

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 8 March 2022.

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 8 March 2022**

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**Present**           The Mayor, Councillor G Greiss  
Councillor G Brticevic  
Councillor J Chew  
Councillor M Chivers  
Councillor M Chowdhury  
Councillor J Cotter  
Councillor M George  
Councillor K Hunt  
Councillor M Khalil  
Councillor D Lound  
Councillor R Manoto  
Councillor R Munro  
Councillor M Oates  
Councillor M Stellino

**1.     ACKNOWLEDGEMENT OF LAND**

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

**Council Prayer**

The Council Prayer was presented by the General Manager.

**2.     APOLOGIES/LEAVE OF ABSENCE**

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

That the apology from Councillor W Morrison be received and accepted.

**029/2022**     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 8 February 2022**

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

That the Minutes of the Ordinary Council Meeting held 8 February 2022, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**030/2022**     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 8.2 - Outcome of Public Exhibition - Menangle Park Planning Proposal. Councillor Chivers declared a pecuniary interest in the item and will leave the Chamber.

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

Councillor Margaret Chivers – Item 11.4 - Business Parking in the Campbelltown CBD. Councillor Chivers has a business in the Campbelltown CBD and will leave the Chamber.

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

Councillor Darcy Lound – Item 8.12 - Delivery Program/Operational Plan: 6 Month Progress Report. Councillor Lound declared a that he is the Chairman of Macarthur Football Association based at Lynwood Park, which is mentioned in the report. Councillor Lound confirmed that this is a non pecuniary less than significant interest and as such will remain in the Chamber for the discussion of the item.

### **Other Disclosures**

Nil

## 5. MAYORAL MINUTE

### 5.1 Reflections, Considerations and Updates

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It was **Moved** Councillor Greiss:

That this information be noted.

**031/2022** The Motion on being Put was **CARRIED**.

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### 5.2 Take Care Campbelltown

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It was **Moved** Councillor Greiss:

That the information be noted.

**032/2022** The Motion on being Put was **CARRIED**.

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## Procedural Motion

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

That Item 8.2 - Outcome of Public Exhibition - Menangle Park Planning Proposal be brought forward to be considered after Item 5.2.

**033/2022** The Motion on being Put was **CARRIED**.

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## 6. PETITIONS

## 7. CORRESPONDENCE

### 7.1 NSW Government Program - WestInvest

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

That the letter be received and the information be noted.

**034/2022** 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 Hunt, **Seconded** Councillor Lound:

That the information be noted.

**035/2022** The Motion on being Put was **CARRIED**.

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**Meeting note:** Having declared an interest in Item 8.2 Councillor Chivers left the Chamber at 6:43 pm and did not take part in the discussion or vote on the matter.

## **8.2 Outcome of Public Exhibition - Menangle Park Planning Proposal**

**Meeting note:** Mr Peter Ryan addressed the meeting. A written submission from Ms Patricia Durman was read at the meeting.

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

1. That Council adopt the Planning Proposal at attachment 1, relating to land within the Menangle Park Urban Release Area with the following post exhibition amendments:
  - a. Amend the Land Use Zoning map and associated maps to zone 0.97 ha of part E2 Environmental Management and RE1 Public Recreation to support a 30 m buffer to the remnant patch of Elderslie Banksia Scrub Forest, Critically Endangered Ecological Community.
  - b. Amend the Land Use Zoning map to remove the proposed B1 Neighbourhood zone within the proposed town centre and replace with B2 Local Centre zone.
  - c. Amend the Land Use Zoning map to slightly reduce the extent of R3 Medium Density Housing located south of proposed Park K by 1.68 ha.
  - d. Amend Lot Size for Dual Occupancy Development Map to ensure consistency with associated mapping layers.
  - e. Amend Land Acquisition Map to expand the SP2 zoning of Spring Farm Parkway Stage 1 northern ramp by 0.08 ha.
2. That subject to recommendation No.1, Council forward the Planning Proposal to the Department of Planning and Environment and request the Minister for Planning and Homes finalise the plan.
3. That the submission authors be advised of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Greiss, D Lound, K Hunt, M Chowdhury, R Manoto, M Oates, M Khalil, M Stellino, J Cotter, G Brticevic, M George, J Chew and R Munro.

Voting against the Resolution were Nil.

**036/2022** The Motion on being Put was **CARRIED**.

**Meeting note:** At the conclusion of the discussion regarding Item 8.2 Councillor Chivers returned to the Chamber at 6:56 pm.

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### 8.3 Proposed Housekeeping Amendments to Campbelltown (Sustainable City) Development Control Plan 2015

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

1. That Council endorse the draft Amendment No. 13 to Volume 1 of Campbelltown (Sustainable City) Development Control Plan 2015, as shown in the attachments to this report for the purpose of public exhibition.
2. That should Council receive any submissions during the public exhibition of draft Amendment No. 13, a further report be provided to Council following the completion of the public exhibition period.
3. That where Council receives no submissions in response to draft Amendment No. 13, the amendments be formally adopted and notified in accordance with the Environmental Planning and Assessment Regulation 2000.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Greiss, D Lound, K Hunt, M Chowdhury, R Manoto, M Oates, M Khalil, M Stellino, J Cotter, G Brticevic, M Chivers, M George, J Chew and R Munro.

Voting against the Resolution were Nil.

**037/2022** The Motion on being Put was **CARRIED**.

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### 8.4 Improving the Infrastructure Contributions System

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

That Council:

1. Endorse the submission on the new framework for state infrastructure contributions as provided in attachment 2.
2. Forward the submission to both the NSW Department of Planning and Environment and The Honourable Anthony Roberts MP, Minister for Planning and Minister for Homes.
3. Endorse resolution 11 of the Local Government New South Wales Special Conference:

*Infrastructure contribution reform*

*That Local Government NSW reaffirms its position that councils should not be worse off under infrastructure contribution reforms and that this continue to be pursued vigorously with the NSW Government including:*

1. *Changes to the legislation and policy framework to ensure that councils' capacity to provide infrastructure for their communities is not diminished.*

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2. Asking that the government demonstrate to each local council how its modelling concludes that that each Council will not be worse off.

3. That should the government introduce any state or regional infrastructure levy, that there be a requirement for it to be spent in the area from which it was collected

**038/2022** The Motion on being Put was **CARRIED**.

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## **8.5 Urban Development Institute of Australia - National Congress Sydney 2022**

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It was **Moved** Councillor Stellino, **Seconded** Councillor Chew:

That interested Councillors be authorised to attend the 2022 Urban Development Institute of Australia National Congress in Sydney, in accordance with the provisions of the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors.

**039/2022** The Motion on being Put was **CARRIED**.

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## **8.6 Submission on the Draft State Environmental Planning Policy (Design and Place) 2021**

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

That Council endorse the attached submission on the draft State Environmental Planning Policy (Design and Place) 2021 and related documents with the addition of exercise equipment to point 4 under the urban design guide heading on page 88.

**040/2022** The Motion on being Put was **CARRIED**.

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## **8.7 Investments and Revenue Report - January 2022**

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

That the information be noted.

**041/2022** The Motion on being Put was **CARRIED**.

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## 8.8 T21/06 Veterinary Services

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

That Council:

1. In accordance with section 178 of the Local Government (General) Regulation 2005 Council declines to accept the tender received for veterinary services for the Animal Care Facility as it does not fully meet Council's requirements.
2. That Council enter into negotiations with the tenderer and other vets in the area to provide the various services required whilst a review of the way the services are provided is undertaken. As the market has been tested through this process with the current service provision, the Evaluation Panel do not see any benefit in inviting fresh tenders for the same service.
3. Notify the Tenderer of the results of the tender process.

**042/2022** The Motion on being Put was **CARRIED**.

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## 8.9 Quarterly Business Review Statement as at 31 December 2021

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

That the adjustments recommended in the Quarterly Business Review be adopted.

**043/2022** The Motion on being Put was **CARRIED**.

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## 8.10 Reports and Letters Requested

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

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

**044/2022** The Motion on being Put was **CARRIED**.

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### 8.11 Minutes of the Audit Risk and Improvement Committee Report

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

That the minutes of the Audit Risk and Improvement Committee held 15 February 2022 be noted.

**045/2022** The Motion on being Put was **CARRIED**.

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### 8.12 Delivery Program/Operational Plan: 6 Month Progress Report

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It was **Moved** Councillor George, **Seconded** Councillor Chew:

That Council receive and note the 6-monthly progress report. This report outlines progress against the Principal Activities outlined in the Delivery Program 2017-22 and Operational Plan 2021-22, for the July to December 2021 period.

**046/2022** The Motion on being Put was **CARRIED**.

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### 8.13 Draft Community Strategic Plan: Public Exhibition

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

1. That the draft Community Strategic Plan - Campbelltown 2032 - be placed on public exhibition for a period of 28 days (9 March 2022 and 6 April 2022).
2. That, following public exhibition, a further report is submitted to Council seeking formal endorsement of the revised Community Strategic Plan - Campbelltown 2032.

**047/2022** 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 Koala Care and Treatment Facilities

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

1. That Council write to the NSW Minister for Environment and Heritage, the Hon. James Griffin MP, Shadow Minister for the Environment Penny Sharpe MLC, Federal Member for Macarthur, Dr Mike Freeland MP, Federal Member for Werriwa Anne Stanley MP seeking their support for Council to obtain funding from the Federal Government under the recently announced \$50 million grants package to boost the long-term protection and recovery efforts of Australia's koalas in line with the NSW Government's commitment to double Australia's koala population by 2050.
2. That Council write to the Federal Minister for the Environment, the Hon. Sussan Ley MP, highlighting the uniqueness of the Campbelltown Koala colony being the only disease-free colony in the Sydney Basin and seeking funding from the January announcement of the \$50 million koala protection grants package to:
  - a) provide koala health and care facilities
  - b) deliver all care, treatment and triage to improve koala health outcomes
  - c) assist with on-ground actions that will restore and enhance priority koala habitat and safety
  - d) implement key training in koala treatment and care and
  - e) expand community-led initiatives.
3. That Council write to the NSW Minister for Environment and Heritage, the Hon. James Griffin MP, requesting funding under the State Government support package.

**048/2022** The Motion on being Put was **CARRIED**.

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### 11.2 Queen's Walk

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

That Council write to the Federal Member for Macarthur, Dr Mike Freeland MP, and the Federal Member for Werriwa, Ms Anne Stanley MP, requesting their consideration of Council's proposal to create a "Queen's Walk" of large canopy shade trees in line with the Federal Government's Queen's Jubilee Funding announcement and to provide appropriate support and assistance for such proposal.

**049/2022** The Motion on being Put was **CARRIED**.

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### 11.3 Illegal Rubbish Dumping

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

1. That Council investigate ways to combat the increasing levels of illegal kerbside rubbish dumping across the city.
2. That a report be presented as soon as possible on the outcome of the investigation.

**050/2022** The Motion on being Put was **CARRIED**.

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**Meeting note:** Having declared an interest in Item 11.4 Councillor Chivers left the Chamber at 7:47 pm and did not take part in the discussion or vote on the matter.

### 11.4 Business Parking in the Campbelltown CBD

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

1. That Council undertake further engagement with Campbelltown CBD Businesses to understand their concerns regarding parking.
2. That a report be presented to Council for discussion and consideration of appropriate potential solutions.
3. Develop an appropriate data strategy to ensure that recommendations regarding parking are based on evidence.

**051/2022** The Motion on being Put was **CARRIED**.

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**Meeting note:** At the conclusion of the discussion regarding Item 11.4 Councillor Chivers returned to the Chamber at 8:02 pm.

### 11.5 Simmos Beach, Macquarie Fields

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

That a report be presented to Council outlining ways to increase visitation to Simmos Beach, Macquarie Fields. The report should include:

- a) identification of any future enhancement works planned or required to improve the location.
- b) marketing opportunities to increase visitation and tourism.
- c) any environmental factors to be taken into account because of increasing visitation.
- d) any future resourcing considerations to enable an ongoing program of works and marketing activity.

**052/2022** The Motion on being Put was **CARRIED**.

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## 12. URGENT GENERAL BUSINESS

## 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Karen Hunt on 25 February with Councillors Lound, Chowdhury, Munro and the Mayor, Councillor Greiss attended the Macarthur Football Association 2022 season launch at Ottimo House. The event was attended by Anne Stanley Member for Werriwa and included guest speakers Macarthur FC player Tomi Urich, Western Sydney Women's player, Rosie Galea, and head coach and former Matilda, Catherine Cunnuli. Derek Meechan the President of Macarthur District Football Referees blew the whistle to officially launch the season. It was a very enjoyable night and a great celebration of local football in Macarthur.
2. Councillor Meg Oates on 28 February – 2 March attended the LGNSW Special Conference. Councillor Oates submitted a motion on behalf of Campbelltown Council requesting the State Government significantly increase the amount of funding available to local councils to assist in the protection, ongoing maintenance and enhancement of heritage buildings, heritage structures and heritage sites in their local government areas. Councillor Oates advised the Chamber that \$6 million was allocated in the budget by the State Government for heritage funding however only \$2.4 million was allocated to Councils with the remaining \$3.6 million used by the State Government. Councillor Oates stressed how important it is that funding be allocated to local Councils enabling them to protect, maintain and enhance heritage buildings, heritage structures and heritage sites.
3. Councillor Josh Cotter commended the local SES units, local RFS, local police area command and Council staff for their assistance they provided the community over past few days with unprecedented rain and flooding. Councillor Cotter advised the community that sandbags are available at Pembroke Park, Minto, Milton Park, Macquarie Fields and an additional sandbag collection point is now at Rosemeadow Sports Complex car park.
4. Councillor George Brticevic on 9 February with Councillor Chivers attended the Campbelltown Ghosts All Inclusive Scouts Group where 2 Cub Scouts, Cameron Parsons and Bryson Da Silva were presented with their Grey Wolf Award which is the ultimate award a Cub Scout can receive. Councillor Brticevic passed on his congratulations to Cameron and Bryson who completed a number of outdoor, leadership and special interest tasks in order to achieve this level.
5. Councillor Masud Khalil on 19 February with the Mayor, Councillor Greiss and Councillor Chowdhury attended the opening of A1 Badminton Centre in Campbelltown. Councillor Khalil shared his excitement in having a badminton centre open in the LGA enabling the community to be able to play badminton indoors locally.
6. The Mayor, Councillor George Greiss with the General Manager presented each Councillor with their signed Oath of Office or Affirmation of Office. Each Councillor declared their Oath of Office or Affirmation of Office in person in front of the General Manager and again declared their Oath of Office or Affirmation of Office online at the Extraordinary Meeting of Council on 11 January 2022.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

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 Grant of Easement on Council Land - Campbelltown**

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 Lease - Milgate Arcade**

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 Expression of Interest 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.

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

**053/2022** The Motion on being Put was **CARRIED**.

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**The Ordinary Meeting of Council was adjourned at 8:31 pm and reconvened as a meeting of the Confidential Committee at 8:32 pm.**

### Recommendations of the Confidential Committee

#### 14.1 Grant of Easement on Council Land - Campbelltown

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

1. That Council approve the granting of an easement for drainage purposes situated at Lot 77 DP 22711, Lilian Street, Campbelltown situated within the Campbelltown Local Government area.
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2. That Council approve the terms of settlement are documented by way of a Deed and that the Document be executed by way of Delegated Authority under S377 of the *Local Government Act 1993*.
  3. That once resolution is granted documentation associated with the easement be lodged for registration at NSW Land Registry Service (if required).

**054/2022** The Motion on being Put was **CARRIED**.

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## **14.2 Lease - Milgate Arcade**

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

1. That Council provide approval to enter into a new lease for Shop 2 Milgate Arcade, Queen Street, Campbelltown to the current lessee based on the terms and conditions outlined in the body of the report.
2. That Council endorse that all documentation associated with this transaction is executed by way of delegated authority under Section 377 of the *Local Government Act 1993*, if required.

**055/2022** The Motion on being Put was **CARRIED**.

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## **14.3 Expression of Interest Council Land**

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

1. That the Council endorse to undertake a targeted approach via an Expression of Interest /Public Tender to market the site detailed in the report for divestment.
2. That Council provide delegated authority to the General Manager, and her delegated authorities, to execute all legal documentation associated with this transaction and the divestment outlined within the body of this report and under common seal if applicable.

**056/2022** The Motion on being Put was **CARRIED**.

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

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

**057/2022** 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 8:35 pm**

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

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

**058/2022** The Motion on being Put was **CARRIED.**

There being no further business the meeting closed at 8:36 pm.

Confirmed by Council

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