

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 9 July 2019.

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 9 July 2019**

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**Present**           The Mayor, Councillor G Brticevic  
                  Councillor M Chowdhury  
                  Councillor B Gilholme  
                  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 B Thompson

## **1.     ACKNOWLEDGEMENT OF LAND**

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

### **Council Prayer**

The Council Prayer was presented by the Acting General Manager.

## **2.     APOLOGIES**

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

That an apology from Councillor M Chivers be received and accepted.

Note: Councillor R George and Councillor T Rowell have been granted a leave of absence from Council incorporating all meetings until further notice.

**125**   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 11 June 2019**

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

That the Minutes of the Ordinary Council Meeting held 11 June 2019, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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### 3.2 Minutes of the Extraordinary Meeting of Council held 25 June 2019

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

That the Minutes of the Extraordinary Council Meeting held 25 June 2019, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**127** 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**

Nil

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

The Mayor, Councillor Brticevic – Item 8.3 – Maryfields Draft Development Control. The Mayor, Councillor Brticevic advised he lives in close proximity to the subject land and while he has no financial interest or benefit in the decision he will leave the chamber.

Councillor Greiss – Item 8.6 – Result of Pre-Gateway Review – 194 Campbelltown Road, Denham Court. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Greiss – Item 8.11 – Western Sydney University Scholarships. Councillor Greiss advised he is an employee of the Western Sydney University and that he will leave the chamber.

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

Councillor Lound – Item 8.6 – Result of Pre-Gateway Review – 194 Campbelltown Road, Denham Court. Councillor Lound advised he is a member of the Sydney Western City Planning Panel but has declared his conflict with the Sydney Western City Planning Panel and is no longer present in the panel for this discussion or vote. Councillor Lound advised he will not leave the chamber as there is no longer a conflict of interest.

Councillor Oates – Item 8.6 – Result of Pre-Gateway Review – 194 Campbelltown Road, Denham Court. Councillor Oates advised she is a member of the Sydney Western City Planning Panel but has declared her conflict with the Sydney Western City Planning Panel and is no longer present in the panel for this discussion or vote. Councillor Oates advised she will not leave the chamber as there is no longer a conflict of interest.

Councillor Chowdhury – Item 14.1 – Grant of Easements – Willowdale Precinct 15 Park. Councillor Chowdhury advised he has a personal association with the owners of a neighbouring property and that he will leave the chamber.

**Other Disclosures**

Nil

**5. MAYORAL MINUTE****6. PETITIONS****7. CORRESPONDENCE**

Nil

**8. REPORTS FROM OFFICERS****8.1 Development Application Status**

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

That the information be noted.

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

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**8.2 Outcome of the 2019 Free Recyclables Drop Off Day**

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

1. That the results of the 2019 Free Recyclables Drop Off Day be noted.
2. That the operating hours of the Free Recyclables Drop Off Day in January 2020 be altered to 8am to midday on a trial basis.
3. That an additional Free Recyclables Drop Off Day be provided in August 2019 from 8am to midday on a trial basis.
4. That a further update be provided to Council following the Free Recyclables Drop Off Day in January 2020 advising on the outcome of the August and January trial events.

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

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**Meeting note:** Having declared an interest in Item 8.3 The Mayor, Councillor Brticevic left the Chamber at 6:59pm and did not take part in the discussion or vote on the matter. Councillor Lound assumed the Chair.

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### 8.3 Maryfields Draft Development Control Plan

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

1. That Council endorse public exhibition of the proposed draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.
2. That following completion of the public exhibition period, a further report be provided to Council to consider any public submissions and the making of the proposed draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, P Lake, B Moroney, W Morrison, B Thompson and G Greiss.

Voting against the Resolution were Nil.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.3 The Mayor, Councillor Brticevic returned to the Chamber at 7:00pm and resumed the Chair.

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### 8.4 Quarterly Legal Status Report 1 January 2019 to 31 March 2019

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

That the information be noted.

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

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### 8.5 Outcome of the Public Exhibition of Draft Amendment No. 7 to Campbelltown (Sustainable City) Development Control Plan 2015

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

1. That Council adopt draft Amendment No. 7 to the Campbelltown (Sustainable City) Development Control Plan 2015 as contained in attachment 1 of this report.
  2. That Council give public notice of its decision in the two local newspapers, in accordance with the *Environmental Planning and Assessment Act 1979* and the
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#### Environmental Planning and Assessment Regulation 2000.

A Division was recorded in regard to the Resolution for Item 8.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, P Lake, B Moroney, W Morrison, B Thompson and G Greiss.

Voting against the Resolution were Nil.

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

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**Meeting note:** Having declared an interest in Item 8.6 Councillor Griess left the Chamber at 6:46pm and did not take part in the discussion or vote on the matter.

### **8.6 Result of Pre-Gateway Review - 194 Campbelltown Road, Denham Court**

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

1. That Council note the decision of the Sydney Western City Planning Panel to support the submission of a draft Planning Proposal for a Gateway determination to enable long vehicles to access an approved service station at 194 Campbelltown Road Denham Court to the Gateway.
2. That Council notify the Department of Planning and Environment that it declines the offer of undertaking the role of the Planning Proposal Authority in this instance.

A Division was recorded in regard to the Resolution for Item 8.6 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, P Lake, B Moroney, W Morrison and B Thompson.

Voting against the Resolution were Nil.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.6 Councillor Griess returned to the Chamber at 6:57pm.

### **8.7 Campbelltown 2020 Bicentenary Program Update**

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

That the information be noted and a further report be presented to Council providing an update on the draft Campbelltown 2020 program in September 2019.

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

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## **8.8 Reports and Letters Requested**

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

That the information be noted.

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

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## **8.9 Privacy Management Policy**

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

1. That Council adopt the Privacy Management Policy.
2. That Council provide a copy of the Council's Privacy Management Policy to the Privacy Commissioner.

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

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## **8.10 Revised Access to Information Policy**

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

That Council approve the revised Access to Information Policy.

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

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**Meeting note:** Having declared an interest in Item 8.11 Councillor Griess left the Chamber at 6:40pm and did not take part in the discussion or vote on the matter.

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### 8.11 Western Sydney University Scholarships

**Meeting note:** Ms Iesha Gavaghan addressed the meeting.

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

That the recipients of the 2019 Campbelltown City Council scholarships awarded by Western Sydney University be acknowledged.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.11 Councillor Griess returned to the Chamber at 6:46pm.

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### 8.12 Investments and Revenue Report - May 2019

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

That the information be noted.

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

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### 8.13 2019 Local Government NSW Annual Conference

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

1. That Council nominate Councillor Gilholme, Councillor Lound, Councillor Manoto, Councillor Greiss, Councillor Oates, Councillor Morrison, Councillor Moroney, Councillor Chowdhury, Councillor Hunt as delegates for determination of motions and the board election at the 2019 Local Government NSW Annual Conference.
2. That other interested Councillors also be authorised to attend together with the General Manager and/or delegate.
3. That the registration fees and travel expenses be met in accordance with Council's Policy.

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

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## 9. QUESTIONS WITH NOTICE

### 9.1 Requesting a Council Tree

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Councillor Ben Moroney has given notice of the following Questions With Notice that will be asked at the Ordinary Meeting of Council held 09 July 2019.

1. How many residents have requested trees to be planted since the tree hotline initiative was launched?  
There have been 153 requests between November 2018 and June 2019.
  2. How many trees have been planted under this initiative?  
64 trees have been planted to date with the balance of trees to be planted by end August. Council advise the residents that the trees are planted between May and August in the cooler months as it is less stressful for the trees.
  3. What is the average wait time between requests being received and actioned?  
This is very difficult to provide due to all trees being planted in the cooler months and in accordance with a program that maximises the efficiency of planting rather than by order of request.
  4. How many requests are currently outstanding?  
There is currently 97 requests outstanding and these will be completed by the end of August. This represents 111 trees.
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### 9.2 Companion Animals Act

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Councillor Ben Moroney has given notice of the following Questions With Notice that will be asked at the Ordinary Meeting of Council held 9 July 2019.

1. Are Council staff aware that "greenhounds," greyhounds which have passed behavioural testing, are not required to be muzzled in public under Section 15 of the *Companion Animals Act*?  
Council staff are aware and are also aware that as of 1 July 2019, changes to the Companion Animals Regulation 2018 allow all greyhounds to be un-muzzled in a public area.
  2. Is there a specific reason Council still requires "greenhounds" to be muzzled in public along with untested greyhounds?  
Council acts in accordance with the relevant legislative requirements relating to muzzling of animals. Currently the only place a greyhound (not a greenhound) is required to be muzzled is within an off leash area.
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## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

### 11.1 Reimagining Campbelltown

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

1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.
2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.

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

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### 11.2 Fisher's Ghost Festival

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

1. That a report be provided to Council on the feasibility of holding an Over 55s dance event as part of the Fisher's Ghost Festival or other appropriate occasion.

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

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## 12. URGENT GENERAL BUSINESS

### 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 8 July attended the Flag Raising ceremony on the Council's front lawn as part of NAIDOC Community Day. Councillor Oates noted that this ceremony has occurred for a number of years, but this year had the largest crowd. Councillor Oates recalled the fantastic performances and noted the real spirit of reconciliation and celebration of what NAIDOC week means.
2. Councillor Meg Oates on 9 July attended Campbelltown Arts Centre and was honoured to open the exhibition, Voice. Treaty. Truth. The artworks in the exhibition have been produced by young people from Reiby and Cobram Youth Justice Centres. Councillor Oates commented on the beautiful artwork which showed art as a force to create identity and to give hope. Councillor Oates encouraged all of the community to view the exhibition.
3. Councillor Masood Chowdhury on 17 June attended Refugee Week celebrations at Campbelltown Council. The celebrations were a great welcome to the community and a celebration of human rights, culture and the diversity we have in the community.
4. Councillor Masood Chowdhury on 24 June attended the launch of Generation STEM (science, technology, engineering and mathematics). The program is a partnership with Campbelltown City Council and CSIRO and is targeted at local high school students to help them gain skills for the 21<sup>st</sup> Century job market. Councillor Chowdhury commented on how inspiring it was that eight local high schools have already signed up.
5. Councillor Masood Chowdhury with Councillor Hunt and Councillor Oates on 6 July attended the opening of Willowdale Park in Denham Court. The park is a wonderful community space that incorporates a full size basketball court, a bike and scooter path lots of trees that provide plenty of shade.
6. Councillor Karen Hunt on 21 June attended the launch of the 24 Hour Fight Against Cancer Macarthur. Councillor Hunt noted what a wonderful cause this is and that it is great to have so much support in the community.
7. Councillor Karen Hunt on 30 June attended Menangle Harness Racing Club for the Breeders Challenge Finals and the Len Smith Mile. Councillor Hunt also attended the unveiling of a memorial of fallen harness trainers and drivers who have lost their life due to race falls/ injuries.
8. Councillor Karen Hunt on 5 July attended the official opening of Winterland. Councillor Hunt shared that the event looks fantastic and was very inviting for families with a great set up including a huge Ferris wheel which looks magnificent.
9. Councillor Darcy Lound on 6 July attended the Kentlyn Rural Fire Brigade Awards Night at Wests League Club. Councillor Lound congratulated all recipients receiving recognition in particular Lido Turrin a volunteer who had completed 63 years of service. Councillor Lound noted the six award winners had completed a total of 192 years of service. Councillor Lound was honoured to be joined by Assistant Commissioner Jason Heffernan and Captain Steve Willis.

10. Councillor Rey Manoto with Councillor Chowdhury on 7 July attended the Festival of Tibet in honour of the 84<sup>th</sup> Birthday of the 14<sup>th</sup> Dalai Lama at Campbelltown Uniting Church. The festival was attended by Revend Abbot Dungyud Tulku Rinpoche of the Sakya Tharpa Ling Tibetan Buddhist Centre, Abbot Tsering Tachi, Sana Al Ahmar of the Macarthur Diversity Services Initiative, NSW Police representatives and representatives from the Aboriginal Community. Councillor Manoto noted that this was the first time this festival has been held in Campbelltown and thanked the Tibetan community for their contribution to the wider community.
11. Councillor Ben Gilholme with Councillor Chowdhury, Councillor Chivers and Councillor Hunt on 21 June attended Into the Night at Oxford Road, Ingleburn to celebrate the longest night of the year. Councillor Gilholme commented that it was wonderful to see so many locals enjoying the evening with stargazing, a kids playground, ice skating and a public piano. Councillor Gilholme noted the local business becoming involved who provided food options for those in attendance.
12. Councillor Ben Gilholme on 7 July attended the 30<sup>th</sup> birthday celebrations at Rosemeadow Anglican Church. In attendance to celebrate the church's birthday was Archbishop Sydney Glen Davis, Senior Minister Brett Hall and Mike Frelander MP. Councillor Gilholme noted it was great to see how the congregation has grown.
13. Councillor Ben Gilholme on 9 July attended the Winterland quiet hour. Councillor Gilholme shared how wonderful it was to see the joy in the children and adults that were able to enjoy the Winterland experience. Councillor Gilholme shared the story of a young boy and his wonderful experience riding the Ferris wheel. Councillor Gilholme shared with Council the feedback he had received as parents are really appreciative of the quiet hour as there is no judgement around behaviours.
14. Councillor Warren Morrison thanked Council for their support for 24 Hour Fight Against Cancer Macarthur with a special mention to the Mayor for being the Patron, Councillor Hunt for representing the Mayor at the launch and Councillor Lake for his attendance. Councillor Morrison thanked the community for their support noting that \$4.3m had been raised for Campbelltown Hospital, noting that some of these funds had been used to secure a McGrath Foundation nurse. Councillor Morrison again thanked Council and the community for their time and support for this cause.
15. Councillor Warren Morrison on 5 July attended the opening of Winterland at Koshigaya Park. Councillor Morrison noted that it was a great initiative to bring to Campbelltown and is sure the event will be enjoyed by many over the coming weeks.
16. Councillor Warren Morrison passed on his thanks to Councillor Oates for her contribution to NAIDOC week.
17. Councillor Warren Morrison on 9 July also attended the opening of the exhibition Voice. Treaty. Truth. at Campbelltown Arts Centre and noted that all prints have been sold.
18. Councillor Bob Thompson passed on this thanks to Councillor Morrison and his commitment to take on the role of Chairperson for the 24 hour Fight Against Cancer Macarthur. Councillor Thompson thanked Councillor Gilholme for his efforts and commitment to those with disabilities. Councillor Thompson thanked the Mayor and the community.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of items 14.1, 14.2, 14.3, 14.4 and 14.5 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

**Item 14.1 Grant of Easements - Willowdale Precinct 15 Park**

Item 14.1 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**Item 14.2 Tharawal Aboriginal Corporation Proposal for New Medical/Clinical Centre**

Item 14.2 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**Item 14.3 Proposed Road Closure part of Culverston Road, Minto**

Item 14.3 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**Item 14.4 Proposed Sale of Land, Macquarie Fields**

Item 14.4 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**Item 14.5 Proposed Exclusivity Agreement - Council Land**

Item 14.5 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

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

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**The Ordinary Meeting of Council was adjourned at 7.56pm and reconvened as a meeting of the Confidential Committee at 7.57pm.**

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## Recommendations of the Confidential Committee

### 14.1 Grant of Easements - Willowdale Precinct 15 Park

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

1. That Council approve the granting of five easements over Lot 1501 DP 1218623 as outlined in the body of this report.
2. That once resolution is granted, the easements on title are lodged for registration at NSW Land Registry Service.
3. That all documentation associated with the granting of easements be executed under the Common Seal of Council, if required.

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

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### 14.2 Tharawal Aboriginal Corporation Proposal for New Medical/Clinical Centre

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

1. That Council agrees to the transfer of the property noted below, under the terms and conditions contained in the Conclusion section of this report.
2. That all documentation associated with the transfer be executed under the Common Seal of Council, if required.

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

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### 14.3 Proposed Road Closure part of Culverston Road, Minto

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

1. That Council approve the closure of a section of Culverston Road, Minto as shown on the attached plan and the creation of easements for services if required.
  2. That upon formal closure of a section of Culverston Road, Minto the land be classified as operational.
  3. That all documentation associated with the closure of a section of Culverston Road,
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Minto be executed under the Common Seal of Council.

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

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**Meeting note:** Having declared an interest in Item 14.4 Councillor Chowdhury left the Chamber at 8:00pm and did not take part in the discussion or vote on the matter.

#### **14.4 Proposed Sale of Land, Macquarie Fields**

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

1. That Council offers the land described below for sale, on the terms and conditions contained in this report.
2. That all documentation associated with any sale of the land be executed under the Common Seal of Council, if required.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 14.4 Councillor Chowdhury returned to the Chamber at 8:01pm.

#### **14.5 Proposed Exclusivity Agreement - Council Land**

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

1. That Council enters into a confidential six month Exclusivity Agreement with the entity named in this report, on the terms and conditions outlined below.
2. That a further update be provided to Council at the appropriate time, reflecting progress achieved or other major outcomes arising.

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

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

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

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.17pm.**

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

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

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

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There being no further business the meeting closed at 8.18pm.

Confirmed by Council on

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