

# CAMDEN COUNCIL

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## MINUTES OF THE ORDINARY COUNCIL 23 FEBRUARY 2010

### PRESENT

Cr Patterson (Mayor/Chairperson), Cr Anderson, Cr Cagney, Cr Cottrell, Cr Dewbery, Cr Funnell, Cr Symkowiak, 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 Employee & Community Relations, Manager Development, Manager Community Services, Manager Assets, Senior Governance Officer.

### APOLOGIES

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

ORD27/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### DECLARATION OF INTEREST

Resolution: Councillor Symkowiak declared an interest in Item ORD2 a Councillor's Symkowiak's sister lives adjacent to the preschool premises and will not participate in the debate on the matter.

ORD28/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### PUBLIC ADDRESSES

Resolution: ***(Councillor Symkowiak, having declared an interest, left the Chamber - the time being 6.03pm)***

Mrs Sue Lane addressed the Council in relation to Item ORD2.

Moved Councillor Funnell, Seconded Councillor Dewbery that the public addresses be noted.

ORD29/10 THE MOTION ON BEING PUT WAS **CARRIED**.  
***(Councillor Symkowiak returned to the Chamber - the time being 6.06pm  
Councillor Campbell arrived in the Chamber - the time being 6.07pm)***

## CONFIRMATION OF MINUTES

Resolution: Moved Councillor Symkowiak, Seconded Councillor Funnell that the Minutes of the Ordinary Council Meeting held 9 February 2010, the Extraordinary Meeting held 16 February, 2010 and the Traffic Committee Minutes held 9 February, 2010, copies of which have been circulated, be confirmed and adopted with amendments made to the Extraordinary Meeting held 16 February, 2010 to indicate Councillor Cottrell voted FOR the Motion. Cr Funnell asked if the amendments to the Questions Without Notice had been amended to include his comments. The Director Governance stated the Questions Without Notice had been amended to include Councillor Funnell's comments.

ORD30/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **ORD01 S96 MODIFICATION - PARTIAL DELETION OF PEDESTRIAN FOOTPATH AND MODIFIED 88B RESTRICTIONS AT 50 (LOT 2, DP1142209) KANANGRA CRESCENT AND 4 (LOT 624, DP 738001) LAMB PLACE, ELDESLIE**

Resolution: Moved Councillor Funnell, Seconded Councillor Symkowiak that Section 96 Modification application 1126(6)/2007 for the partial deletion of a pedestrian footpath and modified 88B restrictions at No 50 (Lot 2, DP 1142209) Kanangra Crescent and No 4 (Lot 624, DP 738001) Lamb Place (Lowe Reserve), Elderslie, be approved subject to the above draft modified development consent conditions.

ORD31/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **ORD02 LEASE OF LAND FOR CARPARK, 46 CROOKSTON DRIVE, CAMDEN SOUTH**

Resolution: ***(Councillor Symkowiak, having previously declared a Interest, left the Chamber and took no part in voting, the time being 6.08pm.)***

Moved Councillor Dewbery, Seconded Councillor Funnell that: i. subject to the terms and conditions of the lease being deemed acceptable: the General Manager be delegated authority to complete the lease; Council seal be affixed to any documents associated with the lease; Macarthur Preschool be required to enter into a sublease of the land; and ii. the Local Member for Camden, Geoff Corrigan MP, be thanked for his support in securing the lease offer.

ORD32/10 THE MOTION ON BEING PUT WAS **CARRIED**.  
***(Councillor Symkowiak returned to the Chamber - the time being 6.12pm)***

### **ORD03 COUNCIL PARTICIPATION IN EARTH HOUR 2010**

Resolution: Moved Councillor Funnell, Seconded Councillor Symkowiak that Council: i. participate in Earth Hour on Saturday 27 March 2010 by switching off all non-essential

lighting on all Council buildings; ii. encourage and promote, by way of media releases, residents and businesses in the Camden LGA to also participate in the event; and iii. pursue joint initiatives to help promote and encourage the objectives of Earth Hour.

ORD33/10 THE MOTION ON BEING PUT WAS **CARRIED**.

#### **ORD04 INVESTMENT MONIES**

Resolution: Moved Councillor Symkowiak, Seconded Councillor Funnell 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 2010 be noted. iii. the weighted average interest rate return of 5.19% p.a. for the month of January 2010 be noted.

ORD34/10 THE MOTION ON BEING PUT WAS **CARRIED**.

#### **QUESTIONS WITHOUT NOTICE**

##### **Lodges Road update**

Councillor Warren requested a further update on Lodges Road reconstruction and thanked staff for the continued updates.

The Mayor stated an update will be provided.

##### **Spa Pool safety requirements**

Councillor Dewbery referred to a recent newspaper article highlighting a Coroner's findings and recommendations following the death of a young child and asked does Council inspect and check all the requirements in relation to spa pool safety.

The Director Development & Environment stated the requirement for obtaining a final certificate on a spa requires compliance with all relevant requirements. Any formal changes based on the Coroner's findings will be followed up by Council staff. Council staff are not the only approval officers as private certifiers also approve spa pools. Council is also required to audit pools under the Swimming Pool Act.

Councillor Dewbery asked is the Swimming Pool Act a State Act or Spa Pool Association requirement.

The Director Development & Environment stated the Act is State legislation and an Australian Standard.

##### **Mt Annan Leisure Centre – Season Ticket holders**

Councillor Campbell asked if season ticket holders at MALC were allowed to attend Camden Pool without charge.

The Director of Works and Services stated ticket holders can attend Camden Pool.

Councillor Campbell further asked is that a reciprocal arrangement, can Camden Pool ticket holders attend MALC without charge.

The Director of Works and Services advised it is understood this is not a complete reciprocal arrangement. Further details will be sought.

Councillor Campbell asked with regard to the MALC training squad using the Camden Pool, are they entitled to use all 6 lanes and preclude the public from using the lanes.

The Director of Works and Services stated it was understood a maximum of 4 lanes were allocated to squads and varies according to demand on the other lanes.

Councillor Campbell requested these issues be followed up.

The Director of Works and Services stated a full response will be provided to the letter given to Councillors.

### **Notice of Proposed Orders**

Councillor Funnell highlighted the wording of Notices of Proposed Orders under the EPA Act issued to residents and stated they are daunting and obnoxious. Can Council tone down the wording of the Notices.

The Director Development & Environment stated the reasons the Notice of Order is written that way, is that the Notice is a legal document. The wording has been prepared by Council's legal advisors in response to a Court matter, which was lost on a technical point as the Order was not worded correctly. However, where notices are issued, Council staff have visited the residents and explained the circumstances but it is also something Council could send with a explanatory covering letter.

### **Street lighting**

Councillor Funnell stated does Council have a duty of care to maintain a certain standard of street lighting in Camden.

The Director of Works and Services advised street lighting translates into Council's obligation to making the streets safe and a duty of care.

### **Street lighting workshop**

Councillor Patterson stated during 2009 Cnlr Funnell requested a street lighting workshop to be held, when will that workshop be held.

The Director of Works and Services advised staff have contacted an independent consultant to assist in preparing such a workshop and it should be held during in the later part of March, 2010.

**THE MEETING CLOSED AT 6.29PM**