

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 13 July 2021.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 13 July 2021

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 Acting General Manager.

2. APOLOGIES/LEAVE OF ABSENCE

Recommendation

Nil

Note: 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 8 June 2021**

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

That the Minutes of the Ordinary Council Meeting held 8 June 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

3.2 Minutes of the Extraordinary Meeting of Council held 29 June 2021

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

That the Minutes of the Extraordinary Council Meeting held 29 June 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

117 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 Margaret Chivers – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Chivers declared she has a pecuniary interest in the area and will leave the meeting.

Non Pecuniary – Significant Interests

Councillor Warren Morrison – Item 14.3 – Commercial Opportunity. Councillor Morrison declared he has a non pecuniary but significant interest and will leave the meeting.

Non Pecuniary – Less than Significant Interests

Councillor George Greiss – Item 8.2 – Mount Gilead – Amendments to Development Control Plan. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor George Greiss – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor George Greiss – Item 8.4 – St Helens Park – Outcome of Public Exhibition – Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor George Greiss – Item 8.5 – Kellicar Road Precinct – Outcome of Public Exhibition – Planning Proposal and Site Specific Development Control Plan. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor Darcy Lound – Item 8.2 – Mount Gilead – Amendments to Development Control Plan. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Darcy Lound – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Darcy Lound – Item 8.4 – St Helens Park – Outcome of Public Exhibition – Planning Proposal. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Darcy Lound – Item 8.5 – Kellicar Road Precinct – Outcome of Public Exhibition – Planning Proposal and Site Specific Development Control Plan. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Ben Gilholme – Item 8.2 – Mount Gilead – Amendments to Development Control Plan. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘Mount Gilead’. With consideration of this, Councillor Gilholme will not leave the meeting.

Councillor Ben Gilholme – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘Menangle Park’. With consideration of this, Councillor Gilholme will not leave the meeting.

Councillor Ben Gilholme – Item 8.4 – St Helens Park – Outcome of Public Exhibition – Planning Proposal. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘St Helens Park’. With consideration of this, Councillor Gilholme will not leave the meeting.

Councillor Ben Gilholme – Item 8.5 – Kellicar Road Precinct – Outcome of Public Exhibition – Planning Proposal and Site Specific Development Control Plan. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘Kellicare Road Precinct’. With consideration of this, Councillor Gilholme will not leave the meeting.

Other Disclosures

Nil

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

Nil

8. REPORTS FROM OFFICERS

8.1 Development Application Status

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

That the information be noted.

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

Meeting note: Having declared an interest in Items 8.2, 8.3, 8.4 and 8.5 Councillor Greiss and Councillor Lound left the meeting at 6:39 pm and did not take part in the discussions or vote on the matters.

8.2 Mount Gilead - Amendments to Development Control Plan

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

1. That Council endorse the public exhibition of the proposed draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 7 - Mount Gilead for a minimum period of 28 days.
2. That where no submissions are received through the public exhibition period, Council approve the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 7 - Mount Gilead, and publish the amended Plan on the Campbelltown City Council's website.
3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.

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, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

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

Meeting note: Having declared an interest in Item 8.3 Councillor Chivers left the meeting at 6:42 pm and did not take part in the discussion or vote on the matter.

8.3 Menangle Park - Amendments to Development Control Plan

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

1. That Council endorse public exhibition of the proposed draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 8 - Menangle Park for a minimum period of 28 days.
2. That where no submissions are received through the public exhibition period, Council approve the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 8 - Menangle Park, and publish the amended Plan on the Campbelltown City Council's website.
3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.
4. That a further report be presented to Council that includes street names, derived from Table 1.3 of the current Campbelltown (Sustainable City) Development Control Plan, Part 8 Menangle Park, for places of Non-Indigenous Heritage Significance for inclusion on the list of road names approved for Menangle Park.

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, B Moroney, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Nil.

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

Meeting note: At the conclusion of the discussion regarding Item 8.3 Councillor Chivers returned to the meeting at 6:47 pm.

8.4 St Helens Park - Outcome of Public Exhibition - Planning Proposal

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

1. That Council forward to the Minister for Planning and Public Spaces, the Appin Road and Kellerman Drive - St Helens Park Planning Proposal at attachment 1 to this report, and request that the amendment to the Campbelltown Local Environmental Plan 2015 be made.
2. That affected land owners and all those who made a submission during the public exhibition period be advised of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.4 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, B Moroney, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Nil.

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

8.5 Kellicar Road Precinct - Outcome of Public Exhibition - Planning Proposal and Site Specific Development Control Plan

Meeting note: A written submission from Mr Wayne Gersbach was read at the meeting.

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

1. That Council forward to the Minister for Planning and Public Spaces, the Kellicar Road Precinct Planning Proposal at attachment 1 to this report, and request that subject to the matters raised by the Environment, Energy and Science Group of the Department of Planning, Industry and Environment being adequately resolved through the finalisation process, the amendment to the Campbelltown Local Environmental Plan 2015 be made.
2. That Council adopt and notify Amendment No. 13 to the Campbelltown (Sustainable City) Development Control Plan 2015, being the addition of Part 16, which is attachment 2 to this report with the modifications identified in attachments 14 and 15 to this report.
3. That affected land owners and all those who made a submission during the public exhibition period be advised of Council's decision.
4. That options for affordable housing on the Kellicar Road precinct in this planning proposal be presented as a further report to Council, or as part of a wider investigation into affordable housing across Campbelltown.

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

Voting against the Resolution were Nil.

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

Meeting note: At the conclusion of the discussion regarding Items 8.2, 8.3, 8.4 and 8.5 Councillor Greiss and Councillor Lound returned to the meeting at 7:02 pm.

8.6 Appointment of Local Planning Panel Chairs

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

That Council appoint the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years, in accordance with the Minister's recommendation and approval to the Campbelltown City Council Local Planning Panel.

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

8.7 Koalatown - First Year Reporting

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

That the reported information associated with the achievements of the first year of Koalatown and projects into the future be noted.

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

8.8 International Games Week 2021

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

That the report be noted.

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

8.9 Investments and Revenue Report - May 2021

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

That the information be noted.

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

8.10 Reports and Letters Requested

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

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

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

8.11 Transfer of Crown Road Reserve - Bardia

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

That Council endorse the transfer of road reserve under the ownership of Department of Industry to Campbelltown City Council by way of NSW Government Gazette in accordance with Section 152i of the *Roads Act 1993* as set out in this paper.

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

8.12 Electric Vehicle Charging Stations and Infrastructure

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

1. That Council pursue funding opportunities to progress the installation of Electric Vehicle charging stations at the Arts Centre, Campbelltown and Parkside Crescent, Park Central.
 2. That Council develop planning controls to be included in the Sustainable City Development Control Plan that encourage the provision of electric vehicle charging infrastructure.
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3. That, for all new Council-led developments, Council will make provisions for the inclusion of Electric Vehicle charging infrastructure and, if feasible at the time, install Electric Vehicle charging stations in accordance with the newly developed DCP.

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

8.13 Unsolicited Proposal Policy

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

That Council adopt the Unsolicited Proposal Policy.

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

8.14 Classification of Council Land

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

That the parcel of land known as Lot 7 in Deposited Plan 557639 be classified as operational land, in accordance with Section 31 (2) of the *Local Government Act 1993*, and continue to be used as a commuter carpark until higher order uses dictate a review.

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

9. QUESTIONS WITH NOTICE

9.1 Animal Care Facility

Councillor Ben Moroney asked the following Questions with Notice. The responses were provided by Director City Development.

1. What contact or cooperation does Council have with Liverpool, Camden and Wollondilly with their animal management programs, which are impacting the Animal Care Facility?

While there are various reasons for contact between Camden and Liverpool's privately run animal care facilities, currently the Campbelltown and Wollondilly Council run facilities cooperate under an informal, good faith arrangement, with each of the Council's providing assistance to one another in the case of emergency situations.

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2. Will a volunteer program, separate from the foster program, be getting put in place at the Animal Care Facility? If so, what is the timeframe for this?

While we will be looking into a volunteer program, we are currently focusing on the direct resourcing of the facility and structural changes. I couldn't commit to a timeframe while we are under structural change.

3. Has there been a commitment made to implement a foster program and if so, by when?

A commitment has been made to investigate the implementation of a foster program, and these investigations have commenced. However, we are currently focusing on the direct resourcing of the facility and structural changes. A timeframe for its completion is yet to be established.

4. Will further funding be allocated to the NDN program so that it can recommence? If so what will that funding be?

Council has participated in the Animal Welfare League's NDN Cooperative Desexing Program for the past 3 years. Council has endorsed a further \$10,000 in the 2021-22 Budget in order to continue with this program. In addition, Council contributes in kind contribution of staff time, marketing and administration to ensure the program is successful.

5. Will there be improved security measures put in place to allow the external gates to the facility to reopen? Even if meet and greets with the animals remain by appointment? What will the measures of success be for the new Appointment Only program at the Animal Care Facility?

The appointment only program was a temporary measure to mitigate COVID-19 transmission risk and ensure the facility has a strong COVID safe plan. The measure has provided staff with more face to face time with animals, as the fixed-time appointment only measure reduces the staff time usually required to assist customers. We consider this to be a positive initiative, as we have seen a reduction in the number of people attending just for a browse, which takes staff away from attending the animals. While the operation and security at the gates is being considered, in the current climate, it is considered too early to tell when we will be able to remove this temporary measure. First and foremost is the safety and care of our staff and the animals.

6. In terms of extending capacity at the facility and building an isolation area for all impounds, what is the plan and timeframe for doing this?

While we are keeping a close eye on the capacity of the facility, we are also looking at ways of keeping animals away from the shelter and in their homes. While additional cages may assist, they are not a prevention measure and do not go to addressing the root cause as to why animals find their way to the facility.

7. Will there be an opex budget increase for the 2021-22 financial year? If so what will it be and where will it be allocated?

The net operating budget of the facility will increase from \$551,000 to \$611,000 net cost. Whilst this equates to a 10.8 per cent increase, operating expenditure levels are

consistent with the previous year at \$1.06 million, however the revenue forecasts are decreasing due to support of programs and initiatives to rehome animals at reduced fees. In the last 2 years Council has increased the operating expenditure levels from \$935,000 to \$1.06 million per annum specifically to increase staffing resources at the facility.

8. Will there be any capex/project funding allocated to improvement initiatives at the facility increase for the 2021-22 financial year? If so what will it be and where will it be allocated?

Over \$100,000 has been spent in the previous year to construct exercise yards, pathways and enhance the outdoor areas of the facility. No capital funds have been allocated in this financial year for further improvements at the facility.

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Glenalvon House

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

That a report be presented to Council investigating the potential to provide for a small restaurant/café with industry standard cooking facilities and associated rest rooms in the grounds of Glenalvon House.

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

12. URGENT GENERAL BUSINESS

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

That motion be passed to consider the urgent general business foreshadowed by Councillor Moroney.

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

The Mayor ruled that the Item is urgent and may be considered by the Council.

12.1 Local Planning Panels - Statutory Declarations

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

1. That Council write to the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP, asking if the probity checks carried out on the Chair and expert members of the Local Planning Panels across NSW also included whether the statutory declarations of each chair and expert also declared they were not a close relative or associate of a property developer or real estate agent.
2. If not, Council submits a motion to the next LGNSW annual conference recommending to the Minister that this be done as soon as possible.

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

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 24 June attended Campbelltown Performing Arts High School as the guest speaker on the Inspiring Women Student Forum. The Forum consisted of the guest speaker, interactive videos featuring high performing women who shared their experiences. There were 10 local female speakers, representing various occupations allowing the students to move around in groups gaining valuable networking opportunities and career advice. The forum was attended by 100 female students from a variety of schools across Campbelltown LGA. Councillor Oates noted the forum was exceptionally organised and extremely well received.
2. Councillor Masood Chowdhury on 23 June attended a multicultural day celebration at James Meehan High School, Macquarie Fields. Councillor Chowdhury commended the school for celebrating and embracing multiculturalism.
3. Councillor Paul Lake on 16 June attended the changeover dinner for the Rotary Club of Campbelltown. Councillor Lake thanked former Mayor Paul Hawker as the outgoing president and welcomed incoming president David Symonds. Councillor Lake passed on his congratulations to Josh Cotter who has been appointed Youth & Community Engagement and Marketing Director. The Mayor passed on his wishes to the former Mayor, Paul Hawker and his congratulations to Josh Cotter.
4. Councillor Ben Moroney thanked and passed on appreciation to all the library staff for their lockdown services and the remote activities they are providing to residents. Councillor Moroney noted the disappointment at a NSW Government directive prohibiting the libraries from providing a 'click and collect' borrowing system during lockdown.

5. Councillor Warren Morrison on 9 June with the Mayor, Councillor Brticevic and Councillor Chowdhury attended Event Cinema, Macarthur Square for the premier screening of the movie 'Cousins'. Councillor Morrison congratulated the NSW Council for Pacific Communities and all involved particularly Mal Fruean, Briar Grace-Smith and Ainsley Gardiner.
6. Councillor Warren Morrison on 10 June with Councillor Oates and Councillor Chowdhury attended Campbelltown Arts Centre for the announcement of the Landcom People's Choice Award from the Western Sydney Sculpture Awards and Exhibition. Councillor Morrison passed on his congratulations to Louis Pratt who was announced as the winner.
7. Councillor Warren Morrison passed on his thanks to Councillor Gilholme for representing the Mayor at the launch of the 2021 24 Hour Fight Against Cancer Macarthur. Councillor Morrison thanked the Deputy Chair Sue McGarrity and Dr Stephen Dell-Fiorentina OAM, the Macarthur Cancer Therapy Centre oncologist. Councillor Morrison acknowledged the sponsors and supporters who raised \$99,000 last year.
8. Councillor Warren Morrison passed on his well wishes to all residents in the LGA. As we come close to the start of the Tokyo Olympics Councillor Morrison passed on his well wishes for everyone competing and acknowledged local athletes Ato Plodzicki-Faoagali and Marion Ah Tong who will be representing Samoa in boxing.
9. Councillor Bob Thompson thanked Councillor Morrison on his work with 24 Hour Fight Against Cancer Macarthur.
10. The Mayor, Councillor Brticevic on 16 June with Councillor Gilholme attended Raby Oval where Cricket NSW was holding an all abilities sports day for local schools. Councillor Brticevic was excited to see Bradbury Primary School participating in the day.
11. The Mayor, Councillor Brticevic on 21 June attended the opening of Cook Reserve, Ruse. The official opening scheduled for 25 June had to be cancelled due to lockdown restrictions, however Councillor Brticevic was pleased that the park was completed and open at the start of the school holidays. Councillor Brticevic thanked the City Delivery team for their efforts.
12. The Mayor, Councillor Brticevic on 22 June attended Eschol Park Football Club 2021 Pink & Blue Charity Day. The day involved soccer gala games, there were jumping castles and a variety of good things to eat and a raffle. The club raised \$15,000 to be given to cancer charities. Councillor Brticevic thanked the president, Ralf Bzdega, the vice president for juniors Peter Anjos for organising and Councillor Lound for attending in his capacity as the Chairperson of Macarthur Football.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Confidentiality Recommendation

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

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 and 14.3 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

Item 14.1 Council Land Sale - Underutilised Site in Bradbury

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 End of Exclusivity Agreement - EOI Opportunity on Council Land

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 Commercial Opportunity

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.

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

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

The Ordinary Meeting of Council was adjourned at 8:28 pm and reconvened as a meeting of the Confidential Committee at 8:29 pm.

Recommendations of the Confidential Committee

14.1 Council Land Sale - Underutilised Site in Bradbury

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

1. That Council do not develop the subject site and endorse the sale of the subject site through a public auction on the basis outlined within the body of this report.
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2. That the appropriate due diligence required to complete the sale process is undertaken and that this is funded from the proceeds of sale.
 3. That Council provide delegated authority to the Mayor and General Manager to execute all legal documentation associated with the sale outlined within the body of this report, under common seal if applicable.

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

14.2 End of Exclusivity Agreement - EOI Opportunity on Council Land

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

1. That Council acknowledge the conclusion of negotiations with the proponent outlined in the body of this report.
2. That Council endorse a targeted approach via an Expression of Interest (EOI) to market the site for potential tenants/purchaser in line with Councils Reimagining Campbelltown City Centre Masterplan.

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

Meeting note: Having declared an interest in Item 14.3 Councillor Morrison left the meeting at 8:34 pm and with Item 14.3 being the last item to discuss Councillor Morrison did not re-join the meeting.

14.3 Commercial Opportunity

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

That Council approve the acquisition of the subject property on terms and conditions set out in this paper

1. That Council note that the subject property is consistent with the Primary Criteria of the Investment Property Portfolio – Strategy for Revenue Growth Policy.
 2. That Council provide approval of funds as specified in this paper to acquire the property and approve funding to be allocated from the Property Development Reserve.
 3. That the General Manager be granted delegated authority, once satisfied, to sign all documentation associated with the acquisition of the subject property.
 4. That the subject property is categorised as operational once it is transferred into Council's ownership.
 5. That the existing Property Management arrangements remain in place for a minimum of 18 months to ensure the acquisition reflects an ongoing business concern.
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6. That Council approve an exemption from the tendering requirements in accordance with section 55(3)(i) of the *Local Government Act 1993*, noting that, due to extenuating circumstances, a satisfactory result would not be achieved by inviting tenders for the provision of Property Management Services at this time.

 7. That Council notes the reason why a satisfactory result would not be achieved by inviting tenders at this time is due to the need for continuity of service provision during the acquisition and handover phase and to retain a service provider with an intimate working knowledge of the asset until such time as Council stabilises the investment post acquisition.

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

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

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8:39 pm. The Mayor read the recommendations from the Confidential Committee for Items 14.1, 14.2 and 14.3.

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

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

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

There being no further business the meeting closed at 8:44 pm.

Confirmed by Council on

..... General Manager Chairperson