

Minutes

Ordinary Council Meeting

Camden Council
Administration Centre
70 Central Avenue
Oran Park

10 October 2023



camden
council

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MEETING COMMENCED AT 6.30PM**PRESENT****In person:**

Cr Fedeli
Cr A Cagney (Mayor/Chairperson)
Cr C Cagney
Cr Campbell
Cr Dommaraju
Cr Farrow
Cr McLean
Cr Symkowiak
Cr Zammit

Remote:

Nil

STAFF

General Manager
Director Customer and Corporate Strategy
Director Planning and Environment
Director Community Assets
Director Sport, Community and Activation
Acting Director Growth and Finance
Acting Chief Financial Officer
Manager Legal and Governance
Manager Strategic Planning
Manager Open Space and Sustainability
Acting Manager Public Affairs
Manager Community Outcomes
Internal Audit Coordinator
Senior Media and Communications Advisor
Senior Governance Officer
Governance Officer
Governance Administration Officer

LEAVES OF ABSENCE

There were no leaves of absence to be granted.

APPROVAL TO ATTEND BY AUDIO-VISUAL LINK

There were no requests to attend by audio-visual link.

DECLARATIONS OF INTEREST

Councillor A Cagney declared a non-pecuniary, significant interest in relation to ORD09 - South West Sydney Academy of Sport - Annual Contribution, advising that she is on the Board of the South West Sydney Academy of Sport, and that she would vacate the Chamber and not take part in discussion and voting on the matter.

Motion: Moved Councillor C Cagney, Seconded Councillor Campbell that the declaration be noted.

ORD168/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

PUBLIC ADDRESSES

There were no public addresses to be noted.

CONFIRMATION OF MINUTES

The General Manager advised that an application for leave of absence from Councillor Symkowiak for the Ordinary Council Meeting on 12 September 2023 was received prior to the meeting; however, due to an oversight it was not submitted to Council for consideration. The General Manager further advised that the record of Council's decision at the meeting as reflected in the minutes for adoption cannot be changed; however, a statement would be recorded in the minutes of the Ordinary Council Meeting on 10 October 2023 to reflect the leave of absence being tendered.

Motion: Moved Councillor Farrow, Seconded Councillor Campbell that the Minutes of the Ordinary Council Meeting held 12 September 2023, copies of which have been circulated, be confirmed and adopted.

ORD169/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

MAYORAL MINUTE - NARELLAN MEN'S SHED - 10TH ANNIVERSARY

Motion: Moved Councillor A Cagney that Council write to the Narellan Men's Shed, congratulating them on their 10 years of service to the Camden community.

ORD170/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD01 DRAFT PLANNING PROPOSAL - 955, 965 AND 975 THE NORTHERN ROAD, BRINGELLY (BIRLING)

Motion: Moved Councillor McLean, Seconded Councillor Zammit that Council:

- i. endorse the draft Planning Proposal to be forwarded to the Department of Planning and Environment for Gateway Determination;
- ii. endorse the draft amendment to the Camden Growth Centre Precincts Development Control Plan - Schedule 6 Lowes Creek Maryland;
- iii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition of the draft Planning Proposal and the draft Development Control Plan amendment in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021*; and
 - a. notify the Department of Planning and Environment of the exhibition of the draft Development Control Plan amendment, in accordance with the amended delegations issued by the Secretary of the Department of Planning and Environment on 19 January 2015;
- iv. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning and Environment for finalisation;
- v. upon notification of the State Environmental Planning Policy amendment being made;
 - a. grant delegation to the General Manager to adopt the amendment to Camden Growth Centre Precincts Development Control Plan - Schedule 6 Lowes Creek Maryland;
 - b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021*; or
- vi. if unresolved submissions are received, consider a further report outlining the results of the public exhibition period; or
- vii. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

ORD171/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD02 DRAFT CHILDREN AND FAMILIES STRATEGY 2023-2027

Motion: Moved Councillor Campbell, Seconded Councillor C Cagney that Council:

- i. endorse the 2023 - 2027 draft Children and Families Strategy to be placed on public exhibition for a period of 28 days commencing in mid-October 2023;
- ii. if no unresolved submissions are received during the public exhibition period, adopt the 2023 - 2027 draft Children and Families Strategy effective from the day after the close of the exhibition period; and
- iii. if any unresolved submissions are received during the public exhibition, receive a further report to consider the submissions.

ORD172/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

Councillor Campbell voted against the Motion.

ORD03 POST EXHIBITION - URBAN FOREST STRATEGY 2023

Motion: Moved Councillor Zammit, Seconded Councillor Fedeli that Council:

- i. adopt the draft Urban Forest Strategy 2023 included as an attachment to this report; and
- ii. write to the submitters thanking them for their submission and to advise the outcome of this report.

ORD173/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD04 POST EXHIBITION - NEW AND AMENDED CONTRIBUTION PLANS

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

- i. adopt the amended Camden Contributions Plan 2011, Heavy Haulage Contributions Plan and Camden Section 7.12 Contributions Plan;
- ii. approve the retirement of Contribution Plans: Catherine Field (Part) Precinct Contribution Plan, Contribution Plan No. 3 Upper Narellan Creek Trunk Drainage, Contribution Plan No. 5 Catherine Field Precinct Trunk Drainage, Contribution Plan No. 11 Smeaton Grange Roadworks, Contribution Plan No. 16 Ellis Lane and Grasmere, Contribution Plan No. 17 Narellan Town Centre and Contribution Plan No. 18 Harrington Park; and
- iii. approve the transfer of the surplus funds in the Contribution Plans to be retired, approximately \$16 million plus interest, into the new Camden Section 7.12 Contributions Plan.

ORD174/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD05 POST EXHIBITION - CONTRIBUTION PLANNING POLICIES

Motion: Moved Councillor Fedeli, Seconded Councillor C Cagney that Council adopt the revised Contributions Planning Policy, Planning Agreement Policy and Works-In-Kind Policy, included as Attachments 1, 2 and 3 to this report.

ORD175/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD06 ACCEPTANCE OF GRANT FUNDING - NSW FLOOD RECOVERY AND RESILIENCE GRANT PROGRAM

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

- i. accept the grant funding of \$138,750 from NSW Flood Recovery and Resilience Grant Program and allocate the funds at the next quarterly review, including match funding of \$46,250 (excl. GST) to be allocated from the Capital Works Reserve;
- ii. write to The Hon. Penny Sharpe MP, Minister for Environment and Heritage, thanking her for the grant; and
- iii. write to Mrs Sally Quinnell MP, Member for Camden, Mr Nathan Hagarty MP, Member for Leppington and Mrs Tanya Davies MP, Member for Badgerys Creek, thanking them for their support.

ORD176/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD07 ANNUAL FINANCIAL STATEMENTS - YEAR ENDING 30 JUNE 2023**AMENDMENT**

Motion: Moved Councillor A Cagney, Seconded Councillor Farrow that Council:

- i. endorse the Statements by Councillors and Management, which are to be signed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer (Chief Financial Officer); and
- ii. notify the public that the Annual Financial Statements and Audit Report will be presented to Council on 14 November 2023 or 12 December 2023, pending confirmation of the completion date of the audit, due to current resourcing issues at the Audit Office of NSW.

ORD177/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD08 INVESTMENT MONIES - AUGUST 2023

Motion: Moved Councillor Fedeli, Seconded Councillor Zammit that Council:

- i. note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;
- ii. note the list of investments for August 2023; and
- iii. note the weighted average interest rate return of 4.82% p.a. for the month of August 2023.

ORD178/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

Councillor A Cagney vacated the Chamber and Councillor Fedeli, as the Deputy Mayor, assumed the role of the Chairperson, the time being 7.09pm.

ORD09 SOUTH WEST SYDNEY ACADEMY OF SPORT - ANNUAL CONTRIBUTION

Motion: Moved Councillor McLean, Seconded Councillor Zammit that Council:

- i. increase the annual contribution to the South West Sydney Academy of Sport (SWSAS) by \$3,500 (excl. GST) totalling \$19,500 (excl. GST);
- ii. implement an annual increase on the contribution in accordance with Council's budgeted Consumer Price Index (CPI) except that, in the event the CPI is negative for the period, the contribution will remain the same; and
- iii. write to SWSAS to advise of the outcome of this report.

ORD179/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors C Cagney, Campbell, Dommaraju, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

Councillor Farrow voted against the Motion.

Councillor A Cagney returned to the Chamber and assumed the role of the Chairperson for the remainder of the Meeting, the time being 7.16pm.

ORD10 COMMUNITY REPRESENTATION ON THE HERITAGE ADVISORY COMMITTEE

Motion: Moved Councillor Campbell, Seconded Councillor C Cagney that Council appoint Joanne O'Brien as a community representative on the Heritage Advisory Committee.

ORD180/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD11 POWER OF ATTORNEY

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

- i. appoint Ashleigh Maree Cagney, Andrew David Carfield, Casli Mehmed, Milan Joza Marecic, Nicole Maree Magurren, Sandra Anne Kubecka, Samantha Eva Jane Sharkey, Paul Andrew Rofe and Charles William John Weber as attorneys of Council in accordance with the proposed Power of Attorney attached to the report;
- ii. authorise the execution of the proposed Power of Attorney under the Seal of Council;
- iii. revoke the existing Power of Attorney as from the date of execution of the proposed Power of Attorney; and
- iv. register the proposed Power of Attorney with Land Registry Services.

ORD181/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD12 POST EXHIBITION - REVIEW OF WARD BOUNDARIES 2023

Motion: Moved Councillor Campbell, Seconded Councillor Zammit that Council:

- i. adopt the ward boundary amendment proposal as publicly exhibited and provided as Attachment 1 to this report;
- ii. forward a completed Ward Boundary Report to the NSW Electoral Commission to advise of the outcome of the ward boundary review process; and
- iii. write to the submitter thanking them for their submission and to advise the outcome of this report.

ORD182/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD13 COUNCILLOR NUMBERS**AMENDMENT**

Motion: Moved Councillor C Cagney, Seconded Councillor Zammit that Council:

- i. propose changing the number of Councillors for the 2028-2032 term onwards to 12;
- ii. resolve to conduct a constitutional referendum to propose changing the number of Councillors for the 2028-2032 term onwards to 12;
- iii. notify the NSW Electoral Commission that it resolves to conduct a constitutional referendum in conjunction with its ordinary election in 2024, to increase the number of Councillors to 12; and
- iv. receive a further report to resolve the question to be asked at the constitutional referendum.

ORD183/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Dommaraju, Farrow, Fedeli and Zammit voted in favour of the Motion.

Councillors Campbell, McLean and Symkowiak voted against the Motion.

ORD14 MINUTES TO THE 5 JULY 2023 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

Motion: Moved Councillor Fedeli, Seconded Councillor C Cagney that Council note the minutes of the 5 July 2023 Audit, Risk and Improvement Committee meeting.

ORD184/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD15 DISCLOSURES OF INTERESTS RETURNS 2022/2023

Motion: Moved Councillor Fedeli, Seconded Councillor Dommaraju that Council note the tabling of the Disclosures by Councillors and Designated Persons Returns for the 2022/2023 financial year.

ORD185/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

NOTICES OF MOTION**ORD16 NOTICE OF MOTION - COMMUNITY NOTICEBOARDS**

Motion: Moved Councillor McLean, Seconded Councillor Campbell that Council receive a Councillor Briefing in November 2023 on options to:

- i. re-establish the community noticeboards across the Camden LGA; and
- ii. re-establish regular notices in the local community newspaper.

ORD186/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

CLOSED COUNCIL

ORD17 CLOSURE OF THE MEETING TO THE PUBLIC

Motion: Moved Councillor Farrow, Seconded Councillor C Cagney that Council hear any objection or submission by a member of the public, limited to a period of four minutes, concerning the closure of the meeting.

ORD187/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

MOTION

Motion: Moved Councillor C Cagney, Seconded Councillor Fedeli that Council close the meeting to the media and public to discuss reports dealing with commercial matters in accordance with the provisions of Sections 10A(2)(c) and 10A(2)(d)(i) of the *Local Government Act 1993*.

ORD188/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

CLOSURE OF THE MEETING TO THE PUBLIC

Following the resolution of ORD17, the meeting convened into Closed Council, the time being 7.45pm. The public and media left the Chamber and the live streaming of the meeting was temporarily suspended.

OPEN COUNCIL

MOTION

Motion: Moved Councillor Campbell, Seconded Councillor Farrow that the meeting reconvene into Open Council, the time being 7.46pm.

ORD189/23 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

The Council reconvened into Open Council, the time being 7.47pm. The following was the decision of the Closed Council:

CC01 ACQUISITION OF LAND – CAWDOR

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

- i. compulsorily acquire part of the property as described in this report (Property), pursuant to section 377(1)(h) of the *Local Government Act 1993*;
- ii. make an application to the Minister for Local Government through the Office of Local Government, pursuant to section 187(2) of the *Local Government Act 1993*, for approval to acquire the land by compulsory process by the issue of proposed acquisition notices to the owners of the property;
- iii. make an application to the Governor through the Office of Local Government, under section 19 of the *Land Acquisition (Just Terms Compensation) Act 1991*, for approval to acquire the land by compulsory process by the publication of an acquisition notice in the NSW Government Gazette;
- iv. authorise the General Manager or their delegate to finalise and execute all relevant documents relating to the acquisition of the land.

ORD190/23 THE MOTION ON BEING PUT WAS **CARRIED**


Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean, Symkowiak and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

THE MEETING CLOSED AT 7.48PM

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