

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

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

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 10 November 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

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 13 October 2020**

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

That the Minutes of the Ordinary Council Meeting held 13 October 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests

Nil

Non Pecuniary – Significant Interests

Councillor Gilholme – Item 8.4 – Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Gilholme – Item 8.5 – The Meadows, Ingleburn Gardens Planning Proposal. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Gilholme – Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.4 – Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.5 – The Meadows, Ingleburn Gardens Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Lound – Item 8.4 – Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Lound – Item 8.5 – The Meadows, Ingleburn Gardens Planning Proposal. Councillor Lound advised he is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Lound – Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

5. MAYORAL MINUTE

5.1 Community Service Awards - Ray James OAM, Keith Kent OAM and Father Peter Caruana

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

That Ray James OAM, Keith Kent OAM and Father Peter Caruana be presented with a Community Service Award in recognition of their contributions to the Campbelltown community.

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

6. PETITIONS

7. CORRESPONDENCE

7.1 Heritage Cattle Tanks - Hurley Park, Campbelltown

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

That the letter be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Advertising and Marketing Opportunities for Council Activities and Programs

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

That the information be noted.

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

8.2 Feasibility of Flag Raising Events

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

1. That Council includes a cultural ceremony as part of the opening of annual Feast event.
2. That grant funding be widely promoted to encourage cultural groups to apply to host cultural events and significant days.
3. That a policy be brought back to Council for consideration that provides clear guidelines for flag raising events.

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

8.3 Re-establishment of South Area Alcohol Free Zones

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

1. That public notices be placed on Council's website and social media pages for a minimum 14 day period, inviting submissions on Council's intention to re-establish Alcohol Free Zones over the streets and footpaths detailed in attachment 1 to this report being within the areas of:
 - (a) Airds
 - (b) Ambarvale
 - (c) Bradbury
 - (d) Campbelltown CBD South
 - (e) Campbelltown CBD North
 - (f) Campbelltown East 1
 - (g) Campbelltown East 2
 - (h) Glen Alpine
 - (i) Leumeah
 - (j) Menangle Park
 - (k) Rosemeadow 1
 - (l) Rosemeadow 2
 - (m) Ruse
 - (n) St Helens Park 1
 - (o) St Helens Park 2
 2. Any submissions received during the public exhibition period be reported to Council.
 3. Should no submissions be received during the public exhibition period, formal notice of Council's intention to re-establish Alcohol Free Zones over the areas specified in Recommendation No.1, be issued to the following organisations and/or groups:
 - (a) The Anti-Discrimination Board of NSW
 - (b) The Officer in charge of the Police Station nearest the zones
 - (c) The liquor licensees and secretaries of registered clubs whose premises are in close proximity to the proposed zones
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- (d) Any known group that might be affected by the creation of the proposed zones.
4. Any submissions received from the organisations/groups listed in Recommendation No.3 during the notice period be reported to Council.
 5. Where no submissions are received from the organisations/groups listed under Recommendation No.3, the formal re-establishment of the respective Alcohol Free Zones be commenced by way of public notice being given on Council's website and social media pages for a minimum period of seven days prior to the proposed commencement date of the Alcohol Free Zones.

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

Note: Councillor Moroney voted against the motion.

Meeting note: Having declared an interest in Items 8.4, 8.5 and 8.8 Councillor Gilholme, Councillor Greiss and Councillor Lound left the meeting at 7:02pm and did not take part in the discussions or vote on those matters.

8.4 Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury

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

1. That Council approve the forwarding of the Planning Proposal contained in attachment 1 of this report to the Minister for Planning and Public Spaces for finalisation.
2. That Council not exercise, via the General Manager the functions of the Minister for Planning under section 3.31(3)(b) of the *Environmental Planning and Assessment Act 1979*, pursuant to the Instrument of Delegation dated 14 October 2012, due to a submission being received from the NSW Rural Fire Service.
3. That the NSW Rural Fire Service be advised of Council's resolution.

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

Voting against the Resolution were Councillor B Moroney.

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

8.5 The Meadows, Ingleburn Gardens Planning Proposal

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

1. That Council, forward the attached draft Planning Proposal (attachment 1) relating to land within the Meadows Precinct, 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 8.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, M Chivers, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

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

Procedural Motion

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

That Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown be brought forward to follow Item 8.5.

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

8.6 Submission on Draft Cumberland Plain Conservation Plan

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

That Council endorse a formal submission to the NSW Department of Planning, Industry and Environment on the draft Cumberland Plain Conservation Plan with matters contained in this report.

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

8.7 Development Application Status

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

That the information be noted.

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

Meeting note: Item 8.8 was moved by procedural motion to follow Item 8.5. Having declared an interest in Item 8.8 Councillor Gilholme, Councillor Greiss and Councillor Lound did not take part in the discussion or vote on the matter.

8.8 Planning Proposal Request - 2 Farrow Road, Campbelltown

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

1. That Council not support the Planning Proposal Request (attachment 1) which seeks rezoning of industrial land at 2 Farrow Road to permit high rise residential development and mixed use development outcomes and changes to the maximum permissible height of buildings for the site (with a variety of heights up to 101 metres/28 storeys).
2. That the applicant be advised of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.8 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, M Chivers, B Moroney, W Morrison and B Thompson.

Voting against the Resolution were Councillors P Lake and T Rowell.

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

Meeting note: At the conclusion of the discussion regarding Item 8.8 Councillor Gilholme, Councillor Greiss and Councillor Lound returned to the meeting at 7.15pm.

8.9 Quarterly Business Review Statement as at 30 September 2020

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

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

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

8.10 Reports and Letters Requested

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

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

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

8.11 Investments and Revenue Report - September 2020

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

That the information be noted.

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

8.12 Annual Report 2019-2020

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

That Council endorse the Annual Report 2019-2020.

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

8.13 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 16 September 2020 be noted.

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

9. QUESTIONS WITH NOTICE

9.1 Heritage Applications

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

That the questions and answers be noted.

1. Since the dissolution of the Heritage Subcommittee, what has been the change, if any, in:

a) the number of heritage relevant development applications per month

Before the dissolution of the committee we received approximately four heritage relevant development applications per year. Since the dissolution we have received approximately three development applications per year.

b) the mean and median processing time of heritage relevant development applications

	Prior to dissolution	After dissolution
Median processing time of heritage related development applications	238 days	352 days
Mean processing time of heritage related development applications	313 days	380 days

It can be seen that the processing time has increased. However due to the small sample size, careful consideration needs to be given to the scale of the applications, and therefore wisely you have also sought information on their value.

c) the mean and median value of heritage relevant development applications

	Prior to dissolution	After dissolution
Median value of heritage related development applications	\$99,000	\$1,250,000
Mean value of heritage related development applications	\$4,262,179	\$11,124,370

It can be seen that the median and mean value of heritage applications has been substantially higher post dissolution, but must stress again that this is a small sample size.

d) the number of heritage grant applications per month

The information on heritage grants is based on financial years. The number of heritage grant applications is not a large number. The largest number we received was in the 2014-2015 financial year when four applications were received.

	Prior to dissolution	After dissolution
Number of heritage grant applications	2 per year	1 per year

e) the mean and median processing time of heritage grant applications

	Prior to dissolution	After dissolution
Median processing time of heritage grant applications	151 days	21 days
Mean processing time of heritage grant applications	156 days	21 days

There has been a significant reduction in the processing time for heritage grant applications.

f) the mean and median value of heritage grant applications.

	Prior to dissolution	After dissolution
Median value of heritage grant applications	\$2,000	\$1,957
Mean value of heritage grant applications	\$1,845.50	\$1,957

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

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 30 October with Councillors Chivers, Chowdhury, Hunt, Gilholme, Lound and Manoto attended the opening of the Fisher's Ghost Art Award at Campbelltown Arts Centre. Councillor Oates congratulated all artists with special mention to Annika Romeyn the winner of the 2020 Open Award with 'Verge 3' and Alun Rhys Jones who was awarded the Macarthur Award, sponsored by the Labour Councillors for this piece 'I, FULL SLEEVE'. Councillor Oates encouraged all of the community to attend to view the artworks.
2. Councillor Meg Oates on 28 October attended Koshigaya Park for the turning of the Sod for the traditional Yarning Circle. A Yarning Circle is an Aboriginal cultural space where people can sit down together and share stories, learn as a collective group, build respectful relationships and preserve and pass on cultural knowledge.
3. Councillor Meg Oates on 9 November represented the Mayor at the NAIDOC week opening at the Civic Forecourt. Uncle Ivan performed a traditional smoking ceremony the opening also included a flag raising ceremony and was attended by a small group of local elders and representatives.
4. Councillor Masood Chowdhury on 25 October celebrated the Durga Puja Festival at the Greg Percival Community Hall and Glenfield Community Hall. This festival is a very important time of year for the Hindu community. This event celebrates the triumph of the goddess Durga over the buffalo demon Mahisasura.
5. Councillor Karen Hunt on 24 October represented the Mayor at Club Menangle with Councillor Greiss and Councillor Morrison for the Breeders Challenge Finals night. Uncle Ivan performed a smoking ceremony and the Indigenous harness drivers were presented with silks and caps specifically designed for the Kari J C Caffyn Drivers Plate.
6. Councillor Ben Gilholme on 9 November represented the Mayor at the Anglicare Minto Village topping out ceremony. Councillor Gilholme noted that this provided an opportunity to view stage 1 of the project and he was visually able to see the potential of the buildings for the near future residents. Councillor Gilholme thanked the Director of City Development for attending.
7. Councillor Margaret Chivers on 28 October with the Mayor, Councillor Brticevic, Councillor Oates, Councillor Chowdhury, Councillor Gilholme and Councillor Manoto attended the opening of Artist Exchange, the new gift shop inside the Campbelltown Arts Centre. Councillor Chivers noted that this was a motion she moved in 2018 and passed on her thanks to the Director of City Growth and the Executive Manager Creative Life acknowledging that this was a large project that involved relocating the welcome and reception desk. Councillor Chivers encouraged the community to visit noting that Artists Exchange is now selling gift vouchers.
8. Councillor Margaret Chivers on 3 November attended Eagle Vale Library to unveil a quiet spin bike which has been designed for libraries and now overlooks Eagle Farm Reserve Lake. Councillor Chivers thanked the library staff for their efforts in locating this bike and shared her excitement that the bike provides visitors with the option to ride and read.

9. Councillor Warren Morrison on 24 October attended Club Menangle to celebrate the 10th anniversary of Indigenous harness racing. Councillor Morrison shared what a success the series has become and looks forward to its continuation.
10. Councillor Warren Morrison congratulated the Director of City Growth on the updates to Campbelltown Arts Centre with the opening of Artist Exchange. Councillor Morrison noted all the display units are now on wheels allowing artworks to be moved to accommodate events.
11. Councillor Warren Morrison on 31 October attended the Beersheba Day ceremony at the Beersheba monument on the corner of Menangle Road and Beersheba Parade. Councillor Morrison thanked Club Menangle for providing a memorable ceremony to remember the Australian Light Horse Regiment and the battle of Beersheba in 1917.
12. Councillor Bob Thompson passed on his thanks to Council landscaping staff for their work in gardens, in particular, noting the hedging near the running track at Leumeah.
13. The Mayor, Councillor Brticevic on 28 October welcomed Anthony Mundine and Gosh Daher to launch their Indigenous Roadside Concrete Barriers. The artwork by Aboriginal workers and artists features a serpent and enhances the visual appeal of these concrete barriers while also showcasing the artworks. Councillor Brticevic welcomed the barriers in Campbelltown.
14. The Mayor, Councillor Brticevic on 30 October attended a Beersheba breakfast with the Council Executives. The breakfast was to mark the memorial day to honour the courageous efforts of the Australian Light Horse Regiment in the battle of Beersheba in 1917. Councillor Brticevic thanked Club Menangle for continuing to honour the courageous efforts of the Australian Light Horse Regiment, which trained at Menangle Park and pay respects to the 31 brave Australian soldiers who made the ultimate sacrifice during this battle.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Confidentiality Recommendation

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

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 a Council Property

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 Deed of Variation - Road Widening

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.

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

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

The Ordinary Meeting of Council was adjourned at 7.58pm and reconvened as a meeting of the Confidential Committee at 7.59pm.

Recommendations of the Confidential Committee

14.1 Lease of a Council Property

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

1. That Council endorse the lease with South Western Sydney Health District for 80 Woodhouse Drive, Ambarvale on terms and conditions set out in this report.
2. That the Lease is executed under the Common Seal of Council (if required).

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

14.2 Deed of Variation - Road Widening

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

That Council resolves to execute a Deed of Variation, in the form annexed to this report, by authorising the Mayor and General Manager to execute such Deed and affix the common seal of council to that Deed.

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

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

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.05pm and the Mayor advised that the resolutions to Items 14.1 and 14.2 were adopted.

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

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

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

There being no further business the meeting closed at 8.07pm.

Confirmed by Council on

..... General Manager Chairperson