



Camden Council Minutes

Ordinary Council Meeting
10 October 2017

**Camden Council
Administration Centre
70 Central Avenue
Oran Park**



ORDINARY COUNCIL

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PRESENT

Cr Symkowiak (Mayor/Chairperson), Cr C Cagney, Cr Campbell, Cr Farrow, Cr Fedeli, Cr Mills, Cr Morrison, Cr Sidgreaves.

STAFF

General Manager, Director Customer & Corporate Strategy, Director Planning & Environment, Director Community Assets, Acting Director Sport, Community & Recreation, Chief Financial Officer, Chief Information Officer, Manager Governance & Risk, Manager Corporate Performance & Customer Service, Manager Growth & Advocacy, Manager Development Certification, Manager Waste & Compliance, Manager Statutory Planning, Acting Manager Strategic Planning, Manager Major Projects, Manager Civil, Construction & Maintenance, Manager Communications & Events, Manager Community Development, Acting Manager Sport, Recreation & Sustainability, Media Officer, Executive Services Coordinator, Property Services Coordinator, Senior Governance Officer, Governance Officer.

APOLOGIES

Resolution: Moved Councillor Campbell, Seconded Councillor Farrow that Councillor A Cagney be granted leave of absence.

ORD231/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

DECLARATIONS OF INTEREST

There were no declarations to be noted.

PUBLIC ADDRESSES

Mr David Taylor, on behalf of Dart West Developments, addressed Council in relation to ORD04 - Use of Tenancy 5A, 5B and 6 for the Sale of Fruit and Vegetables, a Delicatessen, Butcher, Bakery and General Groceries - 1 Gregory Hills Drive, Gledswood Hills.

Mr Chris Weston, on behalf of Dilsat Karaoglu, addressed Council in relation to ORD03 - Construction of a Long Day Child Care Centre for 40 Children Aged 0 to 5 Years with Car Parking, Landscaping and Associated Site Works - 37 Danvers Road & 36 Rosecomb Road, Spring Farm.

Mr Jeffery D'Souza addressed Council in relation to ORD01 - S96 (1A) Modification - Alterations to an Approved Single Storey Dwelling, Swimming Pool and Associated Site Works - 4 Douglas Place, Harrington Park.

Mr Philip Madden addressed Council in relation to ORD03 - Construction of a Long Day Child Care Centre for 40 Children Aged 0 to 5 Years with Car Parking, Landscaping and Associated Site Works - 37 Danvers Road & 36 Rosecomb Road, Spring Farm.

Mr Ryan Punch addressed Council in relation to ORD08 - Lease of Road Reserve Adjoining 52 Camden Valley Way, Elderslie.

Mr Joe Grima, on behalf of Grima Bros, addressed Council in relation to ORD04 - Use of Tenancy 5A, 5B and 6 for the Sale of Fruit and Vegetables, a Delicatessen, Butcher, Bakery and General Groceries - 1 Gregory Hills Drive, Gledswood Hills.

Resolution: Moved Councillor Fedeli, Seconded Councillor Farrow that the public addresses be noted.

ORD232/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

CONFIRMATION OF MINUTES

Resolution: Moved Councillor C Cagney, Seconded Councillor Fedeli that the Minutes of the Ordinary Council Meeting held 26 September 2017, copies of which have been circulated, be confirmed and adopted.

ORD233/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

MAYORAL MINUTE - NARELLAN SPORTS HUB

Resolution: Moved Councillor Symkowiak that Council note the information.

ORD234/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

MAYORAL MINUTE - CAMDEN FESTIVAL

Resolution: Moved Councillor Symkowiak that Council note the information.

ORD235/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD01 S96 (1A) MODIFICATION - ALTERATIONS TO AN APPROVED SINGLE STOREY DWELLING, SWIMMING POOL AND ASSOCIATED SITE WORKS - 4 DOUGLAS PLACE, HARRINGTON PARK

AMENDMENT

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Morrison that Council:

- i. approve DA 1247/2016(2) for modifications to an approved single storey dwelling and swimming pool at 4 Douglas Place, Harrington Park, subject to the attached conditions; and
- ii. include an additional condition under 6. Ongoing Use – obscure glazing provided to all windows along the southern elevation shall be maintained and remain in place for the life of the development.

ORD236/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD02 NEW RETAINING WALL AND EARTHWORKS - 6 MENANGLE ROAD, CAMDEN

AMENDMENT

Resolution: Moved Councillor Fedeli, Seconded Councillor Sidgreaves that Council:

- i. approve DA795/2017 for a new retaining wall and earthworks subject to the attached conditions;
- ii. resolve to remove the requirement adopted by Council on 13 June 2017, that any application for development in relation to the St John's Church Heritage Precinct, as listed in the Camden Local Environmental Plan (LEP) 2010, be brought to Council for consideration (ORD115/17); and
- iii. resolve that any future application for development received concerning the site be determined in accordance with Council's general planning delegations as they relate to the assessment of development applications.

ORD237/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Fedeli, C Cagney, Mills and Morrison voted in favour of the Motion. Councillors Campbell and Farrow voted against the Motion.)

ORD03 CONSTRUCTION OF A LONG DAY CHILD CARE CENTRE FOR 40 CHILDREN AGED 0 TO 5 YEARS WITH CAR PARKING, LANDSCAPING AND ASSOCIATED SITE WORKS - 37 DANVERS ROAD & 36 ROSECOMB ROAD, SPRING FARM

AMENDMENT

Resolution: Moved Councillor C Cagney, Seconded Councillor Morrison that:

- i. this item be deferred for a site inspection at the next appropriate opportunity, as arranged by Council staff; and
- ii. once the site inspection has been undertaken, that this item be brought back to Council at the next Council meeting.

ORD238/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD04 USE OF TENANCY 5A, 5B AND 6 FOR THE SALE OF FRUIT AND VEGETABLES, A DELICATESSEN, BUTCHER, BAKERY AND GENERAL GROCERIES - 1 GREGORY HILLS DRIVE, GLEDWOOD HILLS

AMENDMENT

Resolution: Moved Councillor Farrow, Seconded Councillor Sidgreaves that:

- i. Council allow a variation to the development standards at clause 4.1E(1) and (2) of Appendix 1 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* on the basis that:
 - (a) the objectives of clause 4.6 as stated at clause 4.6(1) are met;

- (b) the Council has considered the applicant's written request seeking to justify contravention of the development standards;
 - (c) the applicant has adequately addressed that compliance with the development standards is unreasonable or unnecessary in the circumstances of the case; further, compliance with the development standards is unreasonable or unnecessary in the circumstances of the case;
 - (d) the applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the development standards; further, there are sufficient environmental planning grounds to justify contravening the development standards;
 - (e) the proposed development is in the public interest because it is consistent with underlying objectives of the particular standards;
 - (f) the proposed development is in the public interest because it is consistent with the objectives of the B5 Business Development zone;
 - (g) the contravention of the development standards does not raise any matter of significance for State or regional environmental planning; and
 - (h) to the extent that there is any public benefit in maintaining the development standards, that benefit is not of determinative weight noting compliance with clause 4.6(1) and matters raised above;
- ii. Development Application No. DA 707/2017 for the use of tenancy 5A, 5B and 6 at 1 Gregory Hills Drive, Gledswood Hills as a shop be approved subject to the below conditions;

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Sheet 1	Site Plan	ICON Building & Construction	
Sheets 1 – 5 (Inclusive)	Floor Plans	ICON Building & Construction	Jan 2017

- (2) **Separate Approval for Signs** - A separate development application for any proposed signs shall be provided to, and approved by, the Consent Authority prior to the erection or display of those signs (unless the erection or display of those signs is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- (3) **Food Premises** - The following notifications shall occur:
- a) Council shall be notified that the premises is being used for the preparation, manufacture or storage of food for sale and an inspection of the completed fit out is to be conducted. A 'Food Business Registration' form can be found on Council's website; and
 - b) the NSW Food Authority shall be notified and a copy of the notification shall be provided to Council. Notification can be completed on the NSW Food Authority website.

2.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Display of Goods on Footpath** - No goods are to be displayed outside the confines of the building.
- (2) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:

Day	Hours of Operation
Monday - Friday	8.00am - 7.00pm
Saturday - Sunday	8.00am - 5.30pm

- (3) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.

The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.

- (4) **Parking – Signage (Loading Docks)** - Proposed parking areas, service bays, truck docks, driveways and turning areas shall be maintained clear of obstructions and be used exclusively for purposes of car parking, loading/unloading, and vehicle access respectively for the life of the development. Under no circumstances are such areas to be used for the storage of goods or waste materials.
- (5) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (6) **Discharge into Waterways** - No wastewater, chemicals or other substances shall be permitted to discharge to the waterway that runs through the site or Council's stormwater system. Only clean, unpolluted water is permitted to discharge. All liquids (such as oils lubricants, hydraulic fluids, fuel, paints, detergents and any other chemicals) shall be stored in a covered and suitably bunded area.
- (7) **Liquid Spills** - Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Materials used to clean up shall be disposed of to an appropriately licensed waste facility.
- (8) **Storage of goods** - The storage of goods and materials shall be confined within the building. At no time shall goods, materials or advertising signs be displayed or placed within the designated car parking spaces, landscaped areas or road reserve.
- (9) **Amenity** - The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.

(10) **Chemical Bunding** - All paints, chemicals and other liquids shall be stored in approved receptacles, which shall be housed in a suitably constructed, covered, impervious bunded area. The bunded area shall be constructed of impervious material and being able to effectively store a minimum of 110% of the volume of the largest container stalled or 25% of total volume of the stored product for facilities storing small containers.

(11) **Pollution Control** - The use and operation of the premises shall not give rise to the discharge (by air, water or land) of any pollutant which may degrade the environment or be prejudicial to its inhabitants, in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

The use shall operate in accordance with the following:

- a) all pollution control devices (Including drainage systems, sumps and traps) shall be regularly maintained;
- b) all liquid wastes shall be collected and disposed of in a manner which does not pollute the stormwater system;
- c) appropriate equipment and absorbent material shall be provided and maintained in a prominent position in order to combat any spill; and
- d) the emission of gases, vapours, dusts or other impurities which are in breach of the *Protection of the Environment Operations Act 1997* if forbidden; where the development is part of a multi-occupancy premises air emissions from the development shall not enter the atmosphere of any other occupancy within the premises.

(12) **Emission Requirements** - All gases, odours, dust, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected into approved stacks for discharge to the atmosphere. The quality of the discharges from the stack system shall comply with the requirements of the *Protection of the Environment Operations Act 1997* and Regulations made thereunder.

(13) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).

(14) **Food Premises** - All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.

All equipment used for the display or storage of cold food shall maintain the food at a temperature of not more than 5°C.

A food business must, at food premises where potentially hazardous food is handled, have a temperature measuring device (e.g. probe thermometer) that:

- a) is readily accessible; and
- b) can accurately measure the temperature of potentially hazardous food to +/-1°C.

A suitable waste contractor(s) must be engaged for the removal of wastes generated at the premises. All bins and waste storage facilities at the premises are to be sealed and emptied on a regular basis to prevent odour, vermin and fire hazards from occurring.

- iii. Council undertake a review of the cap on shop floor areas within the Turner Road precinct to determine whether the Minister for Planning should be requested to repeal or amend clause 4.1E of Appendix 1 of *State Environmental Planning Policy (Sydney Regional Growth Centres) 2006*.

ORD239/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD05 PLANNING PROPOSAL - LOT 627 DP 1163903, CURRANS HILL

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Farrow that Council refuse the Planning Proposal for Part Lot 627 DP 1163903 Currans Hill as the Proposal has not demonstrated planning merit.

ORD240/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD06 PECUNIARY INTEREST RETURNS - 1 JULY 2016 TO 30 JUNE 2017

Resolution: Moved Councillor Fedeli, Seconded Councillor C Cagney that Council note the information.

ORD241/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD07 HERITAGE ADVISORY COMMITTEE - DRAFT TERMS OF REFERENCE

Resolution: Moved Councillor C Cagney, Seconded Councillor Fedeli that Council:

- i. endorse the proposed terms of reference for the Camden Council Heritage Advisory Committee; and
- ii. note that, if the terms of reference are approved, a report will be brought back to Council following the nomination of proposed advisory committee members.

ORD242/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD08 LEASE OF ROAD RESERVE ADJOINING 52 CAMDEN VALLEY WAY, ELDERSLIE

Resolution: Moved Councillor C Cagney, Seconded Councillor Sidgreaves that Council approve the application for a short-term lease of the unused road reserve to the adjoining owners of 52 Camden Valley Way, Elderslie.

ORD243/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD09 TENDER T003/2018 - CONSTRUCTION OF PLAYGROUND AT QUEEN STREET RESERVE, NARELLAN

Resolution: Moved Councillor Farrow, Seconded Councillor C Cagney that Council:

- i. accept the tender provided by Hadizk Group Pty. Ltd. (Trading as Perfection Landscape Services) for the lump sum of \$107,839.62 (excluding GST); and
- ii. authorise the relevant documentation to be finalised and signed under delegation.

ORD244/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

**ORD10 CAMDEN CIVIC CENTRE IMPROVING UTILISATION
AMENDMENT**

Resolution: Moved Councillor Farrow, Seconded Councillor Morrison that Council:

- i. *Short term operational actions (12 months)*
 - (a) note that the following actions are already underway:
 - i. increased collaboration with Council's Economic Development and Tourism functions;
 - ii. reviewed resources to allow appropriate focus on operational as well as strategic functions with the addition of full-time chef and coordinator roles currently being recruited;
 - iii. purchase and implementation of modern stock control;
 - iv. planned completion of extended car parking in Oxley Street in November 2017;
 - (b) note that by March 2018 officers will develop a Communication and Marketing Action Plan for the Camden Civic Centre including its role in activating the night time economy in collaboration with Council's Economic Development and Tourism Functions to inform the 2018/19 Budget process including the review of necessary staff resources;
 - (c) resolve that funding of \$20,000 be identified in the September quarterly review to purchase and implement a modern booking and event management system for the Civic Centre;
- ii. *Short - medium term options*
 - (a) resolve that funding of \$50,000 for concept design options on refurbishment of the Undercroft Area be identified in the September quarterly review and note that this work will be undertaken in conjunction with the Communication and Marketing Action Plan to inform the 2018/19 budget process;
 - (b) resolve that Council officers prepare a submission for Council's consideration as part of the 2018/19 budget process for the purpose of allocating funds for a report into increasing the usage of the performance and gallery spaces on the upper floor of the Civic Centre;

iii. Long term concepts

- (a) consider the allocation of funds as part of the Long Term Financial Planning process (10+ years) to undertake a comprehensive analysis of the Civic Centre, including consideration of future growth and the factors set out in this report.

ORD245/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

NOTICE OF MOTION

ORD11 NOTICE OF MOTION - INSTALLATION OF A TOILET BLOCK AND SHADE STRUCTURE AT THE NEW PLAYGROUND LOCATED ON BURRELL ROAD, SPRING FARM

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Fedeli that Council officers investigate the costs associated with providing a toilet block and shade structures to the new playground located at Burrell Road, Spring Farm and provide a report back to Council as a matter of urgency regarding the costs and potential funding of these works.

ORD246/17 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

THE MEETING CLOSED AT 8.01PM