

**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD 27 MAY, 2002, CIVIC CENTRE, OXLEY STREET
CAMDEN – 8.00PM**

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Present: Cr Corrigan (Mayor/Chairperson), Cr Anderson, Cr Patterson, Cr Winn, Cr Batros, Cr Fekete, Cr McFadden, Cr Campbell.

Staff: General Manager, Acting Director Governance & Outcomes (Manager Outcomes), Director Development & Environment, Director Works & Services, Manager Community Services, Senior Governance Officer.

Apology: An apology was received from Cr S Senise from this meeting.

Resolved on the Motion of Cr Winn, seconded Cr Patterson that leave of absence be granted to Cr Senise for this meeting.

044/02

THE MOTION WAS **CARRIED**.

GENERAL PUBLIC ADDRESSES

M/s Kim Bailey addressed Council in relation to the Notice of Motion of Recission. Mrs Betty Scott addressed the Council in relation to Item 1. Mr John Shaw addressed the Council in relation to Item 1 and Mr Glen Keys addressed the Council in relation to Item 1.

PUBLIC QUESTION TIME

Fire Brigade – Elderslie

Council's attention was drawn to the possibility of the establishment of a Fire Brigade Training Facility in Elderslie. This facility would provide a full range of training for Fire Brigade Officers and as such would create a hazard with smoke across the Camden By-Pass and in neighbouring residential areas. Is Council aware of this proposed facility?

The Director Development & Environment stated discussions have been held with the Fire Brigade on the options available. The issues raised are of concern to Council.

Air Quality – Elderslie

The latest planning paper from the Department of Urban Affairs highlights air quality issues within the Camden area and proposes a moratorium on Development and specifically excludes the Elderslie Infill area and Spring Farm from future development until an environmental assessment has been completed. Has the environmental assessment been completed? If so, why is it not attached to the Elderslie reports? If the assessment has not been

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completed why is Council preparing the Elderslie “Infill” Plan in contravention to the moratorium?

The Acting Director Governance & Outcomes (Manager Outcomes) responded that notwithstanding the moratorium established by a previous State Government the Government had encouraged Council to undertake detailed environmental investigations with a view to establishing whether the Elderslie Infill land could be released for urban purposes.

The environmental investigations undertaken as part of the planning process and principles embraced in the detailed master planning of the release clearly evidence an attempt to minimise contributory adverse impacts associated with motor vehicle movements, the principal local contributor to poor air quality.

The detailed planning undertaken has been based on the principles of transit orientated development. Integration of landuse and transport has been at the heart of the master plan preparation. Clearly evidenced are more legible road patterns, integration with adjoining urban areas and provision for alternative means of movement.

All of the foregoing, however, has taken place clearly in a context where Camden is recipient of dirty air daily from the broader Sydney region.

In summary, it is considered that a responsible approach to addressing local potential adverse impacts upon air quality has been taken.

CONFIRMATION OF MINUTES

Resolved on the Motion of Cr Batros, seconded Cr Campbell that the Minutes of the Ordinary Council Meeting held on the 24th April 2002, copies of which have been circulated, be confirmed and adopted.

045/02

THE MOTION WAS **CARRIED**.

1. Elderslie Release Area (“Infill”) Local Environmental Study (LES), Draft Local Environmental Plan (LEP) and draft Master Plan

(File 3445/11) [Director Governance and Outcomes]

Purpose of Report

This report provides feedback on the recent public exhibition of the LES, (including addendum), Draft LEP, Draft DCP and Masterplan for the Elderslie Release Area. It recommends qualified progress of the rezoning and actions to finalise the DCP and Masterplan.

Background

At its meeting on 10 December 2001, Council resolved to place on public exhibition the planning documents for the Elderslie Release Area. These documents comprise a Local Environmental Study (LES) and Addendum, a Draft Local Environmental Plan (DLEP) and Draft Development Control Plan (DDCP) and Masterplan.

Public Exhibition

The planning documents for the Elderslie Release Area were publicly exhibited from 17 December 2001 to 15 February 2002. In addition to this, all State government departments, service providers, local schools, Release Area land owners and occupiers, immediately adjoining land owners and occupiers and persons having made a previous submission were notified that the revised documents were available for comment.

Responses to the Exhibition

Some 99 public submissions were received in response to the exhibitions, of which 10 (Integral Energy made two submissions) were from statutory/service agencies and 89 were from the community. Of the community submissions, 32 were individual submissions, 10 were form letters in respect of two storey dwellings adjoining Bicentennial Estate and 47 were form letters in respect of connection of the Release Area to Sirius Circuit (Bicentennial Estate). Some respondents made submissions which fall into each of these categories and some individuals from the same household made separate submissions. This is a significant contrast to the previous exhibition where 177 submissions were received and may be largely attributable to the high level of community involvement in the Masterplan process.

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Copies of all submissions have been **made available to Councillors separately** and are summarised in **Tabled Document “BPA1”** and **Tabled Document “BPA2”** and addressed “thematically” in the body of this report.

Government and Service Authority Submissions

Submissions were received from the following government agencies and service authorities:

- NSW National Parks and Wildlife Service
- Waste Service NSW
- NSW Fisheries
- NSW Roads and Traffic Authority
- Integral Energy (x2)
- Department of Land and Water Conservation
- NSW Department of Land and Water Conservation
- NSW Department of Education and Training
- Sydney Water
- NSW Environment Protection Authority

A complete list of the comments made in each of these submissions and responses are included in **Tabled Document “BPA2”**. General discussion of the issues raised is included below as these comments affect the DLEP and DCP/Masterplan.

Community Submissions

Many of the issues raised by the community are issues that are considered to have been satisfactorily addressed in the exhibited planning documentation. All the comments made and individual responses are included in **Tabled Document “BPA1”**. Many issues were raised in multiple submissions and these issues are discussed “thematically” below.

General

Very few comments were received in relation to the Draft LEP, with comments received focussing largely upon the DDCP and Masterplan. As such, it is considered appropriate to discuss these planning documents separately and make recommendations regarding each separately.

LEP

Overview of Submissions

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Issues regarding changes to the LEP have come mainly from the government authorities. The issues raised are generally minor in nature and have been accommodated in the changes made to the LEP and summarised in **Tabled Document “BPA3”**. For full details of the issues raised and the response see **Tabled Document “BPA1”** and **Tabled Document “BPA2”**.

Recommendations in respect of the DLEP

- It is recommended that the Draft LEP as amended be adopted by Council as an appropriate document for the rezoning of the land. Council should, however, not forward the Plan to Planning NSW for making until such time as a meaningful commitment to public transport and accessibility is secured from Government. The reference to “meaningful commitment to public transport and accessibility” is likely to be the subject of ongoing dialogue with the State Government.

DDCP (copy provided under **separate cover to Councillors**)

Overview of Submissions

While a considerable number of submissions were received it is important to note that many of these submissions raise the same issues. Most of the comments require a response but few changes to the planning documents. Where changes are required these are generally minor changes regarding clarity or detail. The major issues raised were:

- Density
- Local traffic both within and outside the Release Area
- Regional road network
- Link Road
- Connections to existing residential areas
- Development adjoining existing areas
- Roads through houses
- Village Centre
- Schools
- Air quality
- Community monitoring
- Interface with Camden Golf Course

Each of these issues is discussed in detail below.

Density

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The issue of housing density continues to be of concern to the community. The target density remains at 15 dwellings per hectare and the proposed lot yield is 2000. The means of achieving the proposed density is set out in Figure 4.1 in the DCP and the controls will be tightened to ensure realisation of these densities (by reference to specific lot sizes for all areas on the Masterplan) and accordingly full funding of infrastructure and services. The dwelling density must be pursued as part of government policy, further it is considered to underpin meaningful public transport provision.

The Masterplan includes lot sizes ranging from an average of 550m² to an average of 275m² and includes significant components of integrated housing. As a comparison the recently approved 99 lot subdivision known as “Fairwater Gardens” (Harrington Park) is planned at a density of 17.6 lots per hectare.

Local Traffic

The main issue of concern was the ability of the local road network to cope with the traffic impacts from the proposed development given the current stresses that exist. A detailed traffic study has been undertaken for the Elderslie Release Area and has examined the performance of local road intersections with the additional traffic and concluded that sufficient capacity exists to accommodate the additional traffic with a reasonable level of service. The Elderslie Release Area will also have a direct connection to the Camden Bypass, which will facilitate the major desire-line to Campbelltown and beyond.

Regional Road Network / Integrated Transport Study

Issues relating to the regional road network were numerous and it is clear that the community strongly supports Council’s resolution regarding public transport and accessibility. The current status of the State Government’s Integrated Transport Study is detailed elsewhere in this report.

Link Road

The location of the “link road” was raised by several of the landowners who are directly affected by this proposal. Additionally the issue of location was raised in a couple of other submissions. A “link road” is required if the local traffic functioning is to be acceptable. The route for this road is linked with the location of the village centre (to maximise passing traffic and hence potential trade) and the requirements to meet Kirkham Lane at Camden Valley Way and meet the Camden Bypass where

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the road will not be in cut or fill. As such there is little scope to move the road. The subject link is clearly less controversial than the previous Hilder Street proposal.

Connections to existing Residential areas

Connections to Narellan

The Masterplan proposes an additional connection to the existing area of Narellan above Lodges Road, it being; namely, a road connection of limited capacity to Sirius Circuit in the Bicentennial Estate. This issue has been quite emotive with residents of the estate making 47 form letter submissions requesting that this connection not be made. A meeting with representatives of the estate was held on 26 February 2002 to discuss the issues and a letter with the minutes of this meeting was sent to all landowners and occupiers in Bicentennial Estate following the meeting. A copy of the minutes of the subject meeting forms **Tabled Document "BPA4"**.

The connection of the Elderslie Release Area with Bicentennial Estate at Sirius Circuit has been proposed for several reasons:

- The desire to facilitate integration of this community with the adjoining community in the Release Area and vice versa.
- Provision of a more direct vehicle access to the Camden Bypass for Bicentennial residents.
- Provision of a relatively direct link to the Village Centre in the Release Area.
- Provision of a second access point for this estate for safety reasons. Currently there is only one way in or out.

This link is proposed to be provided as a slow or choke point which would only allow one vehicle to pass at a time. Priority would be given to traffic leaving Bicentennial Estate.

Opposition to this connection has been strong, with the reasons being cited as:

- Concern with additional traffic and likely speed of "non-local" traffic;
- Concern with prospects of increased crime ;
- Concern with loss of privacy.

In relation to through traffic using this proposed link, this is unlikely in the majority of instances, given the circuitous nature of the route and the provision of more direct links between the release area and Lodges Road. There is the possibility that this could become a more attractive link if alternate routes within the

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Release Area are not available. On balance it is considered that the low order link should be retained, but not constructed until viable alternatives on Release Area roads are constructed. The DCP will be amended accordingly.

Connections to Elderslie

Three connections into the existing development in Elderslie are proposed: Coopworth Road, Merino Drive and Southdown Road. None of these connections is a higher order road, but provides accessibility between the existing estate and the release area for cars, pedestrians, cycles and public transport. This issue did not raise concerns during exhibition.

Development adjoining existing areas

Ten form letters were received from residents of Sirius Circuit and several other submissions made by other adjoining residents regarding the current views enjoyed and loss of amenity when development occurs. A clause is to be added to the DCP stating “where possible, development directly adjoining existing development in Elderslie and Narellan is to be of a similar nature and scale to the adjoining area and to be located so as not to eliminate views from existing residences”.

Roads through houses

The proposed Masterplan has a few proposed roads that would impact on existing houses. This has occurred because the Masterplan Consultant has prepared this plan without “fear or favour” and without consideration of cadastral (property) boundaries in an attempt to achieve an optimum design.

No land owners within the Release Area are being forced to develop their land, but conversely, no landowners will be unduly restricted in the development of their land in accordance with the planning documents and with due regard to existing residences.

As such, an interim solution is that the grid road network proposed has sufficient connectivity that leaving out some of the linkages, in the short term, where they impact on existing houses, is not a problem. There are enough alternate routes in the road network, and not many houses impacted, to allow this solution to work.

The houses that are currently located in the Release Area are larger rural residential properties. The financial reality of a development of this scale is that when these properties are sold,

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unless the residence or property has heritage significance, it is highly unlikely that they will remain, as the current footprint, siting and curtilage are not likely to reflect the true value of the land.

This does not impact on current owners who will be able to stay as long as they choose and/or excise their existing dwelling with an appropriate curtilage.

Village Centre

Several submissions were received from land owners adjoining the proposed village centre, suggesting that an alternate location be found. Many locations were investigated during the Masterplan exercise with the current proposal being found to be the best option in terms of catchment, relationship to the collector road system and focal topography. Moving the road would simply mean the same comments from different residents. It was identified that the proposed location of the Link Road on the Camden Bypass side of Lodges Road may affect a potential heritage item (house and outbuilding). An amendment to the road pattern in the vicinity of the village centre has been prepared which facilitates the staged implementation of the village concept, together with early provision of the link road and conservation of heritage dwelling related matters. This proposal in the context of a revised Masterplan is shown in detail in a **separate handout to Councillors**.

Schools

There is still concern regarding the impact of this development on the local schools. As previously reported to Council, a commitment has been secured from the Department of Education and Training for the early provision of a primary school for the release area. A copy of correspondence from the Department of Education and Training forms **Tabled Document "BPA5"**. The Department is satisfied that there is sufficient capacity in the existing high schools to cope with the additional population.

Air quality

The issue of air quality has been raised in several submissions, including that from the Camden Residents Action Group. Air quality has been addressed in the LES and the development designed to facilitate maximum public transport opportunities, permeability of subdivision design and encouragement of alternative means of movement within the subdivision and between adjoining residential areas. Further, Council is

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committed to not advancing the rezoning until a satisfactory State Government commitment to public transport / accessibility has been secured. Air pollution from areas outside Camden cannot be controlled.

Community Monitoring

The issue of community monitoring of the development has been raised in several submissions. Council officers carry out this role and will be happy to receive input from the community, however it is considered unnecessary to establish a separate group to carry out this monitoring.

Interface with Camden Golf Course

Camden Golf Club has raised issues in relation to the interface between the Release Area and the Golf Club. This issue was raised during the previous exhibition and the Masterplan was modified to accommodate concerns. A 20 metre wide road reserve has been provided adjoining the Golf Course to increase the setback. Houses fronting this road will have a required setback of 4.0 metres except that verandahs, porches, shading devices, bay windows, pergolas and similar architectural elements are permitted forward of the setback but no closer to the property boundary than 2.5 metres. This gives a minimum setback of any part of the house from the Golf Course of 22.5 metres. The issue of cars on the road has been raised suggesting Council is responsible if anything happens. The Golf Club is responsible for establishing suitable buffers between the Golf Course and the proposed adjoining residential area, and the development of this area should not be adversely affected because of the Golf Course.

The Golf Club has sought confirmation that any roadworks carried out on Lodges Road fronting the Golf Course will be carried out at no cost to the Golf Club. This is appropriate only if no additional development occurs within the Golf Course. Should additional development occur within the Golf Course a suitable apportionment of costs for roadworks can be determined depending on the nature and scale of development.

The Golf Club has raised concerns regarding the manner in which stormwater disposal has been addressed for a small subcatchment, which drains to the Golf Course, believing the proposed facility to be inappropriate and unacceptable. The proposed facility was placed in this location to address the Golf Club's previous submission stating "that this club is not, at this stage, and without considerable further detailed data and discussion, prepared to accept any flows from the adjacent

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property, other than those which occur in a natural manner from the land in its rural condition. The possibility of any eventual agreement from us may be considered to be extremely remote.” The proposed facilities have been designed to meet these requirements.

Other issues

Link Road Rezoning

The Link Road through the Elderslie Release Area is proposed to be an extension of Kirkham Lane through the edge of Kirkham Park, ultimately connecting with the Camden Bypass. A road is not an allowed use of Kirkham Park under the current Plan of Management for Sports Grounds. Section 47F of the Local Government Act covers the “dedication of community land as public road”. The road’s construction will require the reclassification of a section of Kirkham Park from Community Land to Operational Land. A public hearing under Section 68 of the Local Government Act will be required following a procedure as set out in Part 2 – Public Land Division 1 - Classification and reclassification of public land Sections 25 to 34 of the Local Government Act. This process, whilst taking some time should occur in conjunction with the development process.

Rheinberger’s Hill

The Godden Mackay Logan Report “Elderslie Urban Release Area Heritage Assessment”, July 2001, identified Rheinberger’s Hill as being of particular heritage significance. To ensure that the heritage issues associated with this area are adequately addressed, a significant portion of the hill is proposed to be rezoned 6(a) Open Space. To ensure a suitable transition to the hill proper it is proposed that a detailed and particularly sensitive scheme be prepared for the “foot slopes”. Accordingly, the area has been deferred in the DDCP / Masterplan.

To date it has not been possible to reach agreement with the principal landowners and their consultants on the controls needed for Rheinberger’s Hill and the immediately adjoining land. As such it is proposed to include Rheinberger’s Hill in the proposed rezoning but continue to adopt a deferred status on the Masterplanning. At such time as a suitable solution is determined, this will be presented to Council with a recommendation that this also be placed on public exhibition with limited notification to adjoining owners/occupiers, statutory authorities and community groups

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150 Lodges Road

The Heritage study identified that the significance of 150 Lodges Road lies in the residence, the associated structures, fencing and fencelines, setting and archaeological potential.

Unfortunately the house on this site burnt to the ground on 7 November, 2001, leaving only three brick chimneys. These chimneys were subsequently bulldozed by the owner. The archaeological potential of the site has yet to be investigated. The other items of potential significance still remain and advice was sought regarding suitable controls with respect to development which are listed below and suitable controls will be included in the DCP.

- The ruins must be examined by an archaeologist prior to their removal to determine whether a permit is required for any works that disturb the relics, including excavation for their removal.
- The archaeologist must prepare a brief report for Council and the NSW Heritage Office.
- Black and white photographs of the site must be taken prior to any further disturbance of the site.
- The hill must remain legible as one of the higher points topographically
- The road approaching the hill from the south must focus on the high point
- The existing laneway alignment to Lodges Road must remain as a remnant of the past

Water Cycle Management/Water Sensitive Urban Design

Geotechnical work undertaken during the Masterplanning of the Elderslie Urban Release Area has identified that the area has the potential for groundwater salinity. As such the DCP will be amended to incorporate controls to minimise the impacts. These include:

- identification of the at risk areas with appropriate building controls for these areas including:
 - pier and beam construction in preference to slab on ground
 - minimising cut and fill for construction works
 - other controls across the Release Area:
 - The use of liners in water quality elements
 - Retention of significant vegetation

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- Rainwater tanks to minimise the amount of water in the hydrologic cycle

Camden Integrated Transport Strategy

As reported to Council on 10 December 2001, Council officers have been working with State government officers to resolve the issue of the nature and status of the link road through the Elderslie and Spring Farm Release Areas and related public transport to the Narellan / Camden area generally. A Stage 1 report commissioned by the then Department of Urban Affairs and Planning titled the Draft Camden Integrated Transport Strategy, October 2001, identified the range and scope of works required to address the future connectivity of Camden and Campbelltown including public transport provision. Additional work in the form of a second stage was proposed to formalise the staging, timing, cost estimates and apportionment and to allocate an acquisition authority for the Link Road through Spring Farm. Stage 2 of the study is now to be undertaken by the Department of Transport, with Council to date not being invited to be a member of the Study Team.

Considerable progress has been made in bringing the relevant State Government departments / agencies to recognise the public transport and accessibility needs of the Release Areas, and moreover, the whole of the LGA. The departments / agencies involved, however, have not yet committed to the strategy identified in the Stage 1 Report and moreover the works and the necessary funding and timing for those works, identified to date. A “transport package” is scheduled to be finalised in June. The details of this package are not known at this stage apart from the comment that the Government is looking toward a “robust-pragmatic” solution.

SEPP 55 Assessment

State Environment Planning Policy 55 (SEPP 55) Remediation of Land requires the assessment of land proposed for residential rezoning to be assessed for land contamination. Geotechnical investigation has determined that the previous history of market gardening will require further investigation at DA stage but does not preclude the land from being rezoned. This assessment has been carried out and the findings and recommendations are in summary:

- The entire Release Area (less one lot) has a previous history of market gardens or orchards being present.

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- On the basis of the site inspection, site history, local topography and landform, it is considered that the overall potential for gross soil contamination would be low to moderate. Limited filling was observed on site precluding the opportunity for large volume of potentially contaminated (exotic) filling to have been imported. Possible sources of contamination present at site are however likely to include:
 - minor volumes of imported filling placed on site to raise levels and form the land;
 - the presence of an above ground diesel storage tank and hydrocarbons that may have leaked from heavy machinery;
 - organochlorine and organophosphate pesticides and herbicides that may have been used on the market gardens or stored on site;
 - timber treatment residues from market gardening activities;
 - soil additives and fertilisers which may have been applied to the land over lengthy periods;
 - potential presence of hazardous chemicals and building materials which may be potentially contaminating.
- On the basis of the site observations made during the phase 1 contamination assessment, it is considered that the current and previous site use present a moderate risk of gross soil/groundwater contamination.
- Because of the prior land use as market gardens, individual lots or precincts which are brought on stream for development will almost certainly require to be signed off by a site auditor appointed by the NSW EPA and accredited under Part 4 of the Contaminated Land Management Act (1997). Audit requirements will include a comprehensive testing regime for the site and any necessary clean-up of contaminant levels which are significantly above those which are suitable for the proposed land-use. Council will almost certainly require a Site Audit Statement to be issued under Section 47 of the Act prior to issuing development consent.

As a result of this assessment, all lots within the Release Area are to have 149 (2) notations indicating:

“It is noted that the subject land is potentially contaminated and any redevelopment proposal will necessitate an assessment of contaminants and means of remediation.....”.

Regional road contributions - RTA submission

The Roads and Traffic Authority has requested that the Elderslie Release Area not be gazetted until such time as a suitable funding arrangement is set in place for collection of contributions to the regional road network required as a result of this development.

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This is consistent with Council's resolution regarding public transport and accessibility, although the RTA may be "casting the net" too broadly. The previously referred to Department of Transport Study/Strategy is understood will embrace pragmatic/RTA requirements.

Council owned land adjoining Camden Golf Course

A parcel of land identified as Lot 3 DP 859872 (area 4.935ha) as shown on **Tabled Document "BPA6"** is owned by Council and is zoned 6(c) Private Open Space. This land is not utilised in any way and is not maintained by Council. With urban development adjoining this boundary it is incumbent upon Council to investigate all options available for the land and document an appropriate strategy.

Council will be further briefed and involved in discussions in respect of the subject land shortly.

Section 94

Due to the large number of separate parcels of land and ownerships throughout the Release Area, it is not possible to have a developer agreement for the provision of community and recreational facilities and major engineering infrastructure. There is also the issue of some owners wishing to develop and others wanting to remain on their current land holding. A section 94 Plan will allow the formulation of cost estimates and apportionment for community facilities, open space, collector roads, water quantity and quality works. Throughout the development of the DCP/Masterplan, Council officers have been working on the development of a Section 94 plan. Work is still required to finalise this document. When complete, it will need to be placed on public exhibition. This document will be reported to Council prior to exhibition.

Request for Public meeting

There were several requests for a public meeting to address issues including:

- loss of lifestyle
- air/noise quality

The suggestion was made that media and state and federal government and opposition be invited. It is felt that these issues have been given considerable, and sufficient, public airing and there is no need for a public meeting.

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Recommendations in respect of the DDCP

Many small changes to the DDCP are required to address issues raised during the public exhibition of this document. These changes do not affect the DLEP and should not hold up the consideration of the DLEP.

Recommended: That:

- (i) Council advise Planning NSW that Council considers the amended Draft Local Environmental Plan which forms **Tabled Document “BPA7”** is capable of adoption by Council, however, Council will not adopt the plan until such time as a meaningful commitment to public transport and accessibility is obtained from the State Government.
- (ii) Council endorse the principles and amendments to the Draft Development Control Plan and Masterplan as outlined in the report and amend the documents accordingly. Further, upon amendment the Draft Development Control Plan and Masterplan be resubmitted to Council for adoption.
- (iii) Council resolve to include the connection of the Elderslie Release Area to Bicentennial Estate with the provision of a low volume capacity connection to Sirius Circuit. That such connection not be made until such time as alternate connections between the Release Area, Lodges Road and Camden By-Pass are available.
- (iv) Council resolve to prepare a Draft LEP for the corner of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road.
- (v) Council further investigate options for the future use of Lot 3 DP 859872 Lodges Road (land in Council ownership adjacent to the Golf Club).
- (vi) Council not hold a public meeting to further debate the issues relating to the Elderslie Release Area.

Resolved on the Motion of Cr McFadden, seconded Cr Winn that:

- (i) *Council advise Planning NSW that Council considers the amended Draft Local Environmental Plan which forms **Tabled Document “BPA7”** is capable of adoption by Council, however, Council will not adopt the plan until such*

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time as a meaningful commitment to public transport and accessibility is obtained from the State Government.

- (ii) Council endorse the principles and amendments to the Draft Development Control Plan and Masterplan as outlined in the report and amend the documents accordingly. Further, upon amendment the Draft Development Control Plan and Masterplan be resubmitted to Council for adoption.*
- (iii) Council resolve to include the connection of the Elderslie Release Area to Bicentennial Estate with the provision of a low volume capacity connection to Sirius Circuit. That such connection not be made until such time as alternate connections between the Release Area, Lodges Road and Camden By-Pass are available.*
- (iv) Council resolve to prepare a Draft LEP for the corner of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road.*
- (v) Council further investigate options for the future use of Lot 3 DP 859872 Lodges Road (land in Council ownership adjacent to the Golf Club).*
- (vi) Council not hold a public meeting to further debate the issues relating to the Elderslie Release Area. But a further information session will be held, if required.*

AMENDMENT

Moved Cr Patterson, seconded Cr Winn that

- (i) Council advise Planning NSW that Council considers the amended Draft Local Environmental Plan which forms **Tabled Document “BPA7”** is capable of adoption by Council, however, Council will not adopt the plan until such time as a meaningful commitment to public transport and accessibility is obtained from the State Government.*
- (ii) Council endorse the principles and amendments to the Draft Development Control Plan and Masterplan as outlined in the report and amend the documents accordingly. Further, upon amendment the Draft Development Control Plan and Masterplan be resubmitted to Council for adoption.*

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- (iii) *Consideration of the connection of the Elderslie Release area to Bicentennial Estate be deferred for further consultation with Sirius Circuit residents.*
- (iv) *Council resolve to prepare a Draft LEP for the corner of Kirkham Park to allow a change of use from Community Land to Operational Land to facilitate the provision of the Link Road.*
- (v) *Council further investigate options for the future use of Lot 3 DP 859872 Lodges Road (land in Council ownership adjacent to the Golf Club).*
- (vi) *Council not hold a public meeting to further debate the issues relating to the Elderslie Release Area. But a further information session will be held, if required.*

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*THE AMENDMENT AS MOVED BY CR PATTERSON ON BEING PUT WAS CARRIED, BECAME THE MOTION AND WAS **CARRIED**.*

(Cr Campbell voted against the Motion).

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ADJOURNMENT OF MEETING

The Mayor called a temporary adjournment of the meeting for 2 minutes. The time being 9.25pm.

The Meeting reconvened at 9.28pm.

(Councillors in attendance as previously recorded).

2. 2002 Community Financial Assistance Program

(File: 3130) [Director Works and Services]

Purpose

This report seeks Council's approval to allocate funding to local community groups under Council's annual Community Financial Assistance Program.

Background

At its meeting held on Monday 13 May, Council resolved to defer this report so that all applications received could be included in the **(refer tabled document "BPA 8")**.

Each year Council provides funds to local non-profit community organisations and groups through its Community Financial Assistance Program. This funding is allocated to assist groups in providing services and facilities, which would be of benefit to the Camden community. Whilst there is no limit on the amount groups can apply for, projects over **\$1,500** will need to be well-developed and targeted to community needs.

Council's budget allocation for the Financial Assistance Program for 2001/2002 is \$10,600. Under the adopted guidelines for this program all applications are ranked against the funding principles and objectives:

- To assist the establishment of new groups and services.
- To enhance the quality of service delivery and facilities to meet community needs.
- To promote increased access and equity of community resources, services and facilities.
- To encourage community participation in the provision of local services and activities.

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Target:

- Local non-profit community organisations.
- Projects for which there may be no other source of funding available.

Under the guidelines of the Program only applications from local non-profit community organisations and groups are considered. Individuals and organisations that are solely government funded are not eligible.

Accountability

Successful applicants must provide *an* Evaluation Report on their project within three (3) months of receiving funds, that includes how funds were spent; how the community is able to access the project; and the benefits local residents have gained.

Allocation of Funds

Applications have been assessed by the community development team and ranked either, Low, Medium or High as a basis for consideration by Council.

Low	Application is outside the guidelines.
Medium	Application is within the guidelines, however: <ul style="list-style-type: none">• Alternative sources of funding are available, or• Application is not considered as high a priority as other applications, or• Application's budget is outside the resources of this program.
High	Application meets guidelines and is considered appropriate for Council to fund.

Discussion

The Community Financial Assistance Program was advertised in the Camden/Wollondilly Advertiser two weeks prior to opening. In addition, a number of other promotional methods were used, including a mail out to all organisations listed in Council's Community Directory.

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The application process opened on Monday 25 February 2002 and closed on 22 March 2002.

Two information sessions about the Program were held on Wednesday 6th March 2002. A total of 12 people attending the morning and evening sessions. Feedback from the participants indicated that they considered it was a worthwhile activity and commended Council for offering this additional element of support.

A total of 27 funding applications were received seeking a total of \$38,524

Applications were generally of a high quality. All applications were ranked against the funding criteria. Several projects were viewed to be worthwhile, however it was considered that alternative sources of funding were available.

(Refer tabled document **“BPA 8”**) sets out the details of the applications received and provides additional information as to how the projects met the assessment criteria.

Recommended projects for 2001 2002

An assessment of the applications received was made against the policy guidelines and the funds available within the 2001-2002 Financial Assistance Program budget. The following groups or organisations have been assessed against the funding principles and guidelines and have been ranked as a **High** priority for Council’s consideration.

Applications ranked HIGH for 2001/2001:

No	Group	Project Description	\$
3	Camden Survivors of Breast Cancer	Start up costs for new group	\$1,500
7 *	KU Starting Points	Equipment for establishment of special needs playgroup.	\$1,500
15	Macarthur Business Development Centre	Funding to purchase equipment for training room.	\$1,590
18	Camden Historical Society	Funds to develop a program to promote the Museum to local school students.	\$1,369
21	Camden Writers and Scribblers	Publication of Members writing.	\$600
22	Ist Narellan	Funding to create space for a new	\$1,023

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	Scout Group	venturer unit	
23	Macarthur Dementia Care & Support Service	Request for funds to purchase a TV & Video for use by service.	\$1,388
26	Macarthur Community Forum	Funds to help equip resource library for community groups	\$1,455
27 *	Camden Pre- School	Funding to develop a sensory garden	\$1,500
Total amount of funds requested:			\$11925

* These two projects were funded because of their focus on children with a disability, an issue which has been identified as a high priority in the Camden LGA.

Resource Implication

Council's budget allocation for the Financial Assistance Program for 2001/2002 is \$10,600. If all applications ranked as 'High' are funded the total cost will reach \$11,925.

There are sufficient funds in the Community Support (donations) budget to meet the difference of \$1,325.

Communication Strategy

It is proposed that successful applicants be presented with their cheques at an event hosted by the Mayor. This would be a valuable opportunity for Councillors to meet representatives from the range of community groups that have applied and to hear first hand about the programs funded.

Unsuccessful applicants will be advised of the outcome and provided with suggestions for alternate sources of funding.

Conclusion

Council's Community Financial Assistance Program acts as an important funding source for the Camden Community. The recommended projects will provide a range of positive projects and outcomes for Camden.

Recommended: That Council:

- (i) provide funds under the Council's Financial Assistance program (Job no. 1925.200) to the nine applications that have been given a high ranking.

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- (ii) approve allocation of an additional \$1,325 out of the Community Support Program budget (1925.201) to meet the shortfall.

Resolved on the Motion of Cr Batros, seconded Cr Winn that Council:

- (i) *provide funds under the Council's Financial Assistance program (Job no. 1925.200) to the nine applications that have been given a high ranking.*
- (ii) *approve allocation of an additional \$1,325 out of the Community Support Program budget (1925.201) to meet the shortfall.*

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THE MOTION WAS **CARRIED**.

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3. Mitchell Street Footpath

(File 3735/1) (Director Works and Services)

Council is in receipt of a petition containing 15 signatories from residents of Mitchell Street, Camden. The petition states:

“We the undersigned, residents and rate payers of Mitchell Street, Camden wish to draw your attention to the worn and dilapidated condition of the pavement of the north side of the street between Elizabeth Street and John Street. We request the council to up grade the pavement as soon as possible as we believe it represents a real risk to users.”

A site inspection reveals that the existing asphaltic concrete footpath is in poor condition and requires reconstruction. This requires 200m length of footpath referred to above be reconstructed; cost to construct a 1.2m wide concrete footpath is estimated at \$9,400.00

Recommended: That Council:

- (i) Reconstruction of the footpath on the northern side of Mitchell Street between John and Elizabeth Streets, Camden be included in a future works program.
- (ii) Advise the signatories of this resolution.

Resolved on the Motion of Cr McFadden, seconded Cr Campbell that Council:

- (i) *Reconstruction of the footpath on the northern side of Mitchell Street between John and Elizabeth Streets, Camden be included in a future works program.*
- (ii) *Advise the signatories of this resolution.*

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THE MOTION WAS **CARRIED**.

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4. Road Safety Advisory Committee
(File 4607) (Director Works and Services)

As previously advised, Council has taken up the RTA funding initiative to employ a Community Road Safety Officer for Camden LGA. This position has now been filled and key responsibilities include developing and implementing Council's Road Safety Strategic and Action Plans; fostering existing partnerships; encouraging wide community participation and ownership of road safety issues; development, coordination and monitoring of local initiatives; and contribution towards state-wide and regional road safety initiatives have commenced.

A key component of fostering these relationships and implementing strategic road safety measures involves the formation of a Road Safety Advisory Committee. The Road Safety Advisory Committee will consist of Manager Engineering, Traffic Engineer, Community Development Officer, RTA representative, Police representative. It is also appropriate that an elected representative be a member of this committee and therefore part of Council's Road Safety program.

The role of the Road Safety Advisory Committee would include:

- overseeing the Road Safety Program;
- advising and assisting the Road Safety Officer in developing an annual Road Safety Action Plan;
- develop Council's Road Safety Strategic Plan;
- provide and share information, data and research on road safety issues; and
- develop action plans to address general community safety.

At this stage it is envisaged that the Road Safety Advisory Committee will initially meet during work hours on a monthly basis to develop a local road safety program, action plan and strategic plan.

Recommended: That Councillor membership of the Road Safety Advisory Committee be determined.

Resolved on the Motion of Cr McFadden, seconded Cr Winn that Cr Anderson be appointed as a member of the Road Safety Advisory Committee with Cr Patterson as the alternate member.

049/02 THE MOTION WAS **CARRIED**.

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5. 355 Management Committee Manual
(File 3811/1) Director Works and Services)

Purpose

This report seeks Council's adoption of the 355 Management Committee Manual.

Discussion

The recent probity audit of Council's 355 Management Committees highlighted the need for the development of a manual to set out clearly the responsibilities and accountability requirements of both Council and the Committees.

The draft manual was presented to Council at its meeting held on Monday 13 April 2002. At this time Council resolved '*The adoption of the 355 Management Committee Manual be deferred to the next meeting*' to provide Councillors with sufficient time to read the document.

Recommended: That Council resolve to adopt the Section 355 Management Committee Manual.

MOTION

Moved Cr Batros, seconded Cr Winn that Council adopt the Section 355 Management Committee Manual subject to the following amendments:

- (i) Members of Section 355 Committees should be from the Camden Local Government Area, however, Council may approve members from outside the area;*
- (ii) The heading of Part 3 to be altered to "Management of Community Halls & Centres".*

AMENDMENT

Moved Cr Corrigan, seconded Cr Winn that Council adopt the Section 355 Management Committee Manual subject to the following amendments:

- (i) Members of Section 355 Committees should be from the Camden Local Government Area, however, Council may approve members from outside the area;*

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- (ii) *The heading of Part 3 to be altered to “Management of Community Halls & Centres”.*
- (iii) *Insert into 2.1.1 “Committee Membership” a new clause:
(k) Staff of Camden Council may not be members of any Committee but an appropriate staff member maybe appointed to the ex-officio position of Council liaison officer for the Committee with the agreement of the General Manager.*
- (iv) *Insert into 2.1.2 “Election of Office Bearers” a new clause:
(e) Councillors may not hold any position of Office Bearer on a Committee. Any current Councillor holding positions may continue to do so until Council Elections in 2003.*
- (v) *Re-number existing Clauses (e) as (f).*

(Cr Campbell declared a conflict of Interest in this matter and left the Chamber – the time being 10.10pm).

050/02

*THE AMENDMENT AS MOVED BY CR CORRIGAN ON BEING PUT WAS **CARRIED**.*

(Crs Anderson, Batros & Fekete voted against the Amendment).

(Cr Campbell returned to the Chamber – the time being 10.14pm).

051/02

*THE AMENDMENT BECAME THE MOTION & WAS **CARRIED**.*

(Crs Anderson, Campbell & Fekete voted against the Motion).

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6. MACAAS Funding for Chinese Market Garden Project in Camden LGA

(File No. 2594/11) (Director Works and Services)

Purpose:

This report advises Council of the success of an application to the Macarthur Area Assistance Scheme (Planning NSW) for a Community Development Project with the Chinese Market Garden people in Camden's rural north.

Discussion:

Council, in partnership with other agencies, applied to the State Government under the MACAAS for funding to undertake a community development project with the Chinese Market Garden people in Camden's rural north.

The project broadly aims to further research the needs of the Chinese community within the Camden LGA for information, access to services, skill development and training, and facilitate action plans to meet these needs.

More specifically, the objectives include:

- Facilitate and support the building of networks and formation of local groups to strengthen the community and develop its social capital;
- Facilitate access to information and local services;
- Encourage services to provide outreach facilities in Camden's rural north area;
- Develop and strengthen communication strategies between Camden Council and its Chinese community; and
- Identify potential community leaders and facilitate development of their skills to sustain outcomes after the project has finished.

A total of \$81,220.00 over two years (year 1 \$43,000 and year 2 \$38,130) will be provided by the State government. This funding will enable the employment of a Project Worker for 20 hours per week, who will work closely with the existing market Garden Partnership Project.

The partnership group has requested that Council auspice the project. As auspice Council will be providing in kind support in the form of administration, office space in the Community Development section (although much of the work will be out in the community), and access to Council staff resources.

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Recommended: That Council note this information.

Resolved on the Motion Cr Batros, seconded Cr Winn that Council note this information.

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THE MOTION WAS **CARRIED**.

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7. Refurbishment of Garbage Compactor's

File No: TC4542 (Director, Development & Environment Division)

Purpose of Report

To seek council resolution for not proceeding to tender for the refurbishment of two garbage truck bodies and that the refurbishment be awarded to MacDonald Johnston Engineering.

Background

As part of the Domestic Waste Management process each garbage truck has a projected life span of five (5) years. At reaching the 5-year limit, tenders are called for the replacement of the vehicle with a new cab chassis and new compaction body. As Council would be aware the cost of replacement of these vehicles is an expensive exercise but a necessary one given the increasing maintenance and repair cost as the vehicles age.

The most recent tender figures for the purchase of a 22 cubic metre compaction body was \$109,000 with the cab chassis costing in the order of \$168,000. This matter was considered by Council at the meeting of 21 October 2001.

Main Report

With the view of monetary savings, the concept of having the body refurbished instead of replacement has been investigated by Council staff. It has become clearly apparent that there will be a saving in the order of \$30,000 for each body (60,000 in total) to have them refurbished in lieu of purchase of a new ones.

Since refurbishment will cost \$ 155,602 for the two (2) vehicles (\$77,801 each), the tendering requirements of Section 55 of the Local Government Act must be taken into account. The bodies were originally manufactured by MacDonald Johnston Engineering and are in that respect unique to that manufacturer. There is an unavailability of competitive or reliable alternative companies in the marketplace that could feasibly undertake the works and give the same level of confidence that the product would perform to the same level in the long-term.

Section 55(3) states in part:-

This section does not apply to the following contracts

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- *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders*
- *a contract involving an estimated expenditure or receipt of an amount of less than \$100,000 or such other amount as may be prescribed by the regulations.*

Conclusion

A considerable amount of investigation has been undertaken with regards to the feasibility of this suggestion, particularly with regards to the expectation that after refurbishment the vehicles have a similar lifespan as new ones. It has been concluded that there are potential savings for the community in the order of \$60,000 should this proposal proceed. It is considered that there are no alternative companies that could feasibly undertake the works and therefore the requirement for compulsory tendering should be waived in this instance. As can be seen from the extract from the Act there is a provision to enable Council to waive the requirement.

Recommended: That:

- (i) Council, in accordance with the provisions of Section 55(3) of the Local Government Act, dispenses with the requirements for tendering service for the refurbishment of two truck bodies on the following grounds:-
 - (a) there are no suitable, alternative refurbishment companies capable of undertaking the works as specified;
 - (b) Council would not be well served by endeavouring to have another company to undertake the works that would result in a less optimal end product;
 - (c) the bodies are original MacDonald Johnston Engineering design and manufacture.
- (ii) The refurbishment of the two compaction bodies be awarded to MacDonald Johnston Engineering.

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Resolved on the Motion of Cr Fekete, seconded Cr Winn that:

- (i) *Council, in accordance with the provisions of Section 55(3) of the Local Government Act, dispenses with the requirements for tendering service for the refurbishment of two truck bodies on the following grounds:-*
 - (a) *there are no suitable, alternative refurbishment companies capable of undertaking the works as specified;*
 - (b) *Council would not be well served by endeavouring to have another company to undertake the works that would result in a less optimal end product;*
 - (c) *the bodies are original MacDonald Johnston Engineering design and manufacture.*

- (ii) *The refurbishment of the two compaction bodies be awarded to MacDonald Johnston Engineering.*

053/02

THE MOTION WAS **CARRIED**.

Delegated Committees

Development Committee Meeting – Held 22nd April 2002

Development Committee Meeting – Held 13th May 2002

Resources & Services Committee Meeting – Held 13th May 2002

Resolved on the Motion of Cr Winn, seconded Cr Patterson, that the Minutes of the Delegated Committees, copies of which have been circulated, be confirmed with the alteration to the resolution in respect of Item 2 of the Development Committee Meeting held 13th May, 2002 to read as follows:

“The Development Application not be approved as it is not in accordance with the operating hours in the Council Policy and not as set out in the Section 88B Instrument and may set a precedent in Harrington Park”.

In addition, Cr Senise voted against the Motion.

054/02

THE MOTION ON BEING PUT WAS **CARRIED**.

(Cr Campbell voted against the Motion).

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NOTICE OF MOTION OF RECISSION

We, the undersigned Councillors of the Council of Camden, hereby give notice of our intention to move a Motion of Recission in regard to Minute DC050/02 of 13th May, 2002 in respect of an application for a home business at 33 James Bailey Drive, Harrington Park.

In the event that the Motion of Recission is carried, we will further move that:

Development Application No. 3/2002 for the establishment of a home business at No. 33 James Bailey Drive, Harrington Park be approved with conditions for an initial trial period of 12 months. Further, that a separate application be required if the applicant wishes to continue trading beyond the trial period so that the community can continue to be consulted on the appropriateness of the development.

Signed: Cr Stephen Senise

Signed: Cr Noel McFadden

Signed: Cr Geoff Corrigan

Copy of Minute DC050/02

.... Moved Cr Batros, seconded Cr Corrigan that “*The Development Application not be approved as it is not in accordance with the operating hours in the Council Policy and not as set out in the Section 88B Instrument and may set a precedent in Harrington Park*”.

NOTICE OF MOTION OF RECISSION

The Notice of Motion of Recission was formally

Moved Cr McFadden, seconded Cr Corrigan that Minute No. DC050/02 of the 13th May, 2002 in respect to an application for a home business at 33 James Bailey Drive, Harrington Park be rescinded.

055/02

*THE NOTICE OF MOTION OF RECISSION ON BEING PUT WAS
CARRIED.*

(Crs Corrigan, Anderson & Winn voted against the Motion).

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FURTHER MOTION

Moved Cr McFadden, seconded Cr Patterson that Development Application No. 3/2002 for the establishment of a home business at No. 33 James Bailey Drive, Harrington Park be approved with conditions for an initial trial period of 12 months. Further, that a separate application be required if the applicant wishes to continue trading beyond the trial period so that the community can continue to be consulted on the appropriateness of the development. The conditions of consent to be altered to amend the hours of operation from 8.00pm to 6.00pm on Thursday.

056/02

THE FURTHER MOTION AS MOVED BY CR MCFADDEN ON BEING PUT WAS **CARRIED**.

(Crs Anderson, Winn & Corrigan voted against the Motion).

QUESTIONS WITHOUT NOTICE

East Timorese National Flag

(TC/858)

Cr McFadden asked if Council was successful in purchasing an East Timorese Flag in accordance with the recent Council decision.

The General Manager advised the flag was purchased and flew in front of the Council building on Monday 20th May, 2002. The cost of purchase of the flag was approximately \$270.00.

Sewerage Treatment Works

(TC/811)

Cr Fekete referred to a recent television program which showed fish mutated from septic overflows. Does Council have any information on this matter?

The Director Development & Environment stated further details would be required, as staff are not aware of this issue.

Narellan Christian Life Centre

(PF5800.686)

Cr Winn requested to be advised if the Christian Life Centre in Narellan is to be redeveloped as a retirement village, will the property be rateable again.

The Director Development & Environment stated the property had been sold to a Developer and subdivided and as such the land would be rateable.

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John Oxley Cottage

(TC/602)

Cr Campbell referred to a previous question concerning the painting of John Oxley Cottage and requested to be advised has the matter progressed.

The Director Works & Services stated Council staff have been to speak to the people involved and reiterated the need to maintain Council standards.

The Meeting closed at 11.03pm.