
Minutes Summary 25 October 2016

ITEM	TITLE	PAGE
1.	APOLOGIES	4
2.	CONFIRMATION OF MINUTES	4
2.1	Minutes of the Ordinary Meeting of Council held 16 August 2016	4
2.2	Minutes of the Extraordinary Meeting of Council held 27 September 2016	5
2.3	Minutes of the Extraordinary Meeting of Council held 4 October 2016	5
3.	DECLARATIONS OF INTEREST	5
	Pecuniary Interests - nil	5
	Non Pecuniary – Significant Interests	5
	Non Pecuniary – Less than Significant Interests	5
	Other Disclosures - nil	6
4.	MAYORAL MINUTE	6
	No mayoral minute this round	6
5.	PETITIONS	6
	No Petitions this round	6
6.	CORRESPONDENCE	6
6.1	The Hon Rick Colless MLC	6
6.2	The Hon Duncan Gay MLC	6
6.3	Planning and Environment - Office of Secretary	6
6.4	John Sidoti MP	7
6.5	Daryl Maguire MP	7
7.	REPORTS FROM OFFICERS	7
7.1	Disclosure of Pecuniary Interests 2016	7
7.2	Planning Proposal Request - Caledonia: Bensley, Mercedes and Oxford Roads, Ingleburn	7
7.3	Outcome of the Public Exhibition of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015	9
7.4	Minutes of Heritage Protection Sub Committee meeting held 18 August 2016	9

7.5	Construction and use of a new church building, construction of additional car parking areas, alterations to an existing building and associated civil landscaping works at No. 80 Demetrius Road, Rosemeadow	10
7.6	Construction of a four storey boarding house containing 18 boarding rooms at No. 17 Iolanthe Street, Campbelltown	10
7.7	Legal Status Report	10
7.8	Traffic Committee	11
7.9	Rail Noise Barrier Request at Ingleburn	11
7.10	Revised Policy - Community Development	11
7.11	Revised Policy - Access and Equity - People with Disability	12
7.12	Proposed road closure - section of land off Menangle Road, Menangle Park	12
7.13	Proposed dedication of roadway adjoining O'Sullivan Road, Leumeah	12
7.14	Financial Assistance Grant 2016-2017	13
7.15	Investment Report - July and August 2016	13
7.16	Monthly Rates Summary - September 2016	13
7.17	Exhibition of the Greater Macarthur Priority Growth Area Package	13
8.	QUESTIONS WITH NOTICE	14
8.1	Lysaght Road, Wedderburn	14
9.	RESCISSION MOTION	14
	No rescission motion this round	14
10.	NOTICE OF MOTION	14
10.1	Cemetery - Scenic Hills	14
10.2	Tennis Courts - Cleopatra Drive - Rosemeadow	15
10.3	Distribution of Rate Collection	15
10.4	Provision of Bus Services along Blaxland Road, Campbelltown	16
10.5	Divestment of Councils investment portfolio away from fossil fuels	16
11.	URGENT GENERAL BUSINESS	17
	No reports this round	17
12.	PRESENTATIONS BY COUNCILLORS	17
12.1	Presentations by Councillors	17
13.	CONFIDENTIAL REPORTS FROM OFFICERS	18
13.1	Directors of Companies - City Development	18
13.2	Request for Extension of Sick Leave	18

13.3	Compulsory acquisition of Council land at Glenfield by RMS	18
14.	URGENT CONFIDENTIAL GENERAL BUSINESS ITEM	18
14.1	38 Parliament Road, Macquarie Fields	19

Minutes of the Ordinary Meeting of the Campbelltown City Council held on 25 October 2016

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

Acknowledgement of Land

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

Council Prayer

The Council Prayer was presented by the General Manager.

1. APOLOGIES

Nil

2. CONFIRMATION OF MINUTES

2.1 Minutes of the Ordinary Meeting of Council held 16 August 2016

It was **Moved** Councillor Thompson, **Seconded** Councillor Lound that the Minutes of the Ordinary Meeting of Council held 16 August 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

2.2 Minutes of the Extraordinary Meeting of Council held 27 September 2016

It was **Moved** Councillor Lound, **Seconded** Councillor Thompson that the Minutes of the Extraordinary Meeting of Council held 27 September 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

2.3 Minutes of the Extraordinary Meeting of Council held 4 October 2016

It was **Moved** Councillor Greiss, **Seconded** Councillor Chowdhury that the Minutes of the Extraordinary Meeting of Council held 4 October 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

3. DECLARATIONS OF INTEREST

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

Pecuniary Interests - nil

Non Pecuniary – Significant Interests

Councillor Brticevic - Item 7.2 - Planning Proposal Request - Caledonia: Bensley, Mercedes and Oxford Roads, Ingleburn - Councillor Brticevic advised that a number of residents are known to him and that he will leave the Chamber during discussion and voting on this matter.

Non Pecuniary – Less than Significant Interests

Councillor Lake - Item 10.1 - Cemetery - Scenic Hills - Councillor Lake advised that as a former member of the Joint Regional Planning Panel he will leave the Chamber during discussion and voting on this matter.

Councillor Borg - Item 7.5 - Construction and use of a new church building, construction of additional car parking areas, alterations to an existing building and associated civic landscaping works at No. 80 Demetrius Road, Rosemeadow - Councillor Borg advised that he attends the church.

Councillor Thompson - Item 7.9 - Rail Noise Barrier Request at Ingleburn - Councillor Thompson advised that he resides in the vicinity.

Councillor Brticevic advised that he is an employee of the NSW Police Force and if he considers there may be a perceived conflict necessitating him to declare an interest, he will do so and if appropriate, leave the Chamber.

Other Disclosures - nil

4. MAYORAL MINUTE

No mayoral minute this round

5. PETITIONS

No Petitions this round

6. CORRESPONDENCE

6.1 The Hon Rick Colless MLC

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

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

6.2 The Hon Duncan Gay MLC

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

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

6.3 Planning and Environment - Office of Secretary

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

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

6.4 John Sidoti MP

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

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

6.5 Daryl Maguire MP

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

An **Amendment** was **Moved** Councillor Borg **Seconded** Councillor Thompson:

1. That Council write a further letter to the Minister for Emergency Services outlining the Government's announcement of the review of the NSW Fire Certification and request the reinstatement of the 37 metre Bronto fire service equipment in Campbelltown until such time as the review is completed.
2. That a copy of this letter be sent to all local Members of Parliament.

WON and became the Motion

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

7. REPORTS FROM OFFICERS

7.1 Disclosure of Pecuniary Interests 2016

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

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

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes and Oxford Roads, Ingleburn

Council Meeting 25 October 2016

Having declared an interest in regard to Item 7.2, Councillor Brticevic left the Chamber and did not take part in debate nor vote on this item.

In the absence of the Chair, the Deputy Mayor Councillor Oates chaired the meeting.

Meeting Note:

Ms Hart, Mr Watkiss, Mr Occhuito, Mr McGarry and Mr File addressed the meeting with regards to this item.

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

1. That Council support the Planning Proposal Request (application number 59/2016/E-LEPA) to rezone land in the following schedule:

- Lot 41 DP 1021880 (No. 26 Mercedes Road)
- Lots 55-68 (inclusive) Sec A2 DP 2189 (No. 28 Mercedes Road)
- Lot 25 DP 617465 (No. 9 Daimler Place)
- Lot 2 DP 550894 (No. 308 Bensley Road)
- Lot 1 DP 597774 (No. 306 Bensley Road)
- Lot 2 DP 597774 (No. 304 Bensley Road)
- Lot 3 DP 597774 (No. 302 Bensley Road)
- Lot 47 DP 595243 (No. 300 Bensley Road)
- Lot 4 DP 261609 (No. 233 Oxford Road)
- Lot 1 DP 261609 (No. 233 Oxford Road).

from its existing E4 Environmental Living Zone - two hectare/one hectare lot average to R5 large Lot Residential, R2 Low Density Residential and RE1 Public Recreation, in accordance with the draft Planning Proposal detailed in recommendation 2 below.

2. That Council forward the draft Planning Proposal (refer to attachment 4) to the Department of Planning and Environment for a Gateway Determination.
3. That Council use its delegation pursuant to Section 23 of the *Environmental Planning and Assessment Act 1979* to advance the draft Planning Proposal.
4. That subject to the Gateway Determination containing standard conditions, Council place the draft Planning Proposal on public exhibition for 28 days.
5. That at the conclusion of the public exhibition a report be submitted to Council detailing the outcomes of the public exhibition and a strategy for finalising the draft Planning Proposal Amendment.
6. That the outline Voluntary Planning Agreement Principles be guiding principles for a future Voluntary Planning Agreement.
7. That Council advise the applicant and all directly affected property owners of its decision; highlighting the foreshadowed additional investigations and strategy development required as the draft Planning Proposal is advanced.
8. That Council note that the Planning Proposal Request is the subject of a Pre-Gateway (Rezoning) Review.

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

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

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

Voting against the Council Resolution: nil.

At the conclusion of the discussion regarding Item 7.2, Councillor Brticevic returned to the Chamber for the remainder of the meeting and reassumed the chair.

7.3 Outcome of the Public Exhibition of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

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

1. That Council adopts Amendment No2 to the Campbelltown (Sustainable City) Development Control Plan 2015 as contained under attachment 3 of this report.
2. That Council give public notice of its decision in the two local newspapers in the prescribed manner in accordance with the *Environmental Planning and Assessment Act 1979* and the Environmental Planning and Assessment Regulation 2000.
3. That Council write to all persons who made a submission on the Draft Amendment No 2 to Campbelltown (Sustainable City) Development Control Plan 2015 advising of Council's decision.

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

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

Voting against the Council Resolution: nil.

7.4 Minutes of Heritage Protection Sub Committee meeting held 18 August 2016

It was **Moved** Councillor Lake, **Seconded** Councillor Rowell that the minutes be noted.

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

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

7.5 Construction and use of a new church building, construction of additional car parking areas, alterations to an existing building and associated civil landscaping works at No. 80 Demetrius Road, Rosemeadow

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

1. That development application 1385/2016/DA-C for the for the construction and use of a new church building, construction of additional car parking areas, alterations to an existing building and associated civil and landscaping works at No. 80 Demetrius Road, Rosemeadow be approved, subject to the conditions detailed in attachment 1 of this report.
2. That approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.

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

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

Voting against the Council Resolution was Councillors: Moroney.

7.6 Construction of a four storey boarding house containing 18 boarding rooms at No. 17 Iolanthe Street, Campbelltown

It was **Moved** Councillor Greiss, **Seconded** Councillor Chowdhury that development application 1215/2014/DA-MAH for the construction of a boarding house at No. 17 Iolanthe Street, Campbelltown be approved, subject to the conditions detailed in attachment 1.

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

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

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

7.7 Legal Status Report

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

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

7.8 Traffic Committee

It was **Moved** Councillor Hunt, **Seconded** Councillor Greiss that the recommendations of the Local Traffic Committee as detailed in the Minutes of the meeting held on 18 August 2016 be adopted.

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

7.9 Rail Noise Barrier Request at Ingleburn

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

1. That the information be noted.
2. That the head petitioner be informed of the outcome of the investigation undertaken by Transport for NSW.

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

1. That Council write to the Minister for Roads and Maritime Freight requesting that regardless of the outcome of the investigation that Council requests that the noise mitigation wall be constructed as soon as possible as requested by residents.
2. That Council write to the local Member of Parliament for Macquarie Fields requesting his support in this matter.

WON and became the Motion

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

7.10 Revised Policy - Community Development

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

1. That the revised Community Development Policy as attached be adopted.
2. That the Policy review date be set at 30 September 2019.

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

7.11 Revised Policy - Access and Equity - People with Disability

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

1. That the revised Access and Equity - People with Disability Policy as attached be adopted.
2. That the Policy review date be set at 30 September 2019.

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

7.12 Proposed road closure - section of land off Menangle Road, Menangle Park

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

1. That Council approve the closure of the unformed subject section of road off Menangle Road, Menangle Park and for an application to be forwarded to the NSW Department of Industry - Lands to effect such closure, if required.
2. That Council undertake a 28 day notification period under the provisions of the *Roads Act 1993* period and forward the relevant letters and responses to NSW Department of Industry - Lands for consideration with the existing road closure application.
3. That upon formal closure of the residue section of that part of Menangle Road, Menangle Park the land be classified as operational land.
4. That all documentation associated with the road closure be executed under the Common Seal of Council, if required.
5. That all documentation associated with the transfer of the section of closed road be executed under the Common Seal of Council, if required.

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

7.13 Proposed dedication of roadway adjoining O'Sullivan Road, Leumeah

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

1. That Council accept dedication of a strip of land from NSW Land and Housing Corporation for road widening purposes at O'Sullivan Road, Leumeah.
2. That all documentation associated with the dedication of the land be executed under the Common Seal of Council, if required.

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

7.14 Financial Assistance Grant 2016-2017

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

1. That the information be noted.
2. That the 2016-2017 Financial Assistance Grant budget be adjusted in the September 2016 quarterly review.

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

7.15 Investment Report - July and August 2016

It was **Moved** Councillor George, **Seconded** Councillor Thompson that the information be noted.

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

7.16 Monthly Rates Summary - September 2016

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

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

7.17 Exhibition of the Greater Macarthur Priority Growth Area Package

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

That Council make a formal submission to the NSW Department of Planning and Environment concerning the exhibition of the Greater Macarthur Priority Urban Growth Area in August to September 2016, addressing the matters raised in the above report.

An **Amendment** was **Moved** Councillor Lake, **Seconded** Councillor Oates:

1. That Council make a formal submission to the NSW Department of Planning and Environment concerning the exhibition of the Greater Macarthur Priority Urban Growth Area in August to September 2016, addressing the matters raised in the above report.
2. That as an addition to the submission that Council urge the NSW Government to pursue south facing ramps to the Hume Highway as a key element of the Greater Macarthur Priority Growth Area Infrastructure package.

WON and became the Motion

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

8. QUESTIONS WITH NOTICE

8.1 Lysaght Road, Wedderburn

Councillor Rowell - Lysaght Road, Wedderburn.

1. Could the General Manager give an update on discussions with Wollondilly Council regarding the possible opening up of Lysaght Road, Wedderburn.
2. Have there been any discussions with local residents and the Member for Campbelltown and Government officials and if so what outcomes or future strategies have been put in place.
3. Have Mayor Brticevic and Mayor Hannon been briefed on the talks between both Councils.

The Director City Delivery advised that Council has met with Wollondilly Council regarding this matter on 11 October 2014. Council has followed up this meeting with a letter to Wollondilly Council and has asked Wollondilly Council to provide their response in writing. Once Council has received the response a briefing will be provided to Councillors.

9. RESCISSION MOTION

No rescission motion this round

10. NOTICE OF MOTION

10.1 Cemetery - Scenic Hills

Council Meeting 25 October 2016

Having declared an interest in regard to Item 10.1, Councillor Lake left the Chamber and did not take part in debate nor vote on this item.

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

1. That an urgent report be presented investigating all possible avenues of appealing the recent zoning approval by the Joint Regional Planning Panel for a 136,000 plot cemetery within the Scenic Hills.
 2. That Council invite the Minister for Planning the Honourable Rob Stokes to inspect the Scenic Hills and Varroville House and/or meet with the Mayor and any other interested parties including members of the Scenic Hills Association and the owners of Varroville House Jacqui Kirkby/Peter Gibbs.
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3. That Council invite Greater Sydney Planning Commission District Commissioner Sydney South West Ms Sheridan Dudley to inspect the Scenic Hills and Varroville House and/or meet with the Mayor and any other interested parties including members of the Scenic Hills Association and the owners of Varroville House Jacqui Kirkby/Peter Gibbs.

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

A **Division** was called in regard to the Resolution for Item 10.1 - Cemetery - Scenic Hills with those voting for the Motion being Councillors Borg, Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Hunt, Lound, Manoto, Moroney, Morrison, Oates, Rowell and Thompson.

Voting against the Resolution: nil.

At the conclusion of the discussion regarding Item 10.1, Councillor Lake returned to the Chamber for the remainder of the meeting.

10.2 Tennis Courts - Cleopatra Drive - Rosemeadow

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

1. That a report be presented investigating the feasibility of turning the dilapidated tennis courts located at Cleopatra Drive, Rosemeadow into multipurpose courts.
2. That a further report be presented investigating the possibility of introducing other multipurpose courts and skate parks in the Local Government Area.

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

10.3 Distribution of Rate Collection

It was **Moved** Councillor Brticevic, **Seconded** Councillor George that a report be presented to Council on the options into a fairer distribution of rate collection across the Local Government Area due to the significant rate rises especially in the suburbs of Ingleburn, Macquarie Fields and Glenfield as a result of recent Valuer General evaluations.

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

10.4 Provision of Bus Services along Blaxland Road, Campbelltown

It was **Moved** Councillor Morrison, **Seconded** Councillor Borg that Council write to the Minister for Transport requesting the provision of bus services along Blaxland Road.

LOST

An **Amendment** was **Moved** Councillor Greiss **Seconded** Councillor Oates that Council write to the Member of Campbelltown Mr Greg Warren thanking him for his prompt representation to the Minister for Transport regarding the provision of bus services along Blaxland Road.

WON and became the Motion

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

10.5 Divestment of Councils investment portfolio away from fossil fuels

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

1. That Council recognises the damage to the local environment caused by coal and coal seam gas mining, as well as the global threat posed by anthropogenic climate change.
2. That Council notes the global shift in investment away from coal and coal seam gas.
3. That Council notes that high-profile, financially sustainable NSW Councils such as City of Sydney, Byron Shire and the City of Newcastle have all divested or begun divestment of their portfolios from institutions which invest in fossil fuels.
4. That Council requests the Executive Manager Corporate Services and Governance to prepare a report, to be presented to Council at the earliest convenience, investigating the feasibility of divesting Council's investment portfolio from any institutions which invest in fossil fuels. This report shall outline a potential process to gradually divest Council's term investments in a way which:
 - a. Does not break any term agreements, contracts or otherwise incur financial penalty.
 - b. Is compliant with Council's existing investment policy.
 - c. Ensures funds are invested at rates of interest comparable to or better than those offered by fossil fuel aligned financial institutions.

LOST

11. URGENT GENERAL BUSINESS

No reports this round

12. PRESENTATIONS BY COUNCILLORS

12.1 Presentations by Councillors

1. Councillor Borg thanked Council for the use of the Campbelltown Athletics Centre for the 24hr Walk Against Cancer. Councillor Borg noted that once again it was a very successful event with over 1500 walkers participating in the event.
2. Councillor Moroney noted that he has recently attended two wonderful events on behalf of the Mayor. The Share Care Twilight Ball was an outstanding event and raised over \$50,000 being raised to go towards respite care.

Councillor Moroney also attended the open day for Ostara. Ostara Australia is a national not-for-profit organisation that works closely with the Australian Government, member organisations, communities and employers to place people disadvantaged through age, health, disability or cultural background into sustainable employment.

3. Councillor Greiss congratulated Councillor Brticevic for chairing the first meeting under the new meeting structure and noted that the meeting has been very successful. Councillor Greiss asked that consideration be given to the reconfiguration of the Council Chamber to be more accommodating for staff, media and members of the public.
4. Councillor Thompson congratulated and thanked Councils Manager Governance and Risk for the Councillor support and dedication she has given since taking over. Councillor Thompson noted that Monique has done an amazing job.
5. Councillor Lake congratulated the Director City Lifestyles, Executive Manager Sport Recreation and Leisure Facilities and the Stadia Coordinator for their efforts and achievements with regards to the South Sydney Rabbitohs who have committed to playing games at Campbelltown Stadium in 2017.

Confidentiality Recommendation

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

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

The Ordinary Meeting of Council was adjourned at 9.33pm and reconvened as a meeting of the Confidential Committee at 9.34pm.

13. CONFIDENTIAL REPORTS FROM OFFICERS

13.1 Directors of Companies - City Development

It was **Moved** Councillor Thompson, **Seconded** Councillor Manoto that the information be noted.

CARRIED

13.2 Request for Extension of Sick Leave

It was **Moved** Councillor Borg, **Seconded** Councillor Hunt that Council grant additional leave to a maximum of four months sick leave after all forms of leave have been exhausted and authorisation for the use of the extended sick leave be at the discretion of the General Manager.

CARRIED

13.3 Compulsory acquisition of Council land at Glenfield by RMS

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

1. That Council accept the amended offer of compensation plus statutory interest from Roads and Maritime Services as outlined in the body of this report.
2. That the funds received be allocated to the Section 94 Contributions Plan for the Glenfield Urban Release Area.
3. That any documentation associated with the offer of compensation from Roads and Maritime Services be executed under the Common Seal of Council, if required.

CARRIED

14. URGENT CONFIDENTIAL GENERAL BUSINESS ITEM

It was **Moved** Councillor Greiss, **Seconded** Councillor Lound that the following item of Urgent Confidential General Business Item be accepted.

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

14.1 38 Parliament Road, Macquarie Fields

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

That based on the information provided by the Director City Development regarding the proposed Land and Environment Court conciliation conference to be held on Friday 28 October 2016, relating to the Class 1 appeal against Council's refusal of the development application for the construction of a boarding house on the subject site, Council instructs that subject to all remaining matters of contention being adequately addressed, that Council's representative can accept the recommendation of its legal advisers in regard to the continuation of the proceedings.

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

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

Voting against the Council Resolution: nil.

Motion

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 9.52pm.

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

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

There being no further business the meeting closed at 9.53pm.

Confirmed by Council on

..... General Manager Chairperson
