



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 31 July 2012

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Table of Contents

MINUTES: 31 July 2012

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTE ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**

General Manager

City Planning

Infrastructure Services

Support Services

- **SECTION 5 - Reports of Committees**
- **QUESTIONS FOR NEXT MEETING**

ORDINARY MEETING

Table of Contents

MINUTES: 31 July 2012

ORDINARY MEETING**Table of Contents****MINUTES: 31 July 2012****TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
SECTION 3 - Notices of Motion		6
NM 1 -	Release the Flood Plain Risk Management Study - (79351, 90477) - Item Withdrawn	6
NM 2 -	Dredging Hawkesbury River - (79351, 90477)	6
SECTION 4 - Reports for Determination		7
GENERAL MANAGER		7
Item: 131	GM - Sydney Aviation Capacity Scoping Study - (79351)	7
CITY PLANNING		9
Item: 132	CP - Proposed Development of Flood Liable Land Policy - (95498)	9
Item: 133	CP - Draft Wilberforce Subdivision and Development Policy - (95498)	10
Item: 134	CP - Agreements for the Patrol of Private Car Parking Area - (95498, 96330)	11
Item: 135	CP - Community Sponsorship Program - 2012/2013 - Round 1 - (95498, 96328)	12
Item: 136	CP - Proposed Public Exhibition of Draft Hawkesbury Flood Risk Management Study and Plan - (95498, 86589))	13
SUPPORT SERVICES		14
Item: 137	SS Monthly Investments Report June 2012 (96332, 95496)	14
Item: 138	SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - (95496)	14
Item: 139	SS - Proposal for the Establishment of a Ministerial Western Sydney Arts Committee - (81664)	15
CONFIDENTIAL REPORTS		16
Item: 140	CP - Tender No. 00912- Upper Hawkesbury River Estuary Study and Management Plan - (95495, 95498, 124414, 121837) CONFIDENTIAL	17
Item: 141	IS - Tender No. 00913 - Windsor Foreshore Landscape Works, Windsor - (95495, 79354) CONFIDENTIAL	17
SECTION 5 - Reports of Committees		19
ROC -	Waste Management Advisory Committee Minutes - 4 July 2012 - (95498, 95249)	19
ROC -	Local Traffic Committee - 9 July 2012 - (80245)	19

ORDINARY MEETING

Table of Contents

MINUTES: 31 July 2012

ITEM	SUBJECT	PAGE
	ROC - Floodplain Risk Management Advisory Committee Minutes - 23 July 2012 - (95498, 86589)	19
	QUESTIONS FOR NEXT MEETING	20
	Councillors Questions from Previous Meetings and Responses - (105109)	20
	Questions for Next Meeting	21

ORDINARY MEETING

Table of Contents

MINUTES: 31 July 2012

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 31 July 2012, commencing at 6:30pm.

Mayor, Councillor K Ford, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor K Ford, Mayor, Councillor T Tree, Deputy Mayor and Councillors B Calvert, K Conolly, W Mackay, C Paine, B Porter, P Rasmussen, J Reardon, and L Williams.

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Team Leader - Bianca James.

APOLOGIES

Apologies for absence were received from Councillors B Bassett and W Whelan.

212 RESOLUTION:

RESOLVED on the motion of Councillor Mackay and seconded by Councillor Reardon that the apology be accepted and that leave of absence from the meeting be granted.

Councillor Paine arrived at the meeting at 6:36pm.
Councillor Williams arrived at the meeting at 6:38pm.

SECTION 1: Confirmation of Minutes

213 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 10 July 2012, be confirmed.

Councillor Tree thanked Council for the condolences and floral tribute on the recent passing of her uncle.

SECTION 3 - Notices of Motion

NM 1 - Release the Flood Plain Risk Management Study - (79351, 90477) - Item Withdrawn

The Notice of Motion was withdrawn by Councillor Porter.

NM 2 - Dredging Hawkesbury River - (79351, 90477)

Mr Ian Johnston, proponent, addressed Council.

MOTION:

A MOTION was moved by Councillor Porter, seconded by Councillor Williams.

That:

1. The consultant's report on dredging specific points of the Hawkesbury River for navigation purposes be completed.
2. Council apply to the State Government for licence to dredge these areas before the end of this term of Council.

An AMENDMENT was moved by Councillor Conolly, seconded by Councillor Rasmussen.

Refer to RESOLUTION

The amendment was carried on the casting vote of the Mayor.

The amendment then became the motion which was put and carried on the casting vote of the Mayor.

214 RESOLUTION:

RESOLVED on the AMENDMENT of Councillor Conolly, seconded by Councillor Rasmussen.

That the consultant's report on dredging specific points of the Hawkesbury River for navigation purposes be completed.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 131 **GM - Sydney Aviation Capacity Scoping Study - (79351)**

Previous Item: Item 46, Ordinary (24 April, 2012)
 Item 22, Ordinary (23 February, 2010)
 Item 23, Ordinary (23 February, 2010)

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Rasmussen, seconded by Councillor Paine.

That:

1. The letter from the Minister Infrastructure and Transport regarding the Sydney Aviation Capacity Scoping Study on the suitability of the Wilton site as the second Sydney airport and on the impacts of using RAAF Base Richmond for limited civil operations be received.
2. A community and stakeholder consultation and engagement strategy be planned and implemented over the next several months with community meetings in major towns and centres.
3. Funding assistance for the community and stakeholder consultation and engagement strategy be requested from State and Federal Governments.
4. A letter be sent to the Premier of NSW requesting the NSW Government's policy with regard to the proposal for limited civilian airport operations at RAAF Base Richmond.
5. As requested, Council officers participate in an engagement process with the Department of Infrastructure and Transport, and report back to Council as needed.

The amendment was lost.

The motion was put and carried.

ORDINARY MEETING

MINUTES: 31 July 2012

215 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

That:

1. The letter from the Minister for Infrastructure and Transport regarding the Sydney Aviation Capacity Scoping Study on the suitability of the Wilton site as the second Sydney airport and on the impacts of using RAAF Base Richmond for limited civil operations be received.
2. The community and stakeholders be invited to provide comment on the impacts of using RAAF Base Richmond for limited civil operations.
3. Responses to part (2) above be used to assist engagement with the Minister for Infrastructure and Transport and the Department of Infrastructure and Transport.
4. As requested, Council officers participate in an engagement process with the Department of Infrastructure and Transport, and report back to Council as needed.

ORDINARY MEETING

MINUTES: 31 July 2012

CITY PLANNING

Item: 132 CP - Proposed Development of Flood Liable Land Policy - (95498)

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Reardon.

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Porter, seconded by Councillor Rasmussen.

The Draft Development of Flood Liable Land Policy be placed on public exhibition for a minimum of 60 days.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the amendment, the results of which were as follows:

For the Amendment	Against the Amendment
Councillor Porter	Councillor Calvert
Councillor Rasmussen	Councillor Conolly
	Councillor Ford
	Councillor Mackay
	Councillor Paine
	Councillor Reardon
	Councillor Tree
	Councillor Williams

Councillors Bassett and Whelan were absent from the meeting.

The amendment was lost.

The motion was put and carried.

216 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Reardon.

That:

1. Council adopt the "Development of Flood Liable Land Policy" as attached to the report.
2. The Policy is to commence upon the gazettal of the draft Hawkesbury Local Environmental Plan 2012.

ORDINARY MEETING

MINUTES: 31 July 2012

3. The adopted Policy be applied to all relevant development applications in the same manner as Clause 25 of the Hawkesbury Local Environmental Plan 1989 was previously applied.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Calvert	Nil
Councillor Conolly	
Councillor Ford	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Bassett and Whelan were absent from the meeting.

Item: 133 CP - Draft Wilberforce Subdivision and Development Policy - (95498)

Previous Item: 19, Ordinary (15 February 2011)
264, Ordinary (29 January 2011)
14, Ordinary (14 February 2012)

MOTION:

RESOLVED on the motion of Councillor Porter, seconded by Councillor Rasmussen.

Refer to RESOLUTION

217 RESOLUTION:

RESOLVED on the motion of Councillor Porter, seconded by Councillor Rasmussen.

That Council adopt the draft Wilberforce Subdivision and Development Policy (Version 2) as exhibited and attached to the report.

ORDINARY MEETING

MINUTES: 31 July 2012

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Calvert	Nil
Councillor Conolly	
Councillor Ford	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Bassett and Whelan were absent from the meeting.

Item: 134 CP - Agreements for the Patrol of Private Car Parking Area - (95498, 96330)

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

Refer to RESOLUTION

218 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

That:

1. The current "Parking patrols in private car parks" agreement be amended to provide flexibility in the provision of regular or intermittent patrols of private car parks as outlined in the report.
2. The General Manager be authorised to enter into private car park patrol agreements as required, provided that no agreement be entered into with private shopping centres unless appropriate parking provision is made by them for staff.
3. The following proposed new fees to provide a guaranteed weekly patrol by Council's parking officers of private car parks be publicly advertised for a period of 28 days.

ORDINARY MEETING

MINUTES: 31 July 2012

Parking Spaces	Per Parking Space / Week
Up to 50	@ \$1.00
51 - 100	@ 0.85
101 - 200	@ 0.75
201 & above	@ 0.65

4. Should submissions be received to the proposed fees following the public consultation a further report will be submitted to Council addressing the issues raised, prior to adoption of the fees.
5. Should there be no submissions to the proposed fees following the public consultation process, the fees be adopted without the need for a further report to Council.

Item: 135 CP - Community Sponsorship Program - 2012/2013 - Round 1 - (95498, 96328)

Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as one of the applicants is a Government school and he is employed by the NSW Department of Education and Communities and no further action is required. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

RESOLVED on the motion of Councillor Paine, seconded by Councillor Rasmussen.

Refer to RESOLUTION

219 RESOLUTION:

RESOLVED on the motion of Councillor Paine, seconded by Councillor Rasmussen.

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. Note that the required Sponsorship Agreements for Applications 1 through 10 have been previously executed to provide for the continuation of funding for these proposals.
3. Approve the execution of Council's standard Sponsorship Agreement for the applications 13, 15, 19, 21, 23 and 24 identified in Table 1 of this report.

ORDINARY MEETING

MINUTES: 31 July 2012

Item: 136 CP - Proposed Public Exhibition of Draft Hawkesbury Flood Risk Management Study and Plan - (95498, 86589))

Mr John Miller and Mr Les Sheather, proponents, addressed Council.
Mr Trevor Devine, respondent, addressed Council.

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

Refer to RESOLUTION

220 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

That:

1. The draft Hawkesbury Floodplain Risk Management Study and Plan be placed on public exhibition for a minimum period of 60 days.
2. Following the exhibition period the submissions received and the proposed amendments, if required, are to be reported to Council for adoption.

ORDINARY MEETING

MINUTES: 31 July 2012

SUPPORT SERVICES

Item: 137 **SS Monthly Investments Report June 2012 (96332, 95496)**

Previous Item: 144, Ordinary (29 June 2010)

MOTION:

RESOLVED on the motion of Councillor Tree, seconded by Councillor Reardon.

Refer to RESOLUTION

221 RESOLUTION:

RESOLVED on the motion of Councillor Tree, seconded by Councillor Reardon.

The report regarding the monthly investments for June 2012 be received and noted.

Item: 138 **SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - (95496)**

Previous Item: 109, Ordinary (13 September 2011),
255, Ordinary (8 November 2011)

MOTION:

RESOLVED on the motion of Councillor Tree, seconded by Councillor Reardon.

Refer to RESOLUTION

222 RESOLUTION:

RESOLVED on the motion of Councillor Tree, seconded by Councillor Reardon.

That the amended Policy for Payment of Expenses and Provision of Facilities to Councillors attached as Attachment 1 to the report be placed on public exhibition for a period of at least 28 days and that the matter be reported back to Council at the conclusion of the exhibition period.

ORDINARY MEETING

MINUTES: 31 July 2012

Item: 139 SS - Proposal for the Establishment of a Ministerial Western Sydney Arts Committee - (81664)

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Williams, seconded by Councillor Calvert.

That:

1. Council support, in principle, the proposal to establish a Ministerial Western Sydney Arts Committee.
2. If the Committee is established, the General Manager appoint an appropriate member of Council staff to participate as a Committee member.

The amendment was lost.

The motion was put and carried.

223 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Tree.

That the report be received.

CONFIDENTIAL REPORTS

224 RESOLUTION:

RESOLVED on the motion of Councillor Tree, seconded by Councillor Reardon.

That the Confidential Items be moved to the end of the business paper to be dealt with last.

225 RESOLUTION:

RESOLVED on the motion of Councillor Porter, seconded by Councillor Tree.

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chambers during consideration of the following items:

Item: 140 CP - Tender No. 00912- Upper Hawkesbury River Estuary Study and Management Plan - (95495, 95498, 124414, 121837)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 141 IS - Tender No. 00913 - Windsor Foreshore Landscape Works, Windsor - (95495, 79354)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the Press and the public left the Council Chambers.

226 RESOLUTION:

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Rasmussen that open meeting be resumed.

ORDINARY MEETING

MINUTES: 31 July 2012

Item: 140 CP - Tender No. 00912- Upper Hawkesbury River Estuary Study and Management Plan - (95495, 95498, 124414, 121837) CONFIDENTIAL

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Porter, seconded by Councillor Rasmussen.

Refer to RESOLUTION

227 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Porter, seconded by Councillor Rasmussen.

That:

1. The Tender submitted by BMT WBM Pty Ltd in the amount of \$ 199,990 excl GST, for the provision of consultancy services for the preparation of the Upper Hawkesbury River Estuary Study and Management Plan be accepted.
2. The Seal of Council be affixed to any necessary documentation.

Item: 141 IS - Tender No. 00913 - Windsor Foreshore Landscape Works, Windsor - (95495. 79354) CONFIDENTIAL

MOTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reardon.

Refer to RESOLUTION

228 RESOLUTION:

The General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reardon.

That:

1. The tender submitted by GJS Landscapes Pty Ltd in the amount of \$330,467.55 (GST exclusive) for the Windsor Foreshore Landscape Works - Windsor, be accepted based on the funding allocation outlined in the report.

ORDINARY MEETING

MINUTES: 31 July 2012

2. Any required documentation be executed under the Seal of Council.

ORDINARY MEETING

MINUTES: 31 July 2012

SECTION 5 - Reports of Committees

ROC - Waste Management Advisory Committee Minutes - 4 July 2012 - (95498, 95249)

229 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Porter.

That the minutes of the Waste Management Advisory Committee held on 4 July 2012 as recorded on pages 61 to 64 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 9 July 2012 - (80245)

230 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Mackay.

That the minutes of the Local Traffic Committee held on 9 July 2012 as recorded on pages 65 to 81 of the Ordinary Business Paper be adopted.

ROC - Floodplain Risk Management Advisory Committee Minutes - 23 July 2012 - (95498, 86589)

231 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

That the minutes of the Floodplain Risk Management Advisory Committee held on 23 July 2012 as recorded on pages 83 to 85 of the Ordinary Business Paper be received.

ORDINARY MEETING

MINUTES: 31 July 2012

QUESTIONS FOR NEXT MEETING

Councillors Questions from Previous Meetings and Responses - (105109)

Responses to Questions in relation to previous Questions for Next Meeting were provided and discussed.

ORDINARY MEETING**MINUTES: 31 July 2012****Questions for Next Meeting**

#	Councillor	Question	Response
1	Calvert	Asked if Council had sought funding to conduct the Flood Mitigation Study and if not could Council do so. Councillor Calvert also requested a report on the progress of the Flood Mitigation Policy.	Director City Planning
2	Paine	Requested a timeframe of the proposed longevity of the existing Ferry at Lower Portland.	Director Infrastructure Services
3	Paine	Requested that the vandalism within McQuade Park be cleaned up as a matter of urgency due to pending School Sports Carnivals and that the Grandstand be cleaned in the vicinity of the men's toilets.	Director Infrastructure Services
4	Paine	Asked if Council could make the necessary enquiries into commuters' safety on trains due to a recent incident involving a group of Sister Cities students.	General Manager
5	Williams	Requested a copy of the report from Roads and Maritime Services relating to the operation of the Ferry at Lower Portland.	Director Infrastructure Services
6	Williams	Asked if we can dispense from calling for nominations from the community to be part of the working party for the future of the Lower Portland Ferry and accept two nominations from the community.	Director Infrastructure Services
7	Williams	Asked if the light in the Wilberforce Shopping Centre sign at the King Road entrance could be replaced.	Director Infrastructure Services
8	Williams	Asked for an update in relation to the alleged illegal land clearing at Weatherboard Ridge Road.	Director City Planning
9	Mackay	Asked if approval was sought and given for the removal of trees on Mullinger Lane, South Windsor.	Director City Planning
10	Reardon	Referred to an enquiry received from Windsor Rotary for 'Stocks' to be placed in Thompson Square across for the Macquarie Arms for Photo opportunities.	Director Infrastructure Services

ORDINARY MEETING

MINUTES: 31 July 2012

The meeting terminated at 9:56pm.

Submitted to and confirmed at the Ordinary meeting held on 14 August 2012.

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Mayor

