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

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

Acknowledgement of Land

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

Council Prayer

The Council Prayer was presented by the General Manager.

1. ACKNOWLEDGEMENT OF LAND

2. APOLOGIES

2.1 Request for Leave - Councillor Bob Thompson

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

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

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

3. CONFIRMATION OF MINUTES

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

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

242 The Motion on being Put was CARRIED.

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests - Nil

Non Pecuniary – Significant Interests - Nil

Non Pecuniary – Less than Significant Interests

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

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

Other Disclosures - Nil

5. MAYORAL MINUTE

5.1 2016 Community Building Partnership Funding Program

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

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

6. **PETITIONS**

No Petitions this round

7. CORRESPONDENCE

7.1 The Hon Catherine Cusack MLC - Street Lighting Reform

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

244 The Motion on being Put was CARRIED.

7.2 Department of Planning and Environment

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

245 The Motion on being Put was CARRIED.

7.3 Bronto Telescopic Platform

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

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

7.4 Greater Sydney Commission - Scenic Hills

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

An Amendment was Moved Councillor Oates Seconded Councillor Moroney:

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

Won and became the Motion

7.5 Member for Campbelltown - Mr Greg Warren MP

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

248 The Motion on being Put was CARRIED.

8. **REPORTS FROM OFFICERS**

8.1 Draft Menangle Park Planning Proposal - Outcome of Public Exhibition

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

It was Moved Councillor Lound, Seconded Councillor Lake:

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

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

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

Voting against the Council Resolution was Councillor: Moroney.

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

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

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

- 1. That Council endorse the revised draft Planning Proposal generally as shown under attachment 2 and forward it to the Department of Planning and Environment for gazettal.
- 2. That Council advise the residents who made a submission and the applicant of Council's decision.
- **250** The Motion on being Put was **CARRIED**.

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

Voting against the Council Resolution were: Nil.

8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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

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

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

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

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

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

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

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

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

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

Voting against the Council Resolution were: Nil.

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

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

It was Moved Councillor Oates, Seconded Councillor Moroney:

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

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

Voting against the Council Resolution were: Nil.

8.6 Bardia Heritage Precinct

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

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

8.7 Development Services Statistics October 2016

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

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

8.8 Legal Status Report

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

8.9 Sydney South West Planning Panel Representatives

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

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

8.10 Draft Open Space Strategic Plan 2016

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

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

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

It was Moved Councillor Hunt, Seconded Councillor Rowell:

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

8.12 Development of a Library Strategic Plan

It was Moved Councillor Oates, Seconded Councillor Chivers:

- 1. That Council endorse the development of a Strategic Plan for the Campbelltown City Council Library Service.
- 2. That the Mayor, or his delegate and Councillor Chivers be the Councillor Representatives on the Community Advisory Group.
- **260** The Motion on being Put was **CARRIED**.

8.13 Current conditions of Bensley Reserve Soccer Complex

It was Moved Councillor Lake, Seconded Councillor Greiss:

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

8.14 Installation of ancillary facilities at Macquarie Fields Skate Park

It was Moved Councillor Rowell, Seconded Councillor Lound:

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

8.15 Investigating the feasibility of multipurpose courts at Rosemeadow

It was Moved Councillor Rowell, Seconded Councillor Lound:

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

8.16 Draft Sport and Recreation Strategy for public exhibition

It was Moved Councillor Lake, Seconded Councillor Chowdhury:

- 1. That Council endorse the Draft Sport and Recreation Strategy for public exhibition from 9 January 2017 to 17 February 2017.
- 2. That a further report be presented to Council at the conclusion of the exhibition period, to consider any submissions with a view to adopt the strategy.
- 264 The Motion on being Put was **CARRIED**.

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

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

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

8.18 Hiring of bicycles and helmets at the Bicycle Education Centre

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

266 The Motion on being Put was CARRIED.

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

It was Moved Councillor Lound, Seconded Councillor Lake:

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

8.20 Draft Meeting Calendar for 2017

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

268 The Motion on being Put was CARRIED.

8.21 Reports and Letters Requested

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

8.22 External Audit of Financial Statements

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

- 1. That the information be noted.
- 2. That Council write to its existing contractor, Intentus Chartered Accountants advising them on the new audit arrangements.
- 270 The Motion on being Put was CARRIED.

8.23 Delegation of Authority - Christmas/New Year Recess

It was Moved Councillor Lake, Seconded Councillor Chivers:

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

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

Voting against the Resolution was Councillor Moroney.

8.24 Community Engagement Policy

It was Moved Councillor Chowdhury, Seconded Councillor Oates:

- 1. That the Community Engagement Policy as attached to this report be adopted.
- 2. That the Policy review date be set at 30 November 2019.
- 272 The Motion on being Put was CARRIED.

8.25 Western Sydney Airport - Final Environmental Impact Statement

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

273 The Motion on being Put was CARRIED.

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

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

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

8.27 Sport and Health Centre of Excellence Proposal

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

It was Moved Councillor Lake, Seconded Councillor Hunt:

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

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

Voting against the Resolution: Nil

Carried Unanimously

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

9. QUESTIONS WITH NOTICE

Nil at time of print.

10. RESCISSION MOTION

No rescission motion this round

11. NOTICE OF MOTION

11.1 Domestic Violence Framework

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

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

12. URGENT GENERAL BUSINESS

No reports this round

13. PRESENTATIONS BY COUNCILLORS

13.1 Presentations by Councillors

- 1. Councillor Oates advised that she has represented the Mayor at a number of school events and noted that our Local Government Area has such a diverse range of amazing teachers and a rich environment in terms of education.
- 2. Councillor Chowdhury advised that he represented that Mayor at Al-Faisal College, Broughton Anglican College and The Grange Public School.
- 3. Councillor Hunt advised that she has represented the Mayor at a number of events recently and gave a special mention to her attendance at the Special Olympics Annual Presentation. Councillor Hunt noted that there was so much energy in the room and advised that a total of 16 personal bests were achieved in 2016.
- 4. Councillor Hunt advised that she recently attended the conclusion event of the White Ribbon Day Convoy, noting that it was amazing to see so many young people in attendance and also congratulated Sarah Redfern High School students for declaring they will speak out against domestic violence.
- 5. Councillor Lound advised that he represented the Mayor at the Minto Go Carols, where a number of local primary schools come together to sign carols for the community. Councillor Lound advised it was a marvellous event.
- 6. Councillor Lound wished everyone a Merry Christmas and a Happy and Safe New Year. Councillor Lound also congratulated the Mayor on his leadership.
- 7. Councillor Greiss advised that he recently represented the Mayor at the SES Annual Presentation and noted that the SES are celebrating their 60th year and asked the Mayor if he would consider writing a letter of congratulations to the SES.
- 8. Councillor Greiss wished all Council employees, media, fellow Councillors and the community a Merry Christmas and a Happy New Year.
- 9. Councillor Rowell advised that he represented the Mayor at the Thomas Reddall High School presentation which was a great night and noted that the Principal, Deputy Principal and staff have done an amazing job.
- 10. Councillor Rowell wished staff, fellow Councillors, media and the people of our community a Merry Christmas and a Happy New Year.
- 11. Councillor Brticevic acknowledged and thanked fellow Councillors for representing him at a number of events and noted that he will be attending Beverley Park School tomorrow where he will be presented with art work by students.
- 12. Councillor Brticevic congratulated staff involved in the annual Christmas Carols event held at Campbelltown Stadium. The event was well received by the community.
- 13. Councillor Brticevic thanked all Councillors for their cohesion and good spirits over the past three months and noted that together they can move Campbelltown forward.
- 14. Councillor Brticevic wished all staff and Merry Christmas and Happy and Safe New Year. Councillor Brticevic thanked the General Manager for her efforts with regards to the smooth transition of the new Council.

Confidentiality Recommendation

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

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

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Directors of Companies - City Development

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

CARRIED

14.2 Director of Companies - City Delivery

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

CARRIED

Motion

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

278 The Motion on being Put was CARRIED.

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

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

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

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

Confirmed by Council on

..... General Manager Chairperson