

# 2017

ORDINARY BUSINESS PAPER

CAMPBELLTOWN CITY COUNCIL



14 FEBRUARY 2017



7 February 2017

You are hereby notified that the next Ordinary Meeting of the Council will be held at the Civic Centre, Campbelltown on Tuesday 14 February 2017 at 6.30pm.

Lindy Deitz  
General Manager

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## **Agenda Summary**

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
1.	<b>ACKNOWLEDGEMENT OF LAND</b>	<b>4</b>
2.	<b>APOLOGIES</b>	<b>4</b>
3.	<b>CONFIRMATION OF MINUTES</b>	<b>4</b>
3.1	<b>Minutes of the Ordinary Meeting of Council held 13 December 2016</b>	<b>4</b>
4.	<b>DECLARATIONS OF INTEREST</b>	<b>23</b>
	<b>Pecuniary Interests</b>	<b>23</b>
	<b>Non Pecuniary – Significant Interests</b>	<b>23</b>
	<b>Non Pecuniary – Less than Significant Interests</b>	<b>23</b>
	<b>Other Disclosures</b>	<b>23</b>
5.	<b>MAYORAL MINUTE</b>	<b>24</b>
5.1	<b>Councillor Fred Borg OAM</b>	<b>24</b>
6.	<b>PETITIONS</b>	<b>25</b>
	<b>No Petitions this round</b>	<b>25</b>
7.	<b>CORRESPONDENCE</b>	<b>25</b>
7.1	<b>Anoulack Chanthivong MP</b>	<b>25</b>
7.2	<b>Fit for the Future</b>	<b>28</b>
8.	<b>REPORTS FROM OFFICERS</b>	<b>31</b>
8.1	<b>Demolition of St James Anglican Church - No. 2 Kent Street, Minto</b>	<b>31</b>
8.2	<b>Construction of a takeaway food premises at No. 4 Rennie Road, Campbelltown</b>	<b>61</b>

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<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
8.3	Varroville Lawn Cemetery - Avenues of Appeal	98
8.4	NSW Asian Cup 2015 Legacy Fund - Proposed Projects	100
8.5	Online Report	107
8.6	Investments and Revenue Report - November and December 2016	111
8.7	Reports and Letters Requested	120
8.8	Emergency Services Property Levy System Testing	130
8.9	Update on partnership with Western Sydney Business Connection	132
8.10	Draft Memorandum of Understanding (MoU) between Campbelltown City Council and TAFE NSW - South Western Sydney Institute	134
9.	QUESTIONS WITH NOTICE	142
10.	RESCISSION MOTION	142
	No rescission motion this round	142
11.	NOTICE OF MOTION	142
11.1	Revised Structure for Regional Collaboration	142
12.	URGENT GENERAL BUSINESS	143
	No reports this round	143
13.	PRESENTATIONS BY COUNCILLORS	143
14.	CONFIDENTIAL REPORTS FROM OFFICERS	143
14.1	Directors of Companies - City Development	143

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## **1. ACKNOWLEDGEMENT OF LAND**

## **2. APOLOGIES**

Nil at time of print.

## **3. CONFIRMATION OF MINUTES**

### **3.1 Minutes of the Ordinary Meeting of Council held 13 December 2016**

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#### **Attachments**

Minutes of the Ordinary Meeting of Council held 13 December 2016 (contained within this report)

#### **Report**

That the Minutes of the Ordinary Meeting of Council held 13 December 2016 are presented to Council for confirmation.

#### **Officer's Recommendation**

That the Minutes of the Ordinary Meeting of Council held 13 December 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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## **ATTACHMENT 1**

### **Minutes Summary 13 December 2016**

#### **ITEM TITLE**

#### **1. ACKNOWLEDGEMENT OF LAND**

#### **2. APOLOGIES**

#### **2.1 Request for Leave - Councillor Bob Thompson**

#### **3. CONFIRMATION OF MINUTES**

#### **3.1 Minutes of the Ordinary Meeting of Council held 22 November 2016**

#### **4. DECLARATIONS OF INTEREST**

**Pecuniary Interests - Nil**

**Non Pecuniary – Significant Interests - Nil**

**Non Pecuniary – Less than Significant Interests**

**Other Disclosures - Nil**

#### **5. MAYORAL MINUTE**

#### **5.1 2016 Community Building Partnership Funding Program**

#### **6. PETITIONS**

**No Petitions this round**

#### **7. CORRESPONDENCE**

#### **7.1 The Hon Catherine Cusack MLC - Street Lighting Reform**

#### **7.2 Department of Planning and Environment**

#### **7.3 Bronto Telescopic Platform**

#### **7.4 Greater Sydney Commission - Scenic Hills**

#### **7.5 Member for Campbelltown - Mr Greg Warren MP**

#### **8. REPORTS FROM OFFICERS**

#### **8.1 Draft Menangle Park Planning Proposal - Outcome of Public Exhibition**

#### **8.2 Outcome of the Public Exhibition of the draft Planning Proposal for the Glenfield Waste Site**

#### **8.3 Modification of Development Consent for the Demolition of existing dwellings and the construction of 22 multi dwellings with basement car parking - Nos. 7-9 Ruzac Street and Nos. 88 and 92 Broughton Street, Campbelltown**

#### **8.4 Construction of a new warehouse building and use for the storage and distribution of fibreglass insulation products at No. 55 Stennett Road, Ingleburn**

#### **8.5 Outcome of the Public Exhibition of the draft Campbelltown Comprehensive**

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3.1 Minutes Of The Ordinary Meeting Of Council Held 13 December 2016

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ITEM	TITLE
	Koala Plan of Management
8.6	Bardia Heritage Precinct
8.7	Development Services Statistics October 2016
8.8	Legal Status Report
8.9	Sydney South West Planning Panel Representatives
8.10	Draft Open Space Strategic Plan 2016
8.11	T16/17 Heating Ventilation and Air Conditioning System at Campbelltown Arts Centre
8.12	Development of a Library Strategic Plan
8.13	Current conditions of Bensley Reserve Soccer Complex
8.14	Installation of ancillary facilities at Macquarie Fields Skate Park
8.15	Investigating the feasibility of multipurpose courts at Rosemeadow
8.16	Draft Sport and Recreation Strategy for public exhibition
8.17	Feasibility study of a summer basketball competition at the Glenquarie multipurpose courts
8.18	Hiring of bicycles and helmets at the Bicycle Education Centre
8.19	Draft - The State of Play, Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036
8.20	Draft Meeting Calendar for 2017
8.21	Reports and Letters Requested
8.22	External Audit of Financial Statements
8.23	Delegation of Authority - Christmas/New Year Recess
8.24	Community Engagement Policy
8.25	Western Sydney Airport - Final Environmental Impact Statement
8.26	Annual Code of Conduct Complaints report for the period 1 September 2015 to 31 August 2016
8.27	Sport and Health Centre of Excellence Proposal
9.	QUESTIONS WITH NOTICE
10.	RESCISSION MOTION
	No rescission motion this round
11.	NOTICE OF MOTION
11.1	Domestic Violence Framework
12.	URGENT GENERAL BUSINESS
	No reports this round

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**ITEM     TITLE****13.       PRESENTATIONS BY COUNCILLORS****13.1      Presentations by Councillors****14.       CONFIDENTIAL REPORTS FROM OFFICERS****14.1      Directors of Companies - City Development****14.2      Director of Companies - City Delivery**

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 13 December 2016**

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

**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.

**1.     ACKNOWLEDGEMENT OF LAND****2.     APOLOGIES****2.1    Request for Leave - Councillor Bob Thompson**

It was **Moved** Councillor Rowell, **Seconded** Councillor Lound that Councillor Bob Thompson be granted leave of absence from Council incorporating all Council meetings from Tuesday 13 December 2016 to Tuesday 28 February 2017.

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

It was **Moved** Councillor Lound, **Seconded** Councillor Rowell that the **APOLOGIES** from Councillor Borg and Councillor George be received and accepted.

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

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### **3. CONFIRMATION OF MINUTES**

#### **3.1 Minutes of the Ordinary Meeting of Council held 22 November 2016**

It was **Moved** Councillor Lound, **Seconded** Councillor Hunt that the Minutes of the Ordinary Meeting of Council held 22 November 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

### **4. DECLARATIONS OF INTEREST**

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

**Pecuniary Interests - Nil**

**Non Pecuniary – Significant Interests - Nil**

**Non Pecuniary – Less than Significant Interests**

Councillor Brticevic - Item 8.27 - Councillor Brticevic advised that he may have a potential interest in a property in Macarthur Heights and left the Chamber during discussion on this item.

Councillor Lound - Item 8.13 - Current Conditions of Bensley Reserve Soccer Complex - Councillor Lound advised that he is the President of the Macarthur Rams.

**Other Disclosures - Nil**

### **5. MAYORAL MINUTE**

#### **5.1 2016 Community Building Partnership Funding Program**

It was **Moved** Councillor Brticevic, **Seconded** Councillor Oates that Council commend and thank the State Member for Campbelltown MP Greg Warren for his staunch advocacy of our region and partnership approach.

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

### **6. PETITIONS**

**No Petitions this round**

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## **7. CORRESPONDENCE**

### **7.1 The Hon Catherine Cusack MLC - Street Lighting Reform**

It was **Moved** Councillor Lake, **Seconded** Councillor Lound that the letter be received and the information be noted.

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

### **7.2 Department of Planning and Environment**

It was **Moved** Councillor Lound, **Seconded** Councillor Chowdhury that the letter be received and the information be noted.

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

### **7.3 Bronto Telescopic Platform**

It was **Moved** Councillor Lound, **Seconded** Councillor Manoto that the letter be received and the information be noted.

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

### **7.4 Greater Sydney Commission - Scenic Hills**

It was **Moved** Councillor Rowell, **Seconded** Councillor Lound that the letter be received and the information be noted.

An **Amendment** was **Moved** Councillor Oates **Seconded** Councillor Moroney:

1. That Council write to the District Commissioner South West, Greater Sydney Commission, to seek further clarification regarding the Commissions position on the intrinsic value of Scenic Hills to the identity of the South West District.
2. That Council request a meeting with the Director Sydney Region West, Department of Planning and Environment to discuss the matter of the lawn cemetery at Varroville.

**Won** and became the Motion

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

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## **7.5 Member for Campbelltown - Mr Greg Warren MP**

It was **Moved** Councillor Lound, **Seconded** Councillor Hunt that the letter be received and the information be noted.

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

## **8. REPORTS FROM OFFICERS**

### **8.1 Draft Menangle Park Planning Proposal - Outcome of Public Exhibition**

**Meeting Note:** Ms M Kolnar and Mr M Brown addressed the meeting.

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

1. That Council endorse the amended draft Menangle Park Planning Proposal generally in accordance with attachment 2, and forward to the Department of Planning and Infrastructure (noting that Council has received an objection to the draft planning proposal from the Mine Subsidence Board and Transport for NSW and Roads and Maritime Services) for approval by the Minister for Planning.
  2. That Council approve the amended draft Menangle Park Development Control Plan being an amendment to Campbelltown (Sustainable City) Development Control Plan, generally in accordance with attachment 3.
  3. That notice of Council's approval of the draft Menangle Park Development Control Plan (DCP) be published in the local newspaper in accordance with clause 21(2) Environmental Planning and Assessment Regulation 2000. Such notice will advise that the DCP will come into effect on the date that notification of the rezoning of the Menangle Park Urban Release Area is published on the NSW Legislation website.
  4. That all those who provided a submission to the public exhibition of the draft Menangle Park Planning Proposal/draft Local Environmental Plan and the draft Menangle Park Development Control Plan be advised of Council's decision.
  5. That Council request further information from the NSW Heritage Council to support the proposal to include the railway viaduct at Glenlee as a local heritage item within Campbelltown LEP 2015.
  6. That Council consult with Transport for NSW and Roads and Maritime Services to identify land for the future construction of southbound ramps from the proposed Spring Farm Parkway to the M31.
  7. That the following additional matters be investigated for inclusion in the Campbelltown Local Environmental Plan 2015:
    - rezoning of the land of the proposed electricity substation to Zone SP2 Infrastructure
    - rezoning of the land which contains Elderslie Banksia Scrub Forest to ensure its preservation into the future
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3.1 Minutes Of The Ordinary Meeting Of Council Held 13 December 2016

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- removal of the land identified within the Menangle Park Urban Release Area as Development on Steep Land (Scenic Hills) and Escarpment Preservation Area from the Environmental Constraints Map
  - include provisions to prohibit the development of habitable buildings within land identified within the southern precinct of the subject site which is either flood affected or visually prominent
  - possible zoning of the land located between the M31 freeway and Menangle Road to provide for future broad acre tourist uses.
8. That Council consult with UrbanGrowth NSW with regard to providing a vegetated link from the Nepean River to the Australian Botanic Garden, as part of the preparation of the Glenlee Planning Proposal.
9. That Council write to the Minister for Transport requesting the provision of a bus service from Menangle Park to and from the Campbelltown CBD from day one of the first occupancy.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Morrison, Oates and Rowell.

Voting against the Council Resolution was Councillor: Moroney.

## **8.2 Outcome of the Public Exhibition of the draft Planning Proposal for the Glenfield Waste Site**

**Meeting Note:** Ms E DeCean and Ms G Kennett addressed the meeting.

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

1. That Council endorse the revised draft Planning Proposal generally as shown under attachment 2 and forward it to the Department of Planning and Environment for gazettal.
2. That Council advise the residents who made a submission and the applicant of Council's decision.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Council Resolution were: Nil.

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### **8.3 Modification of Development Consent for the Demolition of existing dwellings and the construction of 22 multi dwellings with basement car parking - Nos. 7-9 Ruzac Street and Nos. 88 and 92 Broughton Street, Campbelltown**

**Meeting Note:** Mr W Petsalis and Mr K Crawford addressed the meeting.

It was **Moved** Councillor Lound, **Seconded** Councillor Chowdhury that development application 872/2004/DA-M/C for the modification of the existing development for the construction of 22 multi dwellings with basement car parking be approved subject to conditions contained in attachment 1 of this report.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto and Rowell.

Voting against the Council Resolution were Councillors: Oates, Moroney and Morrison.

### **8.4 Construction of a new warehouse building and use for the storage and distribution of fibreglass insulation products at No. 55 Stennett Road, Ingleburn**

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

1. That the objection to the development standard that requires the building to the building be setback 30 metres to Williamson Road be allowed.
2. That subject to recommendation 1, development application 3241/2015/DA-I for the construction of a new warehouse building and use for the storage and distribution of fibreglass insulation products at No. 55 Stennett Road, Ingleburn be approved, subject to the conditions detailed in attachment 1 of this report.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Council Resolution were: Nil.

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## **8.5 Outcome of the Public Exhibition of the draft Campbelltown Comprehensive Koala Plan of Management**

**Meeting Note:** Mr W Dillow and Mr R Lonza addressed the meeting.

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

1. That Council endorse the revised draft Campbelltown Comprehensive Koala Plan of Management for submission to the Director of the NSW Department of Planning and Environment for approval in accordance with SEPP44.
2. The Council write to all persons who made a submission on the draft Campbelltown Comprehensive Koala Plan of Management, advising of Council's decision.
3. That a report be provided investigating the use of a drone with heat detecting cameras to track and monitor Koala movement in the Local Government Area.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Council Resolution were: Nil.

## **8.6 Bardia Heritage Precinct**

It was **Moved** Councillor Lound, **Seconded** Councillor Oates that the information be noted.

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

## **8.7 Development Services Statistics October 2016**

It was **Moved** Councillor Lake, **Seconded** Councillor Moroney that the information be noted.

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

## **8.8 Legal Status Report**

It was **Moved** Councillor Greiss, **Seconded** Councillor Rowell that the information be noted.

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

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### **8.9 Sydney South West Planning Panel Representatives**

It was **Moved** Councillor Hunt, **Seconded** Councillor Moroney that Councillor Lound and Councillor Greiss and alternate nominee Councillor Oates be Council's nominees to the Sydney South West Planning Panel.

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

### **8.10 Draft Open Space Strategic Plan 2016**

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

1. That Council agree to publicly exhibit the Draft Open Space Strategic Plan 2016 for a period of at least 42 days.
2. That a further report be tabled on the Draft Open Space Strategic Plan 2016 for Council's consideration following the public exhibition, highlighting any changes to the draft.
3. That subject to any Council amendments, the Campbelltown Open Space Strategic Plan, that is able to deliver on the open space needs of the community, be adopted.

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

### **8.11 T16/17 Heating Ventilation and Air Conditioning System at Campbelltown Arts Centre**

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

1. That Council accept the offer of Ultimate 1 Air Conditioning Pty Ltd to undertake the upgrade of the Heating Ventilation and Air Conditioning system at the Campbelltown Arts Centre.
2. That the contract documents be executed under the General Manager's delegation.
3. That the unsuccessful organisation be notified of the results of the negotiation process.

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

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### 8.12 Development of a Library Strategic Plan

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

1. That Council endorse the development of a Strategic Plan for the Campbelltown City Council Library Service.
2. That the Mayor, or his delegate and Councillor Chivers be the Councillor Representatives on the Community Advisory Group.

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

### 8.13 Current conditions of Bensley Reserve Soccer Complex

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

1. That Council provide land owners consent for the drainage and fields work, fencing, floodlight to mini field and irrigation to field 2, the Community Development Programme.
2. That Council note the works that will be completed in 2016-2017 and the funding program for Bensley.

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

### 8.14 Installation of ancillary facilities at Macquarie Fields Skate Park

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

1. That Council note the advice of the unsuitability of foam pits at Council's outdoor skate parks.
2. That Council consider \$30,000 towards seating and shade facilities as part of the 2017-2018 budgeting process.
3. That Council include provision of access to drinking water facilities at St Helens Park and Macquarie Fields Skate Parks.

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

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**8.15 Investigating the feasibility of multipurpose courts at Rosemeadow**

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

1. That the information be noted.
2. That Council consider allocating funds of \$150,000 for the redevelopment of the existing tennis courts at Rosemeadow to multipurpose courts, along the lines of the conversion at Macquarie Fields in the draft 2017-2018 budget.
3. That Council write to NSW Department of Housing notifying of Council's intent to change the use of the courts, and if no objection is provided, Council proceed with construction subject to funding in 2017-2018.

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

**8.16 Draft Sport and Recreation Strategy for public exhibition**

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

1. That Council endorse the Draft Sport and Recreation Strategy for public exhibition from 9 January 2017 to 17 February 2017.
2. That a further report be presented to Council at the conclusion of the exhibition period, to consider any submissions with a view to adopt the strategy.

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

**8.17 Feasibility study of a summer basketball competition at the Glenquarie multipurpose courts**

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

1. That Council support Option Two to provide a competition for an eight week trial summer basketball competition be undertaken between 7 January 2017 and 25 February 2017.
2. That Council partner with Macarthur Basketball Association to deliver the trial program.
3. That Council allocate funds of \$5,000 to trial the program.
4. That following the trial competition, a further report be provided to Council to inform future programs.

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

**8.18 Hiring of bicycles and helmets at the Bicycle Education Centre**

It was **Moved** Councillor Lound, **Seconded** Councillor Chivers that Council maintain the current systems for Open Days where customers bring their own Bicycles and Helmets.

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

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### **8.19 Draft - The State of Play, Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036**

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

1. That Council endorse the Draft Playspace Strategy: Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036 for public exhibition from 9 January to 17 February 2017.
2. That a further report be presented to Council at the conclusion of the exhibition period, to consider any submissions with a view to adopt the Strategy.

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

### **8.20 Draft Meeting Calendar for 2017**

It was **Moved** Councillor Lound, **Seconded** Councillor Oates that the draft meeting calendar for 2017 as outlined in the attachment be adopted.

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

### **8.21 Reports and Letters Requested**

It was **Moved** Councillor Lound, **Seconded** Councillor Lake that the information be noted.

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

### **8.22 External Audit of Financial Statements**

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

1. That the information be noted.
2. That Council write to its existing contractor, Intentus Chartered Accountants advising them on the new audit arrangements.

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

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### **8.23 Delegation of Authority - Christmas/New Year Recess**

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

1. That Council delegate authority to the Mayor and General Manager or their nominees of development applications and cases of necessity, during the period 14 December 2016 to 14 February 2017 as provided under sections 226 and 377 of the *Local Government Act 1993*.
2. That Council be informed as to the use of the Mayor and Deputy Mayor's delegated authority during the period 14 December 2016 to 14 February 2017 by report to the Ordinary Council Meeting of 14 February 2017.

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

A **Division** was called in regard to the Resolution for Item 8.23 - Delegation of Authority - Christmas/New Year Recess with those voting for the Motion being Councillors Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Morrison, Oates and Rowell.

Voting against the Resolution was Councillor Moroney.

### **8.24 Community Engagement Policy**

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

1. That the Community Engagement Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 November 2019.

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

### **8.25 Western Sydney Airport - Final Environmental Impact Statement**

It was **Moved** Councillor Greiss, **Seconded** Councillor Morrison that the information be noted.

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

### **8.26 Annual Code of Conduct Complaints report for the period 1 September 2015 to 31 August 2016**

It was **Moved** Councillor Lound, **Seconded** Councillor Oates that the information be noted.

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

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### **8.27 Sport and Health Centre of Excellence Proposal**

Having declared an interest in regard to Item 8.27, Councillor Brticevic left the Chamber and did not take part in debate nor vote on this item. Deputy Mayor, Councillor Oates assumed the Chair.

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

1. That Council adopt Option 3, that is, deliver project with current size and scope.
2. That Council allocates an additional \$10m to the project, to bring its contribution to a total of up to \$15m towards the delivery of the Centre of Excellence.
3. That Council write to confirmed partners to advise of its decision.
4. That Council pursues additional funding avenues in partnership with UrbanGrowthNSW and State Government to meet the shortfall.
5. That Council authorises the General Manager to enter into the Deed of Agreement with Federal Department of Infrastructure and Regional Development for the provision of \$7.2m as part of the Coalition election commitment.
6. That a further briefing be presented to Council detailing the project in the first quarter of 2017.
7. That the General Manager and the Mayor or his delegate, arrange a meeting with the NSW Sports Minister as soon as possible.

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

A **Division** was called in regard to the Resolution for Item 8.27 - Sport and Health Centre of Excellence Proposal with those voting for the Motion being Councillors Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Resolution: Nil

**Carried Unanimously**

At the conclusion of the discussion regarding Item 8.27, Councillor Brticevic returned to the Chamber for the remainder of the meeting and reassumed the Chair.

### **9. QUESTIONS WITH NOTICE**

Nil at time of print.

### **10. RESCISSION MOTION**

**No rescission motion this round**

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## **11. NOTICE OF MOTION**

### **11.1 Domestic Violence Framework**

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

1. That Council reflect its strong stance against any form of domestic violence in developing a framework including, but not limited to, the development of an authorised statement that reflects council's commitment to supporting any staff and their families that may have been impacted by domestic violence.
2. That an authorised statement be developed to incorporate the provision for Domestic Violence leave and be forwarded to Councillors as part of the Councillors Weekly Bulletin.

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

## **12. URGENT GENERAL BUSINESS**

**No reports this round**

## **13. PRESENTATIONS BY COUNCILLORS**

### **13.1 Presentations by Councillors**

1. Councillor Oates advised that she has represented the Mayor at a number of school events and noted that our Local Government Area has such a diverse range of amazing teachers and a rich environment in terms of education.
  2. Councillor Chowdhury advised that he represented that Mayor at Al-Faisal College, Broughton Anglican College and The Grange Public School.
  3. Councillor Hunt advised that she has represented the Mayor at a number of events recently and gave a special mention to her attendance at the Special Olympics Annual Presentation. Councillor Hunt noted that there was so much energy in the room and advised that a total of 16 personal bests were achieved in 2016.
  4. Councillor Hunt advised that she recently attended the conclusion event of the White Ribbon Day Convoy, noting that it was amazing to see so many young people in attendance and also congratulated Sarah Redfern High School students for declaring they will speak out against domestic violence.
  5. Councillor Lound advised that he represented the Mayor at the Minto Go Carols, where a number of local primary schools come together to sign carols for the community. Councillor Lound advised it was a marvellous event.
  6. Councillor Lound wished everyone a Merry Christmas and a Happy and Safe New Year. Councillor Lound also congratulated the Mayor on his leadership.
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3.1 Minutes Of The Ordinary Meeting Of Council Held 13 December 2016

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7. Councillor Greiss advised that he recently represented the Mayor at the SES Annual Presentation and noted that the SES are celebrating their 60th year and asked the Mayor if he would consider writing a letter of congratulations to the SES.
8. Councillor Greiss wished all Council employees, media, fellow Councillors and the community a Merry Christmas and a Happy New Year.
9. Councillor Rowell advised that he represented the Mayor at the Thomas Reddall High School presentation which was a great night and noted that the Principal, Deputy Principal and staff have done an amazing job.
10. Councillor Rowell wished staff, fellow Councillors, media and the people of our community a Merry Christmas and a Happy New Year.
11. Councillor Brticevic acknowledged and thanked fellow Councillors for representing him at a number of events and noted that he will be attending Beverley Park School tomorrow where he will be presented with art work by students.
12. Councillor Brticevic congratulated staff involved in the annual Christmas Carols event held at Campbelltown Stadium. The event was well received by the community.
13. Councillor Brticevic thanked all Councillors for their cohesion and good spirits over the past three months and noted that together they can move Campbelltown forward.
14. Councillor Brticevic wished all staff and Merry Christmas and Happy and Safe New Year. Councillor Brticevic thanked the General Manager for her efforts with regards to the smooth transition of the new Council.

### Confidentiality Recommendation

It was **Moved** Councillor Greiss, **Seconded** Councillor Lake that the Council in accordance with Section 10A of the *Local Government Act 1993*, resolve to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Council's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

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

The Ordinary Meeting of Council was adjourned at 8.38pm and reconvened as a meeting of the Confidential Committee at 8.39pm.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### 14.1 Directors of Companies - City Development

It was **Moved** Councillor Lake, **Seconded** Councillor Lound that the information be noted.

**CARRIED**

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## **14.2 Director of Companies - City Delivery**

It was **Moved** Councillor Lake, **Seconded** Councillor Lound that the information be noted.

**CARRIED**

### **Motion**

It was **Moved** Councillor Hunt, **Seconded** Councillor Chowdhury that the Council in accordance with Section 10 of the *Local Government Act 1993*, move to re-open the meeting to the public.

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

**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.40pm.**

It was **Moved** Councillor Rowell, **Seconded** Councillor Morrison that the reports of the Confidential Committee and the recommendations contained therein be adopted.

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

There being no further business the meeting closed at 8.41pm.

Confirmed by Council on

..... General Manager ..... Chairperson

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#### **4. DECLARATIONS OF INTEREST**

**Pecuniary Interests**

**Non Pecuniary – Significant Interests**

**Non Pecuniary – Less than Significant Interests**

**Other Disclosures**

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## **5. MAYORAL MINUTE**

### **5.1 Councillor Fred Borg OAM**

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It was with great sadness that we learnt of the passing of Councillor Fred Borg on the 20 December 2016. Fred was born in Malta in 1943 and migrated with his family after the second world war.

Councillor Fred Borg was first elected to Campbelltown City Council in September 1999 as an Independent and has been successfully re-elected for a further three terms, boasting more than 17 years as a representative of the people of Campbelltown.

During his term, Councillor Fred Borg has held the position of Deputy Mayor, as well as Chair and Deputy Chair of a range of committees and sub committees, including Access for the Disabled, Works Recreation and Emergency Services, Community Safety, City Works and Corporate Governance.

Councillor Fred Borg was also passionate about local issues including but not limited to the fight against coal seam gas the ongoing lobbying of all levels of Government regarding the widening of Appin road and the preservation of the scenic hills.

Councillor Fred Borg was active in the community, and was the founder and Chairperson of the annual 24 Hour Fight Against Cancer Macarthur fundraising movement. In just ten years, the initiative has raised more than \$3m in support of local cancer treatment facilities, including the Macarthur Cancer Therapy Centre, the Oncology Ward and Pediatric Ambulatory Care Unit at Campbelltown Hospital, the Palliative Care Unit and associated outreach service at Camden Hospital.

Fred was passionate about the local Chamber of Commerce having been an active member for numerous years. Fred also was a board member of the Campbelltown Catholic Club from 1966–1976 and was awarded life membership.

Fred was a community stalwart, working tirelessly for the respect and admiration that saw him stand as a representative of the people of our city for more than 17 years. Fred earned the respect of both Councillor colleagues and Council staff during his four terms of civic service and will be greatly missed within Campbelltown.

The community of Campbelltown has lost a great advocate.

### **Recommendation**

That a letter of condolence be forwarded to the Borg family with a copy of this Mayoral Minute.

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## **6. PETITIONS**

**No Petitions this round**

## **7. CORRESPONDENCE**

### **7.1 Anoulack Chanthivong MP**

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#### **Attachments**

1. copy of letter from Mr Anoulack Chanthivong MP to Council (contained within this report)
2. copy of letter from The Hon. Duncan Gay MP to Mr Anoulack Chanthivong MP (contained within this report)

Letter from Mr Anoulack Chanthivong MP attaching correspondence from the Hon. Duncan Gay MP regarding the installation of Noise Barriers at Redfern Street, Ingleburn

#### **Officer's Recommendation**

That the letter be received and the information be noted.

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## ATTACHMENT 1



### Anoulack Chanthivong MP MEMBER FOR MACQUARIE FIELDS

DEC22'16 07:54:34 RCVD

The General Manager  
Campbelltown City Council  
PO Box 57  
**CAMPBELLTOWN NSW 2560**

20 December 2016

Dear Lindy,

I refer to your previous correspondence concerning the provision of noise barriers next to Redfern Street, Ingleburn.

As a result of your representations I wrote to the Hon Duncan Gay MLC, the Minister for Roads, Maritime and Freight. Please find attached a copy of the Minister's response for your information.

Despite the Minister's response, please be assured of my continued support on this matter.

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

Anoulack Chanthivong MP  
Member for Macquarie Fields



**The Hon Duncan Gay MLC**

Minister for Roads, Maritime and Freight  
Leader of Government in the Legislative Council

Our Ref: 00220852

Mr Anoulack Chanthivong MP  
Member for Macquarie Fields  
PO Box 882  
INGLEBURN NSW 1890

Dear Mr Chanthivong

Thank you for your correspondence on behalf of Ms Lindy Deitz, General Manager, Campbelltown City Council about the provision of noise barriers next to Redfern Street, Ingleburn.

The monitoring carried out at residences along Redfern Street was significantly below the eligibility criteria for the Freight Noise Attenuation Program. On this basis, I am advised the construction of a noise wall is not justified.

Transport for NSW will continue to monitor rail noise levels over time, including after the start of operations at the Moorebank Intermodal Terminal, and will reassess the appropriateness of noise reduction accordingly. However, it is unlikely the construction of the Moorebank facility will significantly impact noise levels at this location.

If Ms Deitz has any further questions, Mr Justin McGuire, Principal Manager Freight Access and Performance at Transport for NSW, would be pleased to take her call on (02) 8202 2591. I hope this has been of assistance.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Duncan Gay MLC 14-12-16

## **7.2 Fit for the Future**

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### **Attachments**

Copy of letter from The Hon Paul Toole MP (contained within this report)

Acknowledging Council's reassessment proposal under the Fit for the Future reassessment program.

### **Officer's Recommendation**

That the letter be received and the information be noted.

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## ATTACHMENT 1

DEC09'16 07:55:56 RCUD



**The Hon Paul Toole MP**  
Minister for Local Government

Clr George Brticevic & Ms Lindy Deitz  
Mayor & General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Ref:  
MIN:  
Doc ID: A513599



6 DEC 2016

Dear Clr Brticevic and Ms Deitz

I would like to thank Campbelltown City Council for submitting its reassessment proposal under the July 2016 *Fit for the Future* reassessment program.

The Government is committed to real and meaningful reform that will strengthen the system of local government across the State. The *Fit for the Future* (FFTF) program is a key reform initiative aimed at ensuring that councils are able to deliver the quality services and infrastructure that NSW communities deserve.

The Office of Local Government (OLG) has assessed Council's proposal against the Financial Sustainability criteria and associated benchmarks and has found Campbelltown City Council to be 'fit'.

The assessment has been made based on Council's FFTF reassessment proposal, Council's Long Term Financial Plan and other available data.

The OLG FFTF Reassessment Report, including Council summaries, will be published on the NSW Government's *Fit for the Future* website.

Key results from the reassessment of Campbelltown City Council are as follows:

### **Fit for the Future Reassessment – FIT**

- Council satisfied the financial criteria overall as the Council meets the sustainability criteria.
- Council has implemented a number of strategies which have increased revenue and reduced expenditure to achieve the improvement, including the sale of land, review of the method of depreciation and service level reviews.
- Council is forecast to have significant growth, with the population increasing from 151,150 in 2011 to 215,750 in 2031.
- It is anticipated that developer contributions/voluntary planning agreements will fund the future growth requirements.
- The strategies proposed by Council appear to be achievable.

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### **Sustainability – Satisfied**

- Council's Operating Performance Ratio (OPR) is 9.2% in 2015-16 and forecast to be 1.6% in 2020-21, which meets the required benchmark.
- The spike in OPR in 2015-16 is due to the sale of land at Menangle Park following the announcement by the State Government in 2015 on the development of the South West corridor.
- Council's review of its depreciation methodology reports a saving of \$2M.
- A change in the delivery model of the occasional care centre and withdrawal of the duplication of long day care services has seen a saving of \$495K p.a.
- Council met the Own Source Revenue ratio in the original IPART assessment and it is forecast to be 62% in 2020-21, which meets the required benchmark.
- Council's Building and Infrastructure Renewal Ratio is 110% in 2015-16 and forecast to be 103% in 2020-21, which meets the required benchmark.

### **Infrastructure & service management - Satisfied**

- Council satisfied the infrastructure and service management criteria in the original IPART assessment.
- Council has forecast the Infrastructure Backlog Ratio to be 2.2% in 2015-16 and 0.6% in 2020-21, which meets the required benchmark.
- Council has forecast the Asset Maintenance Ratio to be 100% in 2015-16 and 100% in 2020-21, which meets the required benchmark.
- Council has forecast the Debt Service Ratio to be 3.4% in 2015-16 and 1.8% in 2020-21, which meets the required benchmark.

### **Efficiency - Satisfied**

- Council satisfied the efficiency criterion in the original IPART assessment.
- Council reports a decline in real operating expenditure from \$888 in 2015-16 to \$849 in 2020-21.

The 'fit' categorisation allows Council to access TCorp's competitive rate loan facilities, subject to TCorp's credit criteria.

OLG will continue to monitor performance to ensure that councils in NSW are performing to a high standard and continue to strengthen their financial position.

I trust that Council will continue to implement strategies which ensure it remains financially sustainable and increases its capability and capacity to deliver services and infrastructure into the future.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Paul Toole MP  
Minister

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## 8. REPORTS FROM OFFICERS

### 8.1 Demolition of St James Anglican Church - No. 2 Kent Street, Minto

#### Division

City Development

#### Reporting Officer

Acting Manager Development Services

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#### Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Site plan (contained within this report)
4. Proposed site plan (contained within this report)
5. Building Report (contained within this report)
6. Notification plan (distributed under separate cover - confidential - for privacy reasons this plan is not available to the public)

#### Purpose

To assist Council in its determination of the subject development application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This development application has been reported to Council due to the receipt of submissions from the occupants of eight properties and two petitions in response to the public notification of the proposed development.

<b>Property Description</b>	Lot 12 DP 712599 St James Anglican Church, No. 2 Kent Street, MINTO
<b>Application No</b>	2837/2016/DA-DEM
<b>Applicant</b>	St James Anglican Church Parish
<b>Owner</b>	Anglican Church Property Trust Diocese of Sydney
<b>Statutory Provisions</b>	Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
<b>Non-Statutory Provisions</b>	Campbelltown 2025 - Looking Forward
<b>Date Received</b>	30 August 2016

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## **Report**

The development application was lodged with Council on 30 August 2016 for the demolition of St. James Anglican Church at No. 2 Kent Street, Minto. The application was notified in accordance with Council's notification policy where a number of submissions and petitions with over 500 signatures objecting to the proposal were received.

### **The Site and Surrounds**

The site (No. 2 Kent Street, Minto), is located on the eastern corner of Kent Street and Redfern Road and is accessed from Kent Street. The site currently contains a Rectory and detached garage, church hall, outdoor toilet block and St. James Anglican Church (also known as Old St. James Church). The site also contains 19 car parking spaces at the rear of the existing hall and church. St. James Anglican Church Centre is located on the adjoining allotment at No. 2 Redfern Road, Minto. The subject site and No. 2 Redfern Road are connected by an internal service road.

Minto Public School is opposite the site on the southern side of Redfern Road.

St. James Anglican Church was originally erected on the corner of Minto Road and Cumberland Road in 1897. It was subsequently dismantled and re-erected on its present site in 1918. The Church contains two foundation stones (with historical newspapers located behind the stones) within the external building fabric. Council has also been informed that a time capsule has recently been placed in the immediate area of the Church building.

St. James Anglican Church building is not listed as an item of heritage significance. The Church building has been used as a storage area and has not been used for church services since 1985.

### **The Proposal**

The development application proposes the demolition of St. James Anglican Church building at No. 2 Kent Street, Minto. The proposal also involves returfing of the site once the building has been demolished.

The request for the demolition has come about due to the poor condition of the church building and the associated safety hazard posed and cost of rectifying the building's condition.

The applicant also intends to construct a memorial on the subject site which incorporates the foundation stones and a plaque with a brief history of the church.

The proposal does not involve tree removal.

## **1. Non-statutory provisions**

### **1.1 Vision**

Campbelltown 2025 Looking Forward is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

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## 8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

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- responds to what Council understands people want the City of Campbelltown to look, feel and function like
- recognises likely future government policies and social and economic trends
- sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are a result of Council's consideration of extensive community consultation and public input. Relevant strategic directions include:

- growing the Regional City
- building a distinctive Campbelltown sense of place
- protecting and enhancing the City's key environmental assets.

Relevant desired outcomes of the strategic directions include:

- urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable.

The development application has been assessed having regard to Campbelltown 2025 Looking Forward.

Further to the above, the vision states that Campbelltown's cultural and European heritage is to be respected. In this regard it is acknowledged that a proposal for the demolition of St. James Church (although not a listed heritage item) may be considered as not being sympathetic to the vision.

Notwithstanding, to ensure the essence of the building is not lost, it is recommended that in the case that the Council approve the demolition of the building, the applicant be required to prepare an archival record of the building prior to the demolition of the building proceeding. In this regard, a condition of the draft development consent has been recommended requiring the same. Further, a condition has also been included in the draft development consent requiring the applicant submit a separate development application for the re-use of the foundation stones within the subject site.

## **2. Statutory Provisions**

### **2.1 Campbelltown Local Environmental Plan 2015**

The subject site is zoned R3 Medium Density Residential under the provisions of Campbelltown Local Environmental Plan 2015 (CLEP).

#### **Clause 2.7 Demolition requires development consent**

In accordance with Clause 2.7 of the CLEP, the demolition of a building or work may be carried out only with development consent. The development application is seeking consent for the demolition of the existing St. James Anglican Church building.

#### **Clause 5.10 Heritage conservation**

Despite the buildings age and suggested social significance, the building is not a listed heritage item and therefore the heritage conservation provisions of the CLEP are not a relevant consideration.

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## **2.2 Campbelltown (Sustainable City) Development Control Plan 2015**

Campbelltown (Sustainable City) Development Control Plan (the SCDCP) is the relevant development control plan for the site and development type.

The general provisions of Part 2 of the SCDCP, applying to all types of development, have been considered and are discussed as follows:

### **Part 2.8 – Demolition**

The plan requires that applications for demolition be accompanied by information concerning the submission of a detailed work plan prepared in accordance with AS2601-2001-The Demolition of Structures (as amended), details of the licensed demolition contractor and details of hazardous substances to be removed from the site. Demonstration of compliance with these provisions prior to any demolition commencing is recommended as a standard condition of development consent.

## **3. Impacts of the natural and built environment**

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the developments potential impact on the natural and built environment is as follows:

- historical relevance
- structural adequacy and public safety
- security

### **3.1 Historical relevance**

The development application was referred to Council's Heritage Planner for review and comment.

On review of all available records, it has been established that neither the site nor the subject building are listed as items of heritage significance.

Further regard was given to the numerous structural issues identified within the building report prepared by D&M Consulting Pty Ltd Consulting Engineers, dated 22 February 2013. In that report it is established that significant work would be required on the building in order to restore the building to meet minimum safety standards. The issues identified appear to be in part, as a result of poor rebuilding techniques employed when the building was relocated from its original site.

Separately, but consistent with a long-established Council resolution, where Council was of a mind to seek the listing of the subject property, any process for considering the subject item for heritage listing needs to be endorsed by the subject property owner. In this instance, the property owner is not seeking heritage listing of the subject building and as such, Council's officers are not able to pursue a heritage listing for the building.

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## 8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

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Furthermore and having regard to the structural conditions of the building, Council does not endorse the heritage listing of structurally unsound buildings as this is inconsistent with Council's practice of promoting sustainable conservation outcomes for heritage listed items. Notwithstanding, rectifying the structural issues would be at significant cost and would not be resolved just by the site/building being heritage listed.

In light of the above, as the subject site and item are not heritage listed, no objection is raised to the demolition of the building on heritage grounds.

### 3.2 Structural adequacy

A building report prepared by D&M Consulting Pty Ltd Consulting Engineers, dated 22 February 2013, was submitted in support of the development application which states the following:

The main damage is to the north end of the building and is concentrated over the weakness created by the door openings. Above the doors the arches have cracked and the brickwork is separating (p. 2).

The report further states the following in terms of the structural integrity of the building:

The lack of remedial work within the short term is likely to result in a dangerous building which could result in the brickwork falling (p. 3).

The report recommends the following works take place to rectify the poor condition of the building:

- the cracking over the northern arches require jacking of the northern abutments to help overcome the settlement of the brickwork
- the crack over the front entry arch in my opinion is likely to increase in size and may become dangerous in the future. The arch is to be removed and the brickwork made good on both sides of the wall; and
- tie rods be installed after the underpinning has been completed to help tie the north and south walls of the building. The rods are to be 20mm in diameter and have large plates to each end as the rods protrude through the brick walls.

Due to the nature and significance of the required work, the applicant proposes the demolition of the St. James Anglican Church building in order to remove the safety risk to the public and users of the site.

### 3.3 Security

The church hall building, located on the subject site, adjoins St. James Anglican Church. A fenced open space area is located between the two buildings, the western elevation of St. James Anglican Church forming part of the perimeter of the open space area. Additional fencing would be required to ensure the church hall open space area remains secure once demolition of the church has taken place. Details of the fencing to be provided to Council has been recommended as a condition of the draft development consent.

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#### 4. Social and economic impacts

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. In terms of environmental impacts for any potential asbestos or other hazardous materials, a condition of development consent has been recommended for demolition works to be carried out in accordance with Australian Standard AS 2601-2001 - The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience which shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust and the disposal methods for any hazardous materials.

In terms of social impacts, it is important to note that the St. James Anglican Church building is not listed as an item of heritage significance. However, in order to document the physical aspects of the building, a condition is recommended to be included in the draft consent for the applicant to prepare an archival record prior to demolition. Further, a condition of the draft consent is recommended for the applicant to submit a development application for the re-use of the foundation stones within the subject site.

#### 5. Site Suitability

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the suitability of the site for the proposed development. Due to the poor condition of the St. James Anglican Church building and the associated safety hazard identified in the Building Report prepared by D&M Consulting Pty Ltd Consulting Engineers, demolition of St. James Anglican Church is considered suitable in this instance.

#### 6. Submissions

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider submissions made to the proposal. The application was notified to surrounding property owners between 7 September and 21 September 2016. During this period Council received eight written submissions objecting to the proposal. Two petitions opposing the demolition and requesting the preservation of St. James Anglican Church were also received during the notification period comprising a total of 569 signatures.

The issues of objection raised during the notification period and Council's response to these issues, are discussed below.

Theme	Objection Detail	Response
<b>Demolition is unacceptable</b>	The church building is completely repairable and will be regretted later.	<p>St. James Anglican Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.</p> <p>A condition of development consent has been recommended for the applicant to prepare an archival record of the building prior to demolition.</p>



## 8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

Theme	Objection Detail	Response
<b>Centenary</b>	The church is just two years short of its centenary at Minto which has been anxiously awaited for many years.	<p>Achieving the centenary is not a consideration under the provisions of Section 79C of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Council must accept and process application as they are received from land owners.</p> <p>St. James Anglican Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.</p>
<b>Public Consultation Process</b>	There was no public consultation process by the church or opportunity to address the parish Council before the demolition proposal was announced by the Church.	<p>In accordance with Council's notification policy, the development application was notified to adjoining and nearby properties for 14 days between 7 September and 21 September 2016.</p> <p>Church internal processes are separate to Council's assessment.</p>
<b>Structural Adequacy</b>	Doubt as to whether the cracks would make the building dangerous or inhabitable.	A professional Building Report prepared by D&M Consulting Pty Ltd Consulting Engineers, dated 22 February 2013, was submitted with the development application stated that the structural damage to the building is likely to result in a dangerous building if remedial work is not undertaken.
<b>Alternative uses for the Church</b>	Reuse the building instead of demolition.	The development application does not seek alternative uses for the subject building and is therefore not considered.
<b>Historical Significance</b>	The church represents a big part of our religion and social history. It represents a bygone era and a link with our past.	St. James Anglican Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.
<b>Lack of Respect for History</b>	The demolition of the church shows a lack of respect for history, for property and for people.	The Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.
<b>Heritage Listing</b>	Heritage list the Church instead of demolition.	Importantly, and consistent with a long-established Council resolution, the process for considering the item for heritage listing needs to be endorsed by the subject property owner. In this

## 8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

Theme	Objection Detail	Response
		instance the property owner is not seeking heritage listing of the subject building and as such, Council's officers are not able to pursue a heritage listing of the building.
<b>Protection of Heritage</b>	We should protect our heritage for future generations.	<p>St. James Anglican Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.</p> <p>A condition of development consent has been recommended for the applicant to prepare an archival record prior to demolition.</p> <p>Further, a condition of development consent has also been recommended for the applicant to submit a development application for the re-use of the foundation stones within the subject site.</p>
<b>Foundation Stones</b>	The church is considered to be unique because it has two foundation stones as a result of its move to its present site.	<p>A condition of development consent has been recommended for the applicant to prepare an archival record prior to demolition. Further, a condition of development consent has also been recommended for the applicant to submit a development application for the re-use of the foundation stones within the subject site.</p> <p>The stone memorial must be approved prior to demolition commencing.</p>
<b>Historical Significance</b>	The old St. James Church has historical significance, which is religious, architectural, social and cultural in nature and because of its history.	St. James Anglican Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.
<b>Historical Significance</b>	The building has been in constant use until this year (2016), has a history of bringing the local community together and so it could continue to do this if not removed.	A building report prepared by D&M Consulting Pty Ltd Consulting Engineers, has been submitted with the development application stating that structural damage to the building is likely to result in a dangerous building if remedial work is not undertaken. Due to the cost associated with the necessary

## 8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

Theme	Objection Detail	Response
		building improvements, the owners of the subject property have resolved to demolish the building.  St. James Anglican Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.
<b>Historical Significance</b>	The community has indicated that it doesn't want to lose this last remaining substantially unaltered heritage item in Minto Village.	St. James Anglican Church is not listed as an item of heritage significance and demolition of the building is permitted with consent.
<b>Safety</b>	The St. James' Old Church building clearly poses no immediate threat to members of the public, as it is not fenced off and the general public can still walk up to it and touch it.	St. James Anglican Church building is partially fenced. Further, a Building Report prepared by D&M Consulting Pty Ltd Consulting Engineers, has been submitted with the development application stating that structural damage to the building is likely to result in a dangerous building if remedial work is not undertaken.
<b>Demolition cost</b>	The demolition cost is a waste of money - money which would be better used to fund a portion of the repairs to the building.	The owners of the site have resolved to demolish the subject building.
<b>Tree Removal</b>	The old palm trees in front of the Old Church building are considered to be significant landscape features in the local area.	The palm trees at the front of the existing church building are not proposed to be removed.  A condition of consent has been recommended for tree protection measures to be put in place prior to demolition works commencing on the site.
<b>Wardens and Parish Council</b>	Concerns in relation to the manner in which the demolition decision was handled by the St. James Church Wardens and Parish Council.	This concern is not a consideration under Section 79C of the <i>Environmental Planning and Assessment Act 1979</i> .

## 7. The public interest

Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider the public interest when dealing with a development application. Accordingly, it is considered in the public interest for the building to be demolished to ensure the safety of the community. To ensure the building is recorded, a condition of consent has been recommended for the applicant to prepare and submit an archival record to Council for placement in the HJ Daley Library local studies collection prior to demolition works commencing.

## **8. Conclusion**

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is generally consistent with the relevant planning legislation.

The subject site or the item proposed to be demolished is not a listed heritage item under the provisions of Campbelltown Local Environmental Plan 2015. The demolition of the church is permitted with consent.

Accordingly, and having regard to the buildings condition and the owner's application, the demolition of the St. James Anglican Church building is recommended for approval.

## **Officer's Recommendation**

That development application 2837/2016/DA-DEM for the demolition of the St. James Anglican Church building at 2 Kent Street, Minto, be approved, subject to the conditions detailed in attachment 1 of this report.

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## **ATTACHMENT 1**

### **Recommended Conditions of Consent**

#### **GENERAL CONDITIONS**

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

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

#### **1. Approved Development**

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

#### **2. Tree Removal - Separate DA Required**

This consent does not authorise the removal of any trees contained on the property. A separate development application is required to be lodged for any proposed tree removal.

#### **3. Tree Protection Measures**

Tree protection measures must be implemented and carried out in accordance with Australian Standard AS4970 Protection of Trees on Development Sites.

#### **4. Building Site**

The site of the demolished building must be rehabilitated as a grassed area.

#### **5. Unexpected Historic Items**

During the demolition and site clearing process, work must stop where any unexpected historic item/s are uncovered. All historic item/s identified during the site demolition and site clearing process, must be suitably protected and archived.

Prior to any works continuing following the uncovering of historical items, the item must be photographed and recorded and added to the archival record.

On identification of any historic items, Campbelltown City Council's Manager Development Services must be immediately contacted and informed of any unexpected historic items located on the subject site.

#### **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

#### **6. Erosion and Sediment Control**

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Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

## **7. Erection of Construction Sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

## **8. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

## **9. Demolition Management Plan**

Prior to works commencing, the applicant must provide a demolition management plan (which includes engineering certification) to Campbelltown City Council for written approval by the Director of City Development, which describes how the two foundation stones (and historical newspapers located behind the foundation stones) will be removed and protected during and after the demolition works. The plan must also identify how the time capsule will be located and protected.

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**10. Archival Record**

Prior to the commencement of any works on the site, an archival record, prepared in accordance the document prepared by the New South Wales Heritage Office titled, 'How to prepare archival records of heritage items', shall be submitted to Campbelltown City Council for written approval by the Director of City Development. The archival record shall be prepared in consultation with Campbelltown City Council.

**11. Foundation Stones Memorial - Separate DA Required**

Prior to the commencement of any works on the site, the applicant must obtain separate development consent from Campbelltown City Council for the construction of a memorial for St. James Anglican Church, which incorporates the two existing foundation stones.

**12. Demolition Works**

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a Safe Work NSW licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with Safe Work NSW requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Safe Work NSW prior to the commencement of any works.

**13. Hoarding/Fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Safe Work NSW requirements.

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The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the *Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

#### **14. Tree Protection Measures**

Prior to the commencement of any works on the site, tree protection measures in accordance with AS4970 Protection of Trees on Development Sites, must be installed/implemented on the site.

#### **15. Fencing Plan**

Prior to the commencement of any works on the site, the applicant must provide a plan to Council for written approval by the Director of City Development, which shows details on the fencing around the church hall building. The approved fencing plan will form part of the consent.

#### **16. Sydney Water**

Prior to works commencing, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to works commencing.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au)

### **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

#### **17. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work

#### **18. Erosion and Sediment Control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

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**Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.**

#### **19. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a Work Zone external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable Traffic/Pedestrian Management and Control Plan for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

#### **20. Protection of Existing Trees**

During demolition, no trees are to be cut down, lopped, destroyed or removed without the separate written approval of Council.

Trees on the site are to be protected in accordance with AS4970 Protection of Trees on Development Sites, during demolition works.

#### **21. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook). Construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

#### **22. Excess Material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

#### **23. Demolition Work/Plan**

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of Australian Standard A52601-2001 The Demolition of Structures.

#### **ADVISORY NOTES**

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

#### **24. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not

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## 8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

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permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside 3 metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than 3 metres or has a trunk diameter more than 150mm measured 1 metre above ground level, and excludes any tree declared under the Noxious Weeds Act (NSW).

### **25. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by WorkCover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, call WorkCover Asbestos and Demolition Team on 8260 5885.

### **26. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you Dig service in advance of any construction or planning activities.

### **27. Telecommunications Act 1997 (Commonwealth)**

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

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

**END OF CONDITIONS**

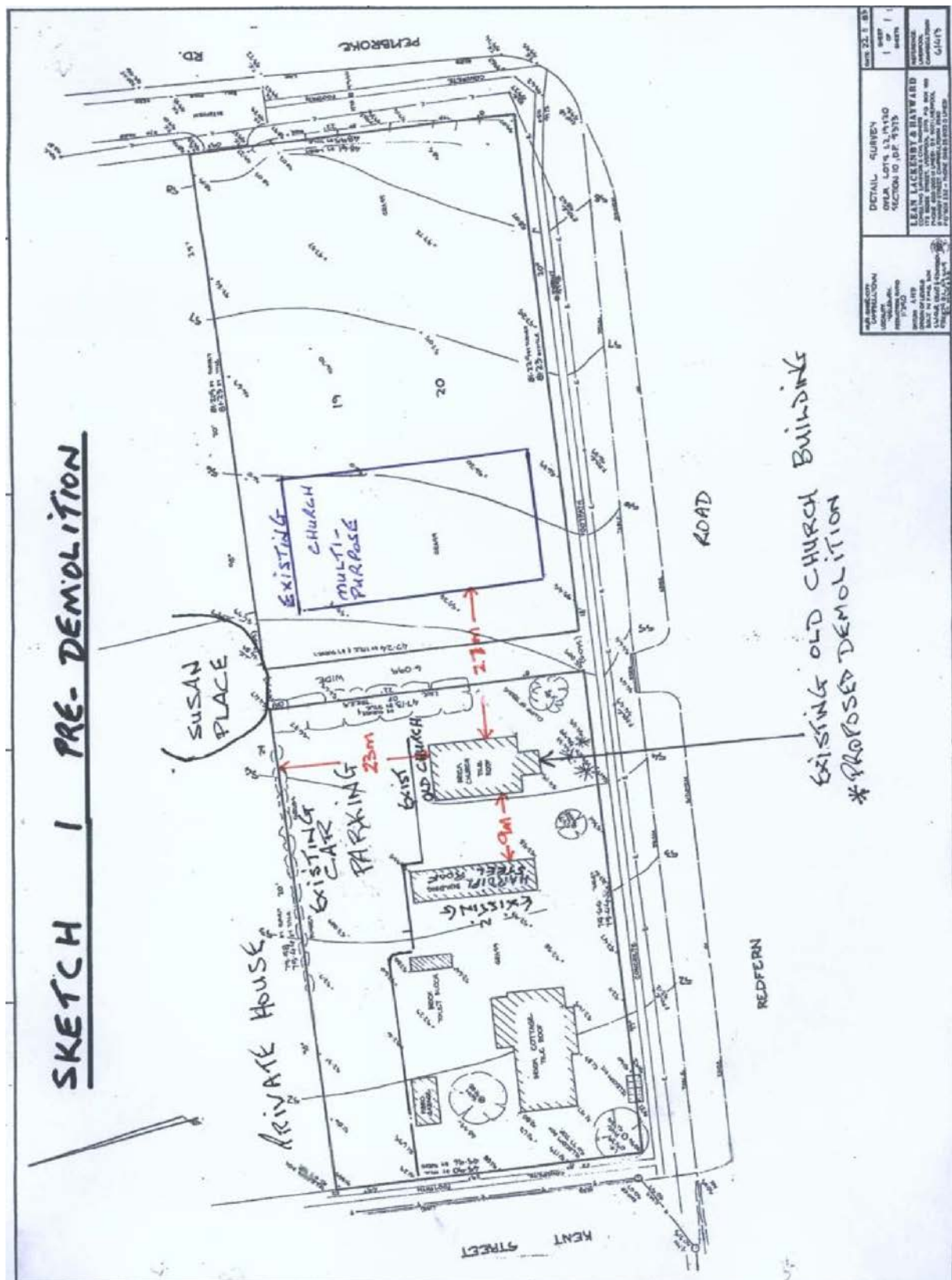
## **ATTACHMENT 2**

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8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto



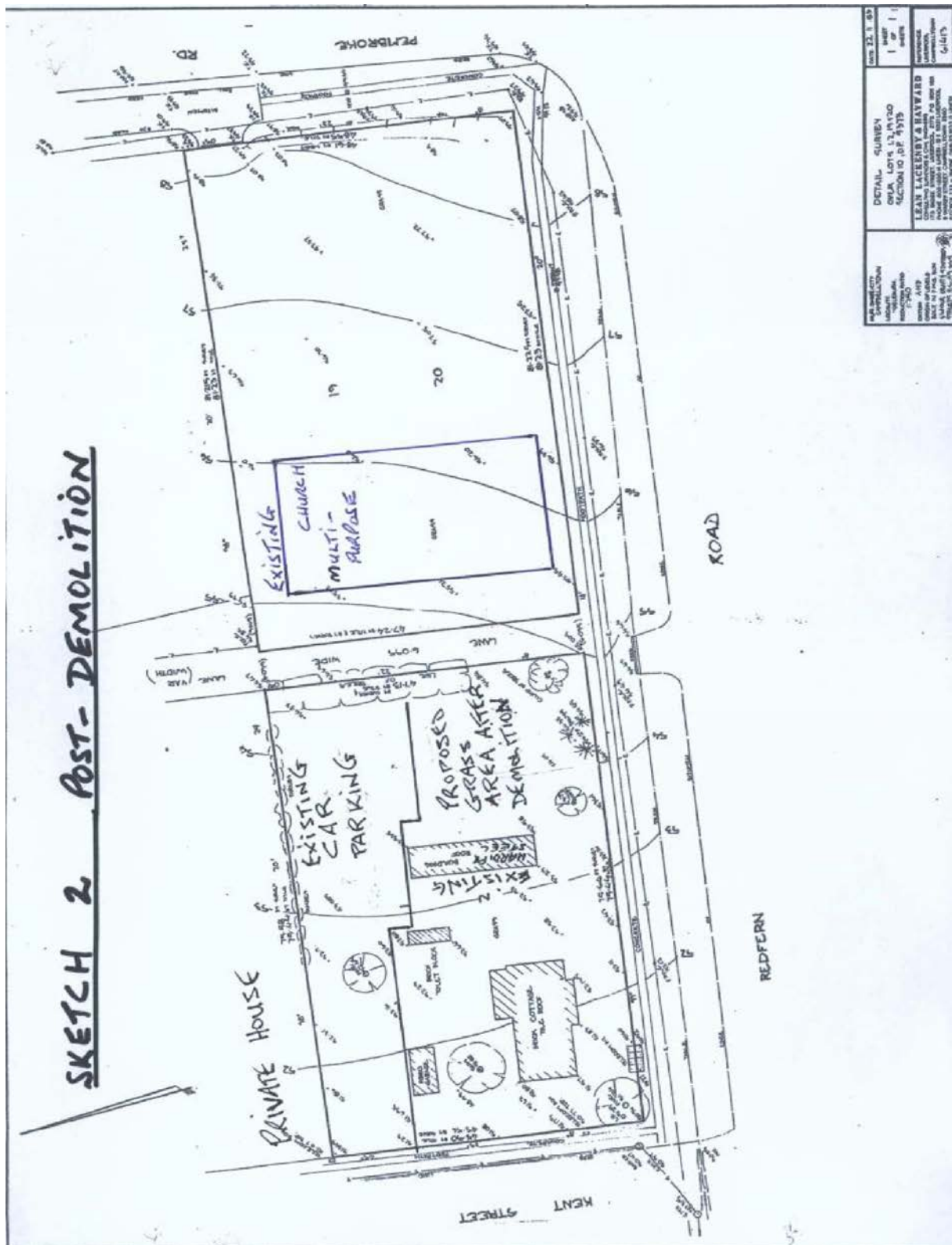
## ATTACHMENT 3





8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

ATTACHMENT 4



## ATTACHMENT 5



**D & M Consulting Pty Ltd**  
**CONSULTING ENGINEERS**

A.C.N. 051 143 376

■ CIVIL & STRUCTURAL DESIGN ■ BUILDING REPORTS & CERTIFICATION ■  
■ ROAD & DRAINAGE DESIGN ■

**REPORT ON**  
**Damage to Church**  
**At**  
**2 Redfern Rd**  
**Minto**  
**My Ref 10473**



**D & M CONSULTING PTY LTD**

A.C.N. 051 143 376

5/160 HARTLEY RD

SMEATON GRANGE

PHONE (02) 46474014

FAX (02) 46474542

MOBILE 0415 482 454

EMAIL [engineer@dmceng.com.au](mailto:engineer@dmceng.com.au)

Inspection Date 22/2/13

### 1. SITE.

Owner\_\_ The Anglican Church Sydney Diocese\_\_

Client \_\_ Minto Anglican Church\_\_

Address 2 Redfern Rd Minto

Property Desc \_\_\_\_\_Full Brick and Tiled Church Building

### 2. DESCRIPTION OF STRUCTURAL DAMAGE.

This is a report to comment on the damage to the existing Church and recommend methods of rectification. The main damage is to the north end of the building and is concentrated over the weakness created by the door openings. Above the doors the arches have cracked and the brickwork is separating as shown in the photos in Appendix A.

The building was inspected in November 2011 and at the time the recommendations included repair of the drainage to the high side of the building, install ties along the top section of the roof structure and repair the gutters and downpipes.

Some of this work was undertaken excluding the ties along the top section of the roof.

### 3. PROBABLE CAUSE.

The most common reason for damage and the cracking of brickwork in a building is poor drainage and leaking pipes. This can be caused by poor external drainage with the ground around a building falling towards a footing or where the land around the brickwork of a building is ponding water. Leaking pipes in the form of downpipes, water supply pipes and sewerage pipes all will cause the ground to become moist in a localised area. This localised swelling of the ground can cause damage to the brickwork above the footing.

The drainage to the building has been rectified and it appears that the building is now



more stable than prior to the work being undertaken. There is however severe cracking to the brickwork over the doors and these need to be rectified. The lack of remedial work within the short term is likely to result in a dangerous building which could result in the brickwork falling.

Due to the gaps in the brickwork I recommend that the abutments to the north of the building be underpinned. It appears the abutments were constructed after the initial building was constructed and are likely to have settled causing the damage to the brickwork over the doors. The original building would have settled in the time before the abutments were constructed and as the abutments settled they would have pulled the brickwork from the existing building with them.

The installation of piers and the jacking of the abutments (Underpinning) is likely to close the gaps in the brickwork prolonging the effective life of the building. In conjunction with the underpinning some brickwork over the doors will require restoration and reconstruction but it is likely that the underpinning will prevent further settlement of the abutments and increase the long term stability of the brickwork over the doors.

#### 4. RECOMMENDED RECTIFICATION WORKS

The damage to the brickwork is generally caused by poor drainage which in the case of the church appears to have been improved. There remains cracking over the northern arches which require rectification. This will require the jacking of the northern abutments to help overcome the settlement of the brickwork.

The crack over the front entry arch in my opinion is likely to increase in size and may become dangerous in the future. It is my opinion that the arch be removed and the

brickwork made good on both sides of the wall.

I also recommend that the tie rods be installed after the underpinning has been completed to help tie the north and south walls of the building. The rods are to be 20 mm in dia and have large plates to each end as the rods protrude through the brick walls.

#### 5. IMPORTANT INFORMATION

Due to the nature of the report and the limits placed by the fact that the structure is in existence and as the inspector is limited in the areas which can be inspected this report is only an expression of opinion based on the observations made during the inspection. We have relied on information provided and supply this report in good faith based on over 20 years of experience in residential structural design.

Should anything in this report be unclear please contact the author for clarification.

YOURS FAITHFULLY,

DAVID TURNER, B.E. MIEA. (C.P Eng. Civil & Structural.) MEEM

## Appendix A

### Photos

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8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

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Photo 1



Photo 2

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8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

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**Photo 3**



**Photo 4**

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8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

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**Photo 5**



**Photo 6**

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**Photo 7**



**Photo 8**

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8.1 Demolition Of St James Anglican Church - No. 2 Kent Street, Minto

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Photo 9



Photo 10

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**Photo 11**



**Photo 12**

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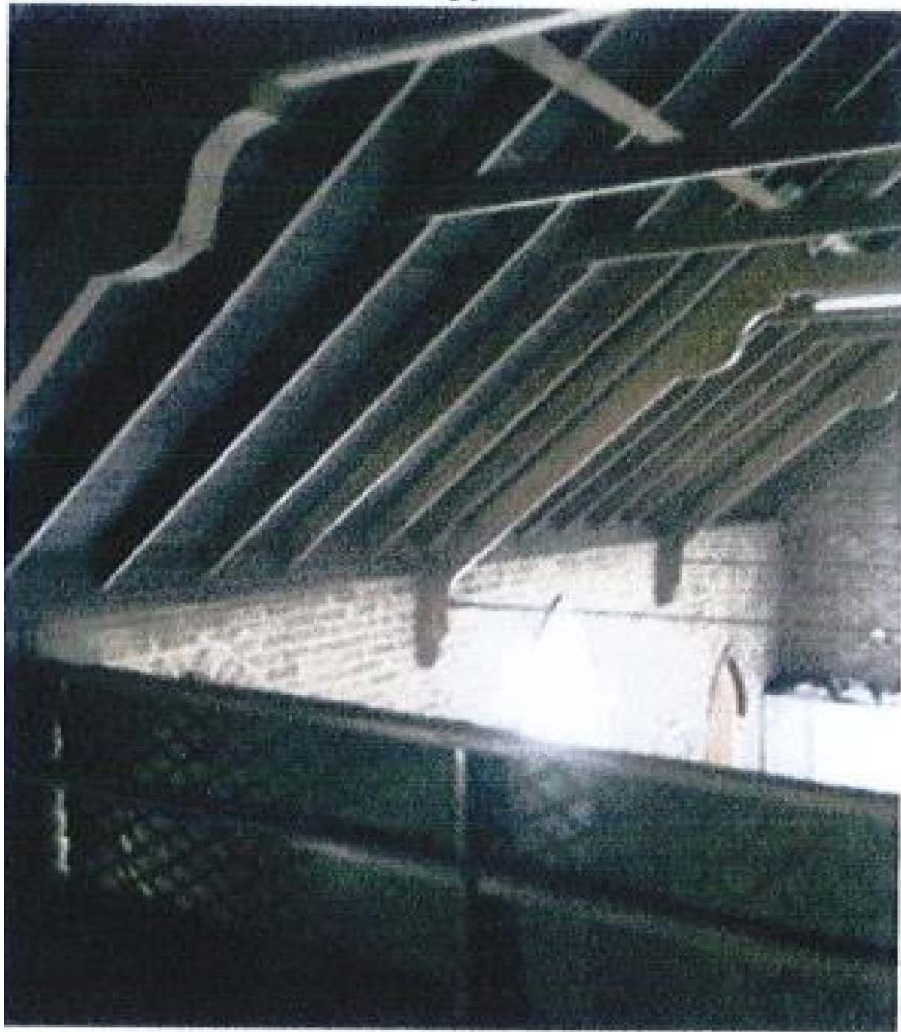


Photo 17

## 8.2 Construction of a takeaway food premises at No. 4 Rennie Road, Campbelltown

### Division

Director City Development

### Reporting Officer

Acting Manager Development Services

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### Attachments

1. Recommended Conditions of Consent (contained within this report)
2. Locality Plan (contained within this report)
3. Site Plan (contained within this report)
4. Elevations and Floor Plan (contained within this report)
5. Landscape Plan (contained within this report)
6. Colour Perspective Drawings (contained within this report)

### Purpose

To assist Council in its determination of the subject Development Application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This development application is required to be reported to Council pursuant to Department of Planning Circular PS 08-104 dated 14 November May 2008 as it is seeking a variation of greater than 10 per cent to a development standard contained in Campbelltown (Urban Area) Local Environmental Plan 2002.

<b>Property Description</b>	SP 85424 4 Rennie Road, CAMPBELLTOWN
<b>Application No</b>	257/2016/DA-C
<b>Applicant</b>	Planning Principles
<b>Owner</b>	Black Cedar Investments Pty Ltd
<b>Provisions</b>	Campbelltown (Urban Area) Local Environmental Plan 2002 Draft Campbelltown Local Environmental Plan 2014 Campbelltown (Sustainable City) Development Control Plan 2014 Campbelltown 2025 - Looking Forward
<b>Date Received</b>	8 February 2016

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## Report

This application proposes the construction of a takeaway food premises at 4 Rennie Road, Campbelltown. The proposed development would be a Harry's Café de Wheels, which predominantly serves pies and other hot food. The proposed building would be in the form of a removable container, and the floor area of the building would be 29sqm. The building would contain a kitchen, two servery windows (one for vehicles and one for pedestrians) and an accessible toilet. The proposed takeaway food premises would have two staff and its proposed hours of operation are 7.00am to midnight seven days a week.

The land is irregularly shaped, relatively flat, has an area of 7495sqm, and has frontages to Rennie Road and Campbelltown Road. The site contains two buildings and associated car parking, with vehicular access from Rennie Road. At present, the northern building contains a Hooters restaurant, while the southern building contains an Oporto restaurant and a pizza/pasta restaurant known as P3 (a total of three restaurants currently occupy the site).

The site is adjoined by Campbelltown Road to the east, a KFC restaurant to the south, Rennie Road and a motel to the west, and Payten Reserve to the north.

### 1. Vision

#### **Campbelltown 2025 - Looking Forward**

Campbelltown 2025 Looking Forward is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- responds to what Council understands people want the City of Campbelltown to look, feel and function like
- recognises likely future government policies and social and economic trends
- sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes.

The strategic directions relevant to this application are:

- growing the Regional City
- creating education, employment and entrepreneurial opportunities.

The application is consistent with the above strategic directions as the proposal would provide well-located higher density housing that would enable the Regional City to grow as well as providing employment opportunities within the construction industry.

Some of the relevant desired outcomes of the strategic directions included in Campbelltown 2025 include:

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- Urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable
- Development and land use that matches environmental capacity and capability.

The development is consistent with desired outcomes within Campbelltown 2025 specifically in relation to providing a development that is functional and of a high quality design, and one that matches the environmental capacity and capability of the site.

## **2. Planning Provisions**

### **2.1 State Environmental Planning Policy No.1 Development Standards (SEPP 1)**

SEPP 1 provides flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objectives specified in section 5(a)(i) and (ii) of the *Environmental Planning and Assessment Act 1979*.

SEPP 1 applies to this application, as the applicant seeks to vary Clause 37 of Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP 2002), which states that consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4(a) or 4(b) which is within 10 metres of a local public road.

Due to the timing of the application's lodgement, CLEP 2002 is the relevant planning instrument that applies to the proposed development. Under CLEP 2002, the subject site is zoned 4(b) and the application proposes building works within 10 metres of the site's property boundary with Rennie Road (the entire building). Therefore, the proposed development fails to comply with Clause 37 of the CLEP 2002.

Clause 6 of SEPP 1 states that where development could, but for any development standard, be carried out under the Act, the person intending to carry out that development may make a development application in respect of that development, supported by a written objection that compliance with that development standard is unreasonable or unnecessary in the circumstances of the case, and specifying the grounds of that objection.

The applicant has submitted a written objection pursuant to State Environmental Planning Policy 1 – Development Standards, arguing that compliance with the 10 metre setback control in question would be unreasonable and unnecessary. The arguments made by the applicant in this regard are the following:

- The two existing buildings on the site do not satisfy the 10 metre setback requirement, as both buildings encroach significantly within the 10 metre setback to Rennie Road (2.861 metres for the Oporto/P3 building and 6.6 metres for the Hooters building).
  - The proposed location of the Harry's Café de Wheels building is such that it would be unseen within the streetscape until a vehicle or person passes beyond the Oporto/P3 building when travelling towards the site on Rennie Road. Therefore the streetscape character would not be detrimentally affected, but enhanced by the proposed building's façade treatment and finishes, defined by its high architectural merit.
-

- The area surrounding the proposed building would be landscaped, providing a landscape buffer between the building and Rennie Road. Building form and character refer to the collective result of a number of different elements of building design and siting, which when combined make up the appearance and feel of the built environment. Through good quality design, the character of development can be enhanced.
- The non-compliant front building setback does not represent an overdevelopment of the site, does not result in a visually dominating development and does not result in negative externalities upon adjoining or nearby development.

Under Clause 7 of SEPP 1, where the consent authority is satisfied that a SEPP 1 objection is well founded and is also of the opinion that granting of consent to that development application is consistent with the aims of the SEPP (outlined in the first paragraph of this section), it may, with the concurrence of the Director General of the Department of Planning and Infrastructure, grant consent to that development application notwithstanding the development standard that is the subject of the objection.

It should be noted that consent authorities may assume the Director General's concurrence in relation to all development applications except for some dwelling and subdivision proposals on rural and non-urban land. In this regard, Council can assume the Director General's concurrence in respect of the SEPP 1 objection in this instance.

Clause 8 of SEPP 1 stipulates that the matters which shall be taken into consideration in deciding whether concurrence should be granted (or assumed) are:

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

In regard to point (a), the non-compliance does not raise any matters of state or regional planning significance. In regard to point (b), the public benefit of maintaining the 10 metre setback control outlined by CLEP 2002 would be minimal, considering that if the 10 metre setback control was to be strictly enforced in relation to the proposed building, its subsequent location would be within the eastern car park aisle, rendering the proposal dysfunctional and unable to be supported by Council, thereby depriving the public of an additional food and drink premises. It is therefore considered that the greatest public benefit would be achieved by varying the 10 metre setback control in this instance.

Guidelines for varying development standards prepared by the Department of Planning outline a five part test issued by the Land and Environment Court for consent authorities to consider when assessing an application to vary a standard to determine whether the objection to the development standard is well founded. An assessment of the objection against this five part test is outlined below and it is considered on the basis of that assessment, that in the circumstance the objection to the standard is well founded. It should be noted that not all of the points are necessarily applicable to an application.

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**1. The objectives of the standard are achieved notwithstanding non-compliance with the standard**

In this case, there are no specific objectives that relate to the standard in question; however the relevant zone objective for the 4(b) zone to which the setback standard is considered to relate is the following:

To encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development

It is considered that this objective is satisfied despite the proposed setback non-compliance, as the reduced setback does not prevent the overall development from having a high quality design that addresses the streetscape and its surroundings well.

The functionality of the development would be greatest if the setback standard were to be varied, and in fact the optimal functionality of the proposed development is dependent on the setback standard being varied, given that a compliant setback would stifle the proposed development and render it dysfunctional as discussed above. Therefore, the objective most relevant to the standard being varied is considered to be satisfied notwithstanding non-compliance with the standard.

**2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.**

The understood purpose of the standard, being to encourage a high quality standard of development, is relevant to the development, however as discussed above, the zone objective most relevant to the standard is considered to be satisfied despite the numerical non-compliance.

**3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.**

It is considered that the underlying object or purpose of the 10 metre setback development standard is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development. If the 10 metre setback control was to be strictly enforced, in relation to the proposed building, its subsequent location would be within the eastern car park aisle, rendering the proposal dysfunctional and unable to be supported by Council, thereby depriving the public of an additional food and drink premises, preventing the expansion of economic activity within Campbelltown, and reducing the opportunity for an additional building on the site to contribute positively towards the streetscape.

It is considered that the proposed non-compliant setback would achieve a better aesthetic and functional outcome for the development than if the setback was increased to 10 metres. Therefore, the objective most relevant to the standard, being to encourage high quality and functional development, would be thwarted if compliance was strictly enforced, and as such, given the circumstances of the case, compliance with this standard may be reasonably argued to be unreasonable.

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**4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.**

It is not considered that the setback standard has been abandoned by continually allowing variations to the standard in question. Council has on occasion granted variations to the setback standards stipulated under Clause 37 of the CLEP 2002 where the variation has been justified by a sound objection submitted under SEPP 1. However, it should be noted that the Campbelltown Local Environmental Plan 2015, which has replaced the CLEP 2002, does not contain any setback provisions. Rather, these are now only contained within the Campbelltown Sustainable City Development Control Plan 2015.

In the present case, the proposed variation is justified on the basis that the proposed development would satisfy the objectives of the standard notwithstanding numerical non-compliance with the standard, and that strict compliance with the standard in question would stifle the proposed development and render it dysfunctional. Supporting the applicant's objection would not undermine Council's ability to consistently enforce the setback controls of the CLEP 2002 for any other applications to which they relate (which would be a very small number of applications, if any).

**5. Compliance with the development standard is unreasonable or inappropriate due to the existing use of land and the current environmental character or the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.**

The existing use of land and the environmental character of the land is not a relevant factor in the consideration of this objection.

In consideration of the five part test for evaluation of the objection to the setback development standard in question, it is considered that the circumstances of the case warrant the variation of the standard, and that the reduced setback should be accepted.

## **2.4 Campbelltown (Urban Area) Local Environmental Plan 2002**

The subject site is zoned 4(b) - Industry B Zone under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. The proposed development is defined as a refreshment room and is permissible with Council's development consent within the zone.

The proposal is consistent with several zone objectives, particularly:

- to encourage activity that will contribute to economic and employment growth in the City of Campbelltown, and
  - to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development, and
  - to ensure development will not be carried out if the processes to be carried on, the transportation to be involved or the plant, machinery or materials to be used interfere unreasonably with the amenity of the area.
-

Clause 31 of CLEP 2002 (Controls for outdoor advertising) states that business identification signs do not require consent. The proposed signs display the business's name, and therefore do not require consent. However, it is considered that the proposed signage is modest and reasonable, having regard to the development's location and existing signage nearby.

Clause 37 of CLEP 2002 states that consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4 (a) or 4 (b) which is within 30 metres of Campbelltown Road, and within 10 metres of any other public road not specifically listed. The proposed building would be greater than 30 metres from the Campbelltown Road property boundary, but would be less than 10 metres from the Rennie Road property boundary. Specifically, the proposed building would be located 4 metres from the Rennie Road property boundary.

The applicant has submitted an objection pursuant to State Environmental Planning Policy 1 – Development Standards, arguing that compliance with the 10 metre setback control in question would be unreasonable and unnecessary. This aspect of the application has been discussed in detail in the section prior, and is briefly discussed below. The arguments outlined within the applicant's SEPP 1 objection are the following:

- The two existing buildings on the site do not satisfy the 10 metre setback requirement, as both buildings encroach significantly within the 10 metre setback to Rennie Road (2.861 metres for the Oporto/P3 building and 6.6 metres for the Hooters building).
- The proposed location of the Harry's Café de Wheels building is such that it would be unseen within the streetscape until a vehicle or person passes beyond the Oporto/P3 building when travelling towards the site on Rennie Road. Therefore the streetscape character would not be detrimentally affected, but enhanced by the proposed building's façade treatment and finishes, defining its high architectural merit.
- The area surrounding the proposed building would be landscaped, providing a landscape buffer between the building and Rennie Road. Building form and character refer to the collective result of a number of different elements of building design and siting, which when combined make up the appearance and feel of the built environment. Through good quality design, the character of development can be enhanced.
- The non-compliant front building setback does not represent and overdevelopment of the site, does not result in a visually dominating development and does not result in negative externalities upon adjoining or nearby development.

Assessment of the applicant's objection to the development standard against the relevant parts of SEPP 1 and the associated guidelines as outlined above has revealed the following outcomes:

- Council can assume the Director General's concurrence in respect of the SEPP 1 objection in this instance.
  - The non-compliance does not raise any matters of state or regional planning significance.
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- The public benefit of maintaining the 10 metre setback control outlined by CLEP 2002 would be minimal, and a greater public benefit would be achieved by varying the control.

In consideration of the five part test for evaluation of the objection to the setback development standard in question, it is considered that the circumstances of the case warrant the variation of the standard, and that the reduced setback can be accepted.

## **2.5 Draft Campbelltown Local Environmental Plan 2014**

The application was lodged after the commencement of the exhibition of the draft Campbelltown Local Environmental Plan 2014 (CLEP 2014) on 12 June 2014 and prior to its gazettal as Campbelltown Local Environmental Plan 2015. Accordingly, under Section 79C(1)(a)(ii), the provisions of the draft Plan must be taken into consideration in the assessment of the application. An assessment of the application against the relevant provisions of the Plan is presented below:

### **Zoning**

The subject site is zoned B5 Business Development under the provisions of draft Campbelltown Local Environmental Plan 2014. The proposed development is defined as a 'restaurant or café' and is permissible with Council's development consent within the B5 Business Development zone.

### **Zone objectives**

The proposal is consistent with several objectives of the B5 zone, particularly:

- to enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- to build and maintain the economic strength of existing centres by limiting retailing activity and discouraging office development.
- to encourage the development and continuation of light industries and to enable their successful integration and coexistence with other uses permissible in the zone.
- to provide for a range of facilities and services to meet the day-to-day needs of workers in the area.
- to facilitate diverse and sustainable means of access and movement

### **Height of buildings**

A maximum building height of 15 metres applies to the site under the draft CLEP 2014. The proposed building would have a height of 4 metres and therefore complies with this standard.

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**2.6 Campbelltown (Sustainable City) Development Control Plan 2014****Part 2 - Requirements applying to all types of development**

The general provisions of Part 2 of the plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the plan is discussed as follows:

**Sustainable Building Design** – The proposed building is less than 100 square metres, and therefore is not required to provide a rainwater tank.

**Landscaping** – The application proposes to replace the existing landscaping at the front of the property with new high quality landscaping, containing a mixture of shrubs and trees. The proposed landscaping would enhance the quality and character of the streetscape and is considered to be satisfactory.

**Security** - The application was referred to the Campbelltown Local Area Command of the NSW Police. The Police conducted an assessment of the application against the principles of CPTED (Crime Prevention Through Environmental Design) and advised that the crime risk of the proposed development is low. The Police provided recommendations in respect of the proposed development, which have been included as conditions of consent.

**Waste Management** – The proposed food premises would be required to cater for its own waste collection service. The waste bins would be stored within a timber-screened enclosure.

**Part 6 – Commercial Development**

The application has been assessed against the relevant parts of Part 6 of Campbelltown Sustainable City DCP 2014.

Standard	Required	Proposed	Compliance
<b>Building form and character</b>	Large expansive blank walls on ground floor levels are not permitted.	All walls would have sufficient articulation.	Yes
	All building facades, including rear and side elevations visible from a public place or adjacent to residential areas, shall be architecturally treated to enhance the quality of the streetscape.	All facades would be architecturally treated and would enhance the quality of the streetscape.	Yes
	The main entry to the building shall be easily identifiable from the street and directly accessible through the front of the building.	Both serveries would be visible from the street.	Yes
	Roof mounted plant		

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8.2 Construction Of A Takeaway Food Premises At No. 4 Rennie Road, Campbelltown

	<p>rooms, air conditioning units and other services and equipment shall be effectively screened from view using integrated roof structures and architectural elements.</p> <p>Except in the case of an outdoor cafe, the design of the development shall not provide for outdoor display and/or storage.</p>	<p>Proposed metal screening would conceal rooftop mechanical equipment. A recommended condition would require all rooftop equipment to be concealed by this screening.</p> <p>Outdoor seating is proposed for the café.</p>	<p>Yes</p> <p>Yes</p>
<b>Car parking</b>	<p>Restaurants – 1.5 parking spaces per 10sqm gross floor area (133 spaces required for the four restaurants)</p> <p>Off street parking and loading shall be designed in accordance with <i>Australian Standards 2890.1 and 2</i></p> <p>The area for manoeuvring of delivery and service vehicles is separate from vehicle parking areas.</p> <p>Safe and convenient access is provided for pedestrians.</p> <p>Where practicable, loading bays shall be separated from parking and pedestrian access.</p> <p>No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways.</p>	<p>Total number of parking spaces available on site = 96 (including removal of five spaces)</p> <p>The vehicle manoeuvring areas would be separate from the vehicle parking areas.</p> <p>A pedestrian crossing would allow pedestrian access from the street to the seating area.</p> <p>Complies</p> <p>Loading and unloading would be carried out using light vans within a regular car parking space, and would occur outside of peak trading periods.</p> <p>Due to the small size of the proposed tenancy, only a light van would be required for loading purposes. Accordingly, loading would occur within a regular car parking space, and would occur outside of peak trading periods.</p>	<p>No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

## 8.2 Construction Of A Takeaway Food Premises At No. 4 Rennie Road, Campbelltown

	A premises up to 200 square metres shall provide a loading area to allow for a small rigid vehicle to manoeuvre on site.	No loading docks are proposed as part of the proposal.	Yes
<b>Maximum Building height</b>	Two storeys	Single storey	Yes
<b>Building Setbacks</b>	30 metres to Campbelltown Road	35 metres	Yes
	10 metres to other public roads	4 metres to the Rennie Road property boundary	No
<b>Landscaping</b>	Landscaping shall be provided between the primary street boundary and the building.	Landscaping would be provided between the primary street boundary and the building.	Yes
	All landscaped bays shall be a minimum 2 metres wide and allow for deep soil planting.	The landscaping bay at the front of the site is wider than 2 metres and would allow for deep soil planting.	Yes
	Landscaped areas shall be separated from driveways and car parking areas by a suitable device such as bollards or concrete wheelstops to ensure that the landscaping is not damaged as a result of vehicular movement.	Kerbs and wheel stops would separate and protect landscape areas from vehicular manoeuvring an car parking areas.	Yes

**Building setback**

Consistent with the relevant provisions of CLEP 2002, Part 5 of the CSCDCP specifies that a building must be set back a minimum of 10 metres from a public road. The non-compliance with the setback standard has been discussed earlier in this report, and is considered to be satisfactory for the following reasons:

- The two existing buildings on the site do not satisfy the 10 metre setback requirement, as both buildings encroach significantly within the 10 metre setback to Rennie Road (2.861 metres for the Oporto/P3 building and 6.6 metres for the Hooters building).
- The proposed location of the Harry's Café de Wheels building is such that it would be unseen within the streetscape until a vehicle or person passes beyond the Oporto/P3 building when travelling towards the site on Rennie Road. Therefore the streetscape character would not be detrimentally affected, but enhanced by the proposed building's façade treatment and finishes, defining its high architectural merit.

## 8.2 Construction Of A Takeaway Food Premises At No. 4 Rennie Road, Campbelltown

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- The area surrounding the proposed building would be landscaped, providing a landscape buffer between the building and Rennie Road. Building form and character refer to the collective result of a number of different elements of building design and siting, which when combined make up the appearance and feel of the built environment. Through good quality design, the character of development can be enhanced.
- The non-compliant front building setback does not represent an overdevelopment of the site, does not result in a visually dominating development and does not result in negative externalities upon adjoining or nearby development.

It is considered that the proposed variation would not detrimentally affect the amenity of the surrounding locality, and accordingly, it is recommended that the variation to Council's setback control be supported.

### **Car Parking**

Based on the car parking rates outlined in the SCDCP, the subject site fails to provide a compliant number of car parking spaces by a significant margin. However, the site has been the subject of numerous parking surveys and assessments that have sought to quantify the actual car parking demand of the various components of the site. Variations to the SCDCP car parking rates have been accepted previously based on such quantifications.

With respect to the current application, a car parking survey was conducted on Saturday 27 August 2016 between 6:30pm and 9:30pm, which has previously been established as the peak regular trading period for the existing restaurants on the site. The parking survey found that the peak in car space occupancy occurred at 7:45pm with a total of 76 of 101 car spaces occupied. If the three car parking spaces that would be required based on the gross floor proposed Harry's Café de Wheels building is added to these 76 spaces, a total demand of 79 spaces is arrived at. A total of five car parking spaces would be deleted as part of the proposed development to make way for the proposed building, meaning that the site would have 96 car parking spaces, which is considered in the circumstances sufficient to accommodate all four restaurants that would be located on the site.

However, the recorded peak total car parking demand of 76 spaces on 27 August 2016 is not likely to be the highest or even the average peak parking demand of the site. Based on previous car parking surveys, it is apparent that the Hooters restaurant has significant fluctuations in its patronage and car parking demand, and that these fluctuations have a seasonal element to them.

The parking survey of 27 August 2016 established that of the 76 spaces occupied, 41 of these were attributable to Hooters patrons and staff. However, previous parking surveys have established that the normal maximum parking demand attributable to Hooters (outside of the pre-Christmas period where Christmas parties are held) is 55 spaces. This would make the total parking demand of the site 90 spaces, which can still be comfortably accommodated by the 96 parking spaces that would remain available for use.

A parking survey conducted during the 2013 pre-Christmas trading period found that the car parking demand attributable to Hooters was 73 car parking spaces. If this level of car parking demand was experienced at the site again, its total car parking demand would be 108 spaces, which would exceed the 96 car parking spaces that would be available on the site. However, the level of patronage at Hooters required for the site to reach this maximum car parking demand would only be experienced on one or two nights per year, for a period of approximately two hours. At these times, it is likely that potential customers of the site would

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either leave the site, having been unable to secure a parking space, or enter one of the drive-through lanes to purchase takeaway food.

Premises are not typically expected to account for the peak parking demand on every trading day of the year, particularly when a premises has very infrequent seasonally-based spikes in parking demand. In the present case, the site would have sufficient car parking capacity (96 spaces) following the establishment of the proposed takeaway food premises to accommodate the normal maximum demand for parking generated by the restaurants located on the site. In this regard, the proposed provision of car parking at the site is considered to be satisfactory, despite the failure to comply with the numerical car parking standards of the SCDCP.

### **3. Planning Assessment**

An Endeavour Energy transmission easement for underground transmission transverses the site in a north-west to south-east orientation, and the proposed building would straddle the easement. Accordingly, the applicant obtained the approval of Endeavour Energy. Endeavour's approval requires the applicant to remove the container whenever maintenance of the underground transmission line is required.

### **4. Public Participation**

The application was not required to be notified to surrounding property owners pursuant to the provisions of the Campbelltown Sustainable City Development Control Plan 2014.

### **5. Conclusion**

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act* 1979 and the issues raised above, it is considered that the application is consistent with the relevant planning legislation.

The application is generally compliant with the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002 and Campbelltown Sustainable City Development Control Plan 2014, with the exception of the required setback to Rennie Road and the numerical car parking requirements for restaurants. However, as discussed within the report, the proposed setback is considered to be justified, and the proposed car parking provision is considered to be satisfactory, based on parking surveys that have recorded the actual car parking demand of the existing restaurants. Accordingly, the application is recommended for approval.

### **Officer's Recommendation**

1. That Council allow the objection to the 10m boundary setback standard under clause 37 of Campbelltown (Urban Area) Local Environmental Plan 2002.
  2. Subject to recommendation 1, Council approve the development application 257/2016/DA-C for the construction of a takeaway food premises, subject to the conditions detailed in attachment 1 of this report.
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## ATTACHMENT 1

### Recommended Conditions of Consent

#### GENERAL CONDITIONS

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

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

#### 1. Approved Development

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

Plan/ Document No.	Version/ Revision	Prepared by	Date
PN1370 01	J	Design Workshop	19 September 2016
PN1370 02	I	Design Workshop	16 January 2017
PN1370 03	K	Design Workshop	19 September 2016
1163 Sheet 1		Bill Muir Landscape Architect	21 September 2016
"Neon Signs Campbelltown"		Design Workshop	Received February 2016
Colour Perspective Drawings		Planning Principles	Received November 2016

This consent provides for the construction and operation of the approved restaurant/café only. It does not permit the use of the site for other events that may be associated with the restaurant/café's trading. Separate events require consent from Council.

#### 2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

#### 3. Landscaping

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

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#### **4. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

Any rooftop services and equipment shall be fully concealed by the metal screening shown on the approved plans.

#### **5. Switchboards/Utilities/Air Conditioning Units**

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached the building and shall not be seen from a public place.

#### **6. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made within one of the approved car parking spaces.
- d. All deliveries shall occur outside of peak trading times.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

#### **7. Lighting**

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

#### **8. Storage of Goods**

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

#### **9. Graffiti Removal**

In accordance with the environmental maintenance objectives of Crime Prevention Through Environmental Design, the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

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**10. Operating Hours**

The use of the premises/business shall be limited to 7am to midnight, seven days per week.

**11. Car Parking Spaces**

96 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1, 2 and 6 (as amended).

**12. Rubbish/Recycling Bin Storage**

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

The bin(s) shall only be stored in accordance with the approved plans.

**13. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall obtain a construction certificate for the particular works;
- b. the applicant shall appoint a principal certifying authority; and
- c. the private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

**14. NSW Police Conditions**

The following conditions have been imposed by the NSW Police, following an assessment of the development against the principles of Crime Prevention Through Environmental Design.

**Surveillance**

Surveillance equipment should be installed to enhance the physical security of the premises and assist in the identification of people involved in anti-social or criminal behaviour. Cameras should be installed both within the around the business to maximize surveillance opportunities. Cameras should monitor the cashier's area, high cost merchandise areas with poor natural supervision. TV monitors should enable staff to monitor activities on the camera. Recording equipment should be installed away from the counter area to avoid tampering. Once installed, staff should be trained in the operating procedures of the equipment. Any surveillance system should be manufactured and installed by a qualified and reputable company and regularly function tested. Ensure that the requirements of the Surveillance and Privacy Act are adhered to.

Lighting should be designed to the Australian and New Zealand Lighting Standards. Australia and New Zealand Lighting Standard 1158.1 - Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels. A lighting maintenance policy should be established for the development.

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**Landscaping**

Obstacles and rubbish shall be removed from property boundaries, footpaths, driveways, car parks and buildings to restrict concealment of offenders. Any new landscaping should be designed so that it does not provide concealment or entrapment areas, and should be maintained regularly.

**Territorial Re-enforcement**

Effective signage and/or directional signs must be installed to provide guidance to visitors in locating prohibited areas. Warning Signs can assist in controlling activities and movements throughout the premises and grounds. Warning signs shall be posted around the perimeter of the business to warn intruders of what security treatments have been implemented to reduce opportunities for crime, such as,

Warning. Trespassers will be prosecuted.

Warning. This property is under electronic surveillance.

Warning. No large amounts of cash are kept on these premises.

**Environmental Maintenance**

As malicious damage (graffiti) is often an offence caused to such developments, strong consideration must be given to the use of graffiti resistant materials, particularly on the fences, ground floor and areas which are accessible by other structures to reduce such attacks or assist in the quick removal of such attacks.

A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally with a forty-eight hour period.

**Space/Activity Management**

External seating shall be of solid construction which is securely fixed to a solid surface and of graffiti and damage resistant material. Other furniture should also pose no threat to being used as a weapon or used to cause malicious damage. This includes the planter boxes and potential inclusion of garden rocks etc.

**Access Control**

The main entry/exit points for this development should be fitted with single cylinder locksets (Australia and New Zealand Standards - Locksets), which comply with the Building Code of Australia. Windows can also be re-enforced to restrict unauthorized access by Applying a shatter resistant film. Bollards or barriers can be installed to reduce the opportunity for ram-raid attacks.

**General Recommendations**

A safe designed and installed to the Australian Standards can provide additional security to money and other valuables. To enhance the security of the business, a monitored intruder alarm system is recommended. The applicant shall consider incorporating a duress facility into the system to enable staff to activate the system manually in the event of an emergency, such as a robbery.

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**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

**15. Utility Servicing Provisions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

**16. Waste Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, the relevant provisions of Council's *Waste Management Plan* is to be completed to the satisfaction of Council.

**17. Stormwater Management Plan (Development)**

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from building to the site's existing stormwater system. All proposals shall comply with the Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended).

**18. Design for Access and Mobility**

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

**19. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
  - b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.
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**20. Sydney Water**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

**21. Erosion and Sediment Control**

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

**22. Erection of Construction Sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**23. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

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- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

#### **24. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

#### **25. Public Property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

#### **26. Hoarding/Fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with WorkCover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the *Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

#### **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

#### **27. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work.

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**28. Erosion and Sediment Control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

**Note: On the spot penalties up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.**

**29. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a Work Zone external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable Traffic/Pedestrian Management and Control Plan for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

**30. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

**31. Completion of Construction Works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

**PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: Under this subheading, for the purpose of issuing an occupation certificate, any reference to occupation certificate shall also be taken to mean interim occupation certificate.

**32. Section 73 Certificate**

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Prior to the principal certifying authority issuing an occupation certificate (or subdivision certificate, whichever shall occur first), a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

### **33. Completion of External Works Onsite**

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

### **34. Public Utilities**

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

### **35. Council Fees and Charges**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

## **FOOD CONSTRUCTION CONDITIONS**

The following conditions have been applied to ensure that all construction and fit-out of the food premises complies with the *Food Act 2003*, *Food Regulation 2015* Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fit-out of food premises.

### **36. Construction**

The construction, fit-out and finishes of the food premises must be constructed in accordance with the *Food Act 2003*, *Food Regulation 2010*, Food Standards Code Australia and New Zealand and Australian Standard 4674-2004 Design, construction and fit-out of food premises.

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**37. Food Premises Fit-Out Pre-Construction Meeting and Inspection**

Prior to any construction work commencing on the fit-out of the food premises, the applicant/builder/private certifier must contact Council's Environmental Health Officers on (02) 4645 4604 to arrange an onsite meeting to discuss the requirements of the fit out under this Consent.

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted on (02) 4645 4604 to undertake an inspection of the premises to confirm compliance with this Consent, the *Food Act 2003*, *Food Regulation 2010*, Food Standards Code Australia and New Zealand and AS 4674-2004.

**38. Registration**

The premise is required to be registered with Council. Regular inspections will be carried out to ensure health standards are maintained. A business registration form is available on Council's website and must be completed and submitted to Council prior to the operation of the food business commencing (Food Safety Standard 3.2.2).

**49. Food Safety Supervisor**

Food businesses selling ready-to-eat potentially hazardous foods are required by law to appoint a Food Safety Supervisor that has undertaken food safety training at a registered training organisation approved by the NSW Food Authority.

**40. Floor Construction**

The floor construction within the food preparation area/s must be finished to a smooth, even non-slip surface, graded and drained to a floor waste (AS 4674-2004, Section 3.1).

**41. Floor Waste**

Floor wastes in food preparation and food service areas must be fitted with sump removable stainless steel baskets and grates (AS 4674-2004, Section 4.1.8).

**42. Coving**

Feather edge skirting and non-rebated coving is not permitted. Recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service and storage areas. All coving must:

- a. Have a minimum concave radius of 25mm; or
- b. Be tiled 50mm minimum in width and splayed at 45°.

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the Australian Standard (AS 4674-2004, Section 3.1.5).

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**43. Penetrations/Service Lines**

INTEGRAL PENETRATIONS/SERVICE LINES - All service pipes, conduits and electrical wiring must be concealed in the floor, walls, plinths or ceiling (AS 4674-2004, Section 3.2.9).

EXTERNAL PENETRATIONS/SERVICE LINES - External service pipes and electrical conduit must be fixed on brackets so to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces. Service pipes and electrical wiring must not be placed in the recessed toe space of plinths or of any equipment (AS 4674-2004, Section 3.2.9).

**44. Wall Requirements**

Cavity walls are not permitted. All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS 4674-2004. The finishing materials of the wall surfaces must provide an even surface, free of fixing screws, open joint spaces, cracks or crevices (AS 4674-2004, Section 3.2).

**45. Ceiling Construction**

Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served. The ceiling in the food premises must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed (AS 4674-2004, Section 3.2).

**46. Light Fittings**

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. Recessed so that the diffuser is flush with ceiling; or
- b. Designed to ensure that no horizontal surface exists which would allow dust and grease to accumulate (AS 4674-2004, Section 2.6.2).

**47. Hand Wash Basins**

Hand wash basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible from no further than 5 metres away from any place where food handlers are handling open food (AS 4674-2004, Section 4.4).

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least 40°C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand wash basin. A waste receptacle for used towels must be provided (AS 4674-2004, Section 4.4).

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**48. Dishwashing Machines**

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS 4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for two minutes or 75°C for 10 minutes (AS 4674-2004, Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings.

**49. Equipment Wash Sinks**

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 – Section 4.1). The double bowl sink is in addition to the hand wash basin.

or

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS 4674-2004, Section 4.1).

**50. Food Preparation Sink**

A food preparation sink is required where foods are prepared by immersion in water including for cleaning fruit or vegetables. All food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sinks (AS 4674-2004, Section 4.1).

**51. Cleaner's Sink**

A cleaner's sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

**52. Fittings and Fixtures**

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS 4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
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- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

False bottoms under fittings are not permitted (AS 4674-2004, Sections 4.2 and 4.3).

### **53. Food Preparation Benches**

All food preparation benches must be constructed of stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

### **54. Benches**

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices (AS 4674-2004, Section 4.2).

### **55. Storage Cabinets/Cupboards**

All storage cabinets/cupboards (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS 4674-2004, Section 4.2).

### **56. Shelving**

All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150mm from the floor level (AS 4674-2004, Section 4.2).

### **57. Food Display Units**

All food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Standards Code 3.2.2).

### **58. Food Storage**

Any appliance used for the storage of hot and/or cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

### **59. Cool Room and Freezer Room**

The cool room and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the cool room and freezer room adjacent to the door.

All metal work in the cool room and freezer room must be treated to resist corrosion.

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Condensation from the refrigeration units/cool room/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The cool room and freezer room must be provided with:

- a. A door which can at all times be opened internally without a key; and
- b. An approved alarm device located outside the room, but controllable only from the inside.

## **60. Condensation Collection**

Condensation from refrigeration units, freezer units and coffee machines must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

## **61. Mechanical Exhaust Ventilation**

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2-2012: The use of ventilation and air conditioning in buildings - Part 2: Mechanical ventilation in buildings and where applicable, Australian Standard 1668.1-1998: The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings, where:

- a. Any cooking apparatus has:
  - i. A total maximum electrical power input exceeding 8 kW; or
  - ii. A total gas power input exceeding 29 MJ/h; or
- b. The total maximum power input to more than one apparatus exceeds:
  - i. 0.5 kW electrical power; or
  - ii. 1.8 MJ gas per m<sup>2</sup> of floor area of the room or enclosure; or
- c. Any deep fryer.

Documentation from a mechanical engineer certifying that the mechanical ventilation system, as installed, complies with the AS/NZS 1668.1:1998 and 1668.2-2012, must be provided to the certifying authority prior to the issue of an Occupational Certificate.

## **62. Pest Protection**

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS 4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes must be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between cool room walls and premises walls, must be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests. Spaces between the top surface of equipment or structures, such as cool rooms, must be accessible for inspection and cleaning or sealed/boxed in so that they are inaccessible to pests.

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**63. Toilet Facilities and Hand Basins**

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. An intervening ventilated space fitted with self-closing doors; or
- b. Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

**64. Locker Storage for Staff Belongings and Equipment**

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS 4674-2004, Section 5.1).

**65. Hot Water Service**

The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS 4674-2004, Section 4.3).

**66. Smoke Free Areas**

Any enclosed eating area must be smoke free. Smoking is not permitted in all outdoor eating areas. No Smoking signs must be displayed within the eating areas to ensure all patrons comply with this requirement (*Smoke Free Environment Act 2000*). Please refer to NSW Health website for further information <http://www.health.nsw.gov.au>

**67. Construction of the Waste Storage Areas and Rooms**

The waste storage area/room must be provided with smooth and impervious surfaces (walls and floors) and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning.

Open waste storage areas must be appropriately covered and bunded to avoid stormwater entering the sewer. The ground areas must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water's requirements. A hose tap connected to a water supply must be provided (AS 4674-2004, Section 2.4).

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**68. Waste and Recycling Storage, Collection and Disposal**

The business operator must enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business are to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

Waste bins that are placed out on a public place for collection must only be placed out for collection on the day of the collection after 6.00pm and must be removed by 8.00am the following day. Any residual waste left on the public place as a result of bin placement must be removed within undue delay by the food business operator.

**69. Grease Arrestors**

All grease arrestors must be located outside of where food and equipment is handled or stored. Access to grease arrestors for emptying must not be through an area where open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS 4674-2004, Section 2.3).

Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to issue of an Occupation Certificate.

Please contact Sydney Water for information and requirements for grease arrestors by calling 13 20 92.

**70. Store Room**

The storeroom must be constructed in accordance with AS 4674-2004 by providing the following:

- a. A smooth, even and non-slip floor surface
- b. Walls must be provided with a smooth, even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004
- c. The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS 4674-2004, Section 3.2)
- d. Shelving or storage racks must be designed and constructed to enable easy cleaning
- e. Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape of heat and odour that can be produced from refrigeration and freezer motor units.

**ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979*, Environmental Planning and

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Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

**Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The *Environmental Planning and Assessment Act 1979* requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

**Advice 2. Provision of Equitable Access**

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

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

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

**Advice 3. Covenants**

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

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**Advice 4.      *Smoke Free Environment Act 2000***

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the *Smoke Free Environment Regulations 2007* (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

**Advice 5.      *Dial before you Dig***

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

**Advice 6.      *Telecommunications Act 1997 (Commonwealth)***

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

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

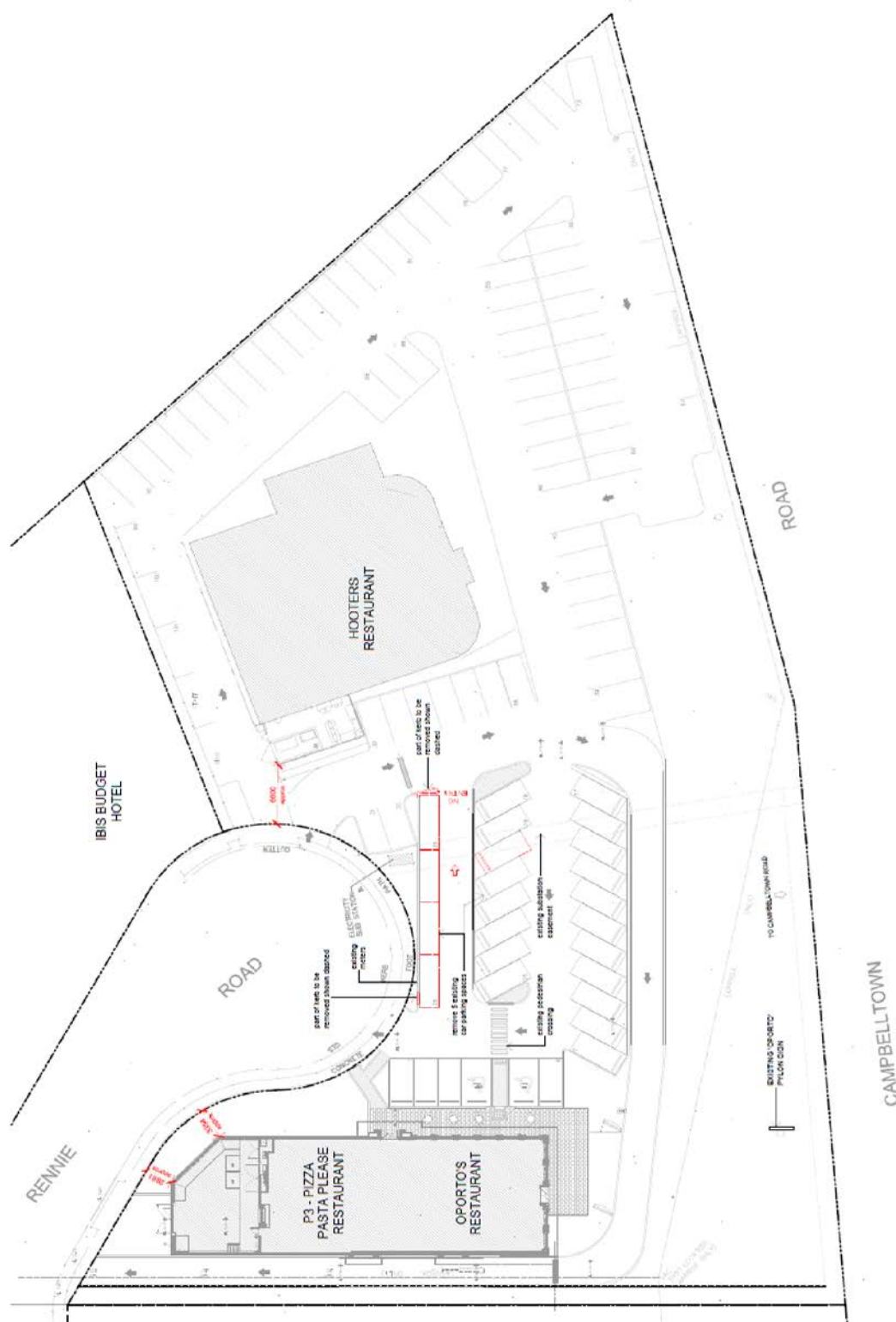
**END OF CONDITIONS**

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## ATTACHMENT 2



Site location – No. 4 Rennie Road, Campbelltown

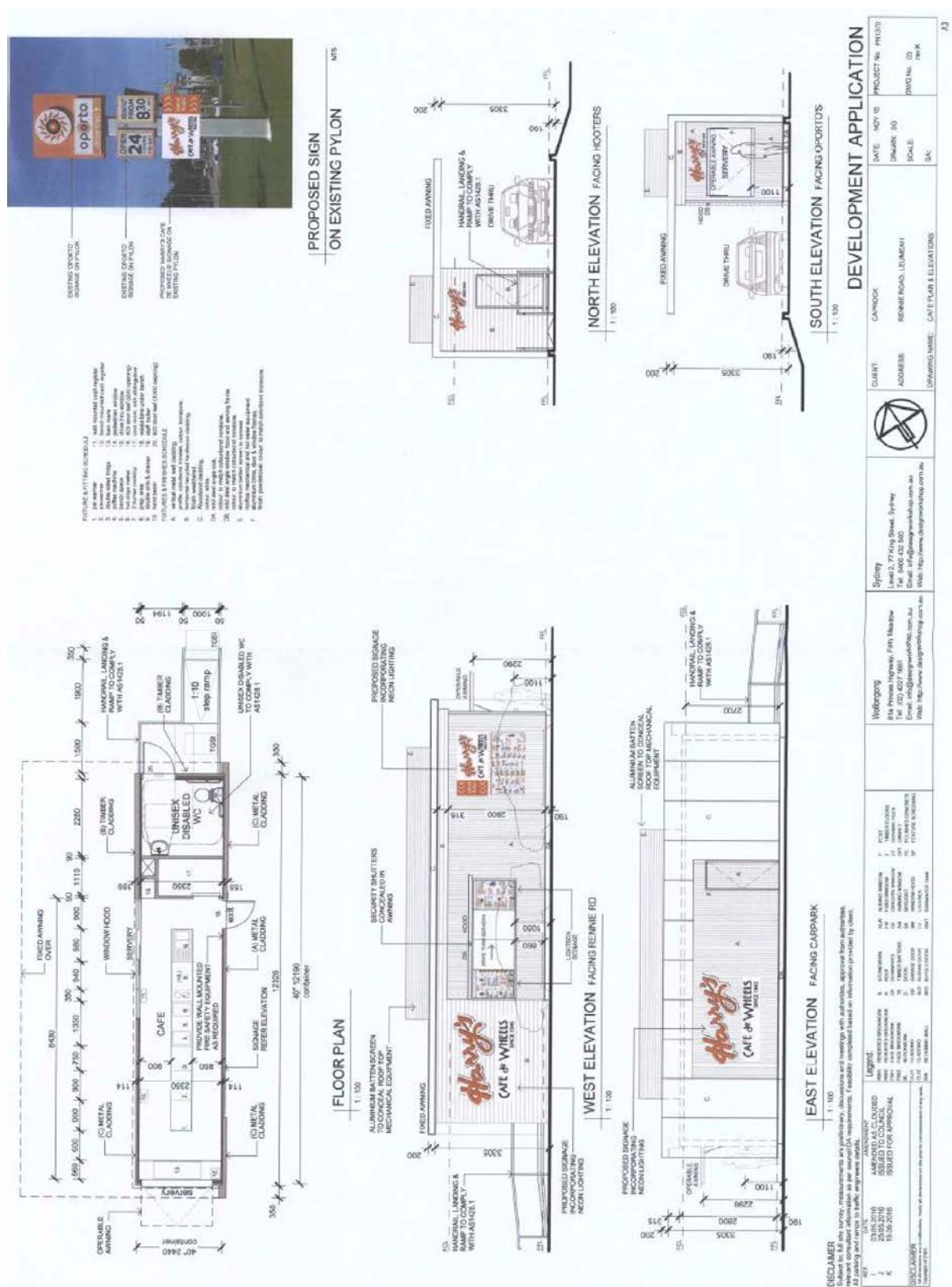


**DISCLAIMER:**  
Subject to full site survey, measurements are preliminary, discussions and meetings with authorities, approvals from authorities, required notification information to the relevant TIA requirements. Selections completed should not be interpreted by client.

[illegible]



## ATTACHMENT 4







## ATTACHMENT 6





8.2 Construction Of A Takeaway Food Premises At No. 4 Rennie Road, Campbelltown

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## **8.3 Varroville Lawn Cemetery - Avenues of Appeal**

### **Division**

City Development

### **Reporting Officer**

Director City Development

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### **Attachments**

Nil

### **Purpose**

Response to the Council's request seeking information on possible avenues of appeal against the decision made by the Sydney West Joint Regional Planning Panel (the Panel) to recommend that the Planning Minister approve the inclusion of an additional permitted use Cemetery to the land at 166-176 St Andrews Road, Varroville.

### **History**

On 9 September 2016, in consideration of a Planning Proposal application seeking the inclusion of an additional permitted use Cemetery to the land at 166-176 St Andrews Road, Varroville, the Panel made the decision to recommend that the Minister for Planning approve the subject Planning Proposal and approve the inclusion of an additional permitted use Cemetery to the subject land.

In the case that the Minister approves the inclusion of the additional permitted use, an applicant will have the right to lodge a formal Development Application with the relevant Consent Authority, seeking approval for the development of a cemetery on the subject site.

Subsequent to this, Council at its meeting of 25 October 2016 requested the following report:

That an urgent report be presented investigating all possible avenues of appealing the recent zoning application by the Joint Regional Planning Panel for a 136,000 plot cemetery within the Scenic Hills.

### **Report**

In response to the above resolution, an investigation was undertaken into whether or not appeal rights were available to appealing the Panel's decision to recommend that the Planning Minister approve the inclusion of an additional permitted use Cemetery to the land at 166-176 St Andrews Road, Varroville.

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As part of the investigation, legal advice was received that confirmed that despite the recommendation of the Panel, whilst ever no formal decision is made by the Planning Minister on the Planning Proposal application, no avenues of appeal would be available in order to contest the Panel's decision.

A formal decision on the Planning Proposal has to be made by the Planning Minister or their delegate, before any avenues of appeal against the Planning Proposal become available.

### **Officer's Recommendation**

That the information be noted.

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## **8.4 NSW Asian Cup 2015 Legacy Fund - Proposed Projects**

### **Division**

City Lifestyles

### **Reporting Officer**

Executive Manager Sport, Recreation and Leisure

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### **Attachments**

Project Scoring Matrix evaluation worksheet (included in this report)

### **Purpose**

To advise Council of proposed projects for submission by local sporting clubs under the NSW Asian Cup 2015 Legacy Fund. To seek Council endorsement of proposed matching funds and landowner's consent where physical works are required to support clubs in the application under the funding.

### **Report**

#### **NSW Asian Cup 2015 Legacy Fund**

The NSW Asian Cup 2015 Legacy Fund (the Fund) is an initiative of the NSW Government, Football NSW (FNSW) and Northern NSW Football (NNSWF), which has been established with the NSW Government's surplus from the 2015 AFC Asian Cup. It provides funding assistance to community football clubs (Clubs) to partner with local stakeholders to improve the quality, availability and standard of their facilities. Only one application can be made by each club and/or association. Local Councils and Government bodies are not eligible to apply.

The program provides up to 50 per cent of project costs, where the applicant is required to secure at least 50 per cent. The smallest grant available is \$50,000 and the maximum is \$150,000.

#### **About the Program**

The overall objectives of the program are to:

- improve the quality and/or quantity of community football club facilities
  - improve the football experience for players, referees, coaches, administrators and spectators
  - provide opportunities for more participants to play more football, more often
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## 8.4 NSW Asian Cup 2015 Legacy Fund - Proposed Projects

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- improve safety at community football facilities (e.g. upgrade of field to provide a safer playing field, access pathways for players, disability ramps)
- promote inclusive football opportunities within Clubs (e.g. upgrade of amenities to increase female participation, provision of disability access, upgrade of referee amenities)
- increase security at community football facilities (e.g. installation of perimeter fencing).

The following sets out the process of the program:

- the first round of funding under the program opened 5 September 2016
- the first round of funding applications closes on Friday 24 February 2017
- projects should commence within six months of the announcement of successful projects
- organisations have 18 months to complete the project from the date the funding contract is accepted.

### **Consultation with Local Clubs**

Council Officers advised local clubs of the program and offered assistance. Clubs were also asked to advise of projects that they wished to be considered before lodging an application. This is to ensure that Council has the opportunity to consider proposed project in light of the draft Sport and Recreation Strategy, funding obligations in the context of Fit for the Future priorities as well as any landowner requests. Clubs were requested to provide advice by no later than 15 January 2017 to be considered as part of the report. Seven proposals were received.

### **Strategic Content**

As the city grows more demand will be placed on Council's existing sport and recreation infrastructure as well as Council's financial resources. It is critical that Council consider the strategic alignment and priority in relation to the draft Sport and Recreation Strategy as well as the financial implications.

The Draft Sport and Recreation Strategy is currently on public exhibition (9 January 2017 - 17 February 2017) and provides a framework to prioritise projects. Prioritisation criteria to assist in the allocation of Council resources is set out below:

The projects:

- is situated within high growth area
  - improves the functionality of land (eg drainage, lighting, amenities, parking)
  - addresses safety/risk management issues
  - exposes Council to high risk if not addressed
  - is part of an endorsed master plan
  - is identified as a high need in the Sport and Recreation Strategy
  - is identified as a high need in other Council strategies
  - includes an existing facility/area that is at capacity
  - likely to increase operating efficiency or significantly reduce operating costs
  - has high likelihood of partnership funding
  - has minimum impact on sensitive environmental areas
  - has lower impact on future Council operating expenditure
-

## 8.4 NSW Asian Cup 2015 Legacy Fund - Proposed Projects

- benefits multiple community/user groups
- will be accessible for informal recreation use out of hours
- addresses lack of facility provision
- beneficiaries (if a club) have demonstrated financial/management capacity
- improves accessibility and/or participation opportunities for people with disabilities
- addresses urban amenity issue(s)
- has high potential for partnership funding.

Grant programs such as the NSW Asian Cup 2015 Legacy Fund offer an opportunity to advance capital works projects. It is unlikely that all projects will be successful through the grant process; however it is important that Council prioritise projects.

The table below sets out the projects proposed by Clubs, funding sources and level of funds being requested by each Club. A ranking for each project is also included based on the prioritisation criteria. The attachment to this report provides further details as to how this was assessed.

Council is also required to provide landowners consent and written notification to the Department to whether a development application is required or not.

Project Details	Club Contribution	Other Grants/Funds	Asian Cup Legacy Fund	Funds requested from Council	Total Project Cost	Rank
1. St Marys Football Club: Koorunga Reserve.  Project: Lighting upgrade Installation of four lighting poles.	Nil	Community Development Grant Program \$50,000  (Already secured through a Federal Govt. grant).	\$55,400	\$55,400	\$160,800	110
2. Eschol Park Football Club: Eschol Park.  Project: Lighting upgrade Installation of four lighting poles to field one basin two.	Nil		\$76,800	\$76,800	\$153,000	106
3. Gunners Football Club: Bensley Reserve.  Project: Lighting and fencing upgrade. Installation of two lighting poles, one to field one and one to mini field, with the installation of additional lights to the existing lighting poles. Also includes fencing between fields two and mini fields.	Nil		\$52,400	\$52,400	\$104,800	87

## 8.4 NSW Asian Cup 2015 Legacy Fund - Proposed Projects

Project Details	Club Contribution	Other Grants/Funds	Asian Cup Legacy Fund	Funds requested from Council	Total Project Cost	Rank
4. Minto District Football Club: Sarah Redfern Playing Fields.  Project: Lighting upgrade. Installation of four lighting poles to field one and field two.	Nil		\$76,800	\$76,800	\$153,600	94
5. Bradbury Ambarvale Football Club: Ambarvale Sports Complex.  Project: Lighting upgrade. Installation of four lighting poles to field one.	Nil		\$76,800	\$76,800	\$153,600	91
6. Ingleburn Eagles Soccer Club: Macquarie Fields Park.  Project: Lighting upgrade. Installation of three lighting poles to field one and field two.	\$5,000	Local Sports Grant Program \$25,000	\$62,600	\$32,400	\$125,200	81
7. Campbelltown Uniting Church Soccer Club: Lynwood Park.  Project: Lighting upgrade. Installation of four lighting poles to field three and field four.	Nil		\$76,800	\$76,800	\$153,600	72
<b>Totals</b>	\$5,000	\$125,000	\$447,600	\$447,400	<b>\$1,004,600</b>	

### Financial Implications

The total cost of the seven proposed projects amounts to \$1,004,600 excluding GST. The total amount for all seven projects requested from Council is \$447,400.

Musco Lighting Australia undertook an audit of the lighting needs of existing Campbelltown City Council sporting fields in 2014.

The Musco Lighting Audit has informed Council's Draft Sport and Recreation Strategy. The Strategy has identified a demand for playing field space. In order to service the demand arising out of population growth there is a requirement to expand the use of existing facilities which may be achieved via upgrading of existing lighting to competition standard and installation of lighting to unlit playing fields in order to support increased night activity. The schedule of works stated in the Strategy has refined the requirement to 131 poles, \$4.3m spread across 10 years and assigned a high, medium or low classification.

## 8.4 NSW Asian Cup 2015 Legacy Fund - Proposed Projects

The availability of alternate funding opportunities to reduce the future Council exposure of the provision of adequate lighting facilities is considered favourable. The advantage also extends to the opportunity to bring works forward along with the reduction in future financial commitment required by Council. A full commitment to all seven projects would require \$447,400 in capital funding to be allocated in the 2017-2018 budget period. The draft 2017-2018 budget proposes for Councils consideration of approximately \$1m towards sporting field infrastructure improvements which includes lighting.

Lifecycle costs - Prudent financial decision making requires that ongoing operating and maintenance costs must be also considered as each asset consumes more resources over the asset's service life. Each lighting pole has a useful life of 40 years, 20 years for fittings and will result in increased depreciation of \$29,000 per annum across the seven projects. Whilst increased depreciation impacts the Statement of Financial Performance and the associated Operating Performance Ratio and Building and Infrastructure Renewals Ratio, the amount is immaterial at less than 1 per cent of total annual depreciation.

In accordance with Council's Playing Fields Policy the operational costs of usage is borne by each club, junior or senior, utilising the lighting for training or competition at the fields allocated to them.

Council's Asset Management Plan identifies a service standard for the maintenance and inspection of assets and would require \$16,000 per annum across all seven projects to resource this additional requirement. The Plan also incorporates a forecast renewal requirement in 20 years of \$72,000 in today's dollars for the replacement of fittings and every 40 years \$525,000 for a complete replacement of poles and fittings.

Asian Cup Legacy Fund	Capital Cost	Renewal Cost - Fittings Only - 20 years	Renewal Cost - Poles/Fittings - 40 years	Annual Depreciation	Annual Maintenance	Annual Operational Costs - ie electricity
25 Poles across 7 projects	1,004,600	72,900	525,000	29,605	16,770	N/A - borne by Club

## Conclusion

The NSW Asian Cup 2015 Legacy Fund provides an opportunity to gain additional funding to progress infrastructure projects that have been identified through the Draft Sport and Recreation Strategy.

If contributing funding is approved, Council Officers will work with the Clubs to finalise funding applications, including all supporting information.

The total cost of all projects is \$1,004,600. The total exposure to Council if all projects are successful would be \$447,400. The Draft Sport and Recreation Strategy made reference to a range of minimum standards to maintain and encourage maximum use of Council facilities. Being able to floodlight to industry standards provides opportunities to spread the utilisation to adjoining fields and in doing so ensuring some individual fields are not over used while others are underutilised. This program would ensure that twelve full size fields and ten modified fields would meet the minimum requirements for football training.

Any unsuccessful projects, Council Officers will continue to work with clubs to identify other grant programs to assist Clubs to grow their participation in active sport.

### **Officer's Recommendation**

1. That Council endorse the proposed Asian Cup funding applications which are listed below in priority order:
    - i. St Marys Football Club: Kooronga Reserve up to \$55,400
    - ii. Eschol Park Football Club: Eschol Park up to \$76,800
    - iii. Gunners Football Club: Bensley Reserve up to \$52,400
    - iv. Minto District Football Club: Sarah Redfern Playing Fields up to \$76,800
    - v. Bradbury Ambarvale Football Club: Ambarvale Sports Complex up to \$76,800
    - vi. Ingleburn Eagles Soccer Club: Macquarie Fields Park up to \$32,400
    - vii. Campbelltown Uniting Church Soccer Club: Lynwood Park up to \$76,800
  2. That Council provide landowners consent for each of the proposed projects as contained in the report to the NSW Asian Cup Legacy Fund to enable the Clubs to submit applications for funding.
  3. That a further report be provided to Council when the outcomes of the Asian Cup applications are known for further consideration and confirmation of Council's contribution.
  4. That Council write to each Club submitting projects to advise of Council's decision.
  5. That Council writes to each of the State Members advising of Council's decision and seeking their support for the applications.
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## ATTACHMENT 1

### Appendix A

#### Scoring Matrix for Recommended Projects

Project	SC1	SC2	SC3	SC4	SC5	SC6	SC7	SC8	SC9	SC10	SC11	SC12	SC13	SC14	SC15	SC16	SC17	SC18	SC19	SC20	Score
Kooronga	8	8	6	6	No	10	0	10	8	8	10	2	0	0	8	4	2	0	8	10	110
Eschol Park	10	8	5	5	No	9	0	9	8	6	10	2	6	0	5	4	2	0	6	9	106
Bensley Reserve	8	8	2	4	No	8	0	10	8	8	10	2	0	0	4	4	2	0	5	8	87
Sarah Redfern	6	8	8	0	No	6	0	6	8	5	10	2	6	0	8	4	2	0	4	7	94
Ambarvale Sports Complex	6	8	8	0	No	7	0	6	8	8	10	2	0	0	8	4	2	0	6	6	91
Macquarie Fields Park	7	8	4	6	No	5	0	6	8	5	10	2	0	0	3	4	2	0	4	5	81
Lynwood Park	3	8	8	0	No	4	0	5	8	8	2	2	0	0	6	4	2	0	6	4	72

0 = N/A

10 = High Outcome

1. Facility is situated within high growth area
2. Improves the functionality of land (eg drainage, lighting, amenities, parking)
3. Addresses safety/ risk management issues
4. If not addressed, there is a high risk exposure to Council
5. Part of an endorsed master plan
6. Identified as a high need in the Sport and Recreation Strategy
7. Identified as a high need in other Council strategies
8. Existing facility/ area is at capacity
9. Likely to increase operating efficiency or significantly reduce operating costs
10. Has high likelihood of partnership funding
11. Has minimum impact on sensitive environmental areas
12. Has lower impact on future Council operating expenditure
13. Benefits multiple community/ user groups
14. Facility is accessible for informal recreation use out of hours
15. Addresses lack of facility provision
16. Beneficiaries (if a club) have demonstrated financial/ management capacity
17. Improves accessibility and/ or participation opportunities for people with disabilities
18. Addresses urban amenity issue(s)
19. Has high potential for partnership funding
20. Number of members

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## 8.5 Online Report

### Division

City Governance

### Reporting Officer

Executive Manager Corporate Support Systems

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### Attachments

Online Report – 1 July to 31 December 2016 (contained within this report)

### Purpose

To update Council on Council's overall online presence during the period July to December 2016.

### History

As part of Council's Online Strategy initiatives and following consultation with residents and key users, Council launched its new mobile, touch friendly and accessible website in April 2016. The new website has many additional features providing a user friendly environment for our community to find information, services and facilities. New features include:

- discover your area – highlighting what is happening around me, as well as showcasing Council services and facilities
- collection days – bin and kerbside clean up collection days based on the residents address
- comprehensive site search – including suggested search results, search category filters and full content searching capabilities including documents
- accessible content – plus a text to speech tool
- language translation
- new structured content – with search filter capabilities for key services, parks, animals for sale, news, events, child care, city improvements, and facilities for hire
- quick website tour
- on-page content feedback.

### Report

#### Online statistics

Council's website provides a range of information on programs, initiatives, services and events. Using Google analytics, statistics on the usage patterns of our websites are obtained for reporting purposes.

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This report also provides insights into Council's overall online presence, with information and statistics on:

- other council websites
  - Visit Macarthur website
  - Campbelltown Arts Centre website
- eServices
- Facebook
- eNewsletters

### **Websites**

There was a significant increase in Council website traffic during October and November, which relates to the Festival of Fishers Ghost. Other popular sections continue to be Animals and Pets, Services and Facilities, Build and Develop, What's on, Apply/Report/Book/Track/Pay it, Council and Councillors, Contact Us, Careers and Discover your area. Mobile usage has increased by 11 per cent compared to the same period last year. Keeping our website up to date is a team effort. We have 79 editors, 33 approvers and two content administrators. Together we published 8,309 content items during this period.

The Visit Macarthur website traffic increased by 7.08 per cent during the reporting period.

The Campbelltown Arts Centre website statistics are presently not included in this report, however will be included in future reports.

### **Community engagement**

The Have Your Say section of Council's website provides a platform for Council to conduct online community engagement consultations. Council conducted 27 community consultations during the reporting period, including surveys, public exhibitions and expressions of interest.

The nine playground surveys received a total of 653 online and paper submissions, with the Cook Reserve survey receiving the majority of submissions. The community welcomed the opportunity to get involved and provide their feedback and opinions.

### **eServices**

Council continues to expand its range of customer request and application forms online. During the reporting period, an additional 8 online customer requests were launched and six eCertificate applications were made available to registered businesses. This brings the total number of online customer requests to 32 and the total number of online applications to 31.

Council set a target of 20,000 customer requests to be lodged online by residents in 2016. This target was exceeded, with a total of 26,860 requests lodged during 2016, which equates to 26,860 less calls to Customer Service.

Enhancements to Council's Kerbside Clean Up eService delivered postage cost savings of \$10,560 during 2016.

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## **Facebook**

Utilising Facebook to engage with the community continued to be an effective tool for Council. Popular community posts such as the New park to explore this summer (Willowdale Park) prompted much commentary, post clicks and likes from the community.

Popular paid posts included Election Day – 10 September and Cook it Macarthur, with a total reach of 25,330 and 12,284 respectively. The cost for paid posts range from \$20 to \$100 and they are a cost-effective way of sharing information to a wider audience.

During the reporting period, Council created a new Bushcare Facebook page to connect and encourage bushcare volunteers.

## **eNewsletters**

Council's eNewsletters complement the existing quarterly Council residential newsletter Compass which is delivered to residents.

Council's corporate eNewsletter is distributed via email and informs subscribers on events, Council initiatives, things to do and places to visit, as well as directing traffic to Council's website through links to further information.

There are currently 914 subscribers to Council's eNewsletter, an increase of 53 since the previous reporting period. Council's eNewsletter open and click through rates are significantly higher than the average Government email marketing campaigns. This indicates that Council's eNewsletter continues to have a broad and consistent appeal.

Council's Visitor Information Centre's monthly eNewsletter (What's On in Macarthur) provides information about What's On across the Macarthur region for residents, local tourism operators and visitor information centres across NSW. This eNewsletter currently has a subscription base of 1,644, an increase of 91 since the previous reporting period.

The Campbelltown Arts Centre eFlyers provide up-to-date information about the Centre's programs and has a current subscription base of 5,934, an increase of 1,215 since the previous reporting period.

## **Officer's Recommendation**

That the information be noted.

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## ATTACHMENT

### Online Reporting Jul - Dec 2016 Focus: Community Engagement and eServices



#### Have your say insights: Jul – Dec 16<sup>1</sup>

##### Community engagement consultations: 27

- Proposed renaming and naming of roads within the Claymore Urban Renewal Project
- Public Exhibition of draft Australian White Ibis Management Plan for Eagle Vale Pond, Eagle Vale
- Playground surveys
  - Quirk reserve
  - Memorial oval
  - Bunbury Curran park
  - Cook reserve
  - Rosemeadow Sports Complex
  - Macquarie Fields park
  - Finch park
  - Colong reserve
  - Figtree park
- Proposed naming of a park in the Willowdale estate, Denham Court
- Queen Street Landscape Design Community Consultation
- Expression of interest – Audit, Risk and Improvement Committee independent member
- Proposed road closing - Menangle Park
- C-A-C's 2016 exhibition 'With Secrecy and Despatch' - nominated in the FBT Sydney Music, Arts & Culture Awards
- Proposed walkway closure between 12 & 14 Mantalini Street, Ambarvale
- Naming of Bridge on Gilchrist Drive to James Rookes Bridge
- New Website Survey
- Development applications currently on Public Exhibition
- Draft Open Space Strategic Plan 2016
- Play Space Strategy
- Sport and Recreation Strategy
- Proposed changes to fees and charges: Hall hire – community rates
- Community Strategic Plan Survey
- Disability Inclusion Action Plan Survey
- Expressions of Interest - Campbelltown Skate, Scooter and BMX 'Learn to Ride Coaching Academy'

#### Playground surveys highlights

##### Overview

The surveys were open for 19 days.

Playground	Page views <sup>1</sup>	Submissions received (Online + Paper form)
Cook Reserve	228	298
Bunbury Curran Park	38	35
Colong Reserve	63	53
Figtree Park	55	48
Finch Park	45	44
Macquarie Fields Park	42	53
Memorial Oval	24	16
Quirk Reserve	56	56
Rosemeadow Playing Fields	91	50
<b>TOTAL</b>	<b>642</b>	<b>653</b>

<sup>1</sup> All Council website stats exclude internal traffic.

##### Community responses

This is a great idea. Lots of new families in area and my grandchildren will love it. A pity we cannot have more parks and playgrounds for our children. Campbelltown Council - thank you.

My friends and I use the work out equipment daily and have been doing so for over 10 years. I'm so glad council is asking for our feedback...

- A great idea and [will] make the reserve fun for kids please try to put it under trees for shade and with seating for adults to be able to watch their children...
- Great to see that Memorial Oval is getting an upgrade
- We would like to see TOILETS at the park... We go to the Kentlyn Park because it has a toilet for the kids...
- ...Thanks for thinking to upgrade our park for future projects please consider Water Park into area where families don't have to pay. Thanks.

## 8.6 Investments and Revenue Report - November and December 2016

### Division

City Governance

### Reporting Officer

Executive Manager Corporate Services and Governance

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### Attachments

1. Investment portfolio performance for the months of November and December 2016 (contained within this report)
2. Monthly Rates Summary and Rates Statistics (contained within this report)
3. Debtors summary and ageing of sundry debts to 31 December 2016 (contained within this report)

### Purpose

To provide a report outlining activity in Council's financial services portfolio for the months of November and December 2016.

### Report

#### Investment Portfolio

Council's Investment Portfolio as at 31 December 2016 stood at approximately \$192m. Funds are currently being managed both by 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. Any funds placed with institutions that have a BBB long term rating have maturity lengths in the short term of up to 12 months, effectively A-2 rated, in accordance with Council's investment policy.

The return on Council's investments is tracking above budget expectations with the supplemental income being received from the sale of Council land and continues to outperform the benchmark of the AusBond bank bill index.

The official cash rate has remained steady, with no movement since August 2016 at its present level of 1.50 per cent.

Regular liaison with Council's external financial advisor in assessing any new investment products offered assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio.

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**Rates**

Rates and Charges levied for the month ending 31 December 2016 totalled \$101,336,645 representing 100.8 per cent of the estimated budget for the year.

Rates and Charges collected to the end of December totalled \$56,464,868. In percentage terms this amount represents 54.9 per cent of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 55.4 per cent.

The second quarterly instalment was due for payment on 30 November 2016. An analysis of payment methods has revealed 45 per cent of payments have been made by phone and internet via BPAY. Over the counter payments to Australia Post represents 37 per cent with internet and phone credit card payments representing 15 per cent of all payments during the quarter.

Debt recovery action during the month involved the issue of nine Statements of Claim to ratepayers who had either failed to maintain arrangements or had not responded to previous correspondence. In addition, 13 Writs of Execution were served on delinquent payers previously served with a Statement of Claim.

Ratepayers who have purchased property since the last instalment notices were issued are sent a Notice to New Owner letter. This letter advises ratepayers the annual amount levied and any balance unpaid since settlement occurred. During December, 52 of these notices were sent to ratepayers.

**Sundry Debtors**

Debts outstanding to Council as at 31 December 2016 are \$1,137,908 reflecting a decrease of \$289,157 since November 2016. During the month 1,159 invoices were raised totalling \$1,669,278. 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 as attachment 3. Debts exceeding 90 days of age totalled \$253,165 as at December 2016.

Debt recovery action is 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.

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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.

During the month, 11 accounts were issued a letter of demand on Council's letterhead, advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agent.

Council's agents were not instructed to issue any letters of demand and no legal action was taken for the month.

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

### **Officer's Recommendation**

That the information be noted.

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## 8.6 Investments And Revenue Report - November And December 2016

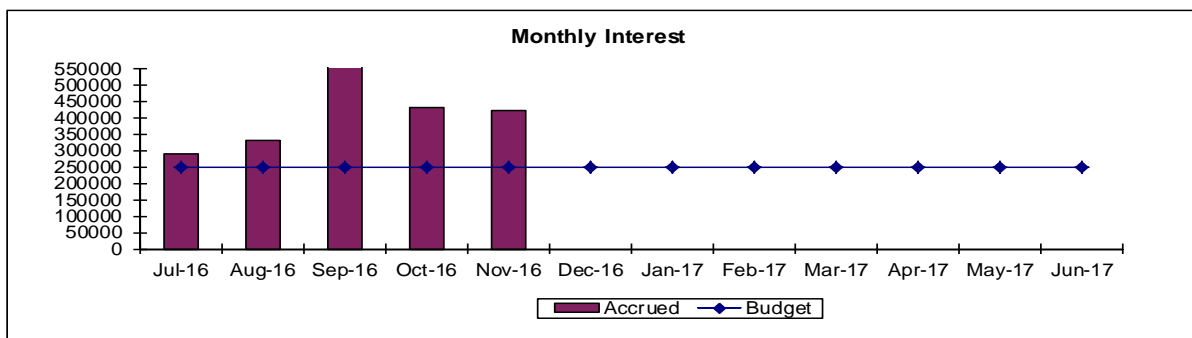
## ATTACHMENT 1

## CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO

November 2016

Benchmark AusBond Bank Bill Index  
Portfolio Balance \$194,672,355.05

Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.14%	1.73%
Portfolio - Direct Investments	0.23%	2.84%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.10%
Short Term Call Accounts	0.17%	2.08%
Managed Funds	0.14%	1.72%



## Year to Date Performance

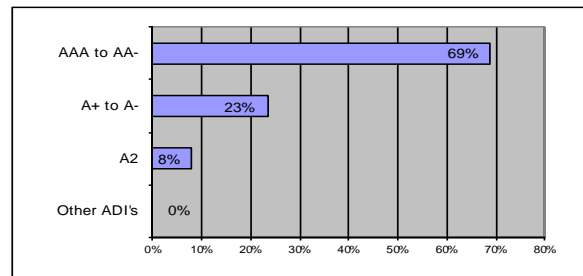
## Credit Exposure (S&amp;P Long Term Rating)

## Rolling 12 Month Period

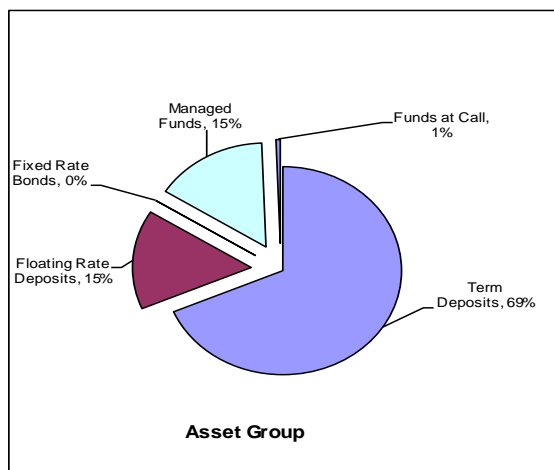
3.02% Council Managed Funds  
2.09% Benchmark

## Interest Budget to Actual

Avg Original Budget to Period \$1,243,667  
Actual Accrued to Period \$2,040,113



## Portfolio Diversity



		%
Funds at Call	\$ 1,133,615.96	AA- 1%
NSW Treasury	\$ 32,921,114.71	AA+ 17%
National Australia Bank	\$ 58,575,139.50	AA- 30%
Westpac Bank	\$ 8,052,520.55	AA- 4%
Commonwealth Bank	\$ 25,000,000.00	AA- 13%
Bank Western Australia	\$ 8,409,830.50	AA- 4%
AMP Bank	\$ 5,000,000.00	A+ 3%
Suncorp Metway	\$ 25,392,183.97	A+ 13%
ING Bank	\$ 3,000,000.00	A 2%
Rural Bank	\$ 2,038,663.01	A- 1%
Bank of Queensland	\$ 10,029,980.31	A- 5%
Peoples Choice CU	\$ 1,000,000.00	A2 1%
MyState Bank	\$ 5,068,722.74	A2 3%
Credit Union Aust	\$ 4,000,000.00	A2 2%
Heritage Bank	\$ 2,000,000.00	A2 1%
ME Bank	\$ 3,050,583.80	A2 2%
<b>Total</b>	<b>\$ 194,672,355.05</b>	<b>100%</b>

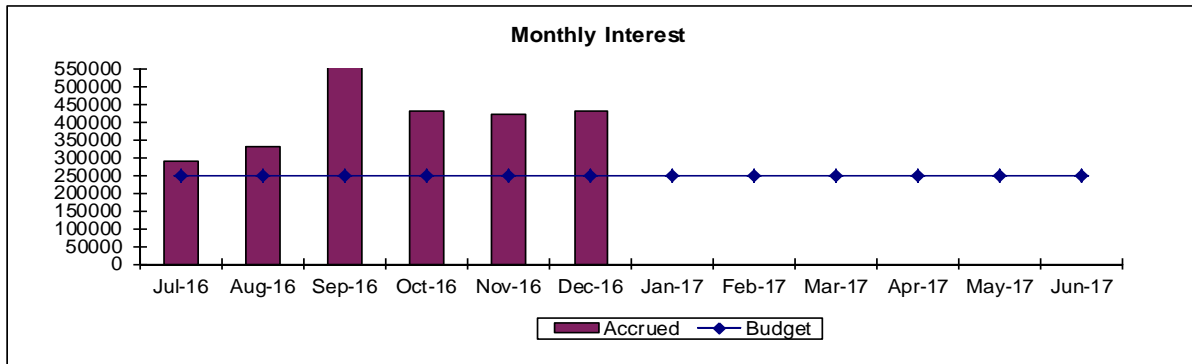


## 8.6 Investments And Revenue Report - November And December 2016

**CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO****December 2016**

Benchmark AusBond Bank Bill Index  
 Portfolio Balance \$192,880,738.53

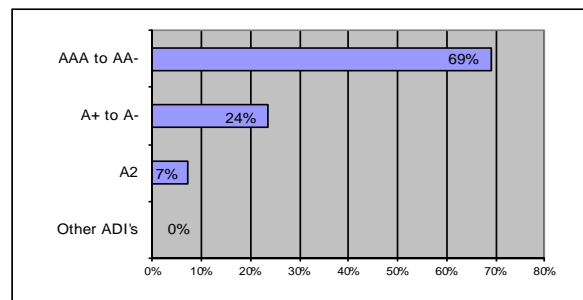
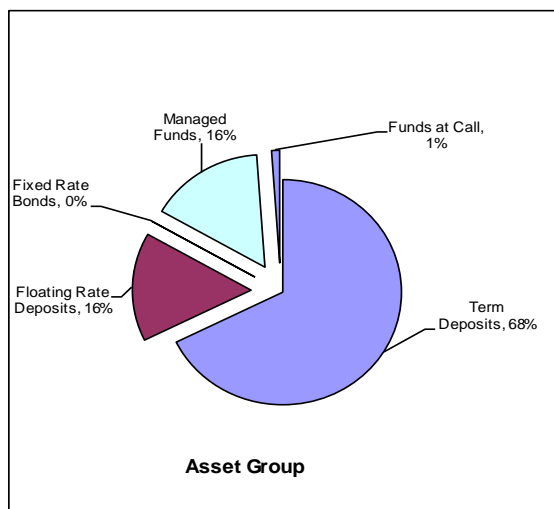
Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.15%	1.74%
Portfolio - Direct Investments	0.24%	2.78%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.04%
Short Term Call Accounts	0.17%	1.95%
Managed Funds	0.16%	1.83%

**Year to Date Performance****Credit Exposure (S&P Long Term Rating)***Rolling 12 Month Period*

3.00% Council Managed Funds  
 2.05% Benchmark

*Interest Budget to Actual*

Avg Original Budget to Period \$1,492,400  
 Actual Accrued to Period \$2,470,007

**Portfolio Diversity**

			%
Funds at Call	\$ 2,136,960.35	AA-	1%
NSW Treasury	\$ 32,967,897.70	AA+	17%
National Australia Bank	\$ 56,621,839.54	AA-	29%
Westpac Bank	\$ 8,052,520.55	AA-	4%
Commonwealth Bank	\$ 25,000,000.00	AA-	13%
Bank Western Australia	\$ 8,427,422.17	AA-	4%
AMP Bank	\$ 5,000,000.00	A+	3%
Suncorp Metway	\$ 25,438,000.41	A+	13%
ING Bank	\$ 3,000,000.00	A	2%
Rural Bank	\$ 2,038,663.01	A-	1%
Bank of Queensland	\$ 10,063,580.31	A-	5%
Peoples Choice CU	\$ -	A2	0%
MyState Bank	\$ 5,068,722.74	A2	3%
Credit Union Aust	\$ 4,014,547.95	A2	2%
Heritage Bank	\$ 2,000,000.00	A2	1%
ME Bank	\$ 3,050,583.80	A2	2%
<b>Total</b>	<b>\$ 192,880,738.53</b>		<b>100%</b>

## ATTACHMENT 2

### RATES SUMMARY

#### STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2016	NET LEV FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,170,990.65	57,538,148.43	1,414,783.17	371,762.67	58,666,118.58	31,493,803.29	27,172,315.29	300,782.30	27,473,097.22
BUSINESS	257,345.68	17,991,395.13		38,762.31	18,287,503.12	10,551,903.58	7,735,599.54		7,735,599.54
FARMLAND	0.00	569,012.08	783.42	1,744.63	569,973.29	346,014.27	223,959.02	169,889.74	393,848.76
MINING	0.00	24,186.96		0.00	24,186.96	24,186.96	0.00		0.00
SR - LOAN	67,957.99	113.44		430.81	68,502.24	3,707.87	64,794.37	17,890.05	82,684.42
SR - INFRASTRUCTURE	202,204.59	5,770,038.76		4,671.66	5,976,915.01	3,229,559.48	2,747,355.53	28,391.39	2,775,746.92
TOTAL	\$2,698,498.91	\$81,892,894.80	\$1,415,566.59	\$417,372.08	\$83,593,199.20	\$45,649,175.45	\$37,944,023.75	\$516,953.48	\$38,460,976.86
GARBAGE	658,148.44	18,892,860.61	829,523.82	18,678.17	18,740,163.40	10,069,266.82	8,670,896.58		8,670,896.58
STORMWATER	45,533.08	1,323,216.82		225.41	1,368,975.31	746,426.12	622,549.19		622,549.19
GRAND TOTAL	\$3,402,180.43	\$102,108,972.23	\$2,245,090.41	\$436,275.66	\$103,702,337.91	\$56,464,868.39	\$47,237,469.52	\$516,953.48	\$47,754,422.63

Total from Rates Financial Transaction Summary	47,286,859.35
Overpayments	-467,563.28
Difference	0.00

#### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	330,651.45
Rate accounts greater than 12 months less than 18 months in arrears	64,869.85
Rate accounts greater than 18 months in arrears	15,562.67
TOTAL rates and charges under instruction with Council's agents	\$411,083.97

## 8.6 Investments And Revenue Report - November And December 2016

## RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Dec-15
Rate Notices	50,590	456		1,005									
Electronic - DoH	5,282												
Instalment Notices				43,817									
Electronic - DoH				5,517									
Missed Instalment Notices			7,341			6,692							7,866
- Pensioners > \$15.00			650			592							554
Notice to new owner	167	75	32	25	33	52							49
7-day Letters - Council issued			1,796			2,172							2,023
- Pensioners > \$500.00			163			244							181
7-day Letters - Agent Issued			495			587							
Statement of Claim	198	27	16	205	20	9							11
Judgments	13	22	17	15	59	5							3
Writs	14	17	15	6	9	13							18
eRates	1,801	1,809	1,814	1,838	1,841	1,867							1,660
BPAView	49	197	398	503	589	803							0
Arrangements	320	281	401	422	443	461							355

## ATTACHMENT 3

### DEBTORS SUMMARY 1 December 2016 to 31 December 2016

DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/11/2016	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/12/2016	% DEBT RATIO
Corporate Administration	412,457	23,265	345,021	90,701	29.49%
Abandoned Items	1,068	0	0	1,068	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	48,180	51,369	19,685	79,864	5.46%
Government and other Grants	452,274	137,883	265,425	324,732	12.87%
Public Hall Hire	36,401	56,006	39,241	53,167	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	54,106	130,977	117,419	67,663	5.63%
Healthy Lifestyles	13,714	40,672	37,251	17,134	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	71,252	17,655	13,823	75,083	1.85%
Pool Hire	77,690	23,816	70,962	30,544	0.39%
Private Works	3,319	0	450	2,869	0.52%
Road and Footpath Restoration	77,075	116,104	1,345	191,834	28.17%
Shop and Office Rentals	22,727	35,688	30,357	28,058	2.17%
Various Sundry Items	176,661	5,954	17,627	164,988	6.42%
Waste Collection Services	-330	30,063	0	29,733	6.17%
	<b>1,427,065</b>	<b>669,449</b>	<b>958,607</b>	<b>1,137,908</b>	<b>100%</b>

## 8.6 Investments And Revenue Report - November And December 2016

**AGEING OF SUNDRY DEBTOR ACCOUNTS -31 December 2016**

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due
Corporate Administration	29,649	39,740	2,507	18,805	90,701
Abandoned Items	0	0	0	1,068	1,068
Education and Care Services	18,710	0	0	0	18,710
Community Bus	89	0	0	0	89
Sportsground and Field Hire	46,073	13,073	0	20,718	79,864
Government and other Grants	137,883	150,295	0	36,554	324,732
Public Hall Hire	31,645	4,642	997	15,882	53,167
Health Services	0	0	0	350	350
Land and Building Rentals	66,823	310	530	0	67,663
Healthy Lifestyles	8,197	6,297	520	2,120	17,134
Licence Fees	16,522	9,495	4,885	44,182	75,083
Pool Hire	17,003	12,685	337	518	30,544
Private Works	1,189	0	0	1,680	2,869
Road and Footpath Restoration	115,718	0	0	76,116	191,834
Shop and Office Rentals	26,708	1,249	100	0	28,058
Various Sundry Items	13,588	19,637	96,591	35,171	164,988
Waste Collection Services	29,733	0	0	0	29,733
	<b>520,852</b>	<b>257,424</b>	<b>106,467</b>	<b>253,165</b>	<b>1,137,908</b>
Previous Month 90+ days					155,576

## **8.7 Reports and Letters Requested**

### **Division**

City Governance

### **Reporting Officer**

Director City Governance

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### **Attachments**

Status list of reports and letters requested (contained within this report)

### **Report**

Attached for the information of Councillors is a status list of reports and letters requested of Council as at 13 December 2016.

### **Officer's Recommendation**

That the information be noted.

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## ATTACHMENT 1

### Reports Requested as at 13 December 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Lifestyles</b>			
03.06.14 BT 3859092	CS3.5 - That a report be provided examining the feasibility of establishing an artist walk as part of the new street scape in Queen Street, Campbelltown. <b>Comment:</b> To be considered early in the first quarter of 2017 upon the appointment of the Executive Manager Community Life.	CL	March 2017
29.7.14 PL 3934158	CG3.3 - Report identifying alternative methods for managing the hire of Council's sporting fields. <b>Comment:</b> Currently being investigated as part of a broader Council project to review bookings	CL	April 2017
21.06.16 MO 4874926	CS8.1 - That a report be presented investigating opportunities to create arts and cultural activities in the northern part of the Local Government Area. <b>Comment:</b> To be considered early in the first quarter of 2017 upon the appointment of the Executive Manager Community Life.	CL	April 2017
16.08.16 GB 4976615	NM17.3 - That Council prepare a feasibility report into a possible Vivid Lighting Event or similar event during the Fishers Ghost Festival, with a ghost theme, to assist in promoting a night time economy/entertainment for Campbelltown. <b>Comment:</b> To be considered early in the first quarter of 2017 upon the appointment of the Executive Manager Community Life to ensure that the investigation of all options is undertaken prior to presenting to Council for consideration.	ORD (CL)	March 2017
16.08.16 RK 4962373	PE5.2 - That Council be provided with a report outlining how the 200th anniversary of Campbelltown's founding in 1820 will be celebrated.	CL (CG)	April 2017
08.11.16 M Chivers 5095789	ORD - 11.4 That Council officers investigate and report on how to provide a program that could be trialled through Library Services that caters for children on the autism spectrum, which includes but is not limited to: a. considering timing options for the program (eg opening a library one hour earlier on a Saturday to run the trial program) as well as how best to promote such a program to targeted audiences b. obtaining advice from experts in programming for children on the autism spectrum on how this can be best delivered (including programs involving therapy dogs and shadow puppet shows) and c. providing a collection of resources for parents and carers of children on the autism spectrum (if Council does not already have same) to supplement such a program.	CL	April 2017



*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
22.11.16 GB 5116854	ORD - 11.1 - That Council seeks a report on the feasibility of creating a BMX track at the St Helens Park skate park and other sites, taking into consideration using the soil from the civil works creating the car park at that location.	CL	April 2017
22.11.16 PL 5116854	ORD - 11.2 That a report be presented to Council investigating financial incentives to encourage sporting teams and other events to utilise Campbelltown Sports Stadium and with the funds to be included in future budgets. The report should address how to build the Region's competitive advantage to host major events at Campbelltown Sports Stadium (CSS) and how this would boost the reputation of the City and its' economy. It should also include and not be limited to:  i) ways which funds could be used to attract major events ii) benefits to the residents of Campbelltown and the region iii) employment benefits iv) benefits to the local business community v) potential sponsorship with private partners vi) the potential for value capture and revenue generation. <b>Comment:</b> To be considered early in the first half of 2017 upon the appointment of the Executive Manager Open Space.	CL	March 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Delivery</b>			
21.06.16 FB 4851108	CW1.3 - 3. - That following completion of the Floodplain Risk Management Study and Plan, a further report be tabled for Council's consideration.	CD	August 2018
19.07.16 RK 4837880	PE5.4 - That a report be presented updating Council on the potential to provide a south bound on-ramp for the M31, skirting around the edges of Jackson Park.	CD (PE)	April 2017
16.08.16 RK 4977483	PE5.4 - That Council be provided a report identifying the best practical means of securing a second point of access to and from Wedderburn. The report to specifically explore the viability, with the in-principal support of Wollondilly Shire Council, of securing State Government agreement to the re-opening of the fire trail, informally and formerly known as Lysaght Road, as an unsealed local road.	CD (PE)	March 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
08.11.16 MO 5095792	<p>ORD - 11.1</p> <p>1. That a report be presented to Council investigating the potential to establish a Georges River Bush Cycle Track from Glenfield to Wedderburn.</p> <p>2. That this report include:</p> <ul style="list-style-type: none"> <li>• possible route and various access points</li> <li>• potential and existing sources of funding - Local, State, Federal and Non-Governmental Organisation</li> <li>• estimated initial construction costs and ongoing maintenance costs</li> <li>• suggested time frame and schedule</li> <li>• potential impediments to the development</li> <li>• an assessment of environmental issues.</li> </ul>	CD	June 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
<b>City Governance</b>			
18.6.13 PL 3450946	<p>CG3.1 - Further report following expressions of interest on the ground lease in Blaxland road.</p> <p><b>Comment:</b> Currently addressing Sydney Water regarding Section 73 requirements.</p>	CG	March 2017
14.10.14 RK 4033794	<p>CG2.3 - 4. That a further report will be submitted to Council once a draft VPA/Infrastructure Services Delivery Plan (ISDP) have been finalised which will deal with the compulsory acquisition/land transfer issues concerning the whole of the Claymore Urban Renewal Project.</p> <p><b>Comment:</b> Still in the process of finalising the VPA/ISDP with Urban Growth.</p>	CG	April 2017
25.10.16 GB 5074804	<p>ORD10.3 - That a report be presented to Council on the options into a fairer distribution of rate collection across the Local Government Area due to the significant rate rises especially in the suburbs of Ingleburn, Macquarie Fields and Glenfield as a result of recent Valuer General evaluations.</p> <p><b>Comment:</b> This item will be presented at the Councillor Briefing evening to be held 7 February 2017.</p>	CG	April 2017
16.08.16 RK 4971886	<p>NM17.2 - That Council be presented with a report with regard to rezoning a large tract of land at Glen Alpine, used as the Campbelltown Golf Course, from R2 (low density residential) to one that reflects Council's long term intentions to preserve the land as open space.</p> <p><b>Comment:</b> This development of this report is dependent on the briefing and associated report addressing a Property Strategy.</p>	CG	July 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Development</b>			
16.7.13 RK 3483315	PE4.1 - Further report to review implementation of the draft Swimming Pool Barrier Inspection Program including the cost and resourcing implications after 12 months of the programs implementation. <b>Comment:</b> Additional time required to assess impact of the implementation of the provisions of the <i>Swimming Pools Act 1992</i> requiring pool owners to obtain a Certificate of Compliance before selling or leasing their property commencing on 29 April 2016. Report to be completed 12 months from this date so a full 12 month period can be assessed.	CDVP (CS)	August 2017
27.10.15 GG 4526199	PE5.2 - That Council's Public Notification Policy, in respect to Development Applications, be reviewed and a report provided back to Council recommending options for a more comprehensive community notification process. <b>Comment:</b> Review of notification requirements being incorporated into further review Amendment No.3 of SCDCP which will require new requirements for green and blue roofs and walls.	CDVP (EP)	March 2017
15.12.15 RK 4607896	PE5.2 - 1. That a full report be presented to Council outlining the cost of a pet giveaway and the likely implications for sales from the Animal Care Facility in the balance of the year. 2. That the report include information about the potential for pets freely given from the Animal Care Facility to be abandoned by virtue of the fact that they were acquired at no cost. <b>Comment:</b> Currently awaiting Executive feedback regarding a need for briefing prior to a Council report.	CDVP (CS)	April 2017
19.04.16 MO 4770730	CS8.1- Old Clinton's development site That a report be presented outlining any action taken by Council with regards to the dead trees on the old Clinton's development site - Queen Street, Campbelltown. <b>Comment:</b> Meeting held with development representatives to discuss financial contribution for street tree damage. Estimate of financial contribution being prepared for further consideration.	CDVP (CS)	April 2017
19.7.16 RK 4937879	PE5.3 - That a report be presented on ways through which Council can encourage or mandate developers of residential apartment buildings in the CBD's to design roof space and/or green walls as either private, open or green space for the occupants or for some other beneficial purpose. <b>Comment:</b> Matter to be incorporated into Amendment No 3 of SCDCP 2015.	CDVP (EP)	March 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
16.08.16 TR 4977487	<p>PE4.2</p> <ol style="list-style-type: none"> <li>1. That Campbelltown City Council work collaboratively with Camden Council to negotiate a shared service agreement for the Campbelltown Animal Care Facility to house, care for and rehome Camden Council's impounded cats and dogs.</li> <li>2. That the terms of any shared service agreement be negotiated on the basis that it does not financially disadvantage Campbelltown City Council.</li> <li>3. That authority be delegated to the General Manager to finalise the terms and conditions of a satisfactory shared service agreement as referred to in recommendation 1 above.</li> <li>4. That Council's prior resolution of 21 April 2015, relating to the invitation and consideration of tenders for the future operation of the Animal Care Facility be stayed and revisited by way of a further report to Council following completion of shared service agreement negotiations with Camden Council.</li> <li>5. That a full report be presented to the November/December meeting of Council with the details of the following points: <ol style="list-style-type: none"> <li>a) any refurbishments made to the Animal Care Facility to accommodate the relocation of Camden's animals including any costs.</li> <li>b) update the 2015 Therian report including costs, to bring the Animal Care Facility up to a standard that will accommodate all future impounding requirements including any associated issues that may impact on Council.</li> <li>c) write to appropriate Minister asking for a time frame as to when the draft Companion Animals Act will be considered for legislation.</li> </ol> </li> </ol> <p><b>Comment:</b> Report to incorporate ten year capital upgrade plan.</p>	CDVP	April 2017



*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
08.11.16 GG 5095788	<p>ORD - 11.5</p> <ol style="list-style-type: none"> <li>1. That a report and a briefing be presented to Council detailing the cost associated with establishing and running a Design Excellence Panel (DEP) to encourage high quality urban design within the Campbelltown Local Government Area (LGA) including any honorariums, and the feasibility of any other options to ensure the best practice function of the panel.</li> <li>2. That the report consider establishing a panel to provide an independent and transparent specialist peer review of major urban development and high density dwellings within the Local Government Area based on the following criteria:               <ol style="list-style-type: none"> <li>a. The Design Excellence Panel be comprised of five members consisting of, four professionals and one community representative, with membership open to:                   <ul style="list-style-type: none"> <li>o well-known and respected professionals who are involved in the design of major projects and have extensive expertise in areas of architecture, urban design and/or landscape architecture; and</li> <li>o a community representative with a demonstrated understanding and experience in architecture, urban design, landscape architecture or a related field.</li> <li>o to ensure the panel's independence, a panel member cannot be a Councillor or council employee.</li> </ul> </li> <li>b. Expert members must not live or do business in the council area in a related field. Community representatives must live in the area, but not do business in the Campbelltown area in a related field.</li> <li>c. That the panel members' tenure should be limited to two years with an optional extension for another two years.</li> <li>d. That a selection committee be established to undertake the selection of panellists. The selection committee should include the Mayor or his/her Councillor, representative and one other Councillor. Two senior staff members and two distinguished independent people with knowledge of the development assessment system. All members of the selection committee to be approved by a council resolution.</li> <li>e. That the appropriate Policy and Procedure and Code of Conduct be developed in line with ICAC recommendations to ensure the panel demonstrate the highest ethical standards in the exercise of their duties and responsibilities, maintain the integrity of the panel and to provide for fair and transparent dealings in making decisions.</li> </ol> </li> </ol> <p><b>Comment:</b> Required information currently being investigated.</p>	CDVP	March 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
08.11.16 GG 5095787	<p>ORD - 11.6</p> <ol style="list-style-type: none"> <li>1. That a report and briefing be presented to Council detailing the cost associated with the establishing and running an Independent Hearing and Assessment Panel (IHAP) including any honorariums, and the feasibility of any other options to ensure the best practice function of the panel.</li> <li>2. That based on the following points, the report also consider the establishing of a IHAP to provide an independent and transparent specialist peer review of the officers' assessment and recommendations to the Council/Councillors on development applications within the Local Government Area that are significant in size or complexity or have unresolved objections.               <ol style="list-style-type: none"> <li>a. A IHAP consisting of five members including the chair of the design panel, two professional members and one community member.</li> <li>b. The chairperson should be a renowned expert in one of the specialist fields or with experience in the Land and Environment Court</li> <li>c. A pool of panel members of at least ten independent experts and four community members should be established to enable random selection</li> <li>d. The pool should include experts in the fields of planning, design, law and environmental science, traffic/engineering, heritage, land economics and social planning</li> <li>e. To ensure the panel's independence and transparency, a panel member cannot be a Councillor or council employee</li> <li>f. That an expert members must not live or do business in the council area in a related field. Community representatives must live in the area, but not do business in the Campbelltown area in a related field</li> <li>g. That the panel members' tenure should be limited to two years with an optional extension for another two years</li> <li>h. That a selection committee be established to undertake the selection of panellists. The selection committee should include the Mayor or his/her Councillor representative, and one other Councillor, two senior staff members and two distinguished independent people with knowledge of the development assessment system. All members of the selection committee to be approved by a council resolution</li> <li>i. That the appropriate Policy and Procedure and Code of Conduct be developed in line with ICAC recommendations to ensure the panel demonstrate the highest ethical standards in the exercise of their duties and responsibilities, maintain the integrity and transparency of the panel and to provide for fair dealings in making decisions.</li> </ol> </li> </ol> <p><b>Comment:</b> Required information currently being investigated.</p>	CDVP	March 2017
13.12.16 MO 5146315	<p>ORD 8.5 - That a report be provided investigating the use of a drone with heat detecting cameras to track and monitor Koala movement in the Local Government Area.</p>	CDVP	March 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
25.10.16 GB 5074806	ORD10.1 - That an urgent report be presented investigating all possible avenues of appealing the recent zoning approval by the Joint Regional Planning Panel for a 136,000 plot cemetery within the Scenic Hills. <b>Comment:</b> Presented to Council within the Agenda of the Ordinary Meeting of Council held 14 February 2017.	CDVP	
*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Growth and Economy</b>			
29.7.14 PL 3934241	CW5.1 - detailed report on the Leumeah Sports Precinct by the Strategic Planner for a new 40,000 seat sporting/entertainment complex with parking facilities to include both the eastern and western side of the railway line. <b>Comment:</b> Options are still being investigated.	CGE	April 2017
17.02.15 GG 4189107	PE3.3 3. That a future report be presented to the Council which investigates options and identifies practical limits for a core Campbelltown CBD precinct, for the purposes of permanently varying the commercial parking rates within that precinct. <b>Comment:</b> Campbelltown CBD Parking nearing finalisation by Consultants in conjunction with CBD Traffic Strategy and Campbelltown Transformation Plan Project.	CGE	March 2017
24.04.15 GG 4275787	PE2.6 - The Council receive a further report on a proposal to establish a Business Advisory Board following further consultation with the Campbelltown and Ingleburn Chambers of Commerce. <b>Comment:</b> To be known as the Small Business Reference Group.	CGE	March 2017
16.08.16 RK 4971886	PE5.3 - That Council be provided a report outlining what Campbelltown City Council, independently or in partnership with State and/or Federal Government, can/should do to provide incentives for businesses to establish in our City and create local employment opportunities for our residents. <b>Comment:</b> To be dealt with as part of the preparation of the Campbelltown Economic Development Strategy.	CGE	April 2017
29.7.14 GG 3939939	PE5.3 - Report investigating possible further partnerships with University Western Sydney, Campbelltown and Campbelltown TAFE. <b>Comment:</b> Presented to Council within the Agenda of the Ordinary Meeting of Council held 14 February 2017.	CGE	



## Letters Requested as at 13 December 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
City Lifestyles			

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
City Delivery			

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Governance			

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Development			
13.12.16 MO 5146324	ORD - 7.4 - That Council write to the District Commissioner South West, Greater Sydney Commission, to seek further clarification regarding the Commissions position on the intrinsic value of Scenic Hills to the identity of the South West District.	CDVP	Complete January 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Growth and Economy			

## **8.8 Emergency Services Property Levy System Testing**

### **Division**

City Governance

### **Reporting Officer**

Executive Manager Corporate Services and Governance

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### **Attachments**

Nil

### **Purpose**

To advise Council of the administrative impact of the NSW Government's draft Emergency Services Property Levy Bill and recommend that Council enter into a contract with Infor Global Solutions (ANZ) Pty Ltd (Infor) in accordance with section 55(3)(i) of the *Local Government Act 1993*.

### **History**

Council has historically held a contract with Infor to provide a property and rates management system, Pathway.

### **Report**

The Emergency Services Property Levy Bill, which is yet to be introduced into Parliament, will establish the Emergency Services Property Levy that will be imposed on all rateable property in New South Wales. The levy will replace the emergency services levy which is currently charged by insurers as part of home and contents insurance policies.

In order to accommodate the amendments proposed by the levy, all New South Wales councils will need to make amendments to their rating software and rates notices.

NSW Treasury, the department responsible for the implementation, has requested that Council be a lead Council for the software upgrade project. Such responsibility will involve a period of testing and other activities to be carried out by Council prior to the amended software being distributed to all other councils within New South Wales that have software provided by the software company Infor. All reasonable costs of testing and associated administration will be initially incurred by Council, but will be completely reimbursed by NSW Treasury upon presentation of the relevant invoices. Council is currently negotiating a Memorandum of Understanding (MOU) with NSW Treasury to document the respective obligations of Council and NSW Treasury when undertaking this testing.

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## 8.8 Emergency Services Property Levy System Testing

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Infor have provided an initial estimate of the total cost in carrying out the software upgrades for the Emergency Services Property Levy. As these costs exceed the \$150,000 legislative threshold for tendering, Council is under an obligation to call for tenders. As Council's contract with Infor has expired and Council is currently in a holding over phase, Council will require a new contract for these services.

Section 55(3)(i) of the *Local Government Act 1993* provides an exemption to the requirement to tender for a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders. Section 55(3)(k) further provides for an exemption to the requirement of tendering for "a contract made in the case of emergency.

The meaning of extenuating circumstances that allow for deviation from the tendering requirement are not defined by the *Local Government Act 1993* or accompanying regulations. The Independent Commission Against Corruption (ICAC) guidelines for managing risks in direct negotiations advise that in situations where a delay would threaten public health and safety, damage the environment or create a serious legal or financial risk, direct negotiation may be warranted.

Considering this authority, the extenuating circumstances arising on this occasion are:

- the impending introduction of the Emergency Services Property Levy
- the urgent requirement for councils to have an adequate facility for administering the levy
- opportunity for Council to be intimately involved in the testing and introduction of the levy, at NSW Treasury's cost
- best value for money to Council as Infor is Council's current provider of the services.

### Officer's Recommendation

1. That Council enter into a contract with Infor Global Solutions (ANZ) Pty Ltd for the provision of software upgrades for the Emergency Services Property Levy pursuant to section 55(3)(i) and (k) of the *Local Government Act 1993* on the basis that a satisfactory result would not be achieved by inviting tenders, due to the following reasons:
    - a) the impending introduction of the Emergency Services Property Levy
    - b) the urgent requirement for councils to have an adequate facility for administering the levy
    - c) opportunity for Council to be intimately involved in the testing and introduction of the levy, at NSW Treasury's cost; and
    - d) best value for money to Council as Infor is Council's current provider of the services.
  2. That the General Manager be delegated the authority to negotiate mutually suitable terms and conditions with Infor Global Solutions (ANZ) Pty Ltd.
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## **8.9 Update on partnership with Western Sydney Business Connection**

### **Division**

City Growth and Economy

### **Reporting Officer**

Manager City Marketing and Economy

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### **Attachments**

Nil

### **Purpose**

To update Council on the partnership with Western Sydney Business Connection (WSBC).

### **Report**

Council has been a member of the WSBC for a number of years.

WSBC has been connecting western Sydney people, places and businesses to promote economic growth, liveability and inclusiveness across the region for more than 30 years. The organisation's reach extends across the major economic hubs of Campbelltown, Parramatta, Norwest Business Park, Bankstown, Blacktown, Penrith, Fairfield and Liverpool.

In late 2015, Council became a platinum partner of WSBC. With the realignment of Council business operations and its renewed focus on strategic city planning, economic development programs and city marketing, this provided Council the opportunity to be more strategic in its profiling of the city as a place to invest and do business - the promotion of Campbelltown to key business networks, both local and metropolitan, is a strategic area of economic development work for Council.

This strategic profiling of Campbelltown City has been showcased at a number of major WSBC events during the past 18 months, including:

- an event at Homebush Bay on 3 September 2015 where Council's Director City Growth and Economy participated on a panel of four Sydney Regional City Council representatives to promote the investment advantages of their cities - more than 300 people attended
  - an event at Castle Hill on 25 February 2016 where the General Manager participated in a panel discussion on the investment opportunities for an emerging health and education precinct in the Campbelltown-Macarthur CBD - approximately 250 people were in attendance.
-

Other successful city profiling events included the State of the Cities series (Western Sydney First forum) in May 2016 in Campbelltown, which provided a mechanism to promote Campbelltown as a hub for commercial development, innovation and employment; along with a presentation to the Campbelltown Chamber of Commerce in May 2016 regarding the transformation of the CBD.

The relationship with WSBC has now been extended to include a joint partnership to host the X Venture Experience in Campbelltown on Friday 24 March 2017. The X Venture Experience is a competitive, team-based learning program which focusses on collaboration, communication and team work. Teams of six will take on a series of challenges, designed to test all aspects of teamwork, leadership and strategy development.

Following a Council team taking part in this program in late September 2016 in North Sydney, and beating a field of more than 180 people to take out first place, it was seen as an innovative way to engage with local businesses, as well as showcase the city to potential new businesses.

In recognition of the strategic significance of the relationship between Council and WSBC, the General Manager has taken a place on the board of WSBC. This places Council in a positive position to continue to build on its relationships with the business sector, as well as on its city marketing profile.

### **Officer's Recommendation**

That the information be noted.

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## **8.10 Draft Memorandum of Understanding (MoU) between Campbelltown City Council and TAFE NSW - South Western Sydney Institute**

### **Division**

City Growth and Economy

### **Reporting Officer**

Manager City Marketing and Economy

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### **Attachments**

Draft Memorandum of Understanding (MoU) between Campbelltown City Council and TAFE NSW - South Western Sydney Institute: 2017-2020

### **Purpose**

For Council to consider the adoption of the draft Memorandum of Understanding (MoU) between Campbelltown City Council and TAFE NSW - South Western Sydney Institute.

### **Report**

Council has a long history of collaborating with TAFE NSW - South Western Sydney Institute.

Both organisations are key contributors in helping to facilitate the creation of sustainable economic and employment development outcomes for the City of Campbelltown, that align with the skills and expertise of the local workforce.

Developing and matching workforce capability to emerging and future employment needs is a priority for the Campbelltown community, including the business sector and residents alike.

The draft Memorandum of Understanding (MoU) recognises the collaborative roles both Council and TAFE NSW - South Western Sydney Institute play in creating a prosperous Campbelltown by lessening the community's dependence on accessing job and training opportunities outside of Campbelltown, and contributing to the creation of community capacity, prosperity and wellbeing.

This strategic alliance will focus on economic and employment development outcomes for the city through joint projects, engagement and potential funding opportunities.

The strategies addressed as part of the MoU must add value to, and take leverage from, the city's distinctive economic, social and environmental advantages including the natural bushland and rich biodiversity, cultural heritage and its strategic geographical positioning.

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8.10 Draft Memorandum Of Understanding (Mou) Between Campbelltown City Council And  
TAFE NSW - South Western Sydney Institute

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A partnership steering group made up of representatives from both Council and TAFE NSW - South Western Sydney Institute will be established following adoption of the MoU, to implement, monitor and report on the strategies.

**Officer's Recommendation**

That Council adopt the draft Memorandum of Understanding (MoU) between Campbelltown City Council and TAFE NSW - South Western Sydney Institute.

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## ATTACHMENT 1



**DRAFT ONLY**

### **Memorandum of Understanding**

**between**

**TAFE NSW - South Western Sydney Institute  
("TAFE SWSi")**

**and**

**Campbelltown City Council**

**2017 – 2020**

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## 8.10 Draft Memorandum Of Understanding (Mou) Between Campbelltown City Council And TAFE NSW - South Western Sydney Institute

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### **BACKGROUND**

TAFE NSW - South Western Sydney Institute and Campbelltown City Council are key contributors in helping to facilitate the creation of sustainable economic and employment development outcomes for the City of Campbelltown that align with the skills and expertise of the local workforce. Developing and matching workforce capability to emerging and future employment needs is a priority for the Campbelltown community, including the business sector and residents alike.

This Memorandum of Understanding (MOU) for the period 2017 to 2020, recognises the important and collaborative role that each of our organisations has in:

- Campbelltown achieving regional self-sufficiency
- lessening the community's dependence on accessing job and training opportunities outside of Campbelltown
- contributing to the creation of community capacity, prosperity and wellbeing.

These organisational common interests will underpin the focus of the relationship that exists between each of the parties, for the mutual benefit of the community, government and economy.

### **TAFE NSW - South Western Sydney Institute aims**

TAFE NSW - South Western Sydney Institute is committed to:

- being the preferred vocational training and educational support provider for community and industry in the region
- Identify the needs of the community where there is disadvantage in accessing education and related vocational opportunities, work with community in collaboration with council to develop innovative solutions to support their needs
- partnering with council and industry to attract new business for economic and employment opportunities and growth.

### **Campbelltown City Council aims**

Campbelltown City Council is committed to:

- increasing local employment opportunities for the existing and future growing population of Campbelltown
  - working in partnership with other levels of government to plan and manage the extraordinary levels of future urban growth that are earmarked for Campbelltown's future (approximately 150,000 additional people)
  - the principles of social justice and equity and recognises the significance of these principles in dealing with the community's access to local employment and training opportunities
  - understanding the key needs of the Campbelltown community, both now and into the future. Council operates to address these needs in terms of either direct service provision or through the facilitation of solutions through other entities, both government, business and/or the non-government sector.
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## 8.10 Draft Memorandum Of Understanding (Mou) Between Campbelltown City Council And TAFE NSW - South Western Sydney Institute

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### **MUTUAL ORGANISATIONAL COMMITMENT**

TAFE NSW - South Western Sydney Institute and Campbelltown City Council have a long and proud history of working together on a wide range of issues, including in the area of workforce skills development through education and training.

This MOU reflects the renewal of this relationship and through reinvigoration, commits both organisations to strive to achieve an effective strategic alliance aimed at encouraging greater social and economic resilience for the Campbelltown community.

### **PURPOSE OF THE MEMORANDUM OF UNDERSTANDING: 2017-2020**

This MOU sets out the intention of both parties to commit to the strengthening of their existing strategic alliance to ensure that their organisational planning and service delivery complement each other where possible. This will be achieved through effective communication and collaboration.

While not a binding document, it establishes parameters for the business relationship that will exist between each organisation.

Wherever appropriate, each organisation agrees to collaborate with the other, pool their efforts and available resources, exchange information and ideas, and commit to complementary thought leadership and problem solving, that can best serve the interests of the community in achieving economic and employment development.

### **OBJECTIVES**

This MOU shall commit TAFE NSW - South Western Sydney Institute and Campbelltown City Council to:

- a. formalise communication processes between TAFE NSW - South Western Sydney Institute and Campbelltown City Council over matters concerning economic and employment development
  - b. develop and share an evidenced based understanding of the training and employment needs of the Campbelltown Local Government Area
  - c. identify actions and strategies in areas where each organisation has a specific interest, that positively address economic and employment development in Campbelltown and the Macarthur region
  - d. develop and participate in joint projects, where agreed as being appropriate and where resources are available, that complement the work of each organisation in economic and employment development
  - e. develop operational agreements related to common service delivery in the area of economic and employment development as negotiated between the parties
  - f. engage co-operatively with State and Federal Government agencies as well as non-government organisations and business in matters relating to research,
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## 8.10 Draft Memorandum Of Understanding (Mou) Between Campbelltown City Council And TAFE NSW - South Western Sydney Institute

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needs analysis, strategic planning, project development and implementation, and community engagement that contribute towards positive economic and employment development outcomes in Campbelltown and the Macarthur region

- g. support each other in attracting funding to achieve positive economic and employment development outcomes for Campbelltown and the Macarthur region.

### **STATUS OF THIS MEMORANDUM OF UNDERSTANDING**

This MOU is a statement of intent only and will not operate as a binding legal requirement, nor as an instrument that creates a legal relationship between them.

It shall not be taken in any way to restrain the rights and responsibilities of any party, nor have any bearing or effect on the statutory or consent requirements of any party.

### **PRINCIPLES**

This MOU commits TAFE NSW - South Western Sydney Institute and Campbelltown City Council in a spirit of cooperation and mutual benefit, bearing in mind the community's best interest, to commit where appropriate, to:

- a. identify, plan and provide relevant and effective initiatives that contribute to positive economic and employment development outcomes for Campbelltown and the region, including enhanced education and training opportunities that build the capacity of the community to sustain its longer term economic and social well being
- b. complementing each other (in terms of each organisation's planning and operational activities) but within organisational policy, capacity and available resources.

### **AGREED STRATEGIES**

TAFE NSW - South Western Sydney Institute and Campbelltown City Council agree to collaborate, research and consider making recommendations to their respective organisations where relevant:

- a. that identify and achieve 'added value' to specific enterprise and employment opportunities that leverage off distinctive local economic, social and environmental advantages that exist in Campbelltown and the wider Macarthur region, including, but not limited to, the areas of:
    - cultural diversity and expression
    - significant Indigenous groups, communities and culture
    - Georges and Nepean Rivers and natural bushland, including the city's rich biodiversity
    - natural and cultural heritage
    - sport and recreation infrastructure
    - clustering of higher order health and education facilities
    - clustering of advanced manufacturing capability
    - extent of future urban development and renewal
    - population growth
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## 8.10 Draft Memorandum Of Understanding (Mou) Between Campbelltown City Council And TAFE NSW - South Western Sydney Institute

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- strategic geographical positioning and accessibility
- b. to build the capacity of the Campbelltown and wider Macarthur community to sustain its socio-economic future through innovation, diversity and collaboration
- c. for training and employment initiatives to support the development and retention of small and medium scale enterprises to encourage economic and employment development across Campbelltown and the wider Macarthur region
- d. to facilitate flexible and innovative programs and projects that deliver tangible employment and enterprise development benefits for the community, including, but not limited to:
  - young people
  - Indigenous people
  - people from culturally and linguistically diverse backgrounds
  - business operators
- e. that support investment by governments, government agencies, the non-government sector and the business sector in programs and projects that deliver critical infrastructure, both physical and service based, with an economic development benefit in Campbelltown and the wider Macarthur region.

### **GOVERNANCE OF THE STRATEGIC PARTNERSHIP**

#### **Purpose and role of the Partnership Steering Group**

TAFE NSW - South Western Sydney Institute and Campbelltown City Council agree to establish a Partnership Steering Group to implement this MOU and to specifically consider quarterly strategic information, monitoring and reporting across all areas including:

- a. project development
- b. project implementation and management (including evaluation and reporting)
- c. information analysis and policy
- d. strategic direction.

The Partnership Steering Group will:

- review strategic information relating to economic and employment development challenges and opportunities within the Campbelltown area and the wider Macarthur region
- identify priority projects for collaboration that are consistent with the provisions of this Memorandum
- support the Memorandum to achieve the outcomes of both parties wherever possible
- to regularly monitor progress on desired outcomes including the ongoing value of the Memorandum.

#### **Composition of the Partnership Steering Group**

The membership of the Partnership Steering Group shall consist of:

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8.10 Draft Memorandum Of Understanding (Mou) Between Campbelltown City Council And  
TAFE NSW - South Western Sydney Institute

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***Campbelltown City Council***

General Manager or delegate  
Director City Growth and Economy  
Manager City Marketing and Economy  
Executive Manager Community Life

***TAFE NSW - South Western Sydney Institute***

Institute Director or delegate  
Director Business Unit or delegate  
Manager Customer Service and Support Campbelltown / Macquarie Fields  
Manager Aboriginal Unit  
Community Engagement Coordinator

The Partnership Steering Group may call on additional representation from TAFE NSW - South Western Sydney Institute and Campbelltown City Council as required and agreed between the parties.

**Administrative support for the Partnership Steering Group**

Administrative support for the Partnership Steering Group shall be rotated on an annual basis between each of the parties, and as agreed between the parties.

**Project teams**

The Partnership Steering Group may agree to establish specific project teams to undertake actions consistent with this MOU. Project teams may focus on information analysis, strategic planning, project development or implementation of specific projects. Project teams will provide progress reports on a quarterly basis to the Partnership Steering Group.

Project Teams will comprise staff resources available from TAFE NSW - South Western Sydney Institute and Campbelltown City Council as agreed by the parties. Each project team shall be responsible for developing and managing project plans as endorsed by the Partnership Steering Group.

We agree to the principles contained in this Memorandum of Understanding.

.....  
Lindy Deitz  
General Manager  
Campbelltown City Council

.....  
Peter Roberts  
Institute Director  
TAFE SWSi – South Western Sydney Institute

Date: .....

Date: .....

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## **9. QUESTIONS WITH NOTICE**

Nil at time of print.

## **10. RESCISSION MOTION**

**No rescission motion this round**

## **11. NOTICE OF MOTION**

### **11.1 Revised Structure for Regional Collaboration**

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Councillor Lake has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 14 February 2017.

1. That Council request a report on options for implementing a revised structure for regional collaboration given the State Government's framework in being Fit for the Future and the implementation of joint organisations for regional New South Wales.
  2. That the report to explore a more cost effective option in dealing with regional issues.
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## **12. URGENT GENERAL BUSINESS**

**No reports this round**

## **13. PRESENTATIONS BY COUNCILLORS**

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Directors of Companies - City Development**

#### **Reason for Confidentiality**

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

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