

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

**Ordinary Council Meeting held at 6:30 pm on Tuesday, 8 June 2021.**

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 8 June 2021**

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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

**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**

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

That the apologies from Councillor P Lake and Councillor T Rowell be received and accepted and an extension to the leave of absence for Councillor B Thompson be granted.

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

**091**     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 May 2021**

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

That the Minutes of the Ordinary Council Meeting held 11 May 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed, subject to amendments identified by Councillor Hunt as circulated.

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**092** 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 Margaret Chivers – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park.  
Councillor Chivers declared she has a pecuniary interest in the area and will leave the Chamber.

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

Councillor George Greiss – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park.  
Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the Chamber.

Councillor Darcy Lound – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park.  
Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the Chamber.

Councillor Ben Gilholme – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park.  
Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel. As the alternate member he has not been involved in any Planning Panel decisions in relation to 'Glenlee Estate' and will decline to attend future meetings regarding 'Glenlee Estate'. With consideration of this, Councillor Gilholme will not leave the Chamber.

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

Nil

##### **Other Disclosures**

Nil

#### **5. MAYORAL MINUTE**

#### **6. PETITIONS**

#### **7. CORRESPONDENCE**

##### **7.1 Geographical Names Board – Naming of Roads**

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

That the letter be received and the information be noted.

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**093** 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 Morrison, **Seconded** Councillor Lound:

That the information be noted.

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

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### **8.2 Review of the Management of Feral and Infant Companion Animal Policy**

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

1. That the Management of Feral and Infant Companion Animal Policy as attached to this report be adopted.
2. That the Management of Feral and Infant Companion Animal Policy review date be set at 30 June 2023.

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

Note: Councillor Moroney voted against the motion.

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### **8.3 Review of the Second Hand Clothing Bins Policy**

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

1. That the revised Second Hand Clothing Bins Policy as attached to this report be adopted.
2. That the Second Hand Clothing Bins Policy review date be set at 30 June 2023.

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

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#### **8.4 Review of the Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES) Policy**

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

1. That the Access to NSW Roads and Maritime Services Driver and Vehicle information System (DRIVES) Policy as attached to this report be adopted.
2. That the Access to NSW Roads and Maritime Services Driver and Vehicle information System (DRIVES) Policy review date be set at 30 June 2023.

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

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#### **8.5 Campbelltown (Sustainable City) Development Control Plan - Tree Permits Housekeeping Amendment**

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

1. That Council endorse public exhibition of the proposed draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 1 Part 11 (Vegetation and Wildlife Management) for a minimum period of 28 days.
2. That where submissions are received during the public exhibition period, a further report be provided to the Council.
3. That where no submissions are received during the public exhibition period, Council approve and finalise the Development Control Plan and publish it on the Campbelltown City Council website.

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, M Chivers, B Moroney, W Morrison and G Greiss.

Voting against the Resolution were Nil.

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

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**Meeting note:** Having declared an interest Item 8.6 Councillor Chivers, Councillor Greiss and Councillor Lound left the Chamber at 6:43 pm and did not take part in the discussion or vote on the item.

## 8.6 Planning Proposal - "Glenlee Estate" Menangle Park

**Meeting note:** Mr Paul Hume submitted his request to address the Council meeting, but elected to only speak if the Councillors had any questions. As such Mr Hume did not address the Council.

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

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land comprising "Glenlee Estate" (No.60) Menangle Road Menangle Park, to the Department of Planning, Industry and Environment seeking endorsement of Gateway Determination.
2. 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.
3. That following the public exhibition:
  - (a) where submissions are received by Council during the public exhibition period, a submissions report be presented to Council, or
  - (b) where no submissions are received by Council during the public exhibition period, the draft Planning Proposal be finalised.
4. That subject to recommendation 3(a) Council exercise via the General Manager the approval functions of the Minister under Section 3.36 (2)(a) of the *Environmental Planning and Assessment Act 1979*, 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 Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme and W Morrison.

Voting against the Resolution were Councillor B Moroney.

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

**Meeting note:** At the conclusion of the discussion for Item 8.6 Councillor Chivers, Councillor Greiss and Councillor Lound returned to the Chamber at 6:45 pm.

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## 8.7 Re-appointment of Local Planning Panel Members

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

1. That the Campbelltown City Council Local Planning Panel be extended for another term from 1 July 2021 until 1 July 2024 to determine development applications and to provide advice on planning proposals in accordance with the relevant referral criteria, operational procedures and code of conduct as published by the Minister for Planning and Public Spaces.
2. That Council notes the appointment by the Minister of Planning and Public Spaces, The Hon. Robert Stokes of the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years.
3. That Council notes the appointment of the following expert and community representatives by the General Manager for a period of 3 years as follows:
  - a. Mr Lindsay Fletcher and Mrs Glennys James PSM as the expert members and Mr Scott Lee, Ms Mary-Lynne Taylor and Ms Helena Miller as the alternate expert members.
  - b. Ms Cecilia Cox as the community member and Mr Phil Hayward and Mr Florencio Cuaresma as the alternate community members.
4. That Council advise the Department of Planning and Environment of the nominated members and alternates for the Campbelltown Local Planning Panel for a period of 3 years.
5. That Council write to the previous Chair, Mr Ian Reynolds and alternate Chair, Mr Keith Dedden and community member Mr Edward Saulig to acknowledge their service to Council and the community.
6. That Council inform all persons who lodged an expression of interest of Council's decision and thank them for their interest in the matter.

**100** The Motion on being Put was **CARRIED** unanimously.

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## 8.8 Stormwater and Grey Water re-use

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

That Council advocate for water re-use schemes to supplement the use of potable water.

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

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## 8.9 Asbestos Policy

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

1. That the Asbestos Policy as attached to this report be adopted with the following amendments:
  - clause 10, page 16 of the policy to read:  
It is illegal to recycle, reuse and/or dispose of asbestos waste into any domestic/ commercial waste bins and/or undertake or be involved with the unauthorised dumping or burying of asbestos waste.
  - clause 10.5, page 17 of the policy to read:  
If they cannot be identified, the relevant occupier, but ultimately, the landowner becomes the responsible party.
2. That the Asbestos Policy review date be set at 30 June 2024.

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

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## 8.10 Investments and Revenue Report - April 2021

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

That the information be noted.

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

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## 8.11 Reports and Letters Requested

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

That the comments and updates to the reports and letters requested be noted.

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

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## 8.12 Capturing, Sharing and Using Open Data

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

That the information be noted.

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

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### **8.13 Local Government Remuneration Tribunal Determination 2021**

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

1. That Council adopt the councillor and mayoral remuneration increase of 2 per cent effective 1 July 2021, as recommended by the Local Government Remuneration Tribunal.
2. That Council fix the remuneration fee for councillors at \$26,310 per annum representing an increase of 2 per cent for the 2021-22 financial year effective 1 July 2021.
3. That Council fix the remuneration fee for the mayor at \$69,900 per annum representing an increase of 2 per cent for the 2021-22 financial year effective 1 July 2021.

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

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### **8.14 Minutes of the Audit Risk and Improvement Committee Report**

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

That the minutes of the Audit Risk and Improvement Committee held 18 May 2021 be noted.

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

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### **8.15 Minutes of the Campbelltown Arts Centre Strategic Committee Report**

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

That the minutes of the Campbelltown Arts Centre Strategic Committee held 5 May 2021 be noted and recommendations endorsed.

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

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## **9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION**

Nil

**12. URGENT GENERAL BUSINESS****13. PRESENTATIONS BY COUNCILLORS**

1. Councillor Meg Oates on 27 May attended HJ Daley Library to participate in Australia's Biggest Morning Tea. The morning tea was organised by Campbelltown library's crochet and folk art group who donated cakes and their time to raise funds for those impacted by cancer, with the group raising almost \$500. Councillor Oates thanked the group for not only their involvement in Australia's Biggest Morning Tea, but their ongoing contribution to the community, in crocheting blankets for the homeless.
2. Councillor Meg Oates on 28 May represented the Mayor at Sorry Day, the anniversary of the apology to the stolen generations at The Australian Botanic Garden Mount Annan. Councillor Oates was joined by Councillor Manoto and Councillor Gilholme. Councillor Oates shared how moving the day was with survivors of the stolen generation sharing their stories. Councillor Oates noted that the indigenous culture is thriving and more importantly being celebrated in Campbelltown.
3. Councillor Meg Oates on 11 May was invited to Macquarie Fields High School as a panellist on the Q&A at the Student Leadership Forum. The forum involved 6 local high schools of senior students looking at aspects of leadership and was emceed by Macquarie Fields High School captains Luke Cox and Shamika GC. Councillor Oates commended the students and confirmed that the future is in good hands with the next generation of leaders committed and engaged.
4. Councillor Karen Hunt on 21 May attended Campbelltown Performing Arts High School for the circus performance 'Wally's Hat'. Councillor Hunt congratulated all students involved in the performance noting their amazing talent on display with tumbling both in the air and on the floor, hanging from heights and showing their flexibility. Councillor Hunt encouraged the performers to continue showcasing their talents in the future.
5. Councillor Rey Manoto on 5 June attended the Multicultural Disability Advocacy Association of NSW (MDAA) forum at Campbelltown RSL. The MDAA advocates for the promotion and protection of the rights of people with a disability. The forum was targeted at seniors and addressed a range of topics including Australia's aged care system and planning ahead for future decision making. Councillor Manoto thanked the speakers and everyone from MDAA for organising the forum.

6. The Mayor, Councillor Brticevic attended the re-opening of the Ruse Tennis Courts after their recent resurfacing. The resurfacing project was funded by Campbelltown City Council in partnership with Tennis NSW. Councillor Brticevic noted that the tennis community is very appreciative of the new surface and local tennis players have given the courts the tick of approval.
7. The Mayor, Councillor Brticevic on 12 May attended Mary Brooksbank School at Rosemeadow to announce that the funds raised from the 2021 Mayoral Charity Gala on 31 July will help fund a new sensory playground at the school. Mary Brooksbank School provides vital educational resources for children with special needs in the community and is a very deserving recipient. Councillor Brticevic is seeking sponsorship from companies and the greater public for the event.
8. The Mayor, Councillor Brticevic on 19 May attended Waratah Cottage at Claymore with the SES Campbelltown Unit. It was Wear Orange Wednesday, a day to thank the volunteers from the SES for their help in times of natural disasters. This year has been a year of floods and storms and the SES have been invaluable in helping the community.
9. The Mayor, Councillor Brticevic on 26 May took a tour of the new Anglicare retirement village on Pembroke Road, Minto. The construction of the retirement village is nearing completion with 220 units and 110 of the units classified as affordable housing. Councillor Brticevic noted the site employed 500 construction workers and was built in 12 months during the pandemic and once opened will employ 100 staff. Councillor Brticevic was thankful that the construction was able to continue during the pandemic providing employment.
10. The Mayor, Councillor Brticevic on 2 June attended Campbelltown Arts Centre and met with local artist Xeni Kusumitra from Little Orange Studio. Xeni painted a portrait of the Executive Manager Creative Life, Michael Dagostino and has been selected as a finalist in the Archibald Prize at the Art Gallery of NSW. Councillor Brticevic congratulated Xeni on her achievement with her work now on display at the Art Gallery of NSW until 26 September.

## 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 and 14.2 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

#### **Item 14.1 Lease of Council Property - St Andrews**

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.

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**Item 14.2 Hurley Street, Campbelltown - Outcome of Agreement for Lease Negotiation**

Item 14.2 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.

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

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

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**The Ordinary Meeting of Council was adjourned at 7:18 pm and reconvened as a meeting of the Confidential Committee at 7:19 pm.**

## **Recommendations of the Confidential Committee**

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### **14.1 Lease of Council Property - St Andrews**

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

1. That Council endorse the Surrender of Lease on the premises located at the subject property on terms set out in this report.
2. That Council endorse the sale of the subject property to the open market through an Expression of Interest process with the reserve price to be set upon receipt of formal valuation advice.
3. That Council endorse that in the event the subject property is not disposed of by Expression of Interest that it be offered on the open market for sale via private treaty.
4. That Council delegate authority to the General Manager or her authorised representative to execute all or any documentation relevant to this report under Section 377 of the *Local Government Act 1993*.

**110** The Motion on being Put was **CARRIED** unanimously.

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## 14.2 Hurley Street, Campbelltown - Outcome of Agreement for Lease Negotiation

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

1. That Council note the principles that form the basis of the draft Term Sheet outlined within the body of this report and provide conditional approval for the Term Sheet to be finalised consistent with the draft.
2. That Council provide delegated authority to the Chair of the Negotiation Panel (Executive Manager Economic and Investment Growth) to finalise the Term Sheet and drafting of the Agreement for Lease and Lease (or any other such document) with the proponent based on the draft Term Sheet as outlined within the body of this report.
3. That Council provide delegated authority to the Mayor and General Manager to execute all legal documentation associated with this transaction outlined within the body of this report, under common seal if applicable.

**111** The Motion on being Put was **CARRIED** unanimously.

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

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

**112** 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 7:28 pm. The Mayor read the recommendation from the Confidential Committee for Items 14.1 and 14.2.**

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

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

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

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There being no further business the meeting closed at 7:30 pm.

Confirmed by Council on

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