

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 9 June 2020.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 9 June 2020

Present

The Mayor, Councillor G Brticevic
 Councillor M Chivers
 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 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

Nil

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

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 12 May 2020

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

That the Minutes of the Ordinary Council Meeting held 12 May 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests

Councillor Morrison – Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Morrison advised he has a pecuniary interest and will leave the meeting.

Non Pecuniary – Significant Interests

Councillor Greiss – Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Greiss in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Greiss also advised his former employee has made a submission to the review and he is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Lound – Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Lound in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Lound advised is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.3 – Kellicar Road Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Lound – Item 8.3 – Kellicar Road Planning Proposal. Councillor Lound advised he is a member of the Sydney Western Planning Panel and will leave the meeting.

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

Special Disclosures of Interest

The Mayor, Councillor Brticevic in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Brticevic advised that he intends to remain in the meeting and vote on the matter.

Councillor Chivers in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Chivers advised that she intends to remain in the meeting and vote on the matter.

Councillor Chowdhury in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Chowdhury advised that he intends to remain in the meeting and vote on the matter.

Councillor Gilholme in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Gilholme advised that he intends to remain in the meeting and vote on the matter.

Councillor Hunt in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Hunt advised that she intends to remain in the meeting and vote on the matter.

Councillor Lake in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Lake advised that he intends to remain in the meeting and vote on the matter.

Councillor Manoto in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Manoto advised that he intends to remain in the meeting and vote on the matter.

Councillor Moroney in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Moroney advised that they intend to remain in the meeting and vote on the matter.

Councillor Oates in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Oates advised that she intends to remain in the meeting and vote on the matter.

Councillor Thompson in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Thompson advised that he intends to remain in the meeting and vote on the matter.

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

7.1 Establishment of a Service NSW Centre in Campbelltown

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

That the letters be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Development Application Status

Officer's Recommendation

That the information be noted.

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

That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.

The Amendment became the motion.

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

Meeting note: Having declared an interest in Item 8.2 Councillor Greiss, Councillor Lound and Councillor Morrison left the meeting at 7.00pm and did not take part in the discussion or vote on the matter.

8.2 Consideration of Submissions - Review of Campbelltown Local Environmental Plan 2015

Meeting note: written submissions from Mr Barry Durman, Mr Matthew Choi and Ms Patricia Durman were distributed and read at the meeting. Written submissions from Dr Sharyn Cullis, Mr Robert Chambers and Ms Jacqui Kirkby were distributed and noted.

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

1. That the following amendments be made to the Planning Proposal at attachment 1 to this report:
 - a. An additional permitted uses map be added for that part of Lot 3098 DOP 1230014 (Western Sydney University) north of University Drive and William Downes Avenue
 - b. The repeal of IDO 15 be removed from the planning proposal
 - c. That all changes proposed for 717 Appin Road, Mt Gilead be removed from the planning proposal and that this land remain a deferred matter.
2. That once the changes referred to in point 1 have been made, the planning proposal be forwarded to the Minister for Planning and Public Spaces along with a request that Amendment No. 24 to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) be made and the concurrent repeal of Campbelltown (Urban Areas) Local Environmental Plan 2002, Interim Development Order No. 29 and Campbelltown Local Environmental Plan – District 8 (Central Hills Lands).
3. That everyone who was recorded as making a submission in response to the public exhibition of the planning proposal be advised of Council's decision.

An Amendment was Moved Councillor Lake:

That the above recommendation be adopted with the addition of point 1 d) that the area surrounded by Blaxland Road, Narellan Road, Badgally Road and the railway line be zoned as 4B.

Lapsed for lack of Secunder.

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

Voting against the Resolution was Councillor P Lake.

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

Meeting note: At the conclusion of the discussion regarding Item 8.2 Councillor Morrison returned to the meeting at 7:36pm.

Meeting note: Having declared an interest in Item 8.3 Councillor Greiss and Councillor Lound did not re-join the meeting and did not take part in the discussion or vote on the matter.

8.3 Kellicar Road Planning Proposal

Meeting note: a written submission from Mr Wayne Gersbach was distributed and read at the meeting.

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

1. That Council support the planning proposal at attachment 1 to this report and forward the planning proposal to the Department of Planning, Industry and Environment and request a Gateway Determination.
 2. That Council request delegation from the Department of Planning, Industry and Environment to allow Council to finalise the planning proposal.
 3. That Council request the following be required as conditions of any Gateway Determination:
 - a. A detailed traffic study that identifies short, medium and long term traffic solutions for the precinct
 - b. A flood study considering the impacts of flooding from Birunji Creek
 - c. A comprehensive public domain plan
 - d. An evidence based site sustainability and resilience strategy
 - e. A site specific Development Control Plan
 - f. A study/strategy/plan that details how affordable housing will be provided within the future development of this site
 4. That Council advise all land owners within the subject site of its decision.
-

An **Amendment** was **Moved** Councillor Moroney, **Seconded** Councillor Hunt:

That consideration and submission of the planning proposal be deferred until Council receives or develops:

1. A detailed traffic study that identifies short, medium and long term traffic solutions for the precinct
2. A flood study considering the impacts of flooding from Birunji Creek

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3. A comprehensive public domain plan
 4. An evidence based site sustainability and resilience strategy
 5. A site specific Development Control Plan
 6. A study/strategy/plan that details how affordable housing will be provided within the future development of this site.

A Division was recorded in regard to the Amendment Resolution for Item 8.3 with those voting for the Motion being Councillor B Moroney.

Voting against the Amendment Resolution were Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, P Lake, W Morrison, B Thompson and T Rowell.

The Amendment on being Put was **LOST**.

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, R Manoto, B Gilholme, M Chivers, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution was Councillor B Moroney.

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

Meeting note: At the conclusion of Item 8.3 Councillor Greiss and Councillor Lound returned to the meeting at 8:26pm.

8.4 Investments and Revenue Report - April 2020

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

That the information be noted.

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

8.5 Reports and Letters Requested

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

That the information be noted.

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

8.6 Council Elections - Universal Postal Voting

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

1. That the information be noted.
2. That Council be provided a further briefing when the NSW Government commences the consultation with NSW Councils.

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

8.7 Agency Payments Tender Process

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

That Council declines to accept the offer of National Australia Bank Pty Ltd and Windcave Pty Ltd for the provision of Payment Gateways Option 1 – Over the Counter Payments.

1. That in accordance with section 178 of the Local Government (General) Regulation 2005 Council declines to accept the tenders for the provision of Payment Gateways Option 1 – Over the Counter Payments.
2. That Council enter into negotiations with the incumbent contractor, Australia Postal Corporation t/a Australia Post for the provision of Over the Counter Payment at its current locations. The evaluation panel do not see any benefit in inviting fresh tenders for the same service as the market was tested through this process and satisfactory results were not achieved. It was determined appropriate for Council to enter into negotiations with Council's current over the counter provider, Australia Post, as they have previously demonstrated they can meet Council's requirements and have provided a satisfactory service to Council in the past.
3. That the unsuccessful Tenderers be notified of the results of tender process for Option 1.
4. That a memo of recommendation is provided to the General Manager for Option 2. In accordance with the amendments to s377(1)(i) of the *Local Government Act*, the General Manager has the delegation to approve a tender of this nature.

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

8.8 Proposed Closure of a Section of Road, Claymore

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

1. That Council approves the road closure of the subject land off Rosslyn Drive/Officer Lane, Claymore as outlined in this report and once the closure is complete create title in Councils name.
2. That Council classify the subject land as 'operational land'.
3. That Council approves the transfer of the subject land to NSW Land and Housing Corporation at nil cost.
4. That Council agrees that NSW Land and Housing Corporation be responsible for all costs associated with the road closure, creation of title and land transfer.
5. That all documentation associated with the road closure process be executed under the Common Seal of Council, if required.

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

8.9 Minutes of the Audit Risk and Improvement Committee Report

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

That the minutes of the Audit Risk and Improvement Committee held 19 May 2020 be noted.

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

8.10 Economic Development Strategy

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

That Council endorse the Campbelltown Economic Development Strategy.

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

8.11 Minutes of the Campbelltown Arts Centre Strategic Committee Report

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

That the minutes of the Campbelltown Arts Centre Strategic Committee held 15 April 2020 be noted.

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

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Extension of the Sponsorship Policy

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

1. That Council seeks a feasibility report to consider extending the sponsorship policy in relation to the following:
 - a. The extension of the roundabout beautification program by offering corporate sponsorship of major thoroughfare locations such as the intersection of Pembroke and Ben Lomond Roads at Minto.
 - b. Expanding Council tree planting days by offering corporate sponsorship and consideration be given to include the expansion in the Koala Town Project.

Councillor Moroney voted against the motion.

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

11.2 Data Capture

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

That a report be presented to Council that explores opportunities to engage and educate our community on the value of capturing, sharing and using data to help people, businesses and government make better evidence-based decisions and improve the lives of our citizens.

A Division was recorded in regard to the Resolution for Item 11.2 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 P Lake, B Thompson, G Greiss and T Rowell.

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

11.3 Drive-in-Theatre

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

That a feasibility report be prepared on the introduction of a pilot Drive-in Theatre/Outdoor Cinema at an appropriate location within the LGA, that includes an assessment of considerations such as:

- a) Financial costs and benefits
- b) Opportunities to include sponsorship to offset costs
- c) Participation by community groups
- d) Use of mobile food retailers local to Campbelltown
- e) all COVID-19 rules and restrictions regarding gathering and the assembly of movie goers in an open area, especially car positioning and people distancing
- f) Seasonal factors.

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

12. URGENT GENERAL BUSINESS

Nil

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates provided Council with an update on the work of the 2020 Bicentenary Committee. Many events and programs have had to be postponed or cancelled due to COVID-19 restrictions, however there will still be lots happening and dates set once restrictions ease. A social media campaign, 200 years together, has started displaying photos over the decades back to the 1820s with residents invited to share their photos. A program titled Break the Cinnamon Branch looks at exploring cultural cuisines and will be run online with videos available in August. Once restrictions ease, the Fringe Lily planting will take place along with the threatened species art competitions and spring into nature walks and talks. It is hoped that FEAST may proceed in September. Councillor Oates passed on her thanks to the City Lifestyles team.
2. Councillor Darcy Lound passed on his thanks to the City Lifestyles team for their work on Campbelltown Sports Stadium. Councillor Lound noted that two NRL matches (Panthers vs Warriors and Raiders vs Knights) were played at the stadium on the weekend and commented on how well the surface had been prepared for the matches and how wonderful it was to have Campbelltown being mentioned repeatedly through both Channel Nine and Foxtel's broadcasting of the games.
3. Councillor Masood Chowdhury shared with the meeting that the Holy month of Ramadan concluded with the celebration of Eid on 24 April.
4. Councillor Rey Manoto thanked the City Delivery team for their work on weed management. Councillor Manoto advised that under the *NSW Biosecurity Act 2015* Council is a Local Control Authority who regulate priority weeds within the LGA. Council delegated staff are authorised to undertake inspections for priority weeds on public and private lands with officers undertaking surveillance to quickly identify and manage new high threat weeds that enter the LGA and manage other priority weeds that require control activities in the LGA.
5. Councillor Rey Manoto with The Mayor, Councillor Brticevic marked World Environment Day on 5 June by visiting a planting site at Macquarie Fields. This year's theme was biodiversity which focused on the role of mature trees, in cleaning the air but also providing a home and food to our native wildlife. Councillor Manoto noted the importance of protecting the koala habitat with the planting of seedlings and removing weeds and invited the community to be involved through helping with bushcare programs.
6. Councillor Ben Moroney expressed support for the Black Lives Matter movement and solidarity with the local indigenous community for their shared struggles with the African American community. Councillor Moroney reiterated Black Lives Matter.
7. Councillor Warren Morrison shared that National Sorry Day took place on 25 May. Councillor Morrison advised that this is a time to recognise and learn about our shared histories and culture and how everyone can actively support reconciliation. Councillor Morrison thanked Council staff for working with Camden Council and consulting with Aboriginal elders in working to repair the damage from vandalism at the Mt Annan Botanic Gardens.
8. The Mayor, Councillor Brticevic passed on his thanks to the City Lifestyles team for their work in obtaining and arranging for the big screen to be permanently installed at Campbelltown Sports Stadium, it is great community asset for Council which will enhance the viewing experience at the stadium.

9. The Mayor, Councillor Brticevic passed on his thanks to the City Delivery teams for their efforts for the beautification and creation of Waminda Oval and Eagle Farm Reserve.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Nil

There being no further business the meeting closed at 9.37pm.

Confirmed by Council on

..... General Manager Chairperson