



CAMPBELLTOWN
CITY COUNCIL

ORDINARY BUSINESS PAPER

11 AUGUST 2020

COMMON ABBREVIATIONS

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



04 August 2020

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 11 August 2020 at 6.30pm.

Lindy Deitz
General Manager

Agenda Summary

ITEM	TITLE	PAGE
1.	ACKNOWLEDGEMENT OF LAND	5
2.	APOLOGIES/LEAVE OF ABSENCE	5
3.	CONFIRMATION OF MINUTES	6
3.1	Minutes of the Ordinary Meeting of Council held 14 July 2020	6
4.	DECLARATIONS OF INTEREST	20
	Pecuniary Interests	
	Non Pecuniary – Significant Interests	
	Non Pecuniary – Less than Significant Interests	
	Other Disclosures	
5.	MAYORAL MINUTE	20
6.	PETITIONS	20
7.	CORRESPONDENCE	20
	Nil	
8.	REPORTS FROM OFFICERS	21
8.1	Development Application Status	21
8.2	Draft Local Housing Strategy - Public Exhibition	25
8.3	Drive-in Theatre/Outdoor Cinema	35
8.4	Reports and Letters Requested	38

8.5	Investments and Revenue Report - June 2020	48
8.6	Referral to Audit	56
8.7	Recognition of Service - Councillors Policy	58
8.8	2020 Local Government NSW Annual Conference	63
8.9	Sydney Western City Planning Panel Representatives	70
8.10	Proposed Operating Hours During Christmas Holiday Period 2020-2021	118
8.11	Expenditure Allocation Revote	121
9.	QUESTIONS WITH NOTICE	127
	Nil	
10.	RESCISSION MOTION	127
	Nil	
11.	NOTICE OF MOTION	128
11.1	Protection of the Campbelltown Koala Colonies	128
11.2	Renewable Energy	129
12.	URGENT GENERAL BUSINESS	130
13.	PRESENTATIONS BY COUNCILLORS	130
14.	CONFIDENTIAL REPORTS FROM OFFICERS	131
14.1	Licence Agreement, Council Land Campbelltown	131

1. ACKNOWLEDGEMENT OF LAND

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

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

2. APOLOGIES/LEAVE OF ABSENCE

Nil at time of print.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 14 July 2020

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 14 July 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

Report

That the Minutes of the Ordinary Meeting of Council held 14 July 2020 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 14 July 2020 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 14 July 2020.

ITEM	TITLE	PAGE
1.	ACKNOWLEDGEMENT OF LAND	3
2.	APOLOGIES/LEAVE OF ABSENCE	3
3.	CONFIRMATION OF MINUTES	3
3.1	Minutes of the Ordinary Meeting of Council held 9 June 2020	3
3.2	Minutes of the Extraordinary Meeting of Council held 30 June 2020	4
4.	DECLARATIONS OF INTEREST	4
	Pecuniary Interests	
	Non Pecuniary – Significant Interests	
	Non Pecuniary – Less than Significant Interests	
	Other Disclosures	
5.	MAYORAL MINUTE	5
6.	PETITIONS	5
7.	CORRESPONDENCE	5
7.1	Loss of Funding Grants - Campbelltown Arts Centre	5
8.	REPORTS FROM OFFICERS	5
8.1	Development Application Status	5
8.2	Accessible Housing	5
8.3	Request to amend Gateway Determination and Exhibition of Site Specific Development Control Plan - 22-32 Queen Street, Campbelltown	6
8.4	Minto Urban Renewal Precinct Planning Proposal	6
8.5	Investments and Revenue Report - May 2020	7
8.6	Reports and Letters Requested	7
8.7	Proposed Road Names - Menangle Park	8
8.8	Local Government Remuneration Tribunal Determination 2020	8
8.9	Proposed Investment Property Portfolio and Policy	9
9.	QUESTIONS WITH NOTICE	9
	Nil	

10.	RESCISSION MOTION	9
	Nil	
11.	NOTICE OF MOTION	9
	Nil	
12.	URGENT GENERAL BUSINESS	9
13.	PRESENTATIONS BY COUNCILLORS	10
14.	CONFIDENTIAL REPORTS FROM OFFICERS	11
	Confidentiality Recommendation	
	Recommendations of the Confidential Committee	
14.1	Hurley Street, Campbelltown - Expression of Interest Outcome	11
14.2	Proposed Exclusivity Agreement - Council Land	12

Minutes of the Ordinary Meeting of the Campbelltown City Council held on 14 July 2020

Present

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

1. ACKNOWLEDGEMENT OF LAND

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

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES/LEAVE OF ABSENCE

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

That the apologies from Councillor G Greiss and Councillor P Lake be received and accepted.

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

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

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 9 June 2020

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

That the Minutes of the Ordinary Council Meeting held 9 June 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

3.2 Minutes of the Extraordinary Meeting of Council held 30 June 2020

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

That the Minutes of the Extraordinary Council Meeting held 30 June 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests

Councillor Chivers – Item 8.7 - Proposed Road Names - Menangle Park. Councillor Chivers advised she has a pecuniary interest and will leave the meeting.

Non Pecuniary – Significant Interests

Councillor Gilholme – Item 8.4 - Minto Urban Renewal Precinct Planning Proposal. Councillor Gilholme advised he has a non-pecuniary, significant interest and will leave the meeting.

Councillor Lound – Item 8.3 - Request to amend Gateway Determination and Exhibition of Site Specific Development Control Plan - 22-32 Queen Street, Campbelltown. Councillor Lound advised he is a member of the Sydney Western Planning Panel and he will leave the meeting.

Councillor Lound – Item 8.4 - Minto Urban Renewal Precinct Planning Proposal. Councillor Lound advised he is a member of the Sydney Western Planning Panel and he will leave the meeting.

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

7.1 Loss of Funding Grants - Campbelltown Arts Centre

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

That the letters be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Development Application Status

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

That the information be noted.

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

8.2 Accessible Housing

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

That Council require Certified Access Reports with Development Applications it receives for commercial and public infrastructure developments and continues to encourage building owners to provide dignified and equitable access throughout the Campbelltown Local Government Area.

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

Meeting note: Having declared an interest in Item 8.3 Councillor Lound left the meeting at 6:39pm and did not take part in the discussion or vote on the matter.

8.3 Request to amend Gateway Determination and Exhibition of Site Specific Development Control Plan - 22-32 Queen Street, Campbelltown

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

1. That Council support the proposed amendments to the planning proposal outlined in this report and the planning proposal be amended to reflect the expanded area of open space and changes to the height of buildings map as detailed in this report.
2. That the amended planning proposal be forwarded to the Department of Planning, Industry and Environment with a request that the Gateway Determination be altered to reflect the revised proposal.
3. That Council endorse the future public exhibition of the draft amendment No 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 which seeks to add Part 14, 22-32 Queen Street Campbelltown, as shown at attachment 1 to this report, subject to the tower setback to Queen Street being increased from 8m to 10m.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Bricevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Nil.

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

Meeting note: Having declared an interest in Item 8.4 Councillor Gilholme left the meeting at 6:43pm and did not take part in the discussion or vote on the matter.

Having also declared an interest in Item 8.4 Councillor Lound remained out of the meeting and did not take part in the discussion or vote on the matter.

8.4 Minto Urban Renewal Precinct Planning Proposal

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

1. That Council support the planning proposal for the Minto Urban Renewal Precinct at attachment 1 to this report and submit it to the Department of Planning Industry and Environment seeking a Gateway Determination.
2. The Council invite the owners of Minto Marketplace to submit their own planning proposal for their land.

A Division was recorded in regard to the Resolution for Item 8.4 with those voting for the

Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, M Chivers, B Moroney, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Nil.

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

Meeting note: At the conclusion of the discussion regarding Item 8.4 Councillor Gilholme and Councillor Lound returned to the meeting at 6:45pm.

8.5 Investments and Revenue Report - May 2020

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

That the information be noted.

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

8.6 Reports and Letters Requested

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

That the information be noted.

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

Meeting note: Having declared an interest in Item 8.7 Councillor Chivers left the meeting at 6:47pm and did not take part in the discussion or vote on the matter.

8.7 Proposed Road Names - Menangle Park

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

That Council approve the proposed road names in the attachment to this report for use in Menangle Park.

1. That Council advertise its proposal to use these road names in local newspapers for a period of 28 days and notifies the authorities prescribed by the Roads Regulation 2018.
2. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.
3. That Council engages further research for the naming of roads in later stages of the residential development in Menangle Park. That the research should relate to the themes of local women that have made significant contributions during times of conflict; soldiers that participated in World War One, World War Two, the Vietnam War and any other significant conflict involving Australian military personnel who have a connection to the Campbelltown Local Government Area; and original owners of the estates from the early 1800's.

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

Meeting note: At the conclusion of the discussion regarding Item 8.7 Councillor Chivers returned to the meeting at 6:57pm.

8.8 Local Government Remuneration Tribunal Determination 2020

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

1. That Council endorse the Local Government Remuneration Tribunal determination of no increase in the minimum and maximum fees for the Mayor and Councillors given the current economic and social circumstances.
2. That Council fix the remuneration fee for Councillors at \$25,790 per annum effective 1 July 2020, representing nil increase on 2019-2020 financial year.
3. That Council fix the remuneration fee for the Mayor at an additional \$68,530 per annum effective 1 July 2020 representing nil increase on 2019-2020 financial year.

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

8.9 Proposed Investment Property Portfolio and Policy

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

1. That Council provide in-principle approval for further investments in commercial properties in line with the Investment Property Portfolio – Strategy for Revenue Growth Policy.
2. That Council endorse the Investment Property Portfolio – Strategy for Revenue Growth Policy that sets the criteria for purchase of new commercial properties for investment purposes.
3. That Council grant approval to the General Manager and or Delegated Authorities to pursue new commercial properties to return to Council for consideration.
4. That all properties acquired for the Investment Property portfolio are classified as operational.

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

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates advised that the Fisher's Ghost Art Award will be going ahead and that this is an extremely significant art award across Australia. Councillor Oates hopes, subject to COVID-19 restrictions, that the exhibition will be open to the public. Councillor Oates advised entries open on 1 August 2020 and encouraged all artists to enter.
2. Councillor Rey Manoto with The Mayor, Councillor Brticevic on 19 June attended Rizal Park, Rosemeadow for a commemoration ceremony to mark the 159th anniversary of the birth of Dr Jose Rizal. The commemoration, organised by the Rizal Park Movement of Campbelltown, was an opportunity to recognise and celebrate the immense contribution made to our city by our Filipino community.
3. Councillor Rey Manoto shared that he had the honour of being interviewed by Helen Quinanola from TFC Australia. Councillor Manoto shared how proud he is to have the privilege of representing all the residents of Campbelltown in Council.
4. Councillor Ben Gilholme on 8 July attended Clemente Australia Macarthur Region's outdoor event at Koshigaya Park. Clemente Australia in partnership with the Australian Catholic University offers an academically approved university course for Australians who would otherwise be excluded from tertiary education opportunities. This outdoor event celebrated the successful completion of a semester of study by this small cohort of students who have challenged themselves to study online. Councillor Gilholme congratulated the students on achieving so much during a very difficult time.
5. Councillor Warren Morrison advised Council that on 8 July he was awarded the Paul Harris Fellow Award from Macarthur Sunrise Rotary Club in recognition of Councillor Morrison's community contributions. Councillor Morrison thanked the Macarthur Sunrise Rotary Club for all their work in the community.
6. Councillor Ted Rowell passed on his congratulations to Councillor Greiss and his wife Michelle on the birth of their daughter. The Councillors were advised that flowers and a card were sent on behalf of all Councillors.
7. The Mayor, Councillor Brticevic with Councillor Lound on 11 July attended the official opening of the new building at Ambarvale Sports Complex. This was a \$1.4m project with contributions from Council, the 2015 Asian Cup Legacy money for Light Up NSW and a community building partnership grant from our local member, Greg Warren MP. Councillor Brticevic passed on his thanks to the Director of City Delivery and his team for all their work on the upgrades to Ambarvale Sports Complex noting the fantastic lighting, wonderful amenities and new irrigation for the fields.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Confidentiality Recommendation

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

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

Item 14.1 Hurley Street, Campbelltown - Expression of Interest Outcome

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

Item 14.2 Proposed Exclusivity Agreement - Council Land

Item 14.2 is confidential in accordance with Section 10A(2)(d)(i) of the *Local Government Act 1993* as the report refers to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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

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

The Ordinary Meeting of Council was adjourned at 7.13pm and reconvened as a meeting of the Confidential Committee at 7.14pm.

Recommendations of the Confidential Committee

14.1 Hurley Street, Campbelltown - Expression of Interest Outcome

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

1. That Council agrees to enter into commercial negotiations for proposed Lot 100 (or part thereof being Lot 1 DP 883417 and Lot 1 and DP 1003625).
 2. That all documentation for proposed Lot 100 (or part thereof being Lot 1 DP 883417 and Lot 1 and DP 1003625) be executed under the Common Seal of Council, if required.
 3. That Council enter into a 12 month exclusivity agreement with the entity nominated in this report on the terms and conditions contained within this report for the purpose of
-

seeking a mutually agreeable development outcome that meets or exceeds the aspirations of the Reimagining Campbelltown City Centre Master Plan for the residual of proposed Lot 100 and Lot 101.

4. That further updates be provided to Council at appropriate approval gateways, reflecting progress achieved or other major decisions arising.

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

14.2 Proposed Exclusivity Agreement - Council Land

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

1. That Council enters into a confidential six month Exclusivity Agreement with the entity named in this report, for proposed Lot 2412 on the terms and conditions outlined below.
2. That a further update be provided to Council at the appropriate time, reflecting progress achieved or other major outcomes arising.
3. That all documentation associated with the Exclusivity Agreement be executed by the General Manager under delegation.
4. Should acceptable commercial terms be negotiated, the entering into of a lease with the entity named in this report be brought back to Council for formal consideration.

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

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

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 7.30pm and the Mayor advised the resolutions for Item 14.1 and 14.2 had been adopted.

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

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

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

There being no further business the meeting closed at 7.31pm.

Confirmed by Council on

..... General Manager Chairperson

4. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

Nil

8. REPORTS FROM OFFICERS

8.1 Development Application Status

Reporting Officer

Director City Development
City Development

Community Strategic Plan

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

Officer's Recommendation

That the information be noted.

Purpose

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

Report

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

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

Attachments

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

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
389/2017/DA-RA	'Raith' 74 Fern Avenue, Campbelltown	Construction of a residential development containing 134 residences and alterations to and use of the existing heritage building.	\$26,000,000	>20 million (registered prior to \$30mil threshold)	Under assessment	
308/2019/DA-C	22-32 Queen Street, Campbelltown	Concept plan for a proposed multi-storey mixed use residential and commercial development	\$132,572,272	>\$30 million capital investment value	Briefing undertaken, final report being prepared	
1227/2019/DA-M	12-16 Francis Street and 121 Minto Road, Minto	Demolition of four existing dwellings and construction of 23 'affordable rental housing' townhouses and basement car parking	\$7,995,408	>\$5 million capital investment value for affordable rental housing	Under assessment	
434/2020/DA-C	158 Queen Street Campbelltown	Amalgamation of two allotments, demolition of structures and construction of an 11 storey building comprising of a 2 storey RSL club with 152 hotel rooms above	\$50,056,894	>\$30 million capital investment value	Under assessment	
4204/2016/DA-RA/B	6-12 Dumaresq Street Campbelltown	Modification of a development consent to construct a multi-storey mixed use building	N/A	>\$30 million capital investment value	Briefing undertaken	
4609/2018/DA-SW	Appin Road, Gilead	Staged subdivision to create 424 residential lots, 20 residue lots and associated civil works	\$33,446,465	>\$30 million capital investment value	Under assessment	

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2255/2018/DA-C	Western Sydney University, 183 Narellan Road, Campbelltown	Construction and operation of the Campbelltown Sports and Health Centre of Excellence including a two storey building, 120 on-site parking spaces, new driveways and landscaping works	\$29,214,249	>\$5 million capital investment value Council application	Under assessment	
906/2020/DA-SW	Gidley Crescent, Claymore	Subdivision to create 179 residential lots two residual lots including associated works - Stage 4	\$13,940,148	>\$5 million capital investment value Crown development	On public exhibition	

DAs to be considered by the Department of Planning						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
SSD 17_8593	16 Kerr Road, Ingleburn	Expansion of existing waste recovery and reuse facility, extension of operating hours to 24 hours per day	\$1,813,000	State Significant Development	Under assessment	
SSD-9476	Commissioners Drive, Denham Court	Construction and operation of a new public primary school	Unavailable	State Significant Development	Under assessment	
SSD-10420	6A Watsford Road, Campbelltown	Construction and operation of a new school	Unavailable	State Significant Development	Under assessment	

Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
368/2016/DA-U	150 Georges River Road, Kentlyn	Extension of existing poultry sheds	\$10,000	Number of objections	Approval received from Dept of Planning	
743/2018/DA-SW	901 & 913 Appin Road, Campbelltown	Subdivision into 333 residential allotments, 5 residue allotments with associated civil works including road construction, stormwater management facilities & tree removal Stage 1	\$19,072,587	Number of objections, VPA	Under assessment	
3493/2017/DA-RS	Lot 1 Linum and Lot 143 Lantana Streets, Macquarie Fields	Construction of 12 two storey dwellings and subdivision into 12 Torrens title allotments	\$3,200,000	Council land	Awaiting further information from applicant	
4618/2018/DA-C	4 Stranraer Drive, St Andrews	Use of building as an outside school hours child care facility	\$165,000	Council land	Reported to April 2020 LPP meeting. Deferred for further information.	

DAs with a stated value of \$1 million or more approved under Delegated Authority by the General Manager since last Council meeting						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
1599/2020/DA-DW	73 Bruce Ferguson Avenue, Bardia	Construction of a two storey dwelling, attached garage and associated site and landscape works	\$1,530,000	Delegated	Completed	Approved with conditions

8.2 Draft Local Housing Strategy - Public Exhibition

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That the draft Campbelltown Local Housing Strategy (attachment 1) be endorsed and placed on public exhibition for a period of 28 days.
2. That the outcome of the exhibition of the draft Campbelltown Local Housing Strategy be reported back to Council.

Purpose

The purpose of this report is to inform the Council of the draft Campbelltown Local Housing Strategy (draft Strategy), seek its endorsement of the draft Strategy and its approval to place the draft Strategy on public exhibition for a period of 28 days.

The preparation of the draft Strategy (attachment 1) is a required action of the Campbelltown Local Strategic Planning Statement (LSPS) and forms part of the suite of plans required to inform the review of Council's Local Environmental Plan 2015 (CLEP 2015).

History

Sydney Region Planning Framework

In March 2018, the NSW Government released the Greater Sydney Region Plan, A Metropolis of Three Cities (GSRP), which is built on a vision of three cities where most residents live within 30 minutes of their jobs, education, health facilities and services. The vision identifies three cities known as the Western, Central and Eastern Cities. The vision identifies goals and objectives for the three respective cities.

The GSRP has four key components that are in place to drive the three cities' vision including:

- Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

Five district plans were prepared to guide the implementation of the GSRP. Campbelltown falls under the Western City District Plan (WCDP).

The WCDP requires councils to develop housing strategies to deliver housing targets in the short, medium, and long-term housing growth. The following targets are provided:

- a) The delivery of five year (2016-2021) housing supply targets for the Campbelltown local government area of 6800 dwellings.
- b) The delivery of six to 10 year (when agreed) housing supply targets for each local government area.
- c) Capacity to contribute to the longer term 20 year strategic housing target for the Western City District of 184,500 dwellings.

The WCDP requires housing strategies to be prepared and given effect through a number of planning priorities and actions that Councils are required to undertake as part of the review of their Local Environmental Plans (LEPs). The approval of the LSPS by the Greater Sydney Commission, which came into effect on 31 March 2020, was an important first step in the LEP review process and has informed preparatory work on the draft Strategy.

Campbelltown Local Strategic Planning Statement

The LSPS came into effect on 31 March 2020, and provides planning priorities and actions for Council to align with Region and District planning initiatives and feedback from the local community on the future of the City of Campbelltown.

The following specific actions of the LSPS relate to the preparation of a draft Strategy for the Campbelltown LGA:

Action 2.1:

Develop a comprehensive Local Housing Strategy for the Campbelltown LGA that identifies and prioritises the areas for growth having regard to housing demand, growth trends, and the existing and likely future housing stock

Action 2.2:

Use the Local Housing Strategy to provide the evidence base for Campbelltown City's 10 and 20 year housing targets and dwelling mix, and to determine infrastructure capacity constraints and potential sequencing of housing delivery across the Campbelltown LGA.

The draft Strategy has been prepared in accordance with the above actions of the Campbelltown LSPS, and higher order requirements of the WCDP and GSRP. The Strategy will inform future reviews of the LSPS and the CLEP 2015. It will also assist in the future planning of the growth priority areas, urban renewal corridor and precincts in collaboration with Department of Planning, Industry Environment (DPIE) and the Greater Sydney Commission.

LEP Review - Timeline and Funding

Council has received funding under the Western Sydney City Deal to conduct an accelerated review of the CLEP 2015.

The preparation of a draft Strategy is required to inform further reviews of the CLEP 2015 by providing:

- An evidence based assessment of unique housing needs of Campbelltown current and future residents
- Recommendations for housing supply for projected population growth, including diversity and affordability
- Guidance on sustainable growth aligned with infrastructure capacity and provision
- Recommendations and actions for housing in the LGA, and inform review of Council's LSPS, LEP and DCP
- Guidance on the application of housing related actions from the LSPS
- Identifies policy positions and non-statutory planning actions to support the delivery of housing objectives and goals

As part of the LEP review funding process, the draft Strategy is required to be approved by Council and referred to the Greater Sydney Commission for finalisation by 30 September 2020.

Report

Introduction

The Local Housing Strategy is a housing review undertaken at local government level and has been prepared in accordance with regional and district planning framework, and the specific actions of the Campbelltown LSPS.

The draft Strategy (attachment 1) is an evidence based document and sets out the priorities and actions to deliver suitable housing in the right locations to meet the needs of the Campbelltown community over the next 20 years. It ensures that housing delivery protects local amenity and character, open space and ecological values and is aligned with infrastructure provision.

The draft Strategy has been prepared by Council with assistance by planning consultants Hill PDA, engaged by Council through an open tender process in early 2020. The drafting has included consideration of community feedback under the LSPS, early work undertaken on the Campbelltown Employment Lands Study, and has been informed by preliminary consultation with key community groups and stakeholders in the LGA.

The draft Strategy must be approved by Council and referred to the Greater Sydney Commission for its finalisation. Future planning proposals and policy amendments will be required to align with the outcomes of the final Local Housing Strategy.

Campbelltown Local Strategic Planning Statement

The LSPS was prepared to outline strategic planning priorities and actions for the Campbelltown LGA, and set out a 20 year vision for meeting the community's land use planning needs. The LSPS provides an overview of the characteristics and values of Campbelltown, a direction for growth, recommendations for revising planning controls, implementation pathways for the Region and District plans and identification of where further strategic planning is required.

The LSPS was endorsed by Council on 18 February 2020 and came into effect 31 March 2020 following approval by the Greater Sydney Commission. The preparation of the draft Strategy is a priority action for Campbelltown City Council under the directions of the LSPS to address housing supply and delivery.

The LSPS was informed by community consultation undertaken on the draft LSPS document in June and July 2019, as well as earlier consultation related to the Campbelltown Community Strategic Plan (CSP), and Reimagining Campbelltown CBD.

The LSPS has established the following strategic policy issues relevant to housing growth in the Campbelltown LGA for consideration under the draft Strategy:

- Contain urban growth within the existing urban area or within the identified priority growth and urban investigation areas
- Housing supply, diversity, choice and quality respond to community needs and contribute to housing requirements at the District level
- Inform the Affordable Rental Housing Target Schemes for development precincts
- Coordinate the planning and delivery of local and State infrastructure.

These LSPS outcomes have been considered in the preparation of the draft draft Strategy as outlined below. The housing strategy, once finalised, will inform the next review of the LSPS.

Draft Campbelltown Local Housing Strategy

The draft Campbelltown Local Housing Strategy (attachment 1) comprises four parts as outlined below.

Part 1 Introduction and Policy Context - Establishes the purpose of the Strategy and provides an overview of the Campbelltown LGA and the policy context.

Part 2 Evidence - Provides an overview of population and housing forecasts and drivers of change that will influence the future housing needs of the Campbelltown LGA.

Part 3 Planning Priorities - Provides planning priorities and a long-term strategy to meet the housing needs of our community, including specific objectives, actions and performance indicators.

Part 4 Implementation – Establishes a clear framework for planning for housing in the LGA, including urban renewal development and greenfield areas, and increasing housing diversity and choice.

When finalised, the Campbelltown Local Housing Strategy is intended to guide the delivery of housing across the LGA to 2036 by identifying anticipated housing needs of the current and future population, and setting out statutory planning measures to ensure the appropriate delivery of housing related outcomes.

The draft Strategy includes potential policy positions and non-statutory planning actions to support the delivery of the regional and district dwelling targets identified by the DPIE.

The key objectives of the draft Strategy are to:

- (a) Provide an evidence based assessment of the supply and demand of housing in the Campbelltown LGA, including consideration of demographic factors, housing trends, local land use opportunities and constraints, and infrastructure limitations.
- (b) Identify and respond to the constraints and opportunities for the delivery of new housing in the Campbelltown LGA having regard to the requirements of the Greater Sydney Region Plan and Western City District Plan.
- (c) Promotion of the efficient use of land and infrastructure by aligning housing growth with supporting infrastructure and social services, such as schools, health facilities and public transport.
- (d) Comply with the requirements of the Department of Planning, Industry and Environment's Local Housing Strategy Guidelines.

The key components of the draft Strategy to deliver the above objectives are summarised as follows:

- Provision of a clear plan that will direct housing delivery in the Campbelltown LGA over the next 20 years, and align with the relevant requirements of the Sydney Regional Plan, Western City District Plan, and Council's LSPS.
- Identification of the preferred sequencing of housing delivery in the LGA to achieve growth targets in an orderly and efficient manner, including identification of areas that would not be appropriate for new housing due to local constraints.
- Details of engagement undertaken with the community and relevant stakeholders to identify local housing needs and aspirations.
- Discussion of opportunities to deliver affordable and social housing outcomes to meet the needs of the community, including consideration of Affordable Rental Housing Target Schemes.
- Discussion of opportunities to deliver housing outcomes to meet the needs of students and seniors.
- Recommendations on local planning mechanisms that may be implemented by Council, including potential amendments to CLEP 2015, to facilitate the delivery of housing outcomes identified in the Strategy.

Preliminary Consultation

The draft Strategy has been prepared following preliminary consultation with the public and key stakeholder groups, summarised as follows:

- On Line Public Survey (May 2020). In total 138 responses to the survey were received, 114 of which were general public who accessed the survey via the Council website
- Targeted phone calls and meetings with key housing providers and community groups, including real estate agents, housing groups and social service agencies
- Internal Workshop with Council staff – 2 July 2020
- Councillor Briefing Session and Feedback – 28 July 2020

In addition to the above, the draft Strategy has been prepared having regard to previous feedback from residents from consultation undertaken on the LSPS, Reimagining Campbelltown, and the Community Strategic Plan as relevant to the future of housing in the Campbelltown LGA.

The key issues identified for housing provision in the Campbelltown LGA identified under the preliminary consultation process have informed the preparation of the draft Strategy, and are summarised as follows:

- Provision of affordable housing
- Provision of a diversity housing typologies
- Accessibility and inclusive design
- Preservation of scenic hills
- Protection and enhancement of rural residential land
- Protection of koala habitat and other general biodiversity matters
- Support for higher density and mixed use within walkable distance to train stations
- Protection of heritage assets through revitalisation and adaptive reuse
- Celebration of arts and culture
- Appropriate and accessible open spaces and sports and recreation facilities

Initial Findings of Evidence Assessment

The key findings from the evidence based review component of the drafting process for the draft Strategy are summarised follows:

- Campbelltown is expected to see a significant growth to 2041, particularly in school aged children and families increasing demand on education and social infrastructure.
- The synchronisation of residential growth with jobs and connectivity under the 30 minute city concept is an important requirement for sustainable growth.
- Glenfield to Macarthur urban renewal corridor is a key outcome for the Western City District Plan and will provide growth in areas with access to existing transport infrastructure. The six precinct plans include plans for increased density as well as employment and services lands with approximately 18,000 additional dwellings.

- The growth areas to the south of Macarthur in Menangle Park and Gilead are expected to provide approximately 19,000 additional dwellings by 2036.
- Dwelling construction and completions in the Campbelltown LGA are trending to achieve the five year housing target (2016-2021) of 6800 dwellings under the WCDP.
- There is sufficient residential zoned greenfield land available in the Campbelltown LGA to replicate the five year housing target of 6800 dwellings under the WCDP for the rolling six to 10 year period (2021-2026), with identified housing capacity as follows:
 - Menangle Park (4000+ dwellings)
 - Glenfield (200 dwellings)
 - Bardia (800 dwellings)
 - Willowdale (1500 dwellings)
 - Claymore (250 dwellings)
 - Maryfields (650 dwellings)
 - Western Sydney University precinct (500 dwellings)
 - Airs (300 dwellings)

In addition to these locations, there are several other planning proposals progressing through the planning system which will provide additional housing capacity as follows:

- Campbelltown RSL (438 dwellings)
- 22-32 Queen St (750 dwellings)
- Ingleburn CBD (3240 dwellings)
- 26 Mercedes Road (12 dwellings)
- Removal of dwelling cap for three sites (400 additional dwellings)
- Evelyn St Macquarie Fields (28 dwellings)
- Kellicar Road Planning Proposal (1800 dwellings)
- Minto Urban Renewal Precinct (1500 dwellings)

All of this is in addition to the current capacity for infill development, eg secondary dwellings, which add to overall housing capacity.

- This strategy must use the DPIE population projections as per the WSDP however, alternate projections developed by Council for higher growth outcomes are also being considered within the strategy.
- Housing needs be a range of types, tenures and price points to cater for different stages of life and diversity of household types.
- Residential development needs to be supported by the timely provision of required infrastructure development.
- Housing affordability and availability is a key concern of the community.
- Future residential development should be focused in the existing urban settlement area and identified already growth centres to maintain and protect the scenic and environmental character of the area.

Affordable Rental Housing

Housing affordability includes the provisioning of affordably priced rental housing that meets the needs of very low to moderate income households. Affordable Rental Housing (ARH) dwellings are generally benchmarked at a maximum rental cost of 30 percent of gross household income to reduce 'rental stress'.

The draft Strategy identifies a number of opportunities for Campbelltown City Council to enable ARH development through a number of local and state planning mechanisms. This includes ARH targets for new development, potential contributions by developers, incentives for ARH under Councils LEP, as well as through voluntary planning agreements. The draft Strategy identifies these options for detailed investigation by Council under an Affordable Rental Housing Strategy for the Campbelltown LGA.

To assist this outcome, Council has partnered with other local Councils in the Western City Planning Partnership to collectively examine affordable housing demand, gap and cost analysis in the WCDP. This work is anticipated to be completed later this year and will provide the foundation for an affordable rental housing strategy for the Campbelltown LGA, and ensure a consistent and best practice approach across all Western Sydney Councils involved in the partnership.

The DPIE is also reviewing its policy framework in regards to housing affordability, housing diversity and affordable rental housing having just placed on exhibition an explanation of intended effect in regards to a proposed Housing Diversity SEPP. It is proposed that the new Housing Diversity SEPP will:

1. Introduce new definitions for student housing, build-to-rent housing and co-living.
2. Amend some state-level provisions, particularly for boarding house and seniors housing development.
3. Amend some state-level planning provisions to support social housing developments undertaken by the NSW Land and Housing Corporation (LAHC) on government-owned land; and
4. Consolidate three housing-related SEPPs being:
 - State Environmental Planning Policy No. 70 Affordable Housing (Revised Schemes)
 - State Environmental Planning Policy (Affordable Rental Housing) 2009
 - State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004

Notwithstanding the above most recent policy movement by the DPIE, the draft Campbelltown Local Housing Strategy needs to be completed despite the exhibition of the explanation of intended effect. If the changes proposed in the explanation of intended effect are made in the future by the DPIE then they will need to be incorporated in future reviews of the draft Strategy.

Reimagining Campbelltown

The draft Strategy has been prepared using the evidence base prepared for the Reimagining Campbelltown City Centre Master Plan (RCCCMP). The draft Strategy applies to the whole LGA, whereas the RCCCMP only applies to the City Centre.

The City Centre will play an important part in the future accommodation of housing diversity and affordability. City centre living opportunities will provide for a range of apartment sizes from studio apartments, through to larger apartments with 3 or more bedrooms, with the proportion of the same moving with the City Centres identified demographic needs.

The draft Strategy is considered to be consistent with the RCCCMP.

Campbelltown Residential Development Strategy 2014

The Campbelltown Residential Development Strategy 2014, was used to inform the preparation of the CLEP 2015 and has been used since as a reference document when assessing planning proposals. It is intended the draft Strategy once adopted would replace the Residential Development Strategy 2014.

Public Exhibition

It is proposed to publicly exhibit the draft Strategy for comment for a period of 28 days.

Any comments received during the community consultation period will be considered in a final review of the draft Strategy and reported back to the Council. In this respect the final version of the draft Strategy will be reported back to Council seeking its approval, including any amendments undertaken to address issues raised during the public exhibition period.

It should be noted that community consultation will be primarily undertaken on Council's website with limited physical engagement to address Government Policy on social distancing requirements due to the COVID-19 pandemic. Letters will also be sent to the proponents of planning proposals currently under assessment by Council, community housing providers and anyone who made a housing related submission during consultation on the draft LSPS.

Conclusion

The draft Strategy is underpinned by evidence-based studies and has been informed by preliminary community engagement, and initial targeted consultation with community groups and key stakeholders, including real estate agents, housing groups and social service agencies.

The draft Strategy is required to deliver on the housing related actions and priorities of Council's LSPS 'Campbelltown 2040', and comply with the requirements of the GSRP and WCDP with respect to strategic land use planning for housing growth in the Campbelltown LGA.

The draft Campbelltown Local Housing Strategy considers and responds to key trends and opportunities to ensure that housing growth in Campbelltown is appropriately managed in accordance with the strategic planning framework for Campbelltown.

When finalised, the draft Strategy will play an important role in informing future LEP and DCP amendments, underpin the preparation of an Affordable Rental Housing Strategy for the LGA, and guide the decision making process of future planning proposals in the LGA relating to the provision of housing.

It is recommended that Council place the draft Campbelltown Local Housing Strategy on public exhibition for 28 days.

Attachments

1. Draft Campbelltown Local Housing Strategy (distributed under separate cover)

8.3 Drive-in Theatre/Outdoor Cinema

Reporting Officer

Executive Manager Community Life
City Lifestyles

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.4 - Provide and support exciting and curious events and festivals for the local community and visitors

Officer's Recommendation

That Council:

1. Seek Expressions of Interest from external companies to operate a Drive-in Theatre/Outdoor Cinema in Campbelltown.
2. That if an external company is engaged and the event proceeds, Council support the delivery of the event with in-kind venue hire and marketing support.

Purpose

To provide the outcomes of the feasibility study and recommendation for the consideration of a Drive-in Theatre/Outdoor Cinema in Campbelltown.

History

Council at its meeting of 9 June 2020 resolved that a feasibility report be prepared on the introduction of a pilot Drive-in Theatre/Outdoor Cinema at an appropriate location within the LGA, that includes an assessment of considerations such as:

- a) Financial costs and benefits
- b) Opportunities to include sponsorship to offset costs
- c) Participation by community groups
- d) Use of mobile food retailers local to Campbelltown
- e) All COVID-19 rules and restrictions regarding gathering and the assembly of movie goers in an open area, especially car positioning and people distancing
- f) Seasonal factors.

Report

An evaluation of the current COVID-19 pandemic found that movie cinemas across the country were previously unable to operate, however as of 1 July 2020 cinemas in NSW were given approval to reopen with social distancing in place. During this time it was also noted that there could be an opportunity to provide entertainment, such as a Drive-in movie event, to allow the community to gather in line with social distancing restrictions.

As a result of this a feasibility study was undertaken which evaluated three styles of delivery for this type of event including a:

- 1) Drive-in Theatre operated by Council
- 2) Drive-in Theatre operated by an external company
- 3) Outdoor cinema seated in marked, socially distanced zones.

Two external providers had previously contacted Council staff to discuss the option of providing equipment for a Drive-in cinema style event. Council staff contacted these external providers to discuss their interest in the event and their capacity to run a Drive-in Theatre in Campbelltown. It was found that they were only able to provide the media equipment with Council being required to host the event including making arrangements for traffic management and equipment, staff overtime, amenities, security, cleaners, advertising and promotion and first aid as well as other event considerations.

Seasonal factors were also considered and it was suggested that the first session could start at 6pm with a second session commencing at 8.30pm depending on the time of sunset and running time of the movies selected.

Based upon this it was determined that the cost of Council hosting this event would require an upfront investment of \$16,420 with the event generating a loss of \$7820 if income targets are achieved (100 cars per session @ \$30 per car x two sessions = \$6000 from ticket sales plus \$2600 from advertising and sponsorship).

This financial model relies on advertising and sponsorship from local companies however it is important to consider that many local businesses have suffered significant financial loss due to COVID-19 and are unlikely to be in a position to sponsor an event at this time.

The use of local food vendors would be included for this style of event however it would be recommended that they not be charged to host their stall given the attendance and financial variables associated with delivering this type of event in addition to the current financial stress being experienced by local food vendors.

The option of having community groups participate in delivering the event, such as the State Emergency Service assisting with traffic management, was considered however the inclusion of community groups would be dependent on social distancing restrictions. It is also important to consider the interaction of vulnerable or high risk members that may be part of such organisations.

In addition, Council staff investigated other locally run outdoor cinemas that have been created since COVID-19. Fairfield City Council held a cinema in June with a successful opening night of approximately 80 cars however subsequent screenings attracted very low numbers with only 15 cars attending some sessions. Pop up food retailers at this location reported extremely low takings. Another cinema was hosted in Prestons with the opening night operational on Friday 26 June. After low ticket sales for the following night, Saturday 27 June, the event was cancelled.

Additionally, the option of hosting a seated outdoor cinema could be further investigated however the current COVID-19 social distancing requirements and the changing social gathering restrictions makes planning for this type of event impractical at this time.

In conclusion, after evaluating the operational requirements, including the cost of the operation of a Drive-in Theatre and the low success rate of other locally run Drive-in Theatres, it is recommended that Council undertakes an Expression of Interest to test and verify the commercial viability from external operators to host a drive in cinema in Campbelltown with Council providing support for the event through in-kind venue hire and marketing support.

This approach would ensure that Council is able to leverage commercial partnerships that an external operator may already have in place in regards to accessing quality films while concentrating Council's efforts in addressing local planning requirements and approvals. The combined marketing efforts from both parties would further strengthen the commercial viability of this type of event during its initial season, should there be interest from an external provider.

Attachments

Nil

8.4 Reports and Letters Requested

Reporting Officer

Director City Governance
City Governance

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

Officer's Recommendation

That the information be noted.

Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 4 August 2020.

Attachments

1. Reports requested listing (contained within this report)
2. Letters requested listing (contained within this report)

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Delivery			
12.11.19 RM	ORD NM - 11.2 Stormwater Usage That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	September 2020
10.12.19 WM	ORD NM - 11.2 Grey Water Usage 1. That a report be presented on the feasibility of the re-use of grey water within the community.	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	September 2020
City Development			
13.11.18 GB	ORD - 8.3 Household E-Waste Drop Off Event 2. That a further report be provided to Council on the future recycling arrangements for e-waste upon confirmation of the completion timeframe for the construction of the Community Recycling Centre.	This report is subject to the time frame of the Community Recycling Centre.	February 2021
09.04.19 WM	ORD - 8.2 Planning Proposal - Ingleburn CBD 4. That a further report be provided to Council after the Gateway Determination with public exhibition with the planning proposal a draft Development Control Plan for Ingleburn CBD to be placed on public exhibition with the draft planning proposal.	Gateway determination received from the Department in March 2020.	October 2020

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
09.04.19 BT	ORD 8.6 Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct) 5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.	To be included in the next amendment to the Contributions Plan.	December 2020
06.08.19 GG	ORD 14.1 Campbelltown Design Excellence Panel That a report providing a review of the Panel's operation be provided to Councillors after it has been in operation for 1 year.	First meeting held 26 March 2020.	March 2021
10.09.19 KH	ORD 8.1 Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use 5. That following an exhibition, a report on submissions be presented to Council.	Exhibition subject to the Gateway determination.	December 2020
10.03.20 WM	ORD 8.2 Menangle Park - Draft Planning Proposal 4. That following the public exhibition a report on any submissions received be presented to Council.	Exhibition subject to the Gateway determination.	December 2020

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
10.03.20 KH	<p>ORD 8.3 Amendment to Campbelltown (Sustainable City) Development Control Plan - Seniors Living Developments</p> <p>2. That following completion of the public exhibition period, where submissions have been received, a further report be provided to Council to consider the submissions prior to the making of the draft amendment.</p>		April 2021
10.03.20 MO	<p>ORD 8.6 Mt Gilead - Draft Planning Proposal</p> <p>3. That should the Minister determine under section 3.3.4(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.</p> <p>4. That following the public exhibition a report on any submissions received be presented to Council.</p>	Exhibition subject to the Gateway determination.	December 2020
12.05.20 WM	<p>ORD 8.2 Menangle Park Contributions Plan</p> <p>3. That where non-supportive submissions are received during the public exhibition period, a further report be presented to the Council on the outcome of the public exhibition and the response to the submissions.</p>	No submissions were received during the exhibition period, so as per the Council resolution, the Menangle Park Contributions Plan was adopted by the GM under delegation of Council and formally notified on 23/6/2020.	Not required

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
12.05.20 BT	<p>ORD 8.3 Planning Proposal to rezone Land at the corner of Appin Road and Kellerman Drive, St Helens Park</p> <p>3. That subject to satisfying the requirements of the Gateway determination, the Proposal be placed on public exhibition and the outcome of that exhibition be reported to the Council.</p>	Exhibition subject to the Gateway determination.	December 2020
City Governance			
10.12.19 WM	<p>NM 11.1 - QR Codes on Monuments and Street Signage</p> <p>3. That in addition to street sign plates, the opportunity and feasibility of QR codes or similar electronic internet based information devices to be included on all similar information devices referred to in item No.1, across the Campbelltown LGA, be investigated and reported back to Council for its consideration.</p>	A report is being drafted and anticipated to be presented to Council at the September 2020 meeting.	September 2020
9.06.20 GB	<p>NM 11.1 - Extension of the Sponsorship Policy</p> <p>1. That Council seeks a feasibility report to consider extending the sponsorship policy in relation to the following:</p> <p>a. The extension of the roundabout beautification program by offering corporate sponsorship of major thoroughfare locations such as the intersection of Pembroke and Ben Lomond Roads at Minto.</p> <p>b. Expanding Council tree planting days by offering corporate sponsorship and consideration be given to include the expansion in the Koala Town Project.</p>	Consultation with the business has commenced and a report is anticipated to be presented to Council at the September 2020 meeting.	September 2020

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Governance			
9.06.20 BG	<p>NM 11.2 - Data Capture</p> <p>That a report be presented to Council that explores opportunities to engage and educate our community on the value of capturing, sharing and using data to help people, businesses and government make better evidence-based decisions and improve the lives of our citizens</p>	<p>Management are currently reviewing opportunities and aim to have a report to Council by the October cycle</p>	October 2020
City Growth			
11.12.18 BM	<p>ORD - 14.4 - Engagement of Architects for Construction of a New Childcare Centre</p> <p>1. That Council approves the engagement of the preferred Architects based on their fee proposal submitted to Council – subject to legal confirmation that the negotiated contract terms are satisfactory</p> <p>2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates</p> <p>3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.</p>	<p>Council has engaged the architect and commenced Stage one of the scope works.</p> <p>Stage one has been completed and Stage two is now in progress.</p> <p>Due to COVID-19 this project is on hold.</p>	December 2020

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
09.07.19 KH	<p>ORD NM 11.1 Reimagining Campbelltown</p> <p>1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.</p> <p>2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.</p>	<p>1. The team is investigating with a report on electric car charging stations expected to be presented to Council in September 2020.</p> <p>2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.</p>	September 2020
12.11.19 BM	<p>ORD NM 11.3 Coffee Cup Recycling</p> <p>That a report be presented to Council investigating options, in collaboration with local business owners, for the provision of takeaway coffee cup recycling along Queen St.</p>	A report is expected to be presented in October 2020.	October 2020
10.03.20 BM	<p>ORD 8.12 Latest Findings on Climate Change</p> <p>1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.</p>	<p>Due to COVID-19 this project has been on hold.</p> <p>It is intended that a consultant will be engaged within the next 3 months to commence investigations.</p>	February 2021

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
14.04.20 GG	<p>ORD 8.8 Draft Reimagining Campbelltown City Centre Masterplan</p> <p>1. That Council endorse the draft Reimagining Campbelltown City Centre Masterplan.</p> <p>2. That Council place the Reimagining Campbelltown City Centre Master Plan on public exhibition for a period not less than 90 days.</p> <p>3. That a further report be presented to Council at the completion of the public exhibition period detailing outcomes of exhibition.</p>	A report is expected to be presented in October 2020.	October 2020
09.06.20 PL	<p>ORD 8.1 Development Application Status</p> <p>That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.</p>	Initial investigations have begun and are scheduled to be complete by mid to late September 2020 with a report expected to be presented to Council in October 2020.	October 2020
City Lifestyles			
10.03.20 WM	<p>NM 11.1 - Flag Raising Day</p> <p>That a report be presented on the feasibility of a flag raising day for the combined Pacific Community.</p>	<p>Consultation planned to commence in early April.</p> <p>Consultation has been delayed indefinitely as key stakeholders are currently involved in providing food security services for Pacific Island communities as a result of COVID-19. Consultation with key stakeholders will commence in June pending COVID-19 restrictions.</p>	TBA pending COVID-19

Reports requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Lifestyles			
9.06.20 RM	<p>NM 11.3 - Drive-in-Theatre</p> <p>That a feasibility report be prepared on the introduction of a pilot Drive-in Theatre/Outdoor Cinema at appropriate locations within the LGA, that includes an assessment of considerations such as:</p> <ul style="list-style-type: none"> a) Financial costs and benefits b) Opportunities to include sponsorship to offset costs c) Participation by community groups d) Use of mobile food retailers local to Campbelltown e) all COVID-19 rules and restrictions regarding gathering and the assembly of movie goers in an open area, especially car positioning and people distancing f) Seasonal factors. 	A report to be presented to Council at the August 2020 meeting as Item 8.3 on the agenda.	August 2020
General Manager			
08.10.19 MO	<p>ORD NM 11.2 Digital Advertising in Shopping Precincts</p> <p>1. That a report be presented to Council that explores the opportunities for digital advertising in public locations such as shopping centres to regularly promote Council's activities and programs.</p> <p>The report should focus on key shopping precincts including Macarthur Square, Campbelltown Mall, Glenquarie Town Centre and Minto Marketplace and any other appropriate locations, assessing costs, feasibility of producing marketing material and any other operational benefits or implications.</p>	<p>A Creative Marketing Specialist commences in January 2020 and will undertake the investigations so a report can be presented.</p> <p>A report is expected to be presented to Council at the September 2020 meeting.</p>	September 2020

Letters requested effective 4 August 2020

*Date of Decision *Mover	Action Item	Comments / updates
City Development		
11.06.19 KH	<p>ORD 8.11 Proposed Biodiversity Certification Process Mount Gilead Stage 2</p> <p>3. That a letter be sent to the Department of Planning and Infrastructure noting our previous stated objections to the state Governments treatment of Beulah and Noorumba reserves and seek commitment that future bio banking sites will remain accessible to local wildlife populations.</p>	<p>Letter sent on 3/10/2019 to the Department of Planning and Industry and Environment.</p> <p>A follow up letter was sent on 26/3/2020 to the NSW Department of Planning, Industry and Environment.</p> <p>As at 3/08/2020 the NSW Department of Planning, Industry and Environment have not responded to the original letter dated 3/10/2019 or to the follow up letter dated 25/03/2020. Council will be advised if a response is received in the future.</p>

8.5 Investments and Revenue Report - June 2020

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the information be noted.

Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of June 2020.

Report

Investments

Council's investment portfolio as at 30 June stood at approximately \$239m. Funds are currently being managed by both Council staff and fund managers and are in accordance with the *Local Government Act 1993*, Local Government (General) Regulation 2005 and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions.

The return on Council's investments for the financial year ended 30 June 2020 yielded approximately \$4.3m and whilst the portfolio returns continued to outperform the AusBond Bank Bill Index benchmark, the interest income did not reach the estimated original budget. This resulted in an adjustment in the last quarterly budget review.

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

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

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

Council's total liquidity of around \$40m to meet short to medium term cash flow needs, remains strong with \$2m held in an at call account, \$35m in the TCorp Cash Fund and \$3m in a 30 day notice account opened during the reporting period This account is effectively a hybrid of a term deposit and an at call account.

The official cash rate was not adjusted in this month's Reserve Bank Board meeting and remains at one quarter of one percent. The ASX200 closed at 5897.90 at the completion of June. This represents an annualised monthly performance result of positive 29.65 percent ex dividend, the monthly change was positive 2.47 percent and is mainly attributable to positive sentiment and optimism as the COVID-19 recovery phase begins globally, including positive news regarding vaccine development.

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

Rates

Rates and Charges levied for the period ending 30 June 2020 totalled \$120,015,649 representing 100 percent of the current budget estimate.

The rates and charges receipts collected to the end of June totalled \$114,861,409. In percentage terms 97.3 percent of all rates and charges due to be paid have been collected, compared to 97.7 percent collected in the same period last year.

Due to the current COVID-19 pandemic, no formal debt recovery action has been taken during the month. Council staff have been actively assisting ratepayers to manage any overdue quarterly instalments and advise on options for any future instalments such as the 2020-2021 levy. Council has created a dedicated 'Here for you' support page on the website including links to Council's Hardship Support Program, assistance packages provided by the Federal Government in the form of 'JobKeeper' and 'JobSeeker' along with detailed information on support packages offered in the Community.

A recent initiative launched earlier in the year to collect additional contact points not supplied on the transfer/notice of sale has proven to be highly successful in capturing email addresses and mobile phone numbers. This has enabled officers to more easily communicate with ratepayers and has also provided further contact points if posted mail is returned.

Council has received positive feedback from Pensioners that can now make an application to receive a Pension Rebate Concession over the phone and internet. During the month 91 applications were made over the phone and 39 online. Given the level of success, implementation for both phone and internet will continue as a permanent service to the community alongside the paper based over the counter process.

Ratepayers who purchased property since the annual rates and charges notices had been issued are provided a 'Notice to new owner' letter. During the month, 17 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Sundry Debtors

Debts outstanding to Council as at 30 June 2020 are \$1,735,433 reflecting a decrease of \$1,728,247 since May 2020. During the month, 466 invoices were raised totalling \$2,625,661. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report in attachment 3.

Debts exceeding 90 days of age totalled \$349,671 as at 30 June 2020. The majority of this debt relates to Various Sundry Items totalling \$100,680. A major portion of this group of debts is for carnival ride commission on sales of \$21,772. The company has approached Council and requested a payment plan of \$10,000 per month due to COVID-19. An arrangement has been entered into and will continue to be monitored throughout this time.

Road and footpath occupancy fees represent another significant group of debts with a single debt of \$10,547 for a development in Broughton Street. The debtor company has entered into a legally binding settlement of \$5271 per month. The agreed payments have not been maintained and Council's agents are continuing to work with the debtor.

Incorporated within the sundry items group is \$11,284, which relates to a ticket sale rebate for the Crusty Demons Event at Campbelltown Sports Stadium in August 2019. The company involved has gone into voluntary administration, Council has submitted a proof of debt to the Administrators who have established that the Company is insolvent and at their recommendation have placed the company into liquidation. Council now awaits reports advising of any dividend.

Debts categorised as relating to Sports and Field Hire totalled \$71,737, a major part of this debt is \$62,014 for catering sales commission at Campbelltown Sports Stadium for various events held. The company involved has reached out to Council advising that their income has been affected due to the current pandemic and have entered into a payment plan. A payment was received in early July reducing the debt to \$59,420.

Public hall hire fees of \$59,534 are a result of debts raised in advance and in accordance with council policy do not need to be finalised until two weeks prior to function. This process gives hirers an option to book in advance and then to make smaller regular payments leading up to their event.

Debt recovery action is normally undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

Due to the current pandemic no new formal recovery action is being taken, staff will be making contact with overdue debtors seeking suitable payment options and to check in on their current status.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

Attachments

1. Summary of Council's Investment Portfolio June 2020 (contained within this report)
2. Rates and Charges Summary and Statistics June 2020 (contained within this report)
3. Debtors Summary and Ageing Report June 2020 (contained within this report)

Summary of Council's Investment Portfolio

Portfolio as at 30 June 2020

Product Type	Face Value	% of Total
At Call Deposits	2,060,947	0.9%
Notice Account	3,000,000	1.3%
Term Deposits - Fixed Rate	72,643,731	30.3%
Term Deposits - Fixed/Floating	5,000,000	2.1%
Term Deposits - Floating Rate	84,000,000	35.1%
FRN	37,250,000	15.6%
Managed Funds - TCorp	35,464,847	14.8%
Grand Total	239,419,524	100.0%

Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AAA	4,810,000	3.0%
AA-	102,712,707	63.5%
A+	14,000,000	8.7%
BBB+	25,121,023	15.5%
Baa1	7,000,000	4.3%
BBB	6,000,000	3.7%
Baa2	2,000,000	1.2%
Total Term Deposits	161,643,731	100.0%

Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
AU3FN0028189	CBA	AA-	17-Jul-20	3m BBSW + 0.90%	\$5,000,000
AU3FN0039160	ME Bank	BBB	9-Nov-20	3m BBSW + 1.25%	\$2,500,000
AU3FN0046769	Newcastle Perm	BBB	26-Feb-21	3m BBSW + 1.10%	\$500,000
AU3FN0031886	CBA	AA-	12-Jul-21	3m BBSW + 1.21%	\$5,000,000
AU3FN0044269	Credit Union Aus	BBB	6-Sept-21	3m BBSW + 1.25%	\$500,000
AU3FN0034021	Newcastle Perm	BBB	24-Jan-22	3m BBSW + 1.65%	\$1,500,000
AU3FN0046793	Credit Union Aus	BBB	4-Mar-22	3m BBSW + 1.23%	\$3,200,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	\$1,850,000
AU3FN0046777	NAB	AA-	26-Feb-24	3m BBSW + 1.04%	\$4,000,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0049730	ANZ	AA-	29-Aug-24	3m BBSW + 0.77%	\$3,500,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 0.84%	\$5,000,000

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	68.4%	40%	100%	Yes
A+, A, A- and above	76.8%	60%^	100%	Yes
BBB+, BBB, BBB- and above	100.0%	100%	100%	Yes
TCorp MTGF and LTGF	0%	0%	20%	Yes
TCorp Hour Glass Cash Fund	14.8%	0%	20%	Yes

Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund) provided a weighted average return (running yield) of:

30 June 2020	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.10%	1.80%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.01%	0.85%
Performance Relative to Benchmark	0.09%	0.96%

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2019	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,811,810.14	66,794,762.30	1,453,573.02	499,562.60	68,652,562.02	65,498,836.35	3,153,725.67	203,784.53	3,357,510.20
BUSINESS	355,656.57	19,600,335.01		43,512.19	19,999,503.77	19,391,076.80	608,426.97		608,426.97
FARMLAND	165,474.11	551,238.91	678.09	410.35	716,445.28	720,008.75	-3,563.47	226,189.39	222,625.92
MINING	0.00	27,902.16		0.00	27,902.16	27,902.16	0.00		0.00
SR - LOAN	278.81	0.00		246.66	525.47	0.00	525.47	132.44	657.91
SR - INFRASTRUCTURE	319,047.27	6,587,055.15		12,316.14	6,918,418.56	6,549,948.35	368,470.21	43,755.26	412,225.47
TOTAL	\$3,652,266.90	\$93,561,293.53	\$1,454,251.11	\$556,047.94	\$96,315,357.26	\$92,187,772.41	\$4,127,584.85	\$473,861.62	\$4,601,446.47
GARBAGE	891,143.33	22,150,285.65	868,331.27	47,919.65	22,221,017.36	21,264,503.89	956,513.47		956,513.47
STORMWATER	60,278.75	1,418,380.29		615.72	1,479,274.76	1,409,133.08	70,141.68		70,141.68
GRAND TOTAL	\$4,603,688.98	\$117,129,959.47	\$2,322,582.38	\$604,583.31	\$120,015,649.38	\$114,861,409.38	\$5,154,240.00	\$473,861.62	\$5,628,101.62

Total from Rates Financial Transaction Summary	3,661,641.62
Overpayments	-1,966,460.00
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	613,000.00
Rate accounts greater than 12 months less than 18 months in arrears	0.00
Rate accounts greater than 18 months in arrears	0.00
TOTAL rates and charges under instruction with Council's agents	\$613,000.00

RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Jun-19
Rate Notices	50,115	76		109			94			269			
Electronic - DoH	5,055												
Instalment Notices				48,385			47,825						
Electronic - DoH				5,048			5,040						
Missed Instalment Notices			8,232			6,957							
- Pensioners > \$15.00			716			768							
Notice to new owner	161	39	25	22	20	31	39	25	19	17	16	17	18
7-day Letters - Council issued			2,358			2,377							
- Pensioners > \$500.00			206			199							
7-day Letters - Agent Issued			617				179						
Statement of Claim	182	22	6	143	34	6	57	14	4	0	0	0	5
Judgments	46	15	47	9	19	4	42	8	8	0	0	0	16
Writs	32	27	22	8	20	12	19	7	32	0	0	0	29
Electronic - eRates & BPAYView	6,162	6,275	6,304	6,487	7,499	7,503	7,516	8,340	8,396	8,562	8,806	8,883	5,962
Pensioner applications	-	-	-	-	-	-	-	-	88	85	108	130	-
Arrangements	266	229	403	239	515	487	399	300	326	191	171	183	289

AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 June 2020

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	148,948	339,213	11,005	11,905	511,072	20,308
Abandoned Items	0	0	0	1,539	1,539	1,539
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	62,716	0	2,009	71,737	136,462	26,971
Government and other Grants	327,604	0	0	0	327,604	49,500
Public Hall Hire	-177	0	3,908	59,534	63,264	56,090
Health Services	0	0	0	350	350	350
Land and Building Rentals	147,617	42,284	17,025	11,732	218,658	5,231
Healthy Lifestyles	4,450	1,920	2,460	25,408	34,238	20,527
Licence Fees	3,197	2,561	1,914	43,671	51,343	42,957
Pool Hire	303	0	400	973	1,676	551
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	187,313	0	0	8,167	195,480	8,167
Shop and Office Rentals	38,995	6,470	580	0	46,045	858
Various Sundry Items	34,421	6,542	0	100,680	141,643	108,656
Waste Collection Services	10,774	0	0	12,552	23,326	12,552
	947,471	398,990	39,301	349,671	1,735,433	355,681

DEBTORS SUMMARY 1 June 2020 to 30 June 2020

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/05/2020	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/06/2020	% DEBT RATIO
Corporate Administration	569,564	136,385	194,878	511,072	29.49%
Abandoned Items	1,539	820	820	1,539	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	89	0	0	89	0.01%
Sportsground and Field Hire	103,597	63,600	30,734	136,462	5.46%
Government and other Grants	2,269,686	1,520,754	3,462,836	327,604	12.87%
Public Hall Hire	77,047	125	13,908	63,264	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	150,564	545,720	477,626	218,658	5.63%
Healthy Lifestyles	32,865	3,847	2,474	34,238	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	60,670	4,635	13,962	51,343	1.85%
Pool Hire	2,327	0	651	1,676	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	9,311	190,999	4,830	195,480	28.17%
Shop and Office Rentals	42,702	63,057	59,713	46,045	2.17%
Various Sundry Items	140,319	76,227	74,903	141,643	6.42%
Waste Collection Services	20,405	19,493	16,573	23,326	6.17%
	3,463,680	2,625,661	4,353,908	1,735,433	100%

8.6 Referral to Audit

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

1. That the 2019-2020 General Purpose and Special Purpose Financial Reports be referred to audit.
2. That the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer sign the statements by Councillors and Management as required by Section 413(2) of the *Local Government Act 1993* after completion of the audit.
3. That the audited results of the financial year be presented to Council at the 2020 Annual General Meeting.

Purpose

To inform Council of its requirement to form an opinion relating to its General Purpose Financial Report and resolve to refer the accounts for audit as per Section 413(2c) of the *Local Government Act 1993*.

Report

In accordance with Section 413(1) of the *Local Government Act 1993*, Council must prepare financial reports for each year and must refer them for audit as soon as practicable after the end of that year. The 2019-2020 General Purpose Financial Report and Special Purpose Financial Report have been completed and arrangements have been made with Council's independent auditor, Audit Office of New South Wales, to complete the end of year audit.

Section 416 of the *Local Government Act 1993* stipulates that Council's financial reports for the year must be prepared and audited within a four month period after the end of each financial year. Council is then required to conduct an Annual General Meeting to present the audited financial reports, together with the auditor's reports to the public. This must be done not more than five weeks after receipt of the auditor's reports. The Annual General Meeting is scheduled for 13 October 2020.

The actual operating result on an accruals basis, excluding capital expenditure, is a surplus around \$34m after capital grants and contributions revenues and a deficit of around \$2.7m before capital grants and contributions revenues. This is a preliminary result pending any valuation changes to fixed assets and any final accrual adjustments, however is not expected

to materially change. The operational result has been impacted by COVID-19 with the major factors affecting the operating result for 2019-2020 including the following:

- decrease of some \$2m in user charges and fees as a result of service and facility closures
- decrease in interest revenues of \$1.7m directly attributable to the economic impact on global interest rates
- increase in total expenditure by some \$9m, of which \$3m relates to employee costs, \$2m in depreciation of Councils property, plant and equipment and \$2m in other operating expenditures

Council maintained a balanced budget throughout the 2019-2020 financial year with adjustments reported as part of the quarterly financial reviews. The actual funded result for the 2019-2020 financial year reflects a small budget surplus of \$896. This result has been impacted by an increased liability associated with workers compensation claims and a reduction in income due to COVID-19. The actual result is also inclusive of carry over works to be re-voted into the 2020-2021 financial year. The carry over works are subject to a separate 'Expenditure Allocation Revote' report contained within this Business Paper. Details of the original budget variations are reported in Note 22 to the General Purpose Financial Report.

Council's key financial indicators remain within industry benchmarks and are currently as follows:

- Operating Performance Ratio 0.51 percent (Benchmark > 0 percent)
- Own Source Operating Revenue 68.8 percent (Benchmark > 60 percent)
- Rates and Annual Charges Outstanding Ratio 4.28 percent (Benchmark < 5 percent)
- Cash Expense Ratio 18.66 months (Benchmark > three months)
- Debt Service Cover Ratio 7.50 percent (Benchmark > 2 percent)

A significant effort from all staff has been made to ensure the timely completion of the end of year accounts when considering the increased resources required to comply with the ongoing fair value accounting requirements and significant changes in accounting standards, particularly relating to revenue recognition.

The 2019-2020 Financial Reports have been prepared in accordance with the *Local Government Act 1993*, the regulations made thereunder, Australian Equivalents of the International Financial Reporting Standards and professional pronouncements and the Local Government Code of Accounting Practice and Financial Reporting. The financial reports are considered to fairly represent Council's financial position and operating result for the period.

Council is now required to refer the Financial Reports to the external auditor, Audit Office of New South Wales for audit. Council is also required to convene an Annual General Meeting within five weeks of receipt of the Auditor's Reports and as reported above, the Annual General Meeting has been planned for 13 October 2020.

Attachments

Nil

8.7 Recognition of Service - Councillors Policy

Reporting Officer

Manager Governance and Risk
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

1. That the revised Recognition of Service – Councillors Policy as attached to this report be adopted.
2. That the Recognition of Service – Councillors Policy review date be set at 30 September 2024.

Purpose

To seek Council's endorsement of the revised Recognition of Service – Councillors Policy.

History

The Recognition of Service – Councillors Policy was first adopted by Council at its meeting on 16 December 1980. The Policy has been revised periodically since its initial adoption to ensure it adequately acknowledges the service of Councillors and aligns with the current Local Government NSW awards program available for present and retiring Councillors.


Report

The above mentioned policy has been reviewed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

The Recognition of Service – Councillors Policy has been developed to complement the Local Government NSW awards program to ensure appropriate recognition is made to both retiring and current serving Councillors. This Policy outlines how Councillors will be recognised and acknowledged for their service to the Campbelltown community and local government more broadly, whilst outlining the qualifying criteria for each of the awards.

Attachments

1. Recognition of Service - Councillors Policy - current (contained within this report)
2. Recognition of Service - Councillors Policy - proposed (contained within this report)

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Number	1.1.01	
Policy Title	Recognition of Service - Councillors	
Related Documentation	Nil	
Relevant Legislation/ Corporate Plan	Nil	
Responsible Officer	Manager Executive Services <u>Governance and Risk</u>	

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

Objectives

To make provision for a suitable presentations to retiring Councillors in recognition of their years of service to Council.

Policy Statement

The Policy has been developed ~~to complement in conjunction with~~ the Local Government ~~NSW Association of New South Wales~~ awards to ensure appropriate recognition is made to both retiring and current serving Councillors.

Scope

This Policy covers all retiring Councillors and those existing Councillors who qualify for service awards provided by the LGNSW.

Principles

That all retiring Councillors be presented with a Council plaque suitably inscribed recognising their years of service.

Certificates of Service provided by ~~the~~ Local Government ~~Association-NSW~~ will be presented to retiring Councillors on the completion of two terms and to current serving Councillors on completion of three terms.

Outstanding Service Awards provided by ~~the~~ Local Government ~~Association-NSW~~ will be presented to those Councillors who have completed a cumulative total of at least ~~20~~twenty years service to Local Government in New South Wales. A 'Bar' inscribed with the total number of years served can be applied for on retirement if more than 25 years have been served.

DATA AND DOCUMENT CONTROL		
Division: Corporate Governance Section: Executive Services	Adopted Date: 16/12/80 Revised Date: 18/9/07 Minute Number: 169 Review Date: 30/9/10	Page: 1 of 2 Print Date: 26/06/20 <u>26/06/20</u> 08/09/05

Campbelltown City Council

The honorary title of "Emeritus Mayor" is intended to provide ongoing recognition to those who have served as a Mayor. The title can only be conferred on a former Mayor who has will be presented to those Councillors who have served as Mayor for a minimum of five years. The title cannot be used while in office. three one year terms. This award is intended to provide ongoing recognition to those who have served as Mayor of the City.

-Responsibility

~~The~~at the Manager ~~Executive Services~~ Governance and Risk be responsible for ensuring that ~~appropriate recognition of~~ retiring and current serving Councillors are appropriately recognised as detailed in this Policy. ~~is undertaken.~~

Effectiveness of this Policy

That the Policy will be reviewed at the completion of each Council term to ensure the appropriate level of recognition.

	
Paul Tosi General Manager	Aaron Rule Mayor

END OF POLICY STATEMENT**DOCUMENT HISTORY AND VERSION CONTROL RECORD****Contact for inquiries and proposed changes**

Name	Nicholas Smolenogov <u>Monique Dunlop</u>
Position/Section	Executive Services <u>Manager Governance and Risk</u>
Contact Number	4645 4669 <u>320</u>

Version Number	Revised Date	Authorised Officer	Amendment Details

DATA AND DOCUMENT CONTROL

Policy 1.1.01

Page: 2 of 2

Print Date: 26/06/2018/09/05

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Number	1.1.01	
Policy Title	Recognition of Service - Councillors	
Related Documentation	Nil	
Relevant Legislation/ Corporate Plan	Nil	
Responsible Officer	Manager Governance and Risk	

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

Objectives

To make provision for a suitable presentations to retiring Councillors in recognition of their years of service to Council.

Policy Statement

The Policy has been developed to complement the Local Government NSW awards to ensure appropriate recognition is made to both retiring and current serving Councillors.

Scope

This Policy covers all retiring Councillors and those existing Councillors who qualify for service awards provided by the LGNSW.

Principles

That all retiring Councillors be presented with a Council plaque suitably inscribed recognising their years of service.

Certificates of Service provided by Local Government NSW will be presented to retiring Councillors on the completion of two terms and to current serving Councillors on completion of three terms.

Outstanding Service Awards provided by Local Government NSW will be presented to those Councillors who have completed a cumulative total of at least 20 years service to Local Government in New South Wales. A 'Bar' inscribed with the total number of years served can be applied for on retirement if more than 25 years have been served.

The honorary title of "Emeritus Mayor" is intended to provide ongoing recognition to those who have served as a Mayor. The title can only be conferred on a former Mayor who has served as Mayor for a minimum of five years. The title cannot be used while in office.

DATA AND DOCUMENT CONTROL		
Division: Corporate Governance Section: Executive Services	Adopted Date: 16/12/80 Revised Date: 18/9/07 Minute Number: 169 Review Date: 30/9/10	
		Page: 1 of 2 Print Date: 26/06/20

Campbelltown City Council

Responsibility

The Manager Governance and Risk be responsible for ensuring that retiring and current serving Councillors are appropriately recognised as detailed in this Policy.

Effectiveness of this Policy

That the Policy will be reviewed at the completion of each Council term to ensure the appropriate level of recognition.

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END OF POLICY STATEMENT**DOCUMENT HISTORY AND VERSION CONTROL RECORD****Contact for inquiries and proposed changes**

Name	Monique Dunlop
Position/Section	Manager Governance and Risk
Contact Number	4645 4320

Version Number	Revised Date	Authorised Officer	Amendment Details

DATA AND DOCUMENT CONTROL		
Policy 1.1.01	Page: 2 of 2	Print Date: 26/06/20

8.8 2020 Local Government NSW Annual Conference

Reporting Officer

Manager Governance and Risk
City Governance

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.5 - Work in partnership with the State Government to achieve positive planning outcomes

Officer's Recommendation

1. That Council nominate nine voting delegates for determination of motions at the 2020 Local Government NSW Annual Conference.
2. That other interested Councillors also be authorised to attend together with the General Manager and/or delegate.
3. That the registration fees and travel expenses be met in accordance with Council's Policy.

Purpose

To provide Council with the opportunity to nominate voting delegates and attendance for the upcoming Local Government NSW (LGNSW) Annual Conference.

Report

The 2020 Local Government NSW Annual Conference will be held at the Crowne Plaza Hunter Valley, 430 Wine Country Drive, Lovedale NSW, from Sunday 22 to Tuesday 24 November 2020.

The conference is the annual policy making event for councils. Councils work together with Local Government NSW to promote Local Government and advocate on behalf of their communities for local democracy, informed decision making and good governance.

The conference is the pre-eminent event of the Local Government event calendar, where Councillors come together to share ideas and debate issues contained within the conference business paper.

Registration to attend the Conference

The 2020-2021 Council budget contains provision for all Councillors to attend the conference should they wish to do so.

As a member of Local Government NSW, Council is entitled to nominate nine Councillors as voting delegates for the determination of motions. It has also been Council's practice that any other interested Councillor be authorised to attend the Conference.

Conference Motions

Council is invited to submit motions for possible debate at the conference to advance the sector wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

Having regard to the motion requirements set out by the LGNSW Board, the draft motions should be submitted for consideration by Council by way of Notice of Motion in the following format:

- Proposed motion
 - Motion category
 - Motion title
 - Motion Background note
 - Indicate if the motion conflicts with one or more of the Fundamental Principles

Important information on the motions process, including submitting motions, motion criteria and a sample submission form are available in the LGNSW Annual Conference 2020 [Motions Submission Guide](#).

Following a resolution by Council, motions will be submitted to the conference online by Council staff.

The deadline for motions to be submitted online is Monday 28 September 2020 to allow printing and distribution of the Business Paper before the conference. However, in line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is Monday 25 October 2020.

Attachments

1. LGNSW Annual Conference - Draft Program (contained within this report)



Local Government NSW Annual Conference 2020

Sunday 22 November – Tuesday 24 November 2020

Main conference venue: Crowne Plaza Hunter Valley, 430 Wine Country Drive, Lovedale NSW 2325

Theme: Growing Community Resilience

DRAFT PROGRAM (as of 16 July 2020)

PRE – OPENING OF CONFERENCE, OPTIONAL WORKSHOPS AND SPECIAL EVENTS	
SUNDAY 22 NOVEMBER 2020, CROWNE PLAZA HUNTER VALLEY	
1.00pm – 7.00pm	Registration opens at the Galleria, Conference and Events Centre
1.30pm – 3.00pm	<p>1. Presentation Panel: Semillon 1</p> <p>Cooling Our Cities</p> <ul style="list-style-type: none"> • Dr Sebastian Pfautsch, Senior Research Fellow – Western Sydney University, Climate and environmental changes ▪ Rod Simpson, Environment Commissioner, Greater Sydney Commission (invited) ▪ Dr Rebecca Huntley, Principal Consultant, Vox Populi Research
1.30pm – 3.00pm	<p>2. Workshop: Semillon 2</p> <p>Leading a Safe Organisation: The roles and responsibilities of councils to lead in child protection & domestic violence prevention presented by the Office of the Children's Guardian and Domestic Violence (DVNSW)</p> <p>and</p> <p>Collaborating for Informed Decision Making presented by Maire Sheehan, Facilitator, Educator and former mayor and councillor</p>
1.30pm – 3.00pm	<p>3. Workshop: Semillon 3</p> <p>Population migration panel session facilitated by Cr Dai Le, LGNSW Board Member. A facilitated panel session on population shifts, migration and successful refugee resettlement. Panel presentations will be followed by a 30 minute question and answer session.</p> <p>Panel members:</p> <ul style="list-style-type: none"> • Multicultural NSW (MNSW) • Settlement Services International (SSI)
1.30pm – 2.30pm	<p>4. Presentation: The Verdelho Room</p> <p>"It's a jungle out there. Biosecurity can bite. Are you ready for it?"</p> <p>Nicola Dixon, Development Officer, Community Weeds Management Invasive Species Biosecurity, and Ian Turnbull, Invasive Species Officer, Department of Planning, Industry and Environment</p>

2.00pm – 3.00pm	Bus transfers begin departing from select hotels going to Crowne Plaza Hunter Valley for the Ministers sessions and the welcome reception
3.00pm – 5.00pm	<p>The Galleria, Conference and Events Centre, Cabernet Merlot Room</p> <p>Meet the Politicians Forum with Masters of Ceremony: Cr Linda Scott, President and Scott Phillips, CE, LGNSW</p> <p>Addresses from:</p> <ul style="list-style-type: none"> • The Hon Shelley Hancock MP, Minister for Local Government • Ms Jodi McKay, Leader of the Opposition <p>Followed by the Politicians' panel:</p> <ul style="list-style-type: none"> • The Hon Shelley Hancock MP, Minister for Local Government • The Hon Melinda Pavey MP, Minister for Water, Property and Housing • Mr David Shoebridge, MLC • Mr Greg Warren MP, Shadow Minister for Local Government • The Hon John Barilaro MP, Deputy Premier and Minister for Regional NSW Trade and Industry (invited) • The Hon Adam Marshall MP, Minister for Agriculture and Western NSW <p>Presentation of the AR Bluett Awards by the Trustees</p> <p>This session is optional. Attendance is free to members registered to attend the conference. RSVPs are required as part of the conference registration.</p>

CONFERENCE OPENS – WELCOME RECEPTION

SUNDAY 22 NOVEMBER 2020, POOLSIDE AT CROWNE PLAZA HUNTER VALLEY

5.00pm – 8.00pm	<p>President's Welcome Reception:</p> <ul style="list-style-type: none"> • Welcome by Master of Ceremonies Cr Bob Pynsent, Mayor, Cessnock City Council • Address by Cr Linda Scott, President, LGNSW • Sponsor address by Chair, Statewide Mutual <p>Registration will be available at this event.</p>
From 7.30pm	Bus transfers back to conference hotels to commence

MONDAY 23 NOVEMBER 2020 – Business Session Day 1, Crowne Plaza Hunter Valley

7.30am – 5.00pm	Registration opens at the Galleria, Conference and Events Centre
8.00am – 4.00pm	<p>Trade exhibition opens at the Exhibition Centre and Sauvignon Room</p> <p>Delegate Lounge opens for networking</p>
8.45am	<p>Doors open for official conference proceedings</p> <p>Distribution of voting materials and electronic handsets</p>
9.05am – 9.10am	Conference introduction by Scott Phillips , Chief Executive, LGNSW

9.10am – 9.15am	Welcome to Country
9.15am – 11.00am	<p>Address by Cr Linda Scott, President, LGNSW</p> <p>Opening of the Federal Conference including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business session and consideration of motions.</p> <p>Opening of the State Conference including adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business sessions, and consideration of motions.</p> <p>Chaired by Cr Linda Scott</p>
11.00am – 11.30am	Morning tea in trade exhibition, sponsored by Local Government Super
11.30am – 1.00pm	Consideration of conference business continued, chaired by LGNSW President
1.00pm – 2.00pm	Lunch in trade exhibition, sponsored by Local Government Super
1.00pm – 2.00pm	StateCover General Manager's Lunch - Semillon 1 and 2, Level 2 (exclusive to GMs)
2.00pm – 2.05pm	Distinguished sponsor topic by Local Government Super
2.00pm – 3.30pm	Consideration of conference business continued, chaired by LGNSW President
3.30pm – 4.00pm	Afternoon tea in trade exhibition
4.00pm – 5.00pm	<p>Consideration of conference business continued, chaired by LGNSW President</p> <p>Collection of all electronic handsets and motions voting cards</p>
5.00pm	Conference business session closes
5.30pm – 6.00pm	Transfer buses begin departing for the conference hotels
7.00 pm – 7.30pm	Transfer buses to pick up from designated hotels, going to Hope Estate
Conference Dinner at Hope Estate, 2213 Broke Road, Pokolbin NSW 2320	
7.30pm	StateCover sponsor address
8.00pm	LGNSW President and Elite Sponsor present Outstanding Service Awards to elected members
8.30pm	Dinner and entertainment begins
10.00pm	Transfer buses to begin departing back to conference hotels
11.00pm	Dinner ends
TUESDAY 24 November 2020 – Business Session Day 2, Crowne Plaza Hunter Valley	

7.30am – 5.00pm	Registration opens at the Galleria, Conference and Events Centre
7.30am – 8.45am	<p>Semillon 1 and 2</p> <p>Australian Local Government Women's Association (ALGWA NSW) Breakfast</p> <p>"Big Expectations: how to make a difference and why community is important"</p> <p>Panel guest speakers: The Shahrouk Sisters, facilitated by Ellen Fanning</p>
8.00am – 4.00pm	<p>Trade exhibition opens, The Exhibition Centre and Sauvignon Room</p> <p>Delegate Lounge opens for networking</p>
8.45am	<p>Doors open for conference official proceedings</p> <p>Distribution of voting materials and electronic handsets if required</p>
9.00am	Introduction by Ellen Fanning , Master of Ceremonies
9.05am – 9.30am	Keynote address: Building resilience through partnerships. Presented by Commissioner of Resilience NSW, Shane Fitzsimmons
9.30am – 9.35am	Planning sponsor address by Resilience NSW
9.35am – 10.30am	<p>Opening Keynote Panel: Recovery and Resilience: local strategies and actions to prepare for, recover from and build resilience to disasters and crisis.</p> <ul style="list-style-type: none"> • Leanne Barnes OAM, GM, Bega Shire Council • Mick Willing, NSW Assistant Police Commissioner, Bushfire Recovery (invited) • Suzie Wright, Vice Chair, Governance, Greater Sydney Landcare network, regarding strategies to manage bushfires moving forward (invited) • James McTavish, NSW Cross Border Commissioner, Department of Planning, Industry and Environment (invited)
10.30am – 11.00am	Morning tea in trade exhibition, sponsored by Landcom
11.00am – 11.05am	Distinguished sponsor address by Landcom
11.05 – 11.20am	Address from Cr Linda Scott , President, LGNSW, on Association Initiatives
11.20am – 11.30am	Treasurer's report, Cr Jerome Laxale , Treasurer, LGNSW
11.30am – 12.30pm (one hour)	<p>Presentation: Panel Regional Services: 'Regional renaissance: how to help regional communities bounce back and thrive in a post pandemic world'</p> <ul style="list-style-type: none"> ▪ The Hon Mark Coulton MP, Minister Regional Health, Regional Communications and Local Government ▪ The Hon Jason Clare MP, Shadow Minister for Regional Services, Territories and Local Government ▪ Brendan Nelson, CEO Regional Growth, Department of Regional NSW (invited)

12.30pm – 1.00pm (30 mins)	Presentation: Craig Foster , Former Soccerroo, Broadcaster, Adjunct Professor of Sport & Social Responsibility and Humanist presents 'Tapping into the Here and Now: Social and Community Strength'
1.00pm – 1.05pm	Distinguished sponsor topic
1.05pm – 2.00pm	Lunch in trade exhibition, sponsored by Landcom
2.05pm – 3.05pm	Closing Address: Dr Norman Swan , Medical & Health Broadcaster, Host, Health Report ABC RN, Commentator & Journalist ABC TV, cofounder Tonic Health Media, presents Control is the Source of Community Resilience. How can systems and organisations acknowledge and allow for individual and community control?
3.05pm – 3.15pm	Close of conference, Cr Linda Scott , LGNSW President
3.15pm – 3.45pm	Afternoon tea in trade exhibition

This program is correct at the time of publication; speakers and program details may have changed due to unforeseen circumstances.

8.9 Sydney Western City Planning Panel Representatives

Reporting Officer

Manager Governance and Risk
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That Council nominate two nominees and at least one alternate nominee to the Sydney Western City Planning Panel for a term of appointment concluding in September 2021.

Purpose

This report informs Council that the term of the current nominees to the Sydney Western City Planning Panel has expired and recommends Council determine its nominees to the Panel.

Report

The Sydney Western City Planning Panel is constituted for the local government areas of City of Blue Mountains, City of Campbelltown, Camden, City of Fairfield, City of Hawkesbury, City of Liverpool, City of Penrith and Wollondilly.

The *Environmental Planning and Assessment Act 1979* sets out the requirements of the Sydney Regional and District planning panels. The District Planning Panels consist of three State members appointed by the Minister and two Council nominees.

Council is required to nominate two persons as Council nominees to the Sydney Western City Planning Panel that may be Councillors, Council staff or other persons nominated by the Council. At least one of those nominated by the Council is to be a person with expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism. Council may also nominate one or more alternate panel nominees.

The Panel Secretariat has advised that Council's nominees to the Sydney Western City Planning Panel are due for re-appointment. The current primary nominees are, Councillor Greiss and Councillor Lound and alternate nominee is Councillor Oates. The current representatives are eligible for re-appointment.

The Sydney and Regional Planning Panels Operational Procedures (Attachment 1) were updated in January 2020 and explain the objectives, powers and authorities of the Planning Panels. The procedures relate to the operation of both the Sydney and Regional Planning Panels and are the Planning Panel's charter.

Attachments

1. Sydney District and Regional Planning Panels Operational Procedures 2020 (contained within this report)



Sydney & Regional Planning Panels Operational Procedures

January 2020

These procedures are provided for general guidance and information only and are made available on the understanding that the NSW Department of Planning and Environment (Department) is not providing legal advice.

The Department has compiled the procedures in good faith, exercising all due care and attention.

The procedures do not affect or replace relevant statutory requirements.

Where an inconsistency arises between the provisions of the procedures and relevant statutory provisions, the statutory requirements prevail.

While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

The procedures are not intended to give rise to any rights, claims, benefits, privileges, liabilities or obligations with respect to matters the subject of the procedures.

It should be noted that the procedures may be affected by changes to legislation at any time and/or be subject to revision without notice.

It is recommended that independent advice be sought in respect of the operation of the procedures and the statutory requirements applying to Sydney and Regional Planning Panels under the *Environmental Planning and Assessment Act 1979*.

Sydney and Regional Planning Panels Operational Procedures
© State of New South Wales through the NSW Department of Planning, Industry and Environment
January 2020
NSW Department of Planning, Industry and Environment
Four Parramatta Square, 12 Darcy Street, Parramatta, NSW 2150.
www.planning.nsw.gov.au

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Contents

1.	Introduction	1
2.	Defining the regions and districts	2
3.	Functions of Planning Panels	3
4.	Membership of Planning Panels	5
5.	Code of Conduct considerations	7
6.	Administration	9
7.	Government information, privacy and complaints	10
8.	Monitoring, review and reporting	11
9.	Liability and indemnification	12
10.	Roles of councils and other panels	13
11.	Development application and assessment	16
12.	Determination of development applications	22
13.	Reviews and appeals	24
14.	Planning proposals	27
15.	Site compatibility certificates	30
	Schedule 1: Procedures for briefings, meetings and decisions.	31

Definitions

Aboriginal Land SEPP means the *State Environmental Planning Policy (Aboriginal Land) 2019*

Capital Investment Value (CIV) means all costs necessary to establish and operate a development, as defined in clause 3 of the *Environmental Planning & Assessment Regulation 2000*

Commission means the Greater Sydney Commission

Council means the council for the local government area in which the land the subject of a development application, rezoning review or application for a site compatibility certificate is located

Days means calendar days unless otherwise stated

Department means the Department of Planning and Industry

Development Application (DA) means an application for consent under Part 4 of the *Environmental Planning & Assessment Act 1979* to carry out development but does not include an application for a complying development certificate

District means any part of the Greater Sydney Region, or other region of the State, declared to be a district by the Minister

Education SEPP means the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*

EP&A Act means the *Environmental Planning & Assessment Act 1979*

EP&A Regulation means the *Environmental Planning & Assessment Regulation 2000*

Greater Sydney Region means the region comprising the local government areas within the boundary shown on the map in Schedule 1 of the *Greater Sydney Commission Act 2015*

GSC Act means the *Greater Sydney Commission Act 2015*

LALC means Local Aboriginal Land Council

LEP means local environmental plan

LGA means local government area

LGNSW means Local Government NSW

LG Act means *Local Government Act 1993*

Minister means the Minister for Planning and Public Spaces

Panel or *Planning Panel* means a Sydney district or regional planning panel. The Panels were previously known as Joint Regional Planning Panels (JRPPs).

Planning Panel meeting means a public briefing meeting or a public determination meeting.

Planning proposal means a document prepared to explain the intended effect of, and justification for, making a proposed environmental planning instrument

Regionally significant development means development that meets criteria set out under Schedule 7 of the *State Environmental Planning Policy (State and Regional Development) 2011*

Planning proposal authority (PPA) means the public authorities identified under section 3.32 of the EP&A Act

SCC means a Site Compatibility Certificate issued under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

Seniors SEPP means the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

Secretariat means the Planning Panels Secretariat which provides technical and administrative support to the Planning Panels

Secretary means the Secretary of the Department of Planning and Industry

State and Regional Development SEPP or *SRD SEPP* means the *State Environmental Planning Policy (State and Regional Development) 2011*

Sydney Planning Panel means a Sydney district planning panel

January 2020

1. Introduction

The Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the EP&A Act.

These procedures relate to the operation of both the Sydney and Regional Planning Panels.

The Planning Panels are independent bodies representing the Crown and are not subject to the direction of the Minister, except on matters relating to Planning Panel procedures or where the Minister issues a formal direction under the EP&A Act.

These procedures are the Planning Panels charter and have been developed to explain the objectives, powers and authorities of the Planning Panels. They also detail the means of operating the Planning Panels and clarify the roles of various parties in the work of the Planning Panels.

The procedures should be read in conjunction with the Planning Panels Code of Conduct which explains the standard of conduct expected of Planning Panel members.

These procedures will be kept under review and may be amended periodically.

January 2020

2. Defining the regions and districts

Planning Panels are constituted for each region of the State (other than the Greater Sydney Region), and each district of the Greater Sydney Region (see sections 2.12 and 3.2 and Part 3 of Schedule 2 of the EP&A Act).

The nine Planning Panels are the:

- Northern Regional Planning Panel,
- Hunter and Central Coast Regional Planning Panel,
- Western Regional Planning Panel,
- Southern Regional Planning Panel,
- Sydney North Planning Panel,
- Sydney Eastern City Planning Panel,
- Sydney Central City Planning Panel,
- Sydney Western City Planning Panel and,
- Sydney South Planning Panel.

January 2020

3. Functions of Planning Panels

3.1 Functions

The principal functions of Planning Panels are to determine regionally significant DAs and undertake rezoning reviews. Additional functions of Planning Panels include:

- preparing planning proposals if they are directed to be a planning proposal authority,
- determining Crown DAs,
- determining modification applications for regionally significant development,
- determining DA reviews,
- determining SCCs, and
- advising the Minister upon request.

3.2 Legislation

Legislation governing Planning Panels includes:

- the EP&A Act for the constitution and functions of Planning Panels and obligations in respect to councils, with the following key provisions:
 - Division 2.4 and Schedule 2 provides for the constitution of Planning Panels, member appointments, functions and general procedures,
 - Division 3.4 allows for a Planning Panel to act as the planning proposal authority and undertake planning proposal reviews,
 - Section 4.5 specifies that a Planning Panel is the consent authority for regionally significant development, and
 - Section 4.7 sets out the consent functions of a Planning Panel which are to be exercised by the relevant council.
- the EP&A Regulation contains provisions for where a Planning Panel is exercising consent authority functions,
- the State and Regional Development SEPP sets out in Part 4 and Schedule 7 development declared to be regionally significant,
- the Aboriginal Land SEPP sets out in Part 3 development declared to be regionally significant, and
- the Seniors SEPP and the Education SEPP both set out processes for consideration and determination of relevant applications for Site Compatibility Certificates.

3.3 Classes of regionally significant development

The State and Regional Development SEPP identifies the types of development classified as regionally significant (see Schedule 7 of the SEPP). The Aboriginal Land SEPP also identifies development declared to be regionally significant development (see Part 3 of the SEPP). The relevant Planning Panel will be the consent authority for regionally significant development.

Note State significant development or development within the City of Sydney cannot be declared as regionally significant development (see section 4.7 of the EP&A Act).

On lodgement of a DA, the council will decide if a DA is regionally significant development.

The capital investment value (CIV) is relevant for some regionally significant development and should be calculated at the time of lodgement. Councils should request a quantity surveyor's certificate or similar expert assessment

January 2020

to confirm the CIV from the applicant. The CIV is to be calculated in accordance the Planning Circular PS 10-008 (or as updated).

The Planning Panels determine applications to modify consent for regionally significant development under section 4.55(2) of the EP&A Act. Section 4.55(1) and section 4.55(1A) modification applications to development consents granted by the Planning Panel are to be determined by the relevant council. A court granted consent may be modified by a Planning Panel under section 4.56 if it is the consent authority.

January 2020

4. Membership of Planning Panels

(Part 4, Schedule 2 of the EP&A Act)

4.1 Members

Each Planning Panel consists of five members, with three of the members, including the chair, appointed by the Minister (State members) and two members nominated by the relevant council (council members).

Property developers and real estate agents are not eligible to be members of a Planning Panel.

The agenda of a Planning Panel meeting may include consideration of multiple matters, each located in different council areas. The council members who join the State members to form a Planning Panel will change, depending on the LGA in which the matter under consideration is located.

Panel members can be appointed to more than one Panel, either as a Panel member and/or as an alternate member.

When there is a vacancy on a Planning Panel, the Minister in the case of a State member, and the relevant council in the case of a council member, will appoint another member to that vacancy.

Terms of appointment for Planning Panel members, both State and council, must not exceed three years. Members are eligible for re-appointment. A State member of a Sydney Planning Panel must not be a member for more than nine years in total.

The secretariat is responsible for maintaining a register of all Planning Panel members.

4.2 Chair and deputy chair

Chairs of the Planning Panels are appointed by the Minister from among the State members. The Minister must obtain the concurrence of Local Government NSW (LGNSW) to the appointment unless LGNSW:

- does not notify its concurrence or refusal within 21 days of being requested, or
- has previously refused to give concurrence for two different persons nominated by the Minister for that appointment.

At any time, the members may determine to elect a deputy chair from among the State members for any term. The role of a deputy chair is to act as the chair in the chair's absence.

The chair (or, in the absence of the chair, a person elected by the members) presides at Panel meetings. The presiding member has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

4.3 Expertise requirements for members appointed by the Minister

All Panel members appointed by the Minister, including alternates, must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

4.4 Council members

Two council members are appointed by each council. At least one council member must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

January 2020

4.5 Selection of council members

Each council determines how their members are selected. In selecting members, councils should have regard to any conflict of duties that would be created for a person nominated to the Planning Panel if they are in any way responsible or involved in the assessment of matters to be determined by the Panel or involved in voting or deliberating on matters that come before the Panel.

Councils are not restricted to nominating people from the council's local area. They can appoint, terminate, and reappoint members at any time, and can determine the duration of each appointment. Generally, so as to ensure the greatest degree of continuity for the Panels, councils should consider appointing members for the maximum term of three years provided for under the EP&A Act. However, councils should reconsider if the nominations to the Panels are appropriate within 12 months following a council election.

Following a change to its nominees, council is to forward the new member's contact details to the secretariat as soon as possible and this must be a minimum of 14 days before any meeting at which they will act as a Panel member.

If a council fails to nominate one or more council members, a Panel may still exercise its functions in relation to the area of the council concerned.

4.6 Payment of council members

Councils determine the fees they pay their Panel members. The Minister has provided guidance to all councils on appropriate rates of remuneration for travel and subsistence allowances for their members.

Each council is responsible for making any payments to its Panel members when they attend Planning Panel meetings.

4.7 Alternate members

The Minister may at any time appoint a person to be the alternate of another member appointed by the Minister and may revoke any such appointment.

A council may also at any time appoint a person to be the alternate of a member nominated by the council and may revoke any such appointment.

Any changes are to be notified in writing to the secretariat as soon as possible and at least 14 days before undertaking any Panel business.

The alternate will act in the place of the member with all the powers of the member. Although a member may be appointed as an alternate for two or more members, they will only have one vote on any Panel decision.

4.8 Rotation of members

All chairs and members are required to periodically rotate with alternate members. The chair is to determine the frequency of rotation.

Following a matter being deferred, where possible the same members should reconvene to finalise the determination.

January 2020

5. Code of Conduct considerations

5.1 Planning Panels Code of Conduct

All Planning Panel members must comply with the Planning Panels Code of Conduct when exercising their functions as a Panel member and make impartial merit-based decisions in accordance with their statutory obligations. The latest version of the Planning Panels Code of Conduct is available online at www.planningpanels.nsw.gov.au. On appointment each Planning Panel member must acknowledge in writing that they will abide by the Planning Panels Code of Conduct.

5.2 Declaration of interests

On being informed of a matter to come before the Planning Panel members should consider if they have an actual, potential or reasonably perceived conflict and, if so, declare the conflict and take any appropriate action, such as allowing an alternate member to take their place.

Planning Panel members are required to complete and sign a declaration of interest form in relation to each matter which is considered by the Planning Panel, either before, or at the commencement of, the Planning Panel meeting. Any verbal declarations are to be recorded in writing.

To avoid any perceptions of bias, and to meet requirements of the Code of Conduct, councillors who have previously deliberated or voted on a matter that is to come before the Planning Panel (such as a submission from the council on a DA for regionally significant development, a related voluntary planning agreement or a planning proposal) must stand aside from their place on the Planning Panel and allow council's nominated alternative member to take their place. Alternatively, the member may choose to not participate in the deliberations or voting on the matter at the council (or council committee) meeting. They should also not remain in the council chamber during the council's deliberations.

5.3 Representations to Planning Panel members

If a Planning Panel member is approached by any person about a matter to come before the Planning Panel, i.e. a DA, or planning proposal or Site Compatibility Certificate, the Planning Panel member must not discuss the matter.

Any person that approaches a Planning Panel member should be encouraged to make a written submission to the council planning staff for DAs during the exhibition period, or if the matter relates to a planning proposal for which the Planning Panel is the Planning Proposal Authority, to the secretariat. Issues raised in submissions will be addressed in the assessment report to be provided to the Planning Panel and there will be an opportunity for the applicant and any person who made a submission to address the Planning Panel at its meeting.

5.4 Interactions with third parties about matters before the Planning Panel

Planning Panel members are not to discuss any matter that is to be considered by the Planning Panel with councillors, the applicant, their consultants, parties who have made a submission, or any other person with an interest in the matter outside of a public briefing meeting, public determination meeting, site visit or briefing.

January 2020

5.5 Public meetings organised by the council or community about the proposed development

To avoid any perception of bias, Planning Panel members should avoid attending public meetings about a proposed development organised by members of the community or council, unless the meeting has been organised at the request of the Planning Panel.

In order for all Planning Panel members to hear the concerns of the public as part of the consideration of the application, Planning Panel members should decline any invitation to attend a public meeting and advise the meeting organisers to make a submission to council and register to address the Planning Panel at its meeting.

January 2020

6. Administration

Administration and support for the Planning Panels is provided by the Planning Panels Secretariat. Support includes:

- scheduling of meetings, briefings and site visits,
- preparing and issuing agendas and business papers,
- notification of meetings,
- arranging for travel and accommodation for State appointed Panel members,
- preparing records of decision (with assistance from council),
- arranging for the audio recording of public Panel meetings,
- record keeping for the Planning Panels, and
- being the first point of contact for councils to notify a Planning Panel of any decision made by the Panel which is the subject of a merit appeal in the Land and Environment Court.

The secretariat is the first point of contact for all Planning Panel matters and publishes a wide range of information on its website:

www.planningportal.nsw.gov.au/planningpanels

The contact details for the secretariat are:

phone: (02) 8217 2060

email: enquiry@planningpanels.nsw.gov.au

January 2020

7. Government information, privacy and complaints

7.1 Right to information and privacy management

The Department assists Planning Panels in managing applications made under the *Government Information (Public Access) Act 2009* and the *Privacy and Personal Information Protection Act 1998*.

Applications of this nature can be made to patiunit@planning.nsw.gov.au or visit the Department's website at:

<http://www.planning.nsw.gov.au/About-Us/Right-to-Information/How-Can-I-Access-Information>

7.2 Complaints

The Department assists Planning Panels in managing complaints. Complaints are investigated and managed in accordance with the Department's Management of Complaints Policy.

Dissatisfaction with determinations of the Planning Panels will not be regarded as a complaint.

If you wish to make a complaint telephone, write or email the Department at:

phone: 1300 305 695.

postal address: GPO Box 39, Sydney NSW 2001.

email: information@planning.nsw.gov.au.

Complaints made in this way will be recorded in the Department's Complaints Register and will be allocated to the appropriate level for investigation and response.

If you are not satisfied with a response, you can ask for the issue to be considered by a more senior officer.

Code of conduct complaints will be dealt with under the Planning Panels Code of Conduct.

At any time, a person can complain to external bodies such as the Independent Commission Against Corruption (ICAC), the Ombudsman, or the Audit Office of NSW. Allegations of corrupt conduct, misconduct, or serious waste of resources are encouraged to be made directly to these organisations.

Complaints about council, councillors, council staff or local planning panels (IHAPs) should be directed to the relevant council.

January 2020

8. Monitoring, review and reporting

The secretariat monitors the progress of DAs referred to the Planning Panels. It is expected that council will complete its assessment report within 60 days after the close of the public exhibition period. The relevant Planning Panel will aim to determine the DA within 14 days of receipt of the assessment report.

The performance of the Planning Panels is monitored and reported in the Department's Annual Report.

8.1 Availability of information

The secretariat makes a range of information publicly available on its website, including:

- Planning Panel notices with dates, locations and times (at least 7 days before the Planning Panel meeting),
- the relevant council's assessment report and recommendation (at least 7 days before the Planning Panel meeting),
- records of briefings and Planning Panel meetings, Determinations and Statements of Reasons, decisions on rezoning reviews and Site Compatibility Certificates, resolutions of the Planning Panels and any advice provided by the Planning Panels to the Minister, Secretary or GSC, as relevant,
- audio recordings of Planning Panel meetings, and
- a schedule of meeting dates reserved for Planning Panel business.

Councils remain responsible for receiving, notifying and exhibiting DAs and supporting documents in accordance with statutory provisions and council's own notification and exhibition requirements set out in its community participation plan.

January 2020

9. Liability and indemnification

Panel members are excluded from personal liability as long as the act or omission was done in good faith for the purpose of carrying out their duties under the EP&A Act (see s 2.28 of the EP&A Act).

The NSW Government extends insurance indemnity cover to Panel members. For indemnification provisions to apply Panel members must act honestly and in accordance with the Planning Panels Code of Conduct in the performance of their responsibilities.

For further information please contact the NSW Self Insurance Corporation (icare) at: <https://www.icare.nsw.gov.au>

January 2020

10. Roles of councils and other panels

10.1 Role of councillors and council staff

The elected council and council staff have different roles in the assessment of DAs. Under the *Local Government Act 1993*, the independence of council staff is protected in the preparation of advice and recommendations. Staff members are not subject to direction by the council or by a councillor as to the content of any advice or recommendation made by the staff member. Equally, a council or councillor is not bound by the advice or recommendation made by a member of staff.

10.2 Assessment role

Council staff undertake the assessment of a DA. The assessment of a DA includes accepting the DA, consultation, concurrence and obtaining general terms of approval from an agency if required, carrying out community participation requirements and assessment of the matters set out in 4.15 of the EP&A Act. The assessment is documented in a report with recommendations. The report is then considered by the person or body that is the consent authority.

Council is responsible for carrying out community participation requirements on behalf of the Planning Panels (see section 4.7(2)(d) and Division 2.6 of the EP&A Act).

The Department undertakes the assessment of planning proposals and applications for site compatibility certificates referred to the Planning Panels.

10.3 Determination role

Historically, one of the roles of an elected council has been to determine or make decisions on DAs in their capacity as a consent authority. There are occasions, however, where the determination role is performed by other people or bodies, either because the council has delegated that function, or because it has been conferred upon another person or body. For example, where mandatory local planning panels, previously known as Independent Hearing and Assessment Panels (IHAPs), have been introduced elected councils no longer determine DAs (see section 2.17 of the EP&A Act).

The Planning Panel for the area in which the development is to be carried out is the consent authority for regionally significant development (see section 4.5 of the EP&A Act).

10.4 Post-determination role

Council staff are responsible for post-determination functions including:

- notifying Planning Panel determinations on DAs (see sections 4.7(2)(e), 4.18 and 4.59 of the EP&A Act),
- registering Planning Panel development consents on the NSW Planning Portal (see sections 4.7(2)(e) and 4.20 of the EP&A Act), and
- monitoring and enforcing compliance with conditions of the development consent.

The notice of determination should be issued once council receives a copy of the endorsed and final determination from the Planning Panel. The notice of determination must include all conditions imposed by the Planning Panel, including any additional or amended conditions.

The council has no power to amend conditions or include additional conditions following the Planning Panel's determination.

January 2020

Council will advise any person who made a submission on the DA of the determination.

The council continues to be responsible for the monitoring of, and enforcing compliance with, any conditions of the development consent.

Where an application has been approved subject to a 'deferred commencement' condition council is responsible for determining whether the requirements of the condition have been met (see section 4.16(3) of the EP&A Act). Council advises the chair of the Planning Panel in writing when the matter specified in the condition has been satisfied (see clause 123E (2) of the EP&A Regulation).

10.5 Support provided to Planning Panels by councils

Planning Panels are entitled on request to the general manager of a council, to use the staff and facilities of the relevant council, have access to council records, and any other assistance or action for the purpose of carrying out their functions (see section 2.27 of the EP&A Act).

It is expected that use of council facilities such as meeting rooms would be arranged prior to Planning Panel meetings.

Support, such as recording the written decisions of the Planning Panel, audio recording of Planning Panel meetings, copying of documents and the provision of professional advice, may also be required.

Generally, the relevant council bears the administrative and council staffing costs associated with the Planning Panel meetings. Administrative costs may include those associated with the meeting venue and set up, the attendance of council staff, as well as administrative support.

The chair and members of a Planning Panel will need to be mindful of the regular duties and responsibilities of council staff when requests for assistance are made. Requests by members of Planning Panels for support and assistance from councils should be made through the chair to the general manager (or other person nominated by the general manager) of the council concerned.

10.6 Role of design review panels

Design review panels are established by councils either formally under *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* with the approval of the Minister, or informally to bring special design expertise to the assessment of certain types of DAs.

Design review panels that are properly integrated in the assessment process are an effective tool which helps to improve the quality of design outcomes. The quality of design has a bearing on many, but not all, of the matters considered in the assessment of a DA.

The role of design review panels in the assessment of applications is not changed by the fact that the application is to be determined by a Planning Panel. However, it is generally more effective in terms of design quality outcomes and timeliness if the design review panel is convened at the pre-DA stage or early in the assessment phase.

10.7 Role of local planning panels

The purpose of local planning panels (formerly known as IHAPs) is to provide independent, expert determination of DAs, as well as providing an opportunity for people with an interest in the DA to raise and discuss issues in a public forum before a decision is made on the application. Local planning panels determine all DAs that meet criteria set by the Minister.

January 2020

Although similar in operation, the roles of local planning panels and the Planning Panels do not overlap. Each DA must satisfy distinct referral criteria before it is known whether the Planning Panel or local planning panel will determine that DA.

January 2020

11. Development application and assessment

11.1 Pre-development application meetings

Pre-DA meetings between applicants and assessment officers are commonly used to inform lodgement requirements and likely assessment pathways before applications are submitted to the consent authority.

Applicants are encouraged to meet with council before lodging a DA, and to respond to the advice of council when preparing the DA.

To avoid any apprehension of bias, it is not appropriate for determining bodies, such as Planning Panels or their members to participate in pre-DA meetings.

11.2 Making of development applications

DAs for regionally significant development are made to the relevant local council.

In the case of development located in two or more LGAs, a separate DA must be lodged with the councils of each LGA. Additionally:

- each DA should only address that part of the development located on land in the relevant LGA,
- neighbouring councils may wish to consider setting up joint assessment procedures, if appropriate, and
- the Planning Panel will determine each DA separately (although the determinations may be made concurrently).

11.3 Notification to the secretariat

Within 7 days of receiving a DA for regionally significant development, the council registers the DA with the secretariat.

The registration is made via the Planning Panels website or the NSW Planning Portal. The registration includes all information required on the website registration page. The DA documents are electronically transmitted to the secretariat at the same time.

The secretariat advises relevant Planning Panel members of the DA once the registration is accepted. The DA documents, including the application form are generally sent to Planning Panel members electronically.

These documents allow Planning Panel members to become familiar with the development and to identify if they have any potential conflicts of interest prior to their review of the assessment report and before attending the Panel meeting to consider the application in public.

11.4 Public exhibition of development applications by council

Public exhibition of the DA is undertaken by council staff in accordance with the requirements of the EP&A Act, EP&A Regulation and Council's Community Participation Plan or any relevant development control plan or policy of council.

Notification of exhibition, including letters and advertisements, should contain appropriate statements to advise:

- that the {name of relevant} Planning Panel is the consent authority for the application,
- that submissions made in respect of the application should be made to {name of relevant} Council, but will be provided to the Planning Panel and may be viewed by other persons with an interest in the application,

January 2020

- names and addresses of submitters will be provided to the Planning Panel for notification purposes, and
- other information required by the EP&A Act or EP&A Regulation.

11.5 Requests for additional information

It is the applicant's responsibility to provide adequate information and technical reports on potential impacts of the proposed development.

Holding a pre-DA meeting with council staff will often clarify council requirements for the lodgement of an application. However, the applicant may be requested by council staff to provide further information or reports to properly address all relevant aspects of the development, or to enable an assessment report to be completed.

During the assessment process the Planning Panel may identify issues at a briefing that must be addressed or clarified in council's assessment report, and for which council may request further information.

Amended plans or additional information for a DA must be lodged with council.

11.6 Status reports

Councils must advise the secretariat if it is evident that there are difficulties in assessing the DA or the assessment report will not be completed within the timeframe indicated in the referral notification.

The secretariat tracks the progress of DAs registered with it and requests status updates from council for DAs lodged for 70 days or more.

Where a response or concurrence from public agencies delays the assessment of a DA, a council can ask the secretariat for assistance to ensure the agency responds to council in a timely manner.

Where there is an ongoing and unreasonable delay in the processing of a DA, council may be requested by the Planning Panel to complete its assessment without further delay.

11.7 Assessment of the development application

The council that received the DA is responsible, through its staff, for the assessment of the application.

It is council's responsibility to prepare an assessment report addressing all statutory requirements and properly considering all issues. Usually councils will rely on their own professional staff, however where they do not have the technical expertise required in-house, they may engage external expertise. All costs associated with the preparation of the assessment report are to be covered from application fees, which are retained by council.

The assessment report must clearly identify how the proposal meets the relevant requirements for regionally significant development, and that the Planning Panel is responsible for determining the application.

The assessment report must include a recommendation on the proposed development:

- if the recommendation is for approval of the application, the report must include recommended conditions of consent, and
- if the recommendation is for refusal, the report must include reasons for refusal based on the assessment in the report.

The chair, following consultation with the Planning Panel, may also request without prejudice draft conditions of consent, where council's report

January 2020

recommends refusal. The Panel may do this before or at the determination meeting.

The assessment report should clearly identify if there are any outstanding issues and steps to be taken to address such issues.

In considering an application, a Planning Panel may request additional information to assist in its determination of the application.

11.8 Varying development standards

Where a DA includes a variation to a development standard, an application under clause 4.6 of the relevant LEP is required (or, where the development is not in a standard instrument LEP, an objection under *State Environmental Planning Policy No 1—Development Standards* (SEPP 1)). Council's assessment report includes an assessment of the application against the relevant statutory provisions.

The function of obtaining concurrence from the Secretary under clause 4.6 is a matter for the council. However, where concurrence is assumed, the council does not need to obtain concurrence. The Planning Panel will determine whether a clause 4.6 application is well founded on the basis of the applicant's justification.

11.9 Local infrastructure contributions

The assessment report should address contributions required in accordance with the council's relevant contributions plan (see section 7.11 and 7.12 of the EP&A Act). The Planning Panel is able to impose additional or different contributions than those set out in the contributions plan. For Crown developments, councils should address contributions in accordance with the relevant planning circular (Circular No. D6, issued September 1995 or as updated).

11.10 Special infrastructure contributions and certification requirements

If the development falls within a special contributions area the council should address the relevant requirements in its assessment report and recommend appropriate conditions in accordance with the Ministerial direction (see section 7.24 of the EP&A Act).

The council must address any "Satisfactory Arrangements" clause in the applicable LEP in its assessment report. These clauses usually state that development consent must not be granted by a consent authority until arrangements to the satisfaction of the Secretary have been made to contribute to regional or State infrastructure. A Planning Panel cannot provide consent to the DA until the Secretary (or delegate) of the Department has certified in writing that satisfactory arrangements have been made.

11.11 Development subject to delays in determination

An applicant with a DA that has a CIV between \$10 million and \$30 million can refer the DA to the relevant Planning Panel for determination if it remains undetermined for 120 days after being lodged with council (see Schedule 7 of the State and Regional Development SEPP). The referral process is outlined below:

- when making a referral, applicants must use the Regional Development Request form available on the Planning Panels website,
- the applicant is to complete the relevant part of the form and submit it to **both** the relevant council and the secretariat,

January 2020

- once the council receives the referral form it cannot determine the DA until a decision has been made regarding whether the Planning Panel will have the function of determining the DA, however council can continue to assess the DA,
- the council sends the completed referral form and copies of all DA documents, to the secretariat within 7 days. Council should also send its explanation for the delay in completing its assessment,
- the chair will consider the information in the referral form and advise the secretariat if the referral is accepted (i.e. the applicant is not responsible for a delay in the application), generally within 14 days of the applicant making the referral. The chair will consider a number of matters in making this decision, including:
 - permissibility and zoning, including whether the determination is dependent on a rezoning,
 - whether the determination is dependent on a voluntary planning agreement or the approval of a masterplan or DCP,
 - whether the landowner's consent has been provided,
 - whether the required referrals and concurrences have been obtained,
 - whether there have been requests for further information, and what the responses were to those requests, and
 - if council has considered the DA and the outcome of that consideration,
- once the chair decides, the secretariat will notify the council and the applicant as to whether the development is regionally significant development,
- if the referral is not accepted the chair must advise the reason(s) for not accepting the referral,
- if the referral is accepted, council completes the assessment of the application and prepares an assessment report for submission to the secretariat, and
- a briefing with council may be held prior to determination.

11.12 Council representation to the Planning Panel

An elected council may make a submission on a DA within their LGA that is to be determined by a Planning Panel up to seven days before the Planning Panel meeting.

After the assessment report is sent to the secretariat, it may be given to the elected council to assist in its decision as to whether it will be making a submission to the Planning Panel. The elected council's submission should not be prepared by persons involved in the assessment of the application but could be prepared by another council officer, or a consultant.

A council submission should not be specifically referenced in the assessment report or recommendations prepared by the council staff. If council makes a submission, a staff representative or individual Councillors may register to address the Planning Panel at the meeting to express the views of council.

Councillors who are also Planning Panel members have an independent role because they have been nominated by their council as its nominee to the Planning Panel.

11.13 Submission of assessment report to the secretariat

The completed assessment report and recommendation is to be immediately sent via electronic means to the secretariat.

January 2020

The assessment report is not to be endorsed or presented to the elected council before being sent to the secretariat.

The following items are to be sent in a digital format to the secretariat:

- assessment report and any attachments and recommendations (including conditions),
- the Council Assessment Report cover sheet (available on the Planning Panels website),
- final architectural drawings and plans and other reports that the assessing officer considers that the Panel may require in order to make an informed decision,
- copies of each submission received in respect of the DA
- a completed List of Submitters (available on the Planning Panels website) containing the names, postal addresses and email addresses (if provided) of every person or body who made a submission to allow the secretariat to notify submitters of the details of the Panel meeting, and
- in the case of petitions, only the name and address of the head petitioner should be provided, if that person can be identified.

Note: Council's assessment report must include a summary and assessment of all submissions so that the Planning Panel can consider the submissions as part of the assessment of the DA. Based on the details provided by council, the secretariat will notify persons who made submissions of the time, date and venue of the Planning Panel meeting at which the relevant application will be considered. Councils should also give the secretariat copies of any late submissions and, where necessary, provide further assessment if the issues are not already covered in council's assessment report.

11.14 Written submissions to the Planning Panel

All written submissions must be sent directly to council to be considered as part of the assessment of the DA.

Submissions sent to the Planning Panel will be given to council for assessment. Planning Panels will not normally accept information "in confidence" that is not also given to council. However, if confidentiality is requested, the reason must be clearly stated as to why it is confidential and relevant to the assessment matter before the Panel and the chair will consider the request.

11.15 Rezoning, development control plans and planning agreements

Where a DA is lodged concurrently with a planning proposal seeking the rezoning of land under the LEP Council's assessment report must address the DA against the proposed zoning. Council is responsible for progressing the planning proposal. The Planning Panel cannot determine a DA to approve such development until the land is rezoned to permit that development.

Where the provisions of an environmental planning instrument require a development control plan (DCP), (previously known as a master plan) to be adopted by the council before granting development consent, it is the responsibility of council to prepare and adopt the DCP prior to sending the assessment report to the Planning Panel. In such circumstances, the Planning Panel will not determine the application until the DCP is adopted by the council.

If a planning agreement is proposed, it should be negotiated by council staff. Council's assessment report for the Planning Panel would normally make reference to any planning agreement and its relationship to the DA.

The Planning Panel may only impose a condition of consent requiring a planning agreement be entered into if the condition reflects the terms of any

January 2020

offer made by the applicant to enter into a planning agreement (see section 7.4 of the EP&A Act).

11.16 Referral of Crown development applications with a CIV less than \$5 million

Crown DAs with a CIV greater than \$5 million are regionally significant development. Crown DAs with a CIV under \$5 million can be referred to the relevant Planning Panel (see section 4.33 of the EP&A Act) by either:

- the applicant where council (or IHAP, if relevant) has not determined in the prescribed period, or
- the council at any time including before the end of the prescribed period.

Before the end of the prescribed period, only a council (not the applicant) can refer an application to the Planning Panel.

For Crown DAs with a CIV of less than \$5 million where a council or IHAP seeks to refuse consent or impose a condition to which the applicant has not provided their agreement, the application is also to be referred by council to the relevant Planning Panel (see section 4.33(2) of the EP&A Act). Planning Circular PS 09-017 outlines the Crown DA provisions and policy.

The referral to the Planning Panel must be in writing. Additional procedures for the referral, including the requirement to notify the other party in writing of the referral are set out at sections 4.33(6) and section 4.33(7) of the EP&A Act.

Once the application is referred to a Planning Panel, the council registers DA on the Planning Panels website and gives its assessment report to the Planning Panel to consider.

January 2020

12. Determination of development applications

12.1 Determining regionally significant development applications

Planning Panels determine regionally significant development as the consent authority.

Planning Panels generally hold public determination meetings to consider DAs. Refer to **Schedule 1** for more information on the detailed procedures for Planning Panel meetings.

The purpose of the public determination meeting is for the Planning Panel to hear views of the community and other interested parties, such as the applicant and the council, on the DA before the Planning Panel makes a decision.

After reviewing written submissions on a DA, considering the recommendation in council's assessment report and hearing from those wishing to address the Planning Panel, the Planning Panel may determine the application or defer its decision for reasons that will be stated in the meeting record.

In certain circumstances the determination of a DA can be done by a circulation of papers e.g. where the assessment report recommends approval and there are no submissions objecting to the proposed development or if the decision on the DA was deferred.

12.2 Obligation to consult council – if adverse financial impacts

A Planning Panel must not make a decision that will have, or that might reasonably be expected to have, a significantly adverse financial impact on a council without first consulting the council (see section 2.26 of the EP&A Act).

The consultation must be in writing, with the council being given a specified time to respond in writing. Where a briefing with the general manager (or nominee) is to be held to discuss the matter, all relevant Panel members should be present, and a meeting record and outcomes should be sent to the secretariat.

12.3 Determining Crown development applications

A consent authority for Crown development cannot refuse consent to a Crown DA except with the approval of the Minister, nor can it impose a condition on a development consent for Crown development except with the approval of the applicant or the Minister.

This requirement applies to Crown development that is to be considered by a Planning Panel, where the application is for regionally significant development, or where the DA is referred to the Panel under Division 4.6 of the EP&A Act.

Where the Planning Panel wishes to either refuse an application or impose conditions not agreed by the applicant, or where a Planning Panel fails to determine the DA within the prescribed period, the applicant or the Planning Panel may refer the DA to the Minister. The Minister may then direct the Planning Panel to approve or refuse the Crown DA within a specified time.

12.4 Determining DAs for coastal protection works

Certain coastal protection works are classified as regionally significant development. Where a Planning Panel is to determine a DA for coastal protection works the chair and the council nominated members will remain on the panel, however the State members will be replaced by members appointed by the Minister who have expertise in coastal engineering or coastal geomorphology (see clause 8A, Schedule 7 of the SRD SEPP).

January 2020

12.5 Delegation to council to determine applications

If the Minister agrees, Planning Panels may delegate the determination of applications to councils, a local planning panel of a council or the general manager or other staff of council (see section 2.16(2) of the EP&A Act). Delegation may be for development in a specified area, for a class of application, or be made on a case-by-case basis.

In situations where the determination is delegated, councils must:

- register the application on the Planning Panels website,
- inform and update the secretariat on the processing of the application as requested, and
- provide a copy to the secretariat of all determination documents, including the assessment report and Notice of Determination.

The chair of the relevant Planning Panel may request the council to not exercise the delegated function in certain circumstances.

Any determination made by council under delegation is a decision of the Planning Panel.

January 2020

13. Reviews and appeals

13.1 Decision reviews

Planning Panels also review decisions made on DAs by the Planning Panels (see Division 8.2 of the EP&A Act). The Council notifies the Planning Panel when a request to review a decision has been lodged. The Planning Panel reviewing the decision will be comprised of different members to those members that made the original decision and will be called the Decision Review Panel of the [relevant] Planning Panel.

Note that decision reviews cannot be requested where the following applies:

- the time to lodge a legal appeal has passed,
- a merit appeal has been determined regarding the DA, or
- it is an application for complying development, a Crown DA or a designated development DA.

The Decision Review Panel may ask to be briefed on the decision review request, either by the applicant, Council staff undertaking the assessment, or other experts engaged to assess the application.

The circumstances where this may be needed include where the applicant for the DA has amended the development the subject of the original DA since the original determination.

If needed, the Decision Review Panel may also hold a site visit or public briefing meeting.

Council must prepare an additional assessment report to the Decision Review Panel if the DA or application to modify a development consent has been amended after its initial determination, or if submissions have been made following any further notification.

The Decision Review Panel of the Planning Panel may hold a public determination meeting. A Decision Review Panel will only need to hold a public determination meeting if the application was notified and submissions objecting to the application were received. It is at the Chair's discretion whether a public determination meeting is necessary at any other time.

Council must give written notice to the applicant of the result of the review within 7 days of the completion of the review.

13.2 Appeals against a Planning Panel determination

Merit appeals

An applicant who is dissatisfied with a determination or deemed refusal of an application may lodge a merit appeal to the Land and Environment Court within six months against the decision as provided for in the EP&A Act.

Note: An application is deemed to have been refused if it is not determined within 40 days, or 60 days if the application is for designated or integrated development, requires concurrence of a concurrence authority or is accompanied by a biodiversity development assessment report and that proposes a discount in the biodiversity credits required under the report to be retired.

If the development is designated development, then an objector to the development who is dissatisfied with a determination may also lodge a merit appeal in the Land and Environment Court within 28 days as provided for in the EP&A Act.

The council for the area will be the respondent for any merit appeal against a determination made by a Planning Panel on a development application. The council is subject to the control and direction of the Planning Panel in connection with the conduct of the appeal.

The council is to give notice of the appeal to the Planning Panel. It must do this by notifying the secretariat. Notification to the Planning Panel must be

January 2020

made no more than seven days after the council receives notice of the appeal and must advise whether the council will be actively defending the appeal.

Note: Each Planning Panel chair has delegated authority to act as the Planning Panel's representative to provide instructions and seek legal advice in relation to appeals. Planning Panel delegations are published on the Planning Panels website.

The Planning Panel will determine its level of involvement in an appeal, and what directions (if any) it wishes to issue to the council, on a case-by-case basis. While a Planning Panel has the power to direct and control the council, it may choose not to exercise the power. If a Planning Panel wishes to take a more active role in a council's conduct of the appeal, the Planning Panel can exercise its powers to control and direct council. In some circumstances the Planning Panel may seek to join proceedings and act as the respondent in the place of the council.

Council is to:

- 1) provide the Planning Panel with a copy of the application commencing the appeal within 7 days of the council being served with it,
- 2) provide the council's proposed statement of facts and contentions to the Planning Panel at least 7 days before the later of:
 - a) the day of the first directions hearing for the appeal or
 - b) the day the statement is filed,
- 3) identify in the council's statement of facts and contentions the steps taken by the council to notify the Planning Panel of the appeal, and any response received by the council, and
- 4) provide the Planning Panel with:
 - a) a copy of any directions or orders made by the Court in relation to the appeal within 7 days of the directions or orders being given,
 - b) a copy of any proposed in principle agreement between the parties to the appeal following a conciliation conference under section 34 of the *Land and Environment Court Act 1979* within 3 days of the proposed in principle agreement being reached and before any written agreement is executed,
 - c) the dates on which the appeal will be heard within 3 days of the council receiving notice of them, and
 - d) a copy of any judgment of the Court in relation to the appeal.

The council should include in its Statement of Facts and Contentions the actions taken by council to notify the Planning Panel of the appeal and any response from the Planning Panel.

Deemed Refusals

A Planning Panel may determine a DA even though it is subject to a deemed refusal appeal. When a deemed refusal appeal has been filed with the Court, the usual practice is for council's assessment officer to complete their assessment report.

Applications may be deemed to have been refused before a Planning Panel has been briefed on the application. Where a Planning Panel has not been

January 2020

briefed on an application that is subject to an appeal, the Planning Panel may request a briefing from the council.

Judicial review and civil enforcement proceedings

Any person may commence judicial review or civil enforcement proceedings in the Land and Environment Court against a Planning Panel determination. Unlike merit appeals, in these types of proceedings the Planning Panel will be named as a respondent.

A submitting appearance may be filed by the Planning Panel if the grounds of challenge are not related to the powers or procedures of the Planning Panel in determining the application.

Appeals against determinations where council is the applicant

The Planning Panel will be the respondent in merit appeal and judicial review proceedings in the Land & Environment Court where council is the applicant.

January 2020

14. Planning proposals

Planning Panels also undertake plan-making functions including:

- undertaking administrative reviews,
- acting as the planning proposal authority (PPA) in certain circumstances, and
- providing advice to the Minister or the Secretary on any planning or development matters or environmental planning instrument referred to them.

Note: The Independent Planning Commission undertakes these functions in the City of Sydney LGA.

14.1 Reviews

A Planning Panel may be asked to review certain plan-making decisions.

Reviews include:

- **Rezoning reviews** — which may be requested by a proponent before a planning proposal has been submitted to the Department for a Gateway Determination, and
- **Independent proposal reviews** — which may be requested by a Local Aboriginal Land Council before a planning proposal for land subject to a development delivery plan or interim development delivery plan, that is shown in the Aboriginal Land SEPP, has been submitted to the Department for a Gateway Determination.

These review processes allow councils and proponents to have decisions about the strategic merits of proposed amendments to LEPs reconsidered.

The Department's *A Guide to Preparing Local Environmental Plans* sets out lodgement requirements, including information the council or proponent must provide for reviews to be undertaken.

14.2 Rezoning reviews

If a proponent (e.g. developer, landowner) has requested that a council prepare a planning proposal for a proposed instrument, the proponent may ask for a rezoning review if:

- the council has notified the proponent that the request to prepare a planning proposal is not supported, or
- the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information, or has failed to submit a planning proposal for a Gateway determination within a reasonable time after the council has indicated its support.

On receipt of an application the Department notifies the Planning Panel and the relevant council within 3 business days.

The Planning Panel reviews the planning proposal initially considered by council, rather than any amended or updated version. Council will be requested to confirm that the planning proposal is that which was initially considered by council, and to provide any additional comments or information to the Department within 21 days.

The Planning Panel may be briefed by the Department, council and proponent to clarify any issues before completing the review. The Planning Panel may request a site visit to assist in its considerations.

January 2020

A briefing or site visit will be attended by the Planning Panel, Department staff and, in certain circumstances, the applicant and council staff. Any briefing or site visit will follow the procedures set out in Schedule 1.

Determination

The review and determination should be in accordance with the Planning Circular PS 18-012 (or as updated).

The Planning Panel's determination is to be based on the strategic and site-specific merits of the proposal.

Planning proposals that do not reasonably meet the strategic and site-specific merit tests will not proceed to a Gateway determination.

The Planning Panel's determination is to provide a clear decision on whether the planning proposal should proceed or not to a Gateway determination.

Decisions on rezoning reviews will generally be made by a resolution following a circulation of papers in accordance with the procedures set out in Schedule 1.

Communication of the Planning Panel's determination is made to the proponent and the council within 90 days of the Department receiving the initial rezoning review request.

Planning Proposal Authority

If the Planning Panel determines that a proposal should proceed to a Gateway determination, councils will be provided the opportunity of accepting the planning proposal authority role. If the council does not accept the role within 42 days an alternate planning proposal authority will be appointed.

Each Planning Panel has delegated authority to direct itself to be the planning proposal authority where a proposal has been subject to a rezoning review and the council has not accepted this role.

14.3 Independent proposal reviews

Independent proposal reviews give Local Aboriginal Land Councils an opportunity for an independent body to give advice on planning proposals for land subject to a development delivery plan, or interim development delivery plan, that is shown in the Aboriginal Land SEPP.

The process for an independent proposal review is similar to that outlined for rezoning reviews.

When a Planning Panel is undertaking an independent proposal review in determining the strategic merit of a proposal it will also need to consider the consistency of the planning proposal with the relevant development delivery plan for the land (or interim development delivery plan) shown in the Aboriginal Land SEPP and when determining the site-specific merit of the proposal it will also need to have regard to the social and economic benefit to the Aboriginal community facilitated by the proposal.

The review and determination should be in accordance with the Planning Circular PS 19-003 (or as updated).

Each Planning Panel has delegated authority to direct itself to be the planning proposal authority where a proposal has been subject to an independent proposal review and the council has not accepted this role.

January 2020

14.4 Planning Proposal Authority (PPA)

A Planning Panel may be directed to be the PPA for planning proposal by the Minister. Generally, a Planning Panel has delegation from the Minister to act as PPA if it has recommended that a planning proposal proceed to Gateway and the council has declined to remain as the PPA.

As PPA, the Planning Panel performs all the functions that a council normally would in preparing LEPs. This includes:

- submitting a planning proposal to Gateway,
- undertaking any necessary agency consultation prior to public exhibition of the proposal,
- endorsing the public exhibition of a planning proposal that has received a Gateway determination and met all of the Gateway conditions,
- exhibiting the planning proposal in accordance with the terms of the Gateway determination,
- considering a recommendation report, addressing submissions received during public exhibition,
- holding a public briefing meeting (at the Panel chair's discretion) following public exhibition, to listen to any person wishing to speak, and
- submitting a request to the Department, as delegate of the Minister, that the LEP be legally drafted and made.

The Minister (or delegate) remains responsible for determining and making the LEP.

14.5 Support provided to the Planning Panel in its role as PPA

When a Planning Panel is acting as PPA the secretariat arranges any necessary agency and community consultation (public exhibition) and the Department provides technical support and briefings to the Planning Panel.

14.6 Availability of Planning Panel decisions and advice

The Planning Panel needs to make a number of decisions throughout the plan-making process when undertaking reviews or acting as PPA. Decisions of the Planning Panels will be made publicly available on the Planning Panels website within 3 business days of any decision.

14.7 Community consultation

There is no requirement for a Planning Panel meeting to be held prior to determining a rezoning review. The Gateway determination details requirements, if any, for community consultation on planning proposals. The Planning Panel may hold Planning Panel meetings at any time, at the discretion of the chair.

Submissions received as part of the public exhibition of a planning proposal for which a Planning Panel is the PPA are made publicly available on the Planning Panels website.

January 2020

15. Site compatibility certificates

Planning Panels determine applications for SCCs made under the Seniors SEPP and the Education SEPP.

Written applications are to be lodged with the Department. The Department prepares an assessment of the application and a recommendation for the relevant Planning Panel. The Planning Panel considers the application and the Department's assessment report and those matters set out within clause 25 of the Seniors SEPP, or clause 15 of the Education SEPP as relevant. The Panel may determine an application by issuing a SCC or refusing to do so.

The Planning Panel may request a briefing and/or a site visit to assist in its considerations.

A briefing or site visit will be attended by the Planning Panel and Department staff and follow the procedures set out in Schedule 1.

Decisions on SCCs will generally be made by a resolution following a circulation of papers in accordance with the procedures set out in Schedule 1.

Should a DA be supported by an SCC issued by the Planning Panel come before the Planning Panel for determination, the Planning Panel will be comprised of different members to the members that issued the SCC.

January 2020

Schedule 1: Procedures for briefings, meetings and decisions.

1 Briefings and site visits

The chair may agree to a site visit or a briefing prior to a Planning Panel making a decision or providing advice on a matter.

A site visit or briefing is solely to identify and clarify issues with the proposal. Planning Panel members will not offer opinions on the merits of the proposal or ask those involved with the assessment of the proposal for their opinion or recommendations at site visits or briefings.

However, the Panel may identify issues that it expects to be addressed or clarified in any assessment report.

A site visit or briefing will be attended by the Planning Panel and relevant council or Department assessment staff or other persons engaged in the assessment of the DA or matter to be determined by the Planning Panel. In some circumstances other parties, including the applicant or people who made submissions on an application or matter may also be invited to attend a site visit or briefing. The invitation of parties is at the discretion of the chair.

Briefings on DAs may include a presentation by council assessment staff on key elements of the proposal and the planning controls that affect it (such as zoning), and an overview of issues of concern arising through the Council's assessment or raised in submissions. The timing of the submission of the assessment report and tentative date for a determination may also be discussed.

The assessment officer briefing the Planning Panel should have available a set of large-scale plans at the briefing.

Only Planning Panel members who will sit on the Planning Panel to determine the matter should attend the briefing.

Briefings and site visits on planning proposals and site compatibility certificates follow the same format, with Departmental staff briefing the Planning Panel.

It is not mandatory that the Planning Panel be briefed prior to considering a matter. Where there is a briefing, it should take place within four weeks of the close of any public exhibition period, and before council makes any major request for further information from the applicant (although council can request further information before the exhibition). The assessment of a DA should not be delayed for a briefing to occur.

Planning Panel members may identify further issues where they need clarification or more information. A Planning Panel may request briefings with council or Department staff to clarify any element of the proposal and the assessment report prior to the Planning Panel making its decision.

Briefings are not determination meetings and Planning Panel members should not make any comment that would indicate pre-determination of the matter.

The chair should take into consideration the availability of all members of the Planning Panel and any other necessary persons when deciding to conduct a site visit.

Entry to any private land may only take place with the express permission of the owner of the land, and it is the responsibility of council staff, in relation to a DA, or Department staff in relation to a planning proposal, to seek owner's consent when required.

January 2020

A written record of the briefing or site visit is made including time, date, attendees, any declarations and key issues discussed and is published on the Planning Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

It may be appropriate to invite the applicant or proponent to attend the briefing when:

- the Planning Panel could benefit from additional technical explanation on a complex matter,
- the development or other options are still being considered (e.g. if a major re-design has been requested by the council), or if
- material to be presented may be commercially sensitive or confidential.

The Planning Panel will publish clearly documented reasons why a briefing by an applicant was necessary so that there is no apprehension of bias.

Site inspections and briefings are not public meetings of the Planning Panel.

2 Meetings

Public briefing meetings

If the matter before the Planning Panel attracts significant community interest, the Planning Panel may consider calling a public briefing meeting.

Public briefing meetings are held to hear submissions in a public forum and to meet with key stakeholders to discuss unresolved issues. Community groups and individuals may register to speak to the Planning Panel at the public briefing meeting. Public briefing meetings are held at the discretion of the Planning Panel.

Planning Panel members should not make any comment that would indicate pre-determination of the application at a public meeting.

Determination meetings

Prior to determining a DA or other matter, a Planning Panel may call a public determination meeting. The purpose of a public determination meeting is to hear those who wish to express their view on the proposal before the Planning Panel makes its determination in public.

Notice of a public determination meeting is given at least 7 days before the meeting. Notice of the meeting (including the time, date and venue for the meeting) are:

- notified on the Planning Panels website, and
- given to every person who made a submission to the council (in the case of petitions, only the head petitioner).

The meeting agenda, any business papers, assessment reports and attachments (including any representations made by council) are distributed to members of the Planning Panel and uploaded on the Planning Panels website in advance of the meeting.

People wishing to address the Planning Panel must register prior to the meeting.

The chair determines the order of presentations to the Planning Panel and the amount of time given to each speaker. At the meeting, it is acceptable to provide the Planning Panel with written material which summarises the matters to be presented to the panel by the speaker. However, written material must be kept to a minimum.

3 Meeting procedures for Public Briefings and Determinations

January 2020

Planning Panel meetings are to be conducted in public.

Meeting dates and agendas

A regular schedule of proposed meeting dates is determined at the beginning of each year by the secretariat in consultation with the chair. The meeting dates are listed on the Planning Panels website and are reserved for public briefing meetings, Planning Panel briefings and site visits, or Planning Panel meetings. Planning Panel public determination meetings are generally arranged within 14 days of receiving council's assessment report.

Additional meetings of a Planning Panel may be organised at the discretion of the chair. These additional dates are posted on the website as soon as they become available.

The chair may consult with the general managers (or their nominee) of the relevant councils when approving the agenda for each meeting.

The council notifies the secretariat of any revised date for completion of the assessment report as soon as it is aware of any delay and advises of the reasons for the delay.

The meeting time and venue

The meeting time and venue is determined by the chair in consultation with relevant councils, and taking into account:

- the location of the proposed developments to be considered at the Planning Panel meeting,
- the number of persons who have expressed an interest in the different matters to be considered at the Planning Panel meeting,
- the availability of a suitable venue and the accessibility of the proposed venue for those persons, and
- local considerations and logistics.

The meeting time and venue should:

- maximise accessibility to people who have expressed an interest in the matters to be considered at the meeting, and
- facilitate the open exchange of information between the Planning Panel members and other parties.

Items from a number of different LGAs might be considered at one meeting provided the venue is reasonably accessible to most interested parties.

In regional areas, the chair may need to convene meetings in a number of locations to ensure they are accessible to the greatest number of people with an interest in the application being considered.

Notice of meeting

Notice of a Planning Panel meeting is to be given by the secretariat at least 7 days before the meeting. Notice is given to Planning Panel members, the general managers (or their nominee) of the councils in that region or district, every person who made a submission to the council (in the case of petitions, only the head petitioner) in respect of an item to be considered at the meeting and the applicants for those items. A notice is placed on the Planning Panel website and may be placed in the local newspaper.

The notice is to include details of:

- the time and date of the meeting,
- the venue for the meeting,
- the matter under consideration (DA/s or planning proposal),

January 2020

- the availability of agenda and business papers, which will include the assessment report and recommendations, and
- other matters to be considered at the meeting.

Distribution of meeting agenda and business papers

The meeting agenda, business papers/assessment reports and attachments, including any representations made by councils, are to be distributed to members of the Planning Panel and uploaded on the Planning Panels website by the secretariat no less than 7 days prior to the meeting.

A hard copy of the agenda and business papers are posted via express post to those Planning Panel members who have a decision-making role on the matter.

Opening and closing meetings

The chair will open the meeting by introducing the Panel and its members, state the purpose of the meeting, read out any apologies and call for declarations of interest following the declarations of interest procedures.

The chair will note any site visits or briefings the panel has had the benefit of and describe the order of proceedings and time limits for speakers.

The chair may also request council staff to briefly summarise the key issues that have arisen in the assessment report.

The panel will then listen to those wishing to address the panel. After the presentations the panel will make its determination and the chair will read out the decision of the panel before closing the meeting.

Declarations of interest procedures

The declarations of interest procedures set out below follow the requirements of the Planning Panels Code of Conduct (Code):

1. The chair calls on Planning Panel members to complete and sign written declarations of interest forms prior to the meeting for each panel matter (under clause 4.1 of the Code). Any verbal declarations must be recorded in writing.

Note: Under the Code, a panel member should declare the following interests:

- a. an actual, potential or reasonably perceived conflict of interest (see clause 3.1 of the Code),
 - b. a pecuniary interest listed under clauses 3.10 – 3.12 of the Code,
 - c. a non-pecuniary interest (see clause 3.14 of the Code),
 - d. a conflict of duties listed under clauses 3.18 – 3.25 of the Code,
 - e. a pecuniary interest or non-pecuniary interest arising from a political contribution or donation (see clause 3.26 of the Code),
 - f. a position and pecuniary interest in corporations, partnerships or other businesses that may be relevant to the activities of the Planning Panel in accordance with the Department of Premier of Cabinet's Guidelines 'Conduct Guidelines for Members of NSW Government Boards and Committees' (see clause 4.3 of the Code),
 - g. a personal dealing with council (see clause 5.1 of the Code), and
 - h. a gift or benefit listed under clauses 5.2 – 5.6 of the Code.
2. The chair reviews the written and signed declarations and the management measures put in place for any declared interests.
 3. If the chair is satisfied that reasonable and appropriate management measures are consistent with those set out in the Code, then a note to this effect is to be made on the meeting record.

January 2020

4. Should the chair have concerns, the chair is to raise these concerns with the member and suggest additional reasonable and appropriate management measures including, if warranted, that the member not take part in the determination for the matter (see clause 3.8 of the Code).
5. The chair is to provide the member an opportunity to respond.
6. The chair is to consider any response prior to making a final decision on the reasonable and appropriate management measures and note the response, the decision, and the chair's reasons for the decision in the meeting record.

Presentations at a Planning Panel meeting

The chair determines the order of presentations to the Panel. Panel members may ask questions of those making presentations. The amount of time given to each speaker is at the discretion of the chair.

At the Planning Panel meeting, it is at the chair's discretion whether to accept written material which summarises the matters to be presented to the Planning Panel by the speaker. Any allowed written material must be kept to a minimum.

By registering to speak at a meeting, speakers agree to being audio recorded and to the publication of that recording on the Planning Panels website.

a) Presentation by the assessment officer

The chair may request that the assessing officer responsible for preparing the assessment report (or a representative) presents a summary of the DA or planning proposal, as the case may be, and outline any relevant assessment issues at the start of the presentations. The assessment officer should have available at the Planning Panel meeting a set of large-scale plans (including any amended plans).

Generally, it is council's professional planning and assessment staff that prepare DA assessment reports for the Panel's consideration.

Where a Planning Panel is acting in the role of the PPA for a planning proposal matter the Department provides technical assistance, which may include the provision of an assessment report for the Planning Panel.

The assessment officer (or representative) should inform the chair of any late submissions received, and of any issues raised which may not have been addressed in the assessment report.

The assessment officer (or representative) should be present throughout the Planning Panel meeting, so that the chair can seek clarification where necessary of assessment issues that may arise during the course of the meeting. Other technical experts from the council/Department may also be present (such as traffic engineers) and the chair may ask for clarification of specific issues. Any questions to council/Department staff can only be made by Planning Panel members and are to be directed through the chair.

b) Presentation by the applicant or proponent

The applicant, in the case of a DA, or the proponent, in the case of a planning proposal, will be given the opportunity to outline the proposal and respond to the assessment report. The applicant/proponent may also be required to respond to submissions made at the meeting. The time allocated to the applicant/proponent, including their consultant(s), is at the discretion of the chair, but is generally 15 minutes. Additional time may be allocated

January 2020

where professional consultants have been engaged by the applicant/proponent to present at the meeting.

c) Presentation by people or groups who made submissions

Planning Panel meetings enable people or groups to make a presentation to the Panel meeting. People who wish to address the Planning Panel must register with the secretariat prior to the meeting by contacting the secretariat by telephone or email within the timeframe specified in the notification letter (generally two days before the Panel meeting).

For those people who are of the view that they would not be appropriately or adequately represented by any groups, they may register to speak to the Planning Panel as individuals.

The chair will advise on the time allocated for verbal submissions which will vary from meeting to meeting depending on a number of considerations such as the number of registered speakers.

As a guide:

- individual submitters will have 3 minutes to speak,
- a speaker for a community organisation/group will have 10 minutes to present. Additional time may be allocated where professional consultants have been engaged by community groups to present at the meeting.

In addition, where a large group of people have common issues to raise at the meeting, the chair may ask that a spokesperson be appointed to speak on behalf of the group. In such cases, the spokesperson will generally be allocated more time than individual speakers.

The chair seeks to ensure that all groups or individuals who request to address the Planning Panel are heard. Any requests for extending time limits should be made to the Planning Panel at the meeting and may be granted at the discretion of the chair.

Speakers should focus their oral presentations on the assessment report and its recommendation rather than re-stating information outlined in their earlier written submissions. The Planning Panel has been provided with all submissions and associated documents before the Planning Panel meeting.

d) Presentation by people or groups that have not made a submission

The chair has the discretion to allow any member of the public to address the Planning Panel, even if they have not made a submission or registered to speak by the relevant deadline. Considerations may include the number of persons that made submissions and have requested to address the meeting and the available time.

e) Presentation by an expert engaged by the Planning Panel

For the purpose of making a decision on a matter, such as a DA or a planning proposal, a Planning Panel may obtain independent assessment reports, advice and assistance that the Planning Panel may require, particularly in relation to complex technical matters. This would be in addition to any assessment report or other information provided by the relevant council/Department in assessing the application.

Selection of such experts is to be determined by the chair in consultation with the other Panel members.

Depending on the circumstances, the expert may submit a report with recommendations directly to the Planning Panel. In addition, the expert may

January 2020

be invited to present the outcomes of their report at the Planning Panel meeting.

The independent assessment report should be made available on the Planning Panels website prior to the meeting, except where this information includes legal advice provided to the Planning Panel and is subject to legal professional privilege.

Adjourning during a Planning Panel meeting

A Planning Panel may adjourn a meeting where:

- a briefing is required to hear confidential or sensitive information, and/or
- the panel wishes to confer amongst itself before reconvening the meeting for voting and determination.

Before the adjournment the panel chair publicly states the reasons for the adjournment which are recorded in the audio and written record of the meeting.

If the meeting is adjourned so that the panel may confer amongst themselves prior to making a decision, the chair briefly summarises the matters discussed in the adjournment after reconvening the meeting. The panel may discuss the matter further in the meeting and/or make its determination.

Planning Panel discussions during adjournments are not recorded.

Deferring a decision at a Planning Panel meeting

A Planning Panel may defer its determination of the matter for a subsequent meeting or it may be determined electronically by a circulation of papers. A decision may be deferred for any reason including to obtain additional information or advice.

The chair informs the meeting of the reasons for the deferral of a decision (i.e. why the decision cannot be made at the meeting) and advises of the procedures and timeframes to be followed for the determination of the matter.

A written record of the Planning Panel meeting, including the reasons for deferral, is placed on the Planning Panels website, and a copy is provided to the council.

It is the council's responsibility to follow up on any requests for additional information or amendments from the applicant, to determine whether re-exhibition is required, and to provide a supplementary assessment report to the Planning Panel.

The Planning Panel may hold further briefings following a determination meeting if it requires further information to make its determination or where there is commercially sensitive or confidential material that needs to be considered before the matter can be determined.

4 Decisions and determinations

The Planning Panel will strive to make its decisions unanimously. Where a decision cannot be made by unanimously, the decision will be made by majority vote. The chair will have a second or casting vote if required because of an equality of votes.

Quorum for a Planning Panel decisions

A quorum is a majority of the Planning Panel's members, including the chair, i.e. a total of three members. The decision of the Planning Panel will be deferred if a quorum is not present.

January 2020

Where conflicts of interest are known before a decision is to be made, alternate members will be used to make a quorum.

The Planning Panel's consideration

In addition to the assessment report, the Planning Panel is to take into account all written submissions, as well as the views expressed by those addressing the Planning Panel at its public meeting/s.

The Planning Panel's reasons

The Planning Panel must provide reasons for its decisions, which are to be recorded in the 'Determination and Statement of Reasons' template provided by the secretariat.

The Planning Panel may rely on the conclusions and recommendations within the assessment report, however, the Planning Panel must identify where it has its own reasons for making the decision and where it adopts the reasons from any assessment report of Council or the Department. As part of setting out its reasons the Planning Panel is to:

- provide a summary of the main issues raised in submissions,
- demonstrate how the Panel considered the community's concerns, and
- demonstrate how the Panel dealt with the issues raised, should they have been found to have merit i.e. requested further studies, applied appropriate conditions or, agreed with council recommendation that the applicant had satisfactorily addressed the concerns.

Determinations on DAs

The determination must clearly state whether a DA is unconditionally approved, approved with conditions, or refused.

Any new conditions of consent or changes to the recommended conditions of consent must be recorded.

If the Planning Panel resolves to approve an application that is recommended for refusal, the Planning Panel may seek a further report from the council's planning officer providing recommended conditions of consent. The Planning Panel may request without prejudice conditions of consent before a Planning Panel meeting if council's report recommends refusal.

The determination and statement of reasons must include the following:

- the decision of the Planning Panel,
- the date of the decision,
- the reasons for the decision (having regard to any statutory requirements applying to the decision), and
- how community views were considered in making the decision.

DA determinations must be publicly notified in accordance with clause 20 Schedule 1 of the EP&A Act.

The decision of the Planning Panel is not subject to a 'Rescission Motion' as in local government.

Decisions of Decision Review Panels are called a 'Review of Decision' Determination and Statement of Reasons.

Determinations on matters other than DAs

Decisions made by the Planning Panels on SCCs, Rezoning Reviews and where the Planning Panel is the Planning Proposal Authority will include the following:

- the decision of the Planning Panel,
- the date of the decision, and

January 2020

- the reasons for the decision (having regard to any statutory requirements applying to the decision).

Resolutions of the Planning Panels

The Planning Panels may from time to time make resolutions to do or not to do certain things, e.g. to authorise the chair to provide instruction in relation to legal appeals on behalf of the Planning Panel.

Resolutions of the Planning Panel will be published on the Planning Panels website.

Dissenting views

If the decision (and reasons for the decision) is not unanimous, all members of the Planning Panel (i.e. including the minority) still need to give reasons.

Timing of Determination and Statement of Reasons

It is preferable that the Planning Panel record both its decision and its reasons at the time of the determination.

Signatures

All members of the Planning Panel must sign the Determination and Statement of Reasons. Where one or two members are in dissent, they must still sign, as the reasons will set out their dissenting views.

5 Transactions of business outside meetings

A Planning Panel can transact its business by the circulation of papers or at a meeting at which members participate by telephone or other electronic means (known as an electronic determination) (see Schedule 2, Clause 25(4) and Clause 26 of the EP&A Act).

The chair may decide that it is unnecessary to hold a determination meeting to consider a DA or other matter. The Planning Panel can complete its business through an electronic determination. These circumstances may arise when:

- the assessment report recommends approval and there are no submissions by way of objection,
- the Planning Panel has held a public meeting and deferred its decision to request specific additional information from an applicant or council (such as amended drawings) and if council, after having accepted the amended drawings, has decided that re-exhibition of is not required,
- the Planning Panel is voting on a procedural matter, or
- the Planning Panel is voting on a decision following a briefing in relation to a Rezoning Review, Planning Proposal or site compatibility certificate.

When an electronic determination for a DA is proposed, the council report and recommendation is made available on the Planning Panels website seven days prior to the DA being determined.

The secretariat distributes business papers (including the assessment report and attachments) to Planning Panel members for consideration and advise that the determination is made via electronic means.

Following consideration of the business papers, the Planning Panel advises the secretariat of its decision on the DA and a record of decision is completed and endorsed by all members.

The chair and each Planning Panel member has the same voting rights as they have at public determination meetings.

January 2020

Resolutions approved by circulation of papers are recorded in writing and made publicly available on the Planning Panels website within 7 days. The circulation of papers is generally done electronically and are not recorded by audio/ video record, an audio record or a transcription record.

6 Records of proceedings

The chair is responsible for ensuring that full and accurate records are kept of the proceedings of Planning Panel meetings, briefings and other business.

An audio recording will be made for all public briefing meetings and determination meetings and will be published on the Planning Panels website. By registering to speak at a meeting, speakers agree to being recorded and to the publication of that recording. Where a speaker has not registered to speak but wants to make a submission at the meeting it is at the chair's discretion and the speaker is asked to agree to being recorded and that recording being published.

Document templates for written records of proceedings are provided by the secretariat.

Secretariat or council staff will assist in the preparation of draft written records. A copy of the unconfirmed written record is provided to all Planning Panel members who participated in the proceedings. Planning Panel members may submit any proposed corrections to the unconfirmed record to the secretariat for confirmation by the chair.

Alternatively, a Planning Panel may choose to complete and endorse the final record immediately after completing the meeting or briefing. In this case, draft records are not circulated.

When the written records have been confirmed and endorsed by the chair the written record is placed on the Planning Panels website.

The confirmed written record is available within 7 days of the Planning Panel meeting or briefing.

Any written record for a Planning Panel meeting details:

- the opening and closing times of the meeting,
- the details of the matter considered by the Planning Panel,
- the names of all members of the Planning Panel, including the chair,
- any disclosure of interest made by a member, the reason for that disclosure of interest and whether the member making the disclosure participated in the discussion or determination of the matter,
- any adjournments and reasons for the adjournment,
- the names of each person heard by the Planning Panel in respect of a matter,
- any decision of the Planning Panel,
- reasons for the decision,
- the names of each member who voted for or against the decision, and reasons for dissent, where the decision is not unanimous, and
- the signatures of all the members making the decision.

A written record of briefings or site visits are made including time, date, attendees, any declarations and key issues discussed and are published on the Planning Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

The secretariat, with assistance from the relevant council, is responsible for recording decisions for Planning Panel meetings.

January 2020

Planning Panel members are required to provide any notes made during a meeting, briefing or site inspection to the secretariat for registration as a record. This includes hand written or electronic notations.

8.10 Proposed Operating Hours During Christmas Holiday Period 2020-2021

Reporting Officer

Executive Manager People and Performance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

1. That Council Offices and the Works Depot close from Thursday 24 December 2020 – Friday 1 January 2021 inclusive.
2. That the holiday opening hours for the Council offices, Depot, Animal Care Facility, Campbelltown Visitor Information Centre, Family Education and Community Services, Leisure Services, Campbelltown Arts Centre and Libraries as detailed in the report, be approved and advertised through local papers, on Council's website, social media and at relevant centres and services.

Purpose

To seek Council approval for the proposed operating hours over the 2020-2021 Christmas and New Year holiday period.

Report

Council will operate with revised opening and closing times hours during the Christmas/New Year period in line with community usage and expectation during this time of year.

Traditionally Council offices and the Depot closed the business day between Christmas and New Year. In 2019 Council resolved to close on the 24 December offering this day as a paid leave day for staff as a token of appreciation for commitment during the year. It is proposed for the 2020-2021 Christmas period that the Council offices and the Depot will operate on Wednesday 23 December 2020 closing at normal times, after which, they will remain closed for the period between Christmas Eve and New Year's Day public holidays, that is 24 December 2020 – 1 January 2021 (inclusive) including 24 December being a paid leave day for staff (Staff Appreciation Day). Where staff are required to work in facilities that remain open on the 24th December, they will be able to take their Appreciation Day at a later time in agreement with their supervisor.

The Council offices and Depot will reopen on Monday 4 January 2021.

The following arrangements are proposed for the Animal Care Facility:

Animal Care Facility	
Wednesday 23 December 2020	Open 10.00am to 4.00pm
Thursday 24 December 2020	Open 10.00am to 1.00pm
25 – 28 December 2020	Closed
29 – 30 December 2020	Open 10.00am to 4.00pm
Thursday 31 December 2020	Open 10.00am to 1.00pm
1 – 3 January 2020	Closed
Monday 4 January 2020	Open 10.00am to 4.00pm (normal operational hours resume)

The following arrangements are proposed for Family Education and Community Services, Campbelltown Arts Centre, Visitor Information Centre, Library Services, and Leisure Services:

Education and Care Services		
All Long Day Care Centres	23/24 December 2020	12 January 2021
Before and After School Care	18 December 2020	27 January 2021
School Holiday Care	23/24 December 2020	12 January 2021
Campbelltown Child and Family Centre	18 December 2020	11 January 2021
Mobile Toy and Book Library	18 December 2020	27 January 2021
Family Day Care Office <i>*FDC Educators may choose to operate and provide care to families who require it over the closure period.</i>	23/24 December 2020	11 January 2021
Bicycle Education Centre	20 December 2020	4 January 2021
Campbelltown Arts Centre		
Service	Closure Date	Opening Date
Arts Centre	4.00pm – 24 December 2020	10.00am – 4 January 2021
Cafe	4.00pm - 23 December 2020	9.30am – 11 January 2021
Visitor Information Centre		
24 December 2020	10.00am – 2.00pm	
25 – 28 December 2020	Closed	
29 – 31 December 2020	10.00am – 2.00pm	
1 January 2021	Closed	
2 – 3 January 2021	10.00am – 2.00pm	
From 4 January 2021	Normal hours of operation	
26 January 2021	10.00am – 2.00pm	
Library Services		
Service	Closure Date	Opening Date
All libraries	1.00pm - 24 December 2020	9.30am - 4 January 2021
Home Library Service	23 December 2020	4 January 2021

Members wishing to return material may do so using the return chutes, which are available at all libraries.

Leisure Services		
Service	Closure Date	Opening Date
Eagle Vale Central	4.00pm 24 December 2020	7:30am 27 December 2020
	4.00pm 31 December 2020	9.30am 1 January 2021
Gordon Fetterplace Aquatic Centre	4.00pm 24 December 2020	9.30am 26 December 2020
	4.00pm 31 December 2020	9.30am 1 January 2021
Macquarie Fields Leisure Centre	4.00pm 24 December 2020	7.30am 27 December 2020
	4.00pm 31 December 2020	9.30am 1 January 2021
Macquarie Fields Indoor Sports Centre	4.00pm 24 December 2020	6:00am 27 December 2020
	4.00pm 31 December 2020	6:00am 2 January 2021

Council's Leisure Centres close for Christmas and Boxing Day each year. However, Council at its meeting of 14 April 2009 resolved to open a Leisure Centre on Boxing Day public holidays. Accordingly, this year Gordon Fetterplace Aquatic Centre will reopen on Saturday 26 December 2020 at 9.30am.

Public Notice

The amended operating hours will be advertised on Council's website, in the local newspapers and notices will be displayed at Council offices, libraries and the affected services to minimise any inconvenience for members of the public.

Conclusion

The proposed hours of Council operations are in line with community expectations for this and reflect similar practice by the business community for this time of year. Given the proposed advertising, it is considered that the proposed reduced hours will create minimal impact on Council's customer service levels.

Attachments

Nil

8.11 Expenditure Allocation Revote

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the works listed in the attachment, which were originally funded in the 2019-2020 budget and subsequent financial reviews, be reallocated for expenditure during 2020-2021.

Purpose

To advise Council of the revote of funds for works incomplete by 30 June 2020.

Report

All expenditure authorisations lapse at the end of each financial year. There were a number of works where contracts had been let, or where Council staff had commenced the work prior to the end of June 2020. These works were within Council's budget for 2019-2020 and require a revote of funds to enable completion in 2020-2021.

Attached to this report is the list of works where a funding revote has been requested following discussions with senior staff from each Division and is now submitted for Council's consideration.

The total funds required from 2019-2020 are \$31,063,366. This compares to the previous two years where \$41,549,409 was revoted from 2018-2019 and \$31,875,790 was revoted from 2017-2018. This year's revote request is due to several significant projects which have commenced, but were incomplete at year end.

The circumstances of the revoted funds this year are detailed below.

Major projects, which were unfinished at the end of the financial year:

- Consolidated LEP
- Campbelltown Sports Ground development
- Sport & Recreation Projects
- Asset Services road and bridge works
- Building refurbishment works

- Playground refurbishments projects
- Stormwater management projects
- Major/Minor works program
- Open Space projects
- Marketing & City Promotion
- IM&T Software projects.

Large grants/contributions being received late in the year or unexpended at year end:

- Waste Performance Improvement Program
- Community Life projects.

Projects which have yet to commence or fully take up available funds:

- Land Acquisition
- Flood mitigation works.

The sources of funding for the revoted funds are as follows:

• Revenue (committed works reserve)	\$9,951,053
• Other reserve funds	\$4,141,135
• Loans	\$3,044,894
• Grants	\$11,805,539
• Contributions	\$2,120,745

All funds will be expended on the project that they were originally allocated to, according to the terms and conditions of the source of funding. A number of minor projects were not completed at the end of the financial year, however have now been finalised or are nearing completion.

Details of the major projects are outlined below.

Consolidated LEP - \$1.53m

Council received grant funding from the NSW State Government to conduct a review of its LEP and to prepare a new LEP. This review is in its final stages of a three year project and is entering year three in 2020-2021.

Waste Recycling Projects - \$1.36m

Grant funds were received during the year under the Better Waste Recycling fund (Waste Less Recycle More), which will be expended on projects which aim to reduce the amount of waste going to landfill. This is an ongoing program with works to continue over several years. Funds have also been received to fund the construction of a Community Recycling Facility. This project is currently underway.

Campbelltown Sports Stadium - \$969k

Late in the previous financial year funds were allocated for refurbishment works at the Sports Stadium. Some of the works were unable to be completed by year end.

This carry over will enable the completion of these works including, fencing, air conditioning, kiosk and mobile vendor improvements, corporate suites remodelling, signage, equipment replacement, seating renewal and kids zone play area.

Sport & Recreation Projects - \$1.99m

Council partners with various sporting organisations to secure various grants to enhance the annual sports field improvement program. Projects listed are either committed or underway and are due for completion. Projects include; Raby Indoor Sports Centre planning and design, floodlighting at Waminda, Benham, and Blinman Ovals and irrigation works at Wood Park, Victoria Park and Blinman Oval.

Assets Services Projects - \$893k

There were a number of works that were delayed or deferred for various reasons during the 2019-2020 financial year. These works include:

- Bridge maintenance program
- Car Park maintenance program
- Footpath reconstruction program
- Parks maintenance program
- K&G reconstruction program
- Urban road reconstruction program

The majority of these works will be completed in coming months.

Building Assets Maintenance/Renewal Projects - \$4.66m

There were a number of works that were delayed, deferred or incomplete for various reasons during the 2019-2020 financial year. Also, a number of works were brought forward from next year's program due to the COVID-19 closure of a number of facilities. These works include:

- Animal Care Facility-dangerous dog enclosure
- Depot workshop roof refurbishment
- Campbelltown Sports Ground-function room refurbishment
- Browne Street passenger lift replacement
- Lynwood Park Amenities - knock down rebuild
- Rosemeadow Amenities - knock down rebuild

The majority of these works will be completed later in 2020.

Flood Mitigation Study and Works/Drainage - \$715k

Council is in the process of implementing the outcomes from the flood mitigation study. A surplus has been achieved from prior flood mitigation projects that have come in under budget. These funds will be incorporated and expended with the new Flood Mitigation works.

Stormwater Management Projects - \$800k

A works program is in place for the balance of funds which were received in 2019-2020 and will be spent in accordance with Council's Operational Plan. A portion of funds will also be spent on outcomes from the flood study.

Major Works Program - \$5.17m

The majority of surplus funds from within the major works program are for the completion of the following projects:

- Badgally Road Widening (grant funded)
- Blaxland Road Box Culvert (reserve funded)
- Raby Precinct Traffic Study (grant funded)
- St Helens Park Car Park (loan funded)
- Henderson Road (loan funded)
- Lithgow Street (loan funded)
- Airds Road Bridge (loan funded)

Play Spaces - \$3.69m

Council has an annual program for the rejuvenation of the playground facilities in the Campbelltown area. The rollout of the program includes extensive consultation with the community and design works. Extensive work has been completed to ensure alignment with Council's Play Space Strategy. The preliminary works for the sites have been completed and construction is underway.

Environmental Projects - \$576k

A number of environmental studies are continuing or yet to commence due to funding being allocated over a number of years or the funds being received late in the financial year. Some of these studies include; Koala monitoring program, Koala linkages, Koala friendly communities, Grey Headed Flying Fox management plans, Vegetation management plans, nature reserves, recreation trails and tree planting programs.

Open Space Projects - \$4.87m

The Federal Government granted Council an amount of \$5.1m in the 2018-2019 financial year. These funds have been granted for studies and works including; Glenfield Park – Embellishment, Seddon /Kenneth Park Embellishment and the Glenfield Public Domain Plan. This is a three year works program. Preliminary works have been finalised and the projects are entering the construction phase.

IM&T Software and Projects - \$1.08m


There are various projects commenced and yet to be completed in the Business Solutions and Network Administration areas. Most of these works are funded from the Enterprise Software Reserve. Major projects include the EDRMS replacement, GIS software, corporate planning software and a new request management system.

Summary

It should be noted that the major contributing projects to the revote total are subject to funding through grants, contributions and loans. The combination of these projects amounts in total to \$17m of the proposed \$31.1m carry over. The balance of \$14.1m represents approximately 6.5 percent of total annual expenditure which is considered satisfactory.

Attachments

1. Listing of Recommended Revote of Works from 2019-2020 financial year (contained within this report)

 CAMPBELLTOWN CITY COUNCIL		Listing of Recommended Revote of Funds from 2019-2020 Financial Year					
Cost Centre	Description	Funding Source					TOTAL
		Loans	Grants	Contribs	Reserves	Revenue	
1014	Western Sydney City Deals	0	305,008	0	0	0	305,008
1070	Hello Koalas Sculpture Trail	0	0	0	0	17,000	17,000
1125	City Standards & Compliance	0	0	4,000	0	0	4,000
1300	Consolidated LEP	0	1,527,920	0	0	0	1,527,920
1362	Waste Recycling Projects	0	1,231,247	0	125,900	0	1,357,147
3175	City Promotions	0	0	0	0	0	0
1910	Leisure Services Projects	0	0	0	0	51,300	51,300
2505	Campbelltown Sports Ground	0	0	0	700,000	268,612	968,612
1530	Family Education & Care Projects	0	0	0	0	1,600	1,600
1730	Community Life Projects	0	254,511	103,395	0	110,900	468,806
3298	Bicentenary Program-Balance of Program	0	141,000	0	0	0	141,000
3063	Road Safety Officer Projects	0	76,416	7,850	0	0	84,266
1935	Sport & Recreation Projects	200,000	261,787	929,500	0	598,431	1,989,718
1991	Library Strategic Plan/Special Projects	0	69,052	0	0	2,400	71,452
2235	Assets Services Projects	0	0	154,900	0	738,300	893,200
2240	Building Services Projects	0	0	0	0	4,662,600	4,662,600
2325	Operations	0	0	0	0	110,700	110,700
2989	Land Acquisition	197,033	0	0	0	0	197,033
3010	Flood Mitigation Study	0	0	0	0	191,870	191,870
3025	Flood Mitigation & Drainage	639,008	76,249	0	0	0	715,257
3027	Stormwater Management	0	0	300,000	500,000	0	800,000
3035	Cycleway Construction Program	105,280	0	0	0	0	105,280
3040	Footpath Construction Program	129,719	0	0	0	0	129,719
3050	Major Works Program	1,388,454	2,284,501	0	1,500,000	0	5,172,955
3055	Minor Works Program	9,000	0	16,000	240,000	0	265,000
2915	Playgrounds	376,400	400,000	573,300	0	2,335,300	3,685,000
1250	Environmental Projects	0	250,937	31,800	27,200	266,440	576,377
4755	Open Space Projects	0	4,809,689	0	0	63,100	4,872,789
3917	IM&T Software and Projects	0	0	0	915,735	163,300	1,079,035
1218	Sustainability-Survey	0	52,222	0	0	30,000	82,222
1770	Creative Life Programs	0	65,000	0	0	107,100	172,100
2908	Strategic Property	0	0	0	132,300	0	132,300
4040	Corporate Planning Strategy	0	0	0	0	32,500	32,500
3265	Marketing/City Promotion	0	0	0	0	199,600	199,600
		3,044,894	11,805,539	2,120,745	4,141,135	9,951,053	31,063,366

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Protection of the Campbelltown Koala Colonies

Notice of Motion

Councillor Karen Hunt has given Notice in writing of her intention to move the following Motion at the next meeting of Council on 11 August 2020.

1. That Council write to the Minister for Energy and Environment, the Hon Matt Kean MP, requesting that in light of his recent public statements to double the koala population, the NSW state government provide immediate support for the preservation and protection of the Campbelltown and south-west koala colonies and habitats by commencing construction of viable, safe and effective crossing points across Appin Road together with the requisite flexi-fencing along Appin Road.
-

11.2 Renewable Energy

Notice of Motion

Councillor Ben Moroney has given Notice in writing of the intention to move the following Motion at the next meeting of Council on 11 August 2020.

1. That Council notes its previous in-principle commitment to net zero emissions and increased purchase of renewable energy across Council operations.
 2. That Council stands in support of traditional custodians and calls on Origin Energy to end its plans for the extraction of unconventional gas through hydraulic fracturing ("fracking") throughout the Northern Territory.
-

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Licence Agreement, Council Land Campbelltown

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: -

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

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