Parkland Councils alliance to create a successful, liveable, resilient and thriving Western Parkland City	On Track

Attachments

Nil

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION**11.1 Knowledge Foundation**

Notice of Motion

Councillor Margaret Chivers has given Notice in writing of her intention to move the following Motion at the next meeting of Council on 09 March 2021.

1. That Council supports the growth of the library's collection by encouraging, supporting and promoting financial donations to the Knowledge Foundation.
-

11.2 Promotion of Board Game Activities

Notice of Motion

Councillor Rey Manoto has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 09 March 2021.

1. That Council, to encourage and promote board game activities in the City, particularly CHESS and CATAN, prepare a report on the feasibility of:
 - a) Trialling a series of events highlighting the game CATAN for beginners and regular players as part of International Games Week in November.
 - b) Holding a Chess Tournament and continuing to support the weekly CHESS Club at Eaglevale Library.
-

11.3 Grant and Funding Opportunities

Notice of Motion

Councillor Meg Oates has given Notice in writing of her intention to move the following Motion at the next meeting of Council on 09 March 2021.

1. That a report be presented on the feasibility of employing a Grants/Funding Officer to investigate and access potential government, non-government, corporate and philanthropic funding opportunities.
 2. The Grants/Funding Officer would seek out opportunities to fund projects across the cultural, social, sporting, environmental and infrastructure operations of Council.
-

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

Nil

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 9 March 2021.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 9 March 2021

Present The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 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 T Rowell
 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/LEAVE OF ABSENCE

Nil

Note: That Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

3. CONFIRMATION OF MINUTES**3.1 Minutes of the Ordinary Meeting of Council held 9 February 2021**

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

That the Minutes of the Ordinary Council Meeting held 9 February 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests

Non Pecuniary – Significant Interests

Councillor Gilholme – Item 8.3 – Request to Exhibit a Site Specific Development Control Plan for the Campbelltown RSL Planning Proposal. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.3 – Request to Exhibit a Site Specific Development Control Plan for the Campbelltown RSL Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Lound – Item 8.3 – Request to Exhibit a Site Specific Development Control Plan for the Campbelltown RSL Planning Proposal. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Lound – Item 8.8 – Sarah Redfern Playing Fields – Licence Deed and Agreement. Councillor Lound advised he is the Chairman of the Macarthur Football Association and has an affiliation with a club involved and will leave the meeting.

Councillor Morrison – Item 8.10 – 24 Hour Fight Against Cancer Macarthur. Councillor Morrison advised he is the Chairperson of 24 Hour Fight Against Cancer Macarthur and will leave the meeting.

Non Pecuniary – Less than Significant Interests

Councillor Greiss – Item 8.12 – Proposed Road Names for use within the Claymore Urban Renewal Project (Stage 3). Councillor Greiss advised he has a professional relationship with one of the Board members involved. Councillor Greiss advised he will remain in the meeting and vote against the item.

Other Disclosures

Nil

5. MAYORAL MINUTE

5.1 Recognition of Patricia Thomson

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

That Council recognise the contributions of Patricia Thomson to the community of Campbelltown.

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

6. PETITIONS

7. CORRESPONDENCE

7.1 Formation of the National Federation Reform Council and Cessation of the Council of Australian Governments.

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

That the letter be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Development Application Status

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

That the information be noted.

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

8.2 Request to Exhibit amendments to the Campbelltown (Sustainable City) Development Control Plan 2015

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

1. That Council endorse the draft Amendment No.11 to Volume 1 and Volume 2 of Campbelltown (Sustainable City) Development Control Plan 2015 as shown in attachments 1 and 2 to this report for the purpose of public exhibition.
 2. That should Council receive any submissions during the public exhibition of draft Amendment No 11, that a further report be provided to Council following the completion of the public exhibition period.
 3. That where Council receives no submissions on draft Amendment No 11, that the amendments be adopted and notified in accordance with the Environmental Planning and Assessment Regulation 2000.
-

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison, B Thompson, G Greiss and T Rowell.

Voting against the Resolution were Nil.

024 The Motion on being Put was **CARRIED** unanimously.

Meeting note: Having declared an interest in Item 8.3 Councillor Gilholme, Councillor Greiss and Councillor Lound left the meeting at 6:44 pm and did not take part in the discussion or vote on the matter.

8.3 Request to Exhibit a Site Specific Development Control Plan for the Campbelltown RSL Planning Proposal

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

1. That Council endorse the public exhibition of proposed amendment no. 12 to the Campbelltown (Sustainable City) Development Control Plan which seeks to add Part 15 'Site Specific Development Control Plan – Campbelltown RSL' to volume 2, as shown in attachment 1 to this report.
2. That subject to Council endorsement, the Site Specific Development Control Plan be forwarded with the Planning Proposal to the Department of Planning, Industry and Environment for their endorsement prior to public exhibition in accordance with the Gateway Determination.
3. That all land owners be advised of the decision.

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, R Manoto, M Chivers, P Lake, B Moroney, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Nil.

025 The Motion on being Put was **CARRIED** unanimously.

Meeting note: At the conclusion of the discussion regarding Item 8.3 Councillor Gilholme, Councillor Greiss and Councillor Lound returned to the meeting at 6:48 pm.

8.4 Glenfield Place Strategy Submission

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

That Council endorse a formal submission to the NSW Department of Planning, Industry and Environment and Transport for NSW on the draft Glenfield Place Strategy and Cambridge Avenue Upgrade with matters contained in this report.

026 The Motion on being Put was **CARRIED** unanimously.

8.5 Quarterly Report - Clause 4.6 Variations to Development Standards

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

That the information be noted.

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

8.6 Re-appointment of Local Planning Panel Members

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

That:

1. Council re-appoint the current, Chair, expert and community members to 30 June 2021 as follows:
 - a) Mr Ian Reynolds as Chair and Mr Stuart McDonald as the alternate Chair.
 - b) Ms Mary-Lynn Taylor and Mr Scott Lee as the expert members and Ms Helena Miller as the alternate expert member.
 - c) Ms Cecilia Cox as the community member and Mr Phil Hayward and Mr Edward Saulig as the alternate community members.
2. Due to the resignation of Dr Keith Dedden and Ms Jenny Rudolph, the General Manager be delegated the authority to select an alternate Chair and expert member from the NSW State Government's expert pool for the temporary period to 30 June 2021.

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

8.7 Cambridge Avenue Upgrade and Extension Submission

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

That Council endorse a formal submission to the Transport for New South Wales (with a copy to the Department of Planning Infrastructure and Environment) on the Cambridge Avenue Upgrade proposal and draft Glenfield Place Strategy with matters contained in this report.

029 The Motion on being Put was **CARRIED** unanimously.

Meeting note: Having declared an interest in Item 8.8 Councillor Lound left the meeting at 7:06 pm and did not take part in the discussion or vote on the matter.

8.8 Sarah Redfern Playing Fields - Licence Deed and Agreement

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

That Council authorise the General Manager to execute the Licence Deed and Agreement for the ongoing use and management of the Sarah Redfern Playing Fields.

030 The Motion on being Put was **CARRIED** unanimously.

Meeting note: At the conclusion of the discussions regarding Item 8.8 Councillor Lound returned to the meeting at 7:09 pm.

8.9 Investments and Revenue Report - January 2021

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

That the information be noted.

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

Meeting note: Having declared an interest in Item 8.10 Councillor Morrison left the meeting at 7:10 pm and did not take part in the discussion or vote on the matter.

8.10 24 Hour Fight Against Cancer Macarthur

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

That Council determine the request for a 3 year sponsorship arrangement for the 24 Hour Fight Against Cancer Macarthur 2021 to 2023 including coverage of the cost of Campbelltown Athletics Stadium hire, security and cleaning associated with the 24 Hour Fight Against Cancer Macarthur Annual Walk event as detailed in the report.

An **Amendment** was **Moved** Councillor Oates, **Seconded** Councillor Rowell:

That Council support a one year sponsorship arrangement for the 2021 24 Hour Fight Against Cancer Macarthur event including coverage of the cost of Campbelltown Athletics Stadium hire and associated security and cleaning for the 2021 event as detailed in the report.

The Amendment was **CARRIED**.

The **Amendment** became the **Motion**.

A Division was recorded in regard to the Motion for Item 8.10 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, G Greiss and T Rowell.

Voting against the Motion were Councillors P Lake and B Thompson.

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

Meeting note: At the conclusion of the discussion regarding Item 8.10 Councillor Morrison returned to the meeting at 7:29 pm.

8.11 Reports and Letters Requested

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

That the information be noted.

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

8.12 Proposed Road Names for use within the Claymore Urban Renewal Project (Stage 3)

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

1. That Council approve the revised proposed road names (using second names only) in the attachment to this report for use in the Claymore Urban Renewal Project area noting, that to pay respect to the named artists, Council's unanimous preference is to use both names.
2. That Council advertise its proposal to use these road names and notifies the authorities prescribed by the Roads Regulation 2018.
3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.
4. That Council write to the Ministers and Shadow Ministers of Planning, Transport and Roads and Local Government, appealing the decision of the Geographical Names Board, and requesting that it be overturned, in order to pay due respect to the named artists.

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

Note: Councillor Greiss voted against the matter.

8.13 Minutes of the Audit Risk and Improvement Committee Report

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

That the minutes of the Audit Risk and Improvement Committee held 23 February 2021 be noted.

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

8.14 Audit, Risk and Improvement Committee Charter

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

That Council adopt the Audit, Risk and Improvement Committee Charter.

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

8.15 Migrating Financial Management System to a Cloud-based Solution

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

1. That Council approve an exemption from the tendering requirements in accordance with section 55(3)(i) of the *Local Government Act 1993*, noting that, due to unavailability of competitive tenders, a satisfactory result would not be achieved by inviting tenders for the provision of transitioning the financial management system to a cloud-based solution.
2. That Council notes the reason why a satisfactory result would not be achieved by inviting tenders is, that the recommended organisation's offer represents value for money to continue with a strategic partnership with TechnologyOne to leverage their industry expertise and proven product set as a modern Cloud based offering. This product set is not available via other vendors or a channel partner.
3. An agreement between Council and TechnologyOne Limited is approved to be signed by the General Manager under delegation.

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

8.16 Progress Report - July to December 2020

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

That Council receive and note the 6 monthly progress report which outlines the progress of principle activities and service delivery for the July-December 2020 period.

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

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Knowledge Foundation

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

That Council supports the growth of the library's collection by encouraging, supporting and promoting financial donations to the Knowledge Foundation.

039 The Motion on being Put was **CARRIED** unanimously.

11.2 Promotion of Board Game Activities

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

1. That Council, to encourage and promote board game activities in the City, particularly CHESS and CATAN, prepare a report on the feasibility of:
 - a) Trialling a series of events highlighting the game CATAN for beginners and regular players as part of International Games Week in November.
 - b) Holding a Chess Tournament and continuing to support the weekly CHESS Club at Eaglevale Library.

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

11.3 Grant and Funding Opportunities

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

1. That a report be presented on the feasibility of employing a Grants/Funding Officer to investigate and access potential government, non-government, corporate and philanthropic funding opportunities.
 2. The Grants/Funding Officer would seek out opportunities to fund projects across the cultural, social, sporting, environmental and infrastructure operations of Council.
-

A Division was recorded in regard to the Resolution for Item 11.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney and W Morrison.

Voting against the Resolution were Councillors B Thompson, G Greiss and T Rowell.

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

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 8 March attended the well supported Local Government NSW International Women's Day luncheon to celebrate women in government. The Walkley award winning journalist and political commentator, Annabel Crabb was the inspirational guest speaker and Councillor Linda Scott, the president of Local Government NSW spoke about celebrating the leadership of women in government, and how Local Government can make a difference.
2. Councillor Meg Oates on 5 March attended Campbelltown Arts Centre for the exhibition Space YZ. The exhibition curated by Daniel Mudie Cunningham draws inspiration from the visual arts legacy of Western Sydney University. From the first graduating class in 1986 to the final cohort as the curtain closed in 2009, the art school was a pioneering hub for experimentation and risk-taking across a broad variety of media. Space YZ presents significant early works created by 88 Visual Arts and Electronic Arts alumni during their undergraduate studies or within two years of graduation. Councillor Oates encouraged the community to view the exhibition to support art in Western Sydney.
3. Councillor Masood Chowdhury on 5 March attended the Macarthur Football Association M League season launch. Special guests were Anne Stanley MP, Anoulack Chanthivong MP, Macarthur FC's Captain, Mark Milliagan and Chairman Gino Marra and was a celebration of football in Macarthur. Councillor Chowdhury wished all the clubs and teams the best for the upcoming season.
4. Councillor Masood Chowdhury on 7 March joined residents and community groups for Clean Up Australia Day at Fifth Avenue Reserve, Macquarie Fields. Councillor Chowdhury thanked the community who participated in Clean Up Australia Day and highlighted the importance of caring for our natural environment.
5. Councillor Rey Manoto on 19 February attended the Homelessness & Community Matters (Network) Meeting at the Uniting Church, Campbelltown. The group meets to discuss and collaborate on youth homelessness issues. Councillor Manoto thanked all the community organisations for being part of this group and collaborating to find solutions that effect our youth.

6. Councillor Rey Manoto on 26 February attended the Greg Percival Community Centre, Ingleburn for a Georges Riverkeeper meeting. Georges Riverkeeper manages the protection of the Georges River and has members from across 8 councils. Members of Georges Riverkeeper visited Fifth Avenue Reserve, Macquarie Fields, the site of the Environmental Trust Grant Project, where thousands of trees have been planted. The project aims to improve the bush regeneration and the animal habitat especially the koalas, control the weeds and remove the sediments and rubbish in this key riparian corridor from Fifth Avenue Reserve down to Simmos Beach of the Georges River in Macquarie Fields.
7. Councillor Rey Manoto on 7 March joined volunteers at Fifth Avenue Reserve, Macquarie Fields for Clean Up Australia Day. Councillor Manoto thanked the volunteers for their efforts with 27 sacks of rubbish being collected from the reserve.
8. Councillor Margaret Chivers on 16 February attended the CSIRO Generation STEM 2021 Principal's Information Session at the Campbelltown Council Civic Hall. The program delivered by CSIRO Education and Outreach creates partnerships with schools, industries and Council. Students participating hear about challenges faced by businesses and have opportunities to provide solutions. Councillor Chivers and the Generation STEM leaders had the opportunity to speak with the principal's and staff about the advantages of being involved in the program. Councillor Chivers passed on her appreciation to Council staff, noting the passion for Campbelltown that Ishan Acharya, Economy and Business Project Officer expressed when speaking to attendees.
9. Councillor Margaret Chivers on 6 March represented the Mayor at the Garrad's 2021 Miracle Mile at Menangle Park Paceway. Councillor Chivers presented the trainer's trophy to Derby winner, PatsBeachStorm and thanked Robert Marshall, Chairman of Club Menangle and Josh Webster who emceed the event and created a great family atmosphere.
10. Councillor Ben Moroney acknowledged the 2021 Gay and Lesbian Mardi Gras, particularly the demonstration in Taylor Square by Pride in Protest and the event at the Sydney Cricket Ground. Councillor Moroney confirmed that Mardi Gras should always be a public assertion of the strength and solidarity of the community and passed on support to their comrades who were in attendance.
11. Councillor Warren Morrison on 4 March attended the Macarthur Bush Fire Management Committee meeting. Councillor Morrison expressed how hard the committee is working to absorb strategies to create a bushfire free community. The committee is currently working on bush fire trail plans to ensure access when needed.
12. Councillor Warren Morrison on 6 March attended Waminda Oval, Campbelltown to watch Peru vs El Salvador. Councillor Morrison thanked East Campbelltown Rugby League Club for arranging a great multicultural display with traditional dances before the game commenced. Councillor Morrison congratulated El Salvador on the win.
13. Councillor Bob Thompson passed on his thanks to the city works team for their continued efforts in keeping the city tidy.

14. The Mayor, Councillor George Brticevic shared his excitement regarding the commencement of Milton Park, Macquarie Fields which will be an inclusive park for all abilities. The park was designed in house and construction has just commenced. Councillor Brticevic shared that Cook Reserve, Ruse is undergoing a renewal of the play equipment, exercise equipment and surrounds ensuring it remains a refreshed space for the community.
15. The Mayor, Councillor George Brticevic on 27 February attended the launch of Angela Kiki Konstantinopoulou's exhibition Heroes of 1821. The artworks were inspired by the Greek War of independence culminating the 200th anniversary of the Greek Revolution. Councillor Brticevic thanked the Macarthur Greeks Inc. for organising the event.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Nil

There being no further business the meeting closed at 8:56 pm.

Confirmed by Council

..... General Manager Chairperson



CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES

At the Council Meeting held 13 April 2021 the following Council minutes were adopted:

There being no further business at the meeting of 9 March 2021, the meeting closed at 8:56 pm.

Confirmed by the Chairperson:

A handwritten signature in black ink, appearing to read "G. McIntyre", is written over the text "Confirmed by the Chairperson:".