



Camden Council Minutes

Ordinary Council Meeting
13 September 2011

**Camden Civic Centre
Oxley Street
Camden**



ORDINARY COUNCIL

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PRESENT

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

STAFF

General Manager, Acting Director Governance (Manager Corporate Services), Director Development and Health, Director Works and Services, Manager Capital Works, Manager Assets, Manager Environment and Health, Manager Community Services, Manager Development, Manager Environmentally Sustainable Design, Acting Manager Strategic Planning (Team Leader Strategic Planning), Manager Employee & Community Relations, Senior Governance Officer.

APOLOGIES

There were no leave of absence to be granted.

DECLARATIONS OF INTEREST

Resolution:

Councillor Funnell declared a pecuniary interest in Item ORD11 as he has tendered for electrical work for the successful tenderer and as such would not be participating in debate and voting on the Item.

Councillor Cottrell declared a non pecuniary interest in Item ORD01 however would be participating in debate and voting on the Item.

Councillor Cagney declared a non pecuniary interest in Item ORD01 as she is a member of the Narellan Lions Club however there is no conflict of interest and would be participating in debate and voting on the Item.

Moved Councillor Anderson, Seconded Councillor Cagney that the declarations be noted.

ORD196/11 THE MOTION ON BEING PUT WAS **CARRIED**

PUBLIC ADDRESSES

Resolution: Mr Angilley addressed the Council in relation to Item ORD03.
Mr Drayton addressed the Council in relation to Item ORD05.

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

ORD197/11 THE MOTION ON BEING PUT WAS **CARRIED**

DECLARATION OF INTEREST

At this point, Councillor Campbell declared a non pecuniary interest in Item ORD05 as she is a life member of the Macarthur BMX Club however there is no conflict of interest and would be participating in debate and voting on the Item.

CONFIRMATION OF MINUTES

Resolution: Moved Councillor Funnell, Seconded Councillor Dewbery that the Minutes of the Ordinary Council Meeting held 23 August 2011, copies of which have been circulated, be confirmed and adopted.

ORD198/11 THE MOTION ON BEING PUT WAS **CARRIED**

Mayoral Minute - Resignation Of Carey McIntyre

Resolution: Moved Councillor Warren that the information be noted.

ORD199/11 THE MOTION ON BEING PUT WAS **CARRIED**

ORD01 Findings Of Conduct Review Panel

Resolution: **MOTION**

Moved Councillor Campbell, Seconded Councillor Cottrell that Council:

- i. accept the report of the Conduct Review Panel in the first instance;
- ii. note Councillor Cottrell's written submission to the Conduct Review Panel formally apologising to all who attended the 6 April Camden Festival Committee meeting; and
- iii. adopt the Conduct Review Panel's recommendations that:
 - a. Councillor Cottrell be formally censured; and
 - b. Councillor Cottrell be required to individually formally apologise to those involved within twenty eight (28) days.

FURTHER MOTION

Moved Councillor Cagney, Seconded Councillor Anderson: that the Motion be put.

ORD200/11 THE MOTION THAT THE MOTION BE PUT WAS **CARRIED**
(Councillors Anderson, Cagney, Campbell, Cottrell and Warren voted in favour of the Motion.
Councillors Dewbery, Funnell, Symkowiak and Patterson voted against of the Motion.)

ORD201/11 THE MOTION AS MOVED BY COUNCILLOR CAMPBELL, SECONDED COUNCILLOR COTTRELL ON BEING PUT WAS **CARRIED**.
(Councillors Anderson, Cagney, Campbell, Cottrell and Warren voted in favour of the Motion.
Councillors Dewbery, Funnell, Symkowiak and Patterson voted against of the Motion.)

ORD02 Use Of Existing Elderslie Public School Premises For An Out Of School Hours Child Care Facility At No 170 (Lot 200, DP 1154993) Lodges Road, Elderslie

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

- i. approve Development Application 725/2011 for the use of Elderslie Public School premises at No 170 (Lot 200, DP 1154993) Lodges Road as an Out of School Hours child care facility, subject to the draft development consent conditions provided above; and
- ii. write to the Department of Education and Communities in relation to the current parking and traffic issues occurring around Elderslie Public School as described in this report.

ORD202/11 THE MOTION ON BEING PUT WAS **CARRIED**
(Councillors Anderson, Cagney, Campbell, Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.
No Councillors against for the Motion.)

ORD03 Section 82A Review Of A Refused Advertising Sign At No 120 (Lot 111, DP 712061) Argyle Street, Camden

MOTION

Moved Councillor Funnell, Seconded Councillor Campbell **that:**

- i. Council refuse the Section 82A Review application for a review of a refused advertising sign at No 120 (Lot 111 DP712061) Argyle Street, Camden for the following reasons:
 - a. the proposal is not consistent with the aims and objectives of the State Environmental Planning Policy No 64 - Advertising and Signage;
 - b. the proposal is not consistent with the assessment criteria specified within Schedule 1 of the Environmental Planning Policy No 64 - Advertising and Signage;
 - c. the proposal is not consistent with the zone objectives specified in Camden Local Environmental Plan 2010; and
 - d. the proposal is not consistent with the controls of Camden Development Control Plan 2011.
- ii. as a fair compromise between the need to be consistent with Council's Development Control Plan and the outcomes being sought by the applicant, Council officers invite the applicant to meet and discuss the possibility of locating the proposed advertising within the building on the property.

ORD203/11 THE MOTION ON BEING PUT WAS **CARRIED**
(Councillors Anderson, Cagney, Campbell, Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.
No Councillors against for the Motion.)

ORD04 Proposed Two Storey Dwelling At No 6 (Lot 4162 DP 1155498) Logonia Crescent, Mount Annan

Resolution: Moved Councillor Cagney, Seconded Councillor Anderson that Council approve the proposed two storey dwelling at No 6 (Lot 4162 DP 1155498) Logonia Crescent, Mount Annan, subject to the draft development consent conditions provided

in this report.

ORD204/11 THE MOTION ON BEING PUT WAS **CARRIED**
(Councillors Anderson, Cagney, Campbell, Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.
No Councillors against for the Motion.)

ORD05 Macarthur BMX Club Request For Waiving Of DA Fees

MOTION

Moved Councillor Symkowiak, Seconded Councillor Anderson that the Development Application fees relating to DA982/2011 be paid from Consolidated Ward Funds.

ORD205/11 THE MOTION ON BEING PUT WAS **CARRIED**
(Councillors Anderson, Cagney, Campbell, Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.
No Councillors against for the Motion.)

ORD06 Voluntary Planning Agreement Offer By Greenfields Development Company And Landcom For Land Owned By Leppington Pastoral Company In Oran Park

Resolution: *(Councillor Patterson left the Chamber, the time being 7.58pm)*

Moved Councillor Funnell, Seconded Councillor Symkowiak that Council:

- i. adopt the Voluntary Planning Agreement for Oran Park, including the minor amendments outlined in this report; and
- ii. authorise the General Manager and Mayor to sign the Voluntary Planning Agreement (as amended) and affix the Common Seal of Council, subject to the developer providing the charge over land for Lot C in Deposited Plan 391340 and evidence that there are no outstanding debts related to this land.

ORD206/11 THE MOTION ON BEING PUT WAS **CARRIED**
(Councillors Anderson, Cagney, Campbell, Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.
No Councillors against for the Motion.)

ORD07 Amendment To Council's 2011/12 Adopted Fees And Charges

Resolution: *(Councillor Patterson returned to the Chamber, the time being 8.00pm)*

Moved Councillor Anderson, Seconded Councillor Cagney that Council:

- i. notes the outcome of the public exhibition of the proposed amendment of the Adopted Fees and Charges 2011/12; and
- ii. amend the Fees and Charges 2011/12 by changing the description of the Camden Development Control Plan 2011 fee to incorporate any Development Control Plan.

ORD207/11 THE MOTION ON BEING PUT WAS **CARRIED**

ORD08 Investment Monies July 2011

Resolution: Moved Councillor Anderson, Seconded Councillor Cottrell 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 July 2011 be noted.
- iii. the weighted average interest rate return of 5.96% p.a. for the month of July 2011 be noted.

ORD208/11 THE MOTION ON BEING PUT WAS **CARRIED**

ORD09 Community Financial Assistance - Civic Centre Cultural Performance Subsidy

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

- i. provides \$9,100 (GST exclusive) in funds under Council's Civic Centre Cultural Performance Subsidy to the applicants as outlined in this report;
- ii. agree for Civic Centre Management to utilise the balance of \$1,800 to source up to three events for the 0 – 5 year old demographic; and
- iii. advise all applicants of the outcome in writing.

ORD209/11 THE MOTION ON BEING PUT WAS **CARRIED**

ORD10 Roads And Traffic Authority 2011/12 Block Grant Agreement And Program Funding

Resolution: Moved Councillor Cagney, Seconded Councillor Anderson that Council, subject to formal confirmation from the RTA following the release of the NSW State Budget:

- i. accepts RTA funding of \$267,000 under the Regional Road Block Grant Agreement;
- ii. accepts RTA funding of \$70,000 towards Cowpasture Bridge Rehabilitation works on Argyle Street, Camden, under the REPAIR Program with matching Council funding of \$70,000 being sourced from the uncommitted budget surplus from the March 2011 quarterly review from 2010/11;
- iii. accepts RTA funding of \$47,450 under the Local Government Road Safety Program with matching Council funding being already allocated in the adopted 2011/12 Budget;
- iv. accepts RTA funding of \$17,000 under the Local Government Pedestrian Facilities Program towards projects on Hilder Street, Elderslie, Lodges Road, Narellan and Cobbitty Road, Cobbitty, with matching Council funding being already allocated in the adopted 2011/12 Budget;
- v. accepts RTA funding of \$55,000 under the Cycleways Program towards the On-road Cycle Lanes on Springs Road / Macarthur Road, Spring Farm, with matching Council funding being already allocated in the adopted 2011/12 Budget;
- vi. accepts Federal Government funding of \$690,000 under the Nation Building Black Spot Program to undertake projects on Werombi Road / Sheathers Lane, Grasmere, Welling Drive , Mount Annan / Narellan Vale and Currans Hill Drive, Currans Hill; and
- vii. authorises the relevant documentation to be completed under Council Seal as

necessary.

ORD210/11 THE MOTION ON BEING PUT WAS **CARRIED**

ORD11 T100/2012 Construction Of Belgenny Reserve Irrigation And Field Renovation Works

Resolution: *Councillor Funnell, having previously declared an Interest in Item ORD11, took no part in discussion or voting and left the Chamber, the time being 8.05pm.*

Moved Councillor Campbell, Seconded Councillor Cagney that Council:

- i. Council accept the tender provided by Southwell Group Pty Ltd for \$233,901 (GST exclusive); and
- ii. authority be granted for the relevant documentation to be completed under the seal of Council.

ORD211/11 THE MOTION ON BEING PUT WAS **CARRIED**

Councillor Funnell returned to the Chamber, the time being 8.06pm.

ORD12 Proposed Tender For The Construction Of A Portion Of Liz Kernohan Drive Between Camden Bypass And Lodges Road, Elderslie

Resolution: Moved Councillor Campbell, Seconded Councillor Anderson that Council endorse the seeking of tenders to have both the reconstruction and upgrade of Lodges Road and the construction of the portion of Liz Kernohan Drive as separable portions of the one tender.

ORD212/11 THE MOTION ON BEING PUT WAS **CARRIED**

ORD13 Transmission Line Upgrades - Lodges Road To Oran Park Substation

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

- i. advise Endeavour Energy of its preference for undergrounding of the proposed transmission line, and should that not be possible, the preference for the line to skirt the sporting precinct at Narellan; and
- ii. in the event that either of the alternatives, under point 'i' above is not accepted, advise Endeavour Energy that "option 5" as their preferred route for the 132 kV powerlines across the Kirkham Floodplain can be accepted subject to:
 - a) obtaining assurances from Endeavour Energy that the proposed powerlines will not impact in any way on the planned development of Narellan Park; and
 - b) Council receiving appropriate compensation for any concurrence of an easement through the Narellan Sporting Precinct.

ORD213/11 THE MOTION ON BEING PUT WAS **LOST**

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

MOTION

Moved Councillor Patterson, Seconded Councillor Symkowiak
That Council:

- i. advise Endeavour Energy of its preference for undergrounding of the proposed transmission line;
- ii. in the event that point 'i' above is not accepted, advise Endeavour Energy that "option 5" as their preferred route for the 132 kV powerlines across the Kirkham Floodplain can be accepted subject to:
 - a) obtaining assurances from Endeavour Energy that the proposed powerlines will not impact in any way on the planned development of Narellan Park; and
 - b) Council receiving appropriate compensation for any concurrence of an easement through the Narellan Sporting Precinct.
- iii. reiterate its preference ("option 2") that the proposed transmission line skirt the sporting precinct at Narellan.

ORD214/11 THE MOTION ON BEING PUT WAS **CARRIED**
(Councillors Cottrell, Dewbery, Funnell, Symkowiak, Patterson and Warren voted in favour of the Motion.
Councillors Anderson, Cagney and Campbell voted against of the Motion.)

THE MEETING CLOSED AT 8.26PM