

# CAMDEN COUNCIL

---

## MINUTES OF THE ORDINARY COUNCIL

13 JULY 2010

### **PRESENT**

Cr Patterson (Mayor/Chairperson), Cr Anderson, Cr Cagney, Cr Campbell, Cr Cottrell, Cr Dewbery, Cr Funnell, Cr Symkowiak, Cr Warren

### **STAFF**

General Manager, Acting Director Governance (Manager Strategic Planning), Acting Director Development and Health (Manager Development), Director Works and Services, Manager Corporate Services, Acting Manager Environmentally Sustainable Design (Engineering Team Leader), Manager Capital Works, Manager Environment and Health, Manager Employee & Community Relations, Manager Community Services, Manager Assets, Senior Governance Officer.

### **APOLOGIES**

Resolution: There were no leave of absence to be granted.

ORD136/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **DECLARATION OF INTEREST**

Resolution: There were no declarations to be noted.

ORD137/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **PUBLIC ADDRESSES**

Resolution: Mr Peter Lubrano addressed the Council in relation to Item ORD01.

Moved Councillor Symkowiak, Seconded Councillor Dewbery that the public addresses be noted.

ORD138/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **CONFIRMATION OF MINUTES**

Resolution: Moved Councillor Anderson, Seconded Councillor Warren that the Minutes of the Ordinary Council Meeting held 22 June 2010, copies of which have been circulated, be confirmed and adopted.

ORD139/10 THE MOTION ON BEING PUT WAS **CARRIED**.

**MAYORAL MINUTE - LGSA SUPPORT GROWTH COUNCILS REGARDING \$20,000 SECTION 94 RATE CAP**

Resolution: Moved Councillor Patterson that the information be noted.

ORD140/10 THE MOTION ON BEING PUT WAS **CARRIED**.

**MAYORAL MINUTE - APPOINTMENT OF NEW DIRECTOR – DEVELOPMENT & HEALTH**

Resolution: Moved Councillor Patterson that the General Manager's appointment of Carey McIntyre to the position of Director – Development & Health be endorsed.

ORD141/10 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD01 USE OF SHOP 4 AS A MEDICAL PRACTICE AND PHARMACY, NO 54 FLINDERS AVENUE, CAMDEN SOUTH**

Resolution: **MOTION**

Moved Councillor Funnell, Seconded Councillor Campbell that Council approve DA530/2010, being the use of Shop 4 as a medical practice and pharmacy at No 54-60 (Lot 801-804 DP 239634) Flinders Avenue, Camden South subject to the draft conditions shown above with the following amendment:

"Operational Conditions - (14) **Hours of Operation** - The hours of operation for the approved land-use are:

Monday to Friday:	8am to 8pm
Saturday:	8am to 6pm
Saturday, Sunday & Public Holidays:	8am to 6pm

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation.

Any alteration to these hours will require the prior approval of the Consent Authority."

ORD142/10 THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Anderson, Cagney, Campbell, Cottrell, Dewbery, Funnell, Patterson, Symkowiak, Warren voted in favour of the Motion.

No Councillor voted against the Motion).

**ORD02 IMMINENT GAZETTAL OF CAMDEN LEP 2010 AND INTERIM INTERPRETATION OF CAMDEN DCP 2006**

Resolution: **CHAIRMANSHIP OF MEETING**

The Mayor, Councillor Patterson, vacated the Chair and left the Chamber, the time being 6.46pm.

The Deputy Mayor, Councillor Warren assumed the role of Chairperson.

Moved Councillor Funnell, Seconded Councillor Dewbery that Council resolve to continue to rely on the controls provided in Camden DCP 2006, following the gazettal of Camden LEP 2010, until such time as the revised Camden DCP comes into force, subject to the following criteria:

- i. any reference to a local environmental plan or LEP in Camden DCP 2006 is be regarded as a reference to Camden LEP 2010; and
- ii. where there is any inconsistency between Camden LEP 2010 and Camden DCP 2006, Camden LEP 2010 takes precedence to the extent of the inconsistency.

ORD143/10 THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Anderson, Cagney, Campbell, Cottrell, Dewbery, Funnell, Symkowiak, Warren voted in favour of the Motion.

No Councillor voted against the Motion).

### **ORD03 2010/11 SPECIAL RATE VARIATION APPLICATION - DETERMINATION BY THE MINISTER FOR LOCAL GOVERNMENT**

Resolution: Moved Councillor Anderson, Seconded Councillor Dewbery that Council:

- i. in accordance with Section 537(b) of the Local Government Act, 1993, note the percentage of base amount to total yield for the 2010/11 financial year for each class of rate is:

<b>Residential</b>	<b>48.93%</b>
<b>Business</b>	<b>12.14%</b>
<b>Farmland Ordinary</b>	<b>20.21%</b>
<b>Farmland Intensive</b>	<b>22.85%</b>

- ii. adopt the following ad valorem rates to be levied on the land value of all rateable assessments for 2010/11 financial year:

<b>Residential</b>	<b>0.220213</b>
<b>Business</b>	<b>0.594575</b>
<b>Farmland Ordinary</b>	<b>0.110107</b>
<b>Farmland Intensive</b>	<b>0.198192</b>

- iii. adopt a base amount of \$585.00 to be levied for each rateable assessment for the 2010/11 financial year;
- iv. approve the three year program of works for the Community Infrastructure Renewal Program; and

v. approve the creation of a Community Infrastructure Renewal Program Reserve.

ORD144/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **CHAIRMANSHIP OF MEETING**

At this stage, the Mayor, Councillor Patterson returned to the Chamber and resumed the Chair, the time being 6.53pm.

### **ORD04 CODE OF CONDUCT REVIEW**

Resolution: Moved Councillor Dewbery, Seconded Councillor Symkowiak that Council endorse the amendments to the Code of Conduct to incorporate a definition of the term "functions" in the Definition Section and additional wording in Clause 6.3 (b) as outlined in this Report.

ORD145/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **ORD05 NSW GOVERNMENT'S SPORT AND RECREATION FACILITY GRANT PROGRAM - \$100,000**

Resolution: Moved Councillor Warren, Seconded Councillor Cagney that Council:

- i. accept the funding offer of \$100,000 (GST exclusive) to include upgraded disability access as part of the Camden Pool Refurbishments;
- ii. Council's matching contribution be provided as part of the Federal Government's \$5 million grant; and
- iii. authorise the execution of documentation necessary in conjunction with acceptance of the grant under Council Seal.

ORD146/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **ORD06 FUNDING AGREEMENT WITH NSW DEPARTMENT OF EDUCATION – LODGES ROAD, ELDERSLIE**

Resolution: Moved Councillor Anderson, Seconded Councillor Symkowiak that Council:

- i. note that an agreement has been reached with the developer regarding contributions toward half road reconstruction of a section of Lodges Road in keeping with the developer's obligations under DA 800/2005 and the subject of point iv of resolution 195/09; and
- ii. rescind points ii, iii, v, vi and vii of resolution 195/09.

ORD147/10 THE MOTION ON BEING PUT WAS **CARRIED**.

## **QUESTIONS WITHOUT NOTICE**

### **CARWASH - MOUNT ANNAN**

Clr Anderson referred to a letter received from a neighbouring resident to the carwash concerning the operation of the lights at this site and asked has Council received any further complaints regarding the operation of this facility.

The Acting Director Development and Health stated no recent complaints have been received and the owners seem to be operating in accordance with the DA consent conditions.

### **NOXIOUS WEED REMOVAL**

Clr Funnell asked does Council actively promote the removal of Privet and Honey Locust, whereby residents are not required to go through the DA process.

The Manager Environment & Health stated both those plants, privet and honey locust (*Gleditsia triacanthos*) are noxious weeds and do not require approval to remove. Council does promote the removal of these weeds.

### **RUBBISH ON PRIVATE PROPERTY**

Clr Funnell referred to the illegal rubbish dumping generally in the area, particularly Cobbitty Road, Kirkham Lane and Macquarie Gover Road and referred specifically to the prevention of residents turning their rural 1(a) blocks into virtual junk yards by collecting and storing broken down machinery, bottles, glass, etc. Is there anyway Council issue clean up orders.

The Manager Environment & Health stated Council will look at any property that is of concern. Council does have powers under the Protection of the Environment Act to issue clean up notices and under the EPA Act for any illegal or unlawful activities on the site. If Council becomes aware of these activities, action can be taken.

**THE MEETING CLOSED AT 7.19PM.**