

# CAMDEN COUNCIL

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## MINUTES OF THE ORDINARY COUNCIL

14 OCTOBER 2008

### PRESENT

Cr Funnell (Deputy Mayor/Chairperson), Cr Cagney, Cr Dewbery, Cr Cottrell, Cr Symkowiak, Cr Anderson, Cr Warren.

### STAFF

General Manager, Director Governance, Director Development and Health, Director Works and Services, Manager Corporate Services, Manager Environmentally Sustainable Design, Manager Capital Works, Manager Environment and Health, Manager Strategic Planning, Manager Development, Manager Community Services, Senior Governance Officer.

### **APOLOGIES**

Resolution: Moved Councillor Cottrell, Seconded Councillor Dewbery that Councillors Patterson and Campbell be granted a leave of absence.

ORD242/08 THE MOTION ON BEING PUT WAS **CARRIED**.

### **DECLARATION OF INTEREST**

Resolution: There were no declarations to be noted.

ORD243/08 THE MOTION ON BEING PUT WAS **CARRIED**.

### **PUBLIC ADDRESSES**

Resolution: Mr Keith Apps addressed the Council in relation to Item ORD 05 - El Caballo Blanco/Gledswood Draft LEP 151.

Mr Paul Issac addressed the Council in relation to Item ORD 03 - Subdivision to Create 16 Residential Lots, 3 Superlots, 4 Residue Lots, Construction of Roads, Drainage, Services and Landscaping at 187 Turner Road, Currans Hill (Lot 36 DP28024) (Manooka Valley Release Area - Part West Village).

Moved Councillor Anderson, Seconded Councillor Warren that the public addresses be noted.

ORD244/08 THE MOTION ON BEING PUT WAS **CARRIED**.

### **CONFIRMATION OF MINUTES**

Resolution: Moved Councillor Anderson, Seconded Councillor Cagney that the Minutes of the Extraordinary Council Meeting held 30 September 2008 copies of which have been circulated, be confirmed and adopted.

ORD245/08 THE MOTION ON BEING PUT WAS **CARRIED**.

#### **MAYORAL MINUTE - AUSTRALIAN SAFER COMMUNITY AWARDS**

Resolution: Moved by Councillor Cagney Seconded Councillor Anderson that the information be noted.

ORD246/08 THE MOTION ON BEING PUT WAS **CARRIED**.

#### **ORD01 MODIFICATION OF CONSENT ORDERS ISSUED BY THE LAND AND ENVIRONMENT COURT IN RELATION TO THE NARELLAN HOTEL- NO 279 (LOT A DP 399970) CAMDEN VALLEY WAY, NARELLAN - RECOMMENCEMENT OF TRIAL PERIOD**

Resolution: **MOTION**

Moved Councillor Warren, Seconded Councillor Dewbery that further consideration of this report be deferred until Police Reports have been received by Council.

ORD247/08 THE MOTION ON BEING PUT WAS **CARRIED**.  
(Councillors Funnell, Anderson, Dewbery, Cagney, Cottrell, Symkowiak and Warren voted in favour of the Motion.  
No Councillors voted against the Motion).

#### **ORD02 SECTION 96 MODIFICATION TO DA 300010/2002 TO AMEND EAST VILLAGE SUBDIVISION LAYOUT AT NO 207B (LOT 12, DP 1041381) TURNER ROAD, CURRANS HILL (MANOOKA VALLEY RELEASE AREA)**

Resolution: Moved Councillor Anderson, Seconded Councillor Campbell that:

- i. Council refer development application 300010(3)/2002 to the Department of Planning, seeking the Director General's concurrence to the variation of the LEP 47 and LEP 48 design standards pursuant to SEPP 1.
- ii. If concurrence is granted, modification of development application 300010(3)/2002 be approved subject to the above draft modified consent conditions.

ORD248/08 THE MOTION ON BEING PUT WAS **CARRIED**.  
(Councillors Funnell, Anderson, Dewbery, Cagney, Cottrell, Symkowiak and Warren voted in favour of the Motion.  
No Councillors voted against the Motion).

**ORD03 SUBDIVISION TO CREATE 16 RESIDENTIAL LOTS, 3 SUPERLOTS, 4 RESIDUE LOTS, CONSTRUCTION OF ROADS, DRAINAGE, SERVICES AND LANDSCAPING AT 187 TURNER ROAD, CURRANS HILL (LOT 36, DP 28024) (MANOOKA VALLEY RELEASE AREA - PART WEST VILLAGE)**

Resolution: **MOTION**

Moved Councillor Dewbery, Seconded Councillor Symkowiak that consideration of the report be deferred for further discussions between the parties given the additional information provided to Councillors at the meeting.

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

(No Councillors voted in favour of the Motion.

Councillors Funnell, Anderson, Dewbery, Cagney, Cottrell, Symkowiak and Warren voted against the Motion).

**FURTHER MOTION**

Moved Councillor Warren, Seconded Councillor Cagney that:

- i. Development Application 819/2006 for a residential subdivision at No 187 (Lot 36, DP 28024) Turner Road, Currans Hill be approved subject to the draft conditions of consent attached to this report, and
- ii. the people making submissions in regard to this application be informed of Council's determination.

ORD249/08 THE MOTION ON BEING PUT WAS **CARRIED**.

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

No Councillors voted against the Motion).

**ORD04 4 (LOT 41, DP607106) EXETER STREET, CAMDEN - REZONING REQUEST**

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

- i. note the direction from the DoP and not proceed with the draft LEP to rezone No. 4 (Lot 41, DP607106) Exeter Street Camden to 3(f) Town Centre Support;
- ii. write to the applicant advising of its determination; and
- iii. arrange for the rezoning application fee to be refunded.

ORD250/08 THE MOTION ON BEING PUT WAS **CARRIED**.

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

No Councillors voted against the Motion).

**ORD05 EL CABALLO BLANCO/GLEDWOOD DRAFT LEP 151**

Resolution: Moved Councillor Cagney, Seconded Councillor Warren that:

- i. Council adopt draft LEP 151 and draft El Caballo Blanco/Gledswood DCP, including the amendments contained in this report, for exhibition purposes;
- ii. Council write to the DoP requesting a Section 65 certificate to enable draft LEP 151 to be placed on public exhibition together with the draft DCP, LES and supporting information;
- iii. Council proceed directly to exhibition once the Section 65 certificate is received. iv. a further report come back to Council at the conclusion of the public exhibition period.

ORD251/08 THE MOTION ON BEING PUT WAS **CARRIED**.  
(Councillors Funnell, Anderson, Dewbery, Cagney, Cottrell, Symkowiak and Warren voted in favour of the Motion.  
No Councillors voted against the Motion).

**ORD06 2007/08 RESULTS AGAINST BUDGET - YEAR ENDING 30 JUNE 2008**

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

- i. endorse the budget variations contained within this report
- ii. endorse the creation of a Plant Replacement Reserve, with the surplus made from the recharge of depreciation across Council's maintenance and construction program be transferred to the reserve each year to fund the future replacement of Council's public works plant.
- iii. authorise the following reserve movements, as identified in the table below:

	<b>\$</b>
Transfer to Working Funds Reserve	\$300,000
Transfer to Plant Replacement Reserve	\$237,064
Transfer to Leave Entitlements Reserve	\$168,000
Transfer to Workers Compensation Reserve	\$119,121
Transfer to Capital Works Reserve	\$296,814
<b>ALLOCATION OF BUDGET SURPLUS</b>	<b>\$1,120,999</b>

- iv. adopt the list of additional projects requiring revote within this report and endorse the inclusion of these projects in the 2008/09 Budget, with the necessary additional funding to be sourced from the following areas:

<b>Source of Funds</b>	<b>\$</b>

Section 94 Contributions	\$1,318,402
Grants	\$492,715
Trust/Reserves	\$926,190
Other Sources	\$50,500
General Revenue (ie Council Funds)	\$515,188
<b>TOTAL</b>	<b>\$3,302,995</b>

ORD252/08 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD07 ANNUAL FINANCIAL STATEMENT OF ACCOUNTS - YEAR ENDING  
30 JUNE 2008**

Resolution: Moved Councillor Anderson, Seconded Councillor Cagney that:

- i. The management representation letters be signed by the Mayor, Deputy Mayor, General Manager and responsible accounting officer.
- ii. The public be notified that the Annual Financial Statement of Accounts and Audit Report will be presented to Council on 11 November 2008.

ORD253/08 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD08 RATES AND CHARGES WRITTEN OFF**

Resolution: Moved Councillor Dewbery, Seconded Councillor Cagney that all Rates and Charges outlined in this report totalling \$495,241.85 in respect of the 2007/08 rating year be noted and written off.

ORD254/08 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD09 DETERMINATION OF COUNCILLOR FEES - 2008/2009 - LOCAL  
GOVERNMENT REMUNERATION TRIBUNAL**

Resolution: Moved Councillor Anderson, Seconded Councillor Dewbery that Council adopt the maximum Councillor and Mayoral allowance fees for 2008/09 being \$15,120 for Councillors and \$33,010 for the Mayor effective 1 July 2008 for re-elected and retired Councillors and 19 September 2008 for new Councillors.

ORD255/08 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD10 PECUNIARY INTEREST ORDINARY RETURNS - 1 JULY 2007 TO 30  
JUNE 2008 AND PRIMARY RETURNS AS AT 30 SEPTEMBER 2008**

Resolution: Moved Councillor Anderson, Seconded Councillor Cagney that the information be noted.

ORD256/08 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD11 COUNCIL SEAL - EASEMENT FOR TRANSMISSION LINE -  
RAILCORP - LOT 3 DP 1007608 RICHARDSON ROAD SPRING FARM**

Resolution: Moved Councillor Cagney, Seconded Councillor Anderson that the Council Seal be affixed to the Linen Plan and Section 88B instrument depicting the relocation of the easement for overhead transmission lines over Lot 3 DP1007608 Richardson Road, Spring Farm.

ORD257/08 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD12 OUTDOOR SMOKE-FREE POLICY**

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

- i. adopt the amended Outdoor Smoke-Free Policy;
- ii. approve the implementation of the Outdoor Smoke-Free Policy;
- iii. develop and implement an appropriate media campaign to advise and inform the community of the adopted policy;
- iv. write to all registered sporting groups advising of the policy and seeking their support and assistance with its implementation; and
- v. inform those who made a submission of Council's decision on the matter of smoke-free footpath or smoke-free outdoor dining areas.

ORD258/08 THE MOTION ON BEING PUT WAS **CARRIED**.  
(Councillors Dewbery and Funnell voted against the Motion)

**ORD13 MOUNT ANNAN COTTAGE LICENCE AGREEMENT**

Resolution: Moved Councillor Anderson, Seconded Councillor Dewbery that Council renew the licence agreement with Macarthur Community Forum Inc. at Mount Annan Community Cottage for a further period of 18 months at a rate which is consistent with Council's prevailing adopted fees and charges schedule, taking the licence through to 1 March 2010.

ORD259/08 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD14 "WINDOWS ON YESTERDAY" WORK FOR THE DOLE PROGRAM**

Resolution: Moved Councillor Symkowiak, Seconded Councillor Cagney that:

- i. Council affix the Seal of Council to the contract (\$22,500) with MTC Work Solutions

for the 'Windows on Yesterday' Work for the Dole Project to be delivered at Camden Creative Studios; and

- ii. the current budget be adjusted to reflect the additional funding allocation which will extend the project through to March 2009.

ORD260/08 THE MOTION ON BEING PUT WAS **CARRIED**.

### **QUESTIONS WITHOUT NOTICE**

#### **Purchase of Landcom Office - Mt Annan**

Clr Anderson drew attention to Landcom office in Mt Annan being offered for sale. The property covers two blocks of land and a carpark. Could Council research any potential use for the building at the asking price of \$600,000.

The General Manager stated the matter will be investigated and a response provided.

#### **Properties for sale – Camden Valley Way Elderslie**

Clr Anderson advised the property next to John Oxley Cottage is for sale. Council could purchase the property and knock the dwelling down in order to obtain a better view of John Oxley Cottage. The Motel site and the old caravan site adjacent to the Cottage are also for sale. These properties would make an ideal purchases for Council for playing fields. Could a response be provided on these issues.

#### **Community Cottage – Welling Drive Mt Annan**

Clr Anderson drew attention to the side fence on the western side of the Cottage is deteriorating and needs replacing. Could the fence be fixed.

#### **Removal of dead birds – Mt. Annan**

Clr. Cagney referred to the Council practice of removing dead birds (Ibis) around the open spaces in Mt. Annan. Could staff also look at removing dead birds from the island in Mt. Annan Lake.

#### **Morshead Road, Narellan Vale**

Clr. Warren requested to be advised the reason why Morshead Road is closed at the Narellan Road end and can the road be re-opened. A Memo giving the answer to these questions will be sufficient.

The Manager Strategic Planning advised a response in writing will be provided. However, the road closure was required as part of a Development Control Plan for the Narellan Vale release area. The DCP specifically required the closure, once Holdsworth Drive was in place. It was related to safety. In relation to re-opening, RTA concurrence would probably be required as well as safety and amenity issues for that local community.

The General Manager stated a more detailed response will be provided. This is a

matter with a long history over many years.

**Intersection - Catherine Field Road/Camden Valley Way**

Clr Funnell drew attention to the construction of the turning lane at Catherine Field Road, however, the intersection must now have traffic lights installed and this will be pursued through the Traffic Committee.

**THE MEETING CLOSED AT 7.26PM**