

**MINUTES OF THE RESOURCES & SERVICES COMMITTEE
MEETING HELD 12 JULY, 2004, CIVIC CENTRE, OXLEY STREET,
CAMDEN – 8.00PM**

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**MINUTES OF THE RESOURCES & SERVICES COMMITTEE
MEETING HELD 12 JULY, 2004, CIVIC CENTRE, OXLEY STREET,
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Present: Cr Anderson (Mayor/Chairperson), Cr Dewbery, Cr Elliott, Cr Kernohan, Cr Campbell, Cr Whiteman, Cr Cagney, Cr Funnell.

Staff: General Manager, Director Development & Environment, Director Governance & Outcomes, Acting Director Works & Services (Manager Community Services), Acting Manager Development (Team Leader Specialist Team), Acting Manager Outcomes (Environmental Project Officer), Manager Engineering, Acting Senior Governance Officer (Administration Officer).

APOLOGIES

An apology was received from Cr Johnson from this meeting.

Resolved on the Motion of Cr Elliott, seconded Cr Campbell that leave of absence be granted to Cr Johnson.

RS042/04 THE MOTION WAS **CARRIED.**

DECLARATION OF PECUNIARY OR CONFLICT OF INTEREST

There were no declarations.

**MAYORAL MINUTE - Local Government Association
Council Categorisation (1687)**

At the 2003 Local Government Association Conference held in Albury, it came to my notice that Camden Council is listed in the membership category as a “Country Group” Council.

After discussion with the General Manager, it is felt Camden should be more appropriately listed as a Metropolitan Council. As we are all aware, the Camden local government area has undergone enormous change and development over the past 10-15 years and is, in fact, now on the fringe of the Sydney Metropolitan area in terms of infrastructure and growth. Council’s population is now 48,000 and the 2004/05 Budget provides revenue of \$67 million. Several years ago, following a Council submission, the Local Government Remuneration Tribunal re-classified Camden as one of 21 Category 2 Councils along with the likes of Canterbury, Ku-ring-gai, Leichhardt, Manly, Pittwater and Mosman Councils, clearly recognising our growing status.

Following enquiries with the Local Government Association, it was advised the membership criteria is contained in the Association Constitution and is based on a geographical location. Clause 24(a) of the Constitution states:

“Councils categorised as a metropolitan council shall be all those councils the areas of which are wholly within the County of Cumberland.”

This criteria is used as the basis for election of the Executive Committee, being a Metropolitan and Country Vice President and 10 Metropolitan executive members and 10 Country executive members.

All of the Camden LGA is within the County of Cumberland, except those areas south of the Nepean River (Camden township, Grasmere, Ellis Lane, and Camden South). Camden is now the only Category 2 Council, which is not part of the Metropolitan Group.

I propose that Council submit a Motion to the 2004 LGA Conference to remedy this situation. The Motion is to the effect of requiring the LGA to amend its constitution to enable Category 2 Councils to be recognised as members of the Metropolitan Group Councils.

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Recommended: That Council submit the following Motion to the 2004 Local Government Association Conference:

“That Clause 24(a) of the Constitution be amended to append the following phrase “and to include all Category 2 Councils as determined by the Local Government Remuneration Tribunal from time to time.”

Resolved on the Motion of Cr Anderson, seconded Cr Campbell that Council submit the following Motion to the 2004 Local Government Association Conference:

“That Clause 24(a) of the Constitution be amended to append the following phrase “and to include all Category 2 Councils as determined by the Local Government Remuneration Tribunal from time to time.”

RS043/04 THE MOTION WAS **CARRIED.**

1. Ministerial Inquiry Into The Taxi Industry

(File 4099) (Director Governance & Outcomes)

Purpose of Report

To inform Councillors of the submission made to the Ministerial Inquiry into the Taxi Industry.

Introduction

The Camden local government area is poorly serviced by taxis. In an environment of generally poor public transport options, this low level of taxi service is of particular concern. Council has received numerous complaints from residents regarding the lengthy waiting times and the lack of a service after dark.

On 5 May, 2004, the Minister for Transport Services, the Hon. Michael Costa announced a review of the taxi industry to lift levels of customer service, reliability and safety.

The closing date for submissions to the Inquiry was 11 June, 2004, however Council received an extension of time to 25 June, 2004 to make a submission.

Submission to the Inquiry

On 23 June, 2004, a letter was forwarded to the Ministry of Transport outlining the issues facing Camden residents in obtaining taxi services and recommending a number of actions to improve the service. A copy of the letter is contained in **Tabled Document “RS 1”**.

In particular, it is recommended that the Inquiry consider the following:

- The issue of taxi licences dedicated to the Camden area;
- The relocation of the city-country boundary line and review of cross-boundary issues;
- The introduction of the no-destination rule; and
- Support for the provision and appropriate location of serviced taxi ranks in the Camden area.

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Conclusion

Residents of the Camden local government area do not receive an adequate level of taxi services, compounding the generally poor alternative transport options in Camden.

In response to the invitation for submissions to the Ministerial Inquiry into Taxi Services, a letter has been forwarded to the Ministry of Transport. The letter outlines the concerns with the level of taxi service in Camden and recommends several actions that would assist in improving the service to Camden residents.

Recommended: That:

- (i) Council note the report.
- (ii) Council support the submission made to the Ministry of Transport by letter dated 23 June, 2004.

Resolved on the Motion of Cr Campbell, seconded Cr Dewbery that:

- (i) Council note the report.
- (ii) Council support the submission made to the Ministry of Transport by letter dated 23 June, 2004.

RS044/04 THE MOTION WAS **CARRIED.**

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**2. Regional Sports Facility Grant for Skatepark Facility
Construction at Kirkham Park**

(File No. 1300.190) Director Works and Services)

Purpose of Report

The purpose of this report is to advise Council of receipt of a grant of \$144,164 to assist in the construction of the new skatepark facility at Kirkham Park.

At a short presentation on Thursday 1 July 2004 the Premier, Hon Bob Carr offered a grant on \$144,164 towards the construction for a permanent skateboard facility at Kirkham Park.

The grant offer was made under the State Government 2003-04 Regional Sports Facilities Program. The offer is referred as attached **Tabled Document “RS 2”**.

The conditions of the grant require acceptance of the funds on condition of a 1 : 1 basis.

Council has pursued the provision of a skatepark facility over the last five years. Initially involving the youth of Camden in the design of the proposed facility. The design of the proposed permanent concrete ramps and proposed siting of the ramp in Kirkham Park are provided in **Tabled Document “RS 3”**.

Public consultation for the skatepark facility considered several sites. On 13 October 2003 Council resolved to develop the skatepark facility at Kirkham Park.

Funding

Council has set aside \$153,580 within the current budget for the construction of the ramp. This money was the basis of the Council’s submission towards the construction of the project.

The funding available for the project is now:

Council Funding	\$153,580
Camden Lions	\$10,000
Dept of Sport and Recreation Grant offer	\$144,164
Total Funding Available	<u>\$307,744</u>

Structural design for the skatepark facility is currently being completed by a consultant. Construction of the project will be tendered and reported to Council. It is anticipated the project will be constructed by the end of this year.

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Conclusion

The construction of a skatepark facility at Kirkham Park, a site central to the urban growth of Camden, will be an asset as an alternate recreation pursuit for the youth of the Local Government Area.

Recommended: That: Council

- i) accept the State Government's offer of \$144,164 towards the construction of a permanent skateboard facility at Kirkham Park, and acknowledge the condition of 1:1 funding for the project through the Department of Sport and Recreation Regional Sports Facility Program 2003/04
- ii) enter into an agreement with Department of Tourism, Sport and Recreation in respect of funding under the 2003/2004 Regional Sports Facilities Program and the Common Seal is affixed to the required documents.

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

- i) *accept the State Government's offer of \$144,164 towards the construction of a permanent skateboard facility at Kirkham Park, and acknowledge the condition of 1:1 funding for the project through the Department of Sport and Recreation Regional Sports Facility Program 2003/04*
- ii) *enter into an agreement with Department of Tourism, Sport and Recreation in respect of funding under the 2003/2004 Regional Sports Facilities Program and the Common Seal is affixed to the required documents.*

RS045/04 THE MOTION WAS **CARRIED.**

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NOTICE OF MOTION

I, Councillor David Funnell hereby give notice of my intention to move the following motion at the Council meeting of the 12th July, 2004

“That Councillors be given a list of all Development Applications and all subdivisions that have been lodged with Council for 3 months and longer”.

Signed:

Cr David Funnell

NOTICE OF MOTION

The Notice of Motion was formally

Moved Cr Funnell, seconded Cr Elliott that Councillors be given a list of all Development Applications and all subdivisions that have been lodged with Council for 3 months and longer.

RS046/04

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

(Cr Campbell voted against the Motion).

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NOTICE OF MOTION OF RESCISSION

We, the undersigned Councillors, hereby given notice of our intention to move the following Rescission Motion in respect of part of the Council resolution (Minute No. 092/04) being Item No 1 “2004/05 Management Plan and Budget” of the Council Meeting on 28 June, 2004 –

“That the words –

‘subject to the commercial rental for Jumbunna being increased to a minimum of \$70.00 per day’

be rescinded from Part (ii)

(Note – all remaining parts of the Resolution, including the balance of Part (ii) are not affected by the Rescission Motion and can be acted upon).

Extract of Part (ii) of Minute 092/04:

“(ii) Adopt of 2004/2005 Schedule of Fees and Charges as advertised, subject to the commercial rental of Jumbunna being increased to a minimum of \$70.00 per day”.

Should the above Motion of Rescission be carried, it is our intention to move the following further motion:

(ii) and Council staff prepare a report, outlining an appropriate commercial rental return for the use of Jumbunna, to be considered by Council at its next meeting

Signed: Cr Cindy Cagney

Signed: Cr Peter Johnson

Signed: Cr Fred Whiteman

NOTICE OF MOTION OF RESCISSION

The Notice of Motion of Rescission was formally

Moved Cr Cagney, seconded Cr Whiteman “That the words –

‘subject to the commercial rental for Jumbunna being increased to a minimum of \$70.00 per day’

be rescinded from Part (ii)

(Note – all remaining parts of the Resolution, including the balance of Part (ii) are not affected by the Rescission Motion and can be acted upon).

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Extract of Part (ii) of Minute 092/04:

“(ii) *Adopt of 2004/2005 Schedule of Fees and Charges as advertised, subject to the commercial rental of Jumbunna being increased to a minimum of \$70.00 per day*”.

RS047/04 THE NOTICE OF MOTION OF RESCISSION ON BEING PUT WAS
***** **CARRIED**.

FURTHER MOTION

Moved Cr Cagney, seconded Cr Whiteman that Council staff prepare a report, outlining an appropriate commercial rental return for the use of Jumbunna, to be considered by Council at its next meeting, 26th July 2004.

RS048/04 THE FURTHER MOTION ON BEING PUT WAS **CARRIED**.

CLOSURE OF MEETING TO THE PUBLIC

The Council may, by resolution, deem it necessary to close the meeting to the public during discussion of the following matter:

Potential Legal Action

Council has been advised of a potential legal action. The Local Government Act (1993) permits the closure to discuss matters concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, under Section 10A(2) (g).

Deleted: ¶

The Council may, by resolution, allow members of the public to make representations as to whether the meeting should be closed before any part of the meeting is closed to the public. A representation by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded. That period would be determined by resolution of the committee.

The meeting will only be closed during discussion of the matters directly the subject of the reports and no other matters will be discussed in the closed section of the meeting.

Members of the public will be readmitted to the meeting immediately after the closed section is completed and if the Council passes a resolution during that part of the meeting that is closed to the public, the chairperson will make the resolution public as soon as practicable after that closed part of the meeting has ended.

Recommended: That Council

- (i) temporarily close the meeting to the public, in accordance with Section 10A(2)(g) of the Local Government Act, for the discussion of advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
- (ii) allow members of the public to make any representations as to whether the meeting should be closed.

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MOTION

Moved Cr Funnell, seconded Cr Elliott that the meeting be closed to the public in accordance with Section 10A(2)(g) of the Local Government Act, for the discussion of advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

RS048/04 THE MOTION WAS **CARRIED.**

The Mayor then asked the members of the public present for representations.

There were no representations made.

ADJOURNMENT OF MEETING

The meeting was adjourned at 6.50pm.

OPEN COUNCIL

All Councillors as previously recorded were present in the Chamber when Council resumed at 8.15pm.

The General Manager communicated to the public and press the decision of the Closed Committee.

Former Camden High School Site, Liability Issues

(File No: 4375.30/2) (Director, Development & Environment)

MOTION

Moved Cr Campbell, seconded Cr Kernohan that Council:

- (i) Note the information in relation to the site.*
- (ii) Advise the NSW Department of Commerce it is prepared to enter into negotiations with a view to addressing the constraints of the site on a WITHOUT PREJUDICE BASIS.*
- (iii) Seek the active involvement of Council's insurers in developing an appropriate strategy for dealing with the claim.*
- (iv) Brief Councillors monthly on this matter.*

RS050/04 THE MOTION WAS **CARRIED.**

The Meeting closed at 8.16pm.