



CAMPBELLTOWN
CITY COUNCIL

EXTRAORDINARY BUSINESS PAPER

11 JANUARY 2022

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



06 January 2022

You are hereby notified that the next Extraordinary Council Meeting will be held online via MS Teams on Tuesday 11 January 2022 at 6:30 pm. The meeting will be livestreamed and a recording will be uploaded to Council's website the next day for on-demand viewing.

Lindy Deitz
General Manager

Agenda Summary

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1. ACKNOWLEDGEMENT OF LAND

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

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

2. APOLOGIES/ LEAVE OF ABSENCE

3. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

4. REPORTS FROM OFFICERS

4.1 Oath or Affirmation of Office

Reporting Officer

General Manager
General Manager

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 each Councillor take the Oath of Office or Affirmation of Office.

Report

Under Section 233A of the *Local Government Act 1993*, Councillors are required to undertake an Oath of Office or Affirmation of Office at the first meeting of the Council after the Councillor is elected.

The oath or affirmation may be taken or made before the General Manager of Council, an Australian legal practitioner or a justice of the peace and is to be in the following form:

Oath of Office

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of Campbelltown and Campbelltown City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

Affirmation of Office

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Campbelltown and Campbelltown City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

Attachments

Nil

4.2 Election of Mayor

Reporting Officer

General Manager
General Manager

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 General Manager, conduct an election to be held at the Extraordinary meeting of Council on 11 January 2022 for the election of Mayor.
2. If more than one nomination for the election of the Mayor is received, that Council resolve the method of voting for the office of Mayor is by open voting (show of hands).
3. Once the result is known, the General Manager is to declare the candidate with the majority elected as Mayor for the term ending September 2023.

Purpose

The report details the procedures to be followed for the election of the Mayor.

History

Council resolved, at its meeting on 1 July 2014, that the Mayoral election occur as an independent Extraordinary meeting in the month of September on an appropriate night each year. As a result of legislative amendments due to COVID-19, local government elections in NSW were postponed until December 2021.

Pursuant to section 290 (1)(a) of the *Local Government Act 1993*, the Mayoral election must be held within 3 weeks of the declaration of the election.

Report

Section 230 of *Local Government Act 1993*, provides that a Mayor elected by Councillors holds the office of Mayor for 2 years. As the NSW Local Government elections were postponed until December 2021 due to COVID-19, and the Council term shortened to conclude in September 2024, the terms for Mayor have also been revised as follows:

- First Mayoral Term: January 2022 to September 2023
- Second Mayoral Term: September 2023 to September 2024

The election for the second Mayoral term will be held in September 2023.

The provisions of the *Local Government Act 1993* governing the election of the Mayor are contained in Schedule 7 of the Local Government (General) Regulation 2021.

The Schedule outlines that where more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by open voting or by ordinary ballot or preferential ballot.

To be nominated for election to the position of Mayor, a nomination form must be completed. The nomination form must be signed by 2 Councillors, one of whom may be the nominee and must indicate consent of the nominee.

The completed nomination forms must be submitted to the General Manager. To assist, nomination forms have been distributed under separate cover to Councillors.

If only one candidate is nominated, the General Manager will declare the candidate elected.

If more than one nomination is received, Council will be required to resolve the method of voting, either open voting (show of hands), ordinary ballot or preferential ballot.

The election will be conducted in accordance with Schedule 7 of the Local Government (General) Regulation 2021. Depending on the resolution of Council, the General Manager will provide instructions with respect to the election process.

In the event of a tied vote, that is, 2 or more candidates with the same number of votes, the election is determined by the draw by lot.

Attachments

1. Election of Mayor - Nomination Form (contained within this report) [↓](#)



**NOMINATION FORM
ELECTION OF MAYOR**

COUNCILLOR _____ is hereby nominated for the office of Mayor for the period until September 2023.

To be signed by a minimum of 2 Councillors (one of whom may be the nominee).

COUNCILLOR _____ SIGNATURE _____

COUNCILLOR _____ SIGNATURE _____

COUNCILLOR _____ SIGNATURE _____

CONSENT TO NOMINATION

I, _____ hereby consent to the nomination for the office of Mayor for the period until September 2023.

Signature

Date

4.3 Election of Deputy Mayor

Reporting Officer

General Manager
General Manager

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 General Manager, conduct an election to be held at the Extraordinary meeting of Council on 11 January 2022 for the election of Deputy Mayor.
2. If more than one nomination for the election of the Deputy Mayor is received, that Council resolve the method of voting for the office of Deputy Mayor is by open voting (show of hands).
3. Once the result is known, the General Manager is to declare the candidate with the majority elected as Deputy Mayor for the term ending September 2023.

Purpose

The report details the procedures to be followed for the election of the Deputy Mayor.

History

Council resolved, at its meeting on 1 July 2014, that the Mayoral election occur as an independent Extraordinary meeting in the month of September on an appropriate night each year. As a result of legislative amendments due to COVID-19, local government elections in NSW were postponed until December 2021.

Report

Section 230 of *Local Government Act 1993*, provides that a Mayor elected by Councillors holds the office of Mayor for 2 years. As the NSW Local Government elections were postponed until December 2021 due to COVID-19, and the Council term shortened to conclude in September 2024, the terms for Mayor have also been revised as follows:

- First Mayoral Term: January 2022 to September 2023
- Second Mayoral Term: September 2023 to September 2024

The election for the second Mayoral term will be held in September 2023.

Pursuant to section 231 of *Local Government Act 1993*, Councillors may elect a person from among their number to be the Deputy Mayor. The Deputy Mayor may be elected for the same term as the Mayor or a shorter term.

If consistent with the Mayoral term, the Deputy Mayor will also be elected for the period of January 2022 to September 2023.

The provisions of the *Local Government Act 1993* governing the election of the Mayor and Deputy Mayor are contained in Schedule 7 of the Local Government (General) Regulation 2021.

The Schedule outlines that where more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by open voting or by ordinary ballot or preferential ballot.

To be nominated for election to the position of Deputy Mayor, a nomination form must be completed. The nomination form must be signed by 2 Councillors, one of whom may be the nominee and must indicate consent of the nominee.

The completed nomination forms must be submitted to the General Manager. To assist, a number of nomination forms have been distributed under separate cover to Councillors.

If only one candidate is nominated, the General Manager will declare the candidate elected.

If more than one nomination is received, Council will be required to resolve the method of voting, either open voting (show of hands), ordinary ballot or preferential ballot.

The election will be conducted in accordance with Schedule 7 of the Local Government (General) Regulation 2021. Depending on the resolution of Council, the General Manager will provide instructions with respect to the election process.

In the event of a tied vote, that is, 2 or more candidates with the same number of votes, the election is determined by the draw by lot.

Attachments

1. Election of Deputy Mayor - Nomination Form (contained within this report) [↓](#)



**NOMINATION FORM
ELECTION OF DEPUTY MAYOR**

COUNCILLOR _____ is hereby nominated for the office of Deputy Mayor for the period until September 2023.

To be signed by a minimum of 2 Councillors (one of whom may be the nominee).

COUNCILLOR _____ SIGNATURE _____

COUNCILLOR _____ SIGNATURE _____

COUNCILLOR _____ SIGNATURE _____

CONSENT TO NOMINATION

I, _____ hereby consent to the nomination for the office of Deputy Mayor for the period until September 2023.

Signature

Date

4.4 Casual Vacancies in the Office of Councillor

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 pursuant to section 291A(1)(b) of the *Local Government Act 1993* (the Act) Campbelltown City Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act.
2. That the General Manager notify New South Wales Electoral Commissioner of Council's decision within 7 days of the decision.

Purpose

Council must, by resolution, declare that casual vacancies occurring in the office of a councillor within 18 months of the election are to be filled by a countback of votes cast at the election if the Council wants to fill vacancies by these means. If Council does not resolve to fill vacancies using a countback at the first meeting after the election, a vacancy within 18 months of the ordinary election will be filled using a by-election.

Report

In 2018, amendments were made to the election provisions of the *Local Government (General) Regulation*, that enable the use of a countback election to fill casual vacancies in civic office that arise in the first 18 months, instead of holding a by-election. As Campbelltown is an undivided Council, all eligible voters in the Local Government Area must vote in a by-election. As a result, the cost of a by-election is commensurate with the cost of an ordinary election.

The countback procedures are detailed in Schedule 9A of the *Local Government (General) Regulation 2021*.

To exercise the option of using a countback to fill casual vacancies occurring in the first 18 months following the election, Council must resolve, at the first meeting after the election, to use a countback to fill casual vacancies.

If Council does not resolve this at the first meeting after the election, casual vacancies will be filled through a by-election.

If Council resolves to fill casual vacancies using a countback in the first 18 months of the term, the General Manager is required under the Local Government (General) Regulation 2005 (the Regulation) to notify the NSW Electoral Commissioner of Council's resolution within 7 days of the resolution.

Should a vacancy occur in the last 18 months of the Council term, Council may exercise the option of applying to the Minister for Local Government to dispense with a by-election, thus leaving the vacancy unfilled.

Attachments

Nil

5. URGENT GENERAL BUSINESS

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