

REPORTS FROM OFFICERS

8. REPORT OF GENERAL MANAGER

No reports this round

9. REPORT OF DIRECTOR BUSINESS SERVICES

9.1 Progress Report: Amounts Expended on Providing Facilities and Payment of Expenses - Mayor, Deputy Mayor and Councillors December 2015 and January 2016

Attachments

Nil

Report

On 15 September 2015, Council reviewed its policy concerning payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors.

Section 217 (a1) of the *Local Government (General) Regulation 2005* requires councils to include additional information for inclusion in annual report:

- (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
 - (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs)
 - (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes
 - (iii) the attendance of councillors at conferences and seminars

- (iv) the training of councillors and the provision of skill development for councillors
- (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses
- (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses
- (vii) the expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions.

These expenses are calculated on a monthly basis and reported to Council. Expenses for the month of December 2015 and January 2016 were as follows:

Expenses

1.	Training Seminars and Conferences Cost for December 2015 and January 2016.	\$15,241
2.	Staff Personal Secretary for the Mayor on a shared basis with the General Manager, together with Receptionist shared with Corporate Services. Apportioned cost for December 2015 and January 2016.	\$10,093
3.	Stationery and Postage Cost of Mayoral and Councillors' stationery, business cards and postage expenses. Approximate cost for December 2015 and January 2016.	\$9
4.	Periodicals Cost of annual subscriptions. Cost for December 2015 and January 2016.	\$119
5.	Meals Provision of meals in conjunction with Council and Committee Meetings and Inspections. Cost for December 2015 and January 2016.	\$1324
6.	Refreshments Provision of refreshments in the Mayor's Suite and Councillors' Lounge and Civic Receptions. Cost for December 2015 and January 2016.	\$2820
7.	Insignia of Office Replacement costs Mayoral robes, chain, badge and name plates. Cost for December 2015 and January 2016.	\$220

8. **Travelling Expenses for Use of Private Vehicle**
Reimbursement of travelling expenses on authorised Council business. \$57
Claims submitted for December 2015 and January 2016.

Provision of Facilities

1. **Accommodation**
Office located on the Third Floor of the Administration Building - costs are \$10,290
included in total maintenance and operating expenses of the Administration
Building and apportioned on an area basis (3.5%). Cost for December 2015
and January 2016.
2. **Communication System**
Mobile telephone, personal computer or a laptop, personal digital assistant \$2590
and combined printer, copier, scanner, facsimile machine and telephone
answering machine provided for the Mayor and Councillors.
Cost of equipment for December 2015 and January 2016 in accordance
with Councillors Policy.
3. **Office Equipment**
Facsimile machines, photocopier and telephone facilities for the Mayor and \$1842
Councillors at the Civic Centre. Cost for December 2015 and January 2016.
4. **Council Vehicle**
Costs associated with the use of Council vehicles by the Mayor and \$1279
Councillors on authorised Council business. All usage is subject to the
prior approval of the Mayor. Cost for December 2015 and January 2016.
5. **Internet Facilities**
Costs associated with the provision of internet facilities in accordance with \$3165
Council's Policy. Cost for December 2015 and January 2016.

The total cost for the payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors for December 2015 and January 2016 amounted to \$49,049.

Officer's Recommendation

That the information be noted.

Council Meeting 16 February 2016 (Borg/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 16

That the Officer's Recommendation be adopted.

9.2 Reports Requested

Attachments

Status list of reports requested (contained within this report)

Report

Attached for the information of Councillors is a status list of reports requested of Council as at 15 December 2015.

Officer's Recommendation

That the information be noted.

Council Meeting 16 February 2016 (Lake/Thompson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 17

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Reports Requested as at 15 December 2015

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
03.06.14 BT 3859092	CS3.5 - That a report be provided examining the feasibility of establishing an 'artist walk' as part of the new street scape in Queen Street, Campbelltown. Comment: proposal cannot be undertaken until City Works report on footpath upgrades is completed.	CS	March 2016
29.7.14 PL 3934158	CG3.3 - Report identifying alternative methods for managing the hire of Council's sporting fields. Comment: Sport and Recreation plan currently being commissioned.	CS	April 2016
24.04.15 MO 4275729	CS2.1 - That a further report be provided to Council: <ul style="list-style-type: none"> • outlining the National Disability Insurance Scheme transition process once this information becomes available. • on the Regional Assessment Service once details on the funding and service requirements are available. Comment: awaiting further information from the federal government to complete a detailed report back to Council.	CS	April 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
18.08.15 PH 4439247	CW1.4 - That a further report be tabled for Council consideration upon completion of the specialist consultant's investigations on possible large scale reforms to the street lighting network and on the option of converting the complete network to an LED solution and possible Council ownership of the network. Comment: Report drafted, awaiting briefing date.	CW	April 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
18.6.13 PL 3450946	CG3.1 - Further report following expressions of interest on the ground lease in Blaxland road. Comment: Currently reviewing draft lease and obtaining information requested by agents.	BS	June 2016
29.7.14 PL 3934173	CG2.2 - Further report prior to entering into a licence agreement for the provision of a coffee cart operation within the Campbelltown Civic Centre building. Comment: Undertaking an amended marketing campaign through an agent for a café opportunities on Council land.	BS	April 2016
14.10.14 RK 4033794	CG2.3 - 4. That a further report will be submitted to Council once a draft VPA/Infrastructure Services Delivery Plan (ISDP) have been finalised which will deal with the compulsory acquisition/land transfer issues concerning the whole of the Claymore Urban Renewal Project. Comment: Still in the process of finalising the VPA/ISDP with Urban Growth. Currently awaiting response from Urban Growth.	BS	March 2016
17.02.15 PH 4188336	CG2.1 - That Council note the information contained in this report and that a further report be submitted to Council once the Roads and Maritime Services has made an offer for the compulsory acquisition of the land. Comment: RMS has indicated it will compulsorily acquire the land. This is a 6-9month process.	BS	June 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
13.12.11 BT 3421776	2.4PE - Further Report detailing the outcome of all submissions received as a result of the public exhibition of all Menangle Park documentation. Comment: discussions between the General Manager and State Government regarding infrastructure are yet to occur.	PE (EP)	March 2016
13.12.11 RK 3421767	2.5PE - Report following the exhibition period detailing all submissions and the outcomes of the exhibition - Draft Macarthur Precinct DCP. Comment: Placed on hold pending the outcome of Glenfield-Macarthur Urban Renewal Corridor.	PE (EP)	April 2016
5.6.12 RK 3068270	PE5.2 - Report outlining the role, procedures and limits of authority of the Land and Environment Court in so far as they affect amendments to development applications made as part of the Court proceedings. Comment: further information is being investigated and considered.	PE (DS)	April 2016
18.6.13 RK 3451045	PE2.4 - Report identifying what impact the creation of the Local Land Services will have on the Campbelltown LGA. Comment: Rating structure report not yet released by Government.	PE (EP)	April 2016
16.7.13 RK 3483315	PE4.1 - Further report to review implementation of the draft Swimming Pool Barrier Inspection Program including the cost and resourcing implications after 12 months of the programs implementation. Comment: Trial completed mid December 2014, information being collated. Additional time required to assess impact of the implementation of the provisions of the <i>Swimming Pools Act 1992</i> requiring pool owners to obtain a Certificate of Compliance before selling or leasing their property commencing on 29 April 2016	PE (CS)	August 2016
14.10.14 CM 4033787	CG6.1 - 1. That a report be presented on the development application process, particularly as it relates to residential and small business, regarding: (i) DA approval times – including a comparison to Camden and the councils that fall within the Group 7 Metropolitan Fringe category of the Office of Local Government's Comparative Data publication. (ii) The types of developments which require approval in Campbelltown but do not require approval in other similar councils (e.g. Group 7 councils and Camden). 2. That Council contact the NSW Business Chamber and the local Chambers of Commerce and report on their suggestions regarding: (i) How Council could streamline the DA process for small business. (ii) Any developments currently requiring approval which they believe would be appropriate to be made exempt. Comment: Investigation continuing into this matter.	PE (DS)	March 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
27.10.15 GG 4526199	PE5.2 - That Council's Public Notification Policy, in respect to Development Applications, be reviewed and a report provided back to Council recommending options for a more comprehensive community notification process.	PE (EP)	April 2016
15.12.15 RK 4607896	<p>PE5.2 -</p> <p>1.That a full report be presented to Council outlining the cost of a pet giveaway and the likely implications for sales from the Animal Care Facility in the balance of the year.</p> <p>2.That the report include information about the potential for pets freely given from the Animal Care Facility to be abandoned by virtue of the fact that they were acquired at no cost.</p>	PE (CS)	March 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
29.7.14 PL 3934241	CW5.1 - detailed report on the Leumeah Sports Precinct by the Strategic Planner for a new 40,000 seat sporting/entertainment complex with parking facilities to include both the eastern and western side of the railway line. Comment: scoping investigations proceeding.	Strategy (DSt)	March 2016
29.7.14 GG 3939939	PE5.3 - Report investigating possible further partnerships with University Western Sydney, Campbelltown and Campbelltown TAFE. Comment: Awaiting outcome of further discussions with TAFE and UWS concerning potential economic development initiatives. UWS Vice Chancellor Professor Glover presented a briefing to the Councillors in May on initiatives by UWS. Continues to be under investigation. Strategic partnerships involving WSU's Innovation Corridor Strategy and Campbelltown/Macarthur Integrated Health Hub under active examination.	Strategy (DSt)	March 2016
17.02.15 GG 4189107	PE3.3 - 3. That a future report be presented to the Council which investigates options and identifies practical limits for a core Campbelltown CBD precinct, for the purposes of permanently varying the commercial parking rates within that precinct. Comment: Investigation to be undertaken in conjunction with review of Parking and Traffic Study for CBD. Parking strategy project brief has been distributed, awaiting EOI - scheduled for completion in February 2016.	Strategy (DSt)	March 2016
24.04.15 GG 4275787	PE2.6 - The Council receive a further report on a proposal to establish a Business Advisory Board following further consultation with the Campbelltown and Ingleburn Chambers of Commerce. Comment: Continues to be under investigation.	Strategy (DSt)	April 2016

9.3 IPART Review of Reporting and Compliance Burdens on Local Government

Attachments

1. Council's submission to the IPART (contained within this report)
2. Executive Summary of Draft report - Review of reporting and compliance burdens on Local Government (contained within this report)

Report

The NSW Independent Pricing and Regulatory Tribunal (IPART) commenced its Review of Reporting and Compliance Burdens on Local Government in April 2015. The Review is part of the NSW Government's broader local government reform program that commenced in 2011 and is the result of a recommendation of the Independent Local Government Review Panel.

The Review seeks to:

1. identify any inefficient or unnecessary planning, reporting, compliance or regulatory burdens placed upon local government by legislation, policy or through other means
2. develop options to improve the efficiency of local government by reducing or streamlining planning, reporting and compliance burdens, including:
 - identifying and making recommendations to reduce any duplications in reporting requirements across State Government, including the estimated saving from making these changes
 - reviewing the necessity of reporting obligations on councils as an essential requirement of implementing State Government policies.

The Draft Report on the Review of Reporting and Compliance Burdens on Local Government (Draft Report) has been prepared following feedback from local government industry and stakeholders and others to an IPART Issues Paper released in July 2015. The draft report also considered feedback from NSW councils from a questionnaire and workshops at the same time the issues paper was released.

The IPART considered the following topics as part of its review:

- the rationale (or policy objective) of the State Government planning, reporting
- compliance requirements
- developments and relevant reviews in other jurisdictions
- best practice regulatory principles, including those developed by other highly regarded bodies undertaking relevant reviews and inquiries
- support that could be provided by State Government to help manage planning, reporting and compliance requirements upon councils
- any identified risks to the NSW Government and the community from reducing the regulatory and reporting requirements on councils.

The Draft Report contains 49 draft recommendations, which cover seven function areas as well as systemic issues that apply across a range of council activities.

1. Systemic Issues (Recommendations 1-9)
2. Water and Sewerage (Recommendations 10-14)
3. Planning (Recommendations 15-20)
4. Administration and Governance (Recommendations 21-33)
5. Building and construction (Recommendations 34-37)
6. Public land and infrastructure (Recommendations 38-44)
7. Animal Control (Recommendations 45-46)
8. Community order (Recommendations 47-49)

IPART's Draft Report calls for the State to work as a partner with local government when giving councils additional responsibilities by considering the cost to councils, by taking a whole-of-government approach, and by adopting risk-based approaches, including support for councils where needed.

The draft recommendations include:

- improving the planning system by expanding the use of the ePlanning Portal and developing a suite of standardised development consent conditions
- reforming regulation of council owned and operated Local Water Utilities that provide water supply and sewerage services
- addressing systemic issues to reduce cost shifting to councils, including requiring NSW Government agencies to consider the costs and benefits of any regulation on local government before making any change
- streamlining reporting requirements across local government administrative and planning functions.

IPART has also recommended reforms to reduce the burdens associated with building and construction, managing public lands and infrastructure, animal control and alcohol-free areas.

The Executive Summary of the Draft Report, along with a full list of the draft recommendations is provided as attachment 2 to this report. The Draft Report (in full) and additional information on the review process and public hearing is available on the IPART's website.

Council officers have provided feedback to the Draft Report and are generally supportive of the recommendations. Attachment 1 outlines the key points of Council's submission to the recommendations of the IPART's Draft Report.

Officer's Recommendation

1. That Council note the IPART's Draft Report of the Review of Reporting and Compliance Burdens on Local Government.
2. That Council endorse the key points of Council's submission to the IPART Draft Report.

Council Meeting 16 February 2016 (Borg/Greiss)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 18

That the Officer's Recommendation be adopted.

ATTACHMENT 1

CAMPBELLTOWN CITY COUNCIL RESPONSE - IPART DRAFT REPORT ON THE REVIEW OF REPORTING AND COMPLIANCE BURDENS ON LOCAL GOVERNMENT

Campbelltown City Council welcomes the opportunity to provide feedback to the IPART on its Review of reporting and compliance burdens on Local Government. Council generally supports all of the 49 draft recommendations and draft findings contained in the draft report and makes the following observations and comments that may assist in the IPART in the finalisation of its Review.

– **Draft Recommendation 2 - Register of local government reporting, planning and compliance obligations**

Council strongly supports the development and maintenance of the proposed register and notes that it would be an invaluable resource to internal audit and governance practitioners.

– **Draft Recommendation 3 - Removal of restrictions on fees for statutory approvals and inspections**

Council supports the observations outlined in the report that not all statutory fees reflect the costs of service delivery and that local government should have reasonable flexibility to set fees to ensure such costs are covered. Council consider that the draft recommendations should go further to put in place effective mechanisms, to enhance capacity for Councils to recover fees, particularly for outstanding fees relating to property. For example, provisions could be put in place where outstanding fee debt may be recovered upon sale of a subject property. It is one thing to have ability to charge a fee to recover cost and another thing to actually have the fee paid. Cost recovery fee provisions need to be underpinned by effective and convenient mechanisms to realise payment where outstanding fees remain unpaid.

– **Draft Recommendation 4 - Fees set by statute are reviewed every 3-5 years and provide for annual CPI increase**

Council supports the recommendation that some fees should be set by statute, but requests that relevant government agencies effectively engage the sector in the review of statutory fees to set a new baseline upon which the recommended 3-5 yearly review and CPI increases can be applied. Additionally, Council requests the IPART consider provision being made for adjusted fees to be prescribed in advance of fee and charge adoption deadlines.

– **Draft Recommendation 20 - standardised development consent conditions**

Council supports the Draft Recommendation to standardise development consent conditions as it should contribute to more effective and consistent regulation of approved development.

– **Draft Recommendations 45-46 - Animal Control**

Animal Control draft recommendations are generally supported, particularly the steps to modernise and streamline the registration process (for example one-step, online registration), easing the administrative burden on councils.

– **Draft Recommendation 47 - Application and Review of Alcohol Free Zone (AFZ) and Alcohol Prohibited Area (APA) provisions**

Council supports this recommendation but notes the current AFZ and APA provisions should be consistent, and the requirement to re-establish zones every four years is excessive given the onerous consultation requirements and need to alter existing signage.

– **Draft Recommendation 49 - amendment of *Graffiti Control Act 2008* to prosecute for bill poster display**

Amending the *Graffiti Control Act 2008* to provide capacity to prosecute those commissioning the bill poster display will significantly enhance the capacity of Council to more effectively control and regulate this practice.

ATTACHMENT 2



Independent Pricing and Regulatory Tribunal

Review of reporting and compliance burdens on Local Government

Local Government — Draft Report
January 2016





Independent Pricing and Regulatory Tribunal

Review of reporting and compliance burdens on Local Government

Local Government — Draft Report
January 2016

© Independent Pricing and Regulatory Tribunal of New South Wales 2015

This work is copyright. The *Copyright Act 1968* permits fair dealing for study, research, news reporting, criticism and review. Selected passages, tables or diagrams may be reproduced for such purposes provided acknowledgement of the source is included.

ISBN 978-1-925340-47-1 S9-110

The Tribunal members for this review are:

Dr Peter J Boxall AO, Chairman

Ms Catherine Jones

Mr Ed Willett

Inquiries regarding this document should be directed to a staff member:

Heather Dear (02) 9290 8481

Lil Cullen (02) 9290 8410

Independent Pricing and Regulatory Tribunal of New South Wales

PO Box K35, Haymarket Post Shop NSW 1240

Level 15, 2-24 Rawson Place, Sydney NSW 2000

T (02) 9290 8400 F (02) 9290 2061

www.ipart.nsw.gov.au

Invitation for submissions

IPART invites written comment on this document and encourages all interested parties to provide submissions addressing the matters discussed.

Submissions are due by 19 February 2016.

We would prefer to receive them electronically via our online submission form <www.ipart.nsw.gov.au/Home/Consumer_Information/Lodge_a_submission>.

You can also send comments by mail to:

Local Government Regulatory Burdens Review
Independent Pricing and Regulatory Tribunal
PO Box K35,
Haymarket Post Shop NSW 1240

Late submissions may not be accepted at the discretion of the Tribunal. Our normal practice is to make submissions publicly available on our website <www.ipart.nsw.gov.au> as soon as possible after the closing date for submissions. If you wish to view copies of submissions but do not have access to the website, you can make alternative arrangements by telephoning one of the staff members listed on the previous page.

We may choose not to publish a submission—for example, if it contains confidential or commercially sensitive information. If your submission contains information that you do not wish to be publicly disclosed, please indicate this clearly at the time of making the submission. IPART will then make every effort to protect that information, but it could be disclosed under the *Government Information (Public Access) Act 2009* or the *Independent Pricing and Regulatory Tribunal Act 1992*, or where otherwise required by law.

If you would like further information on making a submission, IPART's submission policy is available on our website.

Contents

Invitation for submissions	iii
1 Executive summary	1
1.1 Context of the review	5
1.2 What has IPART been asked to do?	6
1.3 How IPART has approached the task	6
1.4 How and when you can provide input to this review	7
1.5 What does the rest of this Draft Report cover?	8
2 Listing of Draft Recommendations and Findings	9
Systemic issues	9
Water and Sewerage	11
Planning	12
Administration and governance	13
Building and construction	15
Public land and infrastructure	16
Animal control	17
Community order	18
3 Context	19
3.1 Aims	19
3.2 Background	19
3.3 History	22
4 Method	25
4.1 The scope of our review	25
4.2 What makes an obligation a burden?	26
4.3 Identifying regulatory burdens	26
4.4 Developing options for reform	29
5 Systemic issues	31
5.1 Impact of new or amended regulatory obligations	32
5.2 Cumulative impact of regulations	37
5.3 Regulated fees	40
5.4 Complexity of grants system	44
5.5 Multiple reporting/data management	46
5.6 Public notices	49

6	Water and sewerage	52
6.1	Regulation of NSW Local Water Utilities by DPI Water	52
6.2	Best-Practice Management of Water Supply and Sewerage Framework – reporting and auditing	60
6.3	Onsite sewage management systems	64
7	Planning	72
7.1	Reporting to the Department of Planning and Environment	73
7.2	ePlanning and planning certificates	86
7.3	One-stop shop	92
7.4	Development approval process	97
8	Administration and governance	101
8.1	Integrated Planning and Reporting framework	102
8.2	Financial reporting	108
8.3	Tendering and Procurement	111
8.4	Ministerial approvals	113
8.5	Section 68 Local Government Act approvals	117
8.6	Recruitment and employment – temporary employment	121
8.7	Public Interest Disclosures Act reporting	123
8.8	Government Information (Public Access) Act 2009 (GIPA Act) reporting and compliance	125
9	Building and construction	130
9.1	Building Certifiers and Compliance Burden	131
9.2	Certification Fees	135
9.3	Fire Safety Statements	136
9.4	Fire safety enforcement actions	139
10	Public land and infrastructure	142
10.1	Crown reserves reporting and management	142
10.2	Crown road closures	145
10.3	Community land – plans of management	149
10.4	National Heavy Vehicle Regulation	150
10.5	Impounding unattended boat trailers, caravans and advertising trailers	153
11	Animal control	155
11.1	The Register and registration fees	155
12	Community order	164
12.1	Alcohol free zones and alcohol free areas	165
12.2	Graffiti control – enforcement	167
	Appendices	169
A	Terms of Reference	171
B	Other identified burdens	174
C	Out of Scope Issues	221
D	Consultation	226

1 | Executive summary

The purpose of this review is to identify inefficient, unnecessary or excessive burdens placed on local government by the State in the form of planning, reporting and compliance obligations, and to make recommendations for how these burdens can be reduced. In addressing these burdens, our draft recommendations would improve the efficiency of local government in NSW and enhance the ability of councils to focus on delivering services to their communities.

While we have identified improvements across a range of obligations, our draft recommendations in the areas of planning and the regulation of Local Water Utilities (LWUs) would bring the greatest improvements in the efficiency of councils.

The planning area was identified by stakeholders as imposing significant regulatory burdens, including the processes associated with planning approvals and reporting requirements. Our draft recommendations would improve a range of planning processes to reduce the reporting burden, and regulatory costs and delays for councils. They would also reduce costs and delays in the planning system.

Stakeholders identified the regulation of LWUs as imposing a range of excessive planning, reporting and compliance burdens. Stakeholders suggested that there is a need for broader review of this regulatory area, commenting that aspects are outdated, stifling innovation and outside the capacity of LWUs.

We consider that there is significant scope to improve LWU obligations. Our draft recommendations in this area aim to:

- ▼ tailor the regulatory framework for LWUs to reflect the capacity of each utility
- ▼ allow optimal water resource planning at the catchment level, and
- ▼ reduce the reporting and auditing burden on LWUs by taking a more efficient, targeted and 'whole-of-government' approach.

Our draft recommendations would make LWU regulation consistent with the regulation of other water utilities throughout the State, and address the burdens identified by stakeholders.

The extent to which local government encounters unnecessary or excessive burdens in undertaking its regulatory responsibilities is greatly influenced by how the State imposes its planning, reporting and compliance obligations. This means that improvements to the State's approach to devolving regulatory responsibility to councils would greatly reduce these burdens.

In particular, when imposing regulatory responsibilities on local government, the State should work as a partner with local government by:

- ▼ considering the impact and cost of their regulatory requirements on councils
- ▼ adopting risk-based regulatory approaches, including:
 - supporting councils where necessary and helping them build capacity
 - tailoring requirements to reflect the different capacities of councils, and
- ▼ taking a whole-of-government approach to minimising excessive and unnecessary burdens.

Considering the impact and cost of regulatory requirements

Proper State consideration of the impact of regulatory proposals on councils is a key aspect of the partnership between State and local government and consistent with the principles of the Intergovernmental Agreement.¹ State agencies should consider the costs and benefits of placing obligations on local government. In particular, they should ensure that new or amended obligations are efficient and effective to avoid unnecessary or excessive burdens. Further, where State agencies do not provide funding or cost recovery mechanisms for new or amended regulatory obligations, council resources can be eroded through 'cost shifting'. This undermines local government's ability to undertake their reporting, planning or compliance functions efficiently.

We make a range of draft recommendations to change the way the State develops regulatory proposals that devolve responsibilities to councils to ensure the impacts on councils are properly considered. This involves ensuring the requirements on councils are reasonable and improving the tools and resources used by State agencies to:

- ▼ manage the cumulative impact of regulatory proposals on councils
- ▼ harness existing central websites and registers to consolidate council reporting and sharing of council data between State agencies, and
- ▼ assess new proposals to collect data from councils.

¹ *Intergovernmental Agreement to Guide NSW State-Local Government Relations on Strategic Partnerships*, signed on 8 April 2013.

These tools and resources include a proposed *Register of local government reporting, planning and compliance obligations*, the NSW ICT Strategy and Information Asset Registers, and a 'gateway' framework for assessing new State agency proposals for reporting from councils.

Our draft recommendations to deregulate certain fees charged by councils would allow councils to recover the costs of statutory approvals and inspections, lessening the financial impact on councils.

Risk-based regulatory approaches

To reduce regulatory burdens on councils, the State should replace 'one-size-fits-all' approaches to councils with risk-based regulatory approaches. Agencies should minimise the level of prescription and regulatory oversight. This level may vary depending on the level of risk inherent in the regulatory function and the capacity of all councils, or individual councils: for example, the State should impose less regulatory oversight for certain low risk functions and for councils that have demonstrated capacity.

Where it is appropriate, a 'lighter touch' regulatory oversight would mean a reduction in reporting requirements (in frequency, scope or even the need to report at all), greater freedom in the way councils undertake their functions, and a reduction in the need to seek approvals from the State. It may also involve tailoring requirements to better suit the different circumstances of rural and regional councils.

Where councils undertake a regulatory function, they should be given the authority and responsibility to do this without unnecessary State involvement. For new regulatory functions, and for councils without the necessary resources, the State needs to provide greater support to assist councils in undertaking their assigned functions and to build their capacity. This support may include IT systems, training, dedicated staff resources to provide guidance and expertise, and standardised forms or toolkits.

We recommend that the NSW Government take risk-based approaches to reduce the burdens identified by stakeholders. An example is with regulating Local Water Utilities, where we recommend that the NSW Government adopt a less prescriptive regulatory approach for utilities with sufficient capacity, while maintaining support for utilities that need it.

In the area of Crown reserve reporting and management, our draft recommendations would reduce regulatory oversight, recognising the capability of local government in this area. Our recommendations complement the NSW Government's Crown land reviews and would reduce the reporting burden on councils.

We also recommend the State take a risk-based approach for council grants applications and administration. Many councils have robust internal controls, comprehensive external audit requirements and well-developed risk mitigation strategies that should be recognised in the level of risk control the State applies to councils' grant acquittals. This would lessen the administrative costs associated with grants.

For council tendering, we recommend the State further devolve authority and responsibility to lower-risk councils by increasing the threshold for using tendering processes, and allowing councils to delegate the acceptance of tenders to General Managers. This would lessen the administrative costs of tendering.

In some functional areas the State needs to provide greater support to councils. By way of example, for the relatively new council function of processing heavy vehicle access applications and undertaking route assessments, we have found that because some councils lack the competency to undertake this function, Roads and Maritime Services (RMS) should provide greater support to develop the competency and skills within councils. This would ensure that councils establish processes to undertake this function in a consistent, effective and efficient manner.

Whole-of-government approach to minimising burdens

Councils provide a wide range of services in fulfilling their regulatory functions. They do this under 67 different Acts that are administered by 27 different State agencies. To minimise the burdens on local government, State agencies cannot operate in isolation. They must consider how their function-specific planning, reporting and compliance requirements are related to and interact with those of other agencies.

In taking this perspective, State agencies should:

- ▼ coordinate and streamline reporting requirements to remove unnecessary reporting and duplication in reporting to other agencies
- ▼ align the timing of reporting requirements with council reporting cycles
- ▼ make greater use of automated data collection, and
- ▼ make greater use of data portals to provide access across government and minimise the incidence of duplicative reporting and data collection.

Elements of the existing NSW Government's ICT Strategy and Information Asset Registers can be used to help State agencies achieve these outcomes. We recommend that the Office of Local Government (OLG) take the role of gate-keeper for reporting to State agencies on new and amended requirements imposed on councils. Under this 'gateway' framework, an agency would access a central repository or portal to consider the information that is already available and should use the relevant information instead of separately requesting the

same or similar information. OLG would also apply a cost benefit methodology to proposals for new or amended reporting to prevent excessive or duplicative requirements.

We also make draft recommendations across the range of functional areas to facilitate a whole-of-government approach to reduce duplication, streamline regulatory obligations and remove unnecessary reporting burdens. Examples include:

- ▼ Planning – removing duplication in reporting by implementing the Australian Bureau of Statistics (ABS) and Victorian Government central collection and data sharing model in NSW.
- ▼ Water and sewerage – removing duplication of data reported to the Department of Primary Industries Water, the Environment Protection Authority and NSW Health.
- ▼ Administration and governance – removing duplication in reporting, such as in councils' General Purpose Financial Statements.
- ▼ Animal control – automating the collection of data concerning animals in pounds by allowing data to be uploaded directly from pound systems into the new central *Register of Companion Animals*.

1.1 Context of the review

This review is part of the NSW Government's broader local government reform program that commenced in 2011. Over the past few years, the NSW Government has commissioned reviews into:

- ▼ options for changes to local government governance models, structural arrangements and boundaries to improve the strength and effectiveness of local government – undertaken by the Independent Local Government Review Panel (ILGRP)²
- ▼ the statutory framework for local government, the *Local Government Act 1993* and *City of Sydney Act 1988* – undertaken by the Local Government Acts Taskforce (LG Acts Taskforce),³ and

² Independent Local Government Review Panel *Revitalising Local Government*, October 2013, at <http://www.localgovernmentreview.nsw.gov.au/>, accessed on 1 December 2015 (ILGRP Final Report).

³ Local Government Acts Taskforce, *A New Local Government Act for NSW and Review of the City of Sydney Act 1988*, October 2013, at <http://www.olg.nsw.gov.au/sites/default/files/New-Local-Government-final-report.pdf> accessed on 1 December 2015 (LG Acts Taskforce Final Report).

- ▼ local government compliance and enforcement to reduce unnecessary regulatory burdens placed on businesses and the community by councils – undertaken by IPART.⁴

The NSW Government is currently implementing reforms recommended by the ILGRP and LG Acts Taskforce. One recommendation of the ILGRP was to commission IPART to undertake this whole-of-government review of the regulatory, compliance and reporting burdens on councils.⁵

Chapter 3 discusses the context of this review in more detail.

1.2 What has IPART been asked to do?

The full Terms of Reference for this review are at **Appendix A**. Under these Terms of Reference, IPART is to:

- ▼ identify inefficient or unnecessary planning, reporting and compliance obligations imposed on councils by the NSW Government through legislation, policies or other means
- ▼ develop options to improve the efficiency of local government by reducing or streamlining planning, reporting and compliance burdens, and
- ▼ collect evidence to establish the impacts on councils of reporting and compliance burdens, and to substantiate recommendations for reform.

The Terms of Reference also require us to estimate the savings associated with our recommendations. We will include these savings estimates in our Final Report.

1.3 How IPART has approached the task

We have focused our draft recommendations on the planning, reporting and compliance obligations placed on councils by State Government legislation and policies that are specific to councils. Consequently, several issues raised by councils that apply to any member of the community, government organisation or business undertaking a particular function, are deemed out of scope. These issues are discussed in Appendix C.

⁴ IPART, *Local government compliance and enforcement - Draft Report*, October 2013, at http://www.ipart.nsw.gov.au/Home/Industries/Regulation_Review/Reviews/Local_Government/Local_Government_Compliance_and_Enforcement, accessed on 1 December 2015 (IPART Compliance & Enforcement Draft Report).

⁵ ILGRP Final Report, Recommendation 8.2, p 16.

We identified the regulatory burdens imposed on local government through a process of consultation, including submissions to our Issues Paper, council questionnaire and workshops. We also consulted with relevant NSW Government agencies regarding the burdens councils had raised, and sought feedback on the proposed solutions.

Appendix B includes a number of burdens identified by stakeholders for which we have not made a draft recommendation. We are open to considering these issues further, and invite comment on whether a recommendation should be made in the final report for these items.

Chapter 4 discusses in more detail how we have undertaken this review.

1.4 How and when you can provide input to this review

We invite all interested parties to make written submissions in response to this Draft Report. We will also hold a public hearing on 8 February 2016. All interested parties are invited to attend and participate in the public hearing.

In general, we seek your response on the draft recommendations listed in Chapter 2, including any information on:

- ▼ the impacts of the suggested reforms, such as the costs or benefits, and
- ▼ any alternative ideas for reforms to the planning, reporting and compliance obligations imposed on local government which have been identified as inefficient, unnecessary or excessive.

Submissions may also comment on the issues included in Appendix B, as outlined above, as well as issues considered out of scope in Appendix C, or on any other issues stakeholders consider relevant to the review.

Submissions are due by **19 February 2016**. In accordance with IPART's public submission policy, late submissions may not be accepted at the discretion of the Tribunal. All submissions will be posted online as soon as possible after the closing date for submissions. Further information on how to make a submission can be found on page iii, at the front of this report.

After we have considered all the information and views expressed at the public hearing and in submissions, we will submit our Final Report to the NSW Government.

The following table sets out our timetable for this review.

Table 1.1 Key dates for the review

Task	Timeframe
Release of Draft Report	18 January 2016
Public hearing	8 February 2016
Stakeholder submissions due	19 February 2016
Final Report to Minister for Local Government	22 April 2016

Note: These dates are indicative and may be subject to change.

1.5 What does the rest of this Draft Report cover?

The rest of this report explains the context and approach for our review as well as our draft recommendations and findings. The report is structured as follows:

- ▼ **Chapter 2** lists our draft recommendations and findings.
- ▼ **Chapter 3** discusses our review in the wider context of local government reform and other reviews and reforms relevant to councils' regulatory responsibilities, as well as best practice regulatory principles.
- ▼ **Chapter 4** defines the scope of our review, explains what makes a regulatory obligation a burden, sets out the process we have undertaken to identify the inefficient, unnecessary and excessive regulatory obligations imposed on councils, and develops options for reform.
- ▼ **Chapter 5** discusses ways to address the systemic issues that are central to the State's regulation of local government.
- ▼ **Chapters 6-12** discuss specific issues and proposed solutions in the council functional areas of:
 - Water and sewerage
 - Planning
 - Administration and governance
 - Building and construction
 - Public land and infrastructure
 - Animal control
 - Community order.
- ▼ **Appendices A-D** set out:
 - The Terms of Reference
 - Other issues raised as burdens
 - Out of scope issues
 - Consultation.

2 | Listing of Draft Recommendations and Findings

Our draft recommendations and findings are set out below, along with the page number where each is discussed in the report.

Systemic issues

Draft Recommendations

- 1 That the Department of Premier and Cabinet (DPC) revise the *NSW Guide to Better Regulation* to include requirements for State agencies developing regulations involving regulatory or other responsibilities for local government, as part of the regulation-making process, to: 34
 - consider whether a regulatory proposal involves responsibilities for local government 34
 - clearly identify and delineate State and local government responsibilities 34
 - consider the costs and benefits of regulatory options on local government 34
 - assess the capacity and capability of local government to administer and implement the proposed responsibilities, including consideration of adequate cost recovery mechanisms for local government 34
 - take a coordinated, whole-of-government approach to developing the regulatory proposal 34
 - collaborate with local government to inform development of the regulatory proposal 34
 - if establishing a jointly provided service or function, reach agreement with local government as to the objectives, design, standards and shared funding arrangements, and 34
 - develop an implementation and compliance plan. 34

- 2 That the NSW Government maintain a *Register of local government reporting, planning and compliance obligations* that should be used by State agencies in the regulation-making process to manage the volume of regulatory requirements imposed on councils and to avoid creating unnecessary or duplicative requirements. 38

2 Listing of Draft Recommendations and Findings

- 3 That the NSW Government remove restrictions on fees for statutory approvals and inspections to allow for the recovery of efficient costs, subject to monitoring and benchmarking. 41
- 4 Where fees continue to be set by statute, that the relevant NSW Government agency reviews the level of the fees every 3-5 years and amends the relevant legislation to allow these fees to increase annually in line with CPI or an index of fee-related costs. 41
- 5 That if statutory fees are capped below cost recovery to ensure affordability or for other policy reasons, then the NSW Government should reimburse councils for the shortfall in efficient costs. 41
- 6 That the Department of Premier and Cabinet amend the *Good Practice Guide to Grant Administration*, to: 45
 - recognise Local Government as separate from non-government organisations 45
 - remove acquittal requirements for untied grants 45
 - explicitly address ongoing maintenance and renewal costs when funding new capital projects 45
 - require Agencies to rely on existing council reporting to assess financial stability and management performance of councils 45
 - lengthen acquittal periods for ongoing grant programs to four years, and use Memorandum of Understanding (MOU) arrangements, rather than requiring councils to reapply annually, and 45
 - provide for a streamlined acquittal process for grants of less than \$20,000 in total, examples of streamlining include: 45
 - o not requiring further external financial audit 45
 - o using risk-based controls and requirements, and 45
 - o confining performance measurement to outcomes consistent with the purpose of the grant. 45
- 7 That the Department of Finance, Services and Innovation use the NSW ICT Strategy and Information Asset Registers to: 47
 - provide a central website to consolidate Local Government reporting portals, searchable data sets, reports and publications 47
 - facilitate council use of the central website, and 47
 - facilitate sharing of Local Government data and information between State Government agencies. 47

- 8 That the Office of Local Government introduce a “gateway” framework, using a cost-benefit methodology, to assess new State agency proposals for reporting and data collection from Local Government. 47
- 9 That the Department of Planning and Environment, including through the Office of Local Government, review public notice print media requirements in the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*, the *Environmental Planning and Assessment Act 1979*, and the *Environmental Planning and Assessment Regulation 2000* and, where the cost to councils of using print media exceeds the benefit to the community, remove print media requirements and allow online advertising, mail-outs and other forms of communication as alternatives. 49

Water and Sewerage

Draft Recommendations

- 10 That the Department of Primary Industries Water (DPI Water) undertake central water planning for Local Water Utilities (LWUs) to ensure that water supply and demand options are considered in the context of catchments, replacing the water planning LWUs currently undertake individually through Integrated Water Cycle Management Strategies. 54
- 11 That the NSW Government enable LWUs with sufficient capacity to be regulated under the *Water Industry Competition Act 2006* as an alternative to their current regulation under the Best-Practice Management of Water Supply and Sewerage Framework and section 60 of the *Local Government Act 1993*. 54
- 12 That DPI Water amend the *Best-Practice Management of Water Supply and Sewerage Guidelines* to: 61
- streamline the NSW Performance Monitoring System to ensure each performance measure reported is: 61
 - o linked to a clear regulatory objective 61
 - o used by either most Local Water Utilities (LWUs) or DPI Water for compliance or meaningful comparative purposes 61
 - o not in excess of the performance measures required under the National Water Initiative, and 61
 - o not duplicating information reported to other State agencies. 61
 - reduce the number of performance measures and/or the frequency of reporting for small LWUs with fewer than 10,000 connections 61
 - align trade waste reporting with other performance reporting, on a financial year basis, subject to consultation with LWUs, LGNSW and the Water Directorate, and 61

- implement a risk-based auditing regime for LWU wanting to pay a dividend to their council’s general fund. 61
- 13 That NSW Health determine a standardised service report template to be used by technicians undertaking quarterly servicing of aerated wastewater treatment systems, in consultation with councils. 65
- 14 That the *Local Government (General) Regulation 2005* be amended to require service reports to be provided to councils using the template determined by NSW Health as a standard condition of approval to operate an aerated wastewater treatment system. 65

Planning

Draft Recommendations

- 15 That the Department of Planning and Environment (DPE): 75
 - Implement a data sharing model with the Australian Bureau of Statistics in relation to building approvals in NSW. 75
 - Introduce a consolidated data request of councils for the purposes of the *Local Development Performance Monitoring (LDPM), Housing Monitor, State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Rental Housing)* and *State Environmental Planning Policy No 1 – Development Standards (SEPP 1 variations)*. 75
 - Fund an upgrade of councils’ software systems to automate the collection of data from councils for the purposes of the LDPM, *Housing Monitor, Affordable Rental Housing* and SEPP 1 variations. 75
 - Publish the data collected from councils on Affordable Rental Housing and SEPP 1 variations data. 75
 - Seek agreement with the Land & Environment Court to obtain appeal data directly from the Court. 75
 - Remove the administrative requirement for councils to report to DPE on political donations or gifts under section 147 of the *Environmental Planning & Assessment Act 1979*. 75
- 16 That the *Environmental Planning and Assessment Act 1979* be amended to enable zoning and development standards information under section 149(2) of the *Environmental Planning and Assessment Act 1979* to be provided through the NSW Planning Portal. 86
- 17 That the *Environmental Planning and Assessment Regulation 2000* be amended to specify the information that can be provided by councils in accordance with section 149(5) of the *Environmental Planning & Assessment Act 1979*. 87

18	That DPE amend the NSW Planning Portal to provide for online:	87
	– payment of fees and charges by applicants and for the Planning Reform Fund fee to then be automatically directed to DPE	87
	– zoning and development standards information under section 149(2) of the <i>Environmental Planning & Assessment Act 1979</i>	87
	– joint applications for development approvals and construction certificates, and	87
	– information under section 149(5) of the <i>Environmental Planning & Assessment Act 1979</i> to be accessible via a link to council websites.	87
19	That DPE manage referrals to State agencies through a ‘one-stop shop’ in relation to:	93
	– planning proposals (LEPs)	94
	– development applications (DAs), and	94
	– integrated development assessments (IDAs).	94
20	That DPE develop suites of standardised development consent conditions and streamline conditions that require consultant reports or subsequent approvals, in consultation with councils, State government agencies and other key stakeholders.	98

Administration and governance

Draft Recommendations

21	That the NSW Government streamline the reporting requirements for the Integrated Planning and Reporting (IP&R) framework in the revised Local Government Act.	103
22	Ahead of the next IP&R cycle (2016), that the Office of Local Government:	103
	– provide councils with a common set of performance indicators to measure performance within the IP&R framework	103
	– conduct state-wide community satisfaction surveys and release the results to allow comparisons between councils and benchmarking	103
	– provide guidance to councils on the form and content of the End of Term Report and its relationship to local councils’ Annual Reports	103
	– clarify for councils the purpose, form and content of the State of the Environment report and clarify its relationship to the End of Term Report	103
	– work with the Office of Environment and Heritage, the NSW Environment Protection Authority and other relevant agencies to develop performance indicators for councils to use, and	103

- where relevant, amend the IP&R Guidelines and Manual to incorporate this material. 103
- 23 That the Office of Local Government remove requirements for councils to report more in the General Purpose Financial Statements than is required by the Australian accounting standards, issued by the Australian Accounting Standards Board, except for requirements which are unique and high value to local government such as Note 21 and Special Schedule 7. 108
- 24 That clause 163(2) of the *Local Government (General) Regulation 2005* be amended to allow the Office of Local Government to determine the councils for which the threshold for formal tendering would be increased to \$250,000, with this threshold to be reviewed every five years. 111
- 25 That section 377(1)(i) of the *Local Government Act 1993* be amended to allow the Council to delegate the acceptance of tenders. 111
- 26 That the Department of Planning and Environment, through the Office of Local Government, review the requirements in the *Local Government Act 1993* for Ministerial approvals; those that are not justified on the basis of corruption prevention, probity or protecting the interests of the State be removed. 114
- 27 That the Office of Local Government introduce guidelines that specify maximum response times for different categories of approvals. 114
- 28 That the Department of Planning and Environment, through the Office of Local Government, review all approvals required under section 68 of the *Local Government Act 1993* in order to: 117
 - determine the activities for which a separate local council approval under section 68 is necessary 117
 - revise the regulatory frameworks within NSW legislation to remove duplication 117
 - place as many approval requirements as possible in specialist legislation, and 117
 - where appropriate, enable mutual recognition of approvals issued by another council. 117
- 29 That the *Local Government Act 1993* be amended to transfer current requirements relating to the length of time for temporary appointments under section 351(2) to the *Local Government (General) Regulation 2005* or the relevant awards. 122
- 30 Extend the maximum periods of temporary employment from 12 months to four years within any continuous period of five years, similar to Rule 10 of the *Government Sector Employment Rules 2014*. 122

- 31 That section 31 of the *Public Interest Disclosures Act 1994* be amended to require councils to report on public interest disclosures in their annual reports and remove the requirement for an annual public interest disclosures report to be provided to the Minister for Local Government. 124
- 32 That section 125 of the *Government Information (Public Access) Act 2009* be amended to allow councils to lodge annual reports of their obligations under the Act within five months after the end of each reporting year. 126
- 33 That the Office of Local Government assist the Information and Privacy Commission to circulate to councils information related to the *Government Information (Public Access) Act 2009*. 126

Draft Findings

- 1 That the principles and processes outlined in ICAC's *Guidelines for managing risk in direct negotiations* are best practice standards which can be applied where a lack of competition exists in a Local Government Area. 111

Building and construction

Draft Recommendations

- 34 That the Building Professionals Board include information on travel charges for certification services in regional areas when developing an indicative fee schedule. 135
- 35 That the Building Professionals Board or the proposed Office of Building Regulation (in consultation with Department of Planning and Environment, Fire & Rescue NSW and local government) design the new online system for submitting annual fire safety statements (AFSS) to allow councils to identify buildings in their area that require an AFSS, and where follow up or enforcement action is required. 137
- 36 That the *Environmental Planning and Assessment Regulation 2000* be amended to clarify what constitutes a 'significant fire safety issue'. 140
- 37 That section 121ZD of the *Environmental Planning and Assessment Act 1979* be amended to allow councils to delegate authority to the General Manager to consider a report by the Fire Brigade, make a determination and issue an order, rather than having the report considered at the next council meeting. 140

Draft Findings

- | | | |
|---|--|-----|
| 2 | The draft recommendations of the <i>Independent Review of the Building Professionals Act 2005</i> (Lambert Building Review), if supported by the NSW Government, would: | 131 |
| | – Substantially improve the funding and ability of councils to effectively undertake their compliance functions in relation to unauthorised building work and refer certifier complaints to the Building Professionals Board. | 131 |
| | – Introduce more effective disincentives (for example, penalties) for unauthorised building work. | 131 |
| | – Institute a system of electronic lodgement of certificates and documentation from private certifiers to councils in a standardised form. This should reduce current record management burdens on councils, which would allow the information to be used to inform building regulation policy development and better targeting of council and state resources in building regulation. | 131 |
| | – Reduce the frequency of accreditation renewals from annually to every three to five years. | 132 |
| | – Create a new category of regional certifier to reduce the accreditation burden on councils and increase the number of certifiers in the regions. | 132 |
| 3 | That under the <i>Local Government Act 1993</i> councils can set their fees for certification services to allow for full cost recovery. These fees can include travel costs. | 135 |
| 4 | That the online Building Manual, proposed in the e-building initiative draft recommendation of the Lambert Building Review, would remove the current burden on councils of collecting and maintaining records of annual fire safety statements. | 137 |

Public land and infrastructure

Draft Recommendations

- | | | |
|----|--|-----|
| 38 | That the NSW Government transfer Crown reserves with local interests to councils, as recommended by the NSW Crown Lands Management Review and piloted through the Local Land Program Pilot. | 143 |
| 39 | Consistent with its response to the Crown Lands Legislation White Paper, that the NSW Government ensure that Crown reserves managed by councils are subject to <i>Local Government Act 1993</i> requirements in relation to: | 143 |
| | – Ministerial approval of licences and leases, and | 143 |
| | – reporting. | 143 |

40	That the NSW Government streamline the statutory process for closing Crown roads, including the arrangements for advertising road closure applications.	146
41	That the NSW Government reduce the backlog of Crown road closure applications to eliminate the current waiting period for applications to be processed.	146
42	That the NSW Government streamline the provisions of the <i>Local Government Act 1993</i> relating to plans of management for community land to align public notice and consultation with councils' community engagement for Integrated Planning and Reporting purposes.	149
43	That Roads and Maritime Services provide greater support for councils to develop the competency to conduct route access assessments and process heavy vehicle applications. This support should be focused on developing the competency and skills within councils to perform these regulatory functions.	151
44	That the <i>Impounding Act 1993</i> be amended to treat caravans and advertising trailers in the same way as boat trailers when considering whether they are unattended for the purposes of the Act.	153

Animal control

Draft Recommendations

45	That the Office of Local Government's redesign and modernisation of the central <i>Register of Companion Animals</i> includes the following functionality:	157
	– online registration, accessible via mobile devices anywhere	157
	– a one-step registration process, undertaken at the time of microchipping and identifying an animal	157
	– the ability for owners to update change of ownership, change of address and other personal details online	157
	– unique identification information in relation to the pet owner (ie, owner's date of birth, driver licence number or Medicare number)	157
	– the ability to search by owner details	157
	– the ability for data to be analysed by Local Government Area (not just by regions)	157
	– the ability for data to be directly uploaded from pound systems, and	157
	– centralised collection of registration fees so funding can be directly allocated to councils.	157

- 46 That the *Companion Animals Act 1998* and *Companion Animals Regulation 2008* be amended to require unique identification information in relation to the pet owner (ie, owner's date of birth, drivers licence number or Medicare number), to be entered in the register at the time of entering animal identification information and when there is a change of ownership. 157

Community order

Draft Recommendations

- 47 That the NSW Government review how councils are currently applying Alcohol Free Zone (AFZ) and Alcohol Prohibited Area (APA) provisions in response to alcohol related anti-social behaviour and clarify the rationale and processes for declaring AFZs and APAs in the *Local Government Act 1993* and Ministerial Guidelines on Alcohol-Free Zones. 165
- 48 That the NSW Government provide an efficient process for consultation and decision making on temporary and events-based alcohol restrictions. 165
- 49 That the *Graffiti Control Act 2008* be amended to allow councils to prosecute individuals and organisations that commission or produce bill posters that are visible from a public place within their local government area. 168

10. REPORT OF DIRECTOR CITY WORKS

10.1 City Works Activity Report

Attachments

Activity Report

Report

Works activities are proceeding to program and on demand and are outlined in the Activity Report. Statistics on graffiti are also presented in the Activity Report. It should be noted that the Activity Report continues to be reviewed to better reflect the areas and program/projects being undertaken by Council.

Officer's Recommendation

That the information be noted.

Council Meeting 16 February 2016 (Oates/Glynn)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 19

That the Officer's Recommendation be adopted.

ATTACHMENT 1

OPERATIONAL SERVICES SECTION (Reporting period 23 November 2015 to 24 January 2016)

GRAFFITI

The Graffiti Action Team has for the period undertaken the following graffiti tasks to various Council assets.

Area	Apr to June 2014	July to Sept 2014	Oct to Dec 2014	Jan to Mar 2015	Apr to June 2015	July to Sept 2015	Oct 2015	Nov 2015	Dec/ Jan 2016
Area 1	2343	3301	2706	2959	2212	2770	777	1087	975
Area 2	1946	2228	2309	3285	1534	3260	311	974	559
Area 3	492	848	570	1384	1122	1453	300	463	601
Area 4	2102	2368	1852	2730	1888	2429	404	1195	879
Total	6883	8745	7437	10358	6756	9912	1792	3719	3014

Council's contractor has removed 7sqm of graffiti from Council's public facilities throughout the local government area.

During the reporting period 9 Graffiti Removal Kits have been requested by the Community.

Apr to June 2014	July to Sept 2014	Oct to Dec 2014	Jan to Mar 2015	Apr to June 2015	July to Sept 2015	Oct 2015	Nov 2015	Dec/ Jan 2016
18	16	12	32	4	22	1	2	9

OPEN SPACE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Servicing of Parks and Reserves (Sites)	164	73	130	108	475
Road Verges (Sites)	71	79	43	68	261
Community/Childcare Centre's (Sites)	0	1	3	4	8
Servicing Laneways (Sites)	112	134	168	77	491
Litter/Rubbish Pickup	223	143	82	23	471
Herbicide Spraying (hrs)	23.5	13	25.5	25	87
Mulching (m ³)	0	0	0	0	0
Garden Maintenance	0	0	0	0	0
Garden Refurbishment	0	0	0	0	0
Top Dressing (hrs)	0	0	0	0	0
Aeration of Fields	0	0	0	0	0
Sharps Pickup	0	0	0	0	0
Pathway Requests	52	32	15	9	108
Tractor Road Verge (Sites)	25	17	21	38	101
Tractor Servicing Parks and Reserves (Sites)	40	76	58	30	204
Cemetery	0	0	0	0	0
Fire Hazard Reduction	2	2	0	2	6
Road Crews Servicing Parks	0	0	0	0	0
Refilling of Sandpits	0	0	0	0	0

HORTICULTURE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Servicing of Parks and Reserves (Sites)	53	67	36	43	199
Road Verges (Sites)	54	34	39	37	164
Community/Childcare Centre's (Sites)	25	22	20	14	81
Cemetery	0	0	0	0	0
Tractors Servicing Sporting Fields	79	58	82	81	300
Litter/Rubbish Pickups (hrs)	50	69	49	39.5	207.5
Herbicide Spraying (hrs)	30	43	47	34	154
Mulching (m ³)	100	60	80	102	342
Garden Maintenance (Sites)	88	49	71	79	287
Garden Refurbishment (Sites)	0	0	0	0	0
Top Dressing (tonne)	5	8	10	8	31
Aeration of Fields (Sites)	3	1	3	3	10
Sharps Pickups	0	0	0	0	0
Miscellaneous Requests	0	0	0	0	0
Refilling of Sandpits	0	0	0	0	0
Plumbing	54	22	44	42	162
Placing of goal posts (Sites)	0	0	0	0	0
Cricket Wicket Maintenance	55	52	79	56	242

HORTICULTURE ACTIVITIES

Planting Activities

Apex Park, Bradbury - Approximately 2700 assorted plants and 6 advanced trees will have been planted on the site by the end of the week.

Richmond Villa – 20 shrubs planted at this location

Morgans Gate Bridge - 150 native grasses have been planted and the area mulched.

Mawson Park - Refurbishment and additional planting around the park is underway.

Mulching

Mulching activities were undertaken at Apex Park, Bradbury, Eagles Nest Childcare Centre Eschol Park, Ingleburn CBD, Richmond Villa, Campbelltown and Park Central, Campbelltown.

COUNCIL TREE INSPECTIONS

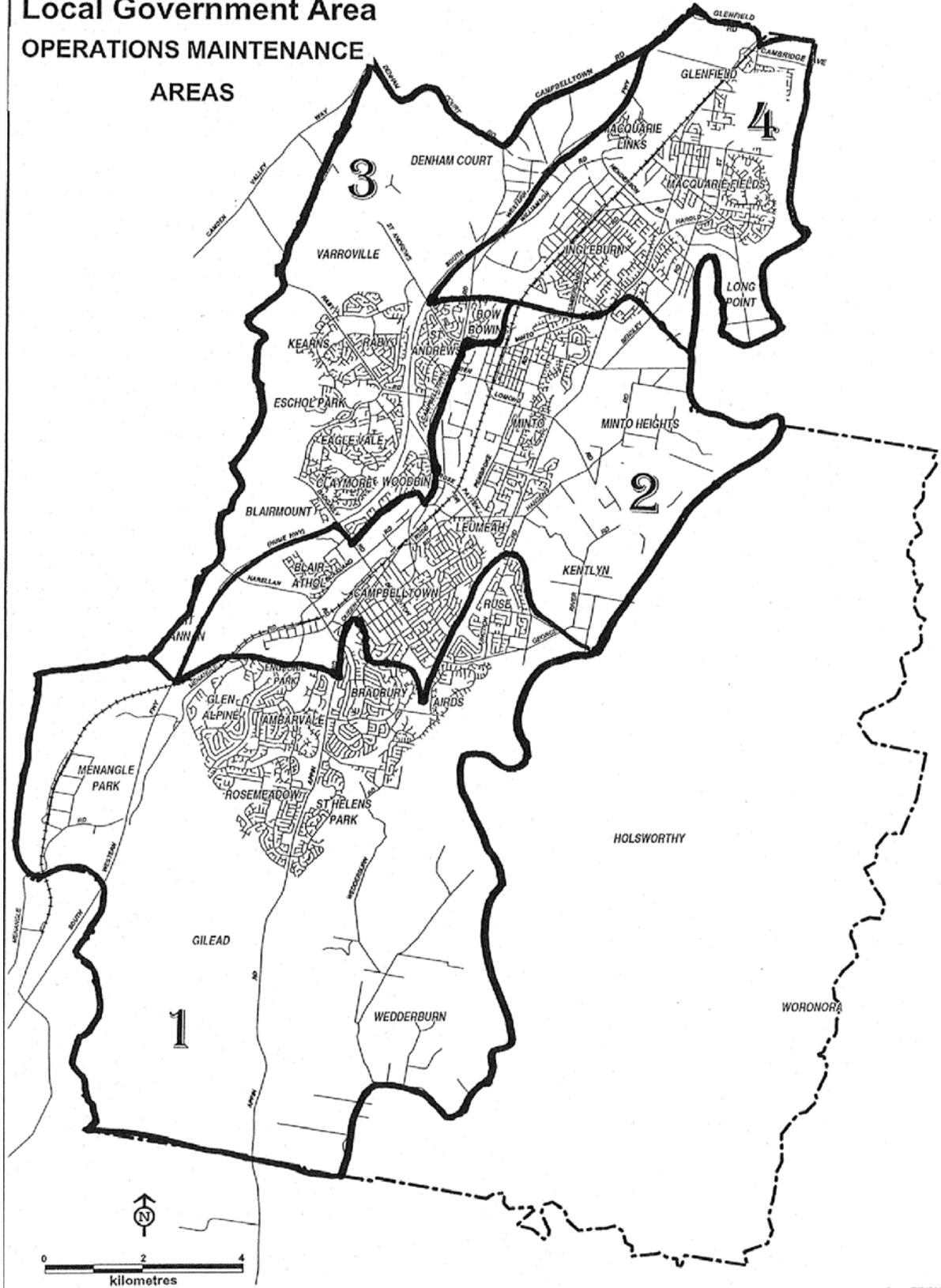
Activity	Area 1	Area 2	Area 3	Area 4	Total
Contract	23	16	27	21	87
Council	100	88	89	82	359
Termites	3	2	0	1	6
Plumber - Sewer Chokes	0	0	0	0	0
N/A	12	10	6	12	40
HOLD	2	1	1	0	4
Total	140	117	123	116	496

PRIVATE PROPERTY TREE INSPECTIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Private Trees	37	33	24	36	130

Campbelltown City Council Local Government Area OPERATIONS MAINTENANCE

AREAS



ROADS AND DRAINAGE

A. HEAVY PATCHING - Roads And Footpaths

Activity	Area 1	Area 2	Area 3	Area 4	Total
Road repairs heavy patching (sqm)	188	117	207	33	545
Road restorations (sqm)	0	27	16	0	43
AC Base Course Total (T)	26	31	40	8	105

B. MINOR PATCHING - Roads And Footpaths

Activity	Area 1	Area 2	Area 3	Area 4	Total
Pot holes (no.)	112	222	143	142	619
Edge breaks (LM)	0	5	26	0	31
Restorations (sqm)	8	0	8	26	42
Car parks pot holes (no.)	51	0	47	30	128
Trip Hazard Footpaths (no.)	0	0	0	0	0

C. ROADS RESERVE OPENING & RESTORATIONS

Activity	Area 1	Area 2	Area 3	Area 4	Total
Vehicle crossings constructed	8	26	44	31	109
Telstra Inspections	1	3	6	4	14
Sydney Water inspections	3	8	9	14	34
Endeavour Energy Inspections	1	2	1	3	7
Jemena Gas Inspections	2	7	6	4	19
NBN	0	7	12	0	19
Customer & Road Opening requests	11	24	35	19	89

D. MULTI FUNCTIONAL VERGE

Activity	Area 1	Area 2	Area 3	Area 4	Total
Cleaning of gross pollutant trash	17	8	5	24	54
Pits cleaned by hand or suction	135	50	61	97	343
Tail out drains/headwalls	6	38	16	8	68
Removal of waste matter (m ³)	100	64	15	85	264
Flushing of stormwater lines (LM)	1210	500	1010	578	3298
Underpass (drainage) cleaning	2	4	0	0	6
Trip hazards/footpath hazards	25	15	21	9	70
Dead animals removed	14	11	2	5	32
Parra webbing drainage	1	4	3	9	17
Sign retrievals and straightening	4	0	10	3	17
Syringes	230	15	44	11	300
Deliver and set up at venues	5	4	3	2	14
Paver repairs (sqm)	0	0	0	0	0
Oil/ paint spill/debris on road	2	6	1	2	11
Median cleaning/poisoning (LM)	351	19	225	83	678
Guide Posts	1	15	0	2	18

E. STREET ACCESSORIES - Sign Manufacturer

Activity	Area 1	Area 2	Area 3	Area 4	Total
Regulatory signs	8	15	4	16	43
Street signs	43	12	20	32	107
Ordinance signs	4	11	8	9	32
Directional signs	3	4	8	9	24
Warning signs	0	0	14	3	17
Community signs	3	23	7	14	47
Various council signs	10	32	23	21	86
Council special events	5	3	15	9	32
Banners/ Posters	0	0	0	0	0
Various Stickers / Labels	15	8	30	4	57
Total	91	108	129	117	445

Sign Erection

Activity	Area 1	Area 2	Area 3	Area 4	Total
Regulatory signs	150	52	32	80	314
Street signs	33	11	43	12	99
Ordinance signs	15	45	9	21	90
Directional signs	2	3	9	1	15
Warning signs	0	5	9	12	26
Community signs	15	17	2	4	38
Various council signs	0	0	0	0	0
Banner / Bin Installation	9	23	4	15	51
Graffiti Removal (sqm)	3	4	15	0	22
Works orders (traffic)	3	5	2	4	14
Bollard replacement/ repair	13	20	25	3	61
Line Marking/Car Park (sqm)	0	10	2	5	17

F. FOOTPATH RECONSTRUCTION PROGRAM 2015 – 2016

Stage 1A - 100% complete.

Stage 1B - 50% complete.

Stage 2 - 100% complete.

G. NEW FOOTPATH CONTRUCTION PROGRAM 2015 – 2016

Stage 1A - 100% complete.

Stage 1B - 30% complete.

H. KERB AND GUTTER RECONSTRUCTION 2015 – 2016

Stage 1 - 100% complete.

Stage 2 - 96% complete.

Stage 3A - 15% complete.

Stage 3B - 0% complete.

I. FOOTPATH GRINDING PROGRAM 2015 – 2016

20% complete.

J. PAMPS PROGRAM

0% complete.

K. ROADS PROGRAM 2015 – 2016

84% complete.

L. OPERATIONS MINOR WORKS

Ingleburn CCTV Cameras - 100% complete.

Campbelltown CCTV Cameras - 100% complete.

M. CAPITAL WORKS

Eagle Vale Drive Road Stage 3 (Widening and Roundabout) - 82% complete.

Eagle Vale Drive Road (Wynn Street to Badgally Road) - 40% complete.

John Kidd Reserve Recreational Play Area - 100% complete.

Noorumba Fire Trail Drainage Works and Embankment Stabilisation Works - 0% complete.
Pending environmental assessment.

Lynwood Park Soccer Synthetic Turf Installation - 95% complete.

PLUMBERS ACTIVITIES REPORT

Irrigation Works - Council's irrigation team has been involved in maintenance activities and system checks across the LGA, works have involved changing sprinkler heads, repairing leaks, pump systems, damaged pipes, wiring problems and testing of systems.

WORKSHOP ACTIVITIES REPORT

Vehicles/Plant and Equipment, reported here, are items that have accrued abnormal downtime due to awaiting parts/service from suppliers or priorities.

Plant No	Item	Reason - Area of Repair	Repairer	Down Time Hrs
9767.02	Horticulture Truck	Rust repairs in back tray area	CCC Workshops and Supplier	80hrs
9694.02	Sweeper Sucker Truck	Manufacture and replacement of rear snorkel and pivot arm	CCC Workshops	90hrs
9714.02	Horticulture Tractor	Replace hydraulic pump	CCC Workshops and Supplier	34hrs
9973.02	Horticulture Truck	Rust repairs in back tray area	CCC Workshops	42hrs

The following is a breakdown of the work performed since the last report **23 November 2015 – 24 January 2016**.

9767.02	Repairs have been completed and horticulture truck is back in use
9694.02	Repairs have been completed and sweeper sucker truck is back in use

9714.02	Tractor repairs completed and back in use
9973.02	Horticulture truck repairs continuing

All previous reported repairs have been completed and vehicles/plant are back in service.

Tyre Repairs	62
Services carried out	35
Repairs to trucks	42
Repairs to heavy plant	46
Repairs to trailers	32
Tractors/implements	50
SES repairs	0
RFS repairs	3
Small plant repairs	52
Repair to cars	13
Repairs to mowers	55
Repairs to sweepers	11
Pathway requests (completed)	7

Of the reported repairs above 21 were out in the field.

The Workshops Solar panel main power switch was turned off. As a result the total amount remains the same as the previous month at **60,654 kWh** back to the grid.

The Workshop has also carried out the following duties:

- Manufacture and repair of various gates, locks, lock boxes and grates.
- Trailer repairs and modifications.
- Manufacture and repairs of truck bodies.

HAZARD REDUCTION PROGRAM

Hazard Reduction Burning - No hazard reduction burning has been conducted in the reporting period.

Asset Protection Zones Maintenance - 39 hazard reduction treatments were completed in the reporting period, totalling an area of 42.861 hectares with 1340 assets protected.

Fire Trails – No fire trail maintenance has been undertaken in the reporting period.

Fire Trail Gates – Fire trail gates have been installed in two separate entry points at Wedderburn Reserve (Charcoal Pits), to restrict access and prevent illegal waste disposal.

ASSETS AND SUPPLY SERVICES

Procurement and Contract Management Services

Tenders/Quotes/Expressions of Interest and Agreements:

Tenders/Quotes currently being prepared:

- Q16/01 Visual Defects Assessment for Road Pavements and Surfacing
- Q16/02 Rate Notice Production
- Q16/03 Gutter Cleans
- Q16/04 Sports Ground Floodlight Inspections
- T15/17 Traffic Signals on Eagle Vale Drive
- T15/19 Supply and Construct Recycling Shed at Suez site
- T15/20 Design and Construct Workshop at Suez site
- T16/14 Design, Supply and Maintenance of Irrigation Services
- T16/01 Roofing Services
- T16/02 Sports Grounds Floodlight Installation, Upgrades and Repairs
- T16/03 General Trades
- T16/04 Cleaning of Campbelltown Sports Stadium
- T16/05 Cleaning of Council Facilities and Depot
- T16/06 Supply and Transport Streetsweeper Waste Bin, Depot Bulk Bin
- T16/07 Processing and Disposal of Waste from Depot Bulk Bin and Casual Skip Bins
- T16/08 Processing and Disposal only of Streetsweeper Waste
- T16/09 Supply and Servicing Front Lift Bins
- T16/10 Horticultural Services
- T16/12 Demolition of Buildings
- T16/13 Concrete Works
- T16/15 Supply and Operate Carnival Rides and Amusements at Fishers Ghost Festival
- T16/16 Saw Cutting

Tenders/Quotes currently advertised:

- T15/31 Plumbing Services

Tenders/Quotes currently under evaluation:

- Q15/28 Removal and Relocation of Tennis Court Surface
- Q15/30 Wide Area Mower Attachment

ASSET MANAGEMENT

Roads

- Annual Road Inspection 2015-2016 by Council Staff is 100% completed.
- Visual and Laser Survey on Campbelltown City Council's Road Network by a Consultant is 100% completed.
- Treatments and condition data has been updated into SMEC.
- Overall Road Renewal Program 2015-2016 is 91% completed.

Car Parks

- Car Park Inspection 2015-2016 is 10% completed.

Bridge and Culvert

- The work for Safety Barrier Fencing Repair at Stennett Road Bridge and Minto Road Major Culvert is awarded to Evolution Civil Maintenance.
- The quotations for Bridge Joint Repair over the railway at Henderson Road has been sent to contractors for pricing.

Kerb and Gutter

- The Traffic Island Inspection Program for 2015-2016 is 100% completed.
- The Traffic Management Device Inspection Program for 2015-2016 is 24% completed.

Footpath

- The Footpath Stage 3 has been awarded to the Contractor.
- The Footpath condition inspection is 15% completed.

Stormwater

- Stormwater pits inspection for 2015-2016 is 80% completed.
- 20 new stormwater pits and pipes have been captured in the system and mapped in MapInfo.

Parks and Public Spaces

- Between 16 December, 2015 and 8 February, 2016, 1260 assets have been inspected at Parks and Reserves in the Local Government Area. This is a total of 47% of Parks and Reserve assets inspected to new inspection parameters.
- All reactive issues discovered have been reported and all conditions and actions have been updated in Council's Asset Management System.
- 21 Pathways requests have been forwarded to Operations as results of these inspections.
- Simmos Beach Steps (South) construction: Purchase Order has been issued. Work to commence late February 2016.

Building Inspections

- Building inspections have been carried out at 6 locations.
- 100% of "Other structure" condition inspections have been completed.
- All reactive issues discovered have been reported and all conditions and actions have been updated in Council's Asset Management System.

Playground Equipment

- Reactive Repairs - Reactive repairs have been carried out at 29 locations.
- Operational playground inspections have been completed by the Consultant.
- Playground Program Maintenance has been completed at the following locations. Works include repainting and addressing compliance issues:

Apex Park, Bradbury
Lorraine Cibilic Reserve, Woodbine
Kingfisher Reserve, Ingleburn
Fiveash Reserve, St. Helens Park
Stranraer Reserve, St Andrews
Lookout Park, Bow Bowling
Midlothian Reserve, St Andrews
Hallinan Park, Ingleburn

- Replenishment of softfall mulch has completed for 17 sites.
- Replenishment of softfall mulch has been issued for 3 sites.

2015-2016 Innovative Play Spaces Program

Installation dates are as follows:

- Moncrieff Reserve – Has commenced and is due for completion late February.
- Merino Park – Has commenced and is due for completion late February.
- Gargery Reserve – 15 February 2016 to 26 February 2016.
- Salter Reserve – 19 February 2016 to 2 March 2016.
- Macquarie Field Indoor Sports – 20 February to mid March 2016.
- Budbury Reserve, Glenfield – To commence early March 2016.

Internal Assets– Electrical Testing and Tagging

- 699 items of electrical equipment have been tested at locations throughout Local Government Area.

Asset Management System, Grants and Reports

- Roads and Maritime Services monthly report for December have been sent.
- Australian Bureau of Statistics 2nd quarterly report for month of December have been sent.
- Fleet report and plant utilisation report have been sent.

BUILDING MAINTENANCE/CONSTRUCTION PROGRAM

Reactive Maintenance

There were 421 reactive maintenance requests during the months of January till 10 February, 2016.

Building Program Maintenance

- **St Helens Park Reserve Skate Park** – Works are now completed.
- **Fullwood Rugby League New Amenities Building** – Works are now completed. Waiting on Telstra for line connection.
- **Animal Care Facility** – Cattery is completed. Waiting on Telstra for line connection.
- **Blinman Oval** – Steelwork is up, roof is on and the brickwork is 70% completed.
- **Civic Centre** – Stormwater rectification works are now completed.
- **Eschol Park 3** – Plans have been approved by the club to construct an internal storeroom and BBQ area. Works have now commenced.
- **Worrell Park Amenities** – Slab is down and steelworks are in progress.

11. REPORT OF DIRECTOR COMMUNITY SERVICES

11.1 Macarthur Community Options Business Name

Attachments

Nil

Report

As advised in a weekly memo to Councillors on 27 November 2015 the NDIS will begin to be rolled out locally from 1 July 2016.

The introduction of My Aged Care and the National Disability Insurance Scheme (NDIS) means that services provided by Macarthur Community Options (MCOP) will no longer be block funded. Under these new programs, funding packages are provided for individuals and are transferable to another provider, should the customer choose to change provider.

This new funding environment requires providers to be competitive in price, quality and their connection to existing and potential customers. In late 2015, the MCOP team conducted a rebranding workshop with its customers to ensure the service was still connecting with its customers and aware of their needs. As a result of this workshop a new service name was chosen, Life Designs NSW was the most popular choice from this process.

NSW has been included in the business name as services are no longer tied to the Macarthur area. Existing customers who move out of the Macarthur area can now be retained and new out of area customers can be serviced by our team, where practical. Improvements in information technology such as mobile devices, immediate updating of information and shared data make these changes possible.

The choice of a registered business name requires Council's approval as the business name is connected to Council's ABN. Multiple business names can be registered through one ABN so this registration would not affect any future business name applications by Council.

Registration of the business name will enable MCOP to begin promotion so that customers are familiar with the new name by the time of the introduction of the NDIS locally in July 2016.

Officer's Recommendation

That Council approve the change of service name from Macarthur Community Options to "Life Designs NSW" and register the new business name with the Australian Securities and Investments Commission (ASIC).

Council Meeting 16 February 2016 (Glynn/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 20

That the Officer's Recommendation be adopted.

12. REPORT OF DIRECTOR PLANNING AND ENVIRONMENT

No reports this round

13. REPORT OF DIRECTOR STRATEGY

No reports this round