

Reports of the Planning and Environment Committee Meeting held at 7.30pm on Tuesday, 22 July 2014.

APOLOGIES

ACKNOWLEDGEMENT OF LAND

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

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Minutes of the Planning and Environment Committee held on 22 July 2014

Present His Worship the Mayor, Councillor C Mead
Councillor G Greiss (Chairperson)
Councillor R Kolkman
Councillor M Oates
Councillor T Rowell
Councillor R Thompson
General Manager - Mr P Tosi
Director Planning and Environment - Mr J Lawrence
Acting Director Planning and Environment - Mr J Baldwin
Manager Community Resources and Development - Mr B McCausland
Manager Waste and Recycling Services - Mr P Macdonald
Acting Manager Sustainable City and Environment - Mrs R Winsor
Acting Manager Governance and Administration - Mr T Rouen
Senior Strategic Environmental Planner - Mrs R Haddad
Executive Assistant - Mrs D Taylor

Apologies (Kolkman/Rowell)

That the apologies from Councillors Lound and Matheson be received and accepted.

CARRIED

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

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

There were no Declarations of Interest at this meeting.

Pecuniary Interests

Nil

Non Pecuniary – Significant Interests

Nil

Non Pecuniary – Less than Significant Interests

Nil

2.1 Outcome Of The Public Exhibition Of Amendments To The Section 94 Development Contributions Plan No.5 Planning District No.5 Blair Athol

1. WASTE AND RECYCLING SERVICES

No reports this round

2. SUSTAINABLE CITY AND ENVIRONMENT

2.1 Outcome of the Public Exhibition of Amendments to the Section 94 Development Contributions Plan No.5 Planning District No.5 Blair Athol

Reporting Officer

Manager Sustainable City and Environment

Attachments

Section 94 Development Contributions Plan No.5, Planning District No.5 Blair Athol (contained within this report)

Purpose

To inform Council on the outcome of the recent Public Exhibition of an amendment to the draft Section 94 Development Contributions Plan No.5, Planning District No.5 Blair Athol.

History

At its meeting on 6 May 2014, Council considered a report on a proposed amendment to the Section 94 Development Contributions Plan No.5, Planning District No.5 Blair Athol to include alternative community facilities. After considering the report, Council resolved to publicly exhibit the draft Section 94 Development Contributions Plan No.5, Planning District No.5 Blair Athol for a period of 28 days.

Report

The draft Plan was placed on public exhibition on Tuesday 27 May 2014 until Monday 23 June 2014. Copies of the draft Plan were available for inspection at Council's Civic Centre, HJ Daley Library, Eagle Vale Library and Council's website. Notification of the public exhibition was given by means of advertisements in the local newspapers.

No submissions on the draft Plan were received.

Conclusion

In accordance with clause 31(1)(b) of the *Environmental Planning & Assessment Regulation 2000*, it is recommended that Council approve the Draft Section 94 Development Contributions Plan No.5, Planning District No.5 Blair Athol in the form in which it was publicly exhibited (as shown in the attachment), and give public notice of its approval in the local newspapers within 28 days of Council's decision in regard to this matter.

Officer's Recommendation

1. That Council approve the Section 94 Development Contributions Plan No.5, Planning District No.5 Blair Athol in the form in which it is attached.
2. That in accordance with clause 31 of the *Environmental Planning & Assessment Regulation 2000*, Council give public notice of the making of the Section 94 Development Contributions Plan No.5, Planning District No.5 Blair Athol.

Committee's Recommendation: (Kolkman/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 29 July 2014 (Greiss/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 128

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Campbelltown City Council



Section 94
Development
Contributions Plan No.5
Planning District No.5
Blair Athol
Amended April 2014



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1. Preamble

This plan was originally prepared to meet the statutory requirements and the policy guidelines issued by the Department of Planning for Section 94 development contribution plans to improve the detail, accountability and administration of providing community facilities in the neighbourhood of Blair Athol.

History

Council has previously adopted background documents relating to the provision of community facilities in Planning Districts No. 4, 6 and 7 including the basis for contribution rates. These documents prepared by Wellings Smith and Byrnes consists of two volumes. Volume I includes the background data and analysis in ascertaining the appropriate public amenities and services required in the development of these new urban areas. The Blair Athol neighbourhood is similar in character to other new residential neighbourhoods in Campbelltown and it has been on this basis that the Section 94 Development Contributions Plan for Blair Athol has been developed.

Council is of the view that its Section 94 practice has a proper nexus to the development occurring in this area and that its contribution rates are reasonable.

This contributions plan is based on a projected growth of the identified neighbourhood accounting for both land, which is currently vacant and urban consolidation.

This plan initially came into effect on 14 February 1995, with further amendments in May 1998, May 2007 and April 2014.

2. The Plan

1. *Citation*

This plan may be referred to as Section 94 Development Contribution Plan No.5 Blair Athol. It has been prepared according to the requirements of Section 94 of the *Environmental Planning and Assessment Act, 1979*.

2. *Purpose*

The purpose of the plan is to enable the levying of development contributions for public facilities and services specified which will be required as a consequence of residential development in the neighbourhood of Blair Athol.

3. *Aims and Objectives*

The aims and objectives of the plan are:

- (a) to provide a basis for the levying of contributions for the provision of community facilities and services;
- (b) to establish the nexus between anticipated development and the contributions required;
- (c) to identify facilities and services which Council has provided or intends to provide to meet the needs of new residential development;
- (d) to provide facilities and services to the community at the earliest possible time; and
- (e) to provide proper accountability, financial management and administration of the expenditure of contributions and the provision of facilities and services.

4. *Relationship to other Environmental Planning Instruments*

This plan is to be read in conjunction with Council's other development control plans and environmental planning instruments applicable to the neighbourhood of Blair Athol.

5. *Land to which the Plan applies*

This plan applies to the neighbourhood of Blair Athol as shown edged heavy black on the map marked "Development Control Plan No. 80" adopted 29 November 1994 as amended, on page 12 of this plan.

3. Assessment of Contributions

1. Establishment of Nexus

The City of Campbelltown, Camden and Wollondilly Councils were formally declared the Macarthur Growth Centre in March of 1975. Since that time the City of Campbelltown has experienced rapid growth and is now recognised as one of the fastest growing local government areas in New South Wales.

The Campbelltown Local Government Area has been and will be a significant part of the Government's urban development programme, which in part accommodates growth within the Sydney Metropolitan Area.

Residential development in Campbelltown typically provides a source of moderately priced but relatively low density housing which is attractive to householders making their first move into the housing market.

New housing areas lack many, if not all, of the basic facilities that are found in more established suburbs. Therefore, there is immediate and substantial demands for capital expenditure to ensure that a range of basic community facilities and services are provided. This ensures that the quality of the social environment in both the short and long term is enhanced so that community networks are developed and social and economic discrimination and antisocial behaviour patterns are minimised.

2. Contribution Formula

Section 94 contributions will be based on the total cost of providing identified facilities and services divided by the projected lot or dwelling yield in the catchment for all residential development which is subject to Section 94 contributions.

The contribution rate will be based on the creation of new lots in the case of subdivision and additional dwellings in the case of multi dwelling (medium density) development.

The formula for calculating contributions is based on the following:

- (a) the number of lots or dwellings, which have or will be subject to Section 94 contributions;
- (b) the cost of providing future community facilities including, where appropriate, the cost of acquiring land; and
- (c) the present day costs of community facilities already provided by Council in anticipation of development.

The contribution formula is:

$$\text{Contribution Rate} = \frac{F1 + F2}{P}$$

(\$per lot/dwg)

2.1 Outcome Of The Public Exhibition Of Amendments To The Section 94 Development Contributions Plan No.5 Planning District No.5 Blair Athol

F1 = The actual cost to Council to date of constructing community facilities (adjusted to present day values by the *I.P.D.)

F2 = The estimated cost of constructing future community facilities

P = The estimated lot/dwelling yield in the contribution catchment.

* I.P.D. = Implicit Price Deflator

(I.P.D.) is an index obtained by dividing a current price value by its corresponding constant price value. Implicit Price Deflator (seasonally adjusted) is published on a quarterly basis by the ABS for all items of expenditure shown in the Gross Domestic Product, Australian National Accounts.

3. Contribution Rate

The current contribution rate per lot/dwelling for the Blair Athol neighbourhood is shown below. It should be noted that the contribution rate is applicable as of December 2006 and will be indexed on a quarterly basis to keep pace with inflation.

For the purpose of this plan the indexing factor to be used is the Implicit Price Deflator (I.P.D.).

It should also be noted that the Council may review all or part of this contribution plan on an annual basis and as such contribution rates may adjust accordingly.

Locality	Proposed Contribution per lot/building
Blair Athol	\$2,436.77

* The contribution rate is applicable as at December 2013

* All contribution rates will be adjusted on a quarterly basis by the Implicit Price Deflator

4. Payment of Contributions

1. Timing of Contribution Payments

Council, upon granting development consent including the subdivision of land, which is subject to this Section 94 Development Contributions Plan, shall, as a condition of development consent, state the value of the Section 94 contribution at the date of issue of consent. The actual payment of any Section 94 contribution shall be at the rate applicable at the time of payment, which will reflect adjustments made by the Implicit Price Deflator.

In the case of a development not being a subdivision, the payment of the required Section 94 contribution shall be made prior to the release of the building approval applicable to that development. In the case of a subdivision, the required Section 94 contribution shall be paid prior to the release of the linen plan of subdivision.

Under unusual or specific circumstances, the method of payment may be varied subject to a detailed written submission being considered by Council. A decision to defer payment shall be entirely at the discretion of Council. Adequate security will be required to cover the value of the contribution including the indexed value of the contribution over the deferred period.

2. Dedication of Land and Material Public Benefit

Council may consider the dedication of land or the provision of a material public benefit/works in kind in lieu of a monetary contribution. In this regard, the following practice will be considered by Council:

- (a) the extent to which the land, material public benefit or works satisfies a community need and the purpose for which the contribution is sought;
- (b) consideration of locational and other factors which may affect useability; and
- (c) the effect of any maintenance or recurrent costs to Council.

3. Exclusion of Works and Improvements from Contributions Plan

The developer is responsible for the provision of all roads, drainage, detention basins and open space land which is not included as part of this plan.

Landscaping relating to noise and visual attenuation measures as required by Development Control Plan No. 80 is also separate to the requirements of this Section 94 Contributions Plan.

It is the responsibility of the developer to provide services i.e. water, sewer, electricity and telephone to the property boundary of community land in proximity to any community buildings or facilities.

5. Works Schedule

1. Notes

Park Types applicable to this plan:

Type 1 Park: includes an item of playground equipment, a park seat, tree planting, kopper log barriers, water service and ancillary treatment to Council's specification.

Type 2 Park: includes a park seat, tree planting, kopper log barriers, water service and ancillary treatment to Council's specification.

Type 3 Park: includes tree planting, kopper log barriers, water service and ancillary treatment to Council's specification.

2. Projections

Lot Dwelling Projections

	Pre Sec. 94	Current Sec. 94	Future Sec. 94	Total Lots
No. of Lots	0	0	811	811

- * 195 lots subject to Local Environmental Plan No. 170
 - * urban consolidation lots include sites identified for multi dwelling housing in Development Control Plan No. 80.
 - * 90 lots subject to LEP No. 194
-

2.1 Outcome Of The Public Exhibition Of Amendments To The Section 94 Development
Contributions Plan No.5 Planning District No.5 Blair Athol

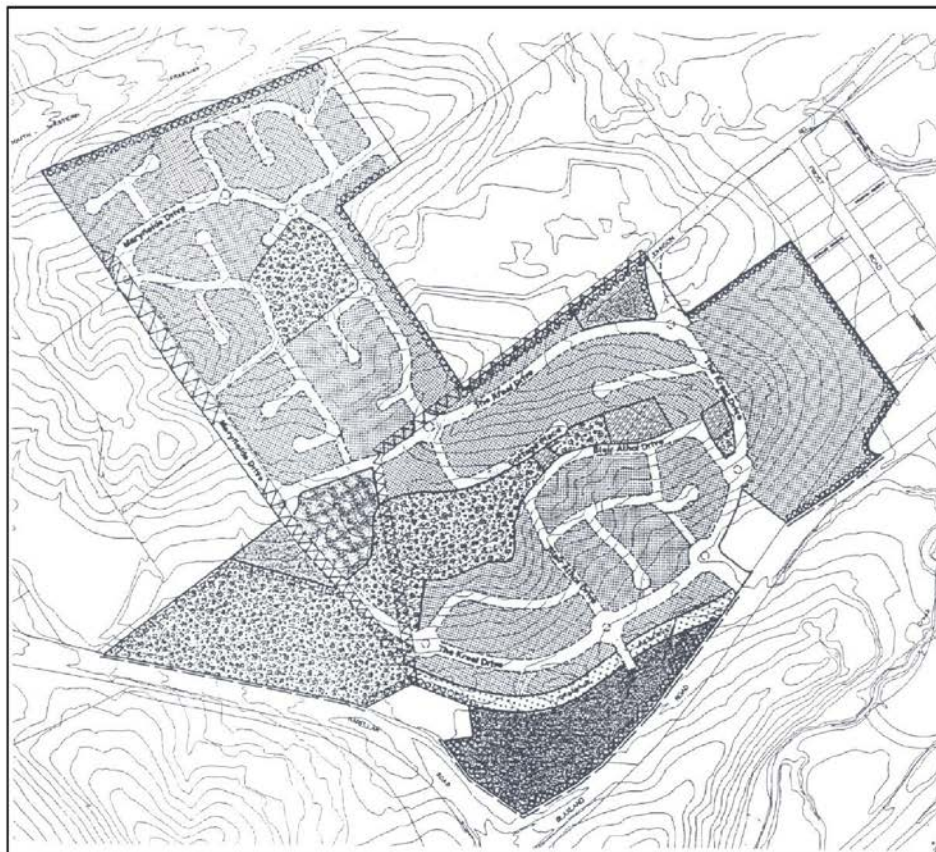
2.1 Outcome Of The Public Exhibition Of Amendments To The Section 94 Development Contributions Plan No.5 Planning District No.5 Blair Athol

John Kidd Reserve

	Facility	Completed	Cost
	Car Parking	Yes	\$197,135
	Amenities Block	Yes	\$110,000
	Community Centre	Yes	\$525,750
	Gateway Entry Signage to Reserve	2014/2015	\$ 6,000
	Cycleway	Yes	\$360,962
	Pathways	Yes	\$ 18,280
	Boardwalks	2014/2015	\$70,039
	Softworks	2014/2015	\$100,787
	Playground	2014/2015	\$201,908
	Half Basketball Court	Yes	\$ 23,573
	Interpretive Signage/ Artworks	2014/2015	\$ 73,537
	Fencing	Yes	\$ 26,103
	Edging	Yes	\$ 36,180
	Picnic Facilities/Park Furniture	2014/2015	\$ 79,629
Sub Total			\$1,829,883
	Contingency	Yes	\$96,000
Grand Total			\$2,267,683

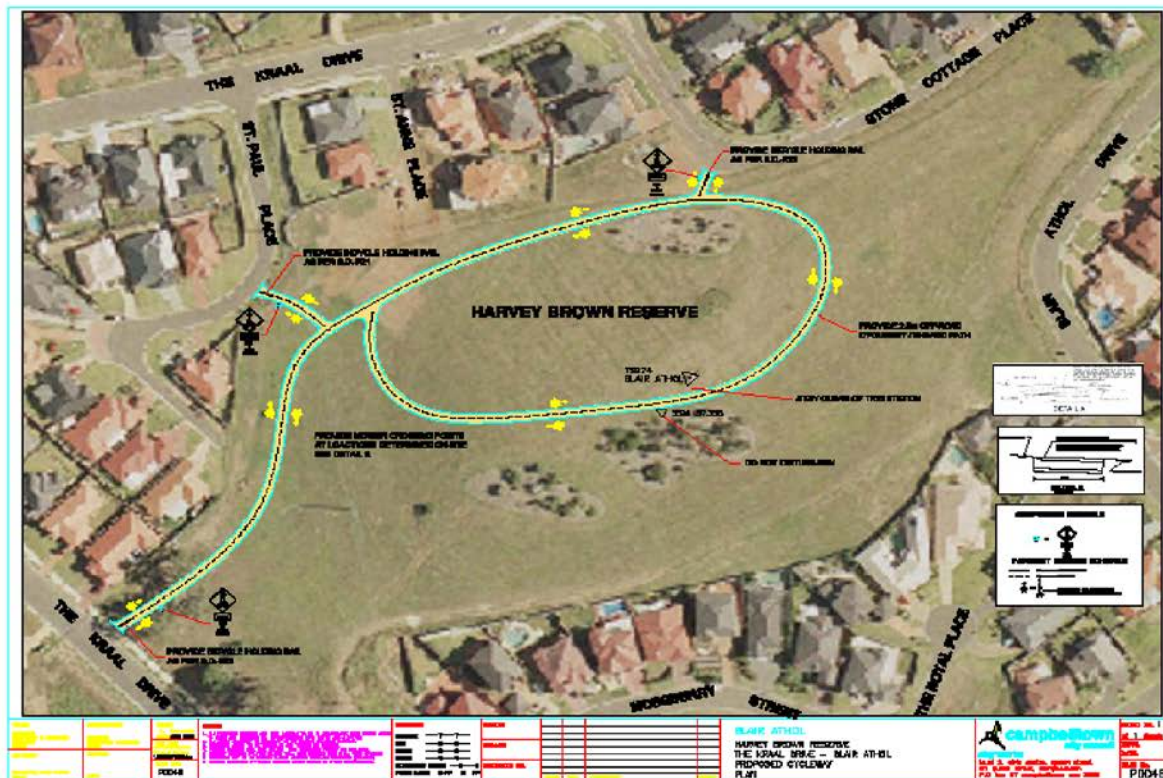
6. Maps and Plans

Blair Athol Neighbourhood

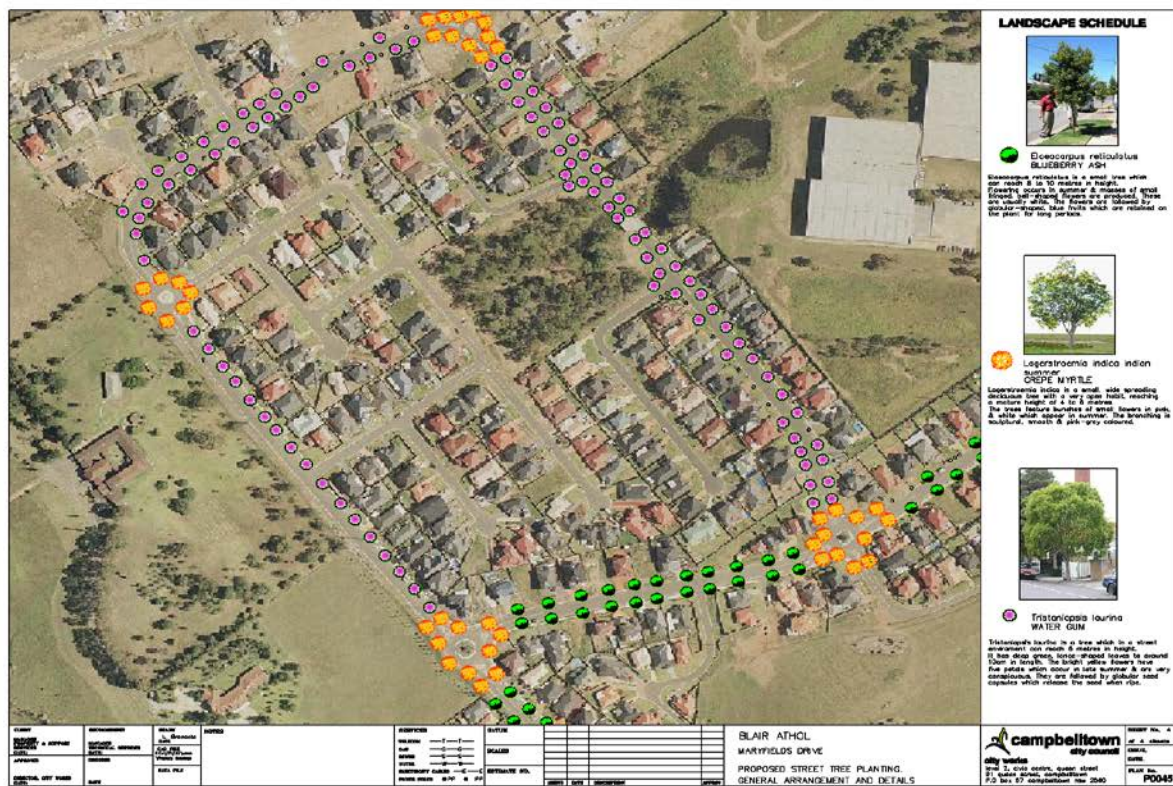


Area Subject to Development Control Plan No.80 Adopted 29 November 1994

2.1 Outcome Of The Public Exhibition Of Amendments To The Section 94 Development Contributions Plan No.5 Planning District No.5 Blair Athol

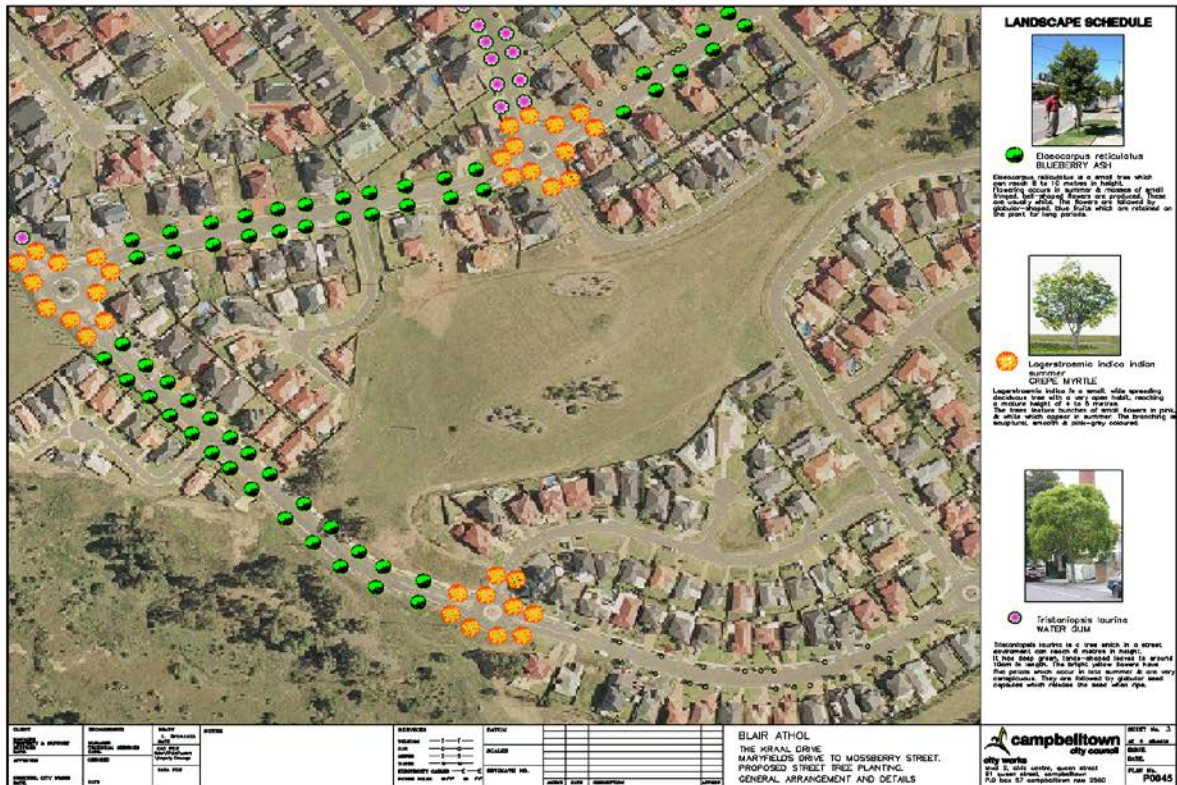


Cycleway - Harvey Brown Reserve

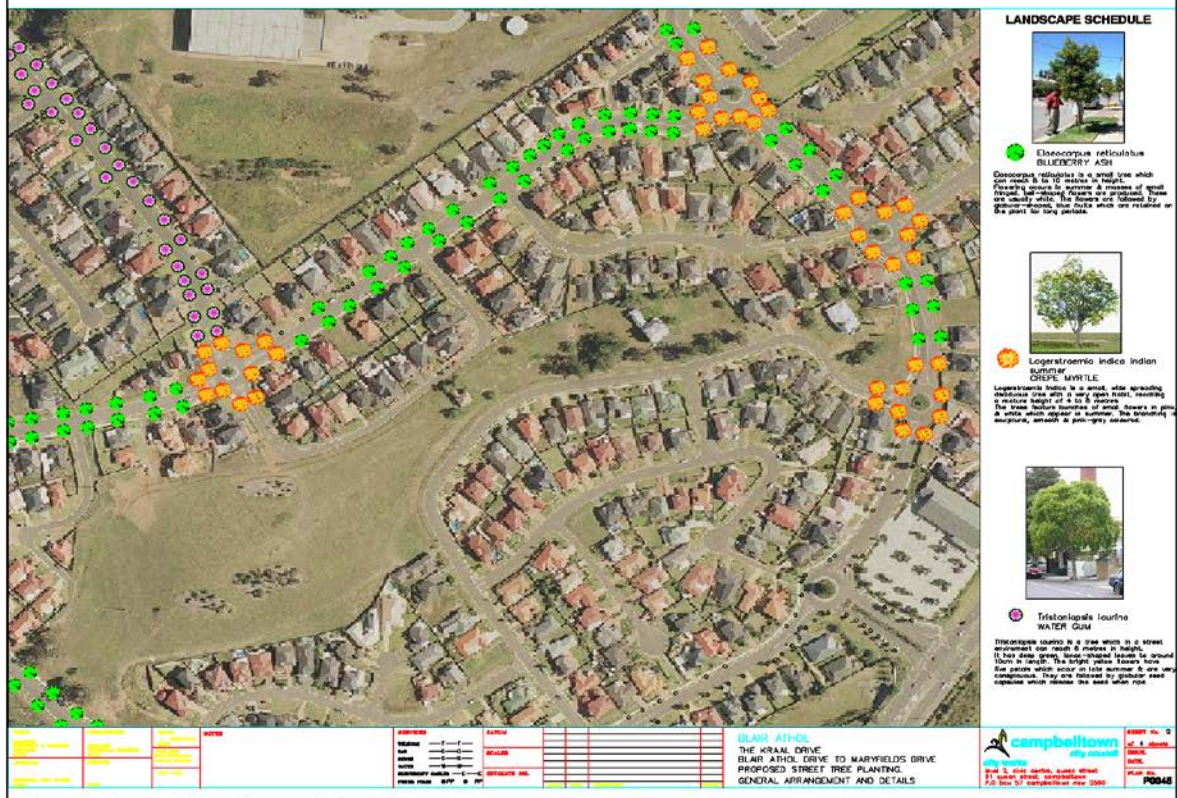


Street Tree Planting - Plan 1

2.1 Outcome Of The Public Exhibition Of Amendments To The Section 94 Development Contributions Plan No.5 Planning District No.5 Blair Athol



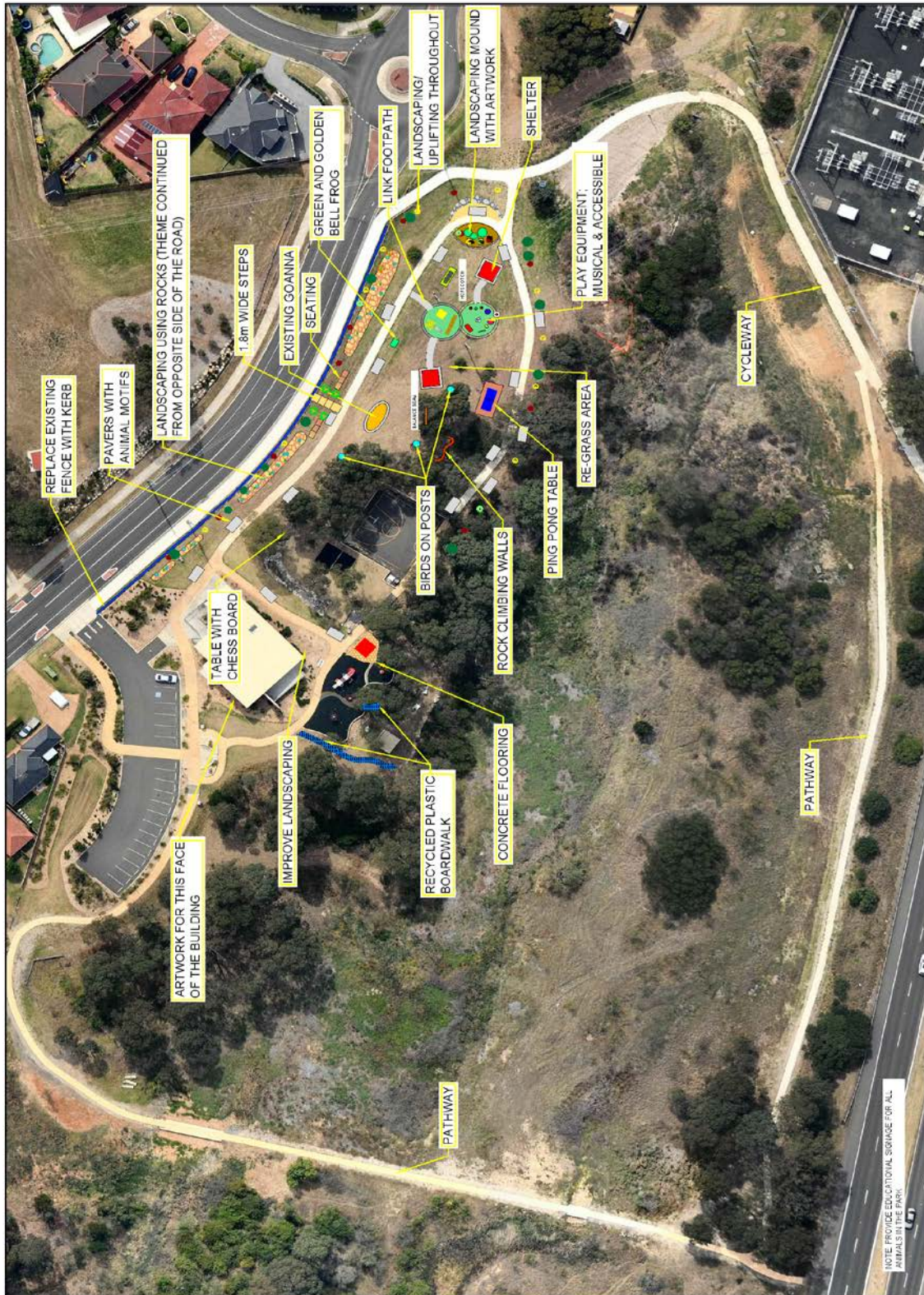
Street Tree Planting - Plan 2



Street Tree Planting - Plan 3

2.1 Outcome Of The Public Exhibition Of Amendments To The Section 94 Development Contributions Plan No.5 Planning District No.5 Blair Athol

John Kidd Reserve



2.2 Outcome of the Public Exhibition of Draft Campbelltown (Sustainable City) Development Control Plan 2014 Volume 1

Reporting Officer

Manager Sustainable City and Environment

Attachments

1. Draft Campbelltown (Sustainable City) Development Control Plan Volume 1 (distributed under separate cover - due to size of document (276 pages))
2. Summary of comments received during the exhibition (contained within this report)

Purpose

The purpose of this report is to inform Council of the outcome of the public exhibition of the draft Campbelltown (Sustainable City) Development Control Plan 2014 Volume 1 (draft SCDCP 2014) and recommend that Council formally adopt the draft SCDCP 2014.

History

On 8 April 2014 Council considered a report on the draft SCDCP 2014 and resolved as follows:

1. That Council endorse draft Campbelltown (Sustainable City) Development Control Plan 2014 Volume 1 (contained in attachment 1) for public exhibition in accordance with the Environmental Planning and Assessment Act, 1979 and associated regulation.
2. That at the conclusion of the public exhibition, a report be provided to Council on the outcome of the public exhibition of the draft Campbelltown (Sustainable City) Development Control Plan 2014 Volume 1.

Draft SCDCP 2014 was placed on exhibition for one month (from Wednesday 30 April 2014 until Friday 30 May 2014) at the following locations:

- Council's Civic Centre
- All Council libraries
- Council's website.

Advertisements advising of the public exhibition were placed twice in the two circulated local papers, prior to the commencement of the public exhibition and halfway through the exhibition period.

This report presents to Council the outcome of the public exhibition of the draft SCDCP 2014 and recommends that Council adopt the draft SCDCP 2014.

Report

External Submissions

Council received one external submission on the draft SCDCP 2014.

The external submission was from a resident in Macarthur Gardens. The submission raised the following concerns:

1. The draft SCDCP 2014 does not protect residents within Macarthur Gardens from future high rise development
2. Macarthur Gardens suburb is not included as part of this draft SCDCP 2014
3. Macarthur Gardens has been left out from the zoning maps.

Comments

The draft SCDCP 2014 does not currently apply to Macarthur Gardens Precinct because there is a site specific draft Development Control Plan (draft DCP) that applies to that area.

Zoning maps for the Macarthur Gardens Precinct are included under Campbelltown (Urban Areas) Local Environmental Plan 2002 and cannot be legally modified by an amendment to a Development Control Plan such as the SCDCP. For a rezoning map to be amended, an amendment to the relevant environmental planning instrument that applies to the land would need to be separately approved.

Importantly, this matter is currently being addressed under the draft Campbelltown Local Environmental Plan (CLEP) 2014, which is currently on public exhibition until 8 August 2014. Under the provision of the draft CLEP 2014, the Macarthur Gardens Precinct is proposed to be zoned R3 Medium Density Residential Zone south of the creek, where it is proposed to prohibit residential flat buildings in that area.

Given the above, no changes are recommended to the draft SCDCP 2014.

Internal comments

A number of internal comments were received from Council's Development Services Section that mainly sought clarification of the intended outcomes of some of the clauses and consistency with the current Australian Standards. The matters raised by staff, a brief clarification of the matter and recommended actions are shown under Attachment 2 of this report.

Following is a dot point summary of the proposed amendments:

- Prohibit bathrooms windows at the front façade of a residential building
- Clarify clause 3.8 f) that deals with side setbacks for narrow lot housing
- Amend the classification of small rigid, medium rigid and heavy commercial vehicles to be consistent with the relevant Australian Standards.

None of the amendments proposed as a result of the internal comments are considered of a major nature.

Next stage – Alignment of the draft SCDCP 2014 with the draft CLEP 2014

The draft SCDCP 2014 will need to undergo a major review in the near future to make it consistent with the forthcoming draft CLEP 2014. For example, a number of additional sections for the various types of proposed residential development types under draft CLEP 2014 would need to be included. In addition, development standards that are proposed to be included under the draft CLEP 2014 would need to be removed from the draft SCDCP 2014.

It is anticipated that a revised SCDCP would be prepared and placed on public exhibition before the end of this year and prior to the gazettal of the draft CLEP 2014.

Conclusion

The draft SCDCP 2014 was publicly exhibited for a period of one month. During this time, one external written submission was received and a number of minor matters were raised by internal staff.

The proposed amendments to the draft SCDCP 2014, as a result of the public exhibition, are considered minor and as such would not trigger the need to re-exhibit the draft plan.

It is therefore recommended that Council endorse and adopt the draft SCDCP 2014. Notably draft SCDCP 2014 amends SCDCP 2012 Volume 1.

For Council to legally adopt the draft SCDCP 2014, an advertisement would need to be placed in the two circulated local papers advising of the adoption of the draft SCDCP 2014 in the prescribed manner in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

It is further noted that subject to Council's adoption of the draft Campbelltown (Sustainable City) Development Control Plan 2014 (Volume 1), the Plan will come into effect on the date of the public notice.

Officer's Recommendation

1. That Council adopt draft Campbelltown (Sustainable City) Development Control Plan 2014 (Volume 1) as attached to this report.
 2. That Council give public notice of its decision in the two local newspapers in the prescribed manner in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.
-

Committee's Recommendation: (Rowell/Mead)

That the Officer's Recommendation be adopted.

Amendment: (Kolkman/Rowell)

1. That Council adopt draft Campbelltown (Sustainable City) Development Control Plan 2014 (Volume 1) as attached to this report subject to the wording of the three separate points of the recommended actions, under Section 7.4.2 Loading and Unloading, of the table in Attachment 2, being amended to read:
 - a small rigid vehicle shall be taken to mean a rigid vehicle that has a maximum length of 6.4m
 - a medium rigid vehicle shall be taken to mean a rigid vehicle that has a length greater than 6.4m but not exceeding a length of 8.8m
 - a heavy rigid vehicle shall be taken to mean a rigid vehicle that has length greater than 8.8m but not exceeding a length of 12.5m.
2. That Council give public notice of its decision in the two local newspapers in the prescribed manner in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

WON and became the Motion.

CARRIED

Council Meeting 29 July 2014 (Greiss/Mead)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 128

That the Committee's Recommendation be adopted.

ATTACHMENT 2

Attachment 2: A summary of the main internal submissions, officer's comments and recommended actions

Relevant Part/Section/Clause of the draft SCDCP 2014	Summary of issues raised – Internal Submissions	Officer's comments	Recommended actions
3.3 Building Form and Character	<p>Reword Clause 3.3.1 g) for clarification. This clause currently reads:</p> <p><i>Bathroom, ensuite or laundry windows that face the primary street shall be designed as an integral component of the articulation of the front building façade.</i></p>	<p>Clause 3.3.1g) was proposed to ensure that front façade windows are balanced and aesthetically pleasing to enhance the appearance of front elevations and collectively the streetscape.</p> <p>To achieve the above, it is considered appropriate to not permit bathrooms ensuite or laundry windows at the front façade.</p>	<p>Reword clause 3.3.1 Streetscape to read:</p> <p>g) "No bathroom, ensuite, toilet or laundry windows shall face the primary street of an allotment.</p>
3.4 Car Parking and Access	<p>Revise the proposed clause under Clause 3.4 h) which proposes to reduce the driveway width to 3 meters for driveways providing access for 2 or less dwellings. This is not practical for dual occupancy type development.</p>	<p>Noted and Supported. Notably Clause 3.4.g) can be amended to address this matter, thereby making clause 3.4h) redundant.</p>	<p>Delete Clause 3.4.h) and reword Clause 3.4.g) to read:</p> <p>g) The minimum width of the driveway at the street kerb shall be:</p> <p>i) 2.5 metres where the driveway provides access for one (1) dwelling; and</p> <p>ii) 5 metres where a single driveway provides access for two (2) or more dwellings (excluding secondary dwellings)</p>
3.5 Acoustic Privacy	<p>Include an additional clause to ensure that no part of a wall of a building is constructed on the boundary where it is directly adjacent to the private open space of the adjoining property.</p>	<p>Noted and supported.</p>	<p>Include additional clauses under 3.5.2 Visual Privacy that read:</p> <p>d) No wall of a building shall be permitted to be constructed on the boundary for that portion of the boundary that is directly adjacent to an existing approved private open space area on the adjoining allotment.</p>

Attachment 2: A summary of the main internal submissions, officer's comments and recommended actions

Relevant Part/Section/Clause of the draft SCDCP 2014	Summary of issues raised – Internal Submissions	Officer's comments	Recommended actions
3.8 Narrow Lot Dwellings	Reword Clause 3.8.f) to clarify the zero setbacks controls for narrow lot dwellings.	Noted and supported	<p>e) With any development application involving the construction of a building wall on a boundary, the creation of an easement for access and maintenance on the adjoining land may be required. Include additional clauses and reword Clause 3.8 f) to read:</p>
			<p>f) A narrow lot dwelling adjoining an allotment not developed as narrow lot housing shall be setback from the side boundary a minimum of:.</p>
			<p>i) 0 meters in the case of any single storey component of the dwelling;</p>
			<p>ii) 0.9 meters for the ground floor component of the building adjacent to an existing approved private open space on the adjoining allotment;</p>
			<p>iii) 0.9 meters for the first floor component of the building.</p>
			<p>g) Where the first floor's wall exceeds 10 metres in length, the wall shall be setback by 1.5 metres from the side boundary for a minimum length of 2.0 metres for that part of the wall that exceeds 10 metres.</p>
			<p>h) Notwithstanding the above, no wall of a building shall be permitted to be</p>

Attachment 2: A summary of the main internal submissions, officer's comments and recommended actions

Relevant Part/Section/Clause of the draft SCDCP 2014	Summary of issues raised – Internal Submissions	Officer's comments	Recommended actions
7.3.1 Building Design	<p>Clarify Clause 7.3.1(d) that currently reads:</p> <p>d) Mezzanines shall not comprise an area of more than 50% of the gross floor area of the ground floor of the building <u>(or each gross area of the ground floor of a unit in a complex)</u>.</p> <p>The above underlined reference needs to be clarified.</p>	Noted and supported.	<p>constructed on the boundary for that portion of the boundary that is directly adjacent to an existing approved private open space area on the adjoining allotment.</p> <p>i) With any development application involving the construction of a building wall on a boundary, the creation of an easement for access and maintenance on the adjoining land may be required.</p> <p>Reword Clause 7.3.1(d) to read:</p> <p>d) Mezzanines shall not comprise an area of more than 50% of the gross floor area of the ground floor of the respective unit.</p> <p>For consistency also reword Clause 7.3.1(e) to read:</p> <p>e) Offices shall not comprise more than 30% of the gross floor area of the respective unit.</p>

Attachment 2: A summary of the main internal submissions, officer's comments and recommended actions

Relevant Part/Section/Clause of the draft SDCDP 2014	Summary of issues raised – Internal Submissions	Officer's comments	Recommended actions
7.4.2 Loading and Unloading	<p>The reference to the length of small rigid, medium rigid and heavy rigid vehicles under the note for Clause 7.4.2 is not consistent with AS 2890.2. The Note as proposed reads:</p> <p><i>For the purpose of this section:</i></p> <ul style="list-style-type: none"> - a small rigid vehicle shall be taken to be any vehicle that has a GVM greater than 4.5 tonnes and a length less than 9 metres; - a medium rigid vehicle shall be taken to mean any vehicle that has a GVM greater than 4.5 tonnes and a length greater than 9.0 metres but less than 12.5 metres; - Heavy rigid vehicle shall be taken to mean any vehicle that has a length of 12.5 metres or more. 	Noted and supported.	<p>Amend the note under Clause 7.4.2 Loading and Unloading to read:</p> <p>e) Heavy rigid vehicle swept turning paths shall be provided demonstrating that a heavy rigid vehicle can enter and exit the site in a forward direction.</p> <p>Add a note under Section 7.4.2 Loading and Unloading that reads:</p> <ul style="list-style-type: none"> - a small rigid vehicle shall be taken to be any rigid vehicle that has a maximum load capacity of 4.0 tonnes and a length less than 6.4 metres; - a medium rigid vehicle shall be taken to mean any rigid vehicle that has a maximum load capacity of 8.0 tonnes and a length of 8.8 metres or greater but less than 12.5 metres; - Heavy rigid vehicle shall be taken to mean any rigid vehicle that has a length of 12.5 metres or more. <p>Refer to AS 2890.2 (as amended) for more information on heavy rigid vehicle measurements and classifications.</p>
Appendix 3 Noxious Weeds	Update the Noxious Weed List under Appendix 3 to reflect the most up-to-date declared noxious weed species for Campbelltown LGA by the NSW Primary Industries- Agriculture.	Noted and Supported	Update the Noxious Weed list under Appendix 3

3. DEVELOPMENT SERVICES

3.1 Development Services Section Statistics June 2014

Reporting Officer

Acting Manager Development Services

Attachments

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

Purpose

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

Report

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

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Thompson/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 29 July 2014 (Greiss/Mead)

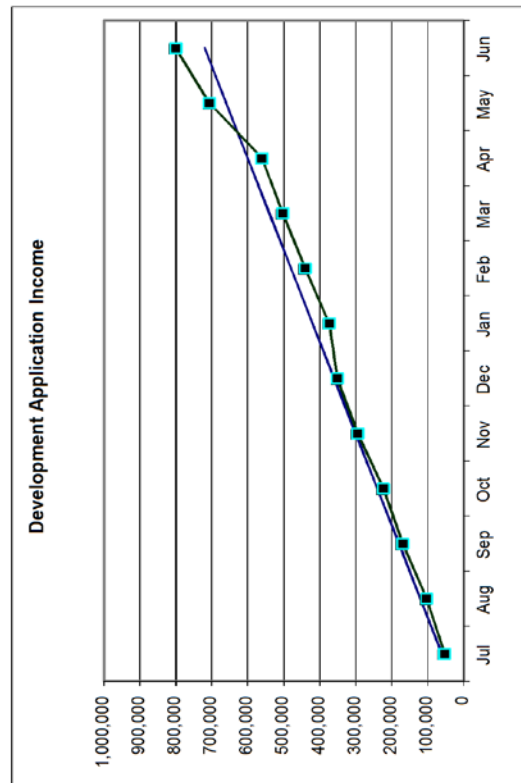
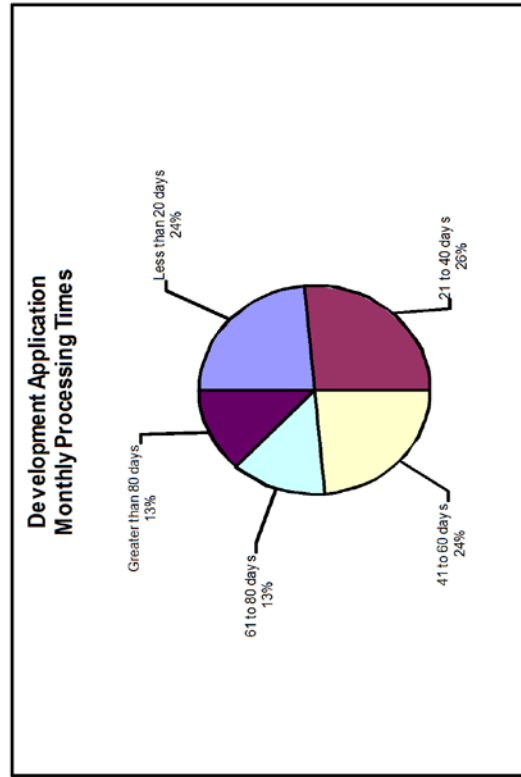
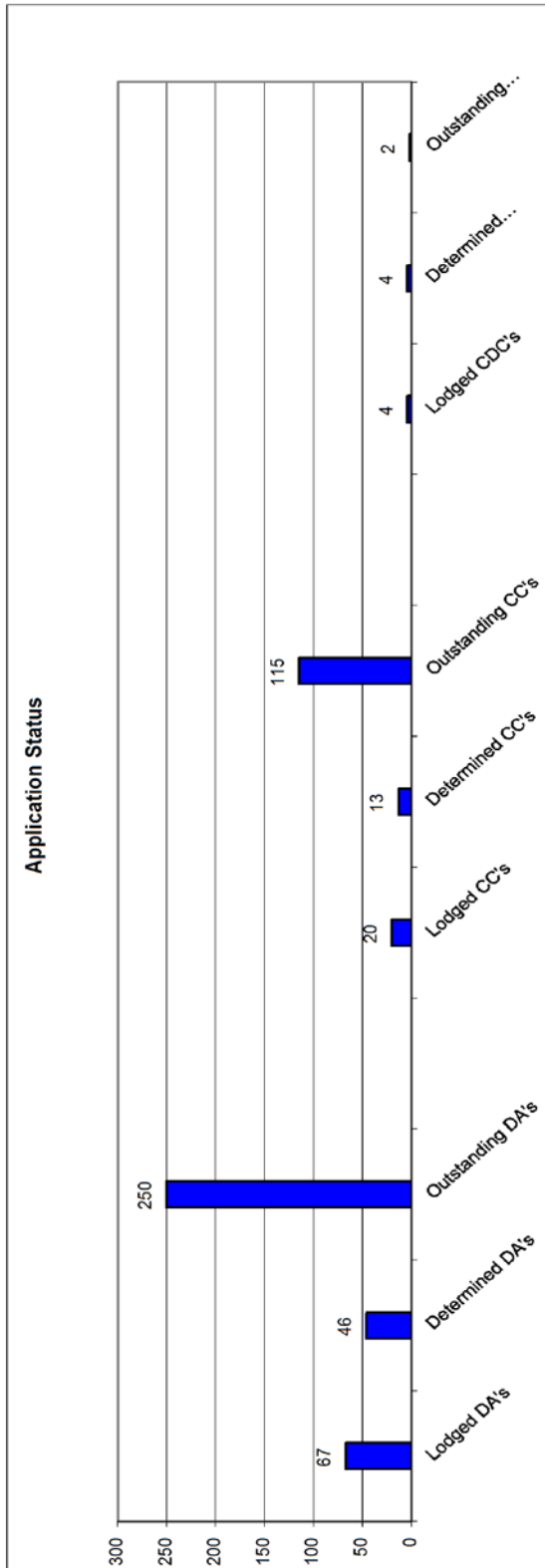
That the Officer's Recommendation be adopted.

Council Resolution Minute Number 128

That the Officer's Recommendation be adopted.

ATTACHMENT 1

**DEVELOPMENT SERVICES SECTION
 MONTH AT A GLANCE – June 2014**



3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

3.2 Proposal to increase student population from 250 to 600 students, at the Al-Faisal College - No.10 Benham Road, Minto

Reporting Officer

Manager Development Services

Attachments

1. Recommended Conditions of Consent (contained within this report)
2. Locality Plan (contained within this report)
3. Site Plan (contained within this report)
4. Car Parking Plan (contained within this report)

Purpose

The purpose of this report is to assist Council in its determination of the subject development application in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

Property Description	Lot 1 DP 1193701 No.10 Benham Road, Minto
Application No	499/2014/DA-C
Applicant	Al-Faisal College Limited
Owner	Al-Faisal College Limited
Provisions	Campbelltown 2025 – Looking Forward State Environmental Planning Policy (Infrastructure) 2007 Campbelltown (Urban Area) Local Environmental Plan 2002 – Zone 10(c) Local Comprehensive Centre Zone Campbelltown (Sustainable City) Development Control Plan 2012
Date Received	4 March 2014

History

A development application was lodged with Council in March 2005 for the conversion of squash courts located on the subject land to an educational establishment. Council at its meeting on 15 November 2005 approved the development application subject to conditions (development consent 1197/2005/DA-C).

Enrolment at the educational establishment was limited by a condition of consent to 150 students between kindergarten and year 6 only.

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

The approved development included the use of the school's multi-purpose hall for social functions, religious ceremonies, wedding receptions and the like subject to a maximum of 150 persons and only during limited times.

A condition of consent required that a new development application be lodged should the school seek to increase the student population and/or introduce a secondary school population. Development application 2073/2008/DA-C was lodged in August 2008 to accommodate the school's intention to increase student numbers to 250 and introduce years 7 and 8.

Development consent 2073/2008/DA-C permitting the increase in student numbers to 250 and introducing years 7 and 8 was approved by Council at its Ordinary Meeting of August 2009. Condition 8 required a separate consent to increase to years 9 and above.

Notwithstanding the limited consent issued by Council, the school has continued to grow, and currently provides education for up to Year 12 and now has 486 students enrolled. This development application (made by the new operators of the school) seeks to regularise the unlawful expansion of the school in non-compliance with Condition 8 of 2073/2008/DA-C and seeks approval to continue to operate with a maximum student population of 600 students.

This application was originally for an increase up to 700 students. The application is now seeking a maximum of 600 students based on limitations to the site having regard to access and car parking.

Report

Introduction

Council has received a development application seeking an increase in student numbers from 250 students to 600 students and to introduce Years 9, 10, 11 and 12.

The proposed facility is located on land within a 10(c) Local Comprehensive Centre Zone, accessible from Benham Road and Kitson Place, Minto and adjoins 'The Grange' Public Primary School.

There is no construction works proposed with this development application.

The Site

The land has an area of 4,582 square metres and is located behind the multi dwelling development located at No.14 Benham Road, Minto. Access is a one way arrangement via Benham Road with vehicular traffic exiting via Kitson Place.

A number of school buildings and facilities exist on the land including classrooms, a multi-purpose hall, office and amenities. The land contains 73 informal car parking spaces as well as kiss-and-ride zone for 4 cars.

The western boundary of the subject land adjoins 'The Grange' Public Primary School, which uses the land to the north of the subject land as that school's playing fields. The eastern boundary of the land fronts Kitson Place. No.14 Benham Road is located to the south of the subject land, upon which are erected nineteen, two-storey multi dwelling units.

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

The Proposal

The proposed development seeks to increase the number of students at the school from 250 to 600 and introduce Years 9, 10, 11 and 12. Development application 2073/2008/DA-C was approved by Council at its Ordinary Meeting in August 2009 which included a condition limiting the number of students to 250 and only permitted to school to operate from Kindergarten to Year 8.

The proposed new break down of students is the following:

- Kindergarten – 55 students
- Years 1 to 6 – 330
- Years 7 to 12 – 215

The school anticipates 42 staff members will be required when the school is operating at the maximum 600 students.

Assessment

The development has been assessed having regard to the matters for consideration prescribed under Section 79C of the Environmental Planning and Assessment Act 1979, and subsequently, the following issues have been identified for further consideration.

1. Vision

'Campbelltown 2025 Looking Forward' is a vision statement of broad town planning intent for the long term future of the City of Campbelltown. The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan (Local Environmental Plan) for the city. A desired outcome and a list of relevant focus areas are described for each strategic direction.

The subject application has been considered in accordance with Campbelltown 2025 – Looking Forward, and specifically against the strategic directions. In this respect, the following strategic directions are considered relevant for the subject application:

Growing the regional city; and
Creating education, employment and entrepreneurial opportunities.

The application is generally compatible with the above strategic directions. An increased level of local education and community services within the City is considered to be beneficial in facilitating its orderly development and operation, particularly with respect to satisfying the demands of the existing and future populations.

Some of the desired outcomes of Council's Vision include:

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

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

The development application been assessed having regard to *Campbelltown 2025 Looking Forward*. It is considered that the proposed increase in student numbers is not consistent with the relevant desired outcomes having regard to the existing school on the land.

2. Planning Provisions

2.1 State Environmental Planning Policy (Infrastructure) 2007

The proposal is defined as a "Schedule 3" development pursuant to State Environmental Planning Policy (Infrastructure) 2007, as the existing school would accommodate more than 50 children. This requires Council to refer the application to the Roads and Maritime Services (RMS) pursuant to Section 104 of SEPP (Infrastructure) 2007 for comment. Furthermore Council is unable to determine the application until it has received and considered advice from the Authority.

The Sydney Regional Development Advisory Committee (SRDAC) considered the traffic impact of the proposal on behalf of the RMS. The SRDAC has provided written advice to Council stating they raised no objection to the development application.

'Division 3 Educational Establishments' within State Environmental Planning Policy (Infrastructure) 2007 has also been considered in the assessment of the propose development. More specifically 'Section 31 Exempt Development' and 'Section 32 Determination of Development Applications', of this Policy, apply to the proposal. It is considered that the proposed development subject of this application is not inconsistent with the requirements of those standards.

2.2 Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP)

The land is located within the 10(c) Local Comprehensive Centre zone. The proposal is defined as an '*educational establishment*' and is permissible with Council's development consent. The 10(c) zone objectives are:

- (a) To provide conveniently located land for a range of shops, commercial premises and professional services that are of domestic scale and compatible with residential development in order to serve the needs of local neighbourhoods, and
- (b) To provide opportunities for local employment, and
- (c) To accommodate a range of activities required in the locality, but which are not appropriate on land in Zone 2(b), and
- (d) To encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail commercial and service facilities.

The proposed development is considered to be inconsistent with the relevant zone objectives (b) and (c). Clause 30 of CLEP requires Council to only grant development consent where the proposal is consistent with one or more objectives of the zone. In that regard, Council may approve the application.

2.3 Campbelltown (Sustainable City) Development Control Plan (SCDCP)

Campbelltown (Sustainable City) Development Control Plan (SCDCP) applies to the subject land. The aims of the SCDCP are:

- Ensure that the aims and objectives of any relevant EPI including Campbelltown's LEPs and IDOs are complemented by the Plan;
- Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development;
- Facilitate innovative development of high quality design and construction in the City of Campbelltown;
- Ensure that new development maintains or enhances the character and quality of the natural and built environment;
- Ensure that new development takes place on land that is capable of supporting development;
- Encourage the creation of safe, secure and liveable environments;
- Ensure that new development minimises the consumption of energy and other finite resources, to conserve environmental assets and to reduce greenhouse gas emissions; and
- Provide for a variety of housing choices within the City of Campbelltown.

It is considered that the proposed development is consistent with the relevant aims of the SCDCP.

The assessment against the relevant components of Part 2 Requirements Applying to all Types of Development of the SCDCP 2012 is outlined below:

2.3.1 Views and Vistas

There are no proposed works that are subject to this development application and therefore, it is considered that the proposed development will not have a detrimental impact on views and vistas and not have a negative impact on the amenity of residents in the locality in this regard.

2.3.2 Sustainable Building Design

Sustainable building design has been considered in the assessment of previous development applications involving building works. No building works are proposed as part of the application.

2.3.3 Landscaping

The proposed development does not require additional landscaping to be provided on the land, however additional landscaping will be provided at the entry and exit of the site to screen vehicle parking areas.

2.3.4 Erosion and Sediment Control

An erosion and sediment control plan is not required in this instance as no construction works are proposed.

2.3.5 Heritage Conservation

The land does not contain an item of heritage significance and is not located within a heritage conservation area or precinct.

2.3.6 Waste Management

The existing waste management processes would continue at the school as per previous development consents.

3. Planning and Environmental Impacts

Section 79C(1)(b) of the Act requires Council to consider the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

3.1 Noise

The proposed development has considered the potential impact of noise generated by the proposed development. Adjoining the subject site is 'The Grange' Public Primary School to the west, a multi dwelling development to the south, open space to the east and north and residential dwellings to the east fronting Kitson Place.

The applicant has submitted an acoustic report prepared by SLR Global Environmental Solutions with the application, which assesses the potential noise impacts associated with the proposal.

The following noise issues have been identified as being relevant in the context of additional students at the school:

- Noise from the access road and car parking area to nearby residences; and
- Noise from school activities associated with the increase in student numbers

The SCDP makes no specific reference to noise emissions however Council has previously required development to comply with the requirements of the *Protection of the Environment Operations Act 1997* and associated Regulations.

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

Further, there are no specific or published standards that relate to the control or assessment of noise emissions from educational establishments. The Environment Protection Authority's 'Industrial Noise Policy' is not intended to be applicable to schools however continuous noise emissions associated with the project such as those from mechanical plant, classrooms, outdoor play areas and car park operations may be considered similar to that generated by light industrial or commercial premises and it is considered reasonable to consider those noise sources in the context of the Industrial Noise Policy in the absence of any other relevant standards.

SLR states that noise emitted from students engaged in outdoor activity is unlikely to achieve a 'background +5 dBa' criterion at the site boundary. This is not uncommon across educational establishments, particularly if students are located near the boundary, and as is often the case, in close proximity to residential areas – given that schools form an integral part of residential communities.

The acoustic report prepared by SLR concludes that "there will be no appreciable change in the maximum noise levels received at surrounding residences that are in close proximity to the existing school, as a result of the additional student numbers on the outdoor playground area".

Given the school's hours of operation, locality and proximity to residences, it is considered unlikely that the increase in student numbers would have any significant and additional adverse impact on the amenity of the locality.

3.2 Traffic, Parking and Access

The applicant has submitted an Assessment of Traffic and Parking Implications Report, prepared by Transport and Traffic Planning Associates that assess the traffic and parking implication of the proposal to increase the student numbers to 600 and staff of 42.

The report considers the proposed school population on the road network, traffic controls, traffic flows (both in and out of the school and surrounding road network), bus and rail services, travel mode circumstances and parking.

The local and nearby road network as well as physical traffic controls, such as signage, speed limits, crossings and roundabouts, is considered suitable and not inadequate for the proposed increase in student numbers at the subject school.

The local traffic flows at the major access intersections in the area, as recorded by traffic surveys, have been provided in the submitted traffic and parking report. It is anticipated that the intersection capacity at the nearby intersections have sufficient environmental capacity in which to cater for the increase in student numbers at the school. The provision of public transport servicing the area is considered adequate to assist students arriving and leaving the school.

The proposed development will provide 73 car parking spaces plus four 'kiss-and-ride' spaces. Based on a maximum student population of 600 students and 42 employees, it is considered that 73 car parking spaces is acceptable in this instance.

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

The traffic and parking report concludes that:

- It is anticipated that there will be no unsatisfactory traffic implications;
- The existing provisions for vehicle setdown/pick up will be suitable; and
- The existing on-site parking provisions will continue to be adequate.

3.3 Suitability of the Site

Section 79C(1)(c) of the Act requires Council to consider the suitability of the site to accommodate the development.

The subject site was previously used as a squash court centre that had been converted to a school. The subject land continues to be used as an educational establishment.

Having regard to the absence of any significant environmental impacts that would likely result from the proposed development, it is considered that the site is suitable for the proposed development.

4. Public Participation

The proposed development was notified to adjoining and nearby land owners for a period of 14 days from 20 June 2014. The application was also publicly exhibited in the local newspapers for a period of 14 days between 24 June 2014 and 8 July 2014. During this period Council received 14 submissions objecting to the development as well as a petition containing 18 signatures.

The submissions objecting to the development are summarised below:

Concern: The proposed development will lead to an unacceptable increase in traffic in the locality.

Comment: The application and accompanying information, including the traffic report submitted with the development application, was referred to the RMS for comment. The RMS did not object to the proposed development.

Concern: Safety of school students due to speeding in area. Drivers do not adhere to 40 km/h speed limits. Drivers do not adhere to school crossings in the locality.

Comment: The matter of speeding drivers and vehicles not adhering to speed limits is not a relevant matter for consideration under Section 79C of the Act. These complaints should be referred to the police for action. However, in light of this information, it may be appropriate that the Council further investigate the opportunity for the provision of School Crossing Supervisor/s at the applicable crossing points.

Concern: The development would not benefit the local community and would be unsightly.

Comment: The proposed development is providing an educational choice for local residents. No building works are proposed with this development.

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

Concern: Parents picking up children block driveways.

Comment: The matters of vehicles blocking driveways and parking not in accordance with sign posts should be referred to Council's Rangers for observation and appropriate action.

Concern: The school is located in a small parcel of land and not suitable for a student increase. There is very little play area for students.

Comment: The Board of Studies does not provide guidelines to limit the number of students based a school sites' land area. The application has been assessed on merit and considered the school's ability to provide adequate classrooms and learning areas.

Concern: Increased number of students dropping rubbish in the locality when walking to and from school.

Comment: The matters of students dropping rubbish in the locality is not a relevant matter for consideration under Section 79C of the Act. These complaints should be directed to the school to discourage littering.

Concern: Students do not have adequate play area and would need to be transported to local sporting fields. This is a safety issue.

Comment: The Board of Studies does not provide guidelines having regard to the size of a school's play area and the number of students. It is the school's responsibility to ensure adequate safety when students travel to and from the school.

5. Conclusion

The subject development application is seeking an increase in student numbers as well as introducing Years 9, 10, 11 and 12. The current development consent the school is operating under limits the number of students to 250 and to provide education from Kindergarten to Year 8 only.

The school currently has 486 students and the subject development application is seeking to formalise the existing student numbers and allow for future growth to a maximum 600 students.

There are no building works subject to this development application.

The application has been referred to the RMS for comment in which they have raised no objections to the increase in student numbers, and consider the traffic increase would have a negligible impact on the surrounding road network.

The proposed increase in student numbers is considered not to have a significant adverse impact on the amenity of the locality.

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

The development is a permissible land use under CLEP 2002 and is generally consistent with the aims and objectives of SCDCP 2012. Having regard to the matters for consideration under Section 79C of the Act, it is considered the development as submitted can be supported by Council subject to conditions.

Officer's Recommendation

That development application 499/2014/DA-C for the increase in student numbers from 250 to 600 and introduction of Years 9, 10, 11 and 12 be approved subject to conditions contained in Attachment 1.

Committee Note: Ms Eldridge, Mr King and Ms Oddy addressed the Committee regarding the proposal.

Committee's Recommendation: (Thompson/Kolkman)

That a decision in this matter be deferred to allow for an inspection and a presentation on a future briefing evening.

CARRIED

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

Voting against the Committee's Recommendation: nil.

Council Meeting 29 July 2014 (Greiss/Mead)

That the Committee's Recommendation be adopted.

Amendment (Thompson/Lound)

1. That a decision in this matter be deferred to allow for an inspection and a presentation on a future briefing evening.
2. That all nearby neighbours be notified of the proposal to increase the student population of the school from 250 to 600.

Voting for the Amendment were Councillors: Borg, Brticevic, Dobson, Glynn, Hawker, Lake, Lound, Matheson, Oates and Thompson.

Voting against the Amendment were Councillors: Greiss, Kolkman, Mead and Rowell.

Council Resolution Minute Number 129

That the above amendment be adopted.

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

Voting against the Council Resolution: Nil.

ATTACHMENT 1

499/2014/DA-C

Recommended Conditions of Consent

GENERAL CONDITIONS

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

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

1. Approved Development

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

Plans prepared by Millennium Design Consultants Pty Ltd (project number 21305):

Drawing No. DA-01, dated 06.03.14

Plans prepared by CC Engineering P/L (Job No.0879):

Drawing Page No.P-L-1, Issue A, dated 30.06.2014

2. Enrolment

This development consent permits the enrolment of a maximum of 600 students between years Kindergarten and Year 12 inclusive. Any increase in enrolments above 600 students requires Council's separate development consent.

Prior to any further increase in students at the educational establishment, the applicant shall provide to Council a statement from a qualified traffic engineer and an as constructed car parking plan prepared by a registered surveyor confirming that the car parking and manoeuvring areas have been constructed in accordance with Australian Standards 2890.1 and 2 (as amended) and as that approved under this consent.

Prior to any further increase in students, a Parking and Traffic Plan of Management shall be developed by a suitably qualified traffic engineer and provided to the Council for its approval for the purpose of managing the parking of cars and movement of vehicles and pedestrians throughout the site during morning and afternoon peak hours.

The management of the movement of vehicles during peak periods is to be continually monitored. Where any need for an alteration to the Plan of Management is required, the applicant shall only make those changes with the approval of the Council.

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

3. Landscaping

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

4. Driveway

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

5. Unreasonable Noise

The development, including operation of vehicles in the car parking area, shall be conducted so as to avoid the generation of unreasonable noise and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from vehicles, warning sirens, public address systems and the like.

In the event of an adverse and undue noise related issue arising during operation of the school, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction to mitigate that impact of noise upon neighbours.

6. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the *Campbelltown (Sustainable City) DCP 2012 - Volumes 1 and 3*.

7. Car Parking Spaces

53 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended) prior to the school further increasing student numbers.

8. Amplifier/Loudspeaker

On any part of the land to which this consent applies or within any building on the land, the use of an amplifier/loudspeaker is permitted between 8.30am and 3.30pm Monday to Friday, only.

9. Rubbish/Recycling Bin Storage

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

The bin(s) shall only be stored in accordance with the existing approvals on the land.

ADVISORY NOTES

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

Advice 1. Provision of Equitable Access

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

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

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

Advice 2. Covenants

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

Advice 3. Adjustment to Public Utilities

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

Advice 4. Telecommunications Act 1997 (Commonwealth)

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

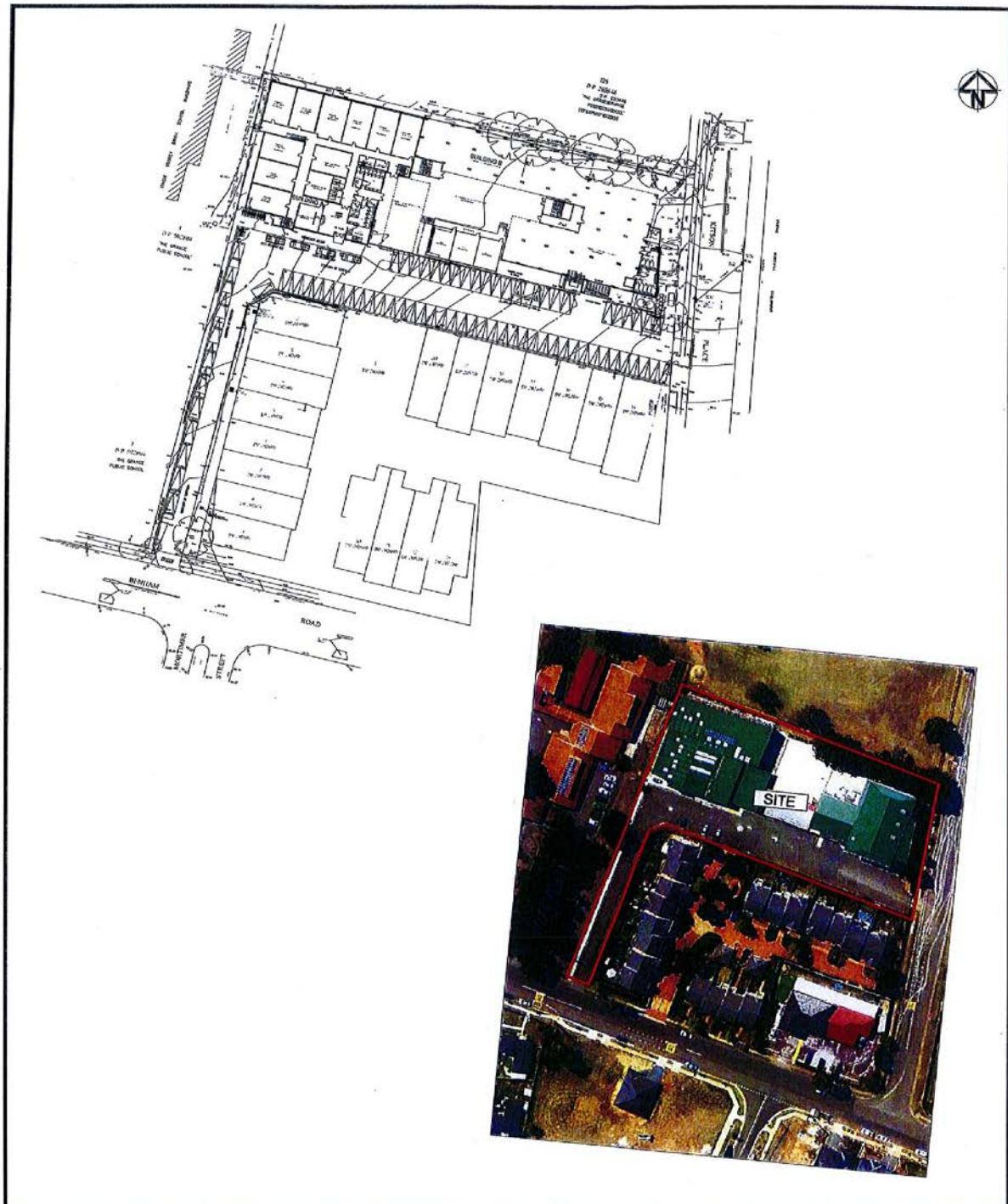
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity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

END OF CONDITIONS

ATTACHMENT 2

3.2 Proposal To Increase Student Population From 250 To 600 Students, At The Al-Faisal College - No.10 Benham Road, Minto

ATTACHMENT 3



SITE PLAN

SUBJECT:

PROPOSAL TO INCREASE STUDENT POPULATION
FROM 250 TO 600 AT AL-FAISAL COLLEGE.
LOT 1 DP 1193701 - No. 10 BENHAM ROAD, MINTO.

ATTACHMENT 4

4. COMPLIANCE SERVICES

4.1 Legal Status Report

Reporting Officer

Manager Compliance Services

Attachments

Nil

Purpose

To update Council on the current status of the Planning and Environment Division's legal matters.

Report

This report contains a summary of the current status of the Division's legal matters for the 2013-2014 period as they relate to:

- The Land and Environment Court
- The District Court
- The Local Court
- Matters referred to Council's solicitor for advice.

A summary of year-to-date costs and the total number of matters is also included.

1. Land and Environment Court Class 1 Matters – Appeals Against Council's Determination of Development Applications
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Total ongoing Class 1 DA appeal matters (as at 8/07/2014)	0
Total completed Class 1 DA appeal matters (as at 8/07/2014)	5
Costs from 1 July 2013 for Class 1 DA appeal matters:	\$59,900.97

2. Land and Environment Court Class 1 Matters – Appeals Against Council's issued Orders / Notices

Total ongoing Class 1 Order/Notice appeal matters (as at 8/07/2014)	1
Total completed Class 1 Order/Notice appeal matters (as at 8/07/2014)	0
Costs from 1 July 2013 for Class 1 Order/Notices appeal matters:	\$1,450.00

2 (a) Abdulhalim ELBAF & Amne ELBAF

Issue: Appeal against Council's Order 2 given under section 121B of the Environmental Planning and Assessment Act 1979 requiring the building works, the subject of a disputed complying development certificate comprising a partly constructed residential dwelling and outbuilding and associated retaining walls, on the property be demolished.

Property: Lot 1 DP 1039153 Zouch Road, Ingleburn.

Property Owner: Mr. Abdulhalim Elbaf and Mrs Amne Elbaf

Council File: No. 801/2013/N-EPA

Court Application: Filed on 6 December 2013 - File No. 10954 of 2013

Applicant: Abdulhalim Elbaf and Amne Elbaf

Costs Estimate: \$10,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

Costs to date: \$1,450.00

Status: Ongoing – listed for mention on 25 July 2014

Progress: The Applicants have filed an appeal in the Land and Environment Court of NSW against Council's Order 2 given under section 121B of the Environmental Planning and Assessment Act 1979 requiring the building works, the subject of a disputed complying development certificate comprising a partly constructed residential dwelling and outbuilding and associated retaining walls, on the property be demolished.

The appeal was before the court for first mention on 16 January 2014, where by consent, the proceedings were adjourned to 14 February 2014 for call over, in order to bring all three Class 1 appeal matters together and thereby give priority to Class 4 review matter of the disputed Complying Development Certificate listed under item 3(a) of this report.

On 14 February 2014 the Court, by consent, adjourned the proceedings to 4 April for directions hearing.

On 4 April 2014 the Court gave certain procedural directions and adjourned the proceedings to 16 and 17 June for hearing.

On 16 June 2014 the Court, by consent, granted the Applicant's application to vacate the hearing dates, pending determination by Council of a fresh DA No. 1138/2014/DA-M for the proposed development comprising the completion of construction of a partly built attached dual-occupancy, fencing, retaining walls, driveways and landscaping. The Court gave certain procedural directions and adjourned the proceedings to 25 July 2014 for mention.

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

Total ongoing Class 4 matters before the Court (as at 8/07/2014)	2
Total completed Class 4 matters (as at 8/07/2014)	1
Costs from 1 July 2013 for Class 4 matters	\$56,352.10

3 (a)

Abdulhalim ELBAF & Amne ELBAF

Issue: Appeal seeking judicial review of disputed complying development certificate No. CDC 0455/12 issued by the private certifier for the development comprising a residential dwelling and residential outbuilding and associated site works, on the property.

Property: Lot 1 DP 1039153 Zouch Road, Ingleburn.

Property Owner: Mr. Abdulhalim Elbaf and Mrs Amne Elbaf

Council File: No. 2491/2012/CDCPRI

Court Application: Filed on 24 December 2013 - File No. 41030 of 2013

Applicant: Abdulhalim Elbaf and Amne Elbaf

Costs Estimate: \$10,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

Costs to date: \$17,438.62

Status: Ongoing – listed for mention on 25 July 2014.

Progress: The Applicants have filed an appeal in the Land and Environment Court of NSW seeking judicial review of disputed complying development certificate No. CDC 0455/12 issued by the private certifier for the development comprising a residential dwelling and residential outbuilding and associated site works, on the property.

At the first mention on 7 February 2014 the proceedings were adjourned to 14 February for directions hearing.

On 14 February 2014, the Court, by consent, adjourned the proceedings to 4 April 2014 for directions hearing.

On 4 April 2014 the Court gave certain procedural directions and adjourned the proceedings to 16 and 17 June for hearing.

On 16 June 2014 the Court, by consent, granted the Applicant's application to vacate the hearing dates, pending determination by Council of a fresh DA No. 1138/2014/DA-M for the proposed development comprising the completion of construction of a partly built attached dual-occupancy, fencing, retaining walls, driveways and landscaping. The Court gave certain procedural directions and adjourned the proceedings to 25 July 2014 for mention.

3 (b)

John Frank GALLUZZO

Issue: The Land and Environment Court NSW granted conditional development consent No. 610/2004/DA-C on 25 September 2005 for a childcare centre at 1 Blomfield Road, Denham Court. Conditions 15 and 19 of the consent required the respondent to construct a Type B intersection at the intersection of Campbelltown Road with Blomfield Road, Denham Court. To date the respondent has failed to fully comply with the consent.

Property: Pt Lot 101 DP 602622, 1 Blomfield Road, Denham Court.

Property Owner: Mr. John Frank Galluzzo

Council File: Development Application No: 610/2004/DA-C

Court Application: Filed on 25 March 2014 - File No. 40179 of 2014

Respondent: John Frank Galluzzo

Costs Estimate: \$15,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

Costs to date: \$6,708.40

Status: Ongoing – listed for further directions hearing on 4 July 2014.

Progress:

On 25 March 2014 Council issued a summons seeking declarations and orders of the Court that the respondent comply with conditions 15 and 19 of Court issued development consent No. 610/2004/DA-C relating to the construction of a Type B intersection at the intersection of Campbelltown Road and Blomfield Road, Denham Court.

The matter was before the Court for first mention on 24 April 2014 where counsel for the respondent sought an adjournment until after 2 June, as the respondent was overseas attending to his seriously ill wife. Council informed the Court that it was aware that the respondent and the childcare centre proprietor had been conferring about the submission of a modification application to development application No: 610/2004/DA-C seeking consent for a revised intersection installation at the corner of Blomfield and Campbelltown Roads and an increase in the centre enrolment numbers from 74 to 90 children. Having regard to the long history of this matter and the safety concerns raised by the respondents failure to comply with the conditions of the original consent requiring construction of the subject intersection, Council made submissions that the Court direct the respondent progress the preparation and submission of the development application during the period of any adjournment granted. The Court agreed and made directions accordingly and adjourned the proceedings to 13 June 2014 for further directions hearing.

On 13 June 2014 the Respondent notified the Court of his intention to file a fresh DA, which is intended to remedy the breach of the existing consent. Council noted its concerns regarding the ongoing safety issues pertaining to the existing intersection at Campbelltown and Blomfield Roads and its desire to amend the original summons to join the Childcare Centre operator. The Court gave certain procedural directions and adjourned the proceedings to 4 July 2014 for further directions hearing.

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

Total ongoing Class 5 matters before the Court (as at 8/07/2014)	0
Total completed Class 5 matters (as at 8/07/2014)	0
Costs from 1 July 2013 for Class 5 matters	\$0.00

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

Total ongoing Class 6 matters (as at 8/07/2014)	0
Total completed Class 6 matters (as at 8/07/2014)	0
Costs from 1 July 2013 for Class 6 matters	\$0.00

6. District Court – Matters on Appeal from lower Courts or Tribunals not being environmental offences

Total ongoing Appeal matters before the Court (as at 8/07/2014)	0
Total completed Appeal matters (as at 8/07/2014)	1
Costs from 1 July 2013 for District Court matters	\$795.00

7. Local Court prosecution matters

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

Total ongoing Local Court Matters (as at 8/07/2014)	4
Total completed Local Court Matters (as at 8/07/2014)	33
Costs from 1 July 2013 for Local Court Matters	\$2,200.00

File No: LP05/14 – Penalty Notice Court Election
Offence: Stop in bus zone – School Zone
Act: *Road Rules 2008*

Final Costs: \$0.00

Status: Completed.

Progress: The matter was before the Court for plea/mention on 24 June 2014 where, by consent, Council made application for the charge to be withdrawn and dismissed (prior to the proceedings the defendant made representation concerning the circumstances of the offence - stopped vehicle for a short time to allow a frail elderly person easier access to their appointed destination) accordingly, the Magistrate granted Council's application. Council has issued a written caution to the defendant.

File No: LP09/14 – Penalty Notice Court Election
Offence: Stop on/near children’s crossing – School Zone
Act: *Road Rules 2008*

Final Costs: \$0.00

Status: Completed.

Progress: The matter was before the Court for mention on 27 May 2014 where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved and ordered that the charge be dismissed without conviction or penalty under section 10(1)(a) of the Crimes (Sentencing Procedure) Act 1999.

File No: LP10/14 – Penalty Notice Court Election
Offence: Stand vehicle in disabled persons parking space without authority
Act: *Local Government Act 1993*

Final Costs: \$0.00

Status: Completed.

Progress: The matter was before the Court for mention on 27 May 2014 where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved and ordered that the charge be dismissed without conviction or penalty under section 10(1)(a) of the Crimes (Sentencing Procedure) Act 1999.

File No: LP11/14 – Penalty Notice Court Election
Offence: Disobey No Stopping sign
Act: *Road Rules 2008*

Final Costs: \$0.00

Status: Completed

Progress: Matter was before the Court for first mention on 24 June 2014 where the defendant, Md Golam Kibria, did not appear. The Magistrate granted Council's application for the matters to proceed in the defendant's absence, and after hearing the evidence and submissions, found the offences proved and convicted the defendant imposing a \$400 fine and \$85 Court costs.

File No: LP12/14 – Penalty Notice Court Election
Offence: Not comply with written direction
Act: *Swimming Pools Act 1992*

Final Costs: \$0.00

Status: Completed.

Progress: The matter was before the Court for mention on 27 May 2014 where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved and ordered that the charge be dismissed without conviction or penalty under section 10(1)(a) of the Crimes (Sentencing Procedure) Act 1999.

File No: LP13/14 – Penalty Notice Court Election
Offence: Stand on path/strip in built-up area
Act: *Road Rules 2008*

Costs to date: \$0.00

Status: Ongoing.

Progress: The matter was before the Court for mention on 24 June 2014 where the defendant entered a not guilty plea. The proceedings were adjourned to 31 July 2014 for defended hearing.

File No: LP14/14 – Penalty Notice Court Election
Offence: Disobey no stopping sign – School Zone
Act: *Road Rules 2008*

Costs to date: \$0.00

Status: New matter.

Progress: Listed for first mention on 8 July 2014.

File No: LP15/14 – Penalty Notice Court Election
Offence: Not register company animal – not dangerous or restricted dog
Act: *Road Rules 2008*

Costs to date: \$0.00

Status: New matter.

Progress: Listed for first mention on 22 July 2014.

File No: LP16/14 – Penalty Notice Court Election
Offence: Not stand vehicle in marked parking space
Act: *Local Government Act 1993*

Costs to date: \$0.00

Status: New matter.

Progress: Listed for first mention on 22 July 2014.

9. Legal Costs Summary		
The following summary lists the Planning and Environment Division's net legal costs for the 2013/2014 period.		
Relevant attachments or tables	Costs Debit	Costs Credit
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$59,900.97	\$0.00
Class 1 Land and Environment Court - appeals against Orders or Notices issued by Council	\$1,450.00	\$0.00
Class 4 Land and Environment Court matters - non-compliance with Council Orders, Notices or prosecutions	\$56,352.10	\$0.00
Class 5 Land and Environment Court - pollution and planning prosecution matters	\$0.00	\$0.00
Class 6 Land and Environment Court - appeals from convictions relating to environmental matters	\$0.00	\$0.00
Land and Environment Court tree dispute between neighbours matters	\$0.00	\$0.00
District Court appeal matters	\$795.00	\$0.00
Local Court prosecution matters	\$2,200.00	\$2,481.01
Matters referred to Council's solicitor for legal advice	\$31,755.90	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$0.00	\$0.00
Costs Sub-Total	\$152,453.97	\$2481.01
Overall Net Costs Total (GST exclusive)	\$149,972.96	

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Rowell/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 29 July 2014 (Greiss/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 128

That the Officer's Recommendation be adopted.

4.2 Fundraising Event or Activity Requirements for Charitable and Not-For-Profit Organisations

Reporting Officer

Manager Compliance Services

Attachments

Nil

Purpose

To advise of Council requirements and processes that apply to not-for-profit and charitable organisations that conduct public activities and fundraising events in Campbelltown.

History

A recommendation was adopted at the Ordinary Meeting of Council held on 11 March, 2014 that a report be presented detailing Council regulations, forms and processes that not-for-profits and charities are typically required to complete to run public activities and fundraisers in Campbelltown. The report shall also include:

- i. Aspects such as cost, required notice time/typical time to approve, and whether such regulations are mandated by law or at the discretion of Council.
- ii. Suggestions for ways that Council could streamline its processes and regulation to reduce any burden on charities/not-for-profits operating in Campbelltown.

Report

Provisions under the *Local Government Act 1993* ("the Act") provide Councils with the framework to permit a "person" to carry out certain activities as prescribed under section 68 of the Act or Regulations.

Section 68 of the Act states that a person may carry out an activity specified only with the prior approval of the Council unless a local "approvals" policy adopted under part 3 allows the activity to be carried out without approval. As there is no "approvals" policy in place, approval is required to engage in a trade or business, (ie fundraising activities) or provide entertainment (ie events) on community land.

4.2 Fundraising Event Or Activity Requirements For Charitable And Not-For-Profit Organisations

Council presently has an adopted Trading in Public Places Policy in place (not being a policy adopted under part 3 of the Act), to control trading in public places throughout the city. Trading is defined within the Policy as selling and includes to barter, trade, offer, display for sale/auction any article, including the distribution of pamphlets or the collection of donations. The Policy permits non-profit charities and community groups to submit an application to Council for approval to carry out an activity.

Charities and not-for-profit community groups regularly apply to Council to conduct a range of activities including information and fund raising stalls, food stalls and outdoor events with entertainment and fireworks displays. Depending on the type of activity or event proposed, there are three categories these events may fall into. Consideration for approval of activities is based primarily on risk and are defined into the following categories:

Street Stalls

Street stalls are generally low risk activities conducted by organisations seeking to raise funds through product sales or donations or to provide information in support of their cause from a single stand or stall. They are permitted to operate from 9.00am - 2.00pm each day. Council has three dedicated areas where street stalls can be set up.

1. Lithgow Street Mall, Campbelltown
2. Queen Street, Campbelltown - adjacent to Campbelltown Mall
3. Oxford Road, Ingleburn - outside Westpac Bank.

Applications for street stalls are made by a letter of request to Council, listing the activities proposed and must provide details of Public Liability Insurance cover (currently a minimum of \$10 million required). Each community group or organisation is permitted one stall booking per month. Street stall bookings are coordinated by Council's Customer Service Centre and applications are required to be submitted a minimum of four weeks prior to the event (dependant on availability). No application or booking fee is applicable.

Applicants are required to operate only within the designated areas provided at each stall location.

Casual or Special Use of a Park

Applies to small, moderate risk activities occupying an area of a park or reserve. It may include information stalls, moderate risk activities such as fundraising BBQs, packaged food stalls or jumping castles, face painting, pet farms etc and may cater for up to 200 people.

Activities in this category are deemed a medium risk. An application form is required to be submitted outlining the proposed activities. Public Liability Insurance is required by activity organisers and participants providing services, (eg: jumping castle, stall holders, equipment providers etc.)

These applications are managed by Council's Customer Service Centre and referred to Compliance Services and Business Assurance Sections for comments on food hygiene, risk and insurance requirements as applicable. Applications are required to be submitted 4-6 weeks prior to the activity (availability and assessment period). No application fee is applicable. A ground hire fee may be applicable for sporting grounds.

4.2 Fundraising Event Or Activity Requirements For Charitable And Not-For-Profit Organisations

Outdoor Event

This category applies to higher risk events in parks, reserves or public places and may include firework displays, road closures, amplified music and staged performances, multiple stalls for sales of items and food and may include the erection of marquees, stages, stalls, portable toilets, amusement rides etc.

These events generally involve a number of agencies or businesses that provide goods or services to the event and may attract several thousands of visitors or attendees.

A significant amount of information is to be submitted with the standard application form to Council for assessment. An event guideline sets out the criteria for the assessment which includes event details, such as:

- Traffic management
- Event security/crowd control
- Lighting
- Noise control
- Risk assessment (event/fireworks display)
- Insurance documentation
- Evacuation plan
- Food stalls and hygiene control
- Waste management.

Applications for these events are managed by Council's Compliance Services Section. Application referrals are forwarded to Business Assurance, Traffic, Waste Services and Operations to assess different aspects of an event such as event set up, traffic control, road closures, waste management, insurance, risk assessment etc. Applications are required to be submitted a minimum of six weeks prior to the event (longer if road closures are involved) and an event approval application fee of \$180.00 applies. This fee can be waived for charitable/not-for-profit organisations upon written request. A ground hire fee also applies for sporting grounds.

Council's regulations and approval processes relating to street trading activities, including those conducted by charitable and not-for-profit organisations are currently under review as part of a proposed new Street Trading Policy. The range of permissible activities could be broadened under the policy to include additional activities such as busking, street performance and stalls conducted by commercial operators.

The approval process for events conducted on community land would not be affected. In terms of streamlining and simplifying processes it is considered the proposed street trading policy will put in place a single and consistent approval process for all street trading approved under the permit.

4.2 Fundraising Event Or Activity Requirements For Charitable And Not-For-Profit Organisations

For event approvals the current approval process is required to ensure higher risk activities have suitable controls in place to manage associated risks and amenity impacts. Consideration is also being given to approvals for recurring events whereby approvals for specified recurring events could be issued for terms of up to five years (as opposed to each time the event is conducted), avoiding the need for annual event applications to be made and annual event approvals to be issued. This process would rely on the event organiser submitting updated documentation such as insurance renewals on an annual basis during the term of approval, however would streamline the event approval/application process for annual events.

Officer's Recommendation

That Council address matters raised in the above report as part of the current review of the Trading in Public Places Policy.

Committee's Recommendation: (Oates/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 29 July 2014 (Greiss/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 128

That the Officer's Recommendation be adopted.

5. GENERAL BUSINESS

5.1 Cost benefits to upgrade lighting within the Campbelltown LGA

Councillor Oates noted that there is currently a program underway to upgrade the lighting within the Wollongong Local Government Area to use light-emitting diode (LED) lights. Councillor Oates noted that the program is still in its early stages however reports have indicated that the cost savings have been extremely beneficial. Councillor Oates requested that a report be presented investigating the feasibility and cost benefits of replacing the existing lighting within the Campbelltown Local Government Area with LED lighting.

Committee's Recommendation: (Oates/Kolkman)

1. That Council investigate the feasibility and cost benefits of replacing the existing lighting within the Campbelltown Local Government Area with LED lighting.
2. That Council discuss with Endeavour Energy the possible programs available to change street lighting within the Local Government Area to LED lighting.
3. That a report be presented to Council.

CARRIED

Council Meeting 29 July 2014 (Greiss/Mead)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 128

That the Committee's Recommendation be adopted.

5.2 Badgally Road and Eagle Vale Drive

Committee's Recommendation: (Greiss/Kolkman)

That a report be presented to the Council meeting to be held 29 July 2014 providing information on the costs associated with the upgrade to Badgally Road and Eagle Vale Drive.

CARRIED

Council Meeting 29 July 2014 (Oates/Kolkman)

That item 12.1 - Upgrade to Badgally Road and Eagle Vale Drive of the Director Planning and Environment be brought forward and dealt with in conjunction with item 5.2 - Badgally Road and Eagle Vale Drive.

WON and became part of the Motion.

Council Meeting 29 July 2014 (Greiss/Mead)

That the Committee's Recommendation be adopted.

Amendment (Greiss/Oates)

That Council write to all Local, State and Federal Members asking for their support in supplying appropriate urgent funding for this project.

Council Resolution Minute Number 128

That the above amendment be adopted.

5.3 Partnerships with UWS and TAFE

Committee's Recommendation: (Greiss/Rowell)

That a report be presented investigating possible further partnerships between Council and the University of Western Sydney Campbelltown and Campbelltown TAFE.

CARRIED

Council Meeting 29 July 2014 (Greiss/Mead)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 128

That the Committee's Recommendation be adopted.

Confidentiality Motion: (Thompson/Rowell)

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Committee's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

CARRIED

18. CONFIDENTIAL ITEMS

18.1 Confidential Report Directors of Companies

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

There being no further business the meeting closed at 8.21pm.

G Greiss
CHAIRPERSON
