

# CAMDEN COUNCIL

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## MINUTES OF THE ORDINARY COUNCIL

27 JULY 2010

### PRESENT

Cr Patterson (Mayor/Chairperson), Cr Cagney, Cr Campbell, Cr Cottrell, Cr Dewbery, Cr Funnell, Cr Symkowiak

### STAFF

General Manager, Director Governance, Acting Director Development and Health (Manager Development), Director Works and Services, Manager Capital Works, Manager Environment and Health, Manager Strategic Planning, Manager Employee & Community Relations, Manager Community Services, Manager Assets, Governance Officer.

### **APOLOGIES**

Resolution: Moved Councillor Funnell, Seconded Councillor Symkowiak that Councillors Anderson and Warren be granted a leave of absence.

ORD148/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **DECLARATION OF INTEREST**

Resolution: Councillor Funnell declared a non pecuniary interest in Item ORD05 regarding the public domain tree maintenance contract as his son and nephew work for the company.

Councillor Campbell declared a non pecuniary interest in Item ORD01 regarding the construction of a childcare centre at Macarthur Road, Elderslie as Councillor Campbell is elected resident of the area however it is not considered to be pecuniary interest and will take part in debate on the report.

Councillor Patterson declared a pecuniary interest in Item ORD02 regarding the proposed hours of operation for the Narellan Hotel as Councillor Patterson's family are the owners of the Merino Tavern.

Moved Councillor Funnell, Seconded Councillor Symkowiak that the declarations be noted.

ORD149/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **PUBLIC ADDRESSES**

Resolution: Mr John Sorrenti addressed the Council in relation to Item ORD04.  
Mr Alan Moss addressed the Council in relation to Item ORD04.  
Mrs Emma Mottram addressed the Council in relation to Item ORD01.

Moved Councillor Campbell, Seconded Councillor Dewbery that a two (2) minute extension be granted.

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

Mrs Maragaret Harding addressed the Council in relation to Item ORD01.

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

ORD150/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **CONFIRMATION OF MINUTES**

Resolution: Moved Councillor Symkowiak, Seconded Councillor Dewbery that the Minutes of the Ordinary Council Meeting held 13 July 2010, copies of which have been circulated, be confirmed and adopted.

ORD151/10 THE MOTION ON BEING PUT WAS **CARRIED**.

### **ORD01 DEMOLITION OF EXISTING BUILDING, CONSTRUCTION OF CHILDCARE CENTRE & REMOVAL OF TREES NO 64-66 (LOTS 9 & 10 DP25787) MACARTHUR ROAD, ELDELSLIE**

Resolution: **MOTION**

Moved Councillor Funnell, Seconded Councillor Dewbery that Development Application 1451/2009 for the construction of a 80 place childcare centre (excluding the use as Out of School Hours Care) at No 64-66 (Lots 9 & 10 DP 25787) Macarthur Road, Elderslie, be approved subject to the above draft conditions of consent and the following additional consent conditions:

After 1.0(1), add:

" The plans are to be amended to show the northern driveway which is to be shown as the ingress driveway and is to be located at the northern limit of the car park. The southern driveway which is to be shown as the egress driveway is to be located three car parking spaces from the southern limit of the car park. Each driveway is to be 3.1m wide. The plans are also to show a pedestrian pathway, to be located between the driveways and adjacent to the southern driveway."

After 2.0(2), insert a condition:

"Prior to the issue of a Construction Certificate, the construction plans are to be amended to show "No Stopping: restriction signage to be installed between the entry

and exit driveways of the proposed development. The "No Stopping" restrictions are to be signposted to be from 8.30 to 9.30am and from 2.30 to 4.00pm, Monday to Friday."

After the new condition above, add another new condition:

"Prior to the issue of a Construction Certificate and subject to the approval by Council's Local Traffic Committee (the Committee), the construction plans are to be amended to show short term parking restrictions (from 8.30 to 9.30am and from 3.00 to 4.00pm) for a distance (to be determined by the Committee) on both sides of Macarthur Road north of the proposed development to facilitate dropping off and picking up of children from Mawarra Public School."

"Prior to the issue of a Construction Certificate and subject to approval by Council's Local Traffic Committee, the construction plans are to be amended to show signage requiring only a left in and left out traffic manoeuvres to and from the Child Care Centre."

"Prior to the issue of a Construction Certificate and subject to approval by Council's Local Traffic Committee, the construction plans are to be amended to show signage requiring no U-Turn in Macarthur Road, at Britton Close."

ORD152/10 THE MOTION ON BEING PUT WAS **CARRIED**.  
(Councillors Dewbery, Funnell, Patterson and Symkowiak voted in favour of the Motion.

Councillors Campbell, Cagney and Cottrell voted against the Motion).

**ORD02 PROPOSED HOURS OF OPERATION FOR NARELLAN HOTEL  
LOCATED AT LOT A DP393370, 279 CAMDEN VALLEY WAY,  
NARELLAN**

Resolution: **CHAIRMANSHIP OF MEETING**

The Mayor, Councillor Patterson, having previously declared his intention to leave the Chamber in Item ORD02, vacated the Chair and left the Chamber, the time being 6.50pm.

Councillor Symkowiak, as the only nominated Councillor, assumed the role of Chairperson.

Councillor Funnell left the Chamber, the time being 7.00pm.

Councillor Funnell returned to the Chamber, the time being 7.01pm.

Moved Councillor Dewbery, Seconded Councillor Cottrell that Council approves Development Application No 1231/2009 for the modification of the hours of operation for Narellan Hotel located at 279 (Lot 4 DP 399970), Camden Valley Way, Narellan subject to draft development consent conditions.

ORD153/10 THE MOTION ON BEING PUT WAS **CARRIED**.  
(Councillors Cottrell, Dewbery, Funnell, Symkowiak voted in favour of the Motion.

Councillors Cagney and Campbell voted against the Motion).

### **CHAIRMANSHIP OF MEETING**

At this stage the Mayor returned to the Chamber and resumed the Chair, the time being 7.07pm.

#### **ORD03 PETITION - PEDESTRIAN ACCESS ALONG HILDER STREET, ELDERSLIE**

Resolution: Moved Councillor Funnell, Seconded Councillor Dewbery that Council:

- i. note the petition regarding pedestrian safety in Hilder Street;
- ii. advise the lead petitioner of the current status of plans already in place for construction of a footpath along Hilder Street.

ORD154/10 THE MOTION ON BEING PUT WAS **CARRIED**.

#### **ORD04 PROJECTS UNDER THE FEDERAL GOVERNMENT'S REGIONAL AND LOCAL INFRASTRUCTURE PROGRAM - ROUND 3**

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

- i. confirm the priority of projects as listed in the table within this report, to be included in the application for Round 3 of the Federal Government's RLCIP;
- ii. advise the Australian Government as to this selection via the application for the grant;
- iii. approve the inclusion of only those projects listed as priorities 1 to 8 in the application;
- iv. authorise the negotiation of a suitable funding agreement to progress these projects according to the terms and conditions of the Infrastructure Grant as outlined in the Federal Government's guidelines; and
- v. agrees to execute documents and affix the Council seal as necessary.

ORD155/10 THE MOTION ON BEING PUT WAS **CARRIED**.

#### **ORD05 PUBLIC DOMAIN TREE MAINTENANCE CONTRACT NO. 2008/08**

Resolution: Councillor Funnell, having previously declared his intention to leave the Chamber in Item ORD05, left the Chamber, the time being 7.15pm.

Moved Councillor Dewbery, Seconded Councillor Symkowiak that Council:

- i. approve the exercise of its option under the Key Conditions of Contract (Total Performance Period) to extend the Public Domain Tree Maintenance Contract 2008/08 for a further twelve (12) months, until 30 June 2011.
- ii. advise CPE Tree Services in writing that the option for the extension of the contract is being exercised by Council under the terms of the contract.

ORD156/10 THE MOTION ON BEING PUT WAS **CARRIED**.

Councillor Funnell returned to the Chamber, the time being 7.15pm.

**ORD06 UNIVERSITY OF WESTERN SYDNEY PARTNERSHIP WITH LIBRARY SERVICES**

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

- i. endorse entering into a MOU for the partnership between Camden Council Library Service and the University of Western Sydney to extend access capacity for the Your Tutor on-line tutoring service; and
- ii. agree to execute documents and affix the Council seal as necessary.

ORD157/10 THE MOTION ON BEING PUT WAS **CARRIED**.

**ORD07 CODE OF MEETING PRACTICE - AMENDMENTS**

Resolution: Moved Councillor Funnell, Seconded Councillor Symkowiak that:

Moved Councillor Funnell, Seconded Councillor Symkowiak that:

- i. the Code of Meeting Practice be amended as follows:
  - a. delete reference to "Questions without Notice" in the Order of Business section and insert a "Notice of Motion" and "Mayoral Minute" item;
  - b. clause 3.9 "Official Minutes (Mayoral Minute) be amended by including a new point 4 as follows:

"In accordance with sub clause (1) above, a Councillor, may by way of information, have included in any Mayoral Minute, an item of general interest to be drawn to the attention of Council.";

- c. include new Clauses 6.3 and 6.4 as follows:

**"6.3 RECEIPT OF PETITIONS**

On receipt of a petition, a report noting the receipt of the petition shall be submitted to the next available Council Meeting. The report is to note the nature of the petition and number of signatories. The Chairperson must not permit

discussion or debate on the petition with the petition being noted for further consideration in conjunction of the subject matter.

#### 6.4 CONDUCT OF WORKSHOPS

Council may hold regular workshops in accordance with its adopted meeting timetable. Workshops are informal gatherings or briefing sessions and may involve Councillors, Council staff and invited participants. Such workshops shall be chaired by the General Manager or another senior Council officer and should not be used for detailed or advanced discussions where agreement is reached. In conducting such workshops Council is cognisant of its obligations and responsibilities in terms of open decision making and transparency of process."

- ii. it be noted Councillors may lodge a Notice of Motion to a Council Meeting in order to request a report on an issue, request action be taken or to amend Policy; and
- iii. in accordance with Section 362(2) of the Local Government Act 1993, Council is of the opinion, the amendments are not substantial and are made to ensure legislative compliance, therefore public exhibition is not required.

ORD158/10 THE MOTION ON BEING PUT WAS **CARRIED**.

#### **QUESTIONS WITHOUT NOTICE**

##### **Request for Repairs Stormwater Pit - Macarthur Road, Elderslie**

Cr Campbell drew attention to a partially broken paving stone over a stormwater water drain on the corner of River Road and Macarthur Road, Elderslie and requested to have it repaired as soon as possible.

The Director Works & Services noted this information.

##### **Traffic Committee – Merino Drive Accident**

Cr Campbell asked if the Traffic Committee were aware of the accident in which an Elderslie High School student who was knocked down and unconscious after being struck down by a car in Merino Drive, Elderslie last week?

The Director Works & Services noted this information.

##### **Mobile Speed Cameras – Camden Valley Way**

Cr Funnell asked why the area between Cowpasture Bridge and Hilder Street, Elderslie is being targeted by the mobile speed cameras.

The Director Works & Services advised when RTA determined the various locations for the mobile speed cameras they reviewed their accident data which indicated this area between Cowpasture Bridge up to Kirkham Lane was a high risk accident area.

#### **THE MEETING CLOSED AT 7.24PM**