

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

**Ordinary Council Meeting held at 6.30pm on Tuesday, 10 March 2020.**

ITEM	TITLE	PAGE
1.	<b>ACKNOWLEDGEMENT OF LAND</b>	<b>3</b>
2.	<b>APOLOGIES/LEAVE OF ABSENCE</b>	<b>3</b>
2.1	Request for Leave of Absence - Councillor Lake	3
3.	<b>CONFIRMATION OF MINUTES</b>	<b>4</b>
3.1	Minutes of the Ordinary Meeting of Council held 11 February 2020	4
3.2	Minutes of the Extraordinary Meeting of Council held 18 February 2020	4
4.	<b>DECLARATIONS OF INTEREST</b>	<b>4</b>
	Pecuniary Interests	
	Non Pecuniary – Significant Interests	
	Non Pecuniary – Less than Significant Interests	
	Other Disclosures	
5.	<b>MAYORAL MINUTE</b>	<b>5</b>
5.1	Community Service Award's - Wayne Benson, Pauline James and Tanya Whitehouse	5
6.	<b>PETITIONS</b>	<b>5</b>
7.	<b>CORRESPONDENCE</b>	<b>5</b>
7.1	Development Applications	5
7.2	Local Government Election Costs	5
8.	<b>REPORTS FROM OFFICERS</b>	<b>6</b>
8.1	Development Application Status	6
8.2	Menangle Park - Draft Planning Proposal	6
8.3	Amendment to Campbelltown (Sustainable City) Development Control Plan - Seniors Living Developments	7
8.4	Outcome of the 2020 Free Recyclables Drop Off Day	7
8.5	Application to Revoke Dangerous Dog Declarations	8
8.6	Mt Gilead - Draft Planning Proposal	8

8.7	Investments and Revenue Report - January 2020	9
8.8	Reports and Letters Requested	9
8.9	Sundry Debtor Write-offs March 2020	9
8.10	Delivery Program - Six Monthly Progress Report	10
8.11	Revised Campbelltown City Council Collection Policy	10
8.12	Latest Findings on Climate Change	10
<b>9.</b>	<b>QUESTIONS WITH NOTICE</b>	<b>11</b>
	Nil	
<b>10.</b>	<b>RESCISSION MOTION</b>	<b>11</b>
	Nil	
<b>11.</b>	<b>NOTICE OF MOTION</b>	<b>11</b>
11.1	Flag Raising Day	11
<b>12.</b>	<b>URGENT GENERAL BUSINESS</b>	<b>11</b>
<b>13.</b>	<b>PRESENTATIONS BY COUNCILLORS</b>	<b>12</b>
<b>14.</b>	<b>CONFIDENTIAL REPORTS FROM OFFICERS</b>	<b>15</b>
	Confidentiality Recommendation	
	Recommendations of the Confidential Committee	
14.1	Campbelltown Sports Stadium Procurement Opportunity	16
14.2	Lease of a Council Property	16
14.3	Lease of Council Land	17
14.4	Licence Agreement over Council Land, Kentlyn	17
14.5	General Manager's Contract Renewal and Performance Review	17
14.6	Land Transfer Agreement	18

## Minutes of the Ordinary Meeting of the Campbelltown City Council held on 10 March 2020

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**Present**

The Mayor, Councillor G Brticevic  
 Councillor M Chivers  
 Councillor M Chowdhury  
 Councillor B Gilholme  
 Councillor G Greiss  
 Councillor K Hunt  
 Councillor D Lound  
 Councillor R Manoto  
 Councillor B Moroney  
 Councillor W Morrison  
 Councillor M Oates  
 Councillor T Rowell  
 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 General Manager.

### 2. APOLOGIES/LEAVE OF ABSENCE

#### 2.1 Request for Leave of Absence - Councillor Lake

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

That Councillor Paul Lake be granted a leave of absence from the Council meeting on Tuesday 10 March 2020.

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

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

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### 3. CONFIRMATION OF MINUTES

#### 3.1 Minutes of the Ordinary Meeting of Council held 11 February 2020

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

That the Minutes of the Ordinary Council Meeting held 11 February 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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#### 3.2 Minutes of the Extraordinary Meeting of Council held 18 February 2020

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

That the Minutes of the Extraordinary Council Meeting held 18 February 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**024** 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 Chivers – Item 8.2 – Menangle Park - Draft Planning Proposal. Councillor Chivers advised she has a pecuniary interest and that she will leave the chamber.

Councillor Chowdhury – Item 14.3 – Lease of Council Land. Councillor Chowdhury advised he has a pecuniary interest and that he will leave the chamber.

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

Councillor Lound – Item 8.2 – Menangle Park - Draft Planning Proposal. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Greiss – Item 8.2 – Menangle Park - Draft Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Lound – Item 8.6 – Mt Gilead - Draft Planning Proposal. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

Councillor Greiss – Item 8.6 – Mt Gilead - Draft Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and that he will leave the chamber.

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

Nil

## **Other Disclosures**

Nil

## **5. MAYORAL MINUTE**

### **5.1 Community Service Award's - Wayne Benson, Pauline James and Tanya Whitehouse**

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

That Wayne Benson, Pauline James and Tanya Whitehouse be presented with Community Service Award's in recognition of their contributions to the Campbelltown community.

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

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**Meeting note:** The Mayor, Councillor Brticevic presented a community service award to Tanya Whitehouse.

## **6. PETITIONS**

## **7. CORRESPONDENCE**

### **7.1 Development Applications**

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

That the letters be received and the information be noted.

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

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### **7.2 Local Government Election Costs**

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

That the letter be received and the information be noted.

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

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## **8. REPORTS FROM OFFICERS**

### **8.1 Development Application Status**

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

That the information be noted.

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

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**Meeting note:** Having declared an interest in Item 8.2 Councillor Chivers, Councillor Greiss and Councillor Lound left the Chamber at 6:49pm and did not take part in the discussion or vote on the matter.

### **8.2 Menangle Park - Draft Planning Proposal**

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

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Menangle Park Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
2. That Council note that the proponent has committed to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure and monetary contributions relating to the Menangle Park Urban Release Area which will be the subject of a future report.
3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
4. That following the public exhibition a report on any submissions received be presented to Council.
5. That Council exercise via the General Manager the 'approval' functions of the Minister under Section 3.31 (3)(b) of the EP&A Act, to 'make' the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Bricevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.2 Councillor Chivers, Councillor Greiss and Councillor Lound returned to the Chamber at 6.51pm.

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### **8.3 Amendment to Campbelltown (Sustainable City) Development Control Plan - Seniors Living Developments**

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

1. That Council endorse the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.
2. That following completion of the public exhibition period, where submissions have been received, a further report be provided to Council to consider the submissions prior to the making of the draft amendment.
3. That where no submissions are received during the exhibition period, the draft Plan be adopted and commenced upon public notification being completed in accordance with the Environmental Planning and Assessment Regulations, 2000.

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

Voting against the Resolution were Nil.

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

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### **8.4 Outcome of the 2020 Free Recyclables Drop Off Day**

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

1. That the results of the August 2019 and January 2020 Free Recyclables Drop Off Day trial events be noted.
  2. That the Christmas time Free Recyclables Drop Off Day be moved to a date in February on an ongoing basis, starting from 2021.
  3. That an additional Free Recyclables Drop Off Day be held annually in August, commencing 2020.
  4. That both events operate from 8am to midday.
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5. That the dates for the Free Recyclables Drop Off Days be promoted to ensure a smooth transition to the revised arrangements.

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

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## **8.5 Application to Revoke Dangerous Dog Declarations**

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

1. That the Dangerous Dog Declarations made on 10 May 2016, in respect of a female Staffordshire Terrier/Boxer cross and male Boxer be revoked in accordance with provision Section 39 (2)(a) *Companion Animals Act, 1998*.
2. That Council give notice to the owner of the dog and to the Director General Division of Local Government of the revocation of the Dangerous Dog Declarations referred to in 1 above within seven days in accordance with the provisions of Sections 39 (3) and 40 (2) *Companion Animals Act, 1998*.

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

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**Meeting note:** Having declared an interest in Item 8.6 Councillor Greiss and Councillor Lound left the Chamber at 6:55pm and did not take part in the discussion or vote on the matter.

## **8.6 Mt Gilead - Draft Planning Proposal**

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

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Mt Gilead Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
  2. That Council note that the proponent has committed to amend the existing Voluntary Planning Agreement with Council for the provision of all local infrastructure required to support the incoming population which will be the subject of a future report.
  3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
  4. That following the public exhibition a report on any submissions received be presented to Council.
  5. That Council exercise via the General Manager the 'approval' functions of the Minister
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under Section 3.31 (3)(b) of the EP&A Act, to make the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

A Division was recorded in regard to the Resolution for Item 8.6 with those voting for the Motion being Councillors G Bricevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.6 Councillor Greiss and Councillor Lound returned to the Chamber at 6.56pm.

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## **8.7 Investments and Revenue Report - January 2020**

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

That the information be noted.

**034** 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 Thompson, **Seconded** Councillor Lound:

That the information be noted.

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

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## **8.9 Sundry Debtor Write-offs March 2020**

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

That the sundry debtors as listed in the attachment totalling \$43,668.28 be written off as uneconomical to recover.

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

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## 8.10 Delivery Program - Six Monthly Progress Report

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

That Council receive and note the Six-monthly Progress Report for the period of July 2019 to December 2019.

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

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## 8.11 Revised Campbelltown City Council Collection Policy

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

1. That the revised Campbelltown City Council Collection Policy as attached to this report be adopted.
2. That the name of the policy be amended to Campbelltown City Council Art Collection Policy.
3. That the Campbelltown City Council Art Collection Policy review date be set at 30 December 2022.

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

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## 8.12 Latest Findings on Climate Change

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

1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.
  2. That Council acknowledges the findings of both the Intergovernmental Panel on Climate Change and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.
  3. That Council strengthens its commitment to the reduction of emissions as a consequence of its activities, increase the speed and priority of its adopted mitigation and adaptation measures, and continues its innovative and strong leadership in reducing its impact on the climate by:
    - setting a renewable energy target with an ambition to transition to 100 percent renewable energy
    - implementing energy efficiency programs across council and community facilities
    - requiring council suppliers to demonstrate sustainable practices including the use of renewable energy and resource recovery
    - embedding climate emergency and resilience into corporate strategic planning
    - embedding climate emergency and resilience into urban planning
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- supporting the use of electric vehicles and encouraging networks to promote public transport
  - minimising waste and striving for a circular economy
  - increasing tree canopy and revegetation activities
  - empowering the community through education, awareness and partnerships
  - increasing the community's resilience to climate change impacts.

A Division was recorded in regard to the Resolution for Item 8.12 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney and W Morrison.

Voting against the Resolution were Councillors B Thompson, G Greiss and T Rowell.

**039** 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 Flag Raising Day**

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

That a report be presented on the feasibility of a flag raising day for the combined Pacific Community.

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

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## **12. URGENT GENERAL BUSINESS**

Nil

### 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 27 February attended the Greg Percival Community Centre for the Healthy Living and Sustainable Gardening workshop. The workshop was part of a series showing attendees how to cook with leftovers and grow their own food in vegetable gardens, with the libraries showcasing books on the subject matters. Councillor Oates noted the range of attendees from families, seniors and young singles which was great to see. Councillor Oates congratulated the staff on the event.
2. Councillor Meg Oates attended Campbelltown Arts Centre to view the Biennale of Sydney exhibition. Councillor Oates noted the variety of works across different mediums with the works concentrating on indigenous people and a first nations perspective. Councillor Oates advised the Chamber that the official opening is on Thursday, 12 March and encouraged all to attend as the artworks are uplifting, heart breaking and vibrant.
3. Councillor Masood Chowdhury wished all the LGA a Happy Holi. Holi is an ancient Indian festival popularly known as the festival of colours, the festival signifies the victory of good over evil and signifies the arrival of spring and the beginning of a good spring harvest.
4. Councillor Masood Chowdhury passed on his thanks to the Macarthur Region Nepalese Community for their fundraising efforts as they donated \$3,200 to the Wollondilly Shire Council Mayor's Relief fund, with the funds being used for those affected by the recent bushfires in our region.
5. Councillor Masood Chowdhury on 16 February attended a Bangladeshi community gathering. The Bangladeshi community presented The Mayor, Councillor Brticevic and the Wollondilly Mayor, Councillor Deeth with \$15,000 for the Wollondilly Shire Council Mayor's Relief fund, to provide assistance to those in the region affected by the recent bushfires. Councillor Chowdhury thanked the Bangladeshi community for their support.
6. Councillor Masood Chowdhury on 21 February with The Mayor, Councillor Brticevic Councillor Chivers, Councillor Manoto and Councillor Oates celebrated International Mother Language Day. The day consisted of a flag raising ceremony, cultural dance performances and songs. Councillor Chowdhury passed on his thanks to all staff and the Director of City Lifestyles for the work in the community.
7. Councillor Masood Chowdhury attended the Campbelltown Bangla School. The school is a weekend language school which teaches Bangla to the local children. Councillor Chowdhury expressed how wonderful it is that local residents have opportunities to learn other languages.
8. Councillor Karen Hunt on 22 February attended Campbelltown City's inaugural Seniors Ball at the Greg Percival Community Hall, Ingleburn, in company with Councillor Manoto, Destry Puia from City Lifestyles, and his wife, Poppy, and Abeny Mayol from the Community Life team. Ticket sales had to be curtailed at 130 in order to ensure there was enough dancing room for everyone. It was amazing to see so many people dancing the night away and showing off their talent. The dancing style on the night is known as Sequence Dancing, which is performed in lines, squares or circles.

Unlike ballroom dancing, which enables only a few couples on the dance floor at the same time because they need a lot of space to twirl around the floor, Sequence Dancing enables many couples to take to the floor to participate in an enormous variety of

waltzes, foxtrots, quicksteps and tangos. It was an absolute joy to watch everyone go through their paces with so much ease and joy. The whole evening was filled with such excitement and anticipation for future years, as many couples travel all over the place to take part in these dance nights. To say it was a success would be an understatement.

Discussion on the night turned to finding a larger venue because Campbelltown is now on the dancing calendar.

Councillor Hunt thanked Barry Nudd and his team from Dance Club for organising the event in conjunction with Council's team and gave a huge thank you to all the dancers for such a wonderful event.

9. Councillor Darcy Lound on 7 March attended the Miracle Mile at Menangle Park. Councillor Lound noted the high spirits of the crowd and advised the Chamber that the King of Swing won the race. Councillor Lound thanked the Chairman, Robert Marshall, the Board and the Chief Executive, Bruce Christison for their continued investment in the region.
10. Councillor Rey Manoto on 23 February attended the National Servicemen's Memorial Day at Ingleburn Military Precinct, Ingleburn. The solemn occasion remembered and honoured the National Servicemen who died and were wounded in the battlefields overseas. We will always remember them. Lest we forget.
11. Councillor Rey Manoto on 5 March attended the 2020 Diocesan Education Mass at St John Vianney Co-Cathedral in Fairy Meadow. The mass was officiated by Most Reverend Bishop Brian Mascord and celebrates Catholic Schools Week. Mr Peter Hill, the new Director of Schools at the Catholic Education Office of Wollongong received his Rite of Commission which was followed by the presentation and commissioning of new principals and teachers.
12. Councillor Rey Manoto on 6 March with Councillor Lound attended the 2020 Macarthur Football Club Association's Ottimo House M League Season. The season launch was attended by the Chairman of Macarthur Football Association, Councillor Lound, Greg Warren MP and Anoulack Chanthivong MP. The Chairman of the new A-League club, Macarthur Bulls, Gino Marra and the Assistant Coach, Mile Sterjovski were guest speakers. Campbelltown Council was thanked for the investment and support given to football in the region.
13. Councillor Margaret Chivers on 3 March attended Train Like A Tiger initiative run by West Tigers at Campbelltown Athletics Stadium. The program, run over five weeks, was offered to children living with a disability. The last week of the program was a chance to practice what skills had been learnt. Councillor Chivers thanked John Skandalis for his support.
14. Councillor Margaret Chivers on 7 March attended Ingleburn Alive. Councillor Chivers thanked all the staff for their assistance at the event, in particular passing her thanks onto Jason Dawson. Jason was helping at the event, controlling the car park and Councillor Chivers noted his professionalism, courteous interactions with members of the public and his positive outlook in helping at Ingleburn Alive.

15. Councillor Ben Moroney is proud of the advocacy with the LGBTQIA community and embraced the campaign for marriage equality. Councillor Moroney revealed to the Chamber that they are non-binary, not identifying as male or female. Councillor Moroney thanked everyone for being extremely supportive and respectful and hopes that the announcement provides some visibility for others.
16. Councillor Warren Morrison on 7 March attended Ingleburn Alive which was a great afternoon that went into the evening. Councillor Morrison noted all attendees were happy and enjoying the event. Councillor Morrison passed on his thanks to the City Lifestyles team for organising.
17. Councillor Bob Thompson thanked Councillor Moroney for sharing with the Chamber and offered his support to all of the community in the LGA.
18. Councillor George Greiss raised the issue of the Coronavirus. Councillor Greiss noted how important it is to ensure that Council considers and has a plan to ensure the safety of staff and to protect the community. The General Manager thanked Councillor Greiss for raising this concern and advised Council that there is appropriate planning in place to deal with the coronavirus issue and a specialist team is meeting frequently to manage the situation as it develops. The Director of City Delivery is working with appropriate authorities on preparations for the city. Council will be informed as progress is made.
19. The Mayor, Councillor Brticevic on 7 March with Councillor Chivers, Councillor Gilholme Councillor Morrison and Councillor Oates, attended Ingleburn Alive. Councillor Brticevic noted the new time of 3-9pm making the event very comfortable for all in attendance and noting that there was a great community spirit. Councillor Brticevic thanked the City Lifestyles team.
20. The Mayor, Councillor Brticevic on 4 March with Councillor Chivers, Councillor Chowdhury, Councillor Manoto and Councillor Oates celebrated the 2019 HSC high achievers. Councillor Brticevic congratulated all the students and noted the high calibre of students in the LGA who achieved a band 6 in multiple subjects.
21. The Mayor, Councillor Brticevic on 4 March attended Mount Gilead Retirement Village to present certificates to the residents. Councillor Brticevic thanked the village for their efforts in raising \$2000 for the Wollondilly Fire Service. Councillor Brticevic passed on his thanks to Errol Casey for inviting him.
22. The Mayor, Councillor Brticevic thanked Councillor Moroney for having the courage to share this with the Chamber.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

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, 14.5 and 14.6 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

**Item 14.1 Campbelltown Sports Stadium Procurement Opportunity**

Item 14.1 is confidential in accordance with Section 10A(2)(d)(ii) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a competitor of the council.

**Item 14.2 Lease of a Council Property**

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 Lease of Council Land**

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 Licence Agreement over Council Land, Kentlyn**

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 General Manager's Contract Renewal and Performance Review**

Item 14.5 is confidential in accordance with Section 10A(2)(a) of the *Local Government Act 1993* as the report refers to personnel matters concerning particular individuals (other than Councillors).

**Item 14.6 Land Transfer Agreement**

Item 14.6 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.

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

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**The Ordinary Meeting of Council was adjourned at 7.40pm and reconvened as a meeting of the Confidential Committee at 7.41pm.**

## Recommendations of the Confidential Committee

### 14.1 Campbelltown Sports Stadium Procurement Opportunity

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

1. That Council approve an exemption from the tendering requirements in accordance with section 55(3)(i) of the *Local Government Act 1993*, noting that, because of the unavailability of competitive or reliable tenders, a satisfactory result would not be achieved by inviting tenders for the procurement opportunity detailed in the report.
2. That Council notes the reasons why a satisfactory result would not be achieved by inviting tenders are:
  - a) The recommended contractor offer represents value of money as compared with indicative quotations
  - b) The contractor is the unique provider of this service
3. That Council approve the allocation of funds as detailed in the report.

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

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### 14.2 Lease of a Council Property

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

That Council grant a resolution for the lease of Council property located at Harold Street, Macquarie Fields on terms set out in this Council report

1. That Council approves the early termination of the existing lease on the premises due to expire 30 June 2026. The nominated date of termination to be 30 June 2020 and will align with the commencement of the proposed new lease term.
2. That Council agrees to a new lease of 26 years commencing 1 July 2020 based on terms set out in this Council report.
3. That the lease is signed under Common Seal of Council (if required).

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

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**Meeting note:** Having declared an interest in Item 14.3 Councillor Chowdhury left the Chamber at 7:46pm and did not take part in the discussion or vote on the matter.



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### 14.3 Lease of Council Land

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

That Council deals with the subject land described in this report, on the terms and conditions outlined below:

1. That Council approves the proposed terms of lease of the subject land to the nominated entity.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 14.3 Councillor Chowdhury returned to the Chamber at 7.47pm.

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### 14.4 Licence Agreement over Council Land, Kentlyn

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

1. That Council approve an Agistment Agreement over Council land, Kentlyn as outlined in the report.
2. That all documentation associated with the Agistment Agreement be executed under the Common Seal of Council, if required.

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

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### 14.5 General Manager's Contract Renewal and Performance Review

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

That Council:

1. Note the report from the General Managers Performance Review panel of the General Manager's Performance in 2019 and rating as Highly Advanced.
  2. Approve the renewal of the contract of employment of the General Manager, Ms Lindy Deitz:
    - a. Under the current terms and conditions of the General Manager's Contract of Employment which is based on the Office of Local Government's Standard Contract for General Managers.
    - b. The term of the contract is five years commencing on 1 October 2020 and expiring
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on 30 September 2025.

- c. The total remuneration package of \$395,993 per annum reviewed annually in accordance with the Statutory and Other Officers Remuneration Tribunal determination.

3. Delegate authority to the Mayor to sign the new contract.

A Division was recorded in regard to the Resolution for Item 14.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, B Thompson, G Greiss and T Rowell.

Voting against the Resolution were Nil.

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

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## **14.6 Land Transfer Agreement**

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

1. That Council agrees to accept a Land Transfer from the entity 1 as set out within this report.
2. That Council agree to enter into a Lease with the entity 2 outlined within this report.
3. That all documentation associated with the Land Transfer and Lease be executed under common seal of Council, if required.
4. That Council classify the site as Operational Land.

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

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

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

**048** 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 8.20pm and the Mayor read the resolution for Item 14.1, 14.2, 14.3, 14.4, 14.5 and 14.6 to the open meeting.**

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

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

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

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There being no further business the meeting closed at 8.23pm.

Confirmed by Council on

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