



**CAMPBELLTOWN**  
CITY COUNCIL

# **ORDINARY BUSINESS PAPER**

**11 JUNE 2024**

## COMMON ABBREVIATIONS

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





04 June 2024

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 11 June 2024 at 6:30pm.

Lindy Deitz  
General Manager

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## **1. OPENING**

### **Australian National Anthem**

Australians all let us rejoice,  
For we are one and free;  
We've golden soil and wealth for toil;  
Our home is girt by sea;  
Our land abounds in nature's gifts  
Of beauty rich and rare;  
In history's page, let every stage  
Advance Australia Fair.  
In joyful strains then let us sing,  
Advance Australia Fair.

### **Acknowledgement of Country**

I would like to acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land. I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here tonight.

### **Council Prayer**

Almighty God, we who are gathered in Council, pledge ourselves to work in harmony for the welfare and development of our City. Guide us we pray in our deliberations. Help us to be fair in our judgements and wise in our actions, so that prosperity and happiness shall be the lot of our people. Amen.

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## **2. APOLOGIES/LEAVE OF ABSENCE**

Nil at time of print.

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

#### **3.1 Minutes of the Ordinary Meeting of Council held 14 May 2024**

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

That the Minutes of the Ordinary Meeting of Council held 14 May 2024, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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##### **Report**

That the Minutes of the Ordinary Meeting of Council held 14 May 2024 are presented to Council for confirmation.

##### **Attachments**

1. Minutes of the Ordinary Meeting of Council held 14 May 2024 (contained within this report)

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# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

**Ordinary Council Meeting held at 6:30pm on Tuesday, 14 May 2024.**

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 14 May 2024**

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**Present**           The Mayor, Councillor G Greiss  
                          Councillor G Brticevic  
                          Councillor J Chew  
                          Councillor M Chivers  
                          Councillor M Chowdhury  
                          Councillor J Cotter  
                          Councillor M George  
                          Councillor M Khalil  
                          Councillor D Lound  
                          Councillor R Munro  
                          Councillor M Oates  
                          Councillor M Stellino

**1.     ACKNOWLEDGEMENT OF LAND**

An Acknowledgement of Land was presented by the General Manager.

**Council Prayer**

The Council Prayer was presented by the Mayor, Dr George Greiss.

**2.     APOLOGIES/LEAVE OF ABSENCE**

A Leave of Absence for Councillor Morrison was granted at the Ordinary Meeting of 26 March 2024.

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

That the apology of Councillor K Hunt and Councillor R Manoto

**096/2024**     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 9 April 2024

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It was **Moved** Councillor Chew, **Seconded** Councillor Munro:

That the Minutes of the Ordinary Council Meeting held 9 April 2024, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**097/2024** The Motion on being Put was **CARRIED**.

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#### 3.2 Minutes of the Extraordinary Meeting of Council held 16 April 2024

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It was **Moved** Councillor Khalil, **Seconded** Councillor Munro:

That the Minutes of the Extraordinary Council Meeting held 16 April 2024, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**098/2024** The Motion on being Put was **CARRIED**.

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### 4. DECLARATIONS OF INTEREST

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

#### **Pecuniary Interests**

Councillor Margaret Chivers

Item 8.4 – Voluntary Planning Agreement – Menangle Park

Councillor Chivers advised that she is a property owner in the area and will leave the chamber.

#### **Non Pecuniary – Significant Interests**

The Mayor, Councillor George Greiss

Item 8.10 – Macarthur Football Club Funding Request

The Mayor advised that he has a non pecuniary – significant interest and will leave the chamber.

Councillor Darcy Lound

Item 8.10 – Macarthur Football Club Funding Request

Councillor Lound declared he is chair of the Macarthur Club Football Association and will leave the chamber.

#### **Non Pecuniary – Less than Significant Interests**

#### **Other Disclosures**

Nil

## 5. MAYORAL MINUTE

### 5.1 Turning the Page: A New Chapter

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It was **Moved** Councillor Greiss:

That the information be noted.

**099/2024** The Motion on being Put was **CARRIED**.

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### 5.2 Campbelltown Billabong

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It was **Moved** Councillor Greiss:

**100/2024** The Motion on being Put was **CARRIED**.

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## 6. PETITIONS

Nil

## 7. CORRESPONDENCE

### 7.1 Federal Pre-Budget Submissions

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It was **Moved** Councillor Chew, **Seconded** Councillor Munro:

That the letters be received and the information be noted.

**101/2024** The Motion on being Put was **CARRIED**.

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## 7.2 Hospital Precinct Parking

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

That the letters be received and the information be noted.

**102/2024** The Motion on being Put was **CARRIED**.

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## 7.3 Minto Railway Station Improvements

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It was **Moved** Councillor Khalil, **Seconded** Councillor Stellino:

That the letter be received and the information be noted.

**103/2024** The Motion on being Put was **CARRIED**.

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## 7.4 Spring Farm Parkway - South Bound Ramps

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

That the letters be received and the information be noted.

**104/2024** The Motion on being Put was **CARRIED**.

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## 7.5 Thank you - Campbelltown City Council Local Planning Panel

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It was **Moved** Councillor Munro, **Seconded** Councillor Khalil:

That the letters be received and the information be noted.

**105/2024** The Motion on being Put was **CARRIED**.

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## 8. REPORTS FROM OFFICERS

### 8.1 Christchurch Justice Precinct Site Tour

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

1. That the information be noted.
2. That the Mayor and General Manager continue to advocate to the NSW and Federal Governments for investment in the Campbelltown Community and Justice Precinct.
3. That the Mayor, General Manager and a support staff member visit Perth, Western Australia to undertake a site tour of their Civic and Court Precinct and to continue to investigate appropriate models and seek learnings from other cities' experiences.

**106/2024** The Motion on being Put was **CARRIED**.

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### 8.2 The Parks' Operating Model

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

1. That Council note the strategic alliance of the eight Councils of the Western Parkland City, and the need to update the governance model to increase effectiveness.
2. That Council notes that this updated governance model retains the autonomy of all member Councils and brings with it no additional financial costs on members.
3. That Council endorses:
  - a. that the existing governance model for The Parks be updated to a Section 358 entity under the *Local Government Act 1993* constituted as an incorporated association under the *Associations Incorporation Act 2020* with primary responsibility for conducting research and gathering evidence to advocate effectively for the residents, businesses and visitors of the Western Parkland City and implement programs and initiatives that bring regional benefits.
  - b. the attached Constitution as the Constitution for this organisation, to be known as the 'The Parks' Councils Organisation.
4. That, subject to Ministerial consent, authorises the Mayor and General Manager to work with the other Councils' Mayors and General Managers to establish the entity as per Section 358 of the *Local Government Act 1993* and the OLG's Guidelines for the Formation of Corporations and Entities (s358).

**107/2024** The Motion on being Put was **CARRIED**.

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### 8.3 Visiting delegation from Koshigaya

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It was **Moved** Councillor Munro, **Seconded** Councillor Khalil:

That the information be noted.

**108/2024** The Motion on being Put was **CARRIED**.

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**Meeting Note:** Having declared an interest in Item 8.4 Councillor Chivers left the Chamber at 7:21 pm.

### 8.4 Voluntary Planning Agreement - Menangle Park

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It was **Moved** Councillor Munro, **Seconded** Councillor Stellino:

That Council authorise the General Manager to execute the draft Voluntary Planning Agreement with Dahua Group Sydney Project 2 Pty Ltd and Dahua Group Sydney Project 3 Pty Ltd on behalf of Council.

A Division was recorded in regard to the Resolution for Item 8.4 with those voting for the Motion being Councillors G Greiss, D Lound, M Chowdhury, M Oates, M Khalil, M Stellino, J Cotter, G Brticevic, M George, J Chew and R Munro.

Voting against the Resolution were Nil.

**109/2024** The Motion on being Put was **CARRIED**.

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**Meeting Note:** Councillor Chivers returned to the Chamber at 7:22 pm.

### 8.5 Significant Development Applications

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It was **Moved** Councillor Munro, **Seconded** Councillor Khalil:

That the information be noted.

**110/2024** The Motion on being Put was **CARRIED**.

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## 8.6 Minutes of the Traffic Committee Report

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

That the minutes from the Traffic Committee held 26 March 2024 be endorsed.

**111/2024** The Motion on being Put was **CARRIED**.

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## 8.7 Draft Memorials and Monuments in Public Open Space Policy

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

1. That the revised Draft Memorials and Monuments in Public Open Space Policy as attached to this report be adopted.

**112/2024** The Motion on being Put was **CARRIED**.

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## 8.8 Library Relocation Update

---

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

1. That Council notes the update of the library relocation to 147-157 Queen Street Campbelltown.
2. That Council endorses the final project budget and enters into a variation of the existing lease at 147-157 Queen Street, Campbelltown.
3. That all and any documentation associated with the variation of lease is signed by way of delegated authority of the General Manager (or her authorised delegate) under Section 377 of the *Local Government Act 1993*.

**113/2024** The Motion on being Put was **CARRIED**.

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## 8.9 Temporary Suspension of Alcohol Free Zone for 'Wander On Q' Program

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It was **Moved** Councillor Munro, **Seconded** Councillor Khalil:

That Council approve temporary suspension of the Alcohol-Free Zone in Queen Street between Cordeaux Street and Patrick Street, Campbelltown on Saturday 12 October 2024 between 4:00 pm and 10:00 pm.

**114/2024** The Motion on being Put was **CARRIED**.

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## Procedural Motion

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

That Councillor M Stellino will chair the chamber for Item 8.10.

**115/2024** The Motion on being Put was **CARRIED**.

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**Meeting Note:** Having declared an interest in Item 8.10 - The Mayor, Councillor Greiss and Councillor Lound left the Chamber at 7:26 pm.

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## 8.10 Macarthur Football Club Funding Request

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It was **Moved** Councillor Chew, **Seconded** Councillor Munro:

1. That the information contained in the report and the Officer's recommendations are noted.
2. That Council decline to support the Macarthur Football Club 2024-2028 community partnership proposal included in this report and notes the Macarthur Football Club has withdrawn the proposal.

**116/2024** The Motion on being Put was **CARRIED**.

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**Meeting Note:** The Mayor, Councillor Greiss and Councillor Lound returned to the Chamber at 7:41pm.

**Meeting Note:** The Mayor, Councillor Greiss resumed the chair at 7:42 pm



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### 8.11 Investments and Revenue Report - March 2024

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It was **Moved** Councillor Stellino, **Seconded** Councillor Khalil:

That the information be noted.

**117/2024** The Motion on being Put was **CARRIED**.

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### 8.12 Reports and Letters Requested

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It was **Moved** Councillor Cotter, **Seconded** Councillor Munro:

That the comments and updates to the reports and letters requested be noted.

**118/2024** The Motion on being Put was **CARRIED**.

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### 8.13 Policy Review - Privacy Management Policy

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It was **Moved** Councillor Stellino, **Seconded** Councillor Cotter:

1. That the proposed Privacy Management Policy, as attached to this report, be adopted.
2. That the Privacy Management Policy review date be set as 30 June 2028.
3. The Council provide a copy of the Management Policy to the Privacy Commissioner in accordance with the requirements of section 33(5) of the *Privacy and Personal Information Protection Act 1998*.

**119/2024** The Motion on being Put was **CARRIED**.

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#### 8.14 Proposed Co-Location at Council Community Facility - Wedderburn

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

1. That Council endorse the proposed co-location of entities at Wedderburn Outdoor Resource Centre.
2. That Council endorse the terms of the proposed licence agreements for each entity to be co-located at Wedderburn Outdoor Resource Centre.
3. That all and any documentation associated with the proposed licence agreements be signed by way of delegated authority by the General Manager (or her authorised delegate) under *Section 377 of the Local Government Act 1993*.

**120/2024** The Motion on being Put was **CARRIED**.

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#### 8.15 24 hour Fight Against Cancer Macarthur

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It was **Moved** Councillor Cotter, **Seconded** Councillor Khalil:

That Council determine the request for a 3 year sponsorship arrangement for the 24 Hour Fight Against Cancer Macarthur 2024 to 2026 including coverage of the cost of Campbelltown Athletics Stadium hire and other associated costs with the 24 Hour Fight Against Cancer Macarthur Annual Walk event as detailed in the report.

**121/2024** The Motion on being Put was **CARRIED**.

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#### 8.16 Submission - Reforming the emergency services funding system

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It was **Moved** Councillor Khalil, **Seconded** Councillor Cotter:

That Council endorse the submission regarding reforms to the emergency services funding system.

**122/2024** The Motion on being Put was **CARRIED**.

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**8.17 Code of Meeting Practice - Councillor Briefing amendment**

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It was **Moved** Councillor Munro, **Seconded** Councillor Chew:

1. That the Draft Code of Meeting Practice be placed on public exhibition for a period of not less than 28 days, with an additional 14 days to receive submissions.
2. That following the public exhibition, where no submissions are received during the exhibition and submission period, the amended Code of Meeting Practice including the Councillor Briefing amendments exhibited be adopted.

**123/2024** The Motion on being Put was **CARRIED**.

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**8.18 Quarterly Business Review Statement as at 31 March 2024**

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It was **Moved** Councillor Khalil, **Seconded** Councillor Chew:

That the adjustments recommended in the Quarterly Business Review be adopted.

**124/2024** The Motion on being Put was **CARRIED**.

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**8.19 Submission - Parliamentary Inquiry into the ability of local governments to fund infrastructure and services**

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It was **Moved** Councillor Cotter, **Seconded** Councillor Munro:

That the information be noted.

**125/2024** The Motion on being Put was **CARRIED**.

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## 8.20 Creation of an easement on Council land to support a community battery

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

1. That Council endorse the creation of an easement on Council land for the purposes of a community battery.
2. That Council endorse the delegated authority to the General Manager (or her authorised delegate) under Section 377 of the *Local Government Act 1993* to enable the execution of all and any documentation required to create the easement.
3. That revenue sourced from this project be allocated to Council's Corporate Sustainability Fund to support future sustainability initiatives.

**126/2024** The Motion on being Put was **CARRIED**.

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## 8.21 Unsolicited Proposal Policy Review

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It was **Moved** Councillor Chew, **Seconded** Councillor Stellino:

1. That the revised Unsolicited Proposal Policy be adopted.
2. That the Unsolicited Proposal Policy review date be set at 30 June 2028.

**127/2024** The Motion on being Put was **CARRIED**.

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## 8.22 Macarthur Centre for Sustainable Living - Membership contribution

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It was **Moved** Councillor Munro, **Seconded** Councillor Chew:

That Council provide written notice to the Macarthur Centre for Sustainable Living advising that it will be withdrawing its membership contribution, providing a 6 month notice period.

**128/2024** The Motion on being Put was **CARRIED**.

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**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION****11.1 Screen Culture**

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

1. That Council note the opportunity to further explore the development of Screen Culture in the Campbelltown Local Government Area as highlighted in the recently endorsed Cultural Strategy.
2. That the Campbelltown Local Government Area be promoted as a filming location.
3. That Council liaise with relevant government departments and screen agencies to discuss partnership and strategic funding opportunities.
4. That Council write to the local Members of Parliament seeking their support for the establishment of this community opportunities.

**129/2024** The Motion on being Put was **CARRIED**.

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## 11.2 Cat enclosure program for the protection of wildlife

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It was **Moved** Councillor Stellino, **Seconded** Councillor Munro:

1. That Council write to the relevant NSW Government Minister(s) seeking the establishment of a community grant program to support residents to build cat enclosures on residential lands that adjoin, or is in close proximity to wildlife areas & industrial zones.
2. That Council write to the local Members of Parliament seeking their support for the establishment of this community grant program.

**130/2024** The Motion on being Put was **CARRIED**.

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## 11.3 Ramadan Nights

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

1. That Council receive a report on the outcome of the recent Ramadan On Q event and the potential funding options to include it as an ongoing council event for the coming years.
2. That Council write to the relevant NSW Government Minister and local Members of Parliament seeking their support for NSW Government funding for this event in future years.

**131/2024** The Motion on being Put was **CARRIED**.

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## 12. URGENT GENERAL BUSINESS

### **13. PRESENTATIONS BY COUNCILLORS**

1. Councillor Meg Oates on 9 May 2024, along with the Mayor, Councillor Greiss and Councillor Chew attended the Companion Animal Rescue and Rehoming Group Recognition Awards. Councillor Oates commended the Mayor on a wonderful event to show appreciation for this group who dedicate their time to helping neglected animals in the community.
2. Councillor Meg Oates on 3 May 2024, along with Councillor Khalil and Councillor Chowdhury attended the official opening of the superior training centre in Ingleburn. The new campus has state of the art facilities and innovative learning spaces designed to fuel passions and enhance trade skills. Councillor Oates noted that it is a well run facility working with a lot of people in the local community.
3. Councillor Masud Khalil on 1 May 2024 along with Dr Mike Freeland, represented the Mayor, Councillor Greiss at Minto Public School, ANZAC Day Assembly. Councillor Khalil expressed how wonderful it was to see the kids acknowledge the soldiers who have sacrificed their lives for our Country and safety.
4. Councillor Matthew Stellino thanked Council for their efforts on the Companion Animal Rescue awards ceremony. Councillor Stellino expressed that it is often thankless work and it was heartwarming to see people who have given a lot of time to the community be recognised for their hard work.
5. Councillor Joshua Cotter on 17 April 2024 attended the Youth Homelessness matters day along with members of the new Youth Action Team at Leumeah skate park. Councillor Cotter commended the staff on a great event and expressed it was a great opportunity to connect with local homelessness services, representatives and resources.
6. Councillor Joshua Cotter on 20 April 2024 represented the Mayor, Councillor Greiss at Scream it Out All Ages Music Festival and the launch of our Youth Plan. Councillor Cotter commended our Youth Action Team who did a great job engaging with other young people and also professionals supporting the youth in our community. Councillor Cotter recognised the hardwork of Hayley Valone and Jessica Fusitua on the Youth Action Plan and the effort put into making sure this was a well thought plan.
7. Councillor Riley Munro on 4 May 2024 also known as Star Wars Day, attended the free Comic Book day event at HJ Daly Library. Councillor Munro expressed that it was a greatly attended event with people from all across the Macarthur community he also thanked the library staff on a great event and the Lions Club for providing the BBQ.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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It was **Moved** Councillor Munro, **Seconded** Councillor Stellino:

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

**Item 14.1 Lease on Council Premises - Queen Street, Campbelltown**

Item 14.1 is confidential in accordance with Section 10A(2)(d)(i) of the *Local Government Act 1993* as the report refers to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Item 14.2 Assignment of Licence on Council Premises, Campbelltown**

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

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

**132/2024** The Motion on being Put was **CARRIED**.

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**The Ordinary Meeting of Council was adjourned at 8:27 and reconvened as a meeting of the Confidential Committee at 8:28.**

### Recommendations of the Confidential Committee

#### 14.1 Lease on Council Premises - Queen Street, Campbelltown

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It was **Moved** Councillor Stellino, **Seconded** Councillor Munro:

1. That Council endorse the renewal of leases for commercial premises situated at Milgate Arcade based on the terms and conditions as outlined in the body of this report.
2. That approval is granted for the lease on each premises to be executed by way of delegated authority under Section 377 of the *Local Government Act 1993*.

**133/2024** The Motion on being Put was **CARRIED**.

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**14.2 Assignment of Licence on Council Premises, Campbelltown**

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It was **Moved** Councillor Munro, **Seconded** Councillor Chew:

- 1. That Council endorse the proposed Assignment of Licence on terms set out in this paper.
- 2. That all and any documentation relating to the Assignment of Licence is signed by way of delegated authority by the General Manager (or authorised delegate) under Section 377 of the *Local Government Act 1993*.

**134/2024** The Motion on being Put was **CARRIED**.

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

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

**135/2024** The Motion on being Put was **CARRIED**.

---

**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8:29 pm**

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

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

**136/2024** The Motion on being Put was **CARRIED**.

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There being no further business the meeting closed at 8:31.

Confirmed by Council

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

#### **4. STATEMENT OF ETHICAL OBLIGATIONS AND DECLARATIONS OF INTEREST**

##### **Statement of Ethical Obligations**

Statement of Ethical Obligations In accordance with section 233A of the Local Government Act 1993, the Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Campbelltown and the Campbelltown City Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

##### **Declarations of Interest**

###### **Pecuniary Interests**

###### **Non Pecuniary – Significant Interests**

###### **Non Pecuniary – Less than Significant Interests**

###### **Other Disclosures**

## 5. MAYORAL MINUTE

### 5.1 A Memorable Visit to Koshigaya

#### Recommendation

That the information be noted.

I feel compelled to share my thoughts and gratitude for the warm welcome we received in Koshigaya.

Firstly, a heartfelt thank you to Mayor Fukuda, Chairperson Shimada, and Deputy Mayor Aoyama for their kind hospitality from our arrival to our departure. Their efforts in arranging such a comprehensive and diverse schedule provided us with numerous fantastic experiences and enabled us to discover their city in detail.

I also want to express my gratitude to Mr Kobayashi, President of the Koshigaya International Association, for joining us at many events.

It was a true honour to be in Koshigaya as part of our 40th-anniversary celebration of the Campbelltown-Koshigaya Sister City relationship. It was a delight to recently welcome the Mayor and Chairperson to Campbelltown and share our city with them, and indeed, they have extended the same hospitality to us in Koshigaya.

Face-to-face connections have been crucial in strengthening our relationship over the past 40 years. As Mayor of Campbelltown, it is a privilege to continue building on this foundation of mutual friendship and connection.

During their visit to Campbelltown, they would have seen the pride our Council and community have in this relationship. Through landmarks like Koshigaya Park and our Japanese Garden, we celebrate the spirit of Koshigaya and the significance of Japanese culture and history. These attractions are beloved by our residents, and as part of our 40th anniversary, we will enhance them even further.

During our visit, we also got to see the pride of the City Office and community of Koshigaya have in their relationship with us. It was a special honour to visit Campbelltown Park and plant a cherry blossom tree to signify our growing relationship. Like Koshigaya Park, this is a much-loved community space in the heart of Koshigaya, and contains many features that celebrate Campbelltown.

I was also fortunate to visit the Campbelltown Forest of Wild Birds and meet the passionate staff who share educational information with the students and residents of Koshigaya about Campbelltown, through the native Australian animals and plants that are the centrepiece of the facility.

Another highlight of our visit was the tour of the newly opened City Office building, where we were experienced the Council Chamber and visited a special exhibition celebrating 40 years of memories and gifts through a thoughtful public display.

We were also invited to visit the Australian Embassy in Tokyo, where the Deputy Head of Mission commended both cities for the strength of our relationship and the important contribution that connections such as ours make to the strong tourism, economic and trade relationship between Australia and Japan.

Over the past four decades, we have shared numerous exchange visits, including in education, business, culture, sport, and tourism. Our student delegation program, in particular, is a source of great pride. We have celebrated events, milestones, and opportunities and supported each other through challenging times, such as earthquakes, typhoons, floods, bushfires, and pandemics.

Our relationship has been built on a foundation of mutual understanding, goodwill, and genuine care and hospitality. Because of these important foundations, I am confident that the strong and enduring ties between our cities will continue to thrive well into the future.

The friendships we have gained and the opportunities our relationship has provided for our two cities are extraordinary. As one of the longest and most successful Sister City relationships in Australia, we are deeply committed to fostering this bond for years and generations to come.

I feel privileged to have had the opportunity to visit Koshigaya to celebrate this significant anniversary. I trust that this Sister City relationship will continue to flourish and endure long into the future.

## **Attachments**

Nil

## 5.2 New Housing Targets

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### Recommendation

That the information be noted

Last week, the Minns Government of New South Wales released new housing targets. These five-year targets, set for 43 Local Government Areas (LGAs) across Greater Sydney, Central Coast, Hunter, Greater Newcastle, Illawarra-Shoalhaven, and regional NSW, aim to support the National Housing Accord by delivering 377,000 new homes.

To encourage acceptance of this initiative, the NSW Government has announced a \$200 million grant program. This program is designed to reward councils that successfully meet their housing targets and to fund the development of green spaces and the maintenance of local infrastructure.

There has been limited time for analysis, information is scarce, and there was no consultation with councils or communities. As I explained in my previous minutes, this top-down approach to planning is not necessarily negative, provided the government is held accountable for it in the next election.

Here is what we understand so far:

The government claims the new housing targets aim to address the imbalance of housing growth, previously concentrated in Western Sydney, by ensuring development occurs in areas with existing infrastructure. The targets will guide local governments and provide access to financial support, focusing on building 82 per cent of new homes in infill areas and 18 per cent in greenfield locations over the next 5 years.

The department's website states that the targets were determined using data on current housing projects, new planning reforms, environmental risks, development feasibility, and infrastructure capacity. The methodology includes planned and projected new homes and considers factors like market conditions and demand.

### Regional Analysis

The previous Regional Housing Targets compared with these new target, adopting the information from each Council's Local Housing Strategies are as follows:

- South Western Sydney (Liverpool, Fairfield, Cumberland, Canterbury-Bankstown, Camden, Wollondilly, Campbelltown):
  - o Old target (2021-2026): 50,436 homes
  - o New target (2025-2029): 61,000 homes
- North Western Sydney (The Hills, Hawkesbury, Blacktown, Penrith, Blue Mountains, Parramatta).
  - o Old target (2021-2026) is 67,714 homes
  - o New target (2025-2029) is 73,200 homes

- South Eastern Sydney (Waverly, Woollahra, Randwick, Sydney, Sutherland, Bayside, Georges River, Strathfield, Burwood, Canada Bay, Inner West):
  - o Old target is unclear
  - o New target is 66,800 homes
- North Eastern Sydney (Northern Beaches, Mosman, Willoughby, North Sydney, Hornsby, Ku-ring-gai, Lane Cove, Ryde, Hunters Hill):
  - o Old target is unclear
  - o New target is 44,200 homes

Based on these numbers, Greater Western Sydney's new target is 134,200 homes for the period 2025-2029, while Eastern Sydney's new target is 66,800 homes. This means that Western Sydney is expected to deliver 57 per cent of the 263,400 new dwellings target for metropolitan Sydney.

### **Campbelltown's Target**

Campbelltown's dwelling target has increased from 7,100 - 8,250 dwellings for 2021-2026 to 10,500 dwellings for 2025-2029. This represents an increase of 37 per cent.

However, the time spans are not consecutive; they overlap. Therefore, considering the five-year span of 2021-2026 and the four-year span of 2025-2029, a more accurate calculation shows an annual target increase from 1,650 to 2,625 dwellings per year, a 59 per cent increase.

This significant increase for Campbelltown, and potentially for Western Sydney if similar calculations apply, raises concerns.

The methodology should include considerations for current infrastructure backlogs, train service overcapacity, lack of connection to Bradfield and Western Sydney Airport, overreliance on cars, lack of employment opportunities, justice infrastructure deficits, and water capacity issues. Understanding how these factors were considered is vital for assessing the feasibility and impact of the new targets.

The current infrastructure in Campbelltown already has significant backlogs. Increasing housing targets without addressing these backlogs will exacerbate existing problems. Without clear government support, the increased housing targets will never achieve their growth potential.

Increasing the housing targets without parallel growth in local employment opportunities could lead to higher unemployment rates and economic strain on the community. We must have a solution to the employment deficit locally and a direct connection to Bradfield and the new Western Sydney Airport.

Our public transportation, especially train services, is already over capacity, and our area heavily relies on private vehicles. With the increase in housing, more residents will rely on these services, leading to further congestion and decreased quality of service.

Water supply and infrastructure capacity are critical concerns. With the increased housing targets, without an urgent upgrade to ensure adequate water supply, waste water treatment capacity and other infrastructure to support the new population, we cannot achieve these targets.

Without significant improvements in local employment numbers, public transportation, alternative commuting options, and road networks, traffic congestion and environmental impacts will be devastating.

The claim that 82 per cent of housing targets will come from infill areas and 18 per cent from greenfield locations needs clarification, especially for Campbelltown and Greater Western Sydney. Understanding how this ratio was determined and its implications on local development is crucial.

Campbelltown is not one of the lucky few “priority” development areas like Homebush, Hornsby, Bankstown, Kellyville, Bella Vista, the Bays in Rozelle, Crows Nest and Macquarie Park, that the government has committed to support with \$520 million worth of infrastructure.

Council has recently committed significant funding to reviewing our existing Local Environment Plan (LEP), which is currently underway. If these targets are based upon capacity under our existing controls, is an LEP amendment required at all? Our Local Housing Strategy has been sitting unapproved with the Department for over a year, and may now require reconsideration, together with our Local Strategic Planning Statement. Clarifying whether current plans need to be revised or if new strategies will be implemented is necessary for local planning efforts.

There are many more questions that we need answered. I will continue to seek answers and keep Councillors and the community updated on any clarifications received from the department and government. Ensuring that the methodology and planning for these targets are transparent and comprehensive is essential for the sustainable growth of Campbelltown.

## **Attachments**

Nil

## **6. PETITIONS**



## **7. CORRESPONDENCE**

### **7.1 Funding for the Introduction of Pickleball courts to Campbelltown LGA**

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

That the letters be received and the information be noted.

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1. Letter from the Mayor to Dr Mike Freelander MP dated 16 May 2024
2. Letter from the Mayor to Mr Greg Warren MP dated 16 May 2024
3. Letter from the Mayor to Mr Nathan Hagarty MP dated 16 May 2024
4. Letter from the Mayor to Ms Anne Stanley MP dated 16 May 2024
5. Letter from the Mayor to The Hon Anoulack Chanthivong MP dated 16 May 2024.

#### **Attachments**

- 7.1.1 Letter from the Mayor to Dr Mike Freelander MP (contained within this report) [↓](#)
- 7.1.2 Letter from the Mayor to Mr Greg Warren MP (contained within this report) [↓](#)
- 7.1.3 Letter from the Mayor to Mr Nathan Hagarty MP (contained within this report) [↓](#)
- 7.1.4 Letter from the Mayor to Ms Anne Stanley MP (contained within this report) [↓](#)
- 7.1.5 Letter from the Mayor to The Hon Anoulack Chanthivong MP (contained within this report) [↓](#)

Office of the Mayor



16 May 2024

Dr Mike Freeland MP  
Federal Member for Macarthur  
Via email: [Mike.Freeland.MP@aph.gov.au](mailto:Mike.Freeland.MP@aph.gov.au)

Dear Dr Freeland,

**Funding for the Introduction of Pickle Ball courts to Campbelltown LGA**

Campbelltown City Council is proud of our Sport and Recreation offering to the community and continues to explore opportunities to improve our facilities in response to community demand.

At its meeting on 26 March 2024 Council resolved:

1. That Council undertake a feasibility study for establishing Pickleball Courts in the Campbelltown Local Government Area (LGA), including community interest, suitable sites, associated costs, and the possibility of establishing a trial site to introduce the sport to community members.
2. That Council, in conjunction with the feasibility study, seeks grant opportunities to help establish the trial site and develop the sport across the Campbelltown LGA.
3. That Council write to our regions State and Federal MP's seeking their endorsement and support and financial contribution of the State and Federal Government's for the establishment of Pickleball Courts in the Campbelltown LGA.

We are seeking funding support to develop a feasibility study and establish a trial site to assess the potential for this activation in our region.

If you require any further information, please contact Council's Deputy General Manager Director Ben Hoyle on (02) 4645 4636.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-162395

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

Office of the Mayor



16 May 2024

Mr Greg Warren MP  
Member for Campbelltown  
Via email: [campbelltown@parliament.nsw.gov.au](mailto:campbelltown@parliament.nsw.gov.au)

Dear Mr Warren,

**Funding for the Introduction of Pickle Ball courts to Campbelltown LGA**

Campbelltown City Council is proud of our Sport and Recreation offering to the community and continues to explore opportunities to improve our facilities in response to community demand.

At its meeting on 26 March 2024 Council resolved:

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If you require any further information, please contact Council's Deputy General Manager Director Ben Hoyle on (02) 4645 4636.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-162269

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

Office of the Mayor



16 May 2024

Mr Nathan Hagarty MP  
Member for Leppington  
Via email: [leppington@parliament.nsw.gov.au](mailto:leppington@parliament.nsw.gov.au)

Dear Mr Hagarty,

**Funding for the Introduction of Pickle Ball courts to Campbelltown LGA**

Campbelltown City Council is proud of our Sport and Recreation offering to the community and continues to explore opportunities to improve our facilities in response to community demand.

At its meeting on 26 March 2024 Council resolved:

1. That Council undertake a feasibility study for establishing Pickleball Courts in the Campbelltown Local Government Area (LGA), including community interest, suitable sites, associated costs, and the possibility of establishing a trial site to introduce the sport to community members.
2. That Council, in conjunction with the feasibility study, seeks grant opportunities to help establish the trial site and develop the sport across the Campbelltown LGA.
3. That Council write to our regions State and Federal MP's seeking their endorsement and support and financial contribution of the State and Federal Government's for the establishment of Pickleball Courts in the Campbelltown LGA.

We are seeking funding support to develop a feasibility study and establish a trial site to assess the potential for this activation in our region.

If you require any further information, please contact Council's Deputy General Manager Director Ben Hoyle on (02) 4645 4636.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-162328

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

Office of the Mayor



16 May 2024

Mrs Anne Stanley MP  
Federal Member for Werriwa  
Via email: [Anne.Stanley.MP@aph.gov.au](mailto:Anne.Stanley.MP@aph.gov.au)

Dear Mrs Stanley,

**Funding for the Introduction of Pickle Ball courts to Campbelltown LGA**

Campbelltown City Council is proud of our Sport and Recreation offering to the community and continues to explore opportunities to improve our facilities in response to community demand.

At its meeting on 26 March 2024 Council resolved:

1. That Council undertake a feasibility study for establishing Pickleball Courts in the Campbelltown Local Government Area (LGA), including community interest, suitable sites, associated costs, and the possibility of establishing a trial site to introduce the sport to community members.
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We are seeking funding support to develop a feasibility study and establish a trial site to assess the potential for this activation in our region.

If you require any further information, please contact Council's Deputy General Manager Director Ben Hoyle on (02) 4645 4636.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-162413

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



Office of the Mayor



20 May 2024

The Hon Anoulack Chanthivong MP  
Member for Macquarie Fields  
Via email: [macquariefields@parliament.nsw.gov.au](mailto:macquariefields@parliament.nsw.gov.au)

Dear Mr Chanthivong,

**Funding for the Introduction of Pickle Ball courts to Campbelltown LGA**

Campbelltown City Council is proud of our Sport and Recreation offering to the community and continues to explore opportunities to improve our facilities in response to community demand.

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If you require any further information, please contact Council's Deputy General Manager Director Ben Hoyle on (02) 4645 4636.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

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**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
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ABN: 31 459 914 087

---

## 7.2 Funding for Heritage Week

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### Officer's Recommendation

That the letters be received and the information be noted.

---

1. Letter from the Mayor to Dr Mike Freelander MP dated 8 May 2024
2. Letter from the Mayor to Ms Anne Stanley MP dated 8 May 2024
3. Letter from Ms Anne Stanley MP, Member for Werriwa to the Mayor dated 17 May 2024
4. Letter from Ms Anne Stanley MP, Member for Werriwa to the Mayor dated 21 May 2024
5. Letter from the Mayor to Mr Nathan Hagarty MP dated 8 May 2024
6. Letter from the Mayor to The Hon Anoulack Chanthivong MP dated 8 May 2024
7. Letter from the Mayor to Mr Greg Warren MP dated 8 May 2024
8. Letter from Mr Greg Warren to The Hon Penny Sharpe MLC, Minister for Heritage, making representations on Council's behalf dated 20 May 2024

### Attachments

- 7.2.1 Letter from the Mayor to Dr Mike Freelander MP (contained within this report) [↓](#)
- 7.2.2 Letter from the Mayor to Ms Anne Stanley MP (contained within this report) [↓](#)
- 7.2.3 Letter from Ms Anne Stanley MP, Member for Werriwa to the Mayor dated 17 May 2024 (contained within this report) [↓](#)
- 7.2.4 Letter from Ms Anne Stanley MP, Member for Werriwa to the Mayor dated 21 May 2024 (contained within this report) [↓](#)
- 7.2.5 Letter from the Mayor to Mr Nathan Hagarty MP (contained within this report) [↓](#)
- 7.2.6 Letter from the Mayor to The Hon Anoulack Chanthivong MP (contained within this report) [↓](#)
- 7.2.7 Letter from the Mayor to Mr Greg Warren MP (contained within this report) [↓](#)
- 7.2.8 Letter from Mr Greg Warren to The Hon Penny Sharpe MLC, Minister for Heritage, making representations on Council's behalf dated 20 May 2024 (contained within this report) [↓](#)

Office of the Mayor



8 May 2024

Dr Mike Freeland  
Federal Member for Macarthur  
Via email: [Mike.Freeland.MP@aph.gov.au](mailto:Mike.Freeland.MP@aph.gov.au)

Dear Dr Freeland,

**Funding for Heritage Week**

At our April Council meeting, Council resolved that I write to you seeking support for funding opportunities to undertake Heritage Event Programs in Campbelltown.

Campbelltown is proud of its heritage, beginning with the Dharawal People and extending through to 2024.

Campbelltown Council is keen to celebrate and share this rich history by activating key historical buildings and sites throughout the city through storytelling and activities.

We are aware of the NSW Heritage Grants; however, this round of funding is now closed until 2026. We are seeking advice or direction on any federal funding that may be accessed to facilitate a Heritage Week activation or program in 2025.

Thank you in advance for your advice.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-151454

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
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Office of the Mayor



8 May 2024

Ms Anne Stanley MP  
Federal Member for Werriwa  
Via email: [Anne.Stanley.MP@aph.gov.au](mailto:Anne.Stanley.MP@aph.gov.au)

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Campbelltown is proud of its heritage, beginning with the Dharawal People and extending through to 2024.

Campbelltown Council is keen to celebrate and share this rich history by activating key historical buildings and sites throughout the city through storytelling and activities.

We are aware of the NSW Heritage Grants; however, this round of funding is now closed until 2026. We are seeking advice or direction on any federal funding that may be accessed to facilitate a Heritage Week activation or program in 2025.

Thank you in advance for your advice.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-151464

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



# ANNE STANLEY MP

FEDERAL MEMBER FOR WERRIWA



17 May 2024

Dr George Greiss  
Mayor  
Campbelltown City Council

Via email: [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

20240517/AA

Dear Dr Greiss,

Thank you for your letter dated 8 May 2024 regarding potential grant opportunities for Campbelltown City Council for Heritage Event Programs.

I have written to the Special Envoy for the Arts, Ms Susan Templeman MP, on behalf of Campbelltown City Council and I shall advise you on any response I receive.

Yours sincerely

*Signature has been removed*

**Anne Stanley MP**  
Government Whip  
Federal Member for Werriwa



21 May 2024

Dr George Greiss  
Mayor  
Campbelltown City Council

Via email: [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

20240521/AA

Dear Dr Greiss,

I refer to my previous letter dated 17 May 2024 advising that I had written to the Special Envoy for the Arts, Ms Susan Templeman MP, regarding grant opportunities that may be available for Campbelltown City Council's Heritage Event Program.

Below is an overview of what's available at both a federal and state level. Some of these opportunities are open only to proposals related to heritage-listed places.

- [Arts Projects for Organisations - Creative Australia](#): Administered by Creative Australia can provide up to \$100,000 for a single project, a suite of projects, or an annual program of activity, across all art forms. Any application for this grant would need to be focused solely on components of the Council's program that engage with practicing contemporary artists (if any are being considered).
- [Australian Heritage Grants - DCCEEW](#): Administered by the Department of Climate Change, Energy Efficiency and Water aim to improve the recognition, conservation and preservation of National Heritage-listed places; improve access to National Heritage-listed places and increase community engagement and raise awareness of these places.
- [Community Heritage Grants | NSW Government](#): Administered by Heritage NSW support communities to understand, celebrate and promote heritage and culture in NSW. Applications are sought for heritage projects that actively engage or reach a large number of participants.
- [Local Government Heritage Grants | NSW Government](#): Administered by Heritage NSW, supports local government to identify, conserve and promote heritage, improving local heritage outcomes.
- [Activating State Heritage Grant - Stage 1 EOI | NSW Government](#): Administered by Heritage NSW, increases public engagement with an item listed on the NSW State Heritage Register. I believe there are a number of State Heritage Register sites within your electorate.
- [Local Council Grants - Multicultural NSW](#): Administered by Multicultural NSW aims to support multicultural festivals and events across NSW. It invests in community projects and activities that foster community harmony and celebrate cultural diversity, so an application for this grant would need to be focused just on those aspects of the Council's proposed program that relate directly to cultural diversity in the community's history.

Please do not hesitate to contact me should you require any further assistance.

Yours sincerely

*Signature has been removed*

**Anne Stanley MP**  
Government Whip  
Federal Member for Werriwa

Shop 7, 441 Hoxton Park Rd, Hinchinbrook NSW 2168 | PO Box 88, Hoxton Park, 2171 | T: (02) 8783 0977  
F: (02) 9825 0244 | E: [Anne.Stanley.MP@aph.gov.au](mailto:Anne.Stanley.MP@aph.gov.au) | [www.annestanley.com.au](http://www.annestanley.com.au) | f [Anne.Stanley.Werriwa](#)

Authorised by Anne Stanley MP, Australian Labor Party, Shop 7, 441 Hoxton Park Rd, Hinchinbrook NSW. Printed by Jeffries Printing, 5/71a Milperra Rd, Revesby NSW.

Office of the Mayor



8 May 2024

Mr Nathan Hagarty MP  
Member for Leppington  
Via email: [Leppington@parliament.nsw.gov.au](mailto:Leppington@parliament.nsw.gov.au)

Dear Mr Hagarty,

**Funding for Heritage Week**

At our April Council meeting, Council resolved that I write to you seeking support for funding opportunities to undertake Heritage Event Programs in Campbelltown.

Campbelltown is proud of its heritage, beginning with the Dharawal People and extending through to 2024.

Campbelltown Council is keen to celebrate and share this rich history by activating key historical buildings and sites throughout the city through storytelling and activities.

We are aware that the NSW Heritage Grant round is now closed until 2026, however we would appreciate your advice or direction on other NSW Government funding/grant opportunities that may be accessed to facilitate a Heritage Week activation or program in 2025.

Thank you in advance for your advice.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-151450

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

Office of the Mayor



8 May 2024

The Hon Anoulack Chanthivong MP  
Member for Macquarie Fields  
Via email: [Macquariefields@parliament.nsw.gov.au](mailto:Macquariefields@parliament.nsw.gov.au)

Dear Mr Chanthivong,

**Funding for Heritage Week**

At our April Council meeting, Council resolved that I write to you seeking support for funding opportunities to undertake Heritage Event Programs in Campbelltown.

Campbelltown is proud of its heritage, beginning with the Dharawal People and extending through to 2024.

Campbelltown Council is keen to celebrate and share this rich history by activating key historical buildings and sites throughout the city through storytelling and activities.

We are aware that the NSW Heritage Grant round is now closed until 2026, however we would appreciate your advice or direction on other NSW Government funding/grant opportunities that may be accessed to facilitate a Heritage Week activation or program in 2025.

Thank you in advance for your advice.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-151446

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



Office of the Mayor



8 May 2024

Mr Greg Warren MP  
Member for Campbelltown  
Via email: [campbelltown@parliament.nsw.gov.au](mailto:campbelltown@parliament.nsw.gov.au)

Dear Mr Warren,

**Funding for Heritage Week**

At our April Council meeting, Council resolved that I write to you seeking support for funding opportunities to undertake Heritage Event Programs in Campbelltown.

Campbelltown is proud of its heritage, beginning with the Dharawal People and extending through to 2024.

Campbelltown Council is keen to celebrate and share this rich history by activating key historical buildings and sites throughout the city through storytelling and activities.

We are aware that the NSW Heritage Grant round is now closed until 2026, however we would appreciate your advice or direction on other NSW Government funding/grant opportunities that may be accessed to facilitate a Heritage Week activation or program in 2025.

Thank you in advance for your advice.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-151461

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 067



20/05/2024

The Hon. Penny Sharpe MLC  
Minister for Heritage  
52 Martin Place  
SYDNEY NSW 2000

**By email:** [office@sharpe.minister.nsw.gov.au](mailto:office@sharpe.minister.nsw.gov.au)

Dear Minister

I write to you on behalf of Dr George Greiss, Mayor of Campbelltown City Council regarding support for funding opportunities to undertake Heritage Event Programs in Campbelltown.

Campbelltown is proud of its heritage, beginning with the Dhawaral People and extending to 2024. Campbelltown Council is keen to celebrate and share this rich history by activating key historical buildings and sites throughout the city through storytelling and activities.

While Mayor Griess is aware that the NSW Heritage Grant has now closed until 2026, he is inquiring as to any other funding or grant opportunities that may be available to facilitate a Heritage Week activation program in 2025.

Accordingly, your appropriate and timely consideration is greatly appreciated and I look forward to your response at your earliest.

Yours sincerely,

*Signature has been removed*

**Greg Warren MP**  
**Member for Campbelltown**

📍 Shop 3, 72 Queen Street, Campbelltown 📧 PO Box 895, Campbelltown NSW 2560  
☎️ (02) 4625 3344 📠 (02) 4626 3640 📧 [Campbelltown@parliament.nsw.gov.au](mailto:Campbelltown@parliament.nsw.gov.au)  
🌐 [www.gregwarrenmp.com.au](http://www.gregwarrenmp.com.au) 📱 [GregWarrenCampbelltown](#) 📺 @GregWarren\_ 📷 [greg\\_warren\\_mp](#)

Authorised by Greg Warren MP, Shop 3, 72 Queen Street, Campbelltown NSW 2560. Printed by Jeffries Printing, 5/71a Milperra Road, Revesby NSW 2212 using parliamentary entitlements. June 2021.

### **7.3 Roads to Recovery Funding**

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

That the letter be received and the information be noted.

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1. Letter from The Hon Catherine King MP, Minister for Infrastructure, Regional Development and Local Government and The Hon Kristy McBain MP, Minister for Regional Development, Local Government and Territories to the Mayor dated 22 May 2024

#### **Attachments**

- 7.3.1 Letter from The Hon Catherine King MP, Minister for Infrastructure, Regional Development and Local Government and The Hon Kristy McBain MP, Minister for Regional Development, Local Government and Territories to the Mayor dated 22 May 2024 (contained within this report) [↓](#)





**THE HON CATHERINE KING MP**  
Minister for Infrastructure, Transport, Regional  
Development and Local Government

**THE HON KRISTY MCBAIN MP**  
Minister for Regional Development,  
Local Government and Territories

George Greiss  
Mayor  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Via: [george.greiss@campbelltown.nsw.gov.au](mailto:george.greiss@campbelltown.nsw.gov.au)  
Cc: [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

Dear Mayor/Councillor

I am writing to advise your funding allocation under the **Roads to Recovery** (RTR) Program. The Australian Government is proud of its continued support for road construction and maintenance through RTR with \$4.4 billion being made available over the next five years. In 2024-25, the annual RTR budget is \$650 million and will increase over the funding period to reach \$1 billion per year from 2027-28. This represents the first increase in RTR funding since 2019-20. This permanent increase will allow for more effective long-term planning for the safer maintenance and upgrade of our local roads without being subject to budget cycles.

I am pleased to advise that **Campbelltown City Council** will receive **\$9,735,736** for the five-year funding period 1 July 2024 to 30 June 2029.

The RTR Program will continue to operate under simple administrative arrangements, allowing funding recipients to decide the priority local projects on which to spend their allocation. In accordance with the current arrangements, projects funded under RTR can be delivered at any time throughout the five-year funding period. While your nominal annual allocation gradually increases over the next five years, if you have local priorities that require access to funding sooner, I encourage you to identify and schedule your projects as early as possible in the new financial year and contact the Department of Infrastructure, Transport, Regional Development, Communications and the Arts by email to [Roads.toRecovery@infrastructure.gov.au](mailto:Roads.toRecovery@infrastructure.gov.au).

The Department will soon write to formally advise you of the updated program conditions prior to the start of the new funding period, including in relation to your nominal annual allocation and own source expenditure requirements.

The Australian Government is committed to improving employment opportunities for First Nations peoples and we ask for this consideration to be applied to projects using RTR funding.

---

PO Box 6022 Parliament House, Canberra ACT 2600 | Tel: (02) 6277 7520

In addition to the RTR funding commitment, the Australian Government has increased funding to the **Black Spot Program**, and from 1 July 2024 will commence the new **Safer Local Roads and Infrastructure Program**. Collectively these programs provide a valuable source of funding to local governments seeking to improve road infrastructure and safety. Councils will also be interested to know that submissions are continuing to be accepted for the **Heavy Vehicle Rest Area initiative**. For further information on these programs and how to apply, please visit <https://investment.infrastructure.gov.au/about/local-initiatives>. I encourage you to consider these programs to support your local road safety improvements.

I look forward to continuing the successful relationship between the Australian Government and your council over the coming years.

Yours sincerely

*Signature has been removed*

THE HON CATHERINE KING MP  
Minister for Infrastructure, Transport, Regional Development and Local Government

*Signature has been removed*

THE HON KRISTY MCBAIN MP  
Minister for Regional Development, Local Government and Territories

22 May 2024

## **7.4 Western Sydney Transport Infrastructure Panel**

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### **Officer's Recommendation**

That the letter be received and the information be noted.

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1. Letter from The Hon Catherine King MP, Minister for Infrastructure, Regional Development and Local Government to the General Manager dated 7 May 2024

### **Attachments**

- 7.4.1 Letter from The Hon Catherine King MP, Minister for Infrastructure, Regional Development and Local Government to the General Manager dated 7 May 2024 (contained within this report) [↓](#)



The Hon Catherine King MP

Minister for Infrastructure, Transport, Regional Development and Local Government  
Member for Ballarat

Ref: MS24-000797

Ms Lindy Deitz  
General Manager, Campbelltown City Council

via: [lindy.deitz@campbelltown.nsw.gov.au](mailto:lindy.deitz@campbelltown.nsw.gov.au)

Dear Ms Deitz,

Thank you for your participation as a member of the Western Sydney Transport Infrastructure Panel (the Panel) and for providing the Final Report to the Australian Government in May 2023. I have taken into consideration the land transport priorities recommended by the Panel and I am pleased to advise that through the 2024-25 Federal Budget, the Government has committed over \$1.5 billion towards the following projects that were recommended by the Panel:

Project	AG funding
Mamre Road Stage 2 Upgrade	\$500 million
Elizabeth Drive – Priority sections	\$400 million
Richmond Road Upgrade, M7 to Townson Road	\$260 million
Garfield Road East Upgrade	\$220 million
Cambridge Avenue Upgrade - Planning	\$50 million
South West Sydney Roads - Planning	\$32.5 million
Appin Road - St Johns Road Intersection Upgrade	\$22.5 million
South West Sydney Rail Planning – Business Case	\$20 million
Western Sydney Roads - Planning	\$15 million
Eastern Ring Road and Badgerys Creek Road South - Planning	\$12.5 million
Spring Farm Parkway Stage 2 - Planning	\$7.5 million

The Government recognises the importance of Western Sydney and we have a strong focus on investing in the area to ensure it is a connected and thriving region. Committing funding towards the above construction and planning projects will help support the continued growth of the region and enable better connectivity between communities, schools and employment areas.

These projects will not only support future housing development and economic precincts, but will allow local residents ease of access to major infrastructure currently being developed in Western Sydney, including the Western Sydney International Airport and the Aerotropolis.

PO Box 6022 Parliament House, Canberra ACT 2600 | Tel: (02) 6277 7520

In relation to rapid bus services between key metropolitan centres and the Western Sydney International Airport and Aerotropolis, I am pleased to advise that the Government has committed \$100 million towards infrastructure for zero emission rapid bus services.

I note the Panel also recommended prioritisation of funding for the planning and development work for a mass transit link between the Western Sydney Aerotropolis (Bradfield) and Campbelltown/Macarthur. I agree that getting public transport corridors right in South West Sydney is imperative to support the growing population in the region. As such, the Government will provide an additional \$20 million in funding towards the South West Sydney Rail Planning – Business Case (previously called the Sydney Metro – Western Sydney Airport – Stage 2 – Business Case) to expand its scope to include consideration of an extension from Bradfield to Macarthur. This takes the Australian Government's contribution towards the project to \$97.5 million.

In addition to the above projects recommended by the Panel, the Government is also committing \$123.3 million towards the upgrade of Memorial Avenue between Old Windsor Road and Windsor Road, Kellyville, and a further \$115 million to upgrade Mulgoa Road to six lanes between Glenmore Parkway to Jeanette Street, Glenmore Park. These upgrades will reduce travel time, ease congestion, improve road safety and provide walking and cycling pathways.

The Australian Government will continue to work closely with all levels of government, including the NSW Government, to ensure we are investing and delivering nationally significant infrastructure projects consistent with the Government's Infrastructure Policy Statement to make it easier to get around our cities and suburbs and unlock the potential of our towns and regions. This work will continue to be informed by the recommendations of the Panel, as it represents an evidence-based foundation for the transport needs of Western Sydney.

I thank you again for contribution to the work of the Panel.

Yours sincerely

*Signature has been removed*

Catherine King MP

7 / 5 / 2024

## **7.5 Gilead Stage 2 Development**

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### **Officer's Recommendation**

That the letter be received and the information be noted.

---

1. Letter from the General Manager to Ms Kiersten Fishburn, Secretary, Department of Planning, Housing and Infrastructure dated 21 May 2024

### **Attachments**

- 7.5.1 Letter from the General Manager to Ms Kiersten Fishburn, Secretary, Department of Planning, Housing and Infrastructure dated 21 May 2024 (contained within this report) [↓](#)

Office of the General Manager



21 May 2024

Ms Kiersten Fishburn  
Secretary  
Department of Planning, Housing and Infrastructure  
Via email: [Kiersten.Fishburn@dpie.nsw.gov.au](mailto:Kiersten.Fishburn@dpie.nsw.gov.au)

Dear Kiersten,

**Re: Gilead Stage 2 Development**

I'm highly concerned that a positive decision on the Gilead Stage 2 planning proposal has not been made at this time.

Without a positive decision being made on the planning proposal by now, I am of the understanding that as of 17 May 2024, the irrevocable offer made by Lendlease for the infrastructure and biodiversity works associated the Stage 2 release cannot be fulfilled or is at risk of not being able to be fulfilled.

This offer committed Lendlease to the delivery of homes, koala underpasses and fencing, Appin Road upgrades from St Helen's Park through to the southern limits of the Gilead development site and other critical upgrades and biodiversity improvements at Gilead. In addition to the VPA commitments, the Gilead 2 proposal would also provide the following benefits:

1. Additional sporting and recreational facilities
2. Additional open space
3. Significantly increasing the supply of housing which will significantly improve affordability
4. Facilitating transport initiatives identified in the Greater Macarthur 2040 Structure Plan such as the east west transit corridor
5. The rehabilitation of riparian zones and biodiversity corridors.

I understand that all relevant government agencies and Sydney Water issued their concurrence to the Planning Proposal for the delivery of an initial sub-stage to continue with the Gilead development and secure these critical commitments within Lendlease's VPA offer with the government. According to your Department's website, the Planning Proposal has been at the finalisation stage since March last year, 14 months ago.

I hope these opportunities are not now lost for Campbelltown.

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



Office of the General Manager



I await your urgent advice on the status of this Planning Proposal.

Yours sincerely,

*Signature has been removed*

Lindy Deitz  
**General Manager**

Cc: Monica Gibson, Deputy Secretary, DPHI: [monica.gibson@dpie.nsw.gov.au](mailto:monica.gibson@dpie.nsw.gov.au)  
DOC-24-169735

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



## **7.6 Campbelltown Sports Stadium**

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### **Officer's Recommendation**

That the letters be received and the information be noted.

---

1. Letter from The Hon Kristy McBain MP on behalf of the Hon Anika Wells MP, Minister for Sport dated 9 May 2024
2. Letter from the Mayor to Dr Mike Freeland MP, Member of Macarthur dated 23 May 2024 together with Stadium Investment Proposal attachment

### **Attachments**

- 7.6.1 Letter from The Hon Kristy McBain MP on behalf of the Hon Anika Wells MP, Minister for Sport dated 9 May 2024 (contained within this report) [↓](#)
- 7.6.2 Letter from the Mayor to Dr Mike Freeland MP, Member of Macarthur dated 23 May 2024 together with Stadium Investment Proposal attached (contained within this report) [↓](#)



## The Hon Kristy McBain MP

Minister for Regional Development, Local Government and Territories  
Member for Eden-Monaro

Ref: MC24-001560

Cr George Greiss  
Mayor  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

via: [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

Dear Mayor

Thank you for your letter of 23 January 2024 to the Hon Anika Wells MP, Minister for Sport, regarding support for Campbelltown, specifically the Campbelltown Sports Stadium. I apologise for the delay in responding.

The Australian Government greatly appreciates the contributions that Local Governments make to the amenity of communities across Australia, and I thank you for your advocacy and ongoing support for Campbelltown.

I encourage you to monitor the Department of Infrastructure, Transport, Regional Development, Communications and the Arts website at [www.infrastructure.gov.au](http://www.infrastructure.gov.au) for any announcements regarding current and future grant programs, in particular, the Thriving Suburbs Program and urban Precincts and Partnerships program (uPPP).

The \$200 million Thriving Suburbs Program will provide merit-based and locally driven grants to local government entities and incorporated not-for profit organisations for capital works for priority community infrastructure in urban, suburban and peri-urban communities.

The \$150 million uPPP will provide funding through two grant streams, to support both precinct development proposals as well as the delivery of construction-ready precinct projects in urban areas. The uPPP will have a strong focus on collaboration and joint investment opportunities through a place-based partnership approach to the design and/or delivery of urban precincts.

Both Thriving Suburbs Program and the uPPP are currently in the design phase and further information on program guidelines, eligibility criteria and the application process will be provided in due course on the department's website.

You may also wish to monitor the GrantConnect website at [www.grants.gov.au](http://www.grants.gov.au) which provides details of the Australian Government grant opportunities.

Unfortunately, due to my parliamentary commitments, I am unable to meet with you at this time, however my office can facilitate an on-line meeting in the near future.

Thank you for bringing your concerns to the Australian Government's attention.

Yours sincerely

*Signature has been removed*

Kristy McBain MP

9/5/2024

Office of the Mayor



23 May 2024

Dr Mike Freeland  
Federal Member for Macarthur  
Via email: [Mike.Freeland.MP@aph.gov.au](mailto:Mike.Freeland.MP@aph.gov.au)

Dear Dr Freeland,

**Campbelltown Sports Stadium**

I note recent media reporting a \$50 million investment in Leichhardt Oval between the Federal Government and Australian Rugby League.

Campbelltown Sports Stadium is a Council-owned and managed suburban stadium experiencing similar issues to Leichhardt.

With Wests Tigers and Macarthur FC utilising Campbelltown Sports Stadium as their main home venue from 2024 onwards, it has become one of the highest activated stadia in NSW and remains the only stadium in South West Sydney, Australia's fastest growing region.

To enhance the user and spectator experience, and to ensure the Stadium provides for women's sporting teams, we need Government support. We have attached a proposal detailing a number of staged investment options, dependent upon government's appetite.

Your consideration and support in advocating for investment in Campbelltown Stadium would be appreciated.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-169974

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

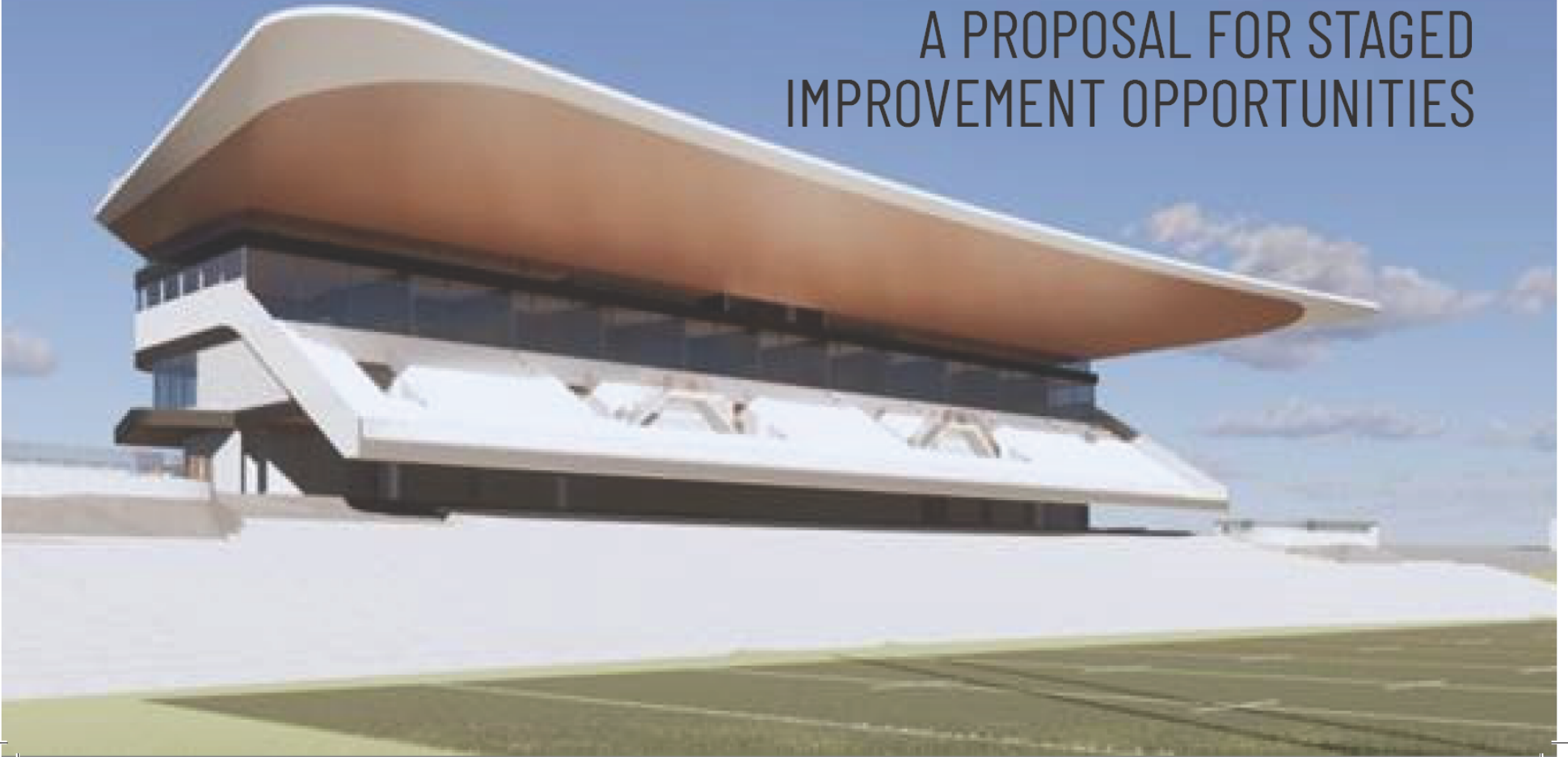
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T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



# CAMPBELLTOWN SPORTS STADIUM

A PROPOSAL FOR STAGED  
IMPROVEMENT OPPORTUNITIES



# EXECUTIVE SUMMARY







With Wests Tigers and Macarthur FC and utilising Campbelltown Sports Stadium as their main home venue from 2024 onwards, it has become one of the highest activated stadia in NSW and remains the only stadium in South West Sydney, one of Australia's fastest growing regions.

Staged improvements to the stadium will be catalytic in boosting the regional economy, increasing liveability and providing jobs as a vital step in realising the vision in the Reimagining Campbelltown City Centre Master Plan.

**The improvements will:**

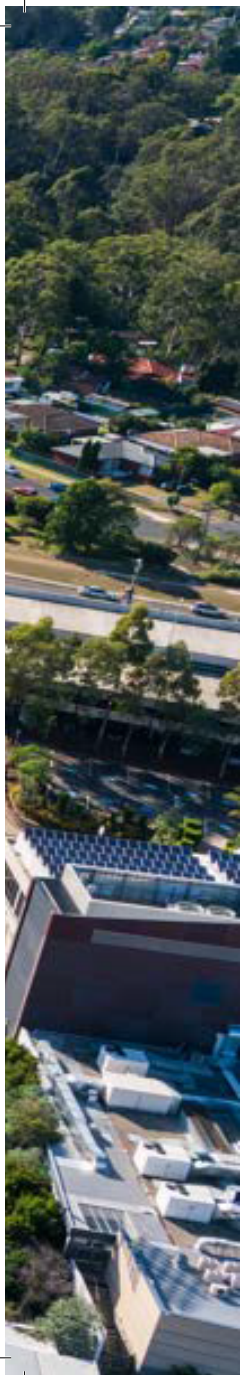
- Improve liveability for the fastest growing region in Australia
- Drive economic activity through major event content and further private investment in the area
- Deliver agreed government priorities from the Campbelltown-Macarthur Place Strategy (NSW Government led Collaboration Area) and Reimagining Campbelltown City Centre Master Plan
- Align with further NSW Government priorities
- Further increase stadium utilisation
- Improve fan and hirer customer experience
- Support the growth of women's sport
- Leverage government investment in rail and road links, and the new Western Sydney International Airport
- Deliver facilities that are strongly supported by the local community and stakeholders

The opportunities can be phased to minimise disruption and scalable to suit variable budgets. This document outlines the options, opportunity and rationale for Government support and funding.

# CURRENT ACTIVATIONS







In the 2023/24 season, the stadium hosted **Macarthur FC** matches in the **AFC Cup** competition

Over **25 major events** with approximately **250,000 visitors** across the precinct

The stadium was an official training site for the **FIFA Women's World Cup 2023**

In 2024, the stadium plays host to 5 **Wests Tigers NRL** and 2 **NRLW** matches.

Sold out crowds were achieved at 2 **Wests Tigers** matches in 2024

The stadium hosted **Pacific Nations Rugby League Test** matches between 2018 – 2022 with a total attendance of over **35,000**

The stadium hosts over **40 women's and pathway rugby league** fixtures each year

The stadium hosts **12 A-League matches** per season for Macarthur FC

# CURRENT DEVELOPMENT





## Sport and Health Centre of Excellence 2026/27

The Campbelltown Sport and Health Centre of Excellence will leverage the popularity of sport and locally based elite sporting teams to promote the benefits of healthy lifestyles and provide programs to encourage and lift the physical inactivity rates in Southwest Sydney, which are the highest in the NSW. The facility will include specific spaces and facilities for the delivery of health and well-being education programs and support services aimed at improving awareness for health and fitness with a specific focus on mental health.

This project will see the delivery and management of a Sport and Health Centre of Excellence (CoE) at Campbelltown Sports Stadium. Working in partnership with Western Sydney University (WSU) and in collaboration with other stakeholders, which includes the Macarthur Bulls, West Tigers and the South-West Sydney Academy of Sport (SWAS) the CoE will be specifically designed and developed to provide programs that are in alignment with National and State sporting bodies, to support talent development pathways for athletes into elite sport through innovation in sports science and research programs.

The facility will leverage off professional sporting bodies and other sporting associations (Little Athletics, Athletics NSW and SWSAS) community development and outreach programs to engage schools and the local community in community health and well-being programs. The facility will also provide spaces to increase corporate, administration and meeting/function capacities for both game day and non-game day for Campbelltown Sports Stadium.

# SPORTS AND HEALTH CENTRE OF EXCELLENCE

The Campbelltown Sport and Health Centre of Excellence (CoE) will provide research and program delivery facilities for elite athletes in one of the fastest growing regions in Sydney.

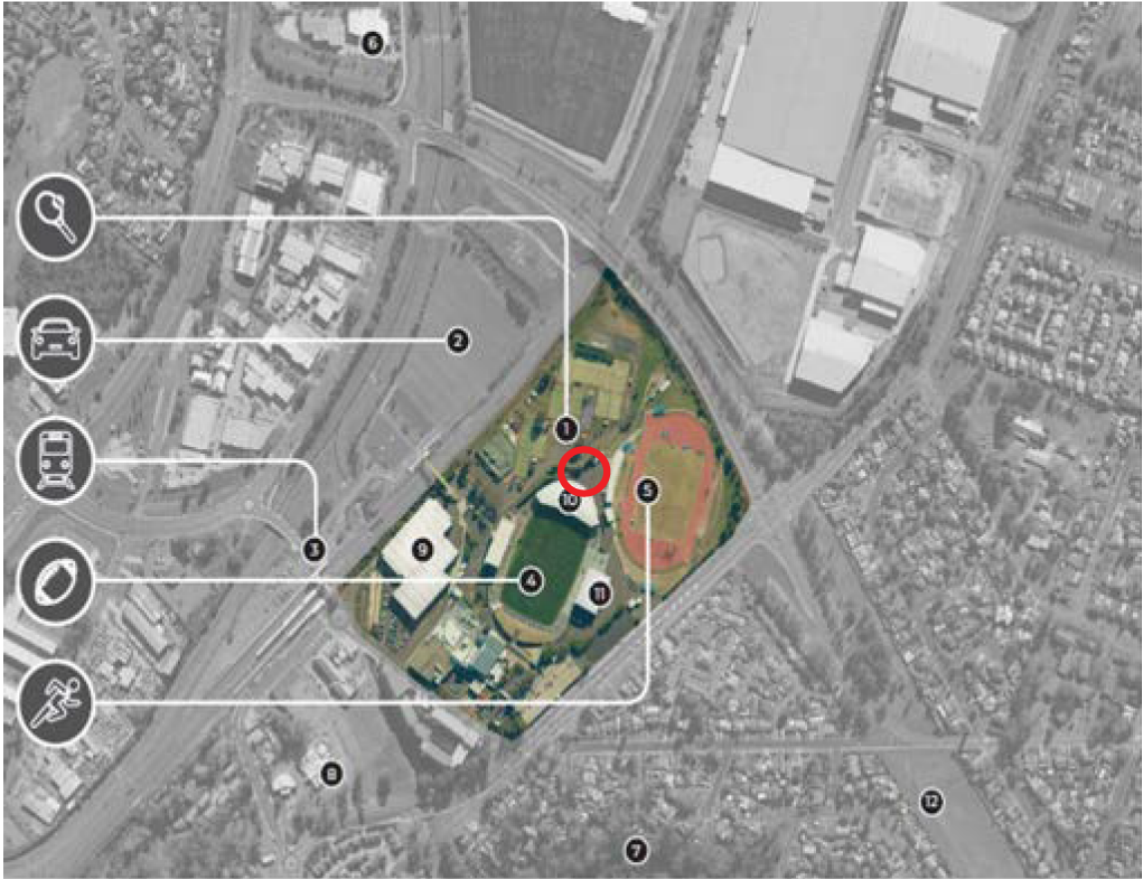
In addition to supporting elite athletes, the facility will be used to provide community wellbeing programs and accommodate allied health professionals and gym facilities that will complement the onsite sporting activities as well as the provision of services to the broader community.

The Campbelltown Sport and Health CoE will act as a catalyst to realise Council's broader vision for a sports and entertainment precinct as outlined in Council's City Centre Masterplan 'Reimagining Campbelltown'.

The facility will bring significant activation that will result in further investment and economic development for the immediate precinct and the broader Campbelltown LGA.

○ Location of CoE shown on adjacent site map.





- |                    |                                    |                               |   |
|--------------------|------------------------------------|-------------------------------|---|
| ① West Tennis Club | ④ Campbelltown Sports Stadium      | ⑦ Colong Reserve              | ⑩ Sport and Health Centre of Excellence |
| ② League Parking   | ⑤ Campbelltown Athletics           | ⑧ Western Suburbs League Club | ⑪ Eastern Stand                         |
| ③ Leumeah Station  | ⑥ Campbelltown Indoor Soccer Arena | ⑨ Indoor Sports Centre        | ⑫ Leumeah Reserve                       |







# STADIUM UPGRADE INTRODUCTION

NSW Department of Planning has earmarked Leumeah as “a regionally significant sporting, recreation and entertainment precinct for Southwest Sydney” (ref: NSW Draft Corridor: Glenfield to Macarthur Strategy). The NSW Strategy envisages the redevelopment of Campbelltown Sports Stadium and surrounding lands as a “regionally significant precinct, providing a gateway to the Campbelltown-Macarthur regional city centre”.

The precinct's vision is articulated in Reimagining Campbelltown City Centre Master Plan as an integrated sports and entertainment precinct.

Campbelltown, as the Metropolitan Centre for Macarthur, services a population of 750,000 incorporating some of Australia's fastest growing Local Government Areas (LGAs). With new communities earmarked to be established, the population of this area is expected to reach 1.5 million by 2036.

Up until 2020, Southwest Sydney was the largest area without a permanent local professional sporting franchise to support, with the local community having to travel up to 2 hours for major event content at other stadia across Sydney.

A redeveloped stadium and precinct will appeal to hirers and attract more major events including FIFA, Asian Football Confederation (AFC) matches, rugby league tests, Socceroos and Matildas games and increase the major event content at the stadium.

With high connectivity by rail, road and proximity to the new Western Sydney Airport, there is opportunity to drive new interstate and overseas visitation generating economic activity in Southwest Sydney and NSW.

We are committed to delivering this dedicated Sport and entertainment precinct as part of Reimagining Campbelltown; our 20-year vision to realise Campbelltown City Centre's vision as the capital of opportunity and culture for the Macarthur region.





# WHY CAMPBELLTOWN

## **South West Sydney - NSW Fastest Growing Region**

Our region has a population of 750,000 and is projected to grow by approximately 20,000 new residents each year over the next decade.

## **Driving Economic Activity**

Increased economic activity through major event content and further private investment in the precinct will create more local jobs to support the growing population.

## **Alignment with Greater Sydney Region planning and priorities**

The Campbelltown-Macarthur Metropolitan Centre is a key centre in the Western Parkland City. The Campbelltown-Macarthur Place Strategy identified the action to develop a staged plan to realise Leumeah Live as a vibrant precinct for entertainment, sport and active recreation participation, spectators, visitors and locals.

## **Alignment with NSW Government policy**

A redeveloped stadium will improve health, boost the economy, strengthen the local community, act as a catalyst for development, and ultimately deliver a more liveable vibrant city, as identified in NSW Government's corridor strategy.

## **High Utilisation**

Campbelltown Sports Stadium is home to NRL, NRLW and FFA national competition teams, attract further international events, and become one of the highest utilised stadia in NSW. It also is a critical part of grassroots development in the region.

## **Supporting the growth of womens sport**

The redevelopment will further support the growth of elite women's sport including the Wests Tigers NRLW and the Macarthur FC W-League team.

## **Improved fan and hirer experience**

The redevelopment will meet spectator and venue hirer expectations by providing additional shade, seating and amenity for fans and contemporary facilities for sports partners – including better security operations, corporate hospitality & media facilities.

# OUR COMMUNITY

Campbelltown is the metropolitan centre for the Macarthur region. The Macarthur region is the fastest growing region in Australia, supporting the growth of the Camden and Wollondilly Local Government Areas.

Delivering major event content to the growing population deserving of a fan experience that matches current standards and attendee expectations, will drive further civic pride and liveability for the local community.

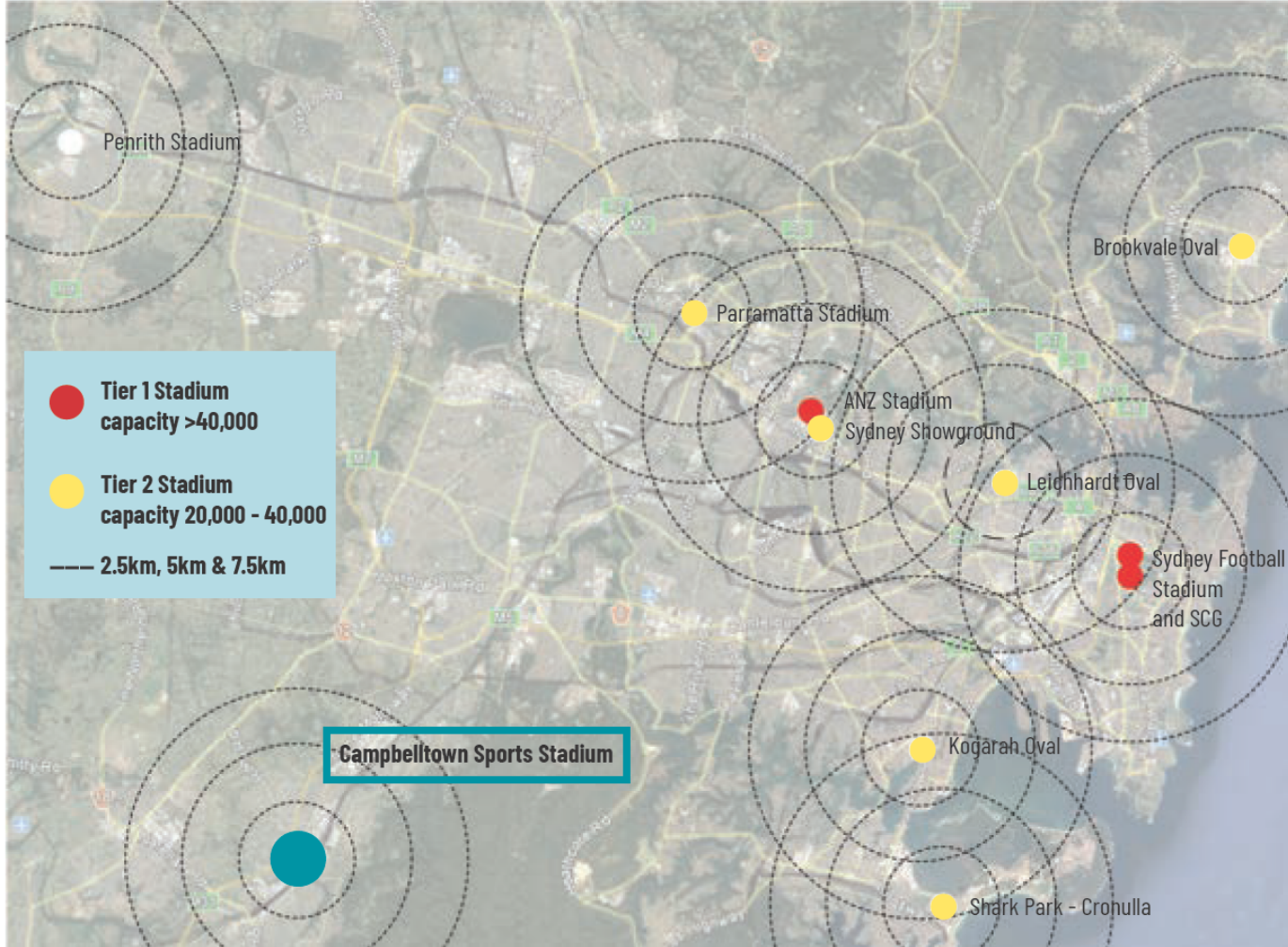
With current travel times of up to 2 hours to other major Sydney stadia, a redeveloped Campbelltown Sports Stadium with increased functionality and capacity located within a vibrant precinct provides significant benefits.

Our community, from across the Macarthur Region love their stadium. The local NSWRL Rugby League finals are held at the Stadium over four weekends each year, with teams from Campbelltown, Camden, Wingecaribee and Wollondilly Local Government Areas.

Other events such as Christmas Carols, Sunset Sounds music festival, Fisher’s Ghost festival, school carnivals and other local events draw attendees from across the region.

Activations outside of Wests Tigers and Macarthur FC attract the following attendance:

Event/Activation	Total Activations	Total Attendance
Christmas Carols	1	3,000
Sunset Sounds Festival	1	4,000
NRLW	2	10,000
NSWRL	50	30,000
Other events	3	1,000
School carnivals and events	140	50,000
24 Hour Fight Against Cancer	1	2,500
Fisher’s Ghost Festival events	1	5,000



# DRIVING ECONOMIC ACTIVITY

With high proximity to the new Western Sydney Airport, there is significant opportunity to drive new interstate and overseas visitation generating economic activity in South West Sydney and NSW.

It is anticipated that there will be 20 – 30 major events and between 250,000 and 300,000 attendees expected per year, with 40% expected to be from outside the Macarthur Region. The stadium therefore will act as a driver of new visitors and economic activity to the region.

The enhanced stadium experience will be the first impression for visitors, so it needs to deliver an experience which matches rival destinations to grow visitation for the region.

Economic activity for the region will increase through retained expenditure from locals who would have normally needed to travel outside the region for event content.

Economic activity generated through event and non-event day visitation and further private investment will create more local jobs to support the growing population.



**\$14  
MILLION**

ESTIMATED TO BE SPENT IN THE SOUTH WEST EACH YEAR DUE  
TO MAJOR EVENT CONTENT AT THE ENHANCED STADIUM

**\$650  
MILLION**

FURTHER INVESTMENT INTO THE DEVELOPMENT  
OF AN INTEGRATED PRECINCT

THE ENHANCED STADIUM EXPERIENCE  
WILL CONTRIBUTE TOWARDS THE

**\$2.3  
BILLION**

IN ADDITIONAL REAL GRP AND 4,500 ADDITIONAL  
FTE JOBS CREATED AS PART OF THE REIMAGINING  
CAMPBELLTOWN CITY CENTRE MASTER PLAN



# TRENDS



## Entertainment Precincts

There has been a global shift away from single use stadia to multi-use venues forming part of a broader entertainment precinct. These precincts have key attributes known to deliver fantastic destinations, as found at Melbourne & Olympic Parks. The Campbelltown Sports Stadium redevelopment has these characteristics which will maximise outcomes for fans, the community and all stakeholders:

**Accessibility:** 80m from a station, direct connections to the M5, M7 and M31, 35 minutes by direct rail from Sydney Airport and 20 minutes to Western Sydney Airport. NSW's most accessible venue.

**Quality facilities:** A high quality, compliant and flexible design that can host national and international competitions and easily adapt to the future requirements of hirers.

**High utilisation:** 30 major events and 300,000 spectators per annum, attracting visitors, generating economic activity and creating jobs for the region.

**Capacity:** The full redevelopment would provide a venue capacity increase from 17,500 to 25,000 which complements the other NSW stadium investments, providing versatility and flexibility for content, and leveraging opportunities to showcase female elite sport. The design allows for future growth whilst providing an intimate and exciting atmosphere.



## Women's Sport

The provision of elite women role models is a key driver for increased participation rates and the resulting social and economic benefits. However, lack of suitable infrastructure and amenities is one of the key challenges facing women's sport today.

Campbelltown Sports Stadium will support NRLW and W-league teams by providing unisex change rooms as part of the redevelopment, ensuring elite women athletes have facilities that match their professionalism.

This builds on Campbelltown's history as a venue for international women's games including hosting the Matildas. This has been exemplified by the venue hosting the Korean National Team as official training venue for the 2023 FIFA Women's World Cup.



Campbelltown Sports Stadium will deliver benefits to fans and hirers alike, in the long term this will include a sport and entertainment precinct, but initially the benefits will be:

**For fans and the community:**

- Additional seating closer to the action
- Increased shade, especially important for Macarthur FC games played in the summer
- A range of new hospitality offerings to suit all price points
- Community spaces such as meeting rooms
- Additional toilets, catering for a greater number of women and families
- Experience enhanced technology solutions

**For hirers and sporting partners:**

- Upgraded media/broadcast facilities
- New operations centre
- A range of new hospitality spaces
- New unisex change rooms
- Digital technology for fan engagement, sponsors and operations

Fans love the **great transport links, excitement and atmosphere.** Fans want shorter queues and more permanent food and beverage outlets.







# IMPROVED FAN AND HIRER EXPERIENCE

Sports partners want **more corporate spaces** and offerings, improved **technology**, better media facilities, an operations centre and **female friendly** change facilities.



# ALIGNMENT WITH GOVERNMENT POLICY

A redeveloped Stadium with increased capacity, utilisation and functionality located within a vibrant sport and entertainment precinct aligns with NSW policy.

NSW Government key policy priorities include:

**Improving health:**

Recent health statistics show that Campbelltown ranks lower on a number of key health metrics compared to the Sydney and NSW average, including childhood obesity rates. Improved sport infrastructure and elite sports can increase sport participation, particularly female youth participation rates, resulting in positive health outcomes.

**Strengthening the economy:**

Strengthening the economy: Increased economic activity through major event content and further private investment in the precinct will create more jobs to support the growing population.

**Strengthening communities and creating liveable, vibrant cities across NSW:** Providing access to quality infrastructure and increasing cohesion.



# STAKEHOLDER ENGAGEMENT AND IMPLEMENTATION

## Engagement

We have engaged with the community on this project as part of the Reimagining Campbelltown City Centre Master Plan development. This follows on from the strong support Macarthur FC received from the community and us during the bidding process to gain the new football franchise for the A-League.

Stakeholder engagement conducted to date includes the following key groups:

- Adjoining landowners
- Campbelltown City Council
- NSW Government Departments
- Greater Cities Commission
- Home teams – Macarthur FC and Wests Tigers
- Local businesses
- Local community and sports fans
- Local Federal and NSW Members of Parliament
- Sporting governing bodies

A key reason for the broad support of the stadium redevelopment is the clear vision set out in Reimagining Campbelltown City Centre Master Plan.

## Implementation

Campbelltown Sports Stadium project is development ready. We have staged the development so that existing content can remain at the venue during the works. This minimises disruption to sports partners whilst also maintaining revenue and employment.

The stadium redevelopment offers a number of scalable options ranging from \$10 million, which focuses on patron comfort and corporate facilities, all the way through to \$175 million which redevelops and refurbishes the whole stadium. Whatever the investment, it will be prioritised to areas which provide the best value to NSW and ensure the long-term sustainability of the venue.

Once the funding envelope is confirmed, we can quickly refine the concept scope and progress to a Business Case if required, to confirm the financial outcomes and economic benefits of the proposal.

A NSW Government investment will be the catalyst to drive further funding from private investors, Federal Government and ourselves. This project aligns with NSW Government policy and objectives.

The whole stadium redevelopment will deliver significant benefits to South West Sydney and NSW.

# Campbelltown Stadium

## Phased Development Opportunities



# Current

1. Centre of Excellence (committed)
2. Existing East and West grandstands
3. Majority exposed seating
4. Relocation of existing big screen





## Option 1: \$10m

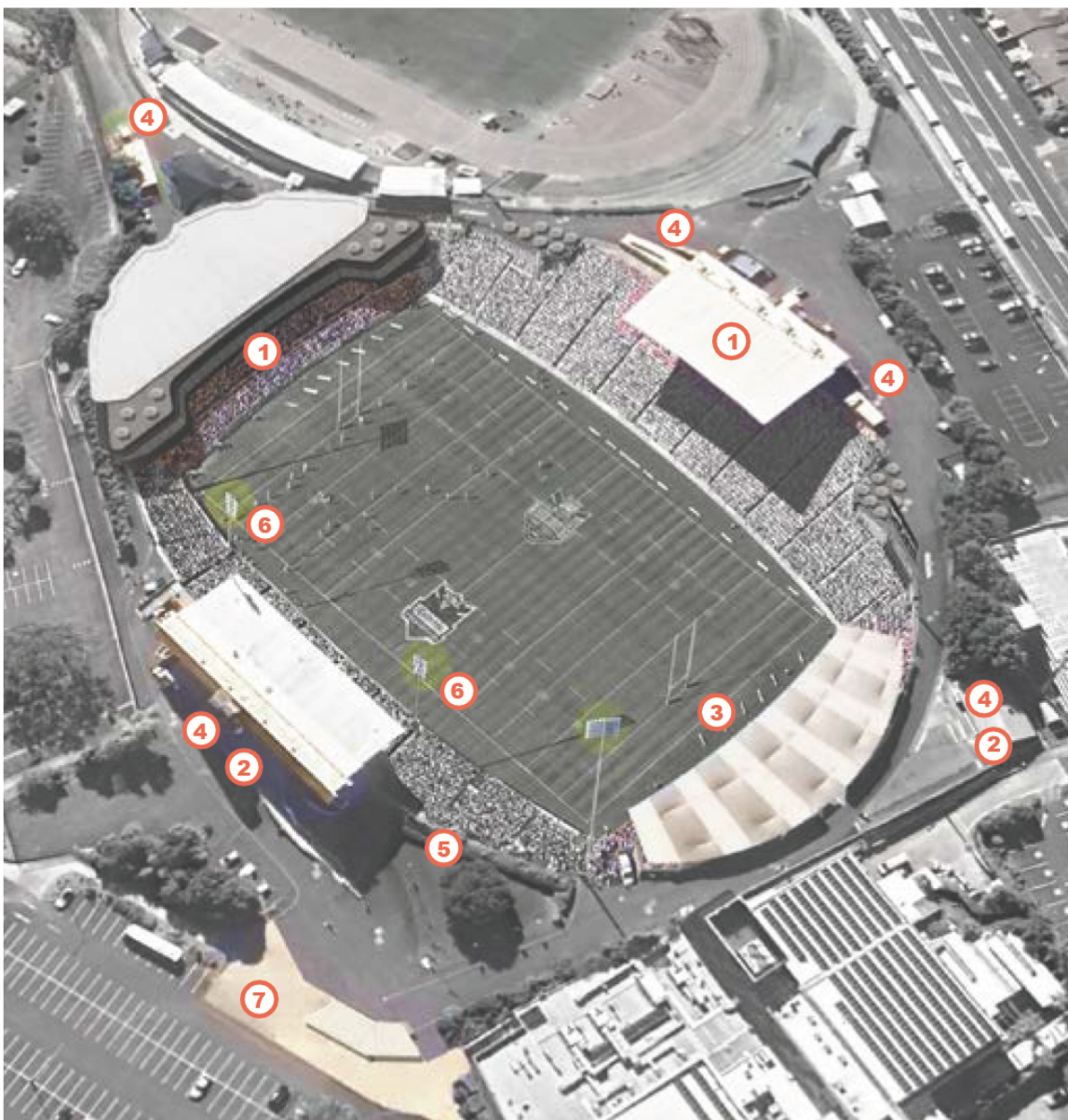
1. Additional Spectator shading
2. Refurbish current change rooms
3. New turnstiles and shutters at all 3 gates
4. New LED screens on Eastern Grandstand



## Option 2: \$35m

Incl. Option 1 items

1. Replace fixed seating with flip seating on Eastern grandstand and north and south hills
2. New food & beverage and amenities including kitchen facilities
3. State of the art lighting for event production services
4. Significant refurbishments to patron toilet facilities across whole precinct
5. New LED big screen
6. LED upgrade to field spotlights
7. New front entry design and refurbishment





## Option 3: \$70m

Incl. Option 1 and 2 items

1. Increase existing shading to eastern and western grandstands
2. Addition of multi-story car park to Pembroke Road carpark



## Option 4: \$175m

Incl. Option 1, 2 and 3 items

1. Staged refurbishment of Eastern & Western grandstands
2. New northern concourse
3. New scoreboards, sound systems, ribbon boards
4. 80% seating with weather protection
5. All operations meet current venue hirer & fan expectations
6. Increased capacity from 17,500 to 25,000





# Final Overview



*Artist Impression*



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## **7.7 Establishment of a Community Grant Program for Cat Enclosures**

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### **Officer's Recommendation**

That the letters be received and the information be noted.

---

1. Letter from the Mayor to Mr Nathan Hagarty MP, Member for Leppington dated 22 May 2024
2. Letter from the Mayor to The Hon Anoulack Chanthivong MP, Member for Macquarie Fields dated 22 May 2024
3. Letter from the Mayor to Mr Greg Warren MP, Member for Campbelltown dated 22 May 2024
4. Letter from the Mayor to The Hon Penny Sharpe, Minister for Environment dated 22 May 2024

### **Attachments**

- 7.7.1 Letter from Mayor George Greiss to Mr Nathan Hagarty re Cat Enclosures (contained within this report) [↓](#)
- 7.7.2 Letter from Mayor George Greiss to The Hon Anoulack Chanthivong Cat Enclosures (contained within this report) [↓](#)
- 7.7.3 Letter from Mayor George Greiss to Mr Greg Warren re Cat Enclosures (contained within this report) [↓](#)
- 7.7.4 Letter from Mayor George Greiss to The Hon Penny Sharpe MLC re Cat Enclosures (contained within this report) [↓](#)

Office of the Mayor



22 May 2024

Mr Nathan Hagarty MP  
Member for Leppington  
Via: [leppington@parliament.nsw.gov.au](mailto:leppington@parliament.nsw.gov.au)

Dear Mr Hagarty,

**Re: Establishment of a Community Grant Program for Cat Enclosures**

Campbelltown Local Government Area values the natural areas that frame our urban footprint. These areas are home to native wildlife that are often victim to predatory behaviour of roaming domestic animals, particularly cats.

At its meeting on 14 May 2024, Council resolved:

1. That Council write to the relevant NSW Government Minister(s) seeking the establishment of a community grant program to support residents to build cat enclosures on residential lands that adjoin, or is in close proximity to wildlife areas & industrial zones.
2. That Council write to the local Members of Parliament seeking their support for the establishment of this community grant program.

Domestic cats, when allowed to roam freely, can have significant impacts on native wildlife populations, particularly in areas where habitats are fragmented or close to industrial zones. By providing support for the construction of cat enclosures through a community grant program, residents can be encouraged to take proactive measures to contain their pets, thereby reducing predation on native fauna and mitigating conflicts between wildlife and human activities.

This initiative aligns with broader objectives related to biodiversity conservation, animal welfare, and community engagement in environmental stewardship, and hopefully, your support with this cause will lead to higher levels of protection of our natural heritage from the impacts of domestic cat predation, but also assist in promoting responsible pet ownership and community involvement in environmental conservation efforts.

We would appreciate your support for the establishment of the proposed community grant program.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-171030

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



Office of the Mayor



22 May 2024

The Hon Anoulack Chanthivong MP  
Member for Macquarie Fields  
Via: [macquariefields@parliament.nsw.gov.au](mailto:macquariefields@parliament.nsw.gov.au)

Dear Mr Chanthivong,

**Re: Establishment of a Community Grant Program for Cat Enclosures**

Campbelltown Local Government Area values the natural areas that frame our urban footprint. These areas are home to native wildlife that are often victim to predatory behaviour of roaming domestic animals, particularly cats.

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We would appreciate your support for the establishment of the proposed community grant program.

Yours sincerely,

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-170771

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

Office of the Mayor



22 May 2024

Mr Greg Warren MP  
Member for Campbelltown  
Via: [campbelltown@parliament.nsw.gov.au](mailto:campbelltown@parliament.nsw.gov.au)

Dear Mr Warren,

**Re: Establishment of a Community Grant Program for Cat Enclosures**

Campbelltown Local Government Area values the natural areas that frame our urban footprint. These areas are home to native wildlife that are often victim to predatory behaviour of roaming domestic animals, particularly cats.

At its meeting on 14 May 2024, Council resolved:

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We would appreciate your support for the establishment of the proposed community grant program.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-170752

Campbelltown City Council  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



Office of the Mayor



22 May 2024

The Hon Penny Sharpe  
Minister for Environment  
Via: [office@sharpeminister.nsw.gov.au](mailto:office@sharpeminister.nsw.gov.au)

Dear Minister Sharpe,

**Re: Establishment of a Community Grant Program for Cat Enclosures**

Campbelltown Local Government Area values the natural areas that frame our urban footprint. These areas are home to native wildlife that are often victim to predatory behaviour of roaming domestic animals, particularly cats.

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We would appreciate your support for the establishment of the proposed community grant program.

Yours sincerely,

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

Cc: The Hon Ron Hoenig MP, Minister for Local Government  
DOC-24-170771

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91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
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**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

## **7.8 Community and Justice Precinct**

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### **Officer's Recommendation**

That the letter be received and the information be noted.

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1. Letter from Senator Bragg to Mayor dated 30 April 2024

### **Attachments**

- 7.8.1 Letter from Senator Bragg to Mayor dated 30 April 2024 (contained within this report) [↓](#)



**Senator Andrew Bragg**  
Liberal Senator for New South Wales

**30 APR 2024**

Mayor George Greiss  
Mayor of Campbelltown City Council  
Campbelltown City Council  
91 Queen Street  
Campbelltown NSW 2560

By email: [George.Greiss@campbelltown.nsw.gov.au](mailto:George.Greiss@campbelltown.nsw.gov.au)

Dear Mayor Greiss

A handwritten signature in black ink that reads 'George'.

Thank you for your correspondence regarding the Community and Justice Precinct.

I have made a representation on your behalf to the Shadow Attorney-General, Senator the Hon. Michaelia Cash, who has portfolio responsibility relating to your enquiry. When I receive a response from the Minister, I will provide it to you.

If I can be of any further assistance, please do not hesitate to contact me or my office.

Yours sincerely

*Signature has been removed*

S

Shadow Assistant Minister for Home Ownership  
Liberal Senator for New South Wales

1/1

**Electorate Office**

GPO Box 5411 Sydney NSW 2001  
+61 2 9159 9320

**Parliament Office**

PO Box 6100 Senate Parliament House Canberra ACT 2600  
+61 2 6277 3479

[senator.bragg@aph.gov.au](mailto:senator.bragg@aph.gov.au) | [andrewbragg.com](http://andrewbragg.com) | Facebook @braggandrew | Twitter @ajamesbragg | Instagram @braggsenator

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## **7.9 Hospital Staff Car Parking (Re-allocation of funding)**

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### **Officer's Recommendation**

That the letters be received and the information be noted.

---

1. Letter from the Minister for Health and Regional Health, the Hon Ryan Park MP to the Mayor received on 31 May 2024
2. Letter from the Mayor to the Member for Macarthur, Dr Mike Freelander MP, copy sent to the Minister for Health, and Regional Health, the Hon Ryan Park MP dated 30 April 2024 (letter previously tabled at May meeting).

### **Attachments**

- 7.9.1 Letter from the Minister for Health and Regional Health, the Hon Ryan Park MP to the Mayor received on 31 May 2024 (contained within this report) [↓](#)
- 7.9.2 Letter from the Mayor to the Member for Macarthur, Dr Mike Freelander MP, cc'ed the Minister for Health, and Regional Health, the Hon Ryan Park MP dated 30 April 2024 (contained within this report) [↓](#)

**The Hon Ryan Park MP**

Minister for Health  
Minister for Regional Health  
Minister for the Illawarra and the South Coast



Ref: M24/2259

Dr George Greiss  
Mayor  
Campbelltown City Council  
george.greiss@campbelltown.nsw.gov.au

---

**Campbelltown Hospital parking costs (your ref: DOC-24-143550)**

Dear Mayor

Thank you for writing on behalf of staff and the community about paid parking at Campbelltown Hospital.

I acknowledge the concerns raised and appreciate your advocacy on this matter.

While car parking arrangements are a matter for local government, the below refers specifically to your comments about parking at Campbelltown Hospital.

In April 2021, paid parking for visitors was introduced at Campbelltown Hospital in line with NSW Health policies and guidelines, which govern the introduction of paid parking at hospitals subject to redevelopment across NSW.

Pricing is based on the NSW Health policy directive, considering affordability, demand management and ongoing financial viability and maintenance of the parking infrastructure. Industrial bodies have been consulted and monies raised will be reinvested in the health system.

Thank you again for writing. For more information, please contact Grant Isedale, General Manager Camden and Campbelltown Hospitals, at [swslhd-campbelltowngeneralmanagersunit@health.nsw.gov.au](mailto:swslhd-campbelltowngeneralmanagersunit@health.nsw.gov.au) or on 4634 4000.

Yours sincerely

*Signature has been removed*

**Ryan Park MP**

Minister for Health  
Minister for Regional Health  
Minister for the Illawarra and the South Coast

Office of the Mayor



30 April 2024

Dr Mike Freeland MP  
Federal Member for Macarthur  
Via email: [Mike.Freeland.MP@aph.gov.au](mailto:Mike.Freeland.MP@aph.gov.au)

Dear Dr Freeland,

**Re: Parking at Campbelltown Hospital and surrounding areas**

Thank you for your letters to me and Council's General Manager dated 7 February 2024 and 11 April 2024 respectively in which you raise your concerns relating to the patrolling of parking at Campbelltown Hospital and surrounding areas.

Council has no jurisdiction to patrol or enforce parking at Campbelltown Hospital. This is a matter for NSW Government.

In relation to the surrounding areas, Council will continue to patrol in accordance with the obligations and requirements of the *Road Rules (NSW) 2014*. Council regularly receives feedback from the community relating to both a lack of parking and illegal/unsafe parking habits within the area. Council's Community Response Officers are tasked with the role of attending to these safety/parking complaints and respond accordingly.

I note that we also receive individual and separate representations on behalf of your constituents, from both your office and the Local State Member's office relating to parking issues within the surrounding area expressing views on both sides of this debate.

I can assure you that due to the recent increase in non-compliant and unsafe parking practices within the area surrounding the hospital, council's Community Response Officers have remained active and as a priority, continue to issue penalties against drivers of vehicles parked illegally and in a way that is deemed to be causing an unreasonable risk to public safety. Further to this, to ensure the highest level of free parking turnover is maintained for the benefit of all people attending appointments or visiting the area, penalties will continue to be issued against those drivers of vehicles that park longer than the stated maximum parking timeframes.

Unfortunately, some of those drivers who will be issued penalties for illegal parking or parking in council's free parking areas longer than the permitted time will be visitors and/or staff of Campbelltown Hospital who may have chosen not to park at Campbelltown Hospital due to them having to pay for parking.

Campbelltown City Council  
91 Queen Street, Campbelltown  
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[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)  
T 02 4645 4000  
E [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



Office of the Mayor



We would appreciate your advocacy to secure additional funding to expand free parking at Campbelltown Hospital to support those people attending the hospital for work, or healthcare. As suggested in my previous letter to you, perhaps the re-allocation of the previous \$15 million commitment to Macarthur Train Station could be used for this purpose.

I thank you for your continued advocacy on this issue.

Yours sincerely

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

CC: The Hon Ryan Park MP, Minister for Health  
CC: Mr Greg Warren MP, Member for Campbelltown

DOC-24-143550



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## 7.10 Macathur Centre for Sustainable Living

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### Officer's Recommendation

That the letters be received and the information be noted.

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1. Letter from the General Manager to the Macarthur Centre for Sustainable Living dated 17 May 2024
2. Letter from Mr Greg Warren MP, Member for Campbelltown dated 5 July 2023 (sic) but received on 24 May 2024
3. Letter from the Mayor to Mr Greg Warren MP, Member for Campbelltown dated 27 May 2024
4. Letter from Macarthur Centre for Sustainable Living dated 27 May 2024
5. Letter from Ms Sally Quinell MP, Member for Camden dated 27 May 2024
6. Letter from the Mayor to Ms Sally Quinell MP, Member for Camden dated 28 May 2024
7. Letter from Member of Macarthur, Dr Mike Freeland MP to General Manager received 30 May 2024
8. Letter from General Manager to Member for Macarthur, Dr Mike Freeland MP dated 30 May 2024
9. Letter from Member for Macquarie Fields, The Hon Anoulack Chanthivong MP to General Manager received 29 May 2024
10. Letter from General Manager to Member for Macquarie Fields MP dated 30 May 2024

### Attachments

- 7.10.1 Letter from the General Manager to the Macarthur Centre for Sustainable Living dated 17 May 2024 (contained within this report) [↓](#)
- 7.10.2 Letter from Mr Greg Warren MP, Member for Campbelltown dated 5 July 2023 (sic) but received on 24 May 2024 (contained within this report) [↓](#)
- 7.10.3 Letter from the Mayor to Mr Greg Warren MP, Member for Campbelltown dated 27 May 2024 (contained within this report) [↓](#)
- 7.10.4 Letter from Macarthur Centre for Sustainable Living dated 27 May 2024 (contained within this report) [↓](#)
- 7.10.5 Letter from Ms Sally Quinell MP, Member for Camden dated 27 May 2024 (contained within this report) [↓](#)
- 7.10.6 Letter from the Mayor to Ms Sally Quinell MP, Member for Camden dated 28 May 2024 (contained within this report) [↓](#)
- 7.10.7 Letter from Member for Macarthur, Dr Mike Freeland MP to General Manager received 30 May 2024 (contained within this report) [↓](#)
- 7.10.8 Letter from General Manager to Member for Macarthur, Dr Mike Freeland MP dated 30 May 2024 (contained within this report) [↓](#)
- 7.10.9 Letter from Member for Macquarie Fields, The Hon Anoulack Chanthivong MP to General Manager received 29 May 2024 (contained within this report) [↓](#)
- 7.10.10 Letter from General Manager to Member for Macquarie Fields MP dated 30 May 2024 (contained within this report) [↓](#)

Office of the General Manager



17 May 2024

Ms Helen Byfield-Fleming  
Centre Coordinator  
Macarthur Centre for Sustainable Living  
Via email: [helen.byfield-fleming@mcsll.org.au](mailto:helen.byfield-fleming@mcsll.org.au)

Dear Helen,

**Withdrawal of Council's membership contribution**

At its meeting on Tuesday 14 May 2024, Council considered a report regarding its membership contribution to the Macarthur Centre for Sustainable Living (MCSL). At this meeting, Council resolved to withdraw its ongoing membership contribution, providing a 6 month notice period.

We will honour our commitment for quarter 4 2023/2024, and provide a final membership contribution for quarter 1, 2024/2025. All following membership contributions will cease after this date.

We acknowledge the significant contribution the MCSL has made to our community, and its unwavering commitment to environmental stewardship and sustainable technologies.

Through our partnership and collaboration, we have achieved notable milestones in promoting sustainability. These efforts have not only raised awareness but have also inspired positive action within our community. We remain deeply grateful for the collaboration we have shared and the positive impact we have made together.

Thank you once again for your dedication, partnership, and commitment to creating a more sustainable future for all.

Yours sincerely

*Signature has been removed*

Lindy Deitz  
**General Manager**

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

# Greg Warren MP



## MEMBER FOR CAMPBELLTOWN



05/07/23

Cr Dr George Greiss  
Mayor  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

**By email:** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

Dear Mayor

I write to you on behalf of Helen Byfield-Fleming, Centre Coordinator of Macarthur Centre for Sustainable Living (MCSL), with regards to their concerns about a decision by Campbelltown City Council, to cease their \$150,000 per annum contribution to the Centre.

As you are aware, MCSL plays a significant role in our community in education on and demonstrating renewable energy production, energy and water efficiency, waste management and recycling, biodiversity through green space management, chemical-free vegetable production and issues relating to climate change mitigation and adaptation.

Further to this, I am advised that MCSL offers a number of community education workshops, school excursions, pre-school programs, sustainable barista training, tours, venue hire and runs projects that build social capacity and empower individuals to practice sustainable lifestyles.

MCSL have built a great reputation as part of the Mount Annan Botanical Gardens and the broader Macarthur community. I have heard first-hand from many within the community about the great initiatives being run by MCSL.

I understand that the decision by Council to cease their annual contribution to MCSL will have a devastating impact on the continued operation of the Centre. I am advised that the Centre would quickly become insolvent and would need to appoint an administrator and enter into voluntary liquidation, as required under ASIC and ACNC Regulations.

Given the above and the instrumental achievements and work undertaken by MCSL in our community, I ask for your urgent and appropriate consideration in this matter and I look forward to your response at your earliest convenience.

Yours sincerely,

*Signature has been removed*

**Greg Warren MP**  
**Member for Campbelltown**

📍 Shop 3, 72 Queen Street, Campbelltown 📧 PO Box 895, Campbelltown NSW 2560

☎ (02) 4625 3344 📠 (02) 4626 3640 📧 [Campbelltown@parliament.nsw.gov.au](mailto:Campbelltown@parliament.nsw.gov.au)

🌐 [www.gregwarrenmp.com.au](http://www.gregwarrenmp.com.au) 📺 GregWarrenCampbelltown 📺 @GregWarren\_ 📺 greg\_warren\_mp

Authorised by Greg Warren MP, Shop 3, 72 Queen Street, Campbelltown NSW 2560. Printed by Jeffries Printing, 5/71a Milperra Road, Revesby NSW 2212 using parliamentary entitlements. June 2021.

Office of the Mayor



27 May 2024

Mr Greg Warren MP  
Member for Campbelltown  
Via: [campbelltown@parliament.nsw.gov.au](mailto:campbelltown@parliament.nsw.gov.au)

Dear Mr Warren,

Thank you for your letter dated 24 May 2024 regarding Macarthur Centre for Sustainable Living (MCSL).

I understand you met with Council's General Manager and Deputy General Manager on 11 March 2024 and discussed the issue. As a result of this conversation, we understood you were supportive of Council's proposed approach to withdraw its contribution.

Council considered a report at its meeting on 14 May 2024.

Following consideration of the report, Council resolved to withdraw its membership contribution, with a 6 month notice period.

Reasons for this withdrawal are noted in the report, but value for money considerations included:

- At no time has the contribution from the Macarthur Councils been equal. Campbelltown City Council's contribution was \$120,000 more per annum than Camden Council, noting Wollondilly Shire Council did not make a contribution since 2020
- Campbelltown City Council has made over \$2.5 million in membership contributions since 2010
- Campbelltown residents make up less than half of total usership
- The centre is in the Camden Local Government Area
- The centre does not have any accountability to Campbelltown City Council.

I am happy to discuss this matter with you.

Yours sincerely,

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-174483

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



27th May 2024

Dear Campbelltown City Council Mayor and Campbelltown City Councillors

I'm writing on behalf of the Macarthur Centre for Sustainable Living to advise you the Campbelltown City Council has withdrawn the Centre's funding. At this stage the Centre has enough funds to continuing sustainable education and activities until September or possibly December 2024.

As you are aware, MCSL plays a significant role in the Macarthur Region and beyond in education on and demonstrating renewable energy production, energy and water efficiency, waste management and recycling, biodiversity through green space management, chemical-free vegetable production and issues relating to climate change mitigation and adaptation. MCSL offers numerous community education workshops, school excursions, pre-school programs, sustainable barista training, tours, venue hire and runs projects that build social capacity and empower individuals to practice sustainable lifestyles. MCSL has built a great reputation as part of the Mount Annan Botanical Gardens and the broader Macarthur community. MCSL runs great initiatives and is supported by the greater community. The decision by Council to cease their annual contribution to MCSL will have a devastating impact on the continued operation of the Centre.

The Centre has full support of Dr Freeland MP, Mr Greg Warren MP, and Anoulack Chanthivong MP, the Narellan Mens Shed and community.

The MCSL Board has asked me to contact you as Campbelltown Mayor and Campbelltown Councillors to ask the following question.

1). Would Campbelltown City Council consider continuing the funding of \$150,000.00 supporting the Macarthur Centre for Sustainable Living to continue running its sustainable KPI's for the future.

Sincerely

Helen Byfield-Fleming  
Centre Co Ordinator  
Email: [Helen.byfield-Fleming@mcsl.org.au](mailto:Helen.byfield-Fleming@mcsl.org.au)  
1 Mount Annan Drive  
Mount Annan. NSW, 2567

Mount Annan Drive  
Mount Annan NSW 2567  
P (02) 46479828  
F (02) 46479838  
ABN 25 112 067 848  
[info@mcsl.org.au](mailto:info@mcsl.org.au)  
[www.mcsl.org.au](http://www.mcsl.org.au)





0246479828

Mount Annan Drive  
Mount Annan NSW 2567  
**P** (02) 46479828  
**F** (02) 46479838  
**ABN** 25 112 067 848  
[info@mcsi.or.au](mailto:info@mcsi.or.au)  
[www.mcsi.org.au](http://www.mcsi.org.au)







# SALLY QUINNELL MP

MEMBER FOR CAMDEN

27/05/2024

Dr George Greiss  
Mayor  
Campbelltown Council  
PO Box 57  
Campbelltown NSW 2560  
E: [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

Dear Mayor,

I write to you on behalf of Helen Byfield-Fleming, Centre Coordinator of Macarthur Centre for Sustainable Living (MCSL), who contacted my office expressing her disappointment with regards to the decision by Campbelltown City Council, to withdraw their annual contribution to the centre.

The MCSL, as you may know, plays a vital role within our community providing education on renewable energy production, energy and water efficiency, waste management and recycling, biodiversity through green space management and chemical-free vegetable production.

I have been informed that MCSL also offers our community education workshops, school excursions, pre-school programs, sustainable barista training, tours, venue hire and runs projects that build social capacity and empower individuals to practice sustainable lifestyles. Ms Byfield-Fleming raised in her correspondence the dire consequences the decisions by Campbelltown Council will have for the community groups who use the facilities including Narellan Men's Shed and Macarthur Beekeepers.

MCSL provides an invaluable contribution to the Macarthur community as part of the Mount Annan Botanic Gardens. Their reputation truly displays the commitment this organisation has to the local community.

As I understand, the decision by council to cease the MCSL's annual funding will have a devastating impact on the operation of the centre, forcing them to close their doors at the end of September.

Due to the significant impact this decision will make on the community, I request your urgent and appropriate consideration in this matter, and I look forward to your response at your earliest convenience.

Yours Sincerely,

*Signature has been removed*

**Sally Quinell**  
Member for Camden

---

☎ (02) 4655 3333    ✉ [Camden@parliament.nsw.gov.au](mailto:Camden@parliament.nsw.gov.au)  
📍 Shops G20/21 Narellan Town Centre,  
326 Camden Valley Way, Narellan NSW 2567  
📮 PO Box 1084, Narellan NSW 2567

---





## Office of the Mayor



28 May 2024

Ms Sally Quinnell MP  
Member for Camden  
Via: [electorateoffice.camden@parliament.nsw.gov.au](mailto:electorateoffice.camden@parliament.nsw.gov.au)

Dear Ms Quinnell,

Thank you for your letter dated 27 May 2024 regarding Macarthur Centre for Sustainable Living (MCSL).

Council considered a report regarding MCSL at its meeting on 14 May 2024.

Following consideration of the report, Council resolved to withdraw its membership contribution, with a 6 month notice period.

Reasons for this withdrawal are noted in the report, but value for money considerations included:

- At no time has the contribution from the Macarthur Councils been equal. Campbelltown City Council's contribution was \$120,000 more per annum than Camden Council (\$150,000 from Campbelltown compared to \$30,000 from Camden each year), noting Wollondilly Shire Council did not make a contribution since 2020
- Campbelltown City Council has made over \$2.5 million in membership contributions since 2010
- Campbelltown residents make up less than half of total usership
- The centre is in the Camden Local Government Area
- The centre does not have any accountability to Campbelltown City Council.

I am happy to discuss this matter with you.

Yours sincerely,

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

DOC-24-176189



# Dr Mike Freeland MP

## Federal Member for Macarthur

30 MAY 2024

23<sup>rd</sup> May 2024

MYREF: 2330524MCSL-KM

Ms Lindy Deitz  
General Manager  
Campbelltown City Council  
PO BOX 57  
CAMPBELLTOWN NSW 2560

Dear Lindy,

**RE: Withdrawal of Council's membership contribution to the Macarthur Centre for Sustainable Living (MCSL).**

I write on behalf of Ms Helen Byfield-Fleming, Centre Coordinator, Macarthur Centre for Sustainable Living who contacted my office to express her shock and disappointment at Council's decision to withdraw its ongoing membership contribution.

The MCSL has made significant contributions to our community, particularly through its school excursions which use evidence-based, best practice initiatives, to educate and empower students to make decisions and take practical action to contribute to a sustainable society.

Ms Byfield-Fleming informs me that Council's decision to withdraw funding will have dire consequences for Narellan Men's Shed and the Macarthur Beekeepers, as the MCSL provide access to its meeting spaces for these community groups.

These community groups provide social connection and a sense of purpose for its members who make an invaluable contribution to the Macarthur region.

Ms Byfield-Fleming informs me that if funding does not continue, the MCSL may be forced to close its doors at the end of September.

I acknowledge that Council recognises the environmental stewardship and the many achievements of the MCSL.

It is concerning that the decision was still made to revoke this crucial funding from an organisation that has a strong record of positive action in our local region.

Ms Deitz, I urge Council to reconsider withdrawing MCSL's funding, and support this vital social and environmental enterprise to continue its immeasurable work.

I look forward to your response in due course.

Yours sincerely,

*Signature has been removed*

**Dr Mike Freeland MP**  
**Federal Member for Macarthur**

**Office:** 37 Queen St Campbelltown NSW 2560 **Mail:** PO BOX 88 Campbelltown NSW 2560  
**Phone:** (02) 4620 0293 **Fax:** (02) 4620 4414 **Email:** Mike.Freeland.MP@aph.gov.au



Office of the General Manager



30 May 2024

Dr Mike Freeland MP  
Federal Member for Macarthur  
Via email: [Mike.Freeland.MP@aph.gov.au](mailto:Mike.Freeland.MP@aph.gov.au)

Dear Dr Freeland,

**Re: Council Membership Contribution Macarthur Center for Sustainable Living (MCSL)**

Thank you for your letter dated 23 May 2024 regarding Macarthur Centre for Sustainable Living (MCSL) received today via post.

Council considered a report regarding MCSL at its meeting on 14 May 2024 at Item 8.22.

Following consideration of the report, Council resolved to withdraw its membership contribution, with a 6 month notice period.

Reasons for this withdrawal are noted in the report, but value for money considerations included:

- At no time has the contribution from the Macarthur Councils been equal. Campbelltown City Council's contribution was \$120,000 more per annum than Camden Council (\$150,000 from Campbelltown compared to \$30,000 from Camden each year), noting Wollondilly Shire Council did not make a contribution since 2020
- Campbelltown City Council has made over \$2.5 million in membership contributions since 2010
- Campbelltown residents make up less than half of total usership
- The centre is in the Camden Local Government Area
- The centre does not have any accountability to Campbelltown City Council.

If you consider the outcomes of this organisation of value to our region, I'd encourage you to redirect MCSL to an appropriate government grant funding opportunity.

Yours sincerely,

*Signature has been removed*

Lindy Deitz  
**General Manager**

DOC-24-180111

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



## Anoulack Chanthivong MP

MEMBER FOR MACQUARIE FIELDS

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

24 May 2024

Dear Lindy,

**RE: Withdrawal of Council's membership contribution to the  
Macarthur Centre for Sustainable Living (MCSL)**

I write in my capacity as the Member for Macquarie Fields on behalf of Ms Helen Byfield-Fleming, Centre Coordinator, Macarthur Centre for Sustainable Living.

Ms Byfield-Fleming contacted my office to express her shock and disappointment at Council's decision to withdraw its ongoing membership contribution.

The MCSL is a wonderful community asset, providing a range of educational, evidence-based workshops and activities on sustainability for the broader Macarthur region.

Ms Byfield-Fleming has informed me that Council's decision to withdraw funding will have dire consequences for the centre and it may have to close its doors at the end of September as a result.

It is concerning that the centre may cease to operate given its valuable contributions to the Macarthur community over many years.

MCSL plays a key role in our region, offering a community space that is well-utilised and much-loved. Further, the sustainable education aspect of the centre is highly valued and will be greatly missed if no longer able to function.

I request your urgent and appropriate consideration of this matter.

Yours sincerely,

*Signature has been removed*

**Anoulack Chanthivong MP**  
**Member for Macquarie Fields**



Office of the General Manager



30 May 2024

The Hon Anoulack Chanthivong MP  
Member for Macquarie Fields  
Via email: [macquariefields@parliament.nsw.gov.au](mailto:macquariefields@parliament.nsw.gov.au)

Dear Mr Chanthivong,

**Re: Council Membership Contribution to Macarthur Centre for Sustainable Living (MCSL)**

Thank you for your letter dated 24 May 2024 regarding Macarthur Centre for Sustainable Living (MCSL) received on 29 May 2024 via post.

Council considered a report regarding MCSL at its meeting on 14 May 2024 at Item 8.22.

Following consideration of the report, Council resolved to withdraw its membership contribution, with a 6 month notice period.

Reasons for this withdrawal are noted in the report, but value for money considerations included:

- At no time has the contribution from the Macarthur Councils been equal. Campbelltown City Council's contribution was \$120,000 more per annum than Camden Council (\$150,000 from Campbelltown compared to \$30,000 from Camden each year), noting Wollondilly Shire Council did not make a contribution since 2020
- Campbelltown City Council has made over \$2.5 million in membership contributions since 2010
- Campbelltown residents make up less than half of total usership
- The centre is in the Camden Local Government Area
- The centre does not have any accountability to Campbelltown City Council.

If you consider the outcomes of this organisation of value to our region, I'd encourage you to redirect MCSL to an appropriate government grant funding opportunity.

Yours sincerely,

*Signature has been removed*

Lindy Deitz  
**General Manager**

DOC-24-179880

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087



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## **7.11 Western Sydney Business Services – Stage 1 (Rapid Bus)**

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### **Officer's Recommendation**

That the letters be received and the information be noted.

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1. Letter from the Minister for Transport, the Hon Jo Haylen MP to the Mayor dated 30 May 2024.
2. Letter from the Mayor to the Minister for Transport, the Hon Jo Haylen MP dated 28 February 2024.

### **Attachments**

- 7.11.1 Letter from the Minister for Transport, the Hon Jo Haylen MP to the Mayor dated 30 May 2024 (contained within this report) [↓](#)
- 7.11.2 Letter from the Mayor to the Minister for Transport, the Hon Jo Haylen MP dated 28 February 2024. (contained within this report) [↓](#)

**The Hon Jo Haylen MP**  
Minister for Transport



Ref: 02076919

**Dr George Greiss**  
**Mayor**  
**Campbelltown City Council**  
**PO Box 57**  
**Campbelltown NSW 2560**

---

Dear Dr Greiss,

Thank you for your correspondence about rapid bus services between Campbelltown and Western Sydney International Airport.

I note your feedback about expanding rapid bus routes to meet the needs of the future Western Sydney International Airport. I can assure Campbelltown City Council that the NSW Government shares this same goal and is actively working to explore opportunities to do this.

I am advised that Transport for NSW plans to introduce new bus services from 2025 which will connect key centres such as Liverpool, Penrith, and Campbelltown to the Airport and Bradfield City. These services are currently planned to operate every 30 minutes from 5am to 10pm daily, ensuring consistent and dependable transportation.

Transport for NSW recognises that further enhancements will be necessary to match the community's expectations for rapid transport between Campbelltown and the Airport. To meet these expectations, Transport for NSW is currently investigating potential infrastructure improvements and funding options to enable the operation of faster and more direct bus services.

Transport for NSW is committed to continually improving the bus network, and through community feedback and engagement, will work towards providing passengers the best possible services. Working with Council on planning for these services is a priority and your input is invaluable. I can assure you that Transport for NSW will provide updates and information on these potential rapid buses when they are available.

Information about any potential new rapid bus services will also be published on the project website at [www.transport.nsw.gov.au/projects/current-projects/new-bus-services-for-western-sydney](http://www.transport.nsw.gov.au/projects/current-projects/new-bus-services-for-western-sydney).

52 Martin Place Sydney NSW 2000  
GPO Box 5341 Sydney NSW 2001

02 7225 6060  
[nsw.gov.au/ministers](http://nsw.gov.au/ministers)

- 2 -

02076919

Thank you again for taking the time to write. Please do not hesitate to contact me again if there is anything further I can do to be of assistance.

Sincerely,

*Signature has been removed*

 **Haylen MP**  
Minister for Transport

30/05/2024

52 Martin Place Sydney NSW 2000  
GPO Box 5341 Sydney NSW 2001

02 7225 6060  
[nsw.gov.au/ministers](https://nsw.gov.au/ministers)

Office of the Mayor



28 February 2024

The Hon. Jo Haylen MP  
Minister for Transport  
Via web portal

Dear Minister,

**Re: Western Sydney Rapid Bus**

At our February Council meeting, Council resolved that I write to you to acknowledge the letter from Transport for NSW dated 4 December 2023 regarding the failure to deliver rapid bus services between Campbelltown and Western Sydney International Airport, prior to its opening, and implore the government to re-prioritise funding to deliver on the commitment.

In the letter referred to above, Transport for NSW referenced intentions to introduce a first stage of bus improvements between Campbelltown and Western Sydney International Airport from mid-2025, with no reference to any capital investment to support the delivery of a truly rapid bus prior to the Airport's opening.

We call on the government to deliver a true rapid bus connecting Campbelltown to Western Sydney International Airport with direct stopping patterns, reliable and frequent services, and travel times that are competitive with private car travel.

I'd be pleased to discuss this with you.

Please contact me on [George.Greiss@campbelltown.nsw.gov.au](mailto:George.Greiss@campbelltown.nsw.gov.au) or 02 4645 4319 to organise a mutually convenient time.

Yours sincerely,

*Signature has been removed*

Dr George Greiss  
**Mayor of Campbelltown**

CC: Mr Greg Warren MP, Member for Campbelltown  
CC: The Hon. Anoulack Chanthivong MP, Member for Macquarie Fields

DOC-24-48015

**Campbelltown City Council**  
91 Queen Street, Campbelltown  
PO Box 57, Campbelltown NSW 2560 DX5114

**[campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)**  
**T** 02 4645 4000  
**E** [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

ABN: 31 459 914 087

## 8. REPORTS FROM OFFICERS

### 8.1 Significant Development Applications

#### Reporting Officer

Director City Planning and Environment  
City Planning and Environment

#### Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

#### Delivery Program

Principal Activity
2.3.1.2 Lead and build partnerships to achieve diverse and affordable housing options

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#### Officer's Recommendation

That the information be noted.

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#### Report

Development applications received by the Council, are required to be determined by the appropriate authority in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979*.

Determining authorities include but are not limited to the Campbelltown Local Planning Panel, the Sydney Western City Planning Panel, or the General Manager under delegation.

This report provides information detailing all development applications considered under the authority of entities such as the Local Planning Panel, the Sydney Western City Planning Panel, and any other non-council government authorities, as well as more significant development applications approved by the General Manager under delegation.

The table attached to this report provides a summary of those development applications that meet the above criteria.



## Attachments

DAs where the authority is the Sydney Western City Planning Panel					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
NIL	NIL	NIL	NIL	NIL	NIL

DAs where the authority is the Department of Planning					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
<a href="#">SSD - 52066209</a>	1 Hurley Street, Campbelltown	Macarthur Health Precinct – Stage 2	\$68 million	Hospital >\$30 million	Assessment in progress

DAs where the authority is Campbelltown Local Planning Panel					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
<a href="#">2675/2008/DA-S</a>	Lot 7304 Kellerman Drive, St Helens Park	Subdivision into 355 residential lots and associated civil and road works	\$9,000,000	More than 10 unique objections	Assessment in progress
<a href="#">151/2023/DA-RA</a>	6-8 Palmer Street, Ingleburn	Construction of a residential apartment building containing 30 units	\$6,574,000	Variation to development standard greater than 10%	Deferred at meeting by Panel for additional information to be provided.
<a href="#">2324/2023/DA-C</a>	Lot 118 DP 589441 Glenquarie Tavern, 62 Harold Street, Macquarie Fields	Internal refurbishment	\$927,500	Council owned land	Approved with conditions

Significant DAs approved under delegation by the General Manager since last Council meeting (value exceeding \$3 million)					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
NIL	NIL	NIL	NIL	NIL	NIL

## 8.2 Proposal to Establish Alcohol Prohibited Area

### Reporting Officer

Manager City Standards and Compliance  
City Planning and Environment

### Community Strategic Plan

Objective	Strategy
1 Community and Belonging	1.2.3 Promote and support a safe community

### Delivery Program

Principal Activity
1.2.2.1 Deliver and promote services and programs that keep our community safe and healthy.

### Officer's Recommendation

1. That a notice be placed on the Council's website for 14 days inviting submissions from any person or group in response to the Council's intention to establish an Alcohol Prohibited Area over Lot 1 DP529634 Rudd Road, Lot 5 DP241539 Fitzroy Crescent, Lot 10 DP233519 Brudenell Avenue, and Lot 35 DP31214 Fitzroy Walk, Leumeah.
2. That any objections received during the exhibition period be reported to the Council.
3. That should no objections be received during the exhibition period, advice be given to the following entities/groups that an Alcohol Prohibited Area will be established over the lots specified in recommendation 1 and the date of its commencement:
  - a) The Officer in charge of the Police Station nearest the zones.
  - b) The liquor licensees and secretaries of registered clubs whose premises border on, adjoin or are adjacent to the proposed area.
  - c) Any known group that might be affected by the creation of the proposed area.

### Purpose

To submit to Council for endorsement, a proposal to establish an Alcohol Prohibited Area in Leumeah.

### History

In February 2024, and again in March 2024, Council received several formal complaints from residents in Rudd Road, Leumeah in relation to the anti-social behaviour of neighbouring residents who were drinking alcohol and littering in the public space between 90 Rudd Road and the Campbelltown North Public School both during daytime and nighttime hours.

Council staff investigated the complaint and established that there was sufficient evidence of the drinking of alcohol and littering in the subject area, in support of the complaints of anti-social behaviour and drinking.

A review was undertaken of measures available to council to prevent further anti-social behaviour continuing in this area, and it was considered appropriate that an Alcohol Prohibited Area be established over the public lands that exist in the vicinity of the location of the complaint.

## Report

The *Local Government Act 1993* (the Act) provides Council with the ability to establish an Alcohol Prohibited Area (APA) over a public place that is not a road related area (such as a park, beach, or reserve) to control/prevent anti-social behaviour caused by public drinkers on that public place.

The object of an APA is an early intervention measure to prevent the escalation of irresponsible public drinking, through to incidents involving public nuisance, disturbance, or serious crime.

Any person living or working within the Local Government Area, the local police or a local community group can make an application for an APA. Once established, an APA prohibits the drinking of alcohol on the land to which the APA relates to.

A proposal to establish an APA should be supported by evidence that drinkers have compromised the public's use of parks and reserves. Once established, an APA does not expire, unlike Alcohol Free Zones (road related areas) that expire after 4 years.

The management and operation of an APA is a collaborative approach between Council and the local Police. Council's role is the establishment and regulatory sign posting of the areas, while the Police are responsible for the enforcement.

The Campbelltown Local Area Command has been initially consulted and they have provided their support for the proposed APA. Public consultation will be undertaken prior to any decision to declare the establishment of the APA.

In view of the above, the Council is now able to endorse the establishment of an Alcohol Prohibited Area over the following allotments in Leumeah:

- Lot 1 DP529634 Rudd Road,
- Lot 5 DP241539 Fitzroy Crescent,
- Lot 10 DP233519 Brudenell Avenue, and
- Lot 35 31214 Fitzroy Walk.

Subject to its decision to endorse the proposed APA, Council is also required to place a formal Notice on public exhibition for a minimum period of 14 days, advising the public of its intention and seeking submissions from any interested person or group.

## **Attachments**

8.2.1 Map of Proposed Alcohol Prohibited Area (contained within this report) [↓](#)

# CAMPBELLTOWN CITY COUNCIL ALCOHOL PROHIBITED AREA



**LOT 1 RUDD ROAD & FITZROY WALK,  
LEUMEAH**

Date Produced: 10/05/2024. QGIS Project Path: N:\GIS\City Governance\CSS\IMT\GIS\Projects\Alcohol Maps\QGIS - Alcohol Free Zones.qgz



### 8.3 Voluntary Planning Agreement - Macarthur Gardens North

#### Reporting Officer

Manager Strategic Land Use Planning  
City Planning and Environment

#### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

#### Delivery Program

Principal Activity
5.2.2.5 Ensure assets, infrastructure and property are well managed and incorporate design excellence

#### Officer's Recommendation

That Council authorise the General Manager to execute the draft Voluntary Planning Agreement with Landcom on behalf of Council.

#### Purpose

The purpose of this report is for Council to consider the outcomes of the public exhibition of the draft Voluntary Planning Agreement (VPA) associated with the development of land within the Western Sydney University site, being Lot 1097 in DP 1182558 and referred to as Macarthur Gardens North, and to recommend that Council execute the Planning Agreement.

#### History

The Western Sydney University site has been developed over a number of years with approximately 850 dwellings provided by a joint venture between Western Sydney University and Landcom (trading as UrbanGrowth NSW). The University and Landcom owned different parts of the land and entered into a Contract for the development of the lands. The 2 parties then executed a Planning Agreement with Council for the delivery of land and works in lieu of payment of development contributions. The VPA was executed on 18 December 2015 and will result in the delivery of \$38,980,000 of various infrastructure, including:

- Open Space / Recreation / Land dedication - \$19,900,000
- Community / Sporting Infrastructure - \$1,580,000
- Transport Infrastructure - \$13,300,000
- Regional Detention Basin - \$2,200,000

- Regional Cycleway - \$2,000,000

The residential development has been fully completed and Landcom is currently working to finalise the delivery of the Sports Precinct, Bow Bowling Creek works (including Macarthur Regional Trail) and Harrison's Dam Recreation Park.

Landcom separately owned Lot 1097 in DP 1182558, an 18.52 hectare parcel of land located between Goldsmith Avenue and the Main Southern Railway. The site is located directly adjacent to Macarthur Station and has historically been utilised as the pedestrian thoroughfare between Macarthur Station and the University, Campbelltown TAFE and the residential development. It also provides informal road access to Gilchrist Oval (Council owned).

On 23 December 2021 Landcom lodged a development application (3944/2021/DA-SW) with Council for a "Concept master plan for a high density residential and mixed use development (to be known as Macarthur Gardens North), and construction of stage 1 of the master plan, encompassing roads, parks, civil works, landscaping and subdivision of the site into superlots".

On 14 December 2022, the Sydney Western City Planning Panel approved the Concept master plan for a high density residential and mixed-use development (known as Macarthur Gardens North), and construction of Stage 1 of the master plan, encompassing roads, parks, landscaping and subdivision, with concept approval for 6 mixed use residential building envelopes of varying heights.

The approval includes 6 building envelopes of varying heights, maximum gross floor area, residential development of approximately 1,250 dwellings, ground floor commercial uses, parking spaces, active open space, public domain landscaping and a pedestrian and cycle network.

## Report

Landcom as the landowner, made an offer to enter into a Voluntary Planning Agreement (VPA) with Council for the development referred to as Macarthur Gardens North. The Draft VPA seeks to provide contributions towards local infrastructure required for the project including:

1. Dedication of land (approx. 6,043 m<sup>2</sup>) and works for a Central Park (main).
2. Dedication of land (approx. 2,835 m<sup>2</sup>) and works for a Fitness Park.
3. Dedication of land and works for Central Park (south).
4. Dedication of land and works to create a Station Arrival Plaza.
5. Dedication of land (approx. 12.43 ha – includes Central Park South and Station Arrival Plaza) and works within Bow Bowling Creek Reserve.
6. Construction of a new lead-in road to service Gilchrist Oval.
7. Vegetation Management in Bow Bowling Creek reserve, in accordance with the VMP approved by the Concept Consent.

The total contribution value to be delivered, including land, is \$27,620,650

It is estimated, based on an assumed mix of dwellings (600 x one bedroom: 500 x 2 bedroom: 150 x 3 bedroom), that development contributions of approximately \$17.6 million would have been payable for this development. The proposed local infrastructure associated with the draft VPA has a strong nexus to the development, which is a core principle of development contributions. In addition, the value of the proposed infrastructure is significantly greater than

the contributions Council would otherwise be able to receive in monetary development contributions, principally due to the value of the land being dedicated as public land. This also does not include the new pedestrian/cyclist bridge proposed to replace the existing bridge from Macarthur Station to the site (over Bow Bowing Creek). Accordingly, the draft VPA provides a good outcome for the future residents of Macarthur Gardens North, the existing residents of Macarthur Heights, students attending Western Sydney University and Campbelltown TAFE, as well as the general community.

It is noted that all the infrastructure contained within Schedule 2 of the draft VPA were included in the Urban Design and Landscape Report prepared for Landcom and included as part of the suite of documents submitted with the development application. Accordingly, the Urban Design and Landscape Report was publicly exhibited as a part of the DA process and viewed, considered and assessed by numerous Council staff, including the Sydney Western City Planning Panel.

The draft Macarthur Gardens North Planning Agreement and accompanying Explanatory Note were placed on public exhibition from Friday 19 April 2024 until Monday 20 May 2024, 5pm. There were 76 aware visitors (made a single visit to the project) and 39 informed visitors (clicked on something, documents etc) to the Have Your Say webpage, however no submissions were received with regard to the draft VPA and Explanatory Note, either via the website or separately to Council.

It is also noted that the Macarthur Gardens North development proposal is an extension of the earlier development of the Western Sydney University site and will complement and integrate with the earlier development. A separate development application is also anticipated for the replacement of the existing pedestrian/cyclist bridge from Macarthur Station to the site (over Bow Bowing Creek). This bridge will end at a proposed Station Arrival Plaza, which will serve not just this development, but the entire University Precinct, including the TAFE and residential development. It will continue the embellishment of Bow Bowing Creek and its transfer to Council ownership, including continuation of the Macarthur Regional Trail.

The development further provides a Central Park and Fitness Park, which not only serve the development, but will also serve the entire University precinct.

The development also replaces the current informal vehicular access between Goldsmith Avenue and Gilchrist Oval with the construction of formal public roads.

## **Attachments**

8.3.1 Macarthur Gardens North Planning Agreement (contained within this report) [↓](#)

8.3.2 Macarthur Gardens North Explanatory Note (contained within this report) [↓](#)



## **Macarthur Gardens North Planning Agreement**

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

### **Campbelltown City Council Landcom**

Date:

16679225.1

**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
**Landcom**

**Macarthur Gardens North**  
**Planning Agreement**

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**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
**Landcom**

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Draft

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**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
**Landcom**

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**Macarthur Gardens North**  
**Planning Agreement**

**Summary Sheet**

**Council:**

**Name:** Campbelltown City Council (ABN 31 459 914 087)  
**Address:** Civic Centre 91 Queen Street (cnr Queen and Broughton Streets),  
Campbelltown NSW 2560  
**Telephone:** 4645 4000  
**Facsimile:** 4645 4111  
**Email:** council@campbelltown.nsw.gov.au  
**Representative:** General Manager

**Landcom:**

**Name:** Landcom (ABN 79 268 260 688)  
**Address:** 60 Station Street East, Parramatta New South Wales 2150  
**Telephone:** (02) 9841 8600  
**Facsimile:** (02) 9841 8688  
**Email:** pirwin@landcom.nsw.gov.au  
**Representative:** Paul Irwin, Development Director

**Land:**

See definition of *Land* in clause 1.1.

**Development:**

See definition of *Development* in clause 1.1.

**Development Contributions:**

See clause 8 and Schedule 2.

**Macarthur Gardens North Planning Agreement  
Campbelltown City Council  
Landcom**

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**Application of s7.11, s7.12 and s7.24 of the Act:**

See clause 7.

**Enforcement:**

See Part 5.

**Registration:**

See clause 32.

**Restriction on dealings:**

See clause 33.

**Dispute Resolution:**

Expert determination and mediation. See clauses 30 and 31.

Draft

**Macarthur Gardens North Planning Agreement****Campbelltown City Council****Landcom**

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**Macarthur Gardens North Planning Agreement**

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

**Parties**

**Campbelltown City Council** ABN 31 459 914 087 of Civic Centre, 91 Queen Street  
(cnr Queen and Broughton Streets), Campbelltown NSW 2560 (**Council**)

and

**Landcom** ABN 79 268 260 688 of Level 14, 60 Station Street East, Parramatta New South  
Wales 2150 (**Landcom**)

**Background**

- A Landcom is the owner of the Land and wishes to carry out the Development.
- B The Council granted the Concept Consent on 14 December 2022 subject to conditions requiring certain infrastructure works and the payment of contributions pursuant to s7.11 of the Act.
- C Landcom has agreed to make Development Contributions in connection with the carrying out of the Development on and subject to the terms of this Deed.

**Operative provisions****Part 1 - Preliminary****1 Definitions & Interpretation**

- 1.1 In this Deed the following definitions apply:

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW).

**Approval** includes approval, consent, licence, permission or the like.

**Assign** means, as the context requires, any assignment, sale, transfer, disposition, declaration of trust over or other assignment of a legal and/or beneficial interest.

**Authority** means the Commonwealth or New South Wales government, or any department or agency of the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the *Local Government Act 1993* (NSW), or a person or body exercising

## Macarthur Gardens North Planning Agreement

### Campbelltown City Council

#### Landcom

functions under any Act including a commission, panel, court, tribunal and the like.

**Bank Guarantee** means an irrevocable and unconditional undertaking without any expiry or end date by one of the following trading banks:

- (a) Australia and New Zealand Banking Group Limited.
- (b) Commonwealth Bank of Australia.
- (c) Macquarie Bank.
- (d) National Australia Bank Limited.
- (e) St George Bank Limited.
- (f) Westpac Banking Corporation.
- (g) Any other financial institution approved by the Council, in its absolute discretion, in response to a request from Landcom.

**Certificate of Practical Completion** means a certificate issued by Council or deemed to have been issued under clause 19.

**Claim** against any person means any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense, or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise.

**Clearance Certificate** means a clearance certificate issued by the Commissioner for Taxation under paragraph 14-220 of Schedule 1 of the *Taxation Administration Act 1953 (Cth)*.

**Concept Consent** means the Development Consent granted by Council to DA 3944/2021/DA-SW on 14 December 2022.

**Confidential Information** means any information and all other knowledge at any time disclosed (whether in writing and orally) by the parties to each other, or acquired by the parties in relation to the other's activities or services which is not already in the public domain and which:

- (a) is by its nature confidential;
- (b) is designated, or marked, or stipulated by either party as confidential (whether in writing or otherwise);
- (c) any party knows or ought to know is confidential;
- (d) is information which may be reasonably considered to be of a confidential nature.

**Construction Certificate** has the same meaning as in the Act.

**Contribution Value** in relation to each Item means the amount shown in column 4 headed "Contribution Value" of Schedule 2 for that Item as Indexed.

**Council Standards** means any design standards or guidelines or other requirements or policies of the Council relevant to an Item of Works and which are regularly applied to works of the nature of the Item of Works.

**Dedication Land** means the land that is required to be dedicated by Landcom to the Council under this Deed as set out in Part A of **Schedule 2** and generally identified in the plan in **Schedule 1**.

**Deed** means this Deed and includes any schedules, annexures and appendices to this Deed.

## Macarthur Gardens North Planning Agreement

### Campbelltown City Council

#### Landcom

**Defect** means a defect in an Item of Works (other than Vegetation Works) which:

- (a) adversely affects the ordinary use and/or enjoyment of the relevant Works;
- (b) will require maintenance or rectification work to be performed on them at some time in the future as a result of the existence of the defect; and/or
- (c) results in the Item of Works failing to perform according to its specification or intended use as assessed during the Defects Liability Period

**Defects Liability Period** means 12 months from the date of issue of a Practical Completion Certificate for an Item of Works.

**Defects Security** has the meaning ascribed to it in clause 27.2.2

**Detailed Design** means the detailed design, being plans and specifications which are sufficiently advanced so as to be suitable to enable the issue of a Construction Certificate, for an Item of Works approved under clause 13 of this Deed.

**Development** means the development of the Land pursuant to the Concept Consent and any Further Stage Consents so as to create Final Lots, residential buildings or single Dwellings on any Final Lot created by Landcom and for associated purposes including subdivision, community and commercial facilities, parks, open space and infrastructure.

**Development Application** has the same meaning as in the Act.

**Development Consent** has the same meaning as in the Act.

**Development Contribution** means any of the following, or any combination of them, to be used for, or applied towards, a public purpose:

- a monetary contribution;
- the dedication of land free of cost;
- the carrying out of work; or
- the provision of any other material public benefit.

**Dwelling** has the same meaning as in the *Campbelltown Local Environmental Plan 2015*.

**ELNO** has the same meaning given to that term in the Participation Rules.

**Encumbrance** means an interest or power:

- (a) reserved in or over an interest in any asset;
- (b) arising under, or with respect to, a Bio-Banking Agreement;
- (c) created or otherwise arising in or over any interest in any asset under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement, covenant, lease, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or
- (d) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation.



**Macarthur Gardens North Planning Agreement****Campbelltown City Council****Landcom**

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**Encumber** means to grant an Encumbrance.

**Environment** has the same meaning as set out in the Dictionary to the *Protection of the Environment Operations Act 1997 (NSW)*.

**Equipment** means any equipment, apparatus, vehicle or other equipment or thing to be used by or on behalf of Landcom in connection with the performance of its obligations under this Deed.

**Final Lot** means a lot to be created in the Development (including a strata lot) for separate occupation and disposition, not being:

- (a) a lot created by a subdivision of the Land that is to be dedicated or otherwise transferred to the Council or other Authority; or
- (b) a lot created by a subdivision of the Land which is intended to be further subdivided before it is occupied; and/or
- (c) a lot created for community use, ecological restoration, drainage, ecology, open space or infrastructure, or that will be dedicated or otherwise transferred for public use.

**Foreign Resident Capital Gains Withholding Amount** means the amount a purchaser is required to pay to the Commissioner for Taxation under paragraph 14-200 of the *Taxation Administration Act 1953 (Cth)*.

**Further Stage Consents** means any Development Consents granted in respect of Development on the Land which are granted consistently with the Concept Consent.

**Hand-Over** and **Handed Over** means the hand-over to the Council of any Works in accordance with this Deed.

**Hard Landscaping Works** means paving, seating, buildings, signage, lighting, playground equipment or other landscaping work other than the Vegetation Works.

**Index** means the quarterly indexing of Development Contributions in accordance with the Consumer Price Index (All Groups - Sydney) published by the Australian Bureau of Statistics.

**Insolvency Event** means the happening of any of the following events:

- (a) Application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order or an order is made that a body corporate be wound up.
- (b) An application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order appointing a liquidator or provisional liquidator in respect of a body corporate or one of them is appointed, whether or not under an order.
- (c) Except to reconstruct or amalgamate while solvent, a body corporate enters into, or resolves to enter into, a scheme of arrangement, agreement of company arrangement or composition with, or assignment for the benefit of, all or any class of its creditors, or it proposes a reorganisation, moratorium or other administration involving any of them.
- (d) A body corporate resolves to wind itself up, or otherwise dissolve itself, or gives notice of intention to do so, except to reconstruct or amalgamate while solvent or is otherwise wound up or dissolved.
- (e) A body corporate is or states that it is insolvent.

## Macarthur Gardens North Planning Agreement

### Campbelltown City Council

#### Landcom

- (f) As a result of the operation of section 459F(1) of the Corporations Act 2001 (Cth) (Corporations Act), a body corporate is taken to have failed to comply with a statutory demand;
- (g) A body corporate is or makes a statement from which it may be reasonably deduced that the body corporate is, the subject of an event described in section 459C(2)(b) or section 585 of the Corporations Act.
- (h) A body corporate takes any step to obtain protection or is granted protection from its creditors, under any applicable legislation or an administrator is appointed to a body corporate.
- (i) A person becomes an insolvent under administration as defined in section 9 of the Corporations Act or action is taken which could result in that event.
- (j) A receiver, manager or receiver and manager is appointed to the Company.
- (k) A claim is filed in a court against a person that is not defended, released or otherwise settled within twenty eight (28) days of the date of its filing at the court.
- (l) Anything analogous or having a substantially similar effect to any of the events specified above happens under the law of any applicable jurisdiction.

**Item** means each separately numbered Development Contribution specified in Schedule 2.

**Item of Works or Works** means each of the Items in Part B of Schedule 2.

**Just Terms Act** means the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)*.

**Land** means part Lot 1097 in DP1182558, bounded by Goldsmith Avenue and Main South Rail Line as shown on the plan in Schedule 1 of this Deed, not including the part marked as 'Stormwater Basin 3'.

**Landscape Maintenance Period** means:

- (a) the period of 60 months for any Item of Works on Land subject to management actions under the VMP commencing on the Hand-Over of that Item of Works;
- (b) subject to paragraph (a), the period of 24 months for any Vegetation Works commencing on the Hand-Over of the Item of Works which involves the Vegetation Works; and
- (c) subject to paragraph (a), the period of 12 months in respect of any Hard Landscaping Works commencing on the Hand-Over of the Item of Works which involves the Hard Landscaping Works.

**Landscape Maintenance Plan** means the plan submitted with the Detailed Design in accordance with clauses 13 and 14 and approved by Council under those clauses. The Landscape Maintenance Plan operates during the Landscaping Maintenance Period.

**Landscaping Works** means any Item of Works which involves Vegetation Works or Hard Landscaping Works.

## Macarthur Gardens North Planning Agreement

### Campbelltown City Council

#### Landcom

**Law** means all legislation, regulations, by-laws, common law and other binding order made by any Authority.

**Occupation Certificate** has the same meaning as in the Act.

**Participation Rules** means the participation rules as determined by the *Electronic Conveyancing National Law* as set out in the *Electronic Conveyancing (Adoption of National Law) Act 2012 (NSW)*.

**Party** means a party to this agreement, including their successors and assigns.

**PEXA** means Property Exchange Australia Ltd.

**Planning Legislation** means the Act, the *Local Government Act 1993 (NSW)* and the *Roads Act 1993 (NSW)*.

**Practical Completion** means the stage in the carrying out and completion of an Item of Works when:

- (a) the Works are complete except for minor defects that, :
  - (i) do not prevent the Works from being reasonably capable of being used for their stated purpose; and
  - (ii) the rectification of which will not prejudice the convenient use of the Works;
- (b) any tests which are required by any construction contract for the Works to be carried out and passed before the Works reach Practical Completion have been carried out and passed; and
- (c) documents and other information required under any construction contract for the Works which are essential for the use, operation and maintenance of the Works have been supplied to Landcom.

**Practical Completion Date** means the Date, if any, by which Works are required to be completed under this Deed, as set out in Column 3 of Schedule 2.

**Quantity Surveyor** means a person who:

- (a) is a member of their respective professional organisation and has been for at least five (5) years;
- (b) practises as a quantity surveyor for works of the same nature as the relevant Works;
- (c) is active as a quantity surveyor at the time of his appointment;
- (d) has at least three (3) years experience in valuing works of the same nature as the relevant Works; and
- (e) undertakes to act fairly and promptly in accordance with the requirements of this Deed.

**Rectification Certificate** means a compliance certificate within the meaning of section 6.4(1)(e) of the Act issued by the Council or a certifier to the effect that work the subject of a Rectification Notice has been completed in accordance with the notice.

**Rectification Notice** means a notice in writing that identifies a Defect in a Work and requires rectification of the Defect within a specified period of time.

**Registrar General** means the Registrar General within the meaning of the *Real Property Act 1900 (NSW)*.

## Macarthur Gardens North Planning Agreement

### Campbelltown City Council

#### Landcom

**Regulation** means the *Environmental Planning and Assessment Regulation 2021* (NSW).

**Security** means collectively the Works Security and the Defects Security.

**Subdivision Certificate** has the same meaning as in the Act.

**Subdivision Works Certificate** has the same meaning as in the Act.

**Superlot Subdivision Plan** means the subdivision plan approved by the Concept Consent, as proposed to be modified, and which is contained in Schedule 3.

**VMP** means the Macarthur Gardens North Masterplan DA VMP prepared by Eco Logical Australia Pty Ltd, dated 9 August 2022 and approved by the Concept Consent.

**VMP Works** means Item B7.

**Vegetation Works** means any Item of Works which involves vegetation planting.

**WHS** means work, health and safety.

**WHS Law** means the *Work Health and Safety Act 2011* (NSW) and the *Work Health and Safety Regulation 2017* (NSW).

**Work** means the physical result of any building, engineering or construction work in, on, over or under land, required to be carried out by Landcom under this Deed.

**Works Security** has the meaning ascribed to it in clause 27.2.1

**Works-As-Executed Plan** means detailed plans and specifications of Works carried out by Landcom.

1.2 In the interpretation of this Deed, the following provisions apply unless the context otherwise requires:

- 1.2.1 headings are inserted for convenience only and do not affect the interpretation of this Deed;
- 1.2.2 a reference to a business day means a day, other than a Saturday or Sunday, on which banks are open for business generally in Sydney;
- 1.2.3 if the day on which something is to be done under this Deed is not a business day, then it must be done on the next business day;
- 1.2.4 a reference to dollars or \$ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars;
- 1.2.5 a reference in this Deed to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST;
- 1.2.6 a reference to any legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision;
- 1.2.7 a reference to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced;
- 1.2.8 a reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed;
- 1.2.9 a reference to a person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency;

**Macarthur Gardens North Planning Agreement****Campbelltown City Council****Landcom**

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- 1.2.10 where a word or phrase is given a defined meaning, another part of speech or other grammatical form for that word or phrase has a corresponding meaning;
- 1.2.11 the singular includes the plural, and the plural includes the singular;
- 1.2.12 references to the word 'include' or 'including' are to be construed without limitation;
- 1.2.13 a reference to a Party to this Deed includes a reference to the Party's employees, agents and contractors, and the Party's successors and assigns; and
- 1.2.14 any schedules, appendices and attachments form part of this Deed.

**2 Status of this Deed**

- 2.1 This Deed is a planning agreement within the meaning of s7.4(1) of the Act.

**3 Commencement of this Deed**

- 3.1 This Deed commences and has force and effect on and from the date when the Parties have both executed this Deed.
- 3.2 The Parties are to insert the date when this Deed commences on the front page and on the execution page.

**4 Application of this Deed**

- 4.1 This Deed applies to the Land and the Development.

**5 Warranties**

- 5.1 The Parties warrant to each other that they:
  - 5.1.1 have full capacity to enter into this Deed; and
  - 5.1.2 are able to fully comply with their obligations under this Deed.
- 5.2 Landcom warrants to Council that:
  - 5.2.1 it is legally and beneficially entitled to the Land; and
  - 5.2.2 there is no legal impediment to it entering into this Deed, or performing the obligations imposed under it.

**6 Further agreements relating to this Deed**

- 6.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

**Macarthur Gardens North Planning Agreement****Campbelltown City Council****Landcom**

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**7 Application of s7.11, s7.12 and s7.24 of the Act to the Development**

- 7.1 This Deed excludes the application of s7.11 and s7.12 to the Development to the extent of the sum of the Contribution Values.
- 7.2 This Deed does not exclude the application of s7.24 to the Development.

**8 Provision of Development Contributions**

- 8.1 Landcom must make the Development Contributions set out in Schedule 2 of this Deed and any other provision of this Deed to the Council in accordance with this Deed.
- 8.2 A Contribution Value specified in relation to the Development Contributions in Schedule 2 does not define or limit the extent of Landcom's obligation to provide that Development Contribution.
- 8.3 Further to clause 8.2 but subject to clause 13.8, Landcom is not entitled to any payment, credit or off-set to the extent that any costs incurred by it in delivering any Development Contributions under Schedule 2 exceeds the relevant Contribution Value.
- 8.4 If the cost incurred by Landcom to properly perform an obligation to carry out Work or dedicate land is less than a Contribution Value specified in relation to the obligation, Landcom is not required to carry out further Work or dedicate further land or pay money to the Council to make up the difference between the Contribution Value and the cost incurred by Landcom in performing the obligation.
- 8.5 The Council will use its best endeavours to apply each Development Contribution made by Landcom under this Deed towards the public purpose for which it is made and otherwise in accordance with this Deed.

**Part 2 – Provisions relating to monetary Development Contributions****9 Payment of monetary Development Contributions**

- 9.1 Not used

**Part 3 – Provisions relating to dedication of Land****10 Procedures relating to the dedication of Land**

- 10.1 Landcom must dedicate the Dedication Land to Council free of any trusts, estates, interests, covenants and Encumbrances (other than encumbrances which are allowed to remain under clause 10.5.2) in accordance with **Schedule 2**.



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- 10.2 Landcom must meet all costs (including legal and registration costs) associated with the dedication of the Dedication Land in accordance with clause 10.1, including any costs incurred by Council in relation to that dedication.
- 10.3 For the purposes of this Deed, the Dedication Land will be dedicated to Council by Landcom upon Landcom:
- 10.3.1 giving the Council:
- (a) a Clearance Certificate that is valid at the time of dedication of the Dedication Land; or
  - (b) the Foreign Resident Capital Gains Withholding Amount in respect of the Dedication Land; and,
- 10.3.2 ensuring that:
- (a) a deposited plan is registered in the register of plans held with the Registrar General that dedicates the relevant part of the Dedication Land as a public road (including a temporary public road) under the *Roads Act 1993* (NSW) or creates a public reserve or drainage reserve under the *Local Government Act 1993* (NSW); or
  - (b) the Council is given evidence that a transfer of the Dedication Land to the Council has been effected by means of electronic lodgement and registration through PEXA or another ELNO.
- 10.4 Dedication Land is taken to have been dedicated to Council when the matters in clause 10.1 have occurred.
- 10.5 Landcom is to do all things reasonably necessary to enable registration of the deposited plan or instrument of transfer to occur including by delivering to Council:
- 10.5.1 any consent from an interested party in the relevant land that is required by the Registrar General to be provided in order to enable registration of the deposited plan or instrument of transfer to occur; and
- 10.5.2 any document in registrable form which, when registered, will remove any Encumbrances registered on the title of that land, excluding encumbrances that would not in the Council's opinion, acting reasonably, impede the intended use of all or any part of the Dedication Land including but not limited to easements and covenants for services and drainage.

## 11 Acquisition of Land

- 11.1 Subject to clause 11.2, if Landcom does not dedicate or transfer to Council any part of the Dedication Land at the time at which it is required to be dedicated under **Schedule 2**, Landcom consents to the Council compulsorily acquiring the land in accordance with the Acquisition Act and on the terms of this clause 11 for compensation on account of that acquisition in the amount of \$1 without having to follow the pre-acquisition procedure under the Just Terms Act.

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- 11.2 Clause 11.1 constitutes an agreement between the parties with respect to the compulsory acquisition of the Dedication Land for the purposes of s30 of the Just Terms Act.
- 11.3 Landcom must promptly do all things necessary, and consents to the Council doing all things necessary, to give effect to this clause 11, including without limitation:
  - 11.3.1 signing any documents or forms;
  - 11.3.2 giving landowner's consent for lodgement of any Development Application;
  - 11.3.3 producing certificates of title to the Registrar-General under the Real Property Act 1900 (NSW); and
  - 11.3.4 paying the Council's costs arising under this clause 11.
- 11.4 If Council:
  - 11.4.1 acquires the Dedication Land in accordance with this clause 11 and
  - 11.4.2 is required to pay any compensation to a third party as a result of that acquisition,
 then Landcom must pay Council the amount of that compensation:
  - 11.4.3 within ten (10) business days of demand for payment being made by Council; and
  - 11.4.4 prior to the issue of the then next Occupation Certificate or Subdivision Certificate with respect to the Development.

## Part 4 – Provisions relating to the carrying out of Work

### 12 Obligation to Carry Out Works

- 12.1 To the extent it has not already done so as at the commencement of this Deed, Landcom, at its cost, must obtain Development Consent, and any other form of consent required by a relevant Authority, for the construction and use of the Works.
- 12.2 Landcom must carry out and complete the Works in accordance with this Deed (in particular **Schedule 2**).
- 12.3 Landcom must carry out and complete the Works in a good and workmanlike manner (complying with current industry practice and Australian standards relating to each aspect of the Works) having regard to the intended purpose of the Works and in accordance with:
  - 12.3.1 any applicable Development Consent; and
  - 12.3.2 all applicable laws, including those relating to occupational health and safety; and

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- 12.3.3 this Deed to the extent that it is not inconsistent with the applicable Development Consent or an applicable law; and
- 12.3.4 the approved Detailed Design of the Works.
- 12.4 The Council must notify Landcom of any Council Standards applicable to the design and specifications of each Item of Works, within 15 business days of a request by Landcom. All Council Standards must be published by Council and must be required to be complied with in relation to the Work in a manner consistent with all other works similar to the Works.

## 13 Detailed Design

- 13.1 This clause 13 applies only to Works for which no Construction Certificate has been issued as at the date of commencement of this Deed.
- 13.2 Once Development Consent has been granted for a Work (other than the VMP Works), and before commencing construction of an item of Works, Landcom must prepare the Detailed Design (in consultation with Council) to be consistent with the Development Consent for the Work (and any relevant Council Standard or policies that are consistent with the Development Consent and which do not result in the need for any modification to the Development Consent), and which must:
  - 13.2.1 have specific regard to the specifications and Contribution Value of that Item of Works in Schedule 2; and
  - 13.2.2 contain a report from a suitably qualified and experienced Quantity Surveyor, or a contractor's contract price for the Work, which estimates the cost to complete the relevant item of Work in accordance with the Detailed Design,
 and submit the Detailed Design to the Council for approval.
- 13.3 Within 20 business days of receiving the Detailed Design, Council must notify Landcom in writing whether the Detailed Design is approved (in which case Landcom must carry out and complete the item of Works in accordance with that Detailed Design) or not approved, and Council must act reasonably where it seeks to withhold its approval under this clause.
- 13.4 If the Council does not approve the Detailed Design, the notice to Landcom to that effect must detail:
  - 13.4.1 what, if any, changes are required to the Detailed Design to ensure it complies with the Development Consent for the Work; and
  - 13.4.2 what other changes Council requires which are not required to correct an inconsistency between the Detailed Design and the Development Consent for the Work (**Council Variation**).
- 13.5 The Parties acknowledge that:
  - 13.5.1 condition 18 of the Concept Consent allows Council and Landcom to agree to a widening of the shared path along Bow Bowing Creek Reserve from 2.0m to 3.0m,

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- 13.5.2 if Council requests and Landcom agrees to the widening of the shared path referred to in clause 13.5.1, then such a change will be a Council Variation for the purposes of this clause 13.
- 13.6 If a Council Variation is requested, and prior to commencing the relevant Works, Landcom must notify Council in writing of the increased costs Landcom expects to incur as a result of the Council Variation, including all anticipated construction and consultants costs, all costs in gaining consent authority approvals, and an estimate of any delay in the delivery program for the relevant Work as a result of the Council Variation, for Council's consideration.
- 13.7 Within 5 business days of receiving the information required under clause 0, Council must advise Landcom whether it continues to require the Council Variation, or whether it no longer requires the Council Variation.
- 13.8 If Council advises that it does require a Council Variation, Council must bear the additional costs actually incurred by Landcom in providing the Work that is in excess of the greater of the Contribution Value and estimated value of the Works under clause 13.2.2, by providing Council with an itemised tax invoice for those costs, and those costs must be reimbursed to Landcom by no later than 10 business days after Council receives that tax invoice and Hand-Over of the relevant Works, whichever occurs later.
- 13.9 Landcom must amend the Detailed Design in response to:
- 13.9.1 any request by Council pursuant to clause 13.3.1; and
- 13.9.2 a Council Variation which the Council advises it requires under clause 13.7,  
prior to making an application for a Construction Certificate for the relevant the Work, other than if:
- 13.9.3 the change is requested under clause 13.3; and
- 13.9.4 Landcom (acting reasonably) considers the change will cause significant delay to the Works; or
- 13.9.5 it requires a modification of the Development Consent for the relevant the Work or any part of the Development,  
in which case Landcom is not required to amend the Detailed Design to reflect those changes requested by Council.
- 13.10 The amended Detailed Design prepared under clause 13.8 will be the agreed Detailed Design for the relevant the Work.
- 13.11 Council may not request any variations to the Detailed Design other than pursuant to clause 13.3.
- 13.12 Any acceptance by the Council of the Detailed Design under this clause 13 is not to be taken as approval of or to any Construction Certificate for the relevant Work.
- 13.13 If Council fails to provide a response to the Detailed Design within the time required by clause 13.3, Landcom may proceed to seek a Construction Certificate for the Detailed Design notwithstanding the remainder of this clause 13 and the Detailed Design is deemed to have been approved by Council.
- 13.14 When approving the Detailed Design, the Council must also notify Landcom of Council's requirements and formats for any reports, operational, maintenance

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or other manuals, specifications, warranties, checklists, forward budgets and any other documents or reports which Council will require in respect of the Work on Hand-Over.

## 14 Landscape Maintenance Plan

- 14.1 When the Detailed Design of any Landscaping Works (other than the VMP Works) is submitted to Council for approval under clause 13.1:
  - 14.1.1 Landcom must, at its own cost, also submit a proposed Landscape Maintenance Plan no later than 60 business days prior to the commencement of the Landscape Maintenance Period, which has been prepared having regard to the Council Standards; and
  - 14.1.2 the Council must within 30 business days of receipt, notify Landcom whether the Landscape Maintenance Plan is approved or not approved and of any amendments required to the Landscape Maintenance Plan if it is not approved.
- 14.2 The Council can only request reasonable amendments to the Landscape Maintenance Plan if the Council reasonably demonstrates:
  - 14.2.1 the amendments are minor in nature; and
  - 14.2.2 would not alter the Contribution Value of any Item of Works.
- 14.3 Landcom must make any amendment to the Landscape Maintenance Plan requested by Council under clause 14.1 and which complies with clause 1.1.
- 14.4 The amended Landscape Maintenance Plan prepared under clause 14.3. will be the agreed Landscape Maintenance Plan for the relevant Item of Works.
- 14.5 If the Council fails to provide a response to the Landscape Maintenance Plan within the time required by clause 14.1, the Landscape Maintenance Plan is deemed to have been approved by Council.
- 14.6 For the purposes of clause 14.1 Landscape Maintenance Plan must include :
  - 14.6.1 a schedule of inspections of the Vegetation Works and Hard Landscaping Works during the Landscape Maintenance Period to occur at specified stages of the works in the Landscape Maintenance Plan (**Landscaping Inspection Stage**);
  - 14.6.2 the landscape designer's design intent statement indicating the expected established landscape area's visual and physical performance during and at completion of the Landscape Maintenance Period;
  - 14.6.3 a maintenance schedule identifying the frequency of any regular maintenance and upkeep required to effect the landscape designer's design intent statement, and which shall be logged in a maintenance register during the Landscape Maintenance Period; and
  - 14.6.4 any operations and maintenance manuals relating to the Landscaping Works that may be supplied by contractors at the end of the Defects Liability Period.
- 14.7 Subject to clause 25, at the end of the Landscape Maintenance Period, Landcom has no further obligations in respect of the Landscaping Works or maintenance under the Landscape Maintenance Plan.

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**15 Inspections of Works**

- 15.1 Within 20 business days of the approval of the Detailed Design for an Item of Work (other than a Landscaping Work), Council must provide a schedule of inspections to be undertaken by Council (**Inspection Schedule**) to occur at specified stages of the construction of the Work (**Inspection Stage**).
- 15.2 5 business days prior to reaching an Inspection Stage as set out in the Inspection Schedule, Landcom must notify the Council of the inspection date (**Inspection Date**).
- 15.3 On the Inspection Date Landcom must ensure that any employees, contractors, agents or representatives of Council have access to and may enter the part of the Land on which the Item of Work is being constructed to inspect the relevant Work.
- 15.4 In addition to carrying out inspections in accordance with the Inspection Schedule, the Council may enter, and Landcom must permit the Council, its officers, employees, agents and contractors to enter any part of the Land on which the relevant Work is located to inspect, examine or test the progress of the relevant the Work, subject to:
  - 15.4.1 giving reasonable notice to Landcom;
  - 15.4.2 complying with all reasonable directions given by or on behalf of Landcom, including by its contractors carrying out the construction of the Works; and
  - 15.4.3 being accompanied by a Landcom representative or a nominee, or as otherwise agreed.
- 15.5 Landcom must enable Council, its officers, employees, agents and contractors access to the location of the Works where this is not the Land, Council land or a public road.
- 15.6 The Council may, acting reasonably, within 5 business days of carrying out an inspection (either under clause 15.3 or 15.4), notify Landcom of any defect or non-compliance in the relevant Work (**Inspection Defect Notice**) and direct Landcom to carry out an action or actions to rectify that defect or non-compliance within a reasonable period of time. Such action may include, but is not limited to:
  - 15.6.1 removal of defective or non-complying material;
  - 15.6.2 demolishing defective or non-complying work;
  - 15.6.3 reconstructing, replacing or correcting any defective or non-complying work; or
  - 15.6.4 refraining from delivering any defective or non-complying material to the site of the relevant Work.
- 15.7 If Landcom is issued an Inspection Defect Notice, and:
  - 15.7.1 does not give the Council an Inspection Defect Dispute Notice referred to in clause 15.9, or
  - 15.7.2 gives the Council an Inspection Defect Dispute Notice referred to in clause 15.9 and the dispute is determined by the expert in favour of the Council,



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then Landcom must, at its cost, rectify the defect or non-compliance specified in the Inspection Defect Notice within the time period specified in the Inspection Defect Notice (extended by such time period as from date of the Inspection Defect Dispute Notice to the date of the expert's determination).

- 15.8 For the avoidance of doubt, any acceptance by the Council that Landcom has rectified a defect or non-compliance identified in an Inspection Defect Notice does not constitute:

15.8.1 acceptance by the Council that the relevant Item of Work complies with all Approvals and Laws; or

15.8.2 an Approval by the Council in respect of the Work; or

15.8.3 an agreement or acknowledgment by the Council that the relevant Work is complete and may be delivered to the Council in accordance with this Deed.

- 15.9 If Landcom notifies Council that it does not agree that there is a defect or non-compliance as specified in the Inspection Defect Notice (**Inspection Defect Dispute Notice**), then the Inspection Defect Dispute Notice is taken to be a notice for the purposes of clause 30.2 and an expert is to be appointed in accordance with clause 30 to determine whether the Inspection Defect Notice was properly issued.

## 16 Contribution Values

- 16.1 For the purposes of this Deed, the Parties acknowledge that the Contribution Value in relation to each Item of the Works is the amount specified in Schedule 2 (as Indexed from time to time).

- 16.2 Subject to clause 13.6, if Landcom's actual cost of carrying out an Item of Works in accordance with the Detailed Design, including any costs incurred pursuant to this Deed, determined at the date on which the Works is completed or, in the case of Works, is Handed-Over to the Council, differs from the Contribution Value, then no Party to this Deed shall be entitled to claim credit or reimbursement, as the case may be, for the difference.

## 17 Protection of People, Property and the Environment

- 17.1 Landcom is to ensure in relation to the carrying out of the Works that:
- 17.1.1 all necessary measures are taken to protect people, property and the Environment;
  - 17.1.2 unnecessary interference with the passage of people and vehicles is avoided;
  - 17.1.3 nuisances and unreasonable noise and disturbances are prevented; and
  - 17.1.4 all relevant laws and regulations with respect to water, air, noise and land pollution (including 'pollution incidents') as defined under the *Protection of the Environment Operations Act 1997 (NSW)* are complied with.

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**18 Variation of Works**

- 18.1 Subject to clause 13.4 and 13.7, the Works are not to be varied by Landcom, unless:
- 18.1.1 the Parties agree in writing to the variation;
  - 18.1.2 any Approval required is first obtained; and
  - 18.1.3 Landcom bears all of the Council's costs of, and incidental to agreeing to and approving the variation.
- 18.2 Council may refuse to agree to a variation of an item of Work at its absolute discretion unless the variation is required to be consistent with the Development Consent for the Work in which case the Council may not refuse to agree.
- 18.3 If a variation to a Work does not result in the sum of the Contribution Values of all Development Contributions falling below the sum of the Contribution Values at the date of this Deed, and the variation is generally consistent with the intended objectives and outcomes of this Deed at the date of this Deed, then Schedule 2 will be deemed to be amended to include the varied Development Contributions and their Contribution Values.
- 18.4 A variation to the Developments Contributions under clause 19.2 does not require a variation to this Deed.

**19 Practical Completion of Works**

- 19.1 Landcom is to give the Council not less than 20 business days written notice of the date on which it considers that an Item of Works will reach Practical Completion (identifying the particular item of the Works to which it relates).
- 19.2 The Council may, within 10 business days of the date of receipt of the notice referred to in clause 19.1, carry out an inspection of the Work the subject of the Notice, and will, having regard to the requirements for Practical Completion of the Works, and acting reasonably, and within a further 10 business days from the date of its inspection, either:
- 19.2.1 provide written certification to Landcom that the relevant Work has reached Practical Completion (**Certificate of Practical Completion**); or
  - 19.2.2 notify Landcom of any additional information or work required or matters which must be addressed by Landcom, which must be reasonable in the circumstances, in order to ensure that the Work complies with this Deed, prior to the certification being issued.:
- 19.3 If Council does not issue a notice under clause 19.2 within 20 business days of receipt of a Landcom notice under clause 19.1, Council will be deemed to have accepted that Practical Completion of the Work the subject of the notice has been achieved, and will be deemed to have issued a Certificate of Practical Completion.
- 19.4 If Landcom is required to provide additional information or works or address any matters under clause 19.2.2, Landcom will provide that information to Council or works or address those matters within 10 business days of receiving the notice or within a reasonable period of time, having regard to the nature of the requirement, and make a further request for a Certificate of Practical Completion.

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- 19.5 In the event that Landcom has notified Council that Works are completed, and reasonably considers that a Certificate of Practical Completion should have been issued by Council in respect of a Work, and none has been issued, Landcom may refer the matter for dispute resolution.

**20 Hand-Over**

- 20.1 Before a Work which is to be Handed-Over to Council is Handed-Over, Landcom will remove from the part of the Land on which the Work being Handed-Over is located:
- 20.1.1 any rubbish or surplus material;
  - 20.1.2 any temporary works; and
  - 20.1.3 any construction plant and equipment, relating to the carrying out of the Work as the case requires; unless that plant or equipment is required by Landcom for the purposes of Defect rectification, in which case it must be removed immediately after the Defect has been rectified.
- 20.2 A Work required to be Handed-Over to Council and which is located on land owned by the Council is taken to be Handed-Over to the Council when a Certificate of Practical Completion is issued by the Council or deemed to be issued by the Council under clause 19.
- 20.3 A Work required to be Handed-Over to Council and which is located on part of the Land, is Handed-Over when the part of the Land on which it is located is dedicated or transferred to Council in accordance with clause 10.
- 20.4 Ownership of a Work is transferred to Council on Hand-Over and nothing in, or done under this Deed gives Landcom, after Hand-Over any right, title or interest in the Work.
- 20.5 On Hand-Over, Landcom must cause the legal title in the Work and all materials and components of the Works to pass to Council free of any charge or other interest.
- 20.6 Landcom, at its own cost, must repair and make good any loss or damage to a Work from any cause whatsoever which occurs before the Work is Handed-Over for the purposes of this Deed, except for damage to the extent caused or contributed to by the Council, its officers, employees, agents and contractors which Landcom has no obligation to repair and make good.

**21 Works-As-Executed-Plan**

- 21.1 No later than 60 business days after a Certificate of Practical Completion is issued in respect of a Work, Landcom must submit to the Council a full Works-As-Executed-Plan in respect of the Works that are the subject of the notice.
- 21.2 Landcom shall provide with the Work-as-Executed Plan(s) all documents requested by the Council under clause 13.19 which are to be provided at Hand-Over.

**22 Rectification of Defects for Works**

- 22.1 During the Defects Liability Period for any Works, the Council may give to Landcom a Rectification Notice in relation to the Works specifying:

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- 22.1.1 the Works requiring rectification and the nature of the Defect; and
- 22.1.2 the action required to be undertaken by Landcom to rectify the Defect in those Works.
- 22.2 If Landcom is issued a Rectification Notice, and:
  - 22.2.1 does not give the Council a Rectification Dispute Notice referred to in clause 22.12, or
  - 22.2.2 gives the Council a Rectification Dispute Notice referred to in clause 22.12 and the dispute is determined by the expert in favour of the Council,

then Landcom must comply with a Rectification Notice at its own cost according to the terms of the Rectification Notice (extended by such time period as from date of the Rectification Notice to the date of the expert's determination), and acting reasonably, provide Council with a date by which the Defect in those Works will be rectified having regard to the nature of the Defect, the Works and the rectification required.
- 22.3 When Landcom considers that rectification is complete, Landcom may give to the Council a Rectification Certificate relating to the Works the subject of the relevant Rectification Notice .
- 22.4 A Rectification Certificate under clause 22.3 discharges Landcom from any further obligation to comply with the relevant Rectification Notice.
- 22.5 If:
  - 22.5.1 Landcom does not give the Council a Rectification Dispute Notice referred to in clause 22.12, or
  - 22.5.2 gives the Council a Rectification Dispute Notice referred to in clause 22.12 and the dispute is determined by the expert in favour of the Council,

and Landcom has not complied with a Rectification Notice by the time Landcom specified for rectification of the Defect (extended by such time period as from date of the Rectification Dispute Notice to the date of the expert's determination), then the Council may do such things as are necessary to rectify the Defect (including entry upon any part of the Land to which it requires access, which Landcom must provide unimpeded and without interference, in order to satisfy the obligations of Landcom in accordance with the Rectification Notice), and recover, as a debt due in a court of competent jurisdiction, the costs incurred by the Council in rectifying the Defect.
- 22.6 Where Council exercises its step-in rights in accordance with paragraph 22.5, all costs incurred by Council in rectifying the relevant Defects may be claimed by Council as a liquidated debt immediately due and owing by Landcom.
- 22.7 By no later than twenty (20) Business Days prior to the end of the Defects Liability Period:
  - 22.7.1 Council will undertake a final inspection of the relevant Item of Work; and
  - 22.7.2 Council may either:
    - (a) by way of written notice to Landcom, confirm that the Item of Work is acceptable to Council, acting reasonably; or

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- (b) issue a Rectification Notice to Landcom if it identifies any part of the Item of Work which is not acceptable to Council, acting reasonably.
- 22.8 If Council issues a Rectification Notice under paragraph 22.7.2(b), and
  - 22.8.1 Landcom does not give the Council a Rectification Dispute Notice referred to in clause 22.12, or
  - 22.8.2 Landcom gives the Council a Rectification Dispute Notice referred to in clause 22.12 and the dispute is determined by the expert in favour of the Council,
 then, Landcom must comply with the Rectification Notice at its own cost, according to the terms of that Rectification Notice and (and for the purpose of clarity, clause 22.5 and clause 22.6 applies with respect to any such Rectification Notice).
- 22.9 Council may not issue a further Rectification Notice under paragraph 22.7 for any additional unacceptable parts of the Item of Work that were not identified in the Rectification Notice issued under paragraph 22.7.2(b).
- 22.10 If Council does not issue a Rectification Notice within ten (10) Business Days after undertaking a final inspection of the Works under paragraph 22.7.1, the Works will be deemed to be acceptable to Council.
- 22.11 If Council issues a Rectification Notice under paragraph 22.7, the Defects Liability Period for the Item of Work the subject of that Rectification Notice does not end for the purpose of this Deed until the relevant matters set out in that Rectification Notice have been addressed in accordance with this Deed.
- 22.12 If Landcom notifies Council that it does not agree that there is a Defect as specified in the Inspection Rectification Notice (**Rectification Dispute Notice**), then the Rectification Dispute Notice is taken to be a notice for the purposes of clause 30.2 and an expert is to be appointed in accordance with clause 30 to determine whether the Rectification Notice was properly issued.

## 23 Cost of Works carried out by the Council

- 23.1 The Council's costs of carrying out, completing or rectifying the Works in accordance with this Deed include, but are not limited to:
  - 23.1.1 the reasonable costs of the Council's servants, agents and contractors reasonably incurred for that purpose;
  - 23.1.2 all fees and charges necessarily or reasonably incurred by the Council in order to have the Works carried out, completed, made safe or rectified; and
  - 23.1.3 without limiting the generality of the preceding sub-clause, all legal costs and expenses reasonably incurred by the Council, by reason of Landcom's failure to comply with this Deed.

## 24 Insurance

- 24.1 Landcom is to take out and keep current, or is to procure that any contractor carrying out the Works on behalf of Landcom takes out and keeps current, to

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the satisfaction of the Council the following insurances in relation to the Works up until the relevant date of Hand-Over to Council:

- 24.1.1 contract works insurance, noting the Council as an interested party, for the full replacement value of the Works (including the cost of demolition and removal of debris, consultants' fees and authorities' fees), to cover Landcom's liability in respect of damage to or destruction of the Works;
- 24.1.2 public liability insurance for at least \$10,000,000 for a single occurrence, which covers the Council, Landcom and any subcontractor of Landcom, for liability to any third party;
- 24.1.3 workers compensation insurance as required by law; and
- 24.1.4 any other insurance required by law.
- 24.2 If Landcom fails to comply with clause 24.1, the Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from Landcom to the Council and may be recovered by the Council as it deems appropriate including:
  - 24.2.1 by calling upon the Security provided by Landcom to the Council under this Deed; or
  - 24.2.2 recovery as a debt due in a court of competent jurisdiction.
- 24.3 Landcom is not to commence to carry out the Works unless it has first provided to the Council satisfactory written evidence of all the insurances specified in clause 24.1.

## 25 Landscape Maintenance Period

- 25.1 During the Landscape Maintenance Period for Landscaping Works (other than the VMP Works), Landcom must maintain the Landscaping Works in accordance with the Landscape Maintenance Plan approved under clauses 13 and 14 (**Maintenance Works**).
- 25.2 Council must carry out inspections of the Maintenance Works during the Landscape Maintenance Period in accordance with the Landscape Maintenance Plan.
- 25.3 5 business days prior to reaching a Landscaping Inspection Stage as set out in the Landscape Maintenance Plan, Landcom must notify the Council of the inspection date (**Landscaping Inspection Date**).
- 25.4 On the Landscaping Inspection Date Landcom must ensure that any employees, contractors, agents or representatives of Council have unimpeded access to and may enter the part of the Land (without any interference by Landcom) on which the Maintenance Works are being carried out to inspect the Maintenance Works, provided that such access and entry is subject to the Council and its employees, contractors, agents or representatives complying with any directions from Landcom or its contractors for the purposes of health and safety.
- 25.5 In addition to carrying out inspections in accordance with the Landscape Maintenance Plan, the Council may enter any part of the Land on which the Landscaping Works is located, and which is not land owned by Council at the time, to inspect the progress of the Maintenance Works, subject to:
  - 25.5.1 giving reasonable notice to Landcom;



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- 25.5.2 complying with all reasonable directions given by or behalf of Landcom, including by contractors carrying out the Landscaping Works; and
- 25.5.3 being accompanied by Landcom or a nominee, or as otherwise agreed.
- 25.6 The Council may, acting reasonably, within 5 business days of carrying out an inspection (either under clause 25.4 or 25.5), notify Landcom of any non-compliance of the Maintenance Works with the Landscape Maintenance Plan (**Landscaping Inspection Defect Notice**) and direct Landcom to carry out work to rectify that non-compliance within a reasonable period of time.
- 25.7 If Landcom is issued a Landscaping Inspection Defect Notice and
- 25.7.1 does not give the Council a Landscaping Defect Dispute Notice referred to in clause 25.8, or
- 25.7.2 gives the Council a Landscaping Defect Dispute Notice referred to in clause 25.8 and the dispute is determined by the expert in favour of the Council,
- then Landcom must, at its cost, rectify the non-compliance specified in the Landscaping Inspection Defect Notice within the reasonable time period specified in the Landscaping Inspection Defect Notice (extended by such time period as from date of the Rectification Notice to the date of the expert's determination).
- 25.8 If Landcom notifies Council that it does not agree that there is non-compliance of the Maintenance Works as specified in the Landscaping Inspection Defect Notice (**Landscaping Defect Dispute Notice**), then the Landscaping Defect Dispute Notice is taken to be a notice for the purposes of clause 30.2 and an expert is to be appointed in accordance with clause 30 to determine whether the Landscaping Inspection Defect Notice was properly issued.
- 25.9 By no later than twenty (20) Business Days prior to the end of the Landscape Maintenance Period:
- 25.9.1 Council will undertake a final inspection of the Maintenance Works; and
- 25.9.2 Council may either:
- (a) by way of written notice to Landcom, confirm that the Maintenance Works have been carried out in accordance with this clause 25; or
- (b) issue a notice to Landcom if it identifies any part of the Maintenance Works which has not been carried out in accordance with this clause 25.
- 25.10 If Council issues a notice under paragraph 25.8.2(b), and
- 25.10.1 Landcom does not give the Council a Landscaping Defect Dispute Notice referred to in clause 25.8, or
- 25.10.2 Landcom gives the Council a Landscaping Defect Dispute Notice referred to in clause 25.8 and the dispute is determined by the expert in favour of the Council,

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then Landcom must comply with that notice at its own cost.

- 25.11 Council may not issue a further notice under paragraph 25.8.2(b) for any additional unacceptable parts of the Maintenance Work that were not identified in the original notice issued under paragraph 25.8.2(b).
- 25.12 At least 20 business days prior to the end of the Landscape Maintenance Period, Landcom will submit a condition report on the Vegetation Works to be prepared by an independent suitably qualified expert agreed between the Parties as to whether the Landscape Maintenance Plan has been properly implemented and Maintenance Works relating to the Vegetation Works are complete (**Condition Report**).
- 25.13 If the Condition Report identifies any matter requiring rectification, Landcom will rectify that matter within 3 months of the end of the Landscape Maintenance Period, at its cost.
- 25.14 If the Condition Report does not identify any matter requiring rectification, or if Landcom has carried out any rectification required by the Condition Report, subject to clause 25.14, Landcom's obligations in respect of the Vegetation Works and Maintenance Works will cease at the end of the Landscape Maintenance Period.
- 25.15 Landcom must propose 3 independent suitably qualified experts in a written notice to Council at any time prior to the date on which the Condition Report under clause 25.8 is required to be provided, and Council must, acting reasonably, agree to one of those experts acting as the agreed expert and preparing the condition report.
- 25.16 For the avoidance of doubt, if Council is the owner of the land on which the Maintenance Works are being carried out during the Landscape Maintenance Period, Landcom will have no responsibility for any damage caused to any Works, including Vegetation Works, on that land including that which is due to vandalism, any acts by Council or its contracts, employees or agents or severe weather events, and Landcom's obligations in respect of the Works and the Vegetation Works are limited to its obligations under the Landscape Maintenance Plan.
- 25.17 Landcom acknowledges that Council grants to Landcom, its contractors and agents a non-exclusive licence to access land owned by the Council upon which the Maintenance Works will be carried out. .

## Part 5 – Enforcement and Disputes

### 26 Breach of Obligations

- 26.1 If the Council reasonably considers that Landcom is in breach of any obligation under this Deed relating to the carrying out of any Work, including Work the subject of a Rectification Notice, the Council may give Landcom a notice under this clause (**Breach Notice**):
  - 26.1.1 specifying the nature and extent of the breach;
  - 26.1.2 requiring Landcom to:
    - (a) rectify the breach if Council considers it is reasonably capable of rectification; or

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- (b) pay compensation to the reasonable satisfaction of the Council in lieu of rectifying the breach if it reasonably considers the breach is not capable of rectification (also stating the amount of compensation Council requires Landcom to pay in order to rectify the breach).
- 26.2 The Breach Notice must allow Landcom not less than 20 business days (or such further period as is reasonable in the circumstances) to rectify the breach.
- 26.3 Where Landcom is subject to an Insolvency Event or fails to comply with a Breach Notice, Council may, in addition to any rights at Law:
  - 26.3.1 exercise any of its step in rights so as to carry out any work specified in the relevant Breach Notice; and/or
  - 26.3.2 call on the Security to the extent of any compensation claimed in a Breach Notice and not paid by Landcom.

## 27 Security

- 27.1 This clause 27 only applies where Landcom is not the developer under this Deed and another person (within the meaning of s7.4(1) of the Act) is developer (**Developer**).
- 27.2 The Developer must deliver to Council separate Bank Guarantees or other forms of security to the satisfaction of the Council:
  - 27.2.1 prior to the issue of a Construction Certificate in respect of the Development, for an amount equivalent to one hundred percent (100%) of the Contribution Value for the Works (**Works Security**); and
  - 27.2.2 prior to the Completion of an Item of Works, for an amount equivalent to ten percent (10%) of the Contribution Value for that item of Works (**Defects Security**),
 (collectively referred to as the **Security**).
- 27.3 The Developer may satisfy its obligations (either in whole or in part), by directing Council to retain any Security held by Council which is required to be released by Council under this Deed.
- 27.4 The Developer may replace any Security provided by it at any time, provided that the amount of that replacement is not less than that which is required to be provided under this Deed. On receipt of a replacement Security, Council must immediately release the Security being replaced and return it to the Developer.
- 27.5 If the Developer breaches this Deed then Council, without limiting any other remedies available to it, may call on any Security provided by the Developer. If Council calls on any Security, it may use the amount so paid to it in satisfaction of any costs incurred by it in remedying the breach.
- 27.6 If Council calls on the Security, Council, by notice in writing to the Developer, may require the Developer to provide a further or replacement Security in an amount that, when added to any unused portion of any Security then held by Council, does not exceed the amount of the Security Council is entitled to hold at that time under this Deed.
- 27.7 Unless:

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- 27.7.1 Council has made or intends to make a demand against any Security provided by the Developer;
  - 27.7.2 the Development Contribution on account of which that Security was provided has not been made; or
  - 27.7.3 the Developer is in breach of this Deed at the relevant time,
- Council, upon a written request being made by the Developer, must return the Works Security within ten (10) business days of such a request being made.
- 27.8 Unless:
- 27.8.1 Council has made or intends to make a demand against any Security provided by the Developer;
  - 27.8.2 the relevant Defects Liability Period has not expired; or
  - 27.8.3 the Developer is in breach of this Deed at the relevant time,
- Council, upon a written request being made by the Developer, must return the Defects Security within ten (10) business days of such a request being made.

## 28 Council may withhold certificates

- 28.1 **(Construction Certificates)** Landcom may only make, or cause, suffer or permit the making of, an application for a Construction Certificate in respect of the Development if, at the date of the application, Landcom is not in breach of an obligation to make a Development Contribution under this Deed that is required to be made before that Construction Certificate can be issued. Any such Construction Certificate must not be issued until such time as the breach is rectified or Council calls upon the Security provided by Landcom in respect of the Development Contribution to which the breach relates.
- 28.2 **(Subdivision Certificates)** Landcom may only make, or cause, suffer or permit the making of, an application for a Subdivision Certificate in respect of the Development if, at the date of the application, Landcom is not in breach of an obligation to make a Development Contribution under this Deed that is required to be made before that Subdivision Certificate can be issued. Any such Subdivision Certificate must not be issued until such time as the breach is rectified or Council calls upon the Security provided by Landcom in respect of the Development Contribution to which the breach relates.
- 28.3 **(Subdivision Works Certificates)** Landcom may only make, or cause, suffer or permit the making of, an application for a Subdivision Works Certificate in respect of the Development if, at the date of the application, Landcom is not in breach of an obligation to make a Development Contribution under this Deed that is required to be made before that Subdivision Works Certificate can be issued. Any such Subdivision Works Certificate must not be issued until such time as the breach is rectified or Council calls upon the Security provided by Landcom in respect of the Development Contribution to which the breach relates.
- 28.4 **(Occupation Certificates)** Landcom may only make, or cause, suffer or permit the making of, an application for an Occupation Certificate in respect of the Development if, at the date of the application, Landcom is not in breach of an obligation to make a Development Contribution under this Deed that is required to be made before that Occupation Certificate can be issued. Any such

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Occupation Certificate must not be issued until such time as the breach is rectified or Council calls upon the Security provided by Landcom in respect of the Development Contribution to which the breach relates.

## 29 Enforcement (Disputes)

- 29.1 Subject to clause 29.2 and clause 29.3, the Parties may enforce this Deed in any court of competent jurisdiction.
- 29.2 If a dispute or lack of certainty between the parties arises in connection with this Deed or its subject matter (**Dispute**), then either party (**First Party**) must give to the other (**Second Party**) a notice which:
- 29.2.1 is in writing;
  - 29.2.2 adequately identifies and provides details of the Dispute;
  - 29.2.3 stipulates what the First Party believes will resolve the Dispute; and
  - 29.2.4 designates its representative (**Representative**) to negotiate the Dispute,
- (**Dispute Notice**) and the Second Party must, within ten (10) Business Days of service of the Dispute Notice, provide a notice to the First Party designating as its representative a person to negotiate the Dispute (the representatives designated by the parties being together, the **Representatives**).
- 29.3 If the Representatives are unable to resolve the Dispute by negotiation within twenty (20) Business Days of the Dispute Notice, the Dispute must be referred to mediation under clause 31 or determination by an expert under clause 30.
- 29.4 For the avoidance of doubt, nothing in this Deed:
- 29.4.1 prevents a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates;
  - 29.4.2 operates to limit the availability of remedies to Council under the Act; and
  - 29.4.3 prevent the Council from exercising any function under the Act or any other Act or Law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.

## 30 Dispute resolution – expert determination

- 30.1 This clause applies to a dispute under this Deed if:
- 30.1.1 the Parties agree that the dispute can be appropriately determined by expert determination; or
  - 30.1.2 the Chief Executive Officer (or equivalent) of the professional body that represents persons who appear to have the relevant expertise to determine the dispute gives a written opinion at the joint request of the Parties that the Dispute can be determined by a member of that body.

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- 30.2 Such a dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the dispute and requiring it to be determined by an appropriately qualified expert.
- 30.3 The expert appointed to determine a Dispute:
- 30.3.1 must have a technical understanding of the issues in dispute;
- 30.3.2 must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and
- 30.3.3 must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.
- 30.4 The parties must promptly enter into an agreement with the expert appointed under this clause setting out the terms of the expert's determination (including their obligation of confidentiality in respect of all information disclosed during the expert determination) and the fees payable to the expert.
- 30.5 In reaching a determination in respect of a Dispute, the independent expert must give effect to the intent of the Parties entering into this Deed and the purposes of this Deed.
- 30.6 The expert must:
- 30.6.1 act as an expert and not as an arbitrator;
- 30.6.2 proceed in any manner as the expert thinks fit without being bound to observe the rules of natural justice or the rules of evidence;
- 30.6.3 not accept verbal submissions unless both parties are present;
- 30.6.4 on receipt of a written submission from one Party, ensure that a copy of that submission is given promptly to the other Party;
- 30.6.5 take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;
- 30.6.6 not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);
- 30.6.7 issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) Business Days to make further submissions;
- 30.6.8 issue a final certificate stating the expert's determination (together with written reasons); and
- 30.6.9 act with expedition with a view to issuing the final certificate as soon as practicable.
- 30.6.10 The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:



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- (a) a short statement of facts;
  - (b) a description of the Dispute; and
  - (c) any other documents, records or information which the expert requests.
- 30.7 The expert may commission the expert's own advisers or consultants (including lawyers, accountants, bankers, engineers, surveyors or other technical consultants) to provide information to assist the expert in making a determination and the parties must indemnify the expert for the cost of those advisers or consultants. However, the parties must approve the costs of those advisers or consultants in writing prior to the expert engaging those advisers or consultants.
- 30.8 The expert must hold a meeting with all of the parties present to discuss the Dispute. The meeting must be conducted in a manner which the expert considers appropriate. The meeting may be adjourned to, and resumed at, a later time in the expert's discretion. The parties agree that this meeting is not a hearing and is not an arbitration.
- 30.9 The expert determination binds the Parties, except in the case of the expert's fraud or misfeasance.
- 30.10 If the expert does not award costs, each Party must contribute equally to the costs arising from or in connection with the appointment of the expert and the expert determination.

### **31 Dispute resolution - mediation**

- 31.1 This clause applies to any dispute under this Deed other than a dispute to which clause 30 applies.
- 31.2 Such a dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the dispute.
- 31.3 The Parties are then to meet within 10 business days of the notice to try to resolve the dispute.
- 31.4 If the dispute is not resolved within a further 20 business days, The Parties must mediate the dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time, and must request the President of the Law Society, or the President's nominee, to select a mediator.
- 31.5 If the dispute is not resolved by mediation within a further 20 business days, or any longer period that may be needed to complete any mediation process which has been started, then the Parties may exercise their legal rights in relation to the dispute, including by taking legal proceedings in a court of competent jurisdiction in New South Wales.
- 31.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
- 31.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

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## 32 Registration of this Deed

- 32.1 The Parties agree to register this Deed on the title to the Land under s7.6 of the Act.
- 32.2 Landcom, at its own cost, must within 20 business days of the date of this Deed, and before the issue of any Construction Certificate (other than any Construction Certificate already issued as at the date of this Deed) or Subdivision Certificate for the Development, take all necessary and practical steps, and otherwise do anything that the Council reasonably requires, to procure:
  - 32.2.1 an instrument in registrable form requesting registration of this Deed on the title to the Land duly executed by the registered proprietor of the Land; and
  - 32.2.2 the written irrevocable consent of each person who has an estate or interest in the Land or is seized or possessed of an estate or interest in the Land.
- 32.3 Landcom, at its own cost, is to do such other things as are reasonably necessary to enable lodgement and registration of this Deed to occur electronically through PEXA or another ELNO.
- 32.4 The Parties are to do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land:
  - 32.4.1 when this Deed is terminated or otherwise comes to an end for any other reason; or
  - 32.4.2 in so far as the part of the Land concerned is a Final Lot, or
  - 32.4.3 once Landcom has completed its obligations under this Deed.

## 33 Assignment, sale of Land, etc

- 33.1 Landcom is not to:
  - 33.1.1 Assign the Land or any part of it, to any person; or
  - 33.1.2 assign its rights or obligations under this Deed, or novate this Deed, to any person,
 unless:
  - 33.1.3 Landcom has:
    - (a) provided Council with any evidence required by Council, acting reasonably, to satisfy Council that the third party in whose favour the Assignment is to be made (**Assignee**) has the financial capacity to perform the obligations under this Deed that are to be Assigned to it;
    - (b) at no cost to the Council, procured the execution by the Assignee and the Council, of an agreement in favour of the Council to the effect that the Assignee is bound as if a party to this Deed and the provision of all Security to Council by the Assignee that is required to be provided by the Assignee under

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clause 27 of this Deed at the same time as, or prior to, entering into that agreement; and

(c) Landcom is not in breach of this Deed.

33.2 Clause 33 does not apply during any period that this Deed is registered on the title to the Land.

**Part 6 - Other provisions****34 Indemnity**

34.1 Each Party indemnifies the other Party from and against all Claims that may be sustained, suffered, recovered or made against the other Party arising in connection with the performance of their obligations under this Deed except if, and to the extent that, the Claim arises because of the other Party's negligence or default.

34.2 Landcom:

34.2.1 warrants that, as far as it is aware, and other than as expressly disclosed to Council, the Dedication Land is not contaminated (as that term is defined in section 5 of the *Contaminated Land Management Act 1997* (NSW) prior to the date the Dedication Land is dedicated to the Council; and

34.2.2 indemnifies and must keep indemnified Council against all liability for and associated with a breach of the warranty referred to in clause 34.2.2 and only in respect of any contamination that existed prior to the date the Dedication Land is dedicated to the Council.

**35 Insurance**

35.1 Landcom warrants, and Council acknowledges, that Landcom has insurance cover against any liability arising from a breach by Landcom of its obligations under this Deed.

35.2 Landcom must provide Council with any reasonable evidence required by Council from time to time to confirm the currency of any insurance cover under clause 35.1 upon request by Council, including (but not limited to) certificates of currency for the insurances under clause 24.1.

35.3 Landcom will immediately notify Council:

35.3.1 each time a relevant insurer gives Landcom a notice of cancellation or any other material notice in respect of any of Landcom's insurance policies; and

35.3.2 where Landcom becomes aware of any actual or potential Claims made in connection with the Development or the Land by any third party.

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**36 Termination of Deed**

- 36.1 This Deed terminates in the following events:
- 36.1.1 The parties agree in writing to terminate the operation of this Deed at any time.
- 36.2 Upon termination of this Deed:
- 36.2.1 all future rights and obligations of the parties are discharged; and
- 36.2.2 all pre-existing rights and obligations of the parties continue to subsist.
- 36.3 This Deed will determine:
- 36.3.1 when Landcom has satisfied all of its obligations under this Deed including its obligations to rectify Defects under the Works Provisions; or
- 36.3.2 at the end of the Defects Liability Period for the last of the Works for which a Practical Completion Certificate is issued,
- whichever occurs later.

**37 Review of this Deed**

- 37.1 The Parties are to review this Deed every 3 years, and otherwise if either Party considers that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.
- 37.2 For the purposes of clause 37.1, the relevant changes include any change to a Law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit, any aspect of the Development.
- 37.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause 37.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.
- 37.4 If this Deed becomes illegal, unenforceable or invalid as a result of any change to a law, clause 49 applies.
- 37.5 A Party's failure to agree to take action requested by the other Party as a consequence of a review referred to in clause 37.1 is not a dispute for the purposes of clauses 30 and 31, and is not a breach of this Deed.

**38 Position of Council**

- 38.1 The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Planning Legislation.
- 38.2 This Deed is not intended to operate to fetter, in any unlawful manner:
- 38.2.1 the power of Council to make any Law; or
- 38.2.2 the exercise by Council of any statutory power or discretion, (Discretion).
- 38.3 No provision of this Deed is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of

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this Deed is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:

- 38.3.1 they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 38 is substantially satisfied; and
- 38.3.2 in the event that paragraph 38.3.1 cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this Deed has full force and effect; and
- 38.3.3 to endeavour to satisfy the common objectives of the parties on relation to the provision of this Deed which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.
- 38.4 Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this Deed contracted out of a provision or exercised a Discretion under this Deed, then to the extent of this Deed is not to be taken to be inconsistent with the Law.
- 38.5 Nothing in this Deed will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to any Development Consent, the Land or the Development in a certain manner.

## 39 Confidentiality

- 39.1 The terms of this Deed are not confidential and the Parties acknowledge that this Deed is as a public document and exhibited or reported without restriction by any party.
- 39.2 The Parties acknowledge that:
  - 39.2.1 Confidential Information may have been supplied to some or all of the Parties in the negotiations leading up to the making of this Deed; and
  - 39.2.2 the Parties may disclose to each other further confidential information in connection with the subject matter of this Deed.
  - 39.2.3 subject to clauses 39.3 and 39.4, each Party agrees:
    - (a) not to disclose any Confidential Information received before or after the making of this Deed to any person without the prior written consent of the Party who supplied the Confidential Information; or
    - (b) to take all reasonable steps to ensure all Confidential Information received before or after the making of this Deed is kept confidential and protected against unauthorised use and access.
- 39.3 A Party may disclose Confidential Information in the following circumstances:
  - 39.3.1 in order to comply with the Law, or the requirements of any Authority; or
  - 39.3.2 to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the information confidential.

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- 39.4 The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

**40 Notices**

- 40.1 A notice, consent, information, application or request (**Notification**) that must or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:
- 40.1.1 delivered or posted to that Party at its address set out in the Summary Sheet; or
- 40.1.2 emailed to that Party at its email address set out in the Summary Sheet.
- 40.2 A Party may change its address or email address by giving the other Party 3 business days' notice of the change, in which case the new address or email address is treated as the address or number in the Summary Sheet.
- 40.3 A Notification is to be treated as given or made if it is:
- 40.3.1 delivered, when it is left at the relevant address; or
- 40.3.2 sent by post, 2 business days after it is posted; or
- 40.3.3 sent by email, and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.
- 40.4 If a Notification is delivered, or an error-free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

**41 Approvals and consent**

- 41.1 In this clause, a reference to an approval or consent does not include a reference to a Development Consent.
- 41.2 Except as otherwise set out in this Deed, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Deed in that Party's absolute discretion and subject to any conditions determined by the Party.
- 41.3 A Party is to give its reasons for giving or withholding consent or for giving consent subject to conditions.

**42 Obligation to act in good faith**

- 42.1 The parties must at all times:
- 42.1.1 cooperate and use their best endeavours to profitably and professionally give effect to their rights and obligations set out in this Deed;
- 42.1.2 not unreasonably delay any action, approval, direction, determination or decision which is required of them;

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42.1.3 make approvals or decisions that are required of them in good faith and in a manner consistent with the completion of the transactions set out in this Deed; and

42.1.4 be just and faithful in their activities and dealings with the other parties.

**43 Costs**

43.1 The Parties are each to pay their own costs of preparing, negotiating, executing and stamping this Deed and any document related to this Deed.

**44 Entire Deed**

44.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.

44.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

**45 Counterparts**

This Deed may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument. A party who has executed a counterpart of this Deed may exchange it with another party by emailing a pdf (portable document format) copy of the executed counterpart to that other party, and if requested by that other party, will promptly deliver the original by hand or post. Failure to make that delivery will not affect the validity and enforceability of this Deed.

**46 Further acts**

46.1 Each Party must promptly execute all documents and do all things that another Party from time-to-time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

**47 Governing law and jurisdiction**

47.1 This Deed is governed by the law of New South Wales.

47.2 The Parties submit to the exclusive jurisdiction of its courts and are not to object to the exercise of jurisdiction by those courts on any basis.

**48 Joint and individual liability and benefits**

48.1 Except as otherwise set out in this Deed:

48.1.1 any agreement, covenant, representation or warranty under this Deed by 2 or more persons binds them jointly and each of them individually; and



**Macarthur Gardens North Planning Agreement****Campbelltown City Council****Landcom**

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- 48.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

**49 Severability**

- 49.1 If a clause or part of a clause can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- 49.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part of it is to be treated as removed from this Deed, but the rest of this Deed is not affected.

**50 Modification**

- 50.1 No modification or variation of this Deed has any effect unless it is in writing and signed by the Parties.

**51 Waiver**

- 51.1 A Party does not waive any of the other Party's obligation or breach of obligation merely by failing to do, or delaying in doing, something under this Deed.
- 51.2 A waiver by a Party is effective only if it is in writing.
- 51.3 A written waiver by a Party is effective only in relation to the particular obligation or breach for which it is given. It is not to be taken as an implied waiver of any other obligation or breach, or as an implied waiver of that obligation or breach in relation to any other occasion.

**52 GST**

- 52.1 In this clause:
- Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice** have the meaning given by the GST Law.
- GST Amount** means in relation to a Taxable Supply the amount of GST payable for the Taxable Supply.
- GST Law** has the same meaning as in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
- Input Tax Credit** has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a Party includes an Input Tax Credit for an acquisition made by that Party but to which another member of the same GST Group is entitled under the GST Law.
- Taxable Supply** has the meaning given by the GST Law, excluding (except where expressly agreed otherwise) a supply for which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.
- 52.2 Subject to clause 52.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the

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- Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 52.3 Clause 52.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.
- 52.4 No additional amount is payable by the Council under clause 52.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 52.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:
- 52.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies before issuing Tax Invoices for those Supplies;
- 52.5.2 that any amounts payable by the Parties in accordance with clause 52.2 (as limited by clause 52.4) to each other for those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 52.6 No payment of any amount under this clause 52, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided the recipient with a Tax Invoice or Adjustment Note as the case may be.
- 52.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a Party, must exclude the amount of any Input Tax Credit entitlement of that Party in relation to the relevant cost, expense or other liability.
- 52.8 Notwithstanding anything in this clause 52, prices or other sums payable or Consideration to be provided under or in accordance with this Deed are exclusive of GST, unless otherwise expressly stated as inclusive of GST.
- 52.9 This clause continues to apply after expiration or termination of this Deed.

**53 Explanatory Note**

- 53.1 The Appendix contains the Explanatory Note relating to this Deed required by section 205 of the Regulation.
- 53.2 Pursuant to section 205(5) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Deed.

**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
**Landcom**

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**Schedule 1**

(Clause 1.1)

**Land**




Draft






1:4,000 @ A3



**LEGEND**

-  Macarthur Gardens North
-  Basin 3
-  High Density Residential with Ground Floor Retail / Commercial Activation

-  High Density Residential
-  Active Public Open Space
-  Passive Public Open Space

-  Creek
-  Utility





**MACARTHUR GARDENS NORTH**  
**MASTER PLAN**

**DISCLAIMER:**

This plan is conceptual and is for discussion purposes only and is subject to further detail study, Council approval, engineering input, and survey. Cadastral boundaries, areas and dimensions are approximate only. Written figured dimensions shall take preference to scaled dimensions.



DATE: 14 DEC 2021  
REV: B



**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
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**Schedule 2**

(Clause 9)

**Development Contributions**

<b>COLUMN 1</b> <b>Item No /</b> <b>Details</b>	<b>COLUMN 2</b> <b>Public</b> <b>Purpose</b>	<b>COLUMN 3</b> <b>Timing</b>	<b>COLUMN 4</b> <b>Contribution Value \$</b>
<b>A. Dedication Land</b>			
1.Dedication to Council of land for Item B1	Public open space	On completion of Item B1	\$10,750,000 for Items A1, A2, A4, A5 and A6
2. Dedication to Council of land for Item B2	Public open space	On completion of Item B2	See above
3. Lead in road to Gilchrist Oval	Roads	On registration of the Superlot Subdivision Plan	\$1,564,749
4. Dedication to Council of land for Item B4	Public open space	On completion of Item B4	See above
5. Dedication to Council of land for Item B5	Public open space	On completion of Item B5	See above
6. Dedication to Council of land described as 'VMP Area' in the VMP	Public open space	On completion of Item B4	See above
7. Land for local roads approved by the Concept Consent	Roads	On registration of the Superlot Subdivision Plan	Not Applicable
<b>B. Works</b>			

**Macarthur Gardens North Planning Agreement****Campbelltown City Council****Landcom**

1. Central Park Main as described in the Concept Consent and subject to clause 13	Public open space	Prior to the issue of the first Subdivision Certificate for Stage 1 of the Development	\$4,211,693 for Items B1 and B5
2. Fitness Park as described in the Concept Consent and subject to clause 13	Public open space	Prior to the issue of the first Subdivision Certificate for Stage 1 of the Development	\$1,696,386
3. Lead in road to Gilchrist Oval as described in the Concept Consent and subject to clause 13	Roads	Prior to the issue of the first Subdivision Certificate for Stage 1 of the Development	NA
4. Station Arrival Plaza as described in the Concept Consent and subject to clause 13	Public open space	Works to commence on or before the grant of a Further Stage Consent for development on proposed Lot 17 on the Superlot Subdivision Plan	\$6,990,665
5. Central Park South as described in the Concept Consent and subject to clause 13	Public open space	Works to commence on or before the grant of a Further Stage Consent for development on proposed Lot 17 on the Superlot Subdivision Plan	See above
6. Trail works within Bow Bowing Creek reserve as described in the Concept Consent and subject to clause 13	Public open space	Works to commence on or before the grant of a Further Stage Consent for development on proposed Lot 17 on the Superlot Subdivision Plan	\$807,157
7. Vegetation Management within Bow Bowing Creek reserve, in accordance with the VMP approved by the Concept Consent	Public open space	Works to commence on or before the grant of a Further Stage Consent for development on proposed Lot 17 on the Superlot Subdivision Plan	\$1,600,000
		<b>TOTAL</b>	<b>\$27,620,650</b>



**Macarthur Gardens North Planning Agreement**  
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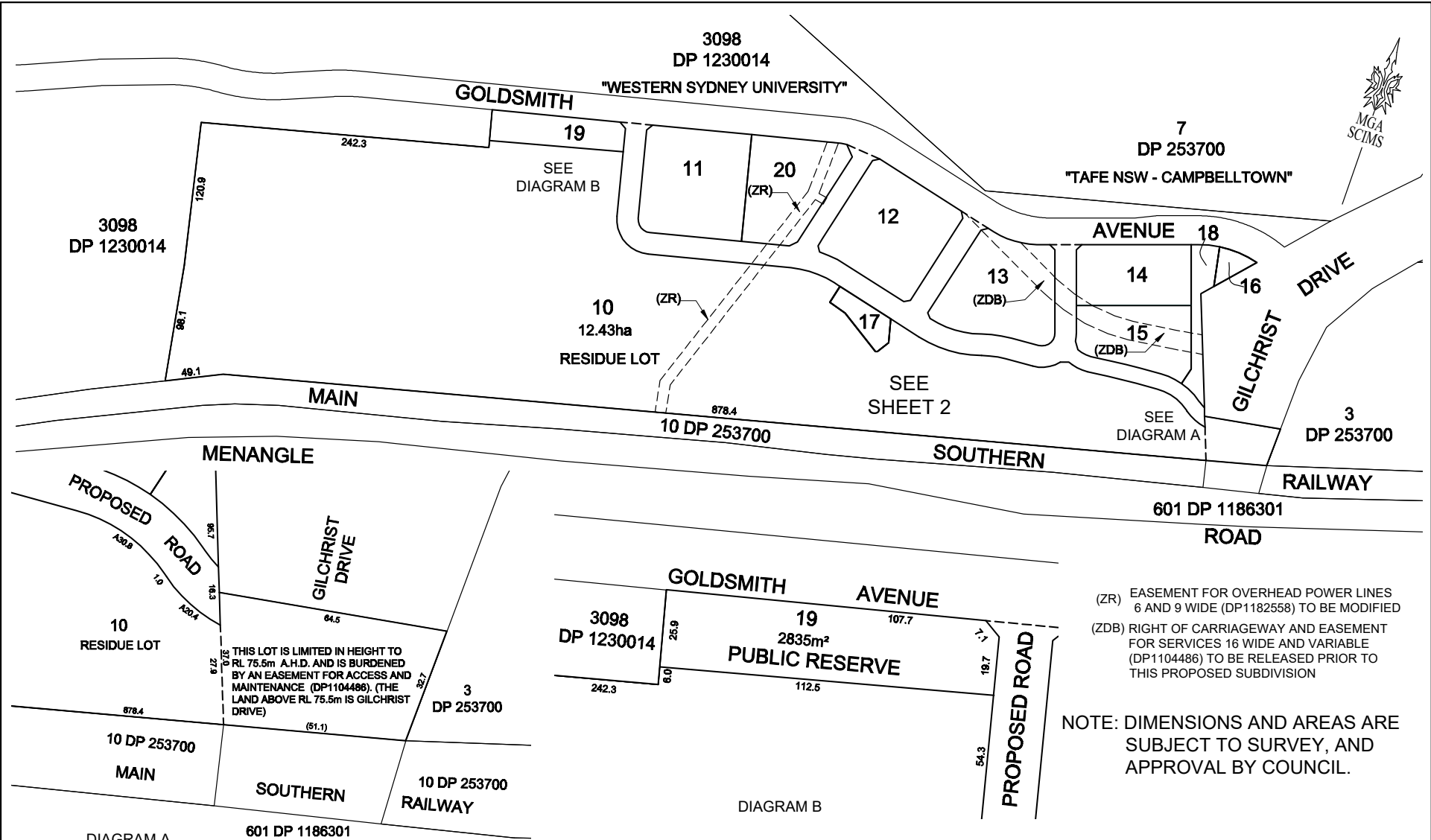
Draft

**Macarthur Gardens North Planning Agreement**  
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**Schedule 3**  
(Clause 1.1)  
**Superlot Subdivision Plan**

Draft



Issue	Date	Description
C	07-11-2023	SPLIT LOT 14 AND CREATE PUBLIC RESERVES
B	02-12-2021	REPLACE TERRACES WITH SUPERLOTS
A	18-08-2020	ORIGINAL ISSUE
SURVEY INFORMATION		
Orientation: MGA		Date of survey : N/A
Datum		Origin
Coordinate	MGA	SCIMS
Level	A.H.D.	N/A



**Beveridge Williams**  
Development and Infrastructure Consultants

Client : LANDCOM			
Project : LOT1097 IN DP1182558 MACARTHUR GARDENS NORTH - SUPERLOTS			
PLAN OF PROPOSED SUBDIVISION			
Locality : CAMPBELLTOWN	Ratio (A3):1:3000	Sheet 1 of 2	Ref:15038(SUPER)PS
L.G.A. : CAMPBELLTOWN			



Macarthur Gardens North Planning Agreement

Campbelltown City Council

Landcom

Execution

Executed as a Deed

Dated:

Executed on behalf of the Council by its General Manager pursuant to delegation from Council.

General Manager

Witness/Name/Position

Executed on behalf of Landcom by its duly authorised delegate and I have no notice of revocation of such delegation

Signature of Delegate

Signature of Witness

Name of Delegate

Name of Witness

**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
**Landcom**

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**Appendix**

(Clause 38)

*Environmental Planning and Assessment Regulation 2021*

(Section 205)

**Explanatory Note**

**Draft Planning Deed**

Under s 7.4 of the *Environmental Planning and Assessment Act 1979* (NSW).

This Explanatory Note has been prepared jointly between the parties in accordance with clause 205 of the *Environmental Planning & Assessment Regulation 2021* (NSW).

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft planning agreement (**Planning Agreement**) between the parties under s7.4 of the *Environmental Planning & Assessment Act 1979* (NSW) (**EPA Act**).

**This Explanatory Note is not to be used to assist in construing the Planning Agreement.**

**Parties**

**Campbelltown City Council** ABN 31 459 914 087 of Civic Centre, cnr Queen and Broughton St, Campbelltown NSW 2560 (**Council**)

**Landcom** ABN 79 268 260 688 of Level 14, 60 Station Street East, Parramatta New South Wales 2150 (**Landcom**)

**Description of the Land to which the Draft Planning Agreement Applies**

Part Lot 1097 in DP1182558, bounded by Goldsmith Avenue and Main South Rail Line as shown on the plan in Schedule 1 of this Deed.

**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
**Landcom**

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**Description of Proposed Development to which the Draft Planning Agreement Applies**

Subdivision of the Land to create 5 superlots and a residue lot, civil works, construction of local road network and parks and landscaping and concept approval for six building envelopes of varying heights, maximum gross floor area, residential development of approximately 1.250 dwellings, ground floor commercial uses, parking spaces, active open space, public domain landscaping, a pedestrian and cycle network including future pedestrian bridge pursuant to concept development consent in connection with DA 3944/2021/DA-SW (**Development**).

**Summary of Objectives, Nature and Effect of the Draft Planning Agreement**

**Objectives of Draft Planning Agreement**

The objective of the Draft Planning Agreement is to provide infrastructure, facilities and services to meet the needs of the Development and provide for the dedication of land so that the Campbelltown community does not need to bear those costs.

**Nature of Draft Planning Agreement**

The Draft Planning Agreement is a planning agreement under 7.4 of the *Environmental Planning and Assessment Act 1979 (Act)*. It is a voluntary agreement, under which Landcom makes Development Contributions (as defined in clause 1.1 of the Draft Planning Agreement) for various public purposes (as defined in s 7.4 of the Act).

**Effect of the Draft Planning Agreement**

The Draft Planning Agreement:

- relates to the carrying out by Landcom of the Development;
- excludes the application of s 7.11 and s 7.12 of the Act to the Development;
- does not exclude the application of s 7.24 of the Act to the Development;
- requires dedication of land and carrying out of Works;
- is to be registered on the title to the Land;
- imposes restrictions on Landcom transferring the Land or part of the Land or assigning an interest under the Deed;
- provides a dispute resolution method for a dispute under the agreement; being mediation and expert determination;
- provides that the agreement is governed by the law of New South Wales; and
- provides that the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* applies to the agreement.



**Macarthur Gardens North Planning Agreement**  
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## **Assessment of the Merits of the Draft Planning Agreement**

### **The Planning Purposes Served by the Draft Planning Agreement**

The Draft Planning Agreement:

- promotes and co-ordinates the orderly and economic use and development of the Land to which the Deed applies,
- provides land for public purposes in connection with the Development,
- provides and co-ordinates community services and facilities in connection with the Development, and
- provides increased opportunity for public involvement and participation in environmental planning and assessment of the Development.

### **How the Draft Planning Agreement Promotes the Public Interest**

The Draft Planning Agreement promotes the public interest by promoting the objects of the Act as set out in a ss 1.3(a), (c) and (g) of the Act.

### **Assessment of the positive or negative impact of the Draft Planning Agreement on the public or relevant section of the public**

The Planning Agreement has a positive impact as a result of the public benefits to be provided under the Planning Agreement no negative impact on the public or any section of the public as far as the Council is aware.

### **How the Planning Agreement promotes Council's guiding principles**

The Planning Agreement promotes a number of Council's guiding principles under section 8A of the *Local Government Act 1993* (NSW), as follows:

- (1) The exhibition of the Planning Agreement facilitates the involvement of members of the public in the consultation process for the Planning Agreement;
- (2) To plan strategically for the provision of effective and efficient services and regulation to meet the diverse needs of the local community;
- (3) To act fairly, ethically and without bias to the interests of the local community;
- (4) To recognise diverse local community needs and interests.
- (5) To have regard to the long term and cumulative effects of its decisions on future generations.
- (6) To engage in long-term strategic planning on behalf of the local community;

**Macarthur Gardens North Planning Agreement**  
**Campbelltown City Council**  
**Landcom**

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- (7) To bear in mind that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible.
- (8) The Planning Agreement makes it clear that Council has a statutory role as consent authority in relation to the development proposal and that the Planning Agreement is not intended to unlawfully influence the exercise of Council's regulatory functions.

**Whether the Draft Planning Agreement Conforms with the Planning Authority's Capital Works Program**

The Planning Agreement conforms with Council's Capital Works Program.

**Whether the Draft Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued**

Yes. The Planning Agreement requires Landcom to make contributions for public purposes under the agreement prior to the issuing of a Subdivision Certificate for the Development.

## 8.4 Appointment of Chair and Alternate Chair - Campbelltown Local Planning Panel

### Reporting Officer

Executive Manager Urban Centres  
City Planning and Environment

### Community Strategic Plan

Objective	Strategy
4 Economic Prosperity	4.2.1 Support the growth, productivity and diversity of the local economy
3 Enriched Natural Environment	3.1.2 Ensure urban development is considerate of the natural environment

### Delivery Program

Principal Activity
2.1.1.3 Deliver effective land use planning to ensure community needs are met
2.3.1.1 Protect the City's heritage through sound planning decisions
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

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### Officer's Recommendation

1. That Ian Reynolds be appointed as the Chair of the Campbelltown Local Planning Panel and that Dr Mark Carlton and Elizabeth Kinkade be appointed as alternate Chairs.
2. That the Mayor write to the Hon. Terry Sheahan AO and thank him for his service to Council and the community.

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### Purpose

The purpose of this report is to inform Council of the Minister for Planning and Public Spaces approval/selection of the Chair and alternate Chairs for the Campbelltown Local Planning Panel (the Panel) and facilitate their formal appointment to the Panel.

This report also provides Council with an update on the progress of appointment of expert members and community members to the pool of Panel members that will sit on the Panel and seeks to recognise the contribution of outgoing Chair the Hon. Terry Sheahan AO.

## History

Council initially established the Campbelltown Local Planning Panel, as required by the NSW Government, at its Ordinary Meeting on 13 February 2018. In accordance with the Ministerial Direction, Ian Reynolds was appointed as Chair of the Panel and Stuart McDonald and Keith Dedden were appointed as alternate Chair.

The Panel held its' first meeting in March 2018. The Panel members were originally appointed for a 3 year term and this was extended by 3 months in March, 2021 so that their appointment expired in June, 2021.

At the Council meeting on 8 June 2021 The Hon. Terry Sheahan AO was appointed as Chair of the Panel and Stuart McDonald and Elizabeth Kinkade were appointed as alternate Chairs for a term that expired on 27 February 2024. At its meeting on 26 March, 2024 Council re-appointed The Hon. Terry Sheahan AO as interim Chair and Elizabeth Kinkade as alternate interim Chair until 30 June 2024, in accordance with a Ministerial Direction. Stuart McDonald was not able to be re-appointed having served 2 terms on the Panel.

A further report will be provided to the July Council meeting advising of the outcome of the recruitment process for community representatives for the Panel and the selection process for expert members for the Panel.

## Report

A recruitment and checking process has been undertaken, coordinated by the Department of Planning Housing and Infrastructure. The Minister for Planning and Public Spaces has made the decision in regard to the allocation of the potential chair and alternate chairs to the various local planning panels.

Council has been advised that Ian Reynolds has been approved for appointment as the Chair of the Campbelltown Local Planning Panel and Dr Mark Carleton and Elizabeth Kinkade have been approved for appointment as alternate Chair.

Council is now required to formally endorse their appointment to the Panel.

The current appointment of the Hon. Terry Sheahan AO as Chair of the Panel will expire on 30 June, 2024. Mr Sheahan has provided great service to the Campbelltown community through the role of Chair of the Panel and has overseen the determination of numerous development applications and provided advice on several planning proposals. Accordingly, it is recommended that the Mayor write and thank Mr Sheahan for his service to Council and the community through the Panel.

## Attachments

Nil

## 8.5 City Beautification Uplift Program (Grass Cutting Focus)

### Reporting Officer

Open Space and Horticulture Coordinator  
City Services

### Community Strategic Plan

Objective	Strategy
2 Places For People	2.1.2 Provide public places and facilities that encourage leisure, recreation, and physical activity

### Delivery Program

Principal Activity
2.1.1.1 Create and maintain public places that are clean and safe (2.1.1.1)

### Officer's Recommendation

1. That Council support Option 1 in the report, the continuation of the current service level.
2. That Council supports working towards meeting service level agreements where practicable and notes the new technology system and Customer Experience program improvements currently being implemented.

### Purpose

To update Council on the City Beautification Uplift Program (Grass cutting focus) and the service review outcomes.

### History

As part of the City Beautification Uplift Program over the past 3 years there has been a targeted approach to improve the appearance of the Local Government Area and reduce negative customer feedback.

At its meeting on 9 August 2022 the Council resolved:

1. That a briefing be presented to Councillors on the grass cutting maintenance program undertaken throughout the LGA, including the frequency during the four seasons; and

2. That a report be presented that details the current maintenance program and the costs associated with increasing the frequency of the program to enhance a consistent look of the city.

To address point one of the resolution, a Councillor briefing was held on 28 November 2023, at which the Council was presented with an overview of the City Services lawn mowing service and evolution pack. Following the briefing, the service level guide of mowing frequencies and heights was implemented. This guide was based on industry standards, while considering and balancing community expectations over various type of asset types (e.g. Sporting grounds, Parks, Open space etc).

This report addresses point two of the resolution.

## Report

During the period November 2023 to January 2024 a Customer Experience review was completed. The review identified key opportunity areas for city presentation and beautification. These opportunities were framed as 'How might we' statements and gave a foundation to generate new ideas, test and iterate proposed services.

The following points were the key focus for the review:

1. Have our customers better understand/utilise our services.
2. Understand what our customer's want.
3. Release more information to the whole community more efficiently to inform better and stop unnecessary calls.
4. Set SLA's that meet customer expectations and business needs.
5. Improve and expand our methods of communication between Council and customer.
6. Communicate more effectively between business units to create better outcomes.
7. Establish clear processes internally, so staff know how to follow up an enquiry.

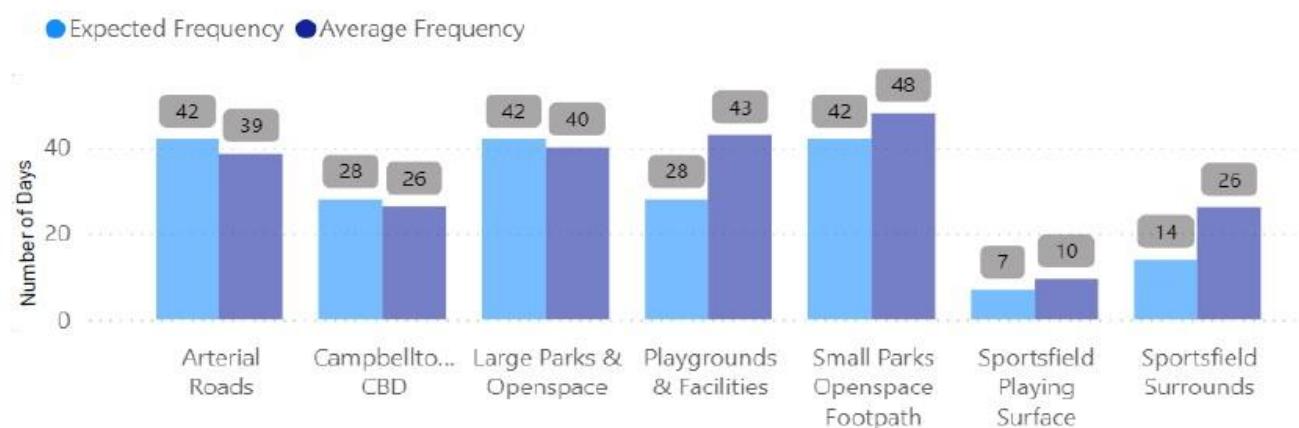
Following completion of the review the program has moved into the implementation phase of key finding and quick wins.

Since November 2023, City Services has been recording and monitoring the metres mowed per day to analyse actual performance against service level requirements and inform planning.

The below graph shows the expected frequency in number of days each category of asset should be serviced in accordance with the service level guide and the average frequency is the current service target in days that the teams are achieving on site in the period November 2023 to January 2024.

Over the same period, Council recorded 646 mowing requests over this period of peak growth (averaging 29 requests per week) which represents 0.015% of the population.

As part of the service review, the service level agreements were benchmarked with best practice and analysed against the reported metrics and the following options to further improve the services response and customer experience were considered:



**Continue service 'as is'** aligned with budget, resourcing and equipment levels, while striving towards the service level agreements where practicably possible.

1. **Rebalance the Service** level agreement levels, to be in line with current reported performance.
2. **Increase in resourcing** to achieve enhanced service levels, which would require a circa of \$1.1 million per annum increase to current budget.

Given the service delivery operates within an acceptable range of tolerance, plus the ongoing improvement program and introduction of SMART technology, and the very low number of customer complaints, Option 1 'Continue service 'as is'' is recommended.

The outcome of this review is that while there are areas of improvement, the service delivery is within an acceptable range of tolerance and demonstrates the great work the teams are applying across the significant green space in the Campbelltown Local Government Area.

## Attachments

Nil



## **8.6 Outcomes of Investigation into outlining ways to increase visitation to Simmos Beach Reserve, Macquarie Fields.**

### **Reporting Officer**

Natural Areas Coordinator  
City Services

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
2 Places For People	2.1.2 Provide public places and facilities that encourage leisure, recreation, and physical activity
3 Enriched Natural Environment	3.1.1 Protect, rehabilitate, and promote our natural areas, waterways and biodiversity

### **Delivery Program**

<b>Principal Activity</b>
2.1.2.1 Maintain and create multi-use, attractive, safe and well shaded open spaces that set our city apart from others

### **Officer's Recommendation**

That Council:

1. Note the projects and programs that have been delivered and future capital works in planning, that is Western Sydney Infrastructure Grants Program (ex West Invest) at Simmos Beach Reserve, Macquarie Fields to enhance community recreation and the environment.
2. Continue to promote Simmos Beach Reserve, Macquarie Fields as a public recreation location for the community and visitors.

### **Purpose**

To provide an overview of past, current and planned works, strategies and actions and the outcomes of the investigation into outlining ways to increase visitation to Simmos Beach Reserve, Macquarie Fields.

## History

Situated on the pristine upper Georges River on traditional Dharawal lands, Simmos Beach Reserve (the Reserve) is located within the suburb of Macquarie Fields, approximately 14 km northeast from the Campbelltown CBD.

The Reserve is approximately 60 hectares in size was officially opened in 1986 by Campbelltown City Council and is named after Bob 'Simmo' Simmonds, a former resident, who mined sand adjacent to the Georges River for a number of years. The Reserve was established with a strong aim to conserve and improve its natural beauty, whilst also providing a key recreational asset in Campbelltown.

The Reserve is home to a number of different landscapes and vegetation communities including Hinterland Sandstone Gully Forest, Forest Sandstone Riparian Scrub and Coastal Sandstone Ridgetop Woodland and the critically and endangered Shale Sandstone Transition Forest.

There are also a number of threatened flora and fauna in the reserve including Koala (*Phascolarctos cinereus*) Nodding Geebung (*Persoonia nutans*) and Sydney Greenhoods Orchid (*Pterostylis Saxicola*).

The Reserve is one of Campbelltown's highest valued community and environmental assets, being one of few recreation spots along the upper Georges River Corridor. Its easy access and community assets, bushland trails and beach area have made it a popular site for local residents and visitors for decades.

This report is in response to a resolution of Council at its meeting held on 8 March 2022 that stated:

That a report be presented to Council outlining ways to increase visitation to Simmos Beach, Macquarie Fields. The report should include:

- a) Identification of any future enhancement works planned or required to improve the location.
- b) Marketing opportunities to increase visitation and tourism.
- c) Any environmental factors to be taken into account because of increasing visitation.
- d) Any future resourcing considerations to enable an ongoing program of works and marketing activity.

## Background and Progress to Date

Since the Reserve was opened a variety of facilities, including access roads, picnic tables and shelters, BBQ's, lookouts, a play space, wayfinding signage, 11 kms of walking trails and a kayak ramp have been installed to increase community visitation. To complement the increase in visitation and protection of the environment, ongoing environmental works have been undertaken including controlling invasive weeds, planting local natives, and improving water quality flowing into the Georges River.

Over the years, Council has been very pro-active in strategic planning, promotion to increase visitation and delivery of works at the Reserve with a variety of activities and recent actions completed to enhance community recreation and environmental conservation. A summary of

these actions includes including works to improve the location, marketing opportunities to increase tourism and environmental works are included below.

### Capital Works and Maintenance

- **High level trail, signage and facility masterplan** – In 2016, Council develop a high level trail, signage and facility masterplan in 2016 as part of Council's Bushwalking Tracks and Trails Study.
- **Reserve information and way-marking signage** – In 2019, Council completed establishment and upgrade of 5 bushwalking trails from 0.8km/30 minute to 3.9km/1 hour 40 minute long trails. This included installation of steps and bridges, restricting trail bike access and the naming of trails in partnership with students from James Meehan High School, Macquarie Fields.
- **Replacement of picnic facilities** – In 2020, Council upgraded tables and shelters and repainting of toilet blocks at the top picnic and quarry picnic areas under Council's Asset Management Program.
- **Ongoing maintenance** – City Services City Presentation Team undertakes regular programmed maintenance at the site including litter collection, mowing/weed treatment of lawns and verges, maintenance of toilets, BBQ and seating facilities.
- **Upgrade of all access roads** – Council's Infrastructure team delivered upgrades to all roads within the Reserve to reduce impact on the environment and enhance community recreation and amenity in 2024.

### Environmental Improvements and Education

- **NSW Environmental Trust Restoration Grant** – In 2012-15, Council delivered a project over 3 years that focused on consolidating the trail network and closing surplus trails to protect threatened species and reduce erosion.
- **NSW Environment Trust Restoration Grant** – In 2019-22, Council delivered a project over 3 years in partnership with the Georges Riverkeeper to restore critically endangered Shale-Sandstone Transition Forest and koala habitat including planting of 5,000 endemic plants along the subsidiary creek-line bushland at Fifth Avenue and Loftus reserves and bushland within Simmos Beach Reserve to the Georges River.
- **Simmos Beach Bushcare Group** – Council hosts Simos Beach Bushcare on the fourth Sunday of each month. During 2023, volunteers contributed over 120 hours of work removing weeds and rubbish across 10 bushcare sessions attracting 40 attendees.
- **Biennial eDNA sampling** – Council in partnership with NSW National Parks Association undertakes water sampling for Platypus and Macquarie Perch in the Georges River, with Simmos Beach a key sampling site.
- **Bushfire Hazard Reduction Activities** – Council in partnership with the NSW Rural Fire Service has undertaken regular hazard reduction activities in Asset Protection Zones to protect adjoining properties from bushfire including hazard reduction burns and mechanical fuel reduction.

- **Environmental Education and Engagement** – Council has delivered multiple programs focusing on the themes of: Macro invertebrate sampling, Waterwise Waterways and Platypus Pals delivered at Simmos Beach Reserve. In 2023, Council recorded 620 attendees via:
  - 10 school excursions
  - 1 early learning excursion
  - 1 pre-school excursion

### Marketing and Promotion to Increase Visitation and Tourism

- **Updated Simmos Beach Reserve web presence** – In 2022, Council updated all information on Council's website specific to the Reserve including creation of Google Pins for ease of navigation and the creation of a specific Simmos Beach Reserve promotional video.
- **Bush Explorer Bushland Activation** – Between 2019 and 2022, Council delivered 18 Bush Explorer events to engage the community in the environment including bug hunts, forest bathing, spring and autumn seasonal workshops focused on wildflowers, birds and insects.
- **School Holiday Workshops** – In 2023, Council delivered two workshops targeting local families in the school holidays which attracted 44 residents
- **Annual It's Out Backyard Program** – Council delivers an annual program of promotional activities focused on sustainable activation of bushland within the Campbelltown LGA, which includes activities promoting Simmos Beach Reserve. During 2023, the following promotional activities were delivered as part of Council's It's Our Backyard Campaign:
  - Inclusion of a promotional billboard on Blaxland Road.
  - A range of targeted social media posts.
  - Promotion of the Reserve in Council's Compass community newsletter in winter 2022.
  - Bus shelter signage promoting the Reserve.
  - Digital advertising banners in online publications.
  - Ongoing promotion through all of Council's available channels for seasonal and adhoc campaigns.

Examples of promotion are included below:



*Figure 1: Blaxland Rd Billboard that promoted Simmos Beach Reserve during 2023.*

Throughout the delivery of the above projects and programs, careful consideration has been taken to ensure that Council's works and activation of the Reserve does not have any negative impacts to waterways or sensitive flora and fauna including threatened species found at the site.

## Report

### Future Planned Works to Increase Visitation to Simmos Beach Reserve

Despite the significant works undertaken at the Reserve in recent years, many amenities at the site are aging and do not meet the needs of our growing community and their desire for quality outdoor recreation and play that is connected, accessible, functional, and sustainable. In recognition of the importance of the Reserve to the local community and visitors and the aging facilities, Council in 2023 submitted two funding proposals under the NSW Government's Western Sydney Infrastructure Grants Program (previously named West Invest).

The two projects focus on rationale enabling greater access and utilisation by local residents and communities to a range of passive and active recreation experiences. This is expected to contribute to the following outcomes and benefits for the community:

- Increased access to and amenity of public space.
- Increased public access to places where the community can access nature.
- Improved overall health and wellbeing of the community.
- Increased level of engagement in the local community.

In 2023, Council was advised that its applications for the Simmos Beach Parklands Project and Dharawal Nature Playspace were successful. A summary of the projects is included below:

### Simmos Beach Parklands Project

The Simmos Beach Parklands Project focuses on the upgrade and delivery of a range of recreational improvements focused on the top and quarry picnic areas with the Reserve. The budget for the project is \$1,795,000 with the scope of the upgrades including:

- Amenity upgrades including park furniture and car parking.
- Upgrades to the existing footpath network.
- A new viewing deck.
- Facilities for school engagement.
- Informative signage.
- New trees and softscape plantings.

### Dharawal Nature Playspace Project

The Dharawal Nature Playspace focuses on the celebration of our rich Dharawal Culture and Heritage through revitalisation of the existing beach picnic area to improve nature-based recreation that is considerate of its sensitive surroundings. The budget for the project is \$6,932,000 with the scope of the upgrades including:

- Creation of a district-level nature that is inspired and guided by Dharawal Traditional Owners and Aboriginal Culture and Heritage and the surrounding environment.

- Delivery of 3 all abilities playspaces including:
  - kids play area (0 – 5 years)
  - older play area (5 – 10 years)
  - youth play area (10 – 15 years)
- Inclusion of water play elements, picnic and recreation facilities.
- Inclusion of Dharawal and environmental interpretation and public art.
- Upgrades to the existing carpark.
- Consideration of wayfinding signage to get to the Reserve.
- A range of promotional activities to promote the Reserve.

The above-mentioned projects are solely funded under the Western Sydney Infrastructure Grants Program and are in the very early stages of planning, with co-design with the Dharawal community (Dharawal Playspace), concept design and investigation and community consultation planned for the coming 12 months.

Council has recently signed grant agreements for the Simmos Beach Parklands and Dharawal Playspace and the projects will be completed in line with the NSW Government funding requirements.

### **Benefits to the Community Experience**

The Simmos Beach Reserve Projects will greatly enhance current offerings at the Reserve and create an experience to connect with Dharawal culture and heritage and the environment that isn't available currently within Greater Sydney. As part of the upgrades proposed we envisage that we will attract local residents and visitors from across Greater Sydney, and to create a memorable experience that will boost the perception of Campbelltown and have flow on effects to local businesses.

### **Preparation of a Plan of Management**

Noting the Reserves prominent location on the Upper Georges River and proposed works as part of the West Invest Program, it is proposed that a Plan of Management (PoM) under the *Local Government Act 1993* will be developed to specify appropriate community uses of the Reserve and guide recreation, cultural and environmental enhancements. The PoM will be prepared during the 2024/25 financial year and will include consultation with the community during its development, and formal public exhibition and adoption by Council in the future.

### **Future State Marketing and Promotion to Increase Visitation and Tourism**

With the works planned under the WestInvest program and our ongoing commitment to promote our natural areas and city's assets, our promotional program will continue to celebrate the new assets and upgrades, as well as form part of our ongoing "always on" promotional activity.

**Environmental Factors of Increasing Visitation**

Simmos Beach Reserve is a highly sensitive environment with critically endangered vegetation community and threatened flora and fauna species. As part of the delivery of the projects and to consider, manage and minimise environmental impacts, Council will prepare a Review of Environmental Factors under Part 5 of the *Environmental Planning and Assessment Act 1979*. Careful consideration is given to the location of recreation and the movement of people throughout the Reserve to ensure that the environment can be protected.

**Conclusion**

Council has established a diverse suite of recreational opportunities and ongoing promotional activities for the local community and delivered a range of environmental improvements at Simmos Beach Reserve in recent years to enhance sustainable activation of the Reserve.

Future works planned under the Western Sydney Infrastructure Grants Program, development of a Plan of Management for the Reserve and ongoing programs including Council's Bushcare Volunteer Program and promotion of the It's Our Backyard campaign through Council streams will greatly enhance increase visitation and tourism, whilst being considerate of the sensitive environment within the Reserve.

Funding for these activities is either grant funded or funded through existing Council budgets and staff resources with no additional funding required.

**Attachments**

Nil



## 8.7 Western Sydney Infrastructure Grants Program (ex WestInvest) Update

### Reporting Officer

Executive Manager – City Projects and Administration Assistant – City Projects  
City Services

### Community Strategic Plan

Objective	Strategy
2 Places For People	2.1.1 Provide public places and facilities that are accessible, safe, shaded and attractive
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.5 Ensure assets, infrastructure and property are well managed and incorporate design excellence

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### Officer's Recommendation

That Council notes the current status of the Western Sydney Infrastructure Grants Program (ex WestInvest).

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### Purpose

To provide Council with an update on the Western Sydney Infrastructure Grants Program, acknowledging the impact on Council's risk profile.

### History

The Western Sydney Infrastructure Grant Program was publicised as a \$5 billion Infrastructure program available to enhance liveability in the 15 Local Government Areas in West and South West Sydney, containing the following components:

- \$3 billion available to NSW Government Agencies for infrastructure projects.
- \$2 billion community project grants, broken down into 2 parts:
  - Local Government direct allocation: \$400 million directly allocated to the 15 local councils depending on population size. Campbelltown City Council's allocation

under this component was \$26,615,000 with up to 10 per cent of this sum able to be claimed for the preparation of councils' grant applications and scoping of projects.

- Competitive Grant Round: \$1.6 billion allocated to community groups, non-government organisations and local councils through a competitive grant process.

At its meeting on 14 June 2022, Council endorsed a list of projects to be submitted for consideration. In February 2023, Council was advised of the success of 21 projects to receive funding.

With Council not being privy to draft Grant Deeds upon applying for WestInvest and amendments issued to Grant Guidelines through July 2023, Council Resolved, at its meeting on 10 October 2023, to re-state its proposals to the WestInvest Program Office.

On 1 December 2023, Council was advised by the Premiers Department of a change in name of the program from the WestInvest Grants Program to become the Western Sydney Infrastructure Grants Program.

## Report

Post Council endorsement of approach to re-state proposals to the Western Sydney Infrastructure Grants Program Office (WSIG), Council Officers have actively reduced Council exposure to risk by undertaking the following:

- Project planning: Prioritisation Workshops were held in November 2023 to ensure that works are aligned to Council Deed Objectives and Obligations. A Quantity Surveyor (QS) consultant was engaged for participation in those workshops, providing independent budgetary advice, which was reflected in the updated Project Details and Instalment Proposals submitted by Council to WSIG, leading to Deed execution. QS Request For Tenders to validate and assist in the delivery of WSIG Projects is currently being undertaken.
- Value management to scope: During the Prioritisation Workshops noted above, Council Officers identified lower priority works within each project that could be removed (on engagement with market contractors) so as to meet restated construction values. Items identified were noted to not affect the achievement of project objectives.
- Uplifting project management capability by partnering: Council undertook a Request for Quotation process to identify appropriately qualified and experienced project management consultants to provide the project and program capability required to successfully deliver the WSIG portfolio of works. The APP Group has been engaged for project management and program management services for the delivery of the 21 projects for the Western Sydney Infrastructure Grant program, which is expected to be delivered over the next 3-4 years.
  - The APP Group will provide Project Delivery Plans for each project, including the provision of a risk-based procurement strategy. These plans will form the basis of how projects are to be designed, executed, commissioned and handed over to Council's operational teams (where appropriate) in a cost effective, low-risk manner.

## Deed Execution

Post prioritisation workshops and QS Cost analysis, Council Officers the risks for each project. Whilst some levels of risk exist, most fall within the low bounds of Council's risk matrix, and are able to be addressed during project design and execution.

Submission of the 21 Project Details and Instalment Proposal's to WSIG was completed on 20 February 2024. As at 22 May 2024, Council and WSIG have executed Project Funding Deeds for all twenty one (21) of Council's Projects within the Western Sydney Infrastructure Grant Program;

WILGA182 - Connected Campbelltown	Installation of new shared use pathways in four parks and reserves across the City (Wood Park, Jackson Park, Thomas Acres and Cleopatra Reserve and Abington Reserve), to provide greater connectivity, and functionality as a recreation and active travel option.
WILGA277 - Town Centre Beautification and Public Art – Glenfield Town Centre	Public domain improvement works that aim to revitalise Glenfield Town Centre so it can better support a diverse mix of uses including retail, commercial, residential, health facilities, community uses and public open space.
WICR1010 - Ingleburn Town Centre	A transformational beautification, cultural and infrastructure program in the Ingleburn Town Centre including lighting, safety, greening, event readiness, public art, traffic management and amenity improvements, in partnership with the Ingleburn Chamber of Commerce.
WICR1027 - Dharawal Nature Playspace	Dharawal Nature Play Space is a recreational play facility inspired by Aboriginal culture, the local environment and people.
WILGA284 - Campbelltown City Centre Public Art and Beautification	Improvements focused on Lithgow Street and the 'On Q' plaza to enable pedestrian friendly spaces to encourage events and activities to revitalise the Queen Street Precinct.
WICR0983 - Campbelltown Arts Centre Expansion	The Campbelltown Arts Centre expansion will create additional services and provide increased flexibility to deliver cultural offerings to the community.
WICR1026 - Minto Multicultural Community Centre Enhancement	Upgrades to an existing community facility to providing an improved and innovated space for a range of community programs.
WICR0829 - Amenities Upgrade Eschol Park Sporting Complex	Upgrade and refurbishment of an existing Sporting Facility to improve the ability of community based clubs to continue the delivery of recreational opportunities from facilities that are accessible, modern and safe.
WILGA267 - Glenfield Urban Bike Park	Construction of a new BMX style track within Kennett Park, Glenfield, accommodating users with different skill levels.

WICR1007 – Multipurpose Community Facilities Hub	The Multipurpose Community Facilities Hub repurposes a Council community Hall to innovatively provide the capital infrastructure required for local services and community groups.
WILGA266 – St Helens Park Youth Space	Construction of new BMX style bike tracks at St Helens Park Reserve, to provide tracks for riders of all levels, creating a youth-oriented precinct with a mix of recreation offerings.
WILGA245 – Leumeah Youth Precinct	The Leumeah Youth Precinct will incorporate the construction of multi- use court, flexible space for activations, parkour and boulder wall elements adjacent to the existing skate park.
WILGA250 – Outdoor Fitness	The Outdoor Fitness Facilities Program comprises new outdoor fitness equipment at Emerald Drive, Hamlet Crescent and Ophelia Street, Clematis Place and Parkside Crescent to support local community health and wellbeing.
WILGA274 – Kanbyugal Parklands	The Kanbyugal Mountain Bike Park Project aims to convert an underutilised parcel of land into an accessible, sanctioned and fully functioning mountain bike facility providing a range of trails for enthusiasts of all skill levels and ages.
WICR1012 – GFAC Upgrades	The Gordon Fetterplace Aquatic Centre Project extends the grandstand seating area and shade provisions and reconfigures the existing cafe.
WICR1055 – Campbelltown Health and Education Precinct (CHEP) Connectivity, Wayfinding and Identity Project	The project will identify and deliver active transport infrastructure and wayfinding initiatives to improve connections between key facilities within the Campbelltown Health and Education Precinct (CHEP).
WILGA276 – Hurley Park – Early Stories of Campbelltown’s Resilience	The project aims to increase community access to, and the amenity of, this significant historic open space in the centre of the City by restoring the historical structures, adding interpretive signage and public art, giving life to the social narratives which are an important part of the City's identity.
WICR1245 – Railway Parade Bridge Upgrade	Upgrade existing bridge over Bunbury Curran Creek, located at Railway Parade, Glenfield.
WILGA269 – Simmos Beach Parklands	Simmos Beach Parklands will enhance an open, green-space with new community infrastructure to support passive recreation. Works include upgrades to amenities, the existing footpath network, viewing decks, informative signage and plantings to provide long lasting community benefits.

WILGA275 – Macarthur Recreation Trail	Macarthur Recreation Trail is a long-term vision for a key link that enhances liveability and community experience. The trail traverses Bow Bowing Creek and passes through a range of open spaces between Camden, The Australian Botanic Garden, and Campbelltown Station.
WICR0851 – Campbelltown Centre of Excellence	This project proposes the delivery of a Sport and Health Centre of Excellence at Leumeah, within the confines of Campbelltown Sports Stadium.

Councils Project Team and APP representatives are currently undertaking project planning activities leading to commencement of design workshops, stakeholder consultation activities and Deed reporting requirements.

It is anticipated that for the majority of the individual projects, design activities will occur through all of 2024-25 financial year, with the exception of Minto Multicultural Hub, Connected Campbelltown and Outdoor Fitness Facilities, which will commence construction in Quarter 4 of the 2024-25 financial year.

## Attachments

Nil

## 8.8 Road Safety Measures for School Children

### Reporting Officer

Coordinator Traffic and Roads Design  
City Services

### Community Strategic Plan

Objective	Strategy
2 Places For People	2.1.1 Provide public places and facilities that are accessible, safe, shaded and attractive 2.2.1 Ensure transport networks are integrated, safe, and meet the needs of all people.

### Delivery Program

Principal Activity
2.1.1.2 Provide a range of regional facilities that promote community connection
2.1.1.3 Deliver effective land use planning to ensure community needs are met

### Officer's Recommendation

1. That Council note the measures in place to ensure children and others with accessibility needs can safely access schools and other desired facilities in the Campbelltown Local Government Area.
2. That Council note \$14.8 million of Grant submissions for Safer Roads Program as well as Towards Zero Road Safety Program that has been submitted.

### History

At its meeting on 7 November 2023 Council resolved:

1. That a review be undertaken of measures in place to ensure children and others with accessibility needs can safely access schools and other desired facilities in Campbelltown including:
  - a. Identifying common routes to/from school, including intersections.
  - b. Evaluating suitability and safety of existing infrastructure, including pedestrian crossings traffic signals, and School Zone Signage, to ensure they are adequate and well-maintained.

- c. Reviewing available data on any previous incidents involving children while crossing roads.
- d. Reviewing road safety campaigns to ensure applicability and awareness.
- e. Opportunities to collaborate with NSW Government agencies to gather information on traffic violations within school zones.

The proactive existing continuous approach by Council, coupled with solid design guidelines and requirements set and governed by Transport for NSW (TfNSW) has delivered, significant milestones in school safety improvement, engagement and awareness.

Over the past two years, the following key infrastructure upgrades have occurred across the Campbelltown Local Government Areas in targeted areas:

- Completed various traffic facilities to address identified safety concerns, such pedestrian crossings, signs and line markings, speed humps and educational programs.
- Active Transport: Completed footpath linkages, widening of footpaths on approach to schools to enhance safety of children walking to schools.
- Speed: Installation of 40 Km/h School Zone Signs (initiative by TfNSW).
- Bus Shelters adjacent to schools.
- New car parks near schools.
- Installation of Kiss and Ride signs, parking zone and bus zone signs.
- Safety Fencing.

A list of the upgrades is attached (Attachment 1).

## Report

Ensuring the safety of students and staff within and around schools is paramount to creating conducive learning environments. This report outlines the:

1. Safety in design and compliance of roads and supporting infrastructure.
2. Test and verification by safety audits conducted.
3. Continuous improvements implemented, plus previous year's accomplishments, as well as the proposal for seeking grants to further enhance safety in and around schools and children.

Council has established clear existing processes, protocols and governance to deliver and continuously improve safety controls. Council also seeks State and Federal grant funding being to enhance infrastructure and improve and further strengthen safety in and around schools.

## Safety in Design

Safety in Design is an integral process for the development of new and upgraded school infrastructure across NSW assets. The Safety in Design Framework 2023 provides the guidance to be followed when undertaking this type of activity. This has been developed to comply with the requirements of the Australian Standards, Austroads Standards, and Technical Guidelines of TfNSW, the Disability Discrimination Act, Work Health and Safety Act and the Safe Design of Structures Code of Practice including Site Safety Audits.



The State government and Council in partnership manage road safety issues around schools. School communities also play a role in keeping children safe around schools. Some safety programs need active participation by community members.

### **Test and verification**

Throughout the previous year, comprehensive safety audits were conducted which are based on information received from:

1. Community Feedback.
2. Requests from School Principal.
3. Requests from Parents and Citizens Association (P&C).
4. Observations by Council Officers.
5. Data collection by installing speed classifiers, pedestrians' data by site observations.

These audits encompassed various aspects of safety, including:

- Evaluating traffic flow.
- Pedestrian crossings.
- Signage.
- Parking arrangements to mitigate risks during drop-off and pick-up times.
- Environmental Hazards: Identifying potential hazards such as uneven walkways, slippery surfaces, or areas prone to flooding.

### **Continuous Improvement**

Based on the findings of the safety audits, several improvement initiatives were undertaken to enhance safety measures:

- Traffic Management Measures: Implementation of designated drop-off and pick-up zones, along with the installation of speed humps and signage, to improve traffic flow and pedestrian safety.
- Educational Program for students and staff to ensure compliance to the road rules for safety.

Council's Education and Road Safety Officer regularly liaises with schools (as per the program) on regular basis involving parents, students, and community stakeholders to foster a culture of safety and vigilance.

### **Seeking Grants for Further Improvements**

While substantial progress has been made, there is an ongoing need for additional resources to further enhance safety measures.

State and Federal Governments announced the following:

1. Safer Roads Program 2024/2025: The program was launched on 12 April 2024 and closed on 10 May 2024 for councils to submit applications for 'shovel ready' projects to enhance safety around schools. Council submitted 15 sites for consideration, proposing upgrades totalling \$ 5,644,000.

2. Towards Zero Safety Program 2024/2026: This program required applications to be submitted for the proposed projects which can be developed into detailed design and be delivered by June 2026. The upgrade of the intersection of Gilchrist Drive and Therry Road to traffic signals including turning lanes, pedestrian crossing facilities and other related infrastructure was submitted in response to this program. This grant totals up to \$9,154,000.

A list of the grants submitted in May 2024 to seek funding to enhance Infrastructure around schools is as attached (Attachment 2).

Safer Roads Projects are 'shovel ready' and hence can be completed within the Financial Year of 2024/2025. Towards Zero Road Safety Program- Concept plans have already been developed and upon the award, can commence design and delivery process, which is anticipated to be completed before June 2025, as per the grant requirements.

In conclusion, ensuring the safety and security of our school communities remains a top priority. Through collaborative efforts and strategic investments in safety measures, Council aims to create infrastructure around schools to enhance the safety of school children, their parents/guardians as well as other road users.

Council is committed to leveraging available resources and seeking external funding opportunities to continue enhancing safety standards around schools.

## Attachments

- 8.8.1 List of facilities provided (contained within this report) [↓](#)
- 8.8.2 List of Safer Road Grants applications submitted to State Government (contained within this report) [↓](#)

Safety Around Schools		
Location	Infrastructure Provided	Community Benefits
Briar Rd near St Johns Road, Bradbury	Raised Pedestrian Crossing	Enhanced safety of school children as well as elderly living nearby
Eagle Vale High School, Drysdale St	Pedestrian Safety Fence	Safety of school children
Beverley Rd, Campbelltown	Raised Pedestrian Crossing	Enhanced Safe passage for school children as well as the residents of Lomandra Special Needs School
Emerald Dr, Eschol Park	Traffic Calming Devices - Blackspot	Enhance safety for road users
Junction Road, Ruse	Traffic Calming Devices - Blackspot	Enhanced Safety of school children as speed humps will assist in speed reduction
Trafalgar St, Glenfield	Pedestrian Crossing	Enhanced Safety of school children.
Rudd Rd, Leumeah	New Footpath	Safe passage for school children.
Townson Ave, Leumeah	New Footpath	Safe passage for pedestrians and community accessing bus stop.
University Dr, Macarthur Heights	Traffic Calming Devices	Enhanced safety of pedestrians/ University students walking to University
Waminda Ave, Campbelltown	Traffic Calming - Blackspot	Enhanced Safety of school children.
Livingstone Av,	New Footpath	Safe passage for school children.
St Lawrence Av, Kearns	Raised Pedestrian Crossing	Enhanced Safety of school children as raised pedestrian crossing will also assist in speed reduction.
Wattle Reserve, Macquarie Fields	New Footpath	Safe passage for school children.
Bougainville Rd, Glenfield	New Footpath	Safe passage for elderly people to access open space
Fields Rd, Macquarie Fields	Speed Cushion	Enhanced Safety of school children as speed humps will assist in speed reduction.
Chester Rd, Ingleburn	Speed Cushion	Enhanced Safety of school children as speed humps will assist in speed reduction.
Stranraer Dr, St Andrews	Traffic Calming Devices	Enhanced Safety of school children as speed humps will assist in speed reduction.
Bardia Public School, Bardia	Car Park	Safe parking facilities for children drop off and pick up.

Railway Parade, Glenfield Public School, Glenfield	Raised Pedestrian Crossing	Enhanced Safety of school children as raised pedestrian crossing will also assist in speed reduction.
Burrendong Rd, Leumeah PS	Widening of Footpaths, Line markings and signs	Safe walking facility for children attending the school.
Crispsparkle Dr & Harthouse Rd, Ambarvale	Roundabout	Provision of refuge islands on approaches will enhance safety of school children attending Ambarvale PS.
<b>Bus Shelters</b>		
<b>Location</b>	<b>Infrastructure Provided</b>	<b>Community Benefits</b>
Townson Av, Leumeah	New	Provide shelter for elderly/ aged care home in the proximity.
Dickens Rd, Ambarvale	New	Provide shelter for elderly/ aged care home in the proximity.
Emerald Dr, Eagle Vale	New	Provide shelter for the community, elderly, and school children.
Plowman Rd, Minto	New	Provide shelter for the community, elderly, and school children
Lawn Av, Bradbury	New	Provide shelter for the community, elderly, and school children.
Townson Av, Minto	New	Provide shelter for the community, elderly, and school children.

## TOWARDS ZERO SAFETY PROGRAM 2024-2026

[illegible]

## 8.9 Policy Review – Bicycle Education Centre Policy

### Reporting Officer

Operations Manager Education and Care Services  
City Lifestyles

### Community Strategic Plan

Objective	Strategy
2 Places For People	2.1.2 Provide public places and facilities that encourage leisure, recreation, and physical activity

### Delivery Program

Principal Activity
1.2.2.1 Deliver and promote services and programs that keep our community safe and healthy.

### Officer's Recommendation

1. That the revised Bicycle Education Centre Policy as attached to this report be adopted.

### Purpose

To seek Council's endorsement for the current Bicycle Education Centre Policy to be rescinded and for the updated Bicycle Education Centre Policy (attached) be adopted.

### History

The Bicycle Education Centre Policy has recently undergone a review to align the documented policy with the centre's current practices.

### Background

The Bicycle Education Centre Policy has been updated to clearly outline the centre's current programs and to be aligned with our philosophies, programs and practices.

**Conclusion**


The updated Policy is suitable for adoption without further changes.

**Attachments**

8.9.1 Revised Bicycle Education Policy (tracked changes)(contained within this report) [↓](#)

8.9.2 Final Bicycle Education Policy (contained within this report) [↓](#)



<div> <b>CAMPBELLTOWN CITY COUNCIL</b></div>		<b>POLICY</b>
Policy Title	Bicycle Education Policy	
Related Documentation	Form - Bicycle Education Agreement - Casual Hire Campbelltown Bicycle Education Centre Agreement	
Relevant Legislation/ Corporate Plan	Section 356 <i>Local Government Act 1993</i>	
Responsible Officer	Manager Education and Care Services	

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

Objectives

- ~~To provide the community with a safe recreational facility and environment for families and children within the community.~~

~~To provide a facility that enhances the health and well-being of its community.~~

To provide the community with a safe recreational facility that enhances the health and well-being of children and families.

To promote health outcomes for children and families by providing education on: getting active through cycling, cycle/rider awareness, pedestrian safety, road rules and helmet education.

Policy Statement

The Bicycle Education Centre is a recreational and educational facility for teaching adults, pre-school and school aged children the rules of the road, whilst helping them to recognise and become aware of the appropriate action to take at the various traffic control devices.

The facility also aims to encourage healthy well-being for all community members by being fit and active within a purpose built facility.

Scope

This policy applies to all the community and target groups such as pre-schools, primary schools, disability groups, community groups and private hirers.

Legislative Context

Section 356 of the *Local Government Act 1993* (as amended).

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Lifestyles <b>Section:</b> Education and Care Services <b>DocSet:</b> 1555239	<b>Adopted Date:</b> 11/09/1990 <b>Revised Date:</b> 09/09/2021 <b>Minute Number:</b> 321 <b>Review Date:</b> 14/12/2023	<b>Page:</b> 1 of 2

Campbelltown City Council

Principles

1. The facility is available to pre-schools, primary schools, disability groups, community groups and private hirers, families, sporting groups and the general public.
1. The centre offers a range of educational programs ~~such as Education Programs~~ (for ~~pre-school~~early childhood groupsers, schools and groups for children with ~~special~~additional needs);

2. Private learn to ride lessons are offered to children and adults and can be customised for neuro-diverse persons.

3. Free ~~o~~Open dDays (for families and the general public)~~are~~ regularly provided to the community.†
- ~~2.4. The centre is available for P~~private Hire for those wishing to have sole use of the facility for parties and events. (for general public; playgroups, social and sporting groups); and Learn To Ride programs and private lessons (all age groups and abilities).
3. The Centre has fosters many health outcomes for the community including getting active by cycling; and providing cycle awareness, pedestrian safety, road rules for cyclists and helmet education

Responsibility


Manager Education and Care Services

Effectiveness of this Policy

The Policy will be reviewed on a three-yearly basis to ensure the appropriate level of recognition or if relevant legislation changes.

END OF POLICY STATEMENT

DATA AND DOCUMENT CONTROL		
DocSet: 1555239	Page: 2 of 2	

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Bicycle Education Policy	
Related Documentation	Form - Bicycle Education Agreement - Casual Hire Campbelltown Bicycle Education Centre Agreement	
Relevant Legislation/ Corporate Plan	Section 356 <i>Local Government Act 1993</i>	
Responsible Officer	Manager Education and Care Services	

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

### Objectives

To provide the community with a safe recreational facility that enhances the health and well-being of children and families.

To promote health outcomes for children and families by providing education on; getting active through cycling, cycle/rider awareness, pedestrian safety, road rules and helmet education.

### Policy Statement

The Bicycle Education Centre is a recreational and educational facility for teaching adults, pre-school and school aged children the rules of the road, whilst helping them to recognise and become aware of the appropriate action to take at the various traffic control devices.

The facility also aims to encourage healthy well-being for all community members by being fit and active within a purpose-built facility.

### Scope

This policy applies to all the community and target groups such as pre-schools, primary schools, disability groups, community groups and private hirers.

### Legislative Context

Section 356 of the *Local Government Act 1993* (as amended).

### Principles

1. The centre offers a range of educational programs for early childhood groups, schools and groups with additional needs.
2. Private learn to ride lessons are offered to children and adults and can be customised for neuro-diverse persons.
3. Free open days are regularly provided to the community.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Lifestyles	<b>Adopted Date:</b> 11/09/1990	<b>Page:</b> 1 of 2
<b>Section:</b> Education and Care Services	<b>Revised Date:</b> 09/09/2021	
<b>DocSet:</b> 1555239	<b>Minute Number:</b> 321	
	<b>Review Date:</b> 14/12/2023	

Campbelltown City Council

4. The centre is available for private hire for those wishing to have sole use of the facility for parties and events.

**Responsibility**

Manager Education and Care Services

**Effectiveness of this Policy**

The Policy will be reviewed on a three-yearly basis to ensure the appropriate level of recognition or if relevant legislation changes.

**END OF POLICY STATEMENT**

DATA AND DOCUMENT CONTROL		
DocSet: 1555239	Page: 2 of 2	

## 8.10 Investments and Revenue Report - April 2024

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.4 Deliver financial sustainability through short, medium and long-term financial planning

### Officer's Recommendation

That the information be noted.

### Purpose

To provide a report outlining the activity in Council's financial services portfolio for the month of April 2024.

### Report

#### Investments

Council's investment portfolio as of 30 April 2024 stood at approximately \$226 million. Funds are currently being managed by both Council staff and fund managers and are in accordance with the *Local Government Act 1993*, Local Government (General) Regulation 2021 and Council's Investment Policy.

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

Council's investment portfolio for the month of April outperformed the benchmark and provided an actual positive return of 0.41 per cent or 5.17 per cent annualised. This return includes the 31 day notice saver account but excludes Council's at call cash and Treasury Corp managed fund accounts.

The portfolio is diversified with maturities with varying lengths ranging up to the maximum 5 year period in accordance with Council's Investment Policy.

Council's investment advisor, Arlo Advisory, have confirmed that Council's investment portfolio is compliant with current policy settings, with clear buffers between exposures to individual entities and is well diversified from a credit rating spread perspective.

Council's total liquidity to meet short to medium term cash flow needs remains strong with \$3 million held in an at call account and an amount of \$10.7 million in a 31-day notice account. This notice account offers an attractive rate for short term deposits of 5.20 per cent which also increases in line with movements in the official cash rate.

The Reserve Bank now meets to consider monetary policy 8 times per year namely:

- 5-6 February
- 18-19 March
- 6-7 May
- 17-18 June
- 5-6 August
- 23-24 September
- 4-5 November
- 9-10 December.

The official cash rate is 4.35 per cent following a continued pause by the Reserve Bank (RBA) Board at the May monetary policy decision meeting with the next announcement scheduled for 18 June 2024. The pause in the cash rate was largely anticipated by financial markets and the Reserve Bank indicated that any change is reliant on more data to assess whether inflation would continue to moderate to a sustainable level within their target range.

The market value of the Treasury Corporation Long Term Growth Fund which has a current asset allocation of around 50 per cent in domestic and international shares also correlates to this downturn in global equity markets. This Treasury Corporation Fund is a long-term growth fund with high return potential over the long term that may experience occasional periods of negative returns. It is intended to be at least a 7-year investment with the expectation of a return of CPI plus 3.5 per cent over a rolling 10-year period.

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

## **Rates**

Rates and Charges levied for the period ending 30 April 2024 totalled \$144,273,558 representing 100 per cent of the current budget estimate.

The rates and charges receipts collected to the end of April totalled \$113,578,094. In percentage terms, 79.9 per cent of all rates and charges due to be paid have been collected, compared to 80.3 per cent collected in the same period last year.

To mitigate the risk of debts becoming unmanageable, Council staff have been actively assisting ratepayers with their quarterly instalments and provide advice on options available such as regular weekly payments. Where the charging of penalty interest causes hardship, the charges are waived in accordance with Council's Hardship Policy and an application being made. An on-line application form is available on Council's website to assist ratepayers to apply and complete their request at a convenient time.

Debt recovery action during the month involved the issue of 273 Statements of Claim to ratepayers with 2 or more instalments outstanding and a combined balance exceeding \$1000. Further recovery on accounts with previous action resulted in 30 Judgments being served on defaulters that have not made suitable payment arrangements or failed on multiple occasions to maintain an agreed payment schedule.

Ratepayers who purchased property since the annual rates and charges notices had been issued, are provided a 'Notice to new owner' letter. During the month, 158 notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges. In addition a separate letter is sent containing a request for additional contact points such as mobile number and/or email address.

### **Sundry Debtors**

Debts outstanding to Council as at 30 April 2024 are \$9,747,044 reflecting a decrease of \$14,115,007 since March 2024. During the month 565 invoices were raised totalling \$11,088,620. 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.

Debts exceeding 90 days of age totalled \$382,849 as at 30 April 2024. The majority of this debt relates to City Standards with \$155,477 outstanding for health licence inspection fees. These fees are generated for various shop premises, household pool inspections, fire safety services and wastewater management systems. Council staff have consulted with our recovery agents and have sent compiled data in the hope of encouraging debtors to seek suitable payment plans or clear debt altogether. From the letters issued to debtors from our recovery agents, an amount of \$53,936 has been recovered in outstanding debts. Formal recovery may still be considered if no response is received. Part of this debt is due to shop owners that have closed and are no longer contactable. If it is uneconomical to recover the debt, it may be recommended for write-off.

Corporate Governance debts totalling \$144,613 with the most significant amount of \$70,413 relating to cost recovery of Macarthur FC games held at Campbelltown Sports Stadium. Contact has been made with Macarthur FC to bring the account up to date. An amount of \$25,168 relates to various property related debts regarding clean-up orders issued and the recovery of costs associated with restoring private property to a suitable healthy condition. In some cases, property owners are already in financial distress and where the property is vacant may be uncontactable. Council staff continue to reach out to the owners to seek a positive resolution, debts are encumbered to the land and are often finalised with the sale of the property.



Bookable hire fees to the value of \$58,395 are split into 3 categories. Hall hire fees of \$14,954 are a result of debts raised in advance and in accordance with council policy do not need to be finalised until 2 weeks prior to the function. This process also gives hirers an option to book early with the option to make smaller regular payments leading up to their event. In this category however there are a few accounts with the combined outstanding balance of \$17,841 where council staff are working with the debtor on a suitable payment arrangement. Sports ground and field hire debt of \$21,853 are also debts raised in advance, however council staff are continuing to work with sporting groups having difficulties to finalise their payments. Art Centre Hire outstanding balances is \$780.

City Services debt of \$21,270 is represented by costs associated with road restoration works, payment of this debt was received early in April 2024.

Debts categorised within Community Businesses totalled \$13,525. Included in this category is the amount of \$7,395 relating to various clubs and schools hire of the Campbelltown Sport Stadium, \$4,207 relates to hire of various sports grounds to regular sporting clubs and \$1,918 relates to leisure centre pool hire. Council will continue to work with debtors in order to finalise the debts.

Community Life debt of \$6,427 relates mostly to the Bicycle Education Centre which are fees that are a result of debts raised in advance.

Property Services debt of \$4,289 is contributed to a deed of airspace licence fee and application. Contact has been made with the debtor however no response has been received. Formal recovery has commenced for non-payment of Rates and Charges and will now be listed as a property related debt.

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

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a 7 day letter is issued referencing referral to Council's debt recovery agents.

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

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

During the month, 4 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 officers are mindful of the ongoing impact of COVID on our community and continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible to avoid any further recovery action.

## **Attachments**

8.10.1 Summary of Council's Investment Portfolio - April 2024 (contained within this report) [↓](#)

8.10.2 Rates and Charges Summary and Statistics - April 2024 (contained within this report) [↓](#)

8.10.3 Debtors Summary and Ageing Report - April 2024 (contained within this report) [↓](#)

# Summary of Council's Investment Portfolio

Portfolio as of 30 April 2024



## Investments Summary\*

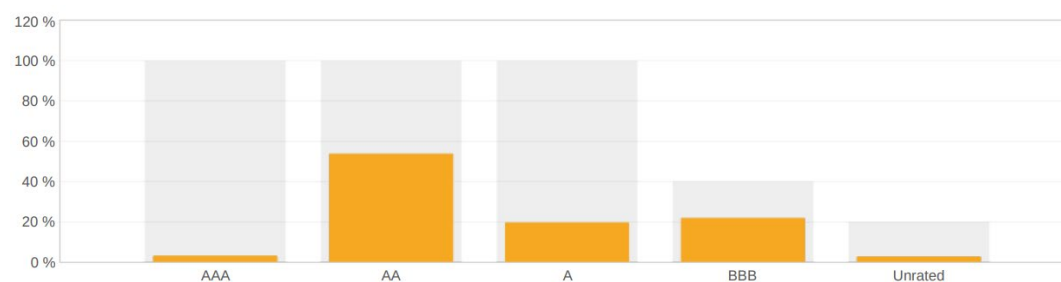
Asset Class as at 31/04/2024

Code	Number of Trades	Invested (\$)	Invested (%)
CASH	4	13,963,123.89	6.18
TD	46	137,031,413.70	60.64
FRTD	3	11,000,000.00	4.87
FRN	24	45,646,792.55	20.20
BOND	6	12,781,363.85	5.66
FUND	1	5,566,868.92	2.46
<b>TOTALS</b>	<b>84</b>	<b>225,989,562.91</b>	<b>100.0</b>

\*Note valuations of Council's Senior FRNs on the Imperium Markets platform are marked-to-market and priced on a daily basis from an independent third-party provider. Council has recorded its FRNs internally at the purchase price or face value. As such, the total portfolio's balance is likely to differ as at the reporting date).

## Credit Quality

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (%)
✓	AAA	6,410,083.10	2.84	100.00	219,579,479.81
✓	AA	121,209,444.69	53.63	100.00	104,780,118.22
✓	A	43,864,613.86	19.41	100.00	182,124,949.05
✓	BBB	48,938,552.34	21.66	40.00	41,457,272.83
✓	Unrated	5,566,868.92	2.46	20.00	39,631,043.66
<b>TOTALS</b>		<b>225,989,562.91</b>	<b>100.00</b>		



## Summary of Council's Investment Portfolio – April 2024 cont'd

### Maturity Compliance

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0- 90 days	46,263,935.09	20.47	0.00	100.00	179,725,627.82
✓	91- 365 days	96,016,288.00	42.49	0.00	100.00	129,973,274.91
✓	1- 2 years	38,285,537.20	16.94	0.00	100.00	187,704,025.71
✓	2 - 5 years	38,016,276.65	16.82	0.00	100.00	187,973,286.26
✓	5 -10 years	7,407,525.97	3.28	0.00	20.00	37,790,386.61
<b>TOTALS</b>		<b>225,989,562.91</b>	<b>100.00</b>			

### Portfolio Return

Council's performance for the month ending April 2024 (excluding cash accounts and TCorp LTGF) is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.35%	1.06%	2.15%	3.54%	4.21%
AusBond Bank Bill Index	0.35%	1.07%	2.17%	3.62%	4.24%
T/D Portfolio	0.43%	1.26%	2.52%	4.09%	-
FRT/D Portfolio	0.45%	1.32%	2.67%	4.49%	-
FRN Portfolio	0.44%	1.31%	2.64%	4.46%	-
Bond Portfolio	0.13%	0.37%	0.72%	1.15%	-
<b>Council's Total Portfolio<sup>^</sup></b>	<b>0.41%</b>	<b>1.22%</b>	<b>2.45%</b>	<b>4.01%</b>	<b>-</b>
<b>Relative (to Bank Bills)</b>	<b>0.06%</b>	<b>0.15%</b>	<b>0.27%</b>	<b>0.39%</b>	<b>-</b>

<sup>^</sup>Council's total portfolio returns excludes Council's cash account holdings and TCorp LTGF.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	4.35%	4.35%	4.35%	4.25%	4.21%
AusBond Bank Bill Index	4.37%	4.40%	4.40%	4.35%	4.24%
T/D Portfolio	5.33%	5.20%	5.12%	4.91%	-
FRT/D Portfolio	5.58%	5.45%	5.42%	5.39%	-
FRN Portfolio	5.53%	5.41%	5.37%	5.36%	-
Bond Portfolio	1.55%	1.51%	1.44%	1.38%	-
<b>Council's Total Portfolio<sup>^</sup></b>	<b>5.17%</b>	<b>5.05%</b>	<b>4.97%</b>	<b>4.82%</b>	<b>-</b>
<b>Relative (to Bank Bills)</b>	<b>0.79%</b>	<b>0.65%</b>	<b>0.56%</b>	<b>0.47%</b>	<b>-</b>

<sup>^</sup>Council's total portfolio returns excludes Council's cash account holdings and TCorp LTGF.

For the month of April, the total portfolio (excluding cash and TCorp LTGF) provided a return of +0.41% (actual) or +5.17% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.35% (actual) or +4.37% p.a. (annualised).

Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	30/06/2023	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,982,851.76	76,820,149.11	1,411,809.03	995,689.20	80,386,881.04	62,564,293.83	17,822,587.21	281,587.70	18,104,174.91
Business	539,881.93	22,039,938.63		112,841.40	22,692,661.96	18,806,404.79	3,886,257.17		3,886,257.17
Farmland	35,098.13	485,070.24	205.23	2,811.72	522,774.86	390,466.21	132,308.65	244,183.82	376,492.47
Mining	0.00	30,760.56		13.23	30,773.79	30,773.03	0.76		0.76
SR - Loan	845.32	-8.00		69.35	906.67	0.00	906.67	0.00	906.67
SR - Infrastructure	422,244.28	7,525,697.75		22,416.47	7,970,358.50	6,225,665.67	1,744,692.83	52,313.37	1,797,006.20
Total	\$4,980,921.42	\$106,901,608.29	\$1,412,014.26	\$1,133,841.37	\$111,604,356.82	\$88,017,603.53	\$23,586,753.29	\$578,084.89	\$24,164,838.18
Garbage	1,302,053.44	30,631,470.40	935,473.63	91,954.51	31,090,004.72	24,315,920.25	6,774,084.47		6,774,084.47
Stormwater	81,986.14	1,495,214.41		1,995.48	1,579,196.03	1,244,570.62	334,625.41		334,625.41
Grand Total	\$6,364,961.00	\$139,028,293.10	\$2,347,487.89	\$1,227,791.36	\$144,273,557.57	\$113,578,094.40	\$30,695,463.17	\$578,084.89	\$31,273,548.06

Total from Rates Financial Transaction Summary	29,539,223.51
Overpayments	-1,734,324.55
Difference	0.00

Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	731,318
Rate accounts greater than 12 months less than 18 months in arrears	150,803
Rate accounts greater than 18 months in arrears	62,424
TOTAL rates and charges under instruction with Council's agents	944,545



Rates Statistics

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Apr-23
Rate Notices	58,791			146			43			217			
Electronic - DoH	4,629												
Instalment Notices				46,395			49,061			48,761			43,635
Electronic - DoH				4,635			4,686			4,801			4,474
Missed Instalment Notices - Pensioners > \$15.00						10,838			9,148				
Notice to new owner	185	163	159	161	165	198	181	173	167	158			99
7-day Letters - Council issued - Pensioners > \$1000			936			1,502			1,360				
7-day Letters - Agent Issued			122			207			221				
Statement of Claim			433				819		948				
Judgments	144	12	23	170	25	10	232	34	18	273			139
Writs	6	41	24	10	60	7	20	40	20	30			10
Electronic - eRates & BPAYView				1	5	1	1	1					0
Pensioner applications	16,302	16,557	16,882	16,963	17,038	17,175	17,365	17,458	17,612	17,901			16,848
Arrangements	77	48	54	60	47	33	47	69	70	49			56
	86	81	78	67	73	70	76	71	82	75			73

**DEBTORS SUMMARY 1 April 2024 to 30 April 2024**

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/03/2024	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/04/2024	% DEBT RATIO
Corporate Governance	895,362	2,317,298	1,875,079	1,337,581	13.72%
City Services	24,517	84,459	20,949	88,026	0.90%
City Standards	290,044	68,117	109,495	248,667	2.55%
Community Businesses	77,443	36,045	43,238	70,250	0.72%
Community Life	61,306	26,029	47,003	40,332	0.41%
Grants	22,077,272	7,716,156	22,211,296	7,582,131	77.79%
Hall Hire	138,815	195,700	171,475	163,040	1.67%
Property Services	297,291	644,816	725,090	217,016	2.23%
	<b>23,862,051</b>	<b>11,088,620</b>	<b>25,203,626</b>	<b>9,747,044</b>	<b>100%</b>

**AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 April 2024**

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Governance	1,012,664	157,669	22,635	144,613	1,337,581	169,710
City Services	85,646	2,139	117	124	88,026	21,071
City Standards	45,283	27,121	20,787	155,477	248,667	182,819
Community Businesses	26,994	23,395	6,336	13,525	70,250	17,726
Community Life	25,883	5,096	2,927	6,427	40,332	6,243
Grants	7,377,418	132,000	72,713	0	7,582,131	0
Hall Hire	57,254	20,040	27,350	58,395	163,040	69,674
Property Services	203,356	9,371	0	4,289	217,016	9,591
	<b>8,834,497</b>	<b>376,832</b>	<b>152,865</b>	<b>382,849</b>	<b>9,747,044</b>	<b>476,834</b>



## 8.11 Campbelltown Theatre

### Reporting Officer

Property Services Manager  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.5 Ensure assets, infrastructure and property are well managed and incorporate design excellence

### Officer's Recommendation

That the report be noted.

### Purpose

To provide a report to Council regarding the utilisation of Campbelltown Theatre in response to a notice of motion dated 26 March 2024.

### History

At its meeting on 26 March 2024 the Council resolved:

"That a report be presented to Council on the occupation of Campbelltown Theatre by Campbelltown Theatre Group Inc. The report should include a summary of the existing occupation of the site and whether it is consistent with the community's needs, consideration of the general benefit in reverting back to a Council-managed community facility and consideration for the provision of alternative function that may provide opportunity for greater utilisation by the Campbelltown community."

Town Hall Theatre Campbelltown is situated at 297 Queen Street Campbelltown with a legal identifier Lot 103 DP 621563. The land is categorised as operational land.

Town Hall Theatre Campbelltown is overseen by Town Hall Theatre Management Committee (THTMC). The THTMC operate under the auspice of a Section 355 Committee.

Section 355 (b) of the NSW Local Government Act 1993 provisions for Council to delegate certain functions to Committees to provide these on behalf of the Council. Council may use this authority and appoint a Section 355 Committee to manage facilities or functions.

Section 355 Committees were dissolved by Council in 2013 and parties sought to enter into a formal licence agreement to continue to operate at the site. This is Council's only remaining Section 355 Committee. Due to limitations in THTMC incorporation a decision was made to leave the structure and the licence was not pursued further.

In this case THTMC have care, control and management of the Theatre operating under the holding over provisions of a historic agreement that expired some time ago.

Throughout this period maintenance obligation has been the ongoing responsibility of Council. Given the building is heritage protected this has supported continued compliance in respect of heritage preservation.

Campbelltown Theatre Group Incorporated (CTGI) hire the theatre from THTMC and have been based in the Town Hall Theatre since 1980.

The building was renovated for the purpose of operation of a theatre back in 1979-1980.

The arrangement with CTGI is non-exclusive and the Theatre is available for hire to other entities.

Hire fees for the Theatre are published under Council's fees and charges on the Campbelltown Council website.

## **Report**

This report seeks to respond on the following matters.

### **Whether the existing occupation is consistent with community need.**

Whilst the Theatre is available for general hire, its primary function is as a community theatre.

Since 2020 the Campbelltown Theatre has hosted 2-3 major group productions a year providing live theatre to the Campbelltown Community. The shows are ticketed with the proceeds of each show being returned to the Theatre.

Membership to the Campbelltown Theatre Group is promoted for a small annual subscription affording members the right to appear on stage and participate in activities coordinated by the Group. Membership requires that members undertake voluntary duties at the Theatre during productions. The Campbelltown Theatre Group also offers a youth group that is promoted on social media.

The existing function of the Theatre while beneficial is underutilised and presents Council an opportunity to explore a broader scope of uses. This may include performing arts uses, access by schools and hire by other organisations.

For example, Campbelltown Performing Arts High School is located 1.9kms from the Theatre. The school provides its students with a unique opportunity to discover their potential across a wide range of creative disciplines. Learning is facilitated by specialist performing arts staff in specialist facilities. Students are encouraged to seek multiple opportunities to develop their skills through the many public, school based, regional and state programmes they are exposed to in the school environment.

Given the presence of the performing arts school in Campbelltown supporting the growth of performing arts and evidence that our community are seeking to utilise community facilities to serve a range of broader cultural and community functions, the opportunity to align the future use of Campbelltown Theatre to meet the broader objectives of Council's community facilities strategy should be encouraged. This would include the exploration of use of the theatre by Campbelltown Performing Arts High School and other local groups seeking similar opportunity.

### **The general benefit of operating the site as a Council managed community facility.**

The opportunity to operate the Theatre as a Council managed community facility presents several direct benefits: -

- Ensures that a broader representation of the community can access the Theatre for community purpose.
- Ensures that a broader range of community functions can be offered that align with the objectives of Council's community strategy.
- Allows Council to ensure the Theatre remains relevant to changing community need.
- Allows Council to consider the use of the facility for additional purpose to support the operations of Council.
- Allows for the generation of revenue arising from activity that can be utilised for reinvestment to fund the long-term preservation of this historic asset, and its ongoing operation.
- Allows Council improved visibility of the Theatre and the ability to programme appropriate maintenance to support its continued operation.

### **What alternate function may provide for greater community utilisation.**

The most appropriate long-term use for the facility would be consistent with the objectives of the community facilities strategy and consistent with the permissible zoning and approved use as set out in the approved DA.

Evidence collated from surveys conducted in the community has highlighted that there is a demand for multipurpose and adaptive community spaces that fulfill a wide range of functions such as: -

- Temporary office space
- Educational programmes
- Before and After School care
- Recreation and physical activity

- Health and Wellbeing
- Youth activities.

Access could be facilitated through a hall hire agreement or alternatively through longer term formalised agreements for the occupation of community space endorsed by Council.

Consideration could be given to the short-term use of the facility for alternative purpose to support the operations of Council. The Theatre could potentially complement activities of the Campbelltown Arts Centre, as well as the relocation of Arts Centre hirers during the redevelopment of the Campbelltown Arts Centre.

Longer term there may be opportunities to consider how the facility is utilised as part of the broader revitalisation plans for the transformation of the surrounding city space, in particular the role that an activated theatre could play as part of the “Cultural Heart Precinct” which also incorporates other Council owned heritage assets within the immediate area.

The Theatre will be better promoted for use in the Community and will in turn be better utilised if it was to operate as a Council managed community facility. Should Council determine to manage bookings for the Theatre, formal discussion will need to be undertaken with THTMC and Council’s City Lifestyles and City Futures teams.

## **Attachments**

Nil

## 8.12 Local Government Remuneration Tribunal Determination

### Reporting Officer

Manager Governance and Risk  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

### Officer's Recommendation

1. That Council adopt the councillor and mayoral remuneration increase of 3.75 per cent effective 1 July 2024, as recommended by the Local Government Remuneration Tribunal.
2. That Council fix the remuneration fee for councillors at \$28,690 per annum representing an increase of 3.75 per cent for the 2024-25 financial year effective 1 July 2024.
3. That Council fix the remuneration fee for the mayor at \$76,190 per annum representing an increase of 3.75 per cent for the 2024-25 financial year effective 1 July 2024.

### Purpose

To advise Council that the Local Government Remuneration Tribunal has made a determination on the minimum and maximum fees payable to mayors and councillors for 2024-25.

### History

The Local Government Remuneration Tribunal was established to determine the categories for councils and the fees paid to mayors and councillors.

In accordance with Section 239 of the *Local Government Act 1993* (the Act), the Tribunal is required to make an annual determination on the fees payable to mayors and councillors to take effect from 1 July 2024. Sections 248 and 249 of the Act require councils to fix and pay an annual fee based on the Tribunal's determination.

## Report

Campbelltown City Council is classified as Metropolitan Medium for the purpose of this determination.

During the determination process, the tribunal reviewed key economic indicators, including the Consumer Price Index, and Wage Price Index, and found that the full increase of 3.75 per cent is warranted. Therefore, pursuant to Section 241 of the Act, the annual fees to be paid to Metropolitan Medium Centre category councillors and mayors ranges from \$15,370 - \$28,690 per annum for councillors, and an additional \$32,650 - \$76,190 per annum for the position of Mayor, effective 1 July 2024.

A link to the full Local Government Remuneration Tribunal Determination 2024 can be found at [LGRT-2024-Annual-Determination-29-April-2024.pdf \(nsw.gov.au\)](https://www.lgtrb.nsw.gov.au/LGRT-2024-Annual-Determination-29-April-2024.pdf).

## Attachments

Nil

## 8.13 Reports and Letters Requested

### Reporting Officer

Manager Governance and Risk  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.1.2 Ensure the community is continuously informed about current and future issues affecting Campbelltown and key delivery partners

### Delivery Program

Principal Activity
5.1.2.1 Communicate in a diverse, open and inclusive way that informs and engages our communities to build confidence and trust

### Officer's Recommendation

That the comments and updates to the reports and letters requested be noted.

### Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 4 June 2024.

### Attachments

8.13.1 Reports Requested Register (contained within this report) [↓](#)

8.13.2 Letters Requested Register (contained within this report) [↓](#)



## Reports requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates	Expected completion date
<b>City Services</b>			
12.9.23 Hunt	NM 11.2 Bus Stop Shelters  2. That Council, subject to confirmation of bus routes and service standards, review the current installation program of bus stop shelters and explore options to expand to meet community growth and expectations; and 3. That a report is presented on the information received and options to be considered.	Currently under review.	July 2024
13.12.22 Stellino	ORD 8.3 - Bin Locks - 12 Month Trial  3. A report on the findings be presented to Council after 3 months of the trial and before 12 months, whichever comes first.	12 month trial began in May 2023. The report findings will be presented at the November Council meeting. Following Cr Stellino's statement at the September Council meeting a report will be provided 12 months from date of the first bin latch being issued to the public, or 3 months after all the bin latches being distributed whichever comes first.	July 2024
13.10.22 Brsticevic	NM 11.3 Footbridge over Bow Bowing Creek  That Council: 1. provide a report on the feasibility of building a footbridge over Bow Bowing Creek (causeway) at Bow Bowing towards Minto. 2. Ensure the report includes particular reference to any current legislative requirements for pedestrian footbridges and addresses accessibility for those with mobility and/or disability issues. 3. That Council also advocate to the Member for Macquarie Fields in relation to the development of the bridge to seek funding to ensure it is built to an appropriate standard.	The feasibility report is currently being prepared.	July 2024

## Reports requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates	Expected completion date
<b>City Services</b>			
9.8.22 Chowdhury	<p>NM 11.4 - Grass Cutting</p> <p>1. That a briefing be presented to Councillors on the grass cutting maintenance program undertaken throughout the LGA, including the frequency during the four seasons; and</p> <p>2. That a report be presented that details the current maintenance program and the costs associated with increasing the frequency of the program to enhance a consistent look of the city.</p>	a report to be presented to Council at the June 2024 meeting as Item 8.5 on the agenda.	June 2024
8.3.22 Khalil	<p>NM 11.5 - Simmos Beach, Macquarie Fields</p> <p>That a report be presented to Council outlining ways to increase visitation to Simmos Beach, Macquarie Fields. The report should include:</p> <p>a) identification of any future enhancement works planned or required to improve the location.</p> <p>b) marketing opportunities to increase visitation and tourism.</p> <p>c) any environmental factors to be taken into account because of increasing visitation.</p> <p>d) any future resourcing considerations to enable an ongoing program of works and marketing activity.</p>	a report to be presented to Council at the June 2024 meeting as Item 8.6 on the agenda.	June 2024

## Reports requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates	Expected completion date
<b>City Planning and Environment</b>			
09.04.24 Cotter	<p>ORD 8.3 -Post Exhibition Report - Planning Proposal for 80 O'Sullivan Road, Leumeah</p> <p>1. That the matter be deferred for a Councillor briefing and brought back to Council as soon as possible..</p>	Deferred at Council meeting of 9 April 2024.	July 2024
09.04.24 Brsticevic	<p>ORD 8.2 - Draft Amendments to Menangle Park Development Control Plan</p> <p>1. That Council endorse the draft amendment to Volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (Part 8A – Menangle Park) for the purposes of public exhibition; and</p> <p>2. That further report be submitted to Council on the outcome of public exhibition.</p>	Public exhibition closed preparing report.	July 2024
26.03.24 Morrison	<p>ORD 8.3 - Draft Site Specific Development Control Plan - Glenlee Estate, Menangle Park</p> <p>3. That the outcome of the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 - (Part 8B - Glenlee Estate) be reported to Council with the outcome of the public exhibition of the associated Glenlee Estate Planning Proposal.</p>	Public exhibition closed preparing report.	July 2024

## Reports requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates	Expected completion date
<b>City Planning and Environment</b>			
13.02.24 Oates	<p>ORD 8.2 - Planning Proposal Request - Hollylea Road, Leumeah</p> <p>5. That following the completion of public exhibition either:</p> <p>a. where submissions are received by Council in response to public exhibition, a submissions report be presented to Council, or</p> <p>b. where no submissions are received by Council in response to public exhibition, the Planning Proposal be finalised.</p>	Waiting on Gateway Determination which will detail public exhibition requirements. Post exhibition report, if required expected early 2025	March 2025
13.02.24 Greiss	<p>ORD 8.3 Public Exhibition - Draft Regional Affordable Housing Contribution Scheme</p> <p>That item 8.3 Public Exhibition – Draft Regional Affordable Housing Contribution Scheme be deferred subject to further discussion with the NSW State Government.</p>	Matter Deferred	December 2024

### Reports requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates	Expected completion date
<b>City Futures</b>			
14.9.21 Oates	<p>NM 11.2 - Creative Arts Fund</p> <p>1. That a report be presented investigating the establishment/trial of a local creative arts fund with the purpose of providing opportunities to improve the wellbeing, resilience and social cohesion of our community through creative expression and social connection.</p> <p>2. That the report also include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council including the cost associated with these initiatives.</p>	A report is currently being drafted that investigates the opportunity of a local creative arts fund to improve our community's well-being, resilience, and social cohesion through creative expression and social connection. The report will include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council.	November 2024
13.10.20 Lake	<p>NM 11.1 - Charging for parking within the Campbelltown Local Government Area</p> <p>That a full feasibility report be presented to Council outlining the financial and non-financial implications of introducing paid parking into the Campbelltown Local Government Area.</p>	Further studies are required for paid parking to form a part of a parking strategy.	October 2024

### Reports requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates	Expected completion date
<b>City Lifestyles</b>			
14.05.24 Khalil	NM 11.3 - Ramadan Nights  1. That Council receive a report on the outcome of the recent Ramadan On Q event and the potential funding options to include it as an ongoing council event for the coming years.	Report currently being prepared	August 2024
10.10.23 Bricevic	4. That Council is presented with a quarterly report detailing the operational costs and utilisation of the facility.	The quarterly report will be provided to Council after the opening of the Billabong facility.	Quarter 4
12.09.2023 Oates	NM 11.1 Vernacular Housing 1. Investigate different ways to involve our local community in recognising and researching examples of disappearing vernacular styles of housing in Campbelltown suburbs; 2. Use the information gathered to create a page on the Library's local studies website to contain photos and a brief description of the styles.	Local Studies team will work on this as a project for History Week in September 2024.	July 2024
8.8.2023 Cotter	NM 11.5 -Library Design 3. That a report is presented to the council detailing the result of the consultation process, including costing and funding options.	Further investigation will commence detailing the result of the consultation process, including costing and funding options on the library design.	July 2024

## Reports requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates	Expected completion date
<b>City Governance</b>			
26.03.24 Chivers	<p>NM 11.1 - Campbelltown Theatre</p> <p>1. That a report be presented to Council on the occupation of Campbelltown Theatre by Campbelltown Theatre Group Inc. The report should include a summary of the existing occupation of the site and whether it is consistent with the community's needs, consideration of the general benefit in reverting back to a council – managed community facility and consideration for the provision of alternative function that may provide opportunity for greater utilisation by the Campbelltown community.</p>	a report to be presented to Council at the June 2024 meeting as Item 8.11 on the agenda.	June 2024
9.5.23 Chew	<p>NM 11.2 - Customer Experience</p> <p>1. That Council further investigate opportunities for enhancing measurement of customer experience. 2. That a report to Council detailing the outcomes and recommendation for customer experience metrics.</p>	The Customer Charter has been revised based on feedback and will be presented to the Executive for endorsement. The Customer Experience journey mapping review is now complete. As part of this project, we have completed internal and external engagement, identified improvements and mapped the priorities. The business is now working on the implementation plan.	July 2024
<b>Office of the General Manager</b>			
10.10.23 Morrison	<p>NM 11.1 - Campbelltown Ambassadorship Program</p> <p>That a report be presented to Council investigating the opportunity for development of a Campbelltown Ambassadorship Program that acknowledges significant contributions of individuals to our city and leverages their profile to promote Campbelltown.</p>	A model is currently being explored and consultation and benchmarking being undertaken.	July 2024



## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>City Planning and Environment</b>		
14.05.24 Stellino	NM 11.2 - Cat enclosure program for the protection of wildlife  2. That Council write to the local Members of Parliament seeking their support for the establishment of this community grant program	Letters included in the June business paper, dated 22.05.2024 sent to: Mr Nathan Hagarty MP, Member for Leppington The Hon Penny Sharpe MLC, Minister for Environment (cc The Hon Ron Hoenig MP, Minister for Local Government) The Hon Anoulack Chanthivong MP, Member for Macquarie Fields Mr Greg Warren MP, Member for Campbelltown
<b>City Lifestyles</b>		
14.5.24 Khalil	NM 11.3 - Ramadan Nights  2. That Council write to the relevant NSW Government Minister and local Members of Parliament seeking their support for NSW Government funding for this event in future years.	Letters currently being drafted
09.04.24 Oates	ORD 8.7 - Colonial History  3. That Council writes to our Federal and State Members of Parliament seeking their support for funding opportunities to undertake Heritage Event Programs in Campbelltown.	Letters included in the June business paper, dated 08.05.2024 sent to: Mr Greg Warren, Member for Campbelltown Mr Nathan Hagarty, Member for Leppington Dr Mike Freelander, Federal Member for Macarthur Mrs Anne Stanley MP, Federal Member for Werriwa The Hon Anoulack Chanthivong MP, Member for Macquarie Fields
26.3.24 Khalil	NM - 11.2 - Pickleball Courts  3. That Council write to our regions State and Federal MP's seeking their endorsement and support and financial contribution of the State and Federal Government's for the establishment of Pickleball Courts in the Campbelltown LGA.	Letters included in the June business paper, dated 16.05.2024 sent to: Mr Greg Warren, Member for Campbelltown Mr Nathan Hagarty, Member for Leppington Dr Mike Freelander, Federal Member for Macarthur Mrs Anne Stanley MP, Federal Member for Werriwa The Hon Anoulack Chanthivong MP, Member for Macquarie Fields

## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>City Futures</b>		
14.05.24 Chivers	NM 11.1 - Screen Culture  4. That Council write to the local Members of Parliament seeking their support for the establishment of this community opportunities.	Letters currently being drafted
26.03.24 Khalil	NM 11.3 - Minto Railway Station Improvements  1. That Council write to the Hon Jo Haylen, Minister for Transport, raising concerns about the lack of sufficient cover at Minto Station, including a roof covering the overbridge and ramps situated between the platforms, and advocating for improvements.	Letter sent to the Hon Jo Haylen, Minister for Transport on 15 April 2024
26.03.24 Morrison	NM 11.4 - Spring Farm Parkway - South Bound Ramps  That Council writes to the Hon Jo Haylen MP, Minister for Transport and the Hon John Graham MLC, Minister for Roads, Shadow Minister for Transport and Roads Natalie Ward and Mr Greg Warren, MP, Member for Campbelltown, The Hon Anoulack Chanthivong MP, Member for Macquarie Fields and Mr Nathan Hagarty MP, Member for Leppington, advocating for the delivery of South Bound Ramps at the M31 connection with Spring Farm Parkway, Menangle to enable traffic movement north and south on the M31 from the Menangle interchange, and minimise future disruption.	Letters sent on 15 April 2024 The Hon Jo Haylen, Minister for Transport The Hon John Graham MLC, Minister for Roads The Hon Natalie Ward, Shadow Minister for Transport and Roads The Hon Anoulack Chanthivong MP, Member for Macquarie Fields Mr Greg Warren, MP, Member for Campbelltown Mr Nathan Hagarty MP, Member for Leppington

## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>City Services</b>		
14.6.22 Hunt	ORD 7.1 - Koala Care and Treatment Facilities  2. That Council write to the new Federal Minister for the Environment and Water, the Hon. Tanya Plibersek MP, seeking funding for koala protection.	2. Letter sent 4 July 2022 to the new Federal Minister for the Environment and Water, the Hon. Tanya Plibersek MP.
9.8.22 Stellino	NM 11.1 - Koala Care  1. That Council write to the Minister for Environment and Heritage James Griffin MP requesting them not to administer the Chlamydia vaccine to koalas within our region for so long as no signs of Chlamydia are detected in the colony. 2. That Council include in the letter that Koala experts hold the opinion that there was no merit in trialling the vaccine in Campbelltown, since the disease is not present, the vaccine is not inheritable and we are already at maximum reproductive rates leading to only possible negative outcomes. 3. That Council include in the letter support for the rest of the program announced, including the Chlamydia testing machine to assist in detection of the disease as well as the allocation of state funds for habitat restoration of koala corridors in the Campbelltown Local Government Area. 4. That Council ask if the minister has allocated or intends to allocate funding towards koala carers in the region under the NSW Koala strategy. 5. That Council utilises the letter tabled by Councillor Stellino from Doctor Steve Phillips with the letter to the Minister for Environment and Heritage James Griffin MP.	Letters sent 15 November 2022 to the Hon James Griffin MP- Minister for the Environment and Heritage  Letter sent 4 July 2023 to Minister for Environment, the Hon. Penny Sharpe MLC.  Letter sent to the Hon. Penny Sharpe MLC on 25 August 2023.

## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>City Services</b>		
10.10.23 Stellino	<p>NM 11.2 New National Park</p> <p>1. That Council write to the Minister for Environment and Heritage, the Hon. Penny Sharpe MLC, thanking the NSW Government for the commitment of \$48 million in the 2023-24 NSW Budget to help establish a new National Park along the Georges River between Long Point and Appin, eventually covering up to 1830 hectares, with an aim to delivering long-lasting conservation benefits for Sydney's largest and healthiest koala populations.</p> <p>2. That Council write to the NSW Department of Environment and Heritage requesting details of the program for delivery of the new National Park and invite the department to present a briefing for councillors and any appropriate staff which includes the Department's position as to their plans to lock-out land previously accessible by the public.</p>	<p>Letter sent to Minister for Environment, the Hon Penny Sharpe MLC on 26 October 2023.</p> <p>Response received from Minister for Environment, the Hon Penny Sharpe MLC dated 9 February 2024.</p>
12.09.2023 Khalil	<p>8.8 Public Exhibition of Draft Lynwood Park Masterplan</p> <p>1. That Council write to our region's State and Federal Members of Parliament seeking their input and/or support of the Masterplan prior to its exhibition, noting the funding for delivery for such a plan will come from NSW and/or Commonwealth government(s).</p>	<p>Letters sent on 10 October 2023 to:</p> <ul style="list-style-type: none"> <li>- Member for Werriwa, Anne Stanley MP</li> <li>- Member for Camden, Sally Anne Quinell MP</li> <li>- Member for Campbelltown, Greg Warren MP</li> <li>- Member for Leppington, Nathan Hagarty MP</li> <li>- Member for Macquarie Fields, Anoulack Chanthivong MP</li> <li>- Member for Macarthur, Dr Mike Freeland MP</li> </ul>
12.09.2023 Hunt	<p>NM 11.2 - Bus Stop Shelters</p> <p>1. That Council write to Hon. Jo Haylen MP, Minister for Transport seeking a review of current bus routes and service standards in Campbelltown Local Government Area, with particular focus on vulnerable community groups such as schools, aged care;</p>	<p>Letter sent to Minister for Transport, the Hon Jo Haylen on 9 October 2023.</p>

## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>City Futures</b>		
13.10.22 Khalil	<p>NM 11.1 - Bus Services in Campbelltown LGA</p> <p>1. That Council writes to the Hon. David Elliott MP, Minister for Transport and Ms Jo Haylen MP, Shadow Minister for Transport and if appropriate to the Minister for Education and Shadow Minister for Education and to our local MP's advocating for the following:</p> <p>a) implementation of an enhancement to the bus service network in Macarthur Heights to improve the residents' access to Campbelltown Station.</p> <p>b) establish additional bus services for students to and from schools in Campbelltown Local Government Area to reduce traffic congestion outside the school and ensure greater safety for the school children.</p>	<p>Letters sent 3 March 2023 to:</p> <p>Member for Macquarie Fields, Anoulack Chanthivong MP</p> <p>Minister for Transport, the Hon David Elliott MP</p> <p>Member for Campbelltown, Greg Warren MP</p> <p>Shadow Minister for Transport , the Hon Jo Haylen MP</p> <p>Shadow Minister for Education, the Hon Prue Car</p> <p>Minister for Education and Early Learning, the Hon. Sarah Mitchell</p> <p>Responses received:</p> <p>Transport for NSW dated 4 December 2023.</p> <p>Shadow Minister for Education, the Hon Prue Car MP, referring the matter onto Shadow Minister for Transport, the Hon Jo Haylen MP, received on 3 March 2023.</p> <p>Member for Campbelltown, Greg Warren MP received dated 6 March 2023.</p>

## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>Office of General Manager</b>		
14.05.24 Munro	ORD 8.22 - Macarthur Centre for Sustainable Living - Membership contribution  That Council provide written notice to the Macarthur Centre for Sustainable Living advising that it will be withdrawing its membership contribution, providing a 6 month notice period.	Letter sent to the Macarthur Centre for Sustainable Living dated 17 May 2024 Response received from Macarthur Centre for Sustainable Living dated 27 May 2024 Letters included in the June business paper.
6.6.23 Brdicevic	NM- 11.2 Campbelltown Hospital Staff Parking  1. That Council writes to the federal Member for Macarthur, Dr Freeland, seeking his support to reallocate the \$15 million that was promised to Macarthur as part of the last government 2019 election to expand free parking in Campbelltown hospital and provide a cost of living relief to our residents attending the Campbelltown hospital in these hard times. 2. That council acknowledges and thanks Dr Mike Freeland and Mr Greg Warren MP for their past and ongoing advocacy for staff and community parking assistance at Campbelltown hospital.	Letter from the Hon Ryan Park MP, Minister for Health and Regional Health received on 31 May 2024, included in June business paper. Further correspondence sent to Dr Mike Freeland MP, Member for Macarthur on 30 April 2024. Further letter received from Dr Mike Freeland dated 7 February 2024, received 13 February 2024. Secondary letter received from Dr Mike Freeland dated 11 January 2024, received on 1 March 2024. Secondary correspondence sent to Member for Macarthur, Dr Mike Freeland on 13 December 2023. A response received from Member for Macarthur, Dr Mike Freeland on 7 July 2023. Letters to Dr Freeland MP and Mr Greg Warren MP were sent 23 June 2023.

## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>Office of General Manager</b>		
14.2.23 Bricevic	<p>NM 11.1 - Community and Justice Precinct</p> <ol style="list-style-type: none"> <li>1. That Council write to the Member/Candidate for the electorate of Campbelltown Greg Warren MP, shadow Attorney General Michael Daley, Opposition Leader Chris Minns seeking an election commitment to the redevelopment of the NSW Courts in Campbelltown to catalyse the Community and Justice Precinct.</li> <li>2. That Council write to the NSW Attorney-General, the Hon Mark Speakman MP, and the NSW Premier, the Hon Dominic Perrottet MP, seeking an election commitment to the redevelopment of the NSW Courts in Campbelltown to catalyse the Community and Justice Precinct.</li> <li>3. That Council write to the Member for Macarthur Dr Mike Freelander MP, Attorney General the Honourable Mark Dreyfus MP and the Prime Minister the Honourable Anthony Albanese MP seeking a commitment for a Federal Circuit and Family Court of Australia for the Community and Justice Precinct in Campbelltown.</li> <li>4. That Council write to the Shadow Attorney-General, Mr Julian Leeser MP, and the Leader of the Opposition, the Hon Peter Dutton MP, seeking a commitment for a Federal Circuit and Family Court of Australia for the Community and Justice Precinct in Campbelltown</li> </ol>	<p>11 December 2023 Letter sent to the Attorney General the Hon. Michael Daly MP via portal requesting a meeting to discuss the Campbelltown Community and Justice Precinct.</p> <p>4 April 2023 A further letter was sent to the new Attorney General the Hon. Michael Daley MP requesting a meeting to discuss the Community and Justice Precinct.</p> <p>28 March 2023 A response received from the office of the Hon. Peter Dutton MP, Leader of the Opposition and from the Hon. Mark Dreyfus KC MP, Attorney General and also on behalf of the Prime Minister, the Hon. Anthony Albanese MP.</p> <p>1 March 2023 A response received from the Hon Melinda Pavey MP on behalf of the Attorney-General, the Hon Mark Speakman MP.</p> <p>16 Feb 2023 Letters sent to Member/Candidate for the electorate of Campbelltown Greg Warren MP, Shadow Attorney General Michael Daley, Opposition Leader Chris Minns.</p> <p>15 Feb 2023 Letters sent to the Member for Macarthur Dr Mike Freelander MP, Attorney General the Honourable Mark Dreyfus MP, the Prime Minister the Honourable Anthony Albanese MP, the NSW Attorney-General, the Hon Mark Speakman MP, and the NSW Premier, the Hon Dominic Perrottet MP, the Shadow Attorney-General, Mr Julian Leeser MP, and the Leader of the Opposition, the Hon Peter Dutton MP.</p>

## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>Office of General Manager</b>		
14.02.2023 Briticevic	<p>1. That Council write to the Member for Macarthur Dr Mike Freelander MP, the Honourable Catherine King MP the Minister for Infrastructure, Transport, Regional Development and Local Government and the Prime Minister the Honourable Anthony Albanese MP seeking a financial commitment to the upgrade/expansion of Appin Road including underpasses and fauna protection measures similar to Labor's election promise to allocate \$50 million for the upgrade of Appin Road, being the most notorious road in the Macarthur region, if it won that election.</p> <p>2. That Council write to the Shadow Minister for Infrastructure, Transport, Regional Development, Senator the Hon Bridget McKenzie, and the Leader of the Opposition, the Hon Peter Dutton MP, seeking a financial commitment to the upgrade/expansion of Appin Road, including underpasses and fauna protection measures.</p> <p>3. That Council write to the Member/Candidate for Campbelltown Greg Warren MP, Shadow Minister for Transport Jo Haylen MP, Opposition Leader Chris Minns seeking an election commitment to the upgrade/expansion of Appin Road including underpasses and fauna protection measures similar to the Wollongong by-election promise of fifty million dollars in 2016.</p> <p>4. That Council write to the Minister for Transport David Elliott MP, the NSW Premier, the Hon Dominic Perrottet MP seeking an election commitment to the upgrade/expansion of Appin Road including underpasses and fauna protection.</p>	<p>All letters sent 16 February 2023.</p> <p>Response recieved from Member for Campbelltown, Greg Warren MP on 1 March 2023. Acknowledgement received from Opposition Leader, Chris Minns MP on 6 March 2023. Response received from the Hon Catherine King MP 28 June 2023 and letter dated 6 June 2023.</p> <p>Letter raising concerns regarding delays in approving koala protection efforts and upgrade to Appin Road Appin from Dr Mike Freelander MP to the Hon John Graham MLC, Minister for Roads dated 15 November 2023.</p>



## Letters requested effective 4 June 2024

Date of Decision Mover	Action Item	Comments / updates
<b>Office of General Manager</b>		
7.11.2023 Greiss Mayoral Minute	That the Mayor write to the Hon. Chris Minns with my proposal and offer him unconditional support in undertaking the state-led rezoning. It is my aspiration that we can secure the Council's endorsement of a preliminary Local Environmental Plan for public exhibition prior to the conclusion of this Council term.	Letter sent to the Hon Chris Minns MP dated 9 November 2023.
12.12.2023 Cotter	NM - 11.1 Emergency Room Wait Times  1. That Council write to the relevant Ministers and Deputy Secretary seeking action to improve Emergency Room wait times and patient comfort at Campbelltown Hospital. 2. That Council advocate to the State and Federal Governments and their respective opposition to focus on addressing the GP shortage in Campbelltown and Western Sydney. 3. That Council write to the relevant Ministers and Shadow Ministers as well as Deputy Secretary seeking funding for the development of Community Health Hub at Glenfield.	Responses received from the Hon Ryan Park MP GP shortage referring letter to the Federal Minister for Health and Aged Care, the Hon. Mark Butler MP on 1 February 2024. Glenfield Integrated Health Hub dated 30 January 2024 and Emergency Wait Times received on 6 March 2024.  Response recieved from South West Sydney Local Health District, Chief Executive, Sonia Marshall on behalf of Dr Kerry Chant dated 13 February 2024.  Letters sent 30 January 2024 to the Hon Ryan Park MP Minister for Health, Dr Kerry Chant Deputy Secretary, Population and Public Health NSW Health, the Hon Matt Kean, Shadow Minister for Health, the Hon Anoulack Chanthivong MP, the Hon Anne Ruston and the Hon Mark Bulter MP
13.02.2024 Bricevic	Item 7.6 - Western Sydney Bus Services - Stage 1  2. That the Council make representations to the relevant Ministers and Transport for NSW Secretary acknowledging the letter from Transport for NSW regarding the failure to deliver a rapid bus service between Campbelltown and Western Sydney Airport prior to its opening and imploring the government to re-prioritise funding to deliver on the commitment.	Letter recieved from the Hon Jo Haylen MP, Minister for Transport dated 30 May 2024, included in the June business paper. Response received via email on 4 March 2024 from the Hon Prue Car MP, refering onto the Minister for Transport the Hon Jo Haylen MP.  28 February 2024 Letter sent to the Hon Prue Car MP, Minister for Western Sydney and the Hon Jo Haylen MP. A copy of these letters were provided to the Member for Campbelltown, Mr Greg Warren MP and Member for Macquarie Fields, the Hon Anoulack Chanthivong MP. Letter was sent to Secretary of Transport for NSW, Josh Murray.

## 8.14 Statement of Business Ethics

### Reporting Officer

Manager Governance and Risk  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

### Officer's Recommendation

1. That the Statement of Business Ethics be adopted by Council.
2. That the review date be set as 30 June 2028.

### Report

The Statement of Business Ethics sets out the Standards of behaviour that Council expects from its private sector partners. These standards and behaviours relate to fair, ethical and honest dealings with Council and ensure that the best level of service is provided to the community.

Council's Statement of Business Ethics was recently reviewed, and it was established that the standards and principles in the Statement are consistent with Council's Code of Conduct and guidance from the NSW Independent Commissions Against Corruption (ICAC).

The Statement of Business Ethics will be made publicly available on Council's website.

### Attachments

8.14.1 Statement of Business Ethics (contained within this report) [↓](#)

CAMPBELLTOWN CITY COUNCIL

# STATEMENT OF BUSINESS ETHICS









## Message from the General Manager

Campbelltown City Council is committed to the highest standards of honesty, fairness and integrity in all business dealings. Council operates according to a Code of Conduct that sets out the standards of behaviour that Councillors and staff are expected to live by when dealing with other colleagues, our customers and suppliers, members of the public and the community.

Local government is increasingly drawing on the knowledge, skills, products and services provided by the private sector. It is very important that the standards of ethical behaviour expected of staff and Councillors are also maintained by members of the private sector in their dealings with Council.

This Statement of Business Ethics sets out the standards of behaviour that Council expects from its private sector partners. These standards of behaviour relate to fair, ethical and honest dealings with Council, and ensuring that the best level of service is provided to the community.

Ethical business partnerships are good for business and most importantly, are what the community expects from Council. It is therefore very important that all private providers comply with these standards.

Lindy Deitz  
Campbelltown City Council  
General Manager



Council’s corporate values



Helping to deliver the Campbelltown Community Strategic Plan



Operational  
Efficiency



Healthy and  
Engaged Employees



Trusted  
Leadership

## Business Principles

There are a number of core principles which underpin all of Campbelltown City Council's business dealings.

### **Obtaining the best value for money**

- This does not necessarily mean lowest price, but is determined by a number of factors including initial assessment relative to cost, quality, reliability, whole of life running costs and timeliness. The lowest price may offer best value if it meets other essential factors.

### **Impartiality and fairness**

- This means that Council will be objective, even-handed and reasonable through all stages of business dealings. Council's business dealings will be transparent and open to public scrutiny wherever possible, subject to confidentiality and privacy.

### **Compliance with legal and statutory obligations**

- This means that at all times Council is required to adhere to a range of legal and statutory obligations, in particular, the Local Government Act 1993, and its subsequent Regulation amendments since this time.

### **Modern Slavery**

- Council and its contractors will endeavour to ensure that its suppliers, subcontractors and other entities in its supply chain will comply with all laws relating to modern slavery practices including the requirements relating to its business operations and those of its affiliates and, to the extent applicable, their respective supply chains.

### **Conflict of interest**

A conflict would exist where you have a personal interest, or your relative, company, employer or other person known to you has an interest that could lead you to be influenced in the way you carry out your duties for Council. If a conflict of interest exist or arises, you must declare it to Council.

### **Gifts or benefits**

Council only permits the acceptance of gifts by Councillors or staff if they are a nominal or token value and does not create a sense of obligation. All gifts accepted and all offers of gifts whether token or not are required to be disclosed, and in many circumstances must be recorded in Council's Gift Register.

### **Council equipment and resources**

All Council equipment and resources should only be used for their proper official use.







## What you can expect from Council

When doing business with the private sector, Council employees will be expected to:

- respect and comply with Council's policies and procedures
- abide by all relevant laws and regulations
- deal fairly, honestly and ethically with all individuals and organisations
- use public resources effectively and efficiently
- avoid actual, potential or perceived conflicts of interest
- assess applications objectively, considering all relevant and material factors
- promote fair and open competition while seeking best value for money
- protect confidential information
- never solicit or accept any benefits from a provider for the discharge of official duties
- respond promptly to reasonable requests for advice and information
- be accountable and act in the public interest.

### Public comment

You must not make any public comment or statement that would lead anyone to believe that you are expressing the views or policies of Council.

### Sponsorship

Campbelltown City Council seeks and receives requests for financial and/or in-kind sponsorship from organisations, businesses and individuals to support specific events, promotions or other activities of Council.

It is essential that any sponsorship does not limit the Council's ability to carry out its functions fully and impartially, nor will sponsorship influence a Council decision.

All sponsorship arrangements must comply with Council's Grants, Sponsorship and Donation Policy and Corporate Sponsorship of Council Activities Policy.

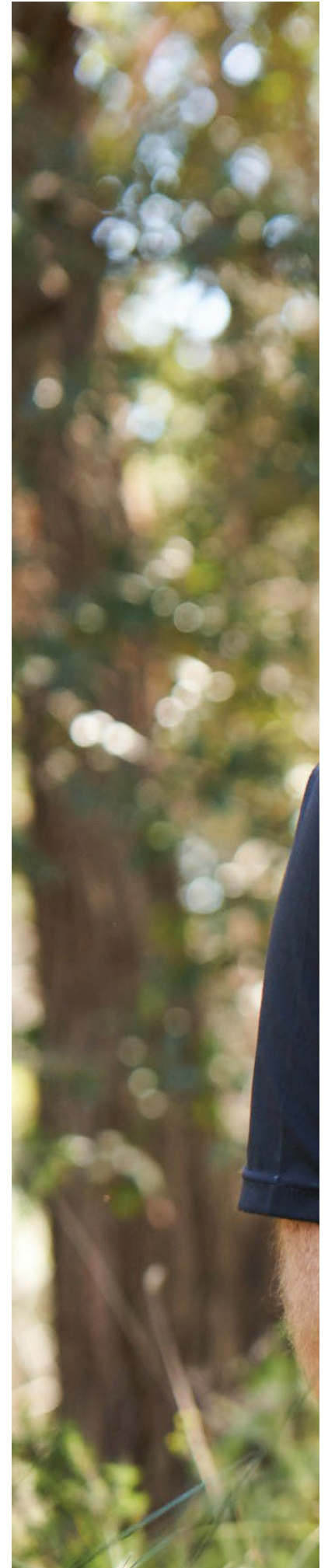
## What Council expects of you

We expect all private sector providers of goods and services, including contractors and sub-contractors, to abide by the following when doing business with Council:

- act ethically, fairly and honestly in all dealings
- commit to supporting ethical supplier practice.
- respect and comply with the conditions set out in documents supplied by Council
- respect the obligations of Council staff to abide by Council's policies
- declare actual, potential or perceived conflicts of interest
- provide accurate and reliable advice and information when require
- take all reasonable measures to prevent the disclosure of confidential Council information
- refrain from lobbying or canvassing Councillors or members of staff during the tender/quotation process
- refrain from offering Councillors or members of staff any financial or other inducement which may give any impression of unfair advantage
- refrain from discussing Council business or information in the media, without written consent
- assist Council to prevent unethical and fraudulent practices in our business practices
- acknowledge and understand the provisions of Council's Code of Conduct.
- deliver value for money.

### **Confidential and personal information**

You must abide by the privacy legislation and take care to maintain the security of any confidential or personal information you become aware of in your work with Council. Only those with a genuine need and authority should have access to personal information. If you have become aware of a breach of confidential or personal information, you must notify Council immediately.







## Why compliance is important

Campbelltown City Council requires all providers of goods and services to comply with this Statement of Business Ethics. The principles of this statement are consistent with the ethical requirements of other public sector agencies and are based on guidance from the NSW Independent Commission Against Corruption.

As such, compliance with this statement will advance the business objectives and interests of private sector providers in a fair and ethical manner, and providers' capacity to undertake public sector work with similar compliance requirements in the future.

Non-compliance with the ethical business requirements set out in this statement resulting in demonstrated corrupt or unethical conduct could lead to termination of contracts, loss of future work, loss of reputation, investigation for corruption and/or matters being referred for criminal investigation.

## Who to contact

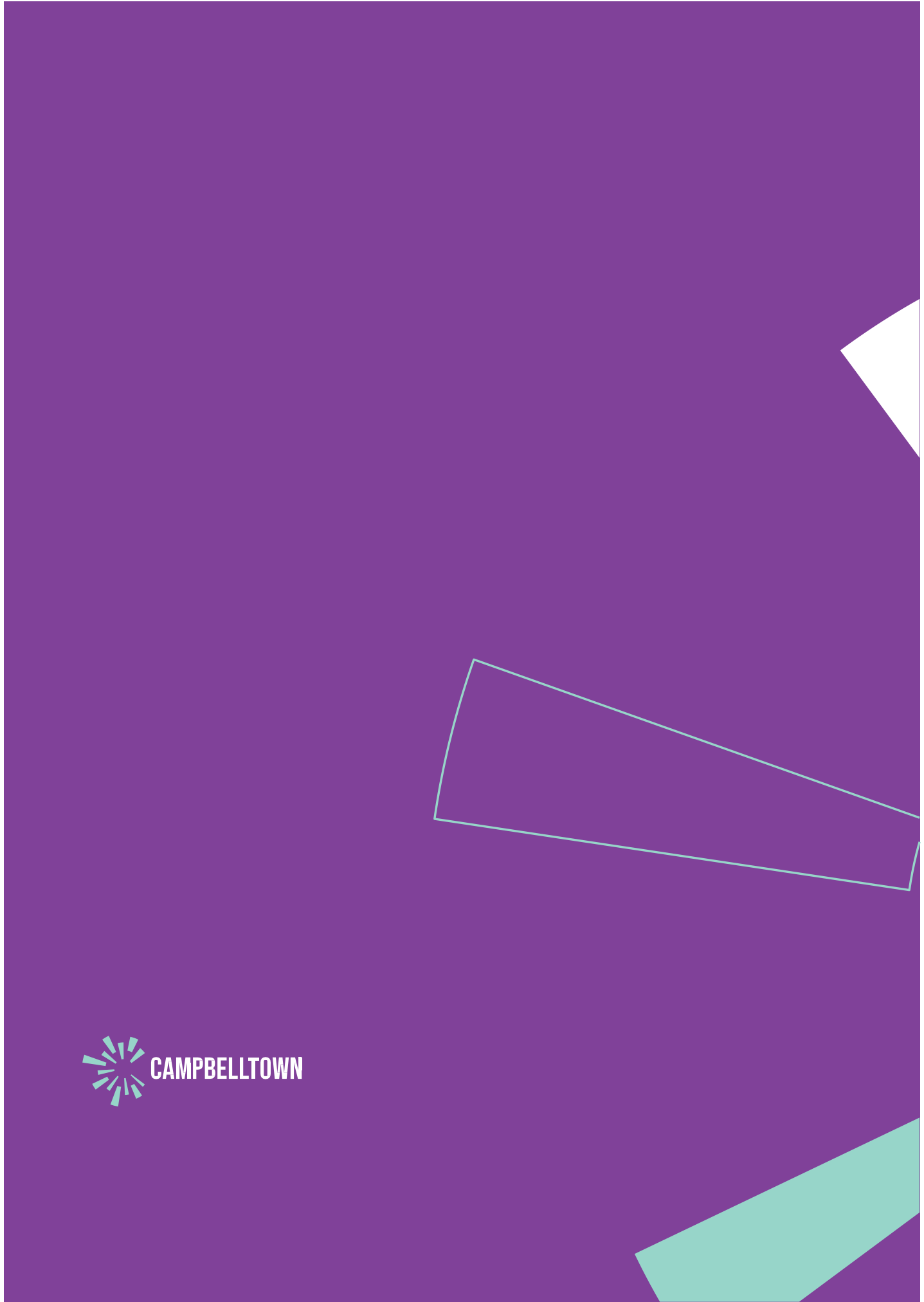
If you have any questions in relation to this statement or the provision of information about any apparent breach or suspected corrupt conduct, contact Council's Public Officer on 4645 4000.

People reporting corrupt conduct, maladministration, fraud or serious waste of public funds are protected by the *Public Interest Disclosures Act 2022*.

This Act protects individuals disclosing corruption-related matters from reprisal or detrimental actions and ensures that disclosures are properly investigated and dealt with.







## **8.15 Submission - Parliamentary Inquiry into Assets, Premises and Funding of the NSW Rural Fire Service**

### **Reporting Officer**

Executive Manager Corporate Services and Governance  
City Governance

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
5 Strong Leadership	5.2.1 Provide proactive and collaborative leadership on issues that are important to Campbelltown now and into the future

### **Delivery Program**

<b>Principal Activity</b>
5.2.2.4 Deliver financial sustainability through short, medium and long-term financial planning

### **Officer's Recommendation**

That Council note the submission to the Parliamentary Inquiry into Assets, Premises and Funding of the New South Wales Rural Fire Service.

### **Purpose**

To provide Council's submission to the New South Wales (NSW) Government's inquiry into the funding, maintenance, accounting and operational management of NSW Rural Fire Service (RFS) assets and premises.

### **History**

On 20 February 2024 the NSW Government announced a Parliamentary Committee inquiry into the NSW RFS assets and operations.

In particular, the parliamentary committee were asked to examine the arrangements for the assets, premises and funding of the NSW RFS. These assets and premises include:

- The Red Fleet
- firefighting aircrafts and equipment
- buildings and fire control centres
- information systems and communication equipment used for operating emergency services, and more.

The media released noted:

"We understand that many firefighting assets are 'vested' with councils to operate and maintain. This inquiry will be looking at the current arrangements between the NSW RFS and councils and whether they are effective and fit for purpose", said Mr Jason Yat – Sen Li, Committee Chair".

The Committee will also consider service arrangements between the NSW RFS and local councils, the appropriate role of local authorities in providing emergency services and the sustainability of local government contributions to emergency service provision.

As the lead agency, the NSW RFS has responsibilities for the provision of rural fire services including services for the prevention, mitigation and suppression of fires in rural districts. It works closely with local councils who have fire prevention responsibilities within their local government area and in which the NSW RFS brigades operate. How the NSW RFS and local councils share responsibilities for bushfire management and hazard reduction is a key area of interest for the inquiry.

## Report

Council places huge value on the NSW RFS and its critical role in protecting the people and wildlife of NSW from the dangers of bushfires.

In accordance with previous updates of the Local Government Code of Accounting Practice, Council assessed whether it controlled any rural firefighting equipment in accordance with Australian Accounting Standards and believe that the assets are not controlled by Council.

Simply put, Council has no say in the acquisition of the RFS assets, no involvement in their deployment, no visibility of location or movement, and no participation in the disposal process. This is purely facilitated by RFS volunteers and the brigades, directly supported and managed by the RFS.

Having said that, Council was advised that should we elect to not recognise the RFS assets, the Audit Office of NSW would have no option but to issue a qualified audit opinion. This left Council with no alternative other than to recognise these assets, given the potential reputational damage, potential intervention by the Office of Local Government via a performance improvement order, lack of eligibility for potential grant funding opportunities, lack of eligibility for NSW Treasury low-cost loan initiatives and impact on a General Manager's performance assessment.

Council feels strongly about the need to amend the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils and 'vested' in the RFS. This would align the ownership, care and control and subsequent recognition of these assets and associated depreciation expense.

## Attachments

8.15.1 Campbelltown City Council Submission Red Fleet Assets 2024 (contained within this report) [📄](#)





### **Submission to the Parliamentary Inquiry into Assets, Premises and Funding of the NSW Rural Fire Service**

Campbelltown provides this submission in response to the Parliamentary Inquiry regarding the funding, maintenance, accounting and operational management of New South Wales (NSW) Rural Fire Service (RFS) assets and premises, and more specifically regarding the impractical and financial impact on local council authorities having to account for RFS red fleet in their financial statements.

#### **Issue**

Whether the RFS or local council authorities should recognise red fleet assets and account for them in their financial statements.

#### **Background**

The RFS does not recognise red fleet assets. This position was presented and agreed to by the Audit Office in 2018. In 2020 the Audit Office requested Treasury undertake a review of the accounting treatment of these assets.

During the 2016-17 financial audits, increased focus was placed on accounting for RFS equipment, of which Council received mention in the audit management letter for the non-recognition of these assets stating "RFS assets, specifically the red fleet assets are vested in the Council and combined with other indicators, there is the presumption that they are controlled by the Council and should be recognised in Council's financial statements".

This continued for the proceeding years as the debate continued regarding the accounting treatment and who ultimately has care and control.

The Secretary of the Department of Planning and Environment wrote to the Auditor General, dated 7 June 2022, stating: "the State's position is that it does not control RFS assets. Councils need to assess whether they control any rural firefighting equipment in accordance with Australian Accounting Standards". The correspondence also makes clear that "The Minister for Local Government does not have legal authority to direct councils in this matter".

On 22 June 2022, the Auditor General wrote to councils to advise of the Report to Parliament 'Local Government 2021' being recently tabled. This report brought together findings and recommendations from the 2020-21 financial audits of local councils and comments on financial reporting and performance, internal controls and governance and areas of interest that are in focus during the conduct of the audits. The intent of the letter was to draw Council's attention to the specific findings and recommendations reported to Parliament about rural firefighting equipment vested to councils.

#### **Ownership, care and control – State's position**

The financial statements of the NSW Total State Sector and the RFS do not include these assets, with the State having the view that rural firefighting equipment that has been vested to councils under section 119 (2) of the *Rural Fires Act 1997* is not controlled by the State. In reaching this conclusion, the State argues, that on balance, it would appear the councils control the rural firefighting equipment that has been vested to them.

The Auditor General report outlined the RFS, a state government entity, has spent in excess of \$1.1 billion over the past 10 years on rural firefighting activities and equipment, all the while reiterating the State Government's position that it does not control this equipment.

The RFS advised it has a complete listing of the rural firefighting equipment vested to councils under section 119(2) of the *Rural Fires Act 1997* and provided this to the Department. The RFS also confirmed that as it does not control the equipment and is unable to confirm its value or condition. This information is contrary to what is happening in practice, namely that the transacting of purchases and sales of fleet and equipment happens through the State's Rural Fire Fighting Fund (the Fund) which holds all contributions required to meet the costs of the service and the Fund is maintained by NSW Treasury.

**Ownership, care and control – Council's position**

In accordance with previous updates of the Local Government Code of Accounting Practice, Council assessed whether it controlled any rural firefighting equipment in accordance with Australian Accounting Standards and had determined that the assets are not controlled by Council.

As defined in SAC 4, assets are future economic benefits controlled by the entity as a result of past transactions or other past events. This definition identifies three core characteristics:

- There must be future economic benefits
- an entity must have control over the future economic benefits
- the transaction or other event giving rise to an entity's control over the future economic benefits must have occurred.

SAC 4 defines the control of an asset to mean the capacity of the entity to benefit from the asset in the pursuit of the entity's objectives and to deny or regulate the access of others to that benefit. Paragraphs 24 to 28 of SAC 4 provides further detail regarding control by an entity. It is important to note that legal ownership is not synonymous with control over the future economic benefits of an asset; detailed analysis and assessment must be undertaken to determine whether an entity has control over an asset.

Per AASB 116, the cost of an item of property, plant and equipment shall be recognised as an asset if, and only if:

- It is probable that future economic benefits associated with the item will flow to the entity
- the cost of the item can be measured reliably.

Simply put, Council has no say in the acquisition of the RFS assets, no involvement in their deployment, no visibility of location or movement, and no participation in the disposal process. This is purely facilitated by RFS volunteers and the brigades, directly supported and managed by the RFS.

The stocktake and recognition of these assets is a tokenistic process that is a further impost on Council's resources and, also adds to significant depreciation expenses for assets over which Council have no management or control, which in turn impacts Council's operating performance result and sustainability ratios.

**Auditor Reports**

Council in assessing whether to recognise RFS assets or not, was made abundantly clear by the Audit Office of NSW that should Council choose not to recognise, that our financial statements would receive a qualified audit opinion. This left Council with no alternative other than to recognise, given the potential reputational damage, potential intervention by the Office of Local Government via a performance improvement order, lack of eligibility for potential grant funding opportunities, lack of eligibility for NSW Treasury low-cost loan initiatives or impact on the General Managers performance assessment.

**Summary**

Campbelltown City Council feels strongly about the need to amend the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils and 'vested' in the RFS. This would align the ownership, care and control and subsequent recognition and these assets and associated depreciation expense.

These assets, as detailed in Council's detailed assessment below, do not meet the asset recognition criteria as outlined in the Australian Accounting Standards or reflect the reality of the operational activities in practice.

Council does not deem control of RFS assets that are:

- specified and specialised as per the requirements of the RFS
- purchased by the RFS
- managed on a day-to-day basis by the RFS
- RFS trained personnel drive and operate the equipment
- deployed by the RFS as and when required within and outside of the Campbelltown LGA
- transferred, repurposed and sold by the RFS and all this without reference to Council or any resulting funds being received by Council.

**In practice**

Preparation of detailed budgets for RFS related activities	RFS
Approves and oversees procurement of assets	RFS
Holds firefighting equipment, uniforms, and protective clothing	RFS
Trains RFS volunteers	RFS
Coordinates RFS volunteers	RFS
Directs resources to outside districts	RFS (Commissioner)
Maintains fleet	Council - service agreement
Stocktakes	RFS
Insurance	RFS
Owens buildings that are occupied by RFS	Council - some of which on Crown land
Fleet registration	Council

In addition to the below Detailed Assessment regarding control and recognition of RFS assets, Council also considered the term 'vested', given this forms the basis of the State Government view that Council maintains control over RFS assets.

Put simply, the term vested is defined as the 'present ownership rights, absolute and fixed'. It is a right to an asset that cannot be taken away by any third party without the consent of the owner. Whilst Council provides a maintenance contribution towards RFS red fleet, which is reimbursed from the Fund each year; Council does not own, acquire or dispose of RFS assets. Insurance policies relating to RFS assets are also in the name of the RFS which indicates that any legal matters relating to damages and claims are the responsibility of the RFS

Furthermore, the 1996 Coronial Inquiry into the 1993-94 bushfires, outlined a key finding with respect to the management of Bush Fire Services relating to the problems with dual control of the Service by local authorities and the Department of Bush Fire Services. The Deputy State Coroner stated "what is required is a structured full time organisation, such as the Department of Bush Fire Services, to administer these organisations in respect of their District Fire Committee duties, unfettered from the interference of local Councils". The Court was of the opinion that the major problems which arose were brought about because of the grey area surrounding dual control. This further supports the need for the amendment of the *Rural Fires Act 1997*.

### **Campbelltown City Council Detailed Assessment**

In line with Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting, Council made an assessment as to whether it has control over RFS assets.

Council considered all factors in its assessment and noted the following:

<b>Control Criteria Assessment</b>	
There must be future economic benefits	There is no future economic benefit, or expectation thereof, embodied in the RFS assets that contribute to the flow of cash and cash equivalents to Council.
An entity must have control over the future economic benefits	<p>The definition of control should enable Council to benefit from an asset in the pursuit of its objectives and to deny or regulate the access of others to that benefit.</p> <p>This concept suggests that Council as the controlling entity can exchange, sell, retain and/or determine and direct the use of the asset.</p> <p>Under s119 of the RFS Act, the Commissioner is to seek concurrence of the council in which equipment is vested under to deal with incidents outside the council area. This concurrence is not sought</p>

	<p>or given from Campbelltown City Council by the RFS giving rise to the effect of no control of direct use the assets. Council does not have any right to direct the RFS as to how and where the assets are used.</p> <p>In practical terms, Council does not have control over what assets are purchased, sold or re-located by the RFS.</p>
The transaction or other event giving rise to an entity's control over the future economic benefits must have occurred	Council does not have control over RFS brigade management of their assets, nor control or economic benefit as a result of the purchase and or disposal of RFS assets.
<b>Recognition Criteria Assessment</b>	
It is probable that future economic benefits associated with the item will flow to the entity	Council does not have control over the purchase and disposal of the assets under the <i>Rural Fire Services Act 1997</i> . A council must not sell or dispose of an item without written consent of the Commissioner. Any credits associated with a sale will be paid to the credit of the fund including any amounts recovered by the RFS from losses through insurance.
The cost of the item can be measured reliably	<p>AASB16 makes no clear distinction between the initial costs of acquiring an asset and any subsequent expenditure on an item. All expenditure on item of IPPE must meet the asset recognition criteria to qualify as an asset or part of an asset.</p> <p>Further, future economic benefits include the assets ability to contribute to the entities objectives of delivery goods or services.</p>

Yours faithfully

*Signature has been removed*

Jai Rowell  
**Deputy General Manager | Director City Governance**

**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

## 11. NOTICE OF MOTION

### 11.1 Pre-election Commitment Update

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#### Notice of Motion

Councillor George Brticevic has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 11 June 2024.

1. That Council revisit the letter sent to and received by the Member for Campbelltown, Mr Greg Warren MP prior to the NSW Government election in March 2023, published in Council's Business Papers on 14 March 2023 at Item 7.3, and write to the Member for Campbelltown seeking an update on the progress to deliver policies to reduce the cost of living and tangible outcomes for Campbelltown LGA (Campbelltown electorate) such as, but not limited to:
  - a. Upgrading/expansion of Appin Road including underpasses and fauna protection measures
  - b. Providing a Service NSW centre for Campbelltown
  - c. Upgrading Campbelltown Stadium
  - d. Upgrading the Sydney Trains fleet to remove the [K]-Set trains from the network
  - e. To provide direct rail connection between Parramatta and Campbelltown by changing the timetable as soon as practicable
  - f. Accelerating stage two of the Spring Farm Parkway/M31 Hume Highway Interchange for south facing ramps
  - g. Upgrade to Beverly Park School
  - h. Policy for toll relief for the residents of Campbelltown LGA
  - i. A multi-level commuter car park for Leumeah station
  - j. Additional staffing for the newly developed \$632 million dollar expansion of Campbelltown Hospital.
2. That Council revisit the letter sent to and received by the Member for Macquarie Fields, Mr Anoulack Chanthivong MP prior to the NSW Government election in March 2023, published in Council's Business Papers on 14 March 2023 at Item 7.3, and write to the Member for Macquarie Fields seeking an update on the progress to deliver policies to reduce the cost of living and tangible outcomes for Campbelltown LGA (Macquarie Fields electorate) such as, but not limited to:
  - a. Providing a Service NSW centre within the Campbelltown LGA
  - b. Upgrading Macquarie Fields railway station with lifts
  - c. Upgrade Minto railway station with awnings over the ramps
  - d. A multi-level commuter car park for Minto and Ingleburn railway stations
  - e. Upgrading the Sydney Trains fleet to remove the [K]-Set trains from the network
  - f. To provide direct rail connection between Parramatta and Campbelltown by changing the timetable as soon as practicable
  - g. Policy for toll relief for the residents of Campbelltown LGA
  - h. Ensuring that the Macquarie Fields electorate receives its "Fair share".

3. That Council revisit the letter sent to and received by the then candidate, now Member for Leppington, Mr Nathan Hagarty MP prior to the NSW Government election in March 2023, published in Council's Business Papers on 14 March 2023 at Item 7.3, and write to the Member for Leppington seeking an update on the progress to deliver policies to reduce the cost of living and tangible outcomes for Campbelltown LGA (Leppington electorate).
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**12. URGENT GENERAL BUSINESS**

**13. PRESENTATIONS BY COUNCILLORS**

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Lease on Council Property - Blaxland Road, Campbelltown**

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

information that would, if disclosed, confer a commercial advantage on a competitor of the council.

### **14.2 Licences on Community Land - Scouts NSW**

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

commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **14.3 Lease of Council Premises - 261 Queen Street, Campbelltown**

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

information that would, if disclosed, confer a commercial advantage on a competitor of the council.

### **14.4 Extended Medical Leave Request**

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

-

personnel matters concerning particular individuals (other than Councillors).

