

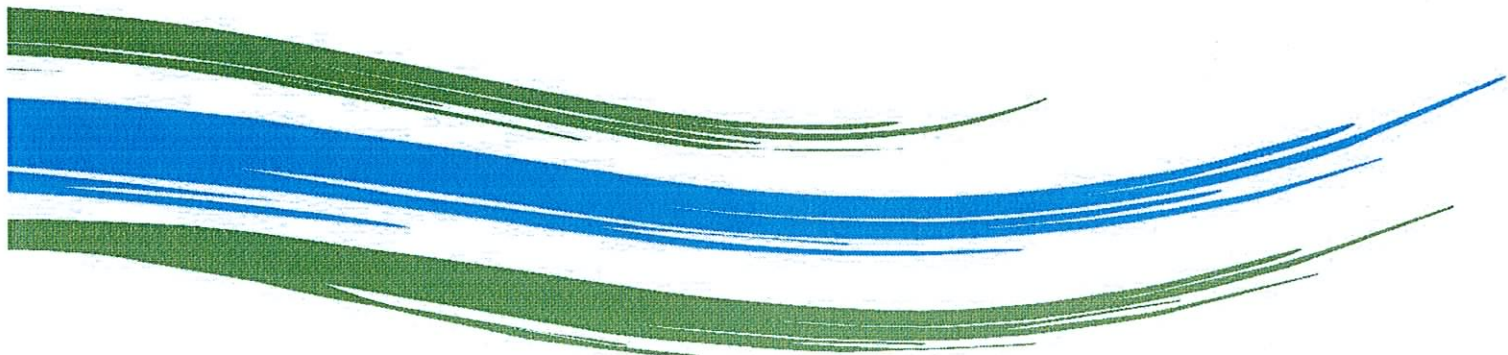


Camden Council

Minutes

Ordinary Council Meeting
23 February 2010

Camden Civic Centre
Oxley Street
Camden



ORDINARY COUNCIL

SUBJECT: APOLOGIES

Leave of absence tendered on behalf of Councillors from this meeting.

RECOMMENDED

That leave of absence be granted.

RESOLUTION

There were no leave of absence to be granted.

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

ORD27/10

ACTIONS

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

NSW legislation provides strict guidelines for the disclosure of pecuniary and non-pecuniary Conflicts of Interest and Political Donations.

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 7.5 -7.27).

Councillors should be familiar with the disclosure provisions contained in the Local Government Act 1993, Environmental Planning and Assessment Act, 1979 and the Council's Code of Conduct.

This report provides an opportunity for Councillors to disclose any interest that they may have or Political Donation they may have received relating to a Report contained in the Council Business Paper and to declare the nature of that interest.

RECOMMENDED

That the declarations be noted.

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.

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

ORD28/10

ACTIONS

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, a response will be provided where Councillors or staff have the necessary information at hand; if not a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

Public Addresses are tape recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments. A copy of the tape recording may be available to third parties (in certain circumstances).

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

RECOMMENDED

That the public addresses be noted.

RESOLUTION

(Councillor Symkowiak 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.

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

*(Councillor Symkowiak returned to the Chamber - the time being 6.06pm
Councillor Campbell arrived at the meeting - the time being 6.07pm)*

ORD29/10

ACTIONS

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt 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.

RECOMMENDED

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.

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.

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

ORD30/10

ACTIONS

ORDINARY COUNCIL

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, ELDERSLIE

FROM:	Director Development and Health
FILE NO:	Binder: Development Applications 2007
DA NO:	1126(6)/2007
OWNER:	Camden Hillside Developments Pty Ltd & Camden Council
APPLICANT:	Camden Hillside Developments
ZONING:	1(a) Rural (40 hectares), 5(a) Special Uses (School), 2(a) Residential & 6(a1) Open Space Existing
APPLICABLE PLANNING INSTRUMENT:	LEP 46

PURPOSE OF REPORT

The purpose of this report is to seek from Council a determination of a Section 96 modification application for the partial deletion of a pedestrian footpath and modified 88B restriction to development consent DA 1126/2007. The application is referred to Council in accordance with its delegations as the modifications involve approved works in Council owned Lowe Reserve. In addition, Council approved the initial development application.

SUMMARY OF RECOMMENDATION

It is recommended that Council approve the Section 96 modification subject to the modified development consent conditions provided at the end of this report.

BACKGROUND

Council originally granted development consent 1126/2007 at the meeting of 24 June, 2008. This consent approved a 43 lot residential subdivision of Nos 50 and 56 Hilder Street, Elderslie (at the rear of Hilsyde Lodge), together with associated roads, drainage and landscaping and the provision of an open space/drainage reserve.

Since that time several Section 96 modifications to this development consent have been approved by Council. These modifications have made various amendments to the original approval including adding two additional residential lots, reduced landscaping maintenance periods, modified boundary fence restrictions and the extension of an approved drainage channel onto Council's Hilder Reserve. This latter amendment was the subject of a report to Council and was approved by resolution at the meeting of 22 September, 2009.

The approved subdivision has been under construction for several months.

In late January 2010 local residents from Lamb and Suffolk Places (adjacent to Lamb

Reserve) lodged a petition with Council objecting to the construction of a section of a 1.5m wide pedestrian footpath through part of Lamb Reserve. This footpath had previously been approved by Council as part of the residential subdivision. **A copy of the petition is provided with the Business Paper Supporting Documents.**

In assessing this petition Council staff discussed the local residents' objection with the applicant. The applicant advises it has no objections to the removal of this section of footpath as requested by the residents and has lodged a Section 96 modification application with Council for consideration. All construction work on this section of footpath has also ceased pending Council's determination of this modification application.

The proposed modifications, including the footpath deletion and the modification to the 88B Instrument requirement for fencing, have been assessed and are now referred to Council for determination.

THE SITE

The development site involves two properties known as No 50 (Lot 2, DP 1142209) Kanagra Crescent and Council's Lowe Reserve, No 4 (Lot 624, DP 738001) Lamb Place. The properties are located between Lamb Place and Hilder Reserve in Elderslie.

No 50 Kanagra Crescent is the site of the approved residential subdivision which is currently at an advanced stage of construction. Council's Lowe Reserve is an irregular shaped parcel of land located adjacent to the subdivision site. This Reserve contains mown grass and some scattered trees.

The sites are generally bound by Elderslie High School and Council's Hilder Reserve to the north, existing residential properties off Lowe Crescent, Lamb and Suffolk Places to the east and south and Hilsyde Lodge to the west. **A site location map showing the map arrangement is provided at the end of the report.**

THE PROPOSAL

A Section 96 modification to development consent 1126/2007 is sought for the following modifications:

- the deletion of a section of a previously approved 1.5m wide pedestrian footpath through Council's Lowe Reserve; and
- the modification of an approved 88b restriction requiring open style fencing at the rear of approved lots that bound existing and proposed public reserves.

NOTIFICATION

This modification application was not publicly notified as per the requirements of Camden Development Control Plan (DCP) 2006. It is noted that the submitted petition includes the signatures of the majority of residents that live adjacent to the section of footpath proposed to be removed.

PLANNING CONTROLS

There are no planning controls that relate to the proposed modifications.

ASSESSMENT

This application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979. The following comments are made with respect to the proposal:

(1)(a)(i) The provisions of any Environmental Planning Instrument

There are no environmental planning instruments that are relevant to the proposed modifications.

(1)(a)(ii) The provisions of any Draft Environmental Planning Instrument

There are no draft environmental planning instruments that are relevant to the proposed modifications.

(1)(a)(iii) The provisions of any Development Control Plan

No part of Council's DCP is relevant to the proposed modifications.

(1)(a)(iiia) The provisions of any Planning Agreement

There are no relevant planning agreements applicable to this site or proposed modifications.

(1)(a)(iv) The provisions of the Regulations

The Regulations do not specify any matters that are relevant to the proposed modifications.

(1)(b) The likely impacts of the development

The likely impacts of this development include:

Loss of pedestrian path through Lowe Reserve

Council has received a petition from local residents requesting that a section of a 1.5m wide approved pedestrian footpath linking from Lamb Place through Lowe Reserve be removed from the approved development. It is requested that the area of the path instead be retained as a grassed area.

The residents submit that the construction of this footpath will detract from the current use of the area as an open grassed reserve; will detract from the visual appeal of the reserve as a green space; and will make mowing more difficult. They also add that a second footpath currently being constructed near the end of Suffolk Place through Lowe Reserve (which was previously approved by Council as part of this development) is sufficient to allow pedestrians proper access to Lowe Reserve, the subdivision development and Hilder Reserve further to the north east.

The approved footpath connecting Lamb Place through Lowe Reserve provides all weather pedestrian access to the reserve and would be useful for residents of Lamb Place and visitors to the area during periods of heavy rainfall. However it is recognised that residents and visitors will have alternative use of a second footpath that will connect from Suffolk Place through Lowe Reserve.

It is not considered that the removal of this footpath from Lamb Place would

significantly prohibit the use of Lowe Reserve or unreasonably increase its maintenance. The fact that a second pedestrian footpath through Lowe Reserve will exist close by also reduces the need to construct this path from Lamb Place. It is recognised that this second pedestrian footpath from Suffolk Place will provide sufficient pedestrian access through Lowe Reserve, the subdivision development and Hilder Reserve further to the north east.

The views of the residents have been considered and the implications for accessibility to Lowe Reserve and beyond have been considered and it is considered acceptable for Council to approve the residents' request to remove this section of pedestrian footpath from the approved development.

Flexibility in designing rear boundary fencing for lots that bound existing and proposed public reserves

Many of the lots approved in the subdivision development share rear boundaries with Council's existing Lowe and Hilder Reserves and a new public reserve that will link the two. To deter graffiti attacks and ensure passive surveillance to the adjacent reserve, Council previously approved 88B restrictions on these lots that required that:

"...any rear boundaries facing public areas must have open style fencing that permits occupants casual surveillance of the public area. The open style fencing must be at least 50% open with vertical gaps."

The applicant has requested that this restriction be modified to read:

"...any rear boundaries facing public areas must have open style fencing that permits occupants casual surveillance of the public area. The open style fencing must be at least 50% open. Fencing can be either vertical or horizontal, but where it is horizontal it should be designed to discourage climbing and unauthorised entry."

No objection is raised to the modified restriction as it will still achieve open style fencing that will help deter graffiti attacks and provide a high level of passive surveillance to the adjacent public reserves, but also provides options in fencing type that suit individual owners.

The gaps between the solid elements of the fencing should preferably be vertical in order to discourage climbing and unauthorised access from the reserve to the lots. However horizontal gaps may also be acceptable depending on the style and design of the fencing which will be further assessed on merit with each future dwelling development application as a result of the fencing restriction that will be placed on the 88B Restriction for these properties.

It is recommended that the restriction be modified to read:

"...any rear boundaries facing public areas must have open style fencing that permits occupants casual surveillance of the public area. The open style fencing must be at least 50% open. Fencing can have either vertical or horizontal gaps between solid elements, but where these gaps are horizontal they must be designed to minimise the potential for climbing and unauthorised entry."

This will help ensure that all rear boundary fencing for these lots is graffiti resistant and provides passive surveillance opportunities, while allowing for flexibility in design.

(1)(c) The suitability of the site for the development

The sites are considered to be suitable for the modified development. The proposed modifications will not have any unreasonably negative impacts and there are no site specific conditions that render the sites unsuitable for them.

(1)(d) Any submissions

This modification application was not publicly notified as this is not required by Council's DCP. However the petition submitted by local residents has been fully considered in "the likely impacts of the development" section of this report.

(1)(e) The public interest

The modified development is not considered to be contrary in any way to the public interest. The removal of a section of approved footpath in Lowe Reserve is supported by local residents and is considered to be acceptable as detailed in "the likely impacts of the development" section of this report. Alternative, fully accessible paths are available. The removal of this section of footpath would also provide for easier maintenance.

Under the proposed modifications, the rear boundary fencing restriction will still achieve the graffiti resistance and passive surveillance benefits provided by the originally approved development.

CONCLUSION

Council has received a Section 96 modification application for the partial deletion of a pedestrian footpath and modified 88B restriction pertaining to development consent 1126/2007.

The removal of a section of approved footpath has the support of adjacent residents and is not considered to result in any unreasonable impacts. The amended 88B restrictions will allow for additional flexibility in fencing design that will still achieve an acceptable outcome for the development.

The application has been assessed on its merits under Section 79C of the Environmental Planning and Assessment Act 1979. Consequently the modified development is recommended to Council for approval subject to the draft modified development consent conditions shown below.

MODIFIED CONDITIONS OF CONSENT

The following conditions of the development consent are modified:

Deletion of Condition No 4 under the heading "1.0 – General Requirements" in stage 1 of the Development Consent and replacement with the following condition:

Approved Plans – The development must be carried out strictly in accordance with the approved plans and other documentation attached to this consent:

- Landscape plan drawings nos. LP-01, 0749/L02 rev. B and 0749/L03 Rev. B by Jocelyn Ramsay & Associates Pty. Ltd.
- Estate entry sign drawing by Jocelyn Ramsay & Associates Pty. Ltd.

- Plan of subdivision ref. 72822 by Rygate & Company Pty. Ltd. dated 15 May 2009.
- Existing site plan by Cardno drawing no. 284020-200 Rev. D dated 19.08.09.
- General arrangement plan by Cardno drawing no. 284020-DA-201 Rev. D dated 19.08.09.
- Cut and fill plan by Cardno drawing no. 284020-204 Rev. D dated 19.08.09.
- Typical road cross section and typical open channel sections by Cardno drawing no. 284020-401 Rev. C dated 18.08.09.
- Proposed sediment and erosion control plan by Cardno drawing no. 284020-501 Rev. D dated 19.08.09.
- Sediment and erosion control details by Cardno drawing no. 284020-502 Rev. B dated 08.07.09.
- Kanangra Crescent Development and Hilder Reserve Area Calculation plan no. 284020-SK02 rev. 1 by Cardno dated 26.08.09.
- Letter from Camden Council to Jeffrey Lord (Director – DBL Property) dated 15 September 2008.

The development must also comply with the conditions of approval imposed by Council hereunder.

Amendments or modification of the approved development requires the prior approval of Camden Council.

Deletion of Condition No 23 under the heading “1.0 – General Requirements” in stage 1 of the Development Consent and replacement with the following condition:

Shared Pathway in Adjacent Lowe Reserve – A 1.5m concrete pathway, including all necessary signage and ramps, shall be provided through Lowe Reserve as shown on the approved landscaping plan LP-01.

Deletion of Condition No 10 under the heading “7.0 – Subdivision Certificate” in stage 1 of the Development Consent and replacement with the following condition:

Section 88b Instrument - The developer must prepare a Section 88B Instrument for approval by the Principal Certifying Authority which incorporates the following easements and restrictions to user, where required:

- (a) Easement for services.
- (b) Easement to drain water.
- (c) Drainage easement over overland flow paths.
- (d) Easement for on-site detention.
- (e) Easement for water quality.
- (f) Reciprocal right of carriageway. The owners of the subject properties burdened by the Right-of-Way shall be responsible for ongoing maintenance and the Public Liability of the Right-of-Way.
- (g) Restricted building zone over the 1% flood inundation area of the natural watercourse which prohibits the erection of structures including fences, the

placement of fill and the planting of trees.

- (h) Restriction as to user which defines a restricted building zone.
- (i) Restriction as to user defining minimum floor levels for any lots which have any part of the lot below the 1% AEP flood level. The developer must provide the 1% AEP flood profile of the natural watercourse with superimposed lot boundary location.
- (j) Restriction as to user over any filled lots which stipulates that footings must be designed by a suitably qualified civil and/or structural engineer.
- (k) Restriction as to user over lots which stipulates that footings must be designed by a suitably qualified civil and/or structural engineer.
- (l) Restriction as to user over sub-surface drainage pipes contained within the building area of allotments.
- (m) Restriction as to user over any lots adjacent to a public reserve stipulating dividing fence type.
- (n) Temporary right of carriageway and services over the frontage lot in favour of the rear lot. Such restriction to be extinguished whereby the benefiting lot acquires a frontage to a public road.
- (o) Restriction as to user detailing that no person must alter, remove or destroy any soil, planting or any part of the fence which forms part of the acoustic barrier without the **prior approval of Camden Council** and that the landowners or their assigns must maintain the acoustic barrier in good order at all times. If the acoustic barrier is not maintained to the satisfaction of Camden Council, Council may enter upon the land and carry out the necessary work at full cost to the owner.
- (p) Restriction as to user preventing the alteration of the final overland flow path shape, and the erection of any structures (other than open form fencing) in the overland flow path without the written permission of Council.
- (q) Restriction as to user on those lots adjacent to the overland flow paths to ensure that the floor level of any habitable room is not less than 600mm above the 1% AEP level, such levels to be detailed on the Section 88B Instrument and related to AHD.
- (r) Restriction as to user indicating that no buildings must be permitted outside the boundaries of the building envelopes as shown on the approved plans.
- (s) Restriction as to user directing that the burdened lot must not be developed other than in accordance with the approved plan.
- (t) Restriction as to user creating an easement for support and maintenance 900mm wide adjacent to the "zero" lot line wall.
- (u) Restriction as to user on lots 2-10 (inclusive), lots 35-42 (inclusive) and lots 43-45 (inclusive) directing that any rear boundaries facing public areas must have open style fencing that permits occupants casual surveillance of the public area.

The open style fencing must be at least 50% open. Fencing can have either vertical or horizontal gaps between solid elements, but where these gaps are horizontal they

must be designed to minimise the potential for climbing and unauthorised entry.

- (v) Restriction as to user on lots 1, 42 and 43 directing that where any side boundaries adjoin public areas and are proposed to be fenced, 50% of the side boundary length (measured from the front of the lot) must have open style fencing that permits occupants casual surveillance of the public area.

The open style fencing must be at least 50% open with vertical gaps.

- (w) Restriction as to user on lots 1-10 (inclusive), lots 35-42 (inclusive) and lots 43-45 (inclusive) requiring that all landscaping at the rear and sides of the lots be designed, installed and maintained in order to ensure unobstructed view lines from the lot to the adjacent public areas.

All other conditions of development consent 1126/2007 issued on 18 September, 2008 are to remain valid and applicable.

END OF CONDITIONS

RECOMMENDED

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.

ATTACHMENTS

1. Petition (sup doc)
2. Location plan



Location plan Lamb Place.pdf Petition - pedestrian footpath Lowe Cres.pdf

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.

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

ORD31/10

ACTIONS

ORDINARY COUNCIL

ORD02

SUBJECT: LEASE OF LAND FOR CARPARK, 46 CROOKSTON DRIVE,
CAMDEN SOUTH
FROM: Director Development and Health
FILE NO: Council Properties/Boundary Adjustments

PURPOSE OF REPORT

This report advises Council of a decision by the Department of Education and Training (DET) to provide land for lease by Council for the purposes of a carpark to be used in association with the Macarthur Preschool. The report recommends that Council accept the lease of the land.

BACKGROUND

Council, at the meeting of 8 December, 2009, considered a report regarding the proposed sale of land in Crookston Drive that had been deemed surplus to the needs of the DET. The Department advised that the land would not be required for a school and would be sold. The Director General of the Department of Planning has issued a site compatibility certificate pursuant to the provisions of SEPP Infrastructure. This certificate allows development of the land for the purposes of a residential subdivision despite the current Special Uses (school) zoning of the land. Part of this land has been used with the concurrence of DET for informal carparking associated with the Macarthur Preschool, a community-based facility that operates on a Council owned site.

The report advised that the area currently used as the carpark would need to be acquired by Council if it wished to continue use of the land. A purchase price of \$50,000 was identified for an area of land of 480m² or \$31,200 for a 300m² site, which was considered to be the minimum area that could provide for 10 parking spaces.

Council resolved to advise DET that it did not have sufficient funds available to acquire the land and requested that the Department and Minister for Education consider a land swap or long term lease of the land so that it may continue to be used for parking associated with the preschool. In addition, the Local Member for Camden, Geoff Corrigan MP, was asked to support Council's request.

MAIN REPORT

In accordance with Council's resolution, correspondence was sent to the Minister for Education, the DET and Local Member Geoff Corrigan requesting reconsideration of the decision to require purchase of the site. Considerable negotiation at officer level also took place to explore possible alternate solutions.

Council is now in receipt of advice from DET that it is prepared to lease a residential sized block to Council for a "nominal amount" provided the land is used for the purposes of a carpark associated with the Macarthur Preschool. **A copy of the correspondence and plan is provided at the end of this report.**

The land identified is located at the north eastern corner of the DET site and has a frontage of 18m, depth of 36m and site area of 648m². The area is in excess of that requested by Council, however has been determined to reflect a concept layout of the subdivision submitted to the DoP in association with the application for the site compatibility certificate. That subdivision layout was not supported by Camden Council due to the lack of access, irregular block shapes and flood affectation, however it is agreed that block sizes in the vicinity of 600m² would be consistent with the adjoining subdivision patterns. Final layout of the site would be subject to assessment of any development application lodged by the purchaser of the site.

In the interim DET intends to subdivide one lot in accordance with the plan included in the abovementioned correspondence and lease this land to Council. At the time of writing this report, no information was provided in terms of the actual lease amount, other than that it would be "a nominal amount"; that the land would need to be returned to the DET if the preschool closed; and the land would need to be returned to its original condition and not be contaminated. Council would be liable to pay outgoings on the land including Council and water rates. This is likely to be in the vicinity of \$2-3,000 per annum and will be dependant on the valuation of the land assigned by the Valuer General once the land is subdivided. Further clarification of the existing site conditions, particularly in relation to contamination, would be required to assess the impact of Council's use of the land after commencement of the lease, however it is not expected that any unusual circumstances will arise as a result of the lease.

Currently the Macarthur Preschool leases the site in Lawson Ave and pays a rental of \$10 per annum and is responsible for payment of water rates and electricity. The lease is due to expire on 15 May, 2015. Council will have to consider the need to sublease the land to the preschool and any costs that may be appropriate.

The decision of the Department is a good outcome for the Camden community and the result of considerable work by Council officers and the Local Member for Camden, Geoff Corrigan MP. It will allow continued use of the site in its current condition for casual parking associated with the preschool. It should be noted that there are no plans or funds available to seal or construct the carpark.

Subject to receipt of final documentation, the terms of which are deemed satisfactory, it is appropriate to advise the DET that Council will accept the offer of leasing the land.

CONCLUSION

The decision of the DET to lease the land to Camden Council recognises the long term agreement between Council, the Department and the Macarthur Preschool in relation to the use of the land as a carpark and is considered, subject to the terms and conditions of lease being reasonable, an acceptable solution to the issue which has been brought about by the decision of government to dispose of the site. The work of the Local Member for Camden Geoff Corrigan, in securing support to the proposal, should be recognised.

RECOMMENDED

That:

- i. subject to the terms and conditions of the lease being deemed acceptable:**
 - a. the General Manager be delegated authority to complete the lease;**
 - b. Council seal be affixed to any documents associated with the lease;**

- c. 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.

ATTACHMENTS

1. Correspondence from DET
2. Plan of proposed lot for parking



Letter from DET re parking for preschool.pdf Plan of proposed lot for preschool parking.pdf

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.

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

(Councillor Symkowiak returned to the Chamber - the time being 6.12pm)

ORD32/10

ACTIONS

ORDINARY COUNCIL

ORD03

SUBJECT: COUNCIL PARTICIPATION IN EARTH HOUR 2010
FROM: Director Works and Services
FILE NO: Environmental Management/Programs/Cities for Climate Protection

PURPOSE OF REPORT

To seek Council's endorsement to again participate in Earth Hour on Saturday 27 March 2010.

BACKGROUND

The Earth Hour climate change initiative began in 2007 as a campaign to get Sydneysiders to turn off all household lights for one hour to demonstrate how personal behaviours can impact both positively and negatively on climate change. By the next year, the event had become a global sustainability movement with up to 50 million people participating across 35 countries. In 2009, more than 4000 towns and cities in 88 countries took part in Earth Hour.

Earth Hour 2010 will take place at 8:30pm on Saturday 27 March.

MAIN REPORT

There is substantial evidence which suggests that Climate change is the most significant environmental threat to life on Earth. Our continued reliance on fossil fuel energy sources is causing a dramatic increase in the Earth's temperature, resulting in rising sea levels, an increase in drought and severe storms, and massive changes to the environment we all rely on to survive.

One way to slow the current rate of global warming is for individuals to make small, ongoing adjustments to the way in which they live. To achieve widespread, permanent and meaningful behaviour change we need to demonstrate how simple and easy these changes are. For example, if all Australian households turned off unused lights and appliances on standby at the power point, Australia's emissions would be reduced by at least 5 million tonnes per annum – the equivalent to taking 1.5 million cars off the road for a year.

Earth Hour is a global event that gets the community involved in simple actions that do make a difference. In 2007, 2.2 million people and 2100 Sydney businesses turned off their lights for Earth Hour. Inspired by this collective effort, in 2008 over 50 million residents in 370 towns and cities across the world participated, turning a symbolic event into a global movement. Earth Hour 2009 reached even greater heights with 4000 towns and cities from 88 different countries taking part.

Earth Hour 2010 aims to reach more than one billion people around the world, sending a powerful global message that individuals, communities, businesses and governments care enough about climate change to take action. This year, Earth Hour will focus on broader aspects of sustainability, encouraging everyone to go beyond the hour of

darkness by making a commitment to adopt a more earth friendly lifestyle permanently. Participants are encouraged to calculate and reduce their environmental footprint which considers the type and amount of food you eat, transport and housing choices, and the goods and services purchased and bought.

As in previous years with Council's endorsement, Camden Council will be participating in Earth Hour by turning off all non essential lighting at Council premises. Additionally, several other awareness raising activities are planned in the lead up to Earth Hour to increase the immediate and longer term impacts of the initiative.

Camden Council invites all households and businesses to also participate in Earth Hour by turning off their lights for one hour from 8.30pm on Saturday 27 March 2010.

CONCLUSION

Earth Hour has great merit as an awareness raising and behavioural change initiative and demonstrates that small collective actions can make a big difference. It will also demonstrate Camden Council's commitment to reducing its greenhouse emissions. Camden Council could lead by example and participate in the event and encourage residents and Camden businesses to do likewise.

RECOMMENDED

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.**

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.

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

ORD33/10

ACTIONS

ORDINARY COUNCIL

ORD04

SUBJECT: INVESTMENT MONIES
FROM: Director Governance
FILE NO: Investment Business Papers

Purpose of Report

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 31 January 2010 is provided.

It is certified that all investments have been made in accordance with Section 625 of the Local Government Act 1993, the relevant regulations and Council's Investment Policy.

The weighted average return on all investments was 5.19% p.a. for the month of January 2010.

RECOMMENDED

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.

ATTACHMENTS



Investment Report January 2010.xls

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.

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

ORD34/10

ACTIONS