

CAMDEN COUNCIL

MINUTES OF THE ORDINARY COUNCIL

29 MARCH 2005

PRESENT

Cr Anderson (Mayor/Chairperson), Cr Cagney, Cr Campbell, Cr Dewbery, Cr Elliott, Cr Funnell, Cr Johnson, Cr Patterson, Cr Whiteman

STAFF

Acting General Manager (Director Governance and Outcomes), Director Development and Environment, Director Works and Services, Acting Director Governance and Outcomes (Manager Employee and Community Relations), Manager Development, Manager Outcomes, Manager Community Services, Manager Engineering, Manager Corporate Services, Senior Governance Officer

APOLOGIES

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

ORD40/05 THE MOTION ON BEING PUT WAS CARRIED.

DECLARATION OF INTEREST

Resolution: There were no declarations to be noted.

ORD41/05 THE MOTION ON BEING PUT WAS CARRIED.

PUBLIC ADDRESSES

Resolution: There were no public addresses to be noted.

ORD42/05 THE MOTION ON BEING PUT WAS CARRIED.

PUBLIC QUESTION TIME

Resolution: There were no Public Questions to be noted.

ORD43/05 THE MOTION ON BEING PUT WAS CARRIED.

CONFIRMATION OF MINUTES

Resolution: That the Minutes of the Ordinary Meeting of 28 February, 2005, copies of which have been circulated, be confirmed and adopted.

Moved Councillor Dewbery, Seconded Councillor Cagney that the recommendation as above be adopted.

ORD44/05 THE MOTION ON BEING PUT WAS **CARRIED**.

CONFIRMATION OF COMMITTEE MINUTES

Resolution: That the Minutes of the Development Committee Meeting held on 28 February, 2005 and 14 March, 2005 and the Resources and Services Committee Meeting held on 14 March, 2005 be confirmed and adopted.

Moved Councillor Cagney, Seconded Councillor Elliott that the recommendation as above be adopted.

ORD45/05 THE MOTION ON BEING PUT WAS **CARRIED**.

CONFIRMATION OF TRAFFIC COMMITTEE MINUTES

Resolution: That the Minutes of the Traffic Committee held on 14 March, 2005 be confirmed and adopted.

Moved Councillor Johnson, Seconded Councillor Funnell that the recommendation as above be adopted.

ORD46/05 THE MOTION ON BEING PUT WAS **CARRIED**.

ORD01 INVESTMENT MONIES

Resolution: That,

- (i) Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy
- (ii) The list of investments for January and February 2005 be noted
- (iii) The following average monthly interest rate returns be noted:
 - 5.83% for the month of January 2005
 - 5.87% for the month of February 2005

Moved Councillor Funnell, Seconded Councillor Cagney that the recommendation as above be adopted.

ORD47/05 THE MOTION ON BEING PUT WAS **CARRIED**.

ORD02 BICENTENNIAL EQUESTRIAN PARK CLUBHOUSE CONSTRUCTION CONTRACT 05/01

Resolution: That

- i. Council decline to accept any of the tenders submitted in response of the Tender for the Bicentennial Equestrian Park Clubhouse Construction (Contract 05/01) as they exceed the amount provided in the Budget for the project; and

- ii. In accordance with Clause 19(3)(e) of the Local Government (Tendering) Regulation, enter into negotiations with a company (whether they are a tenderer or not) with a view to entering into a contract for the construction of the Bicentennial Equestrian Park Clubhouse.

Moved Councillor Campbell, Seconded Councillor Whiteman that the recommendation as above be adopted.

ORD48/05 THE MOTION ON BEING PUT WAS **CARRIED**.

ORD03 CAMDEN LIBRARY RE-ADAPTATION BUDGET UPDATE

Resolution: **MOTION**

Moved Councillor Campbell, Seconded Councillor Elliott that Council accept and adopt the modifications proposed in option 3 giving a revised estimate for the Camden Library Re-adaptation of \$2,022,000.

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

(Councillors Patterson, Whiteman, Funnell, Johnson, Dewbery and Elliott voted against the Motion)

FURTHER MOTION

Moved Councillor Campbell, Seconded Councillor Cagney that Council accept and adopt the modifications proposed in option 2 giving a revised estimate for the Camden Library Re-adaptation of \$1,900,000.

ORD49/05 THE MOTION ON BEING PUT WAS **CARRIED**.
(Councillor Cagney and Funnell voted against the Motion)

ORD04 CAMDEN MEMORIAL SWIMMING POOL - REQUEST FOR EARLY CLOSURE OF THE POOL

Resolution: That Council:

- i. approve the early closure of the Camden Memorial Swimming Pool on 10 April 2005 for the 2004/05 swim season.
- ii. advise LeisureCo that Council accepts the early closure of the Camden Memorial Swimming Pool from the 2004/05 swim season.
- iii. the lease for the Camden Memorial Swimming Pool be modified to specify the closure of the centre on the first Sunday of April each year, in accordance with industry standard.

Moved Councillor Dewbery, Seconded Councillor Funnell that: the recommendation as above be adopted.

ORD50/05 THE MOTION ON BEING PUT WAS **CARRIED**.
(Councillors Cagney and Campbell voted against the Motion)

ORD05 DRAFT CAMDEN CHILDREN AND FAMILIES STRATEGIC PLAN 2005-2010 AND YOUTH STRATEGIC PLAN 2005-2010.

Resolution:

- (i) Council endorse the draft Children and Families Strategic Plan 2005-2010 and Youth Strategic Plan and that they be placed on public exhibition for a period of 28 days.
- (ii) A further report be presented following the period of public exhibition.

Moved Councillor Campbell, Seconded Councillor Cagney that the recommendation as above be adopted.

ORD51/05 THE MOTION ON BEING PUT WAS **CARRIED**.

ORD06 CODE OF CONDUCT

Resolution: That Council:

- i) Adopt the Model Code of Conduct for application to Councillors, members of Staff and Delegates of Councils, as prescribed by the Local Government Amendment (Discipline) Act, 2004 and circulated by the Department of Local Government ; and
- ii) Appoint the Mayor of the day, the General Manager to the Conduct Committee as required by Section 10.8, with the further appointment of the independent representative to be made at the time of referral of matters on a case-by-case basis;
- iii) Arrange a Councillor Workshop as soon as practicable on the Model Code; and
- iv) Promote the requirements of the new Code of Conduct to all Council Staff and Delegates.

Moved Councillor Campbell, Seconded Councillor Cagney that: the recommendation as above be adopted.

ORD52/05 THE MOTION ON BEING PUT WAS **CARRIED**.

ORD07 PURCHASE OF LAND - MOUNT ANNAN DISTRICT CENTRE - LOT 205 DP 1070297 ANNANVALE CIRCUIT

Resolution: That Council :

- i) Proceed with the purchase of the revised Lot 205 DP 1070297 Annanvale Circuit, Mount Annan, from Woolworths Limited at a price of \$289 per square metre, plus GST, to be funded from the Camden Contribution Plan, subject to appropriate contract conditions, with area of the lot subject to a final survey;
- ii) The General Manager be authorised to execute the Contract and affix the Council Seal to any documents relevant to the purchase; and

- iii) Confirm the land, upon transfer to Council be categorised as "Operational" land under the Local Government Act, 1993.

Moved Councillor Elliott, Seconded Councillor Patterson that: the recommendation as above be adopted.

ORD53/05 THE MOTION ON BEING PUT WAS **CARRIED**.

ORD08 RENEWAL OF LEASE OF UNFORMED ROAD - ORIELTON STREET, NARELLAN

Resolution: *(Councillor Elliott left the Chamber during discussion of this item - the time being 9.26pm)*

That

- i) Following compliance with the requirements of the Roads Act, 1993 and no objections being received, Council agree to enter into a lease for the unformed portion of Orielson Street, Narellan with the owner of Lot 1 DP859791 Campbell Street, Narellan for a period of 5 years in the terms as outlined above;
- ii) The seal of Council be affixed to the necessary documents.

Moved Councillor Funnell, Seconded Councillor Johnson that the recommendation as above be adopted.

ORD54/05 THE MOTION ON BEING PUT WAS **CARRIED**.

NOTICE OF MOTION - ADOPTION OF WARD COMMITTEES

Resolution: That a report be prepared by staff, for the meeting of 11 April, 2005, on the adoption of a system of Ward Committees appropriate to improving community consultation in Camden

Moved Councillor Patterson, Seconded Councillor Campbell that the recommendation as above be adopted.

ORD55/05 THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillor Elliott returned to the Chamber - the time being 9.30pm)

ORD09 CLOSURE OF MEETING TO THE PUBLIC

Resolution: That the meeting be now closed to the public to discuss a report dealing with personal hardship, in accordance with the provisions of Section 10A(2)(b) of the Local Government Act, 1993.

Moved Councillor Johnson, Seconded Councillor Elliott that the recommendation as above be adopted.

ORD56/05 THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillor Whiteman voted against the Motion)

CLOSURE OF THE MEETING TO THE PUBLIC

Following the resolution of Item 9, the meeting then convened into Closed Committee, the time being 9.34pm.

OPEN COUNCIL

At the conclusion of the Closed Committee, Open Council reconvened, the time being 10.17pm.

All Councillors as previously recorded were present in the Chamber.

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

CC01 RATE RELIEF- FLOOD AFFECTED PROPERTY-LOT 35 MILFORD ROAD, ELLIS LANE

That Council:

- (i) Decline the request from the owners of Lot 35 Milford Road, Ellis Lane to have interest accrued against their outstanding rates written-off.
- (ii) Advise the owners of Council's decision and inform the owners that the issue of 'flood prone' land will be debated during the 2005/06 Budget deliberations.
- (iii) Support the active recovery of all outstanding rates and charges (including accrued interest) against the owners of Lot 35 Milford Road, Ellis Lane.

Moved Councillor Campbell, Seconded Councillor Johnson that: the recommendation as above be adopted.

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

(Councillors Patterson and Cagney voted against the Motion).

The Meeting closed at 10.17pm.

CC03/05

QUESTIONS WITHOUT NOTICE

Capital Works – Kirkham Netball Courts

Councillor Johnson requested to be advised if the works on the Netball Courts have been postponed until after the netball season.

The Director Works and Services states that is correct, the works have been postponed as requested by the Club.

Footpath - Cobbitty

Councillor Funnell requested to be advised at what stage is the footpath in Cobbitty.

The Director Works and Services stated the works have been programmed prior to 30th June. Will advise the exact date.

Various Questions

Councillor Funnell advised the Acting General Manager that a written list of questions will be submitted at a later date.

Skatepark development

Councillor Patterson requested to be advised at what stage in the time frame is the Skatepark construction.

The Director Works and Services advised the Skatepark has been redesigned at the request of SP4C. The redesign has been submitted and a DA submitted for the construction. Tenders are ready to be called within the next 6 weeks.

Graffiti Register

Councillor Campbell asked if Council still maintains a Graffiti Register.

The Director Works and Services stated Council does not actually run a Register. When graffiti occurs, staff take photographs and supply these to the Police, who keep a record of the tags. The process still takes place.

Councillor Campbell stated incidents have occurred in CBD in past 2 weeks. Who actually takes photographs.

The Director Works and Services stated the system only relates to Council assets and facilities and not private property. Such matters should be referred to the Police, who would possibly take the photographs.

Audit of sporting and recreation facilities

Councillor Elliott requested Council conduct an audit of all sporting and recreation facilities in the area and hold a summit, inviting at least 2 representatives from as many local groups as possible to obtain input into Camden LGA needs in the future.

Swimming Pool covers

Councillor Elliott requested a report on making Pool covers compulsory for all new in ground Pools in the Camden LGA.

The Director Development and Environment stated recent legislation in relation to BASIX has required a review of our Energy Sustainability Policy and that will be part of the Policy review.

Painting of Trees

Councillor Dewberry referred to a previous Question without Notice on this issue of painting trees to be cut down and potential confusion as to the identification of the tree by various statutory bodies. Councillor Dewberry suggested using a template of a platypus to identify such trees.

The Director Development and Environment stated the problem with marking trees is the confusion as to whether trees that are marked are to be removed or those without marks. The issue is the way people interpret those markings and difficulties in ensuring understanding of action. Council does not have many problems with people removing the wrong trees, the issue is when no approval is sought.

“No Stopping” signs –

Councillor Dewberry advised “No Stopping” signs have recently been erected outside a car sale yard on cnr Camden Valley Way and Queen Street Narellan. The proprietors have a letter dated December 2000 this would happen and the signs appeared today. What is the reason for the signs being erected now. The business has suffered severely as a result of the signs.

The Director Works and Services advised the reasons will be investigated. An item was presented to the Traffic Committee regarding this, however, if they are legal signs, Council cannot remove them. The matter will be checked. There is a possibility an item can be prepared for the Traffic Committee.

The Meeting closed at 10.30pm.

ORDINARY COUNCIL

SUBJECT: APOLOGIES

Leave of absence tendered on behalf of Councillors from this meeting.

RECOMMENDED

That leave of absence be granted.

RESOLUTION

There were no leave of absence to be noted.

THE MOTION ON BEING PUT WAS CARRIED.

ORD40/05

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

Council Policy requires Councillors who have a Pecuniary Interest in an item on the Agenda to declare the Interest at this stage and to leave the Meeting during consideration of the item.

RECOMMENDED

That the declarations be noted.

RESOLUTION

There were no declarations to be noted.

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

ORD41/05

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address segment in the Council Meeting provides an opportunity for people to speak publicly on any item within Council jurisdiction. Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only 5 speakers can be heard at any meeting.

Speakers may make a statement only and not direct questions to Councillors or staff, an opportunity for questions is available in Public Question Time at the conclusion of the segment. All speakers are limited to 4 minutes and a 1 minute warning is given to speakers prior to the 4 minute time period elapsing.

Public Addresses are tape recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments. A copy of the tape recording may be available to third parties (in certain circumstances).

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

If the Mayor/chairperson believes that a response to issues raised during the Address is appropriate, then a brief response by a councillor or member of staff may be permitted.

RECOMMENDED

That the public addresses be noted.

RESOLUTION

There were no public addresses to be noted.

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

ORD42/05

ORDINARY COUNCIL

SUBJECT: PUBLIC QUESTION TIME

Public Question Time provides an opportunity for members of the public to ask questions on any matter within Council jurisdiction. A response will be provided where Councillors or staff have the necessary information at hand, if not a reply will be provided at a later time.

Generally only one question will be permitted per person, further questions may be allowed if time permits, with the consent of Council.

RECOMMENDED

That Public Question Time be noted.

RESOLUTION

There were no Public Questions to be noted.

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

ORD43/05

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 28 February, 2005.

RECOMMENDED

That the Minutes of the Ordinary Meeting of 28 February, 2005, copies of which have been circulated, be confirmed and adopted.

RESOLUTION

That the Minutes of the Ordinary Meeting of 28 February, 2005, copies of which have been circulated, be confirmed and adopted.

Moved Councillor Dewbery, Seconded Councillor Cagney that the recommendation as above be adopted.

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

ORD44/05

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF COMMITTEE MINUTES

(Adopted Minutes & Confirm Resolutions)

Development Committee - held 28 February, 2005

Development Committee - held 14 March, 2005

Resources and Services Committee - held 14 March, 2005

RECOMMENDED

That the Minutes of the Development Committee Meeting held on 28 February, 2005 and 14 March, 2005 and the Resources and Services Committee Meeting held on 14 March, 2005 be confirmed and adopted.

RESOLUTION

That the Minutes of the Development Committee Meeting held on 28 February, 2005 and 14 March, 2005 and the Resources and Services Committee Meeting held on 14 March, 2005 be confirmed and adopted.

Moved Councillor Cagney, Seconded Councillor Elliott that the recommendation as above be adopted.

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

ORD45/05

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF TRAFFIC COMMITTEE MINUTES

(Adopted Minutes & Confirm Resolutions)

Traffic Committee - held 14 March, 2005

RECOMMENDED

That the Minutes of the Traffic Committee held on 14 March, 2005 be confirmed and adopted.

RESOLUTION

That the Minutes of the Traffic Committee held on 14 March, 2005 be confirmed and adopted.

Moved Councillor Johnson, Seconded Councillor Funnell that the recommendation as above be adopted.

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

ORD46/05

ORDINARY COUNCIL

ORD01

SUBJECT: INVESTMENT MONIES
FROM: Director Governance and Outcomes
FILE NO:

In accordance with clause 19 (3a & 3b) of the Local Government (Financial Management) Regulation 1999, a list of investments held by council as at 31 January and 28 February 2005, is provided.

It is further certified that all investments have been made in accordance with Section 625 of the Local Government Act 1993, the relevant regulations and Council's Investment Policy.

The average return on all investments was 5.83% for the month of January and 5.87% for the month of February.

RECOMMENDED

That,

- (i) Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy
- (ii) The list of investments for January and February 2005 be noted
- (iii) The following average monthly interest rate returns be noted:
 - 5.83% for the month of January 2005
 - 5.87% for the month of February 2005

ATTACHMENTS



February
Investments



January
Investments

RESOLUTION

That,

- (i) Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy

(ii) The list of investments for January and February 2005 be noted

(iii) The following average monthly interest rate returns be noted:

- 5.83% for the month of January 2005
- 5.87% for the month of February 2005

Moved Councillor Funnell, Seconded Councillor Cagney that the recommendation as above be adopted.

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

ORD47/05

ORDINARY COUNCIL

ORD02

SUBJECT: BICENTENNIAL EQUESTRIAN PARK CLUBHOUSE CONSTRUCTION
CONTRACT 05/01
FROM: Director Works and Services
FILE NO: 4856

PURPOSE

This report addresses the tenders received for the construction of the Bicentennial Park Clubhouse (Contract No. 05/01).

Two tenders were received by Council when tenders for this project closed on Tuesday 15 March 2005.

Council received a grant of \$360,000 from Department of Transport and Regional Services for the construction of clubhouse, grandstand, stable complex, covered barns and connection of services to clubhouse. The grant is linked to 2006 National Polocrosse Titles and is to be expended by end of June 2005, at this stage.

This report considers only the construction of the clubhouse.

MAIN REPORT

At the close of tenders for this project Council received only two submissions as listed below:

Tenderer	Amount	Significant Qualifications
JW Building Systems Pty Ltd. Hornsby	\$590,432	Utilising own in house design which will require re-assessment by council officers for construction certifications.
AMFM Constructions Pty Ltd. Alexandria	\$382,094	Has not allowed for stormwater drainage works.

The tenders received exceed the amount provided in the budget for the clubhouse construction; and are non-conforming in addressing the needs of the contract.

Options for Development of this Project

Under Clause 19(3)(e) of the Local Government (Tendering) Regulations, after having completed the formal tender process, Council is permitted to seek out and negotiate with other companies, not limited to companies who provided tenders, who may be in a position to comply with the specification for the project; and to enter into negotiations in order to obtain more competitive quotes for the project.

It is recommended that this course of action be adopted in order to further this project within the budget for the construction.

Under Clause 19 of the Local Government (Tendering) Regulations it is recommended that neither of the two noted tenders be accepted as they exceed the budget provided for the clubhouse construction. Council will then seek quotations for the construction of the clubhouse from suitably experienced contractors.

CONCLUSION

Council is anxious to complete the construction of the clubhouse within the defined time frame, which was a condition of the acceptance of the grant for the project.

Delays in re-calling tenders for the project will frustrate the project and based on the tenders so far received may not provide any further positive result to secure a successful tenderer for the project.

It is recommended that Council decline to proceed with either of the tenders received and that suitably experienced contractors be sought to provide quotations to construct the clubhouse; in accordance with the tendering regulations.

RECOMMENDED

That

- i. **Council decline to accept any of the tenders submitted in response of the Tender for the Bicentennial Equestrian Park Clubhouse Construction (Contract 05/01) as they exceed the amount provided in the Budget for the project; and**
- ii. **In accordance with Clause 19(3)(e) of the Local Government (Tendering) Regulation, enter into negotiations with a company (whether they are a tenderer or not) with a view to entering into a contract for the construction of the Bicentennial Equestrian Park Clubhouse.**

RESOLUTION

That

- i. Council decline to accept any of the tenders submitted in response of the Tender for the Bicentennial Equestrian Park Clubhouse Construction (Contract 05/01) as they exceed the amount provided in the Budget for the project; and
- ii. In accordance with Clause 19(3)(e) of the Local Government (Tendering) Regulation, enter into negotiations with a company (whether they are a tenderer or not) with a view to entering into a contract for the construction of the Bicentennial Equestrian Park Clubhouse.

Moved Councillor Campbell, Seconded Councillor Whiteman that the recommendation as above be adopted.

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

ORD48/05

ORDINARY COUNCIL

ORD03

SUBJECT: CAMDEN LIBRARY RE-ADAPTATION BUDGET UPDATE
FROM: Director Works and Services
FILE NO: 4704

PURPOSE OF REPORT

This report provides an update on the Camden Library Re-Adaptation project and discusses a number of budgetary cost options.

BACKGROUND

At its meeting of 27 April 2004 Council considered a comprehensive report regarding submissions for Architectural Services associated with design and documentation for the Adaptation of the Camden Library. This report outlined Council's vision for the site and detailed the scope of the Architectural Brief including possibilities for re-adaptation of the existing buildings and an indication of functional areas to be provided.

Council awarded the Design and Documentation contract for the project and the Heritage Assessment Report of the buildings to Stephenson and Turner International Pty Ltd.

An amount of \$1,026,000 was also approved for this project within the current budget for design and the commencement of construction.

An update of the project was presented to Council's meeting of 8 November 2004 when it was resolved that:

1. *Council approve the additional expenditure of \$200,000 for the provision of internal public toilets to the Camden Library, and the replacement of the existing external toilets;*
2. *Council approve the intrusion of the proposed access to the Camden Library into John Street;*
3. *\$30,000 be allocated from the Accumulated Pre Plan Section 94 Contributions and \$170,000 be allocated from the Camden Contribution Plan consisting of Section 94 funds*

The budget for design and the commencement of construction of the re-adaptation of the library was therefore adjusted to \$1,226,000.

MAIN REPORT

Project Update

Following numerous meetings of the Camden Library Community Advisory Group, which included Councillor representation, detailed plans for the project were developed and a Development Application for construction was submitted. Council's assessment of the application is yet to be finalised and reported to Council.

Expressions of Interest for construction contractors is currently being advertised and it is proposed that a group of five preferred contractors will be invited to tender for this project in April/May 2005. It is important that the scope of works and the available budget is finalised before the tender documents are issued.

Detailed cost estimates

Detailed construction costings provided by Council's Quantity Surveyor for this project, based on the latest available plans, estimate a budget of approximately \$2 million will be required to complete the project. The amount includes all design/consultants fees, construction contingency and library fitout. It is considered however that the 5% contingency amount, for a project of this nature, should be increased to at least 7.5% in light of unforeseen ground conditions and the nature of this work to adapt existing and historic buildings.

Funding Available

This project is currently funded entirely from Section 94 contributions, specifically the Camden Contribution Plan and Capital Works Reserve.

Following this initial estimate for the Camden Library Adaptation Project, the Camden Contribution Plan has been updated and the total project budget available was revised to \$1,829,760.

Council has applied for a grant from the State Library of \$200,000 in its recent funding round to contribute towards the cost of technology improvements and fitout for the new building. The result of the application will not be known until later in 2005.

Options for Cost Savings

Discussions have been held between Council staff, the project architects and consultants to investigate options to provide cost savings for the project from the estimated cost budget without detrimentally affecting the architect's vision for the building. Many of the options, however, are of a minor nature and the following includes the larger budget items for consideration:

- 1. Glazed Galleria** - estimated savings \$95,000. The glazed atrium proposed for the area over the space joining the existing Library and Fire Station buildings could be replaced with metal roofing and plasterboard raked ceiling with skylights. This figure includes savings in the order of \$10,000 for the provision of air conditioning of this space; which would subsequently be required to treat the unglazed space. Removal of the glass roofing will reduce the inherent heat load thereby providing the air conditioning saving, which will also produce ongoing maintenance savings in the operation of the building. The feature effect of a well lit and bright glazed galleria will significantly change the presentation of the building in comparison to the Architect's presentation of the project. However the architect also expressed concerns regarding the need to control the level of light in this space as it transits east-west along the axis of the galleria. A proposition for portion of the entry construction to remain as a glazed roofed section would further reduce these savings.
- 2. Delete Replacement of Fire Station Roof** - estimated savings \$10,000. The current design proposes to remove the metal roof of the Fire Station and provide sarking and insulation, to improve air conditioning of this public meeting space. Existing roofing is adequate however insulation cannot be provided without removal of the roof sheeting. Not providing insulation, at this time, will add to energy costs

for additional air conditioning load and operating costs:

3. **Broadloom Carpet in lieu of Carpet Tiles** - estimated savings \$15,000. Quality carpet tiles were proposed throughout the building area. To replace with broadloom will provide initial savings but create maintenance and replacement issues for worn and/or stained areas.

The combined savings of all the options above will be \$120,000.

Proposed Options for Council's Consideration

Council is requested for direction as to if and how this project should proceed from this point, there are four considered options offering a way forward:

1. not proceed with the re-adaptation of the Camden Library.
2. accept and adopt the modifications proposed above to the current re-adaptation design resulting in savings of \$120,000 and in a revised project estimate of \$1,900,000, which means Council may need to source an additional \$72,000 to complete the project.
3. proceed with the current design, noting the estimate for construction of \$2,022,000, necessitating an additional \$192,000 to be sourced to complete the project.
4. prune the scale of the current design to match the budget for the project, that is, cut the floor area of the current design to address the shortfall for the project. This will mean that the re-adapted library will not meet the State Library requirements for People Spaces and therefore not satisfy the requirements for a grant.

CONCLUSION

Council's Quantity Surveyor's has provided an estimate of the cost of \$2,022,000 to construct the Camden Library re-adaptation; designed to meet State Library of New South Wales Building and Planning Service's brief, Council's brief for the function and operation of the library and component uses, the Museum operation, BCA conditions and Council's ongoing operation requirements. The design works with the layout of the existing buildings and the historic context of these buildings.

The estimate for the cost of construction of the building of \$2,022,000 however exceeds the current budget sum (of \$1,829,760) for the project. An assessment of the project, with the Architects and Quantity Surveyor, revisited and reviewed the design to investigate options to provide cost savings for the project without detrimentally affecting the architect's vision for the building; and was accepted by Council. The three noted modifications resulted in recommending savings in the order of \$120,000. Allowing for contingencies (in the order of 7.5%), consultant's fees and the three major items noted above there is a shortfall of \$72,000 beyond Council's budget for the project.

The magnitude of any shortfall or saving must address the possibility that through any tender process the tenders received may well exceed or be less than Council's budget (and the Quantity Surveyor's assessment of the costs) for the project. The final construction cost, for Council's acceptance, will not be known to Council until the tenders are received through an open tender process.

One way forward is for the tenders be called for the project with two options. The first for the current design providing the glazed entry foyer, etc and the second for a

reduced scale of construction with the nominated modifications as detailed within the report.

RECOMMENDED

That Council accept and adopt the modifications proposed in option 2 giving a revised estimate for the Camden Library Re-adaptation of \$1,900,000.

RESOLUTION

MOTION

Moved Councillor Campbell, Seconded Councillor Elliott that Council accept and adopt the modifications proposed in option 3 giving a revised estimate for the Camden Library Re-adaptation of \$2,022,000.

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

(Councillors Patterson, Whiteman, Funnell, Johnson, Dewbery and Elliott voted against the Motion).

FURTHER MOTION

Moved Councillor Campbell, Seconded Councillor Cagney that Council accept and adopt the modifications proposed in option 2 giving a revised estimate for the Camden Library Re-adaptation of \$1,900,000.

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

(Councillor Cagney and Funnell voted against the Motion).

ORD49/05

ORDINARY COUNCIL

ORD04

SUBJECT: CAMDEN MEMORIAL SWIMMING POOL - REQUEST FOR
EARLY CLOSURE OF THE POOL
FROM: Director Works and Services
FILE NO: 544

PURPOSE OF REPORT

This report addresses a request from the lessee of the Camden Memorial Swimming Pool to close the pool on Sunday 3 April 2005, in advance of the contract date of the 30 April 2005.

BACKGROUND

Council would be aware that a contract was signed with LeisureCo on 13 September 2004 for the operation of the Camden Memorial Swimming Pool for the 2004/05 summer season. The contract as part of condition 1., included at Council's request, includes the following reference to the pool closure:

For the purpose of this Deed, "Swimming Season" is defined as the period from Saturday of the October long weekend, up to and including 30 April each year (or up to and including the New South Wales Easter School holidays, whichever is the later .

This year the NSW Easter School holidays fall from Saturday 9 April to Monday 25 April 2005 (ANZAC Day).

MAIN REPORT

LeisureCo have requested a reduction in the closing time of this summer's pool season under the terms of the contract on the basis of:

(additional information provided to Councillors separately)

- LeisureCo's budgeted attendance for the 2004/05 summer season have not been realised by actual attendances at the centre
- LeisureCo predicts an operating loss for the Camden Pool based on their figures for attendances at the centre for this swimming season
- Original budget estimations revolved around a closing period of 3 April. These estimations took into account the above projected attendances and resulted in a negotiated management fee of \$25,000. The management fee took into consideration the expected income levels up to the projected closing date. No budget estimations have been set for the April trading period.

Program Usage

- Camden Amateur Swimming Club had their last meet on Tuesday 15 March 2005. There are no further bookings for the March - April period.
- Swimming attendances in the March period are projected to be low based on current attendances including three school carnivals which occurred in early March.
- Swimming attendances for the month of April are projected to be lower than the March projected figures based on cooler temperatures for the month and on current trading patterns.

Industry Standards

- Previous operating periods for the Camden Memorial Pool have been along the lines of the expression of interest documentation (which stated a preference for closure on the first weekend of April) and represent a consistent industry standard and a practical provision of community service for aquatic usage - satisfying the majority of consumer demand.
- Fairfield City Council Leisure Centre - outdoor pool - closes first weekend in April 2005
- City of Sydney Prince Alfred Park Swimming Pool - closes 30 March 2005
- City of Sydney Andrew Boyd Charlton - closes first weekend of April 2005

As the cooler weather ensues the facility will experience a significant reduction in attendance numbers. Reduced patron numbers have already been noticed through March.

Council's solicitor advises that the matter of altering the closing date under the lease requires Council's consideration.

Optional Date for Early Closure of the Pool

Acceding to LeisureCo's request provides little time to advise residents of Camden and patrons of the pool of the proposed early closure of the pool this season. It is therefore recommended that in accepting early closure of the pool on the grounds of the supporting information provided by LeisureCo that Sunday 10 April provides a further weeks grace to advertise the early closure of the pool.

Lessee Performance

LeisureCo accepted the modified contract, including Council's requirement for an extended swim season, to take on the operation of the Camden Memorial Swimming Pool. The organisation was not aware of the level of patronage achievable for the centre, as past patronage figures were not available to Council.

They have operated the centre and achieved a range of positive outcomes:

- Camden Pool became fully operational within one week of signing the contract
- staff were sourced predominantly from the local area
- kiosk supplies have been sourced from the local area
- water quality has been managed to a high standard
- minimal incidents have occurred in the operation of the pool
- relationships with local schools have been established and built upon
- good relations have been achieved between the Camden Swimming Club and LeisureCo
- staff worked well with Council during the completion of change room modifications

In addition LeisureCo has worked to address a series of complaints regarding their operating practices at the Centre and the hours of operation.

It is considered that the group has worked positively within the terms of the contract to achieve a safe swimming pool environment for the users and residents of Camden.

CONCLUSION

The request put forward by LeisureCo for early closure of the Camden Memorial Swimming Pool, particularly in relation to financial performance of the centre this season and anticipated declining attendances by patrons of the centre throughout April as the end of the season and winter approaches, are accepted.

It is considered that accepting early closure of the Camden Pool in line with industry standard is valid however the notification provided by LeisureCo to respond to their request and to notify potential users and frequent patrons is insufficient at this time.

In accepting the 10 April closure date for the 2004/05 summer season the early closure can be advised to all residents of Camden.

It is recommended that future leases for the operation of the Camden Memorial Swimming Pool include the closure of the pool on the first weekend of April, in line with industry standard operation for open swim centres.

RECOMMENDED

That Council:

- i. approve the early closure of the Camden Memorial Swimming Pool on 10 April 2005 for the 2004/05 swim season.**
- ii. advise LeisureCo that Council accepts the early closure of the Camden Memorial Swimming Pool from the 2004/05 swim season.**
- iii. the lease for the Camden Memorial Swimming Pool be modified to specify the closure of the centre on the first Sunday of April each year, in accordance with industry standard.**

RESOLUTION

That Council:

- i. approve the early closure of the Camden Memorial Swimming Pool on 10 April 2005 for the 2004/05 swim season.
- ii. advise LeisureCo that Council accepts the early closure of the Camden Memorial Swimming Pool from the 2004/05 swim season.
- iii. the lease for the Camden Memorial Swimming Pool be modified to specify the closure of the centre on the first Sunday of April each year, in accordance with industry standard.

Moved Councillor Dewbery, Seconded Councillor Funnell that:
the recommendation as above be adopted.

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

(Councillors Cagney and Campbell voted against the Motion).

ORD50/05

ORDINARY COUNCIL

ORD05

SUBJECT: DRAFT CAMDEN CHILDREN AND FAMILIES STRATEGIC PLAN 2005-2010 AND YOUTH STRATEGIC PLAN 2005-2010.
FROM: Director Works and Services
FILE NO: 4740

PURPOSE OF REPORT

This report advises Council of the process undertaken and findings from the Draft Camden Children and Families Strategic Plan 2005-2010 and Youth Strategic Plan 2005-2010. This report also seeks endorsement to place the Draft Plans on public exhibition.

BACKGROUND

Camden is experiencing and will continue to experience one of the highest growth rates of young people and families in New South Wales, with almost 40% of our population under the age of 24 and 79.5% of our population under 49 years of age. Families and young people represent a significant proportion of the population in Camden and this trend is predicted to continue for the foreseeable future, further increasing with the development of Spring Farm and Elderslie. A recent social profile of Western Sydney projected that by 2019 the number of families in Camden will increase by 161%, nearly five times that of Sydney statistical division.

The Children and Families Strategic Plan and the Youth Strategic Plan have been developed in response to this growth and recognition of the significant proportion of our community who are young and families with children. The Plans provide detailed actions for children, families and young people and their aims are consistent with the broader outcomes in the Community Plan 2004-2009.

MAIN REPORT

Development of the Draft Children and Families and Youth Strategic Plans

The draft Camden Children and Families Strategic Plan 2005-2010 and the draft Youth Strategic Plan 2005-2010 have been developed in consultation with Camden's community, human service and youth organisations, government and non-government agencies and community groups.

The Children and Families and Youth Strategic Plans are a whole of community and Council approach to planning for children, their families and youth and form part of Camden's general Community Plan. The Plans also highlight the need for a long term vision of how Camden will provide for children, their families and youth.

The draft Plans were developed following a comprehensive process consisting of the following stages:

Stage 1: Establishment of a Community Advisory Group (CAG)

January - March 2003

Stage 2: Consultation and Research including information gathering, issue identification and analysis through surveys, focus groups and strategy development forums

April 2003 - March 2004

Stage 3: Preparation of draft Plans and consideration in the Community Plan development

April 2004 - March 2005

Stage 4: Final Consultation

March 2005

The development of the Plans and research conducted is underpinned by a series of supporting papers providing further information in relation to the issues and the process. The Draft Plans have been circulated to councillors separately.

Structure of the Draft Children and Families Plan and the Draft Youth Strategic Plan

The draft Children and Families Strategic Plan and the Draft Youth Strategic Plan, provide information about children, their families and youth in our community. The Plans reflect the issues, visions and concerns of parents, children, youth, government, non government agencies and the broader community in Camden.

The Plans consists of the following main components:

1. A Vision for the Future
2. Our Community Told Us statistics and information about needs and issues and
3. Strategic Directions and Actions in response to issues/needs to realise the vision

The outcomes and strategies contained in the Children and Families Strategic Plan and the Youth Strategic Plan, expand on strategies already contained in the adopted 2004 Community Plan. These outcomes and strategies provide further detailed actions and are divided into Community Well Being Components as outlined in the Community Well Being Framework.

Summary of Outcomes and Strategies from the Draft Children and Families Strategic Plan

Outcome	Sample Strategies
I have choice and access to high quality learning environments	<ul style="list-style-type: none">● Centre based childcare services are well designed providing children with quality physical environments and places for learning
I have access to and knowledge of Council and community services information in Camden and Macarthur	<ul style="list-style-type: none">● Camden community information is easily accessible
Community facilities within Camden reflect the needs of the community	<ul style="list-style-type: none">● Ensure that the planning and design of community facilities involves stakeholder and community input● Ensure that the physical environment within Camden promotes and supports

	participation and access for children and families with disabilities
There is greater choice in services and facilities within Camden	<ul style="list-style-type: none"> ● Ensure that outreach and family support services have a greater presence in Camden's new estates
I can live an active and healthy lifestyle in my community	<ul style="list-style-type: none"> ● Establish broad urban planning and design principles that acknowledge the relevance of local level initiatives and the built environment to healthy lifestyles ● Support and encourage opportunities for children and families to lead active healthy lifestyles by providing a range of physical activities, events and programs
There are unique places and opportunities for my family to interact	<ul style="list-style-type: none"> ● Recreation and leisure services, facilities and activities are planned and provided within a whole of council framework
My children can be safe and active in the community	<ul style="list-style-type: none"> ● Promote safe useable neighbourhoods

Summary Outcomes and Strategies from the Draft Youth Strategic Plan

Outcome	Sample Strategies
Accessing what I need	<ul style="list-style-type: none"> ● Provide places for young people ● Increase capacity of youth service delivery ● Facilitate accessible transport options ● Provision of relevant and responsive youth services ● Improved access to information
Young people are able to express their culture	<ul style="list-style-type: none"> ● Facilitate events locally for young people ● Support cultural partnerships that foster young peoples artistic development
Being safe and feeling safe	<ul style="list-style-type: none"> ● Promote the safety of young people and those around them ● Promote safe and attractive public places
Learning and earning locally	<ul style="list-style-type: none"> ● Support young people make the transition from school to work or higher study ● Encourage employment of local young people locally
Young people are healthy and feel healthy	<ul style="list-style-type: none"> ● Improve awareness of and access to health services for young people ● Promote and support healthy lifestyle choices ● Promote and support healthy lifestyle choices

A place to live locally	<ul style="list-style-type: none"> ● Increase initiatives for alternative accommodation
Young people are seen, heard and valued	<ul style="list-style-type: none"> ● Encourage young people participation in decision making and activities ● Develop young people's confidence and leadership skills ● Promote positive community attitudes towards young people
Having fun and going places	<ul style="list-style-type: none"> ● Provide diversity in recreational and leisure opportunities for young people ● Maximise the use of parks and open spaces with appropriate infrastructure in place for young people

Communication and Consultation Strategy

It is proposed that the following consultation and communication strategy is implemented once the Plans are endorsed by Council.

The draft Children and Families Strategic Plan and the draft Youth Strategic Plan would be exhibited for public comment for a period of 28 days. During this time the Plans including A3 summary sheets, will be promoted through the:

- Council's Libraries;
- Council Customer Service Centres;
- Council's website;
- Community Notice boards;
- Local media;
- Community Services mailing list; and
- Camden Interagency Meeting scheduled for 13 April.

CONCLUSION

Camden's Draft Children and Families Strategic Plan and Youth Strategic Plan provide Council with a vital resource with which to actively support social sustainability and community wellbeing within the Camden Local Government Area. The Plans have been developed following extensive consultation with children, families, young people and community and government groups as well as consultation information from the Camden Community Plan. The Plans are important tools to develop and support a rapidly growing and changing community and will assist in maximizing current resources and securing further funding and resources for Camden in the future.

RECOMMENDED

- (i) Council endorse the draft Children and Families Strategic Plan 2005-2010 and Youth Strategic Plan and that they be placed on public exhibition for a period of 28 days.**
- (ii) A further report be presented following the period of public exhibition.**

RESOLUTION

- (i) Council endorse the draft Children and Families Strategic Plan 2005-2010 and

Youth Strategic Plan and that they be placed on public exhibition for a period of 28 days.

(ii) A further report be presented following the period of public exhibition.

Moved Councillor Campbell, Seconded Councillor Cagney that the recommendation as above be adopted.

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

ORD51/05

ORDINARY COUNCIL

ORD06

SUBJECT: CODE OF CONDUCT
FROM: Acting General Manager
FILE NO: 938/27

Councils are required, under Section 440 of the Local Government Act, 1993, to prepare a Code of Conduct which gives a clear understanding of the standards required in the conduct of Council's affairs and performance of professional activities and is to be observed by Councillors, staff and all delegates to Committees. Council has previously adopted a Code of Conduct which was last reviewed on 12 May, 2003.

The Local Government Amendment (Discipline) Act, 2004 which commenced from 1 January, 2005 has amended the arrangements regarding the discipline of Councillors, staff and delegates and introduces a new standardised Code of Conduct. All Councils are required to adopt and apply this Code of Conduct as the minimum requirement. Additional topics may be added to supplement the Code to reflect specific needs of a Council.

The Department of Local Government has drafted a Model Code of Conduct for Local Councils in consultation with industry bodies including Council representatives, the Independent Commission Against Corruption and the New South Wales Ombudsman. The Department has also issued a set of "Guidelines for the Model Code of Conduct for Local Councils in NSW" to assist in the implementation of the new Code.

Copies of the Model Code of Conduct have been included in the **Supporting Documents** and issued separately to Councillors as a reference document.

Council has previously considered a report calling for submissions on the draft Code at the Resources and Services Committee Meeting on 13 September, 2004 and resolved not to make a submission.

There are a number of new requirements and standards to be observed by Councillors, members of staff and delegates. Among the most notable features of the changes are:

- A duty to ensure that development decisions are properly made. This includes ensuring that actions are, and can be perceived as proper;
- As a minimum, the disclosure of the nature of any non-pecuniary conflict of interest in a matter;
- Specifying a broad range of options for managing the conflict. A Council official must deal with a non-pecuniary conflict in one of the ways provided in the Code;
- Advice to Councillors that matters involving campaign donors may give rise to a non-pecuniary conflict of interest;
- Prohibiting Councillors from contacting or issuing instructions to the Council's contractors or tenderers, including the Council's legal advisers;
- Specifying what amounts to inappropriate interactions on the part of Councillors and staff, including:
 - Councillor attendance at on-site inspection meetings with lawyers and/or

consultants, and

- Council staff meeting with developers alone and outside office hours.

- Requiring Councils to establish a Conduct Committee consisting of the Mayor, the General Manager and at least one independent person in order to ensure a fair and transparent review of the process for allegations of breach of the Code. The Conduct Committee will be responsible for making enquiries into allegations of breaches of the Code of Conduct and reporting its findings to Council.

In addition, the Model Code provides definitions for non-pecuniary conflict of interest, token gifts and benefits and gifts of value.

In comparing Council's current Code with the new model Code, it is found the areas being more clearly defined in the new Code are Gifts and Benefits and Contact between Councillors and Staff. The topics - Relationships between Council officials (Section 8), Councillor access to Council buildings (Section 9.21) and Reporting Breaches and Complaint Handling (Conduct Committee) (Section 10) have been strengthened in the new Code. It is also noted, however, some topics in the existing Code and cross referencing to Council Policies are not specifically covered in the Model Code. It is intended to add these topics and Policies into an addendum to the Model Code.

Overall, on the basis that the new Code deals adequately with the existing Council Code, it is submitted the Model Code be adopted as submitted without alteration.

Turning to the requirement to appoint a "Conduct Committee", Section 10.8 states "each Council will establish a conduct committee that will consist of the Mayor, the General Manager and at least one person independent of the Council". It is suggested the independent representative could be Council's nominated legal advisor or a person of independent standing. A survey of methods adopted by several metropolitan Councils has revealed the approach has been to leave the appointment vacant at this stage and as any matters are referred to the Committee, a decision can be made on the appointment on a case-by-case basis.

The Department of Local Government has also highlighted the necessity to promote the new Code to Councillors and staff. All new staff are introduced to the Code of Conduct during the Induction Sessions and given copies. Insofar as training for Councillors is concerned, it is recommended a Workshop be scheduled as soon as practicable in the future, facilitated by an external party, to work through the changes to the Local Government Act and the requisites of the Model Code.

Councillors should become familiar with the requirements as set out in the new Code.

RECOMMENDED

That Council:

- i) Adopt the Model Code of Conduct for application to Councillors, members of Staff and Delegates of Councils, as prescribed by the Local Government Amendment (Discipline) Act, 2004 and circulated by the Department of Local Government ; and**
- ii) Appoint the Mayor of the day, the General Manager to the Conduct Committee as required by Section 10.8, with the further appointment of the independent representative to be made at the time of referral of matters on a case-by-case basis;**

- iii) **Arrange a Councillor Workshop as soon as practicable on the Model Code; and**
- iv) **Promote the requirements of the new Code of Conduct to all Council Staff and Delegates.**

RESOLUTION

That Council:

- i) Adopt the Model Code of Conduct for application to Councillors, members of Staff and Delegates of Councils, as prescribed by the Local Government Amendment (Discipline) Act, 2004 and circulated by the Department of Local Government ; and
- ii) Appoint the Mayor of the day, the General Manager to the Conduct Committee as required by Section 10.8, with the further appointment of the independent representative to be made at the time of referral of matters on a case-by-case basis;
- iii) Arrange a Councillor Workshop as soon as practicable on the Model Code; and
- iv) Promote the requirements of the new Code of Conduct to all Council Staff and Delegates.

Moved Councillor Campbell, Seconded Councillor Cagney that:
the recommendation as above be adopted.

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

ORD52/05

ORDINARY COUNCIL

ORD07

SUBJECT: PURCHASE OF LAND - MOUNT ANNAN DISTRICT CENTRE
- LOT 205 DP 1070297 ANNANVALE CIRCUIT
FROM: Director Governance and Outcomes
FILE NO: 3731/3

PURPOSE OF REPORT

To inform Council of the progress of negotiations for the purchase of land in the Mount Annan District Centre.

BACKGROUND

Council considered a report on 13th September, 2004 concerning the purchase of this land and resolved to proceed with negotiations for the purchase of the land from Woolworths Limited and to refer back to Council the proposed purchase price.

MAIN REPORT

Since the previous meeting, Council officers have obtained a market valuation of the property and received further correspondence from Woolworths Limited. Councillors will recall the subject land is adjacent to the Mount Annan Market Place.

The valuation of the land to be obtained by Council has been determined at \$325 per square metre. Woolworths Limited have offered the site to Council at a reduced market value rate of \$289 per square metre plus GST, on the basis it will be used for community purposes.

Based on the site area of approximately 2807 square metres, the purchase price offered is \$811,000. It is noted, the lot currently offered is slightly smaller than the original lot offered as a result of the final terms between Woolworths Limited and the developers of the adjoining lots.

CONCLUSION

The agreed purchase price is well below the current market valuation and offers Council a unique opportunity to purchase land in such close proximity to the commercial area of Mount Annan Market Place.

Negotiations are continuing with Woolworths Limited on the conditions of the purchase to enable exchange of contracts and prompt settlement of the purchase.

RECOMMENDED

That Council :

- i) Proceed with the purchase of the revised Lot 205 DP 1070297 Annanvale Circuit, Mount Annan, from Woolworths Limited at a price of \$289 per square**

metre, plus GST, to be funded from the Camden Contribution Plan, subject to appropriate contract conditions, with area of the lot subject to a final survey;

ii) The General Manager be authorised to execute the Contract and affix the Council Seal to any documents relevant to the purchase; and

iii) Confirm the land, upon transfer to Council be categorised as "Operational" land under the Local Government Act, 1993.

RESOLUTION

That Council :

i) Proceed with the purchase of the revised Lot 205 DP 1070297 Annanvale Circuit, Mount Annan, from Woolworths Limited at a price of \$289 per square metre, plus GST, to be funded from the Camden Contribution Plan, subject to appropriate contract conditions, with area of the lot subject to a final survey;

ii) The General Manager be authorised to execute the Contract and affix the Council Seal to any documents relevant to the purchase; and

iii) Confirm the land, upon transfer to Council be categorised as "Operational" land under the Local Government Act, 1993.

Moved Councillor Elliott, Seconded Councillor Patterson that:
the recommendation as above be adopted.

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

ORD53/05

ORDINARY COUNCIL

ORD08

SUBJECT: RENEWAL OF LEASE OF UNFORMED ROAD - ORIELTON STREET,
NARELLAN
FROM: Director Governance and Outcomes
FILE NO: TC/4150/1

Council at its meeting held 12 August, 2002 resolved to lease an unformed road known as Orielson Street, which runs off The Northern Road, Narellan. Council has been approached by the owner of Lot 1 DP859791 (No. 49) The Northern Road, Narellan with a proposal to renew the lease of a portion of the road reserve abutting the property. **A location plan is available as an attachment.**

The Roads Act, 1993 (Section 153) does allow Council to enter into short-term leases of unused portions of public roads to owners of land adjoining the public road, following the usual public advertising and notification to adjoining owners of any lease proposal.

Council officers have investigated the proposal and have no objections to a lease arrangement on a further short-term basis only. The site is adjacent to factory units and the owner has provided landscaping, including regular grass cutting and has maintained the site in good order to date. These actions have greatly improved the amenity and security of the location. The land, prior to the previous lease, was overgrown with long grass and weeds, littered with rubbish and was most unsightly.

It is recommended that agreement be given to lease this area of land for a period of up to 5 years. This will ensure that any road works associated with the Northern Road extension can be accommodated. The new lease will be on the same terms as the previous lease, i.e. rental of \$1.00 per annum with the lessees responsible for all maintenance on the site as outlined above.

In addition, the Roads Act, also specifically provides that Council may terminate a lease at any time and for any reason should the need arise.

RECOMMENDED

That

- i) Following compliance with the requirements of the Roads Act, 1993 and no objections being received, Council agree to enter into a lease for the unformed portion of Orielson Street, Narellan with the owner of Lot 1 DP859791 Campbell Street, Narellan for a period of 5 years in the terms as outlined above;**
- ii) The seal of Council be affixed to the necessary documents.**

ATTACHMENTS

Location Plan

RESOLUTION

(Councillor Elliott left the Chamber during discussion of this item - the time being 926pm).

That

- i) Following compliance with the requirements of the Roads Act, 1993 and no objections being received, Council agree to enter into a lease for the unformed portion of Orielson Street, Narellan with the owner of Lot 1 DP859791 Campbell Street, Narellan for a period of 5 years in the terms as outlined above;
- ii) The seal of Council be affixed to the necessary documents.

Moved Councillor Funnell, Seconded Councillor Johnson that the recommendation as above be adopted.

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

ORD54/05

ORDINARY COUNCIL

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - ADOPTION OF WARD COMMITTEES
FROM: Cr Chris Patterson
FILE NO:

I hereby give notice of my intention to move the following motion at the Council meeting of 29 March, 2005.

RECOMMENDED

That a report be prepared by staff, for the meeting of 11 April, 2005, on the adoption of a system of Ward Committees appropriate to improving community consultation in Camden

RESOLUTION

That a report be prepared by staff, for the meeting of 11 April, 2005, on the adoption of a system of Ward Committees appropriate to improving community consultation in Camden

Moved Councillor Patterson, Seconded Councillor Campbell that the recommendation as above be adopted.

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

(Councillor Elliott returned to the Chamber - the time being 9.30pm)

ORD55/05
.

ORDINARY COUNCIL

ORD09

SUBJECT: CLOSURE OF MEETING TO THE PUBLIC
FROM: Acting General Manager
FILE NO: 3169 & 5500.260

Council may, by resolution, deem it necessary to close the meeting to the public during discussion of this item.

The Local Government Act, 1993, as amended, permits the closure under Section 10A(2)(b)

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.

In the event that the Council does determine to close part of the meeting, a suitable resolution would be as follows.

There were no objections or submissions from the public to the closure.

RECOMMENDED

That the meeting be now closed to the public to discuss a report dealing with personal hardship, in accordance with the provisions of Section 10A(2)(b) of the Local Government Act, 1993.

RESOLUTION

That the meeting be now closed to the public to discuss a report dealing with personal hardship, in accordance with the provisions of Section 10A(2)(b) of the Local Government Act, 1993.

Moved Councillor Johnson, Seconded Councillor Elliott that the recommendation as above be adopted.

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

(Councillor Whiteman voted against the Motion).

The Meeting closed at 9.34pm.

ORD56/05

**THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 MARCH
2005 WERE ADOPTED AT AN ORDINARY COUNCIL MEETING HELD 26 APRIL
2005. MIN. NO. 61/05**

A handwritten signature in black ink, appearing to read 'D. Anderson', is centered on the page. The signature is fluid and cursive, with a large initial 'D'.

CHAIRPERSON