



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 11 December 2012

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 11 December 2012, commencing at 6:33pm.

Mayor, Councillor 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, P Conolly, M Creed, M Lyons-Buckett, 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.

Councillor Tree arrived at the meeting at 6:38pm.

372 RESOLUTION:

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Lyons-Buckett that standing orders be suspended to observe a minute silence for Detective Inspector Bryson Anderson.

373 RESOLUTION:

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon that standing orders be resumed.

SECTION 1: Confirmation of Minutes

374 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 27 November 2012, be confirmed.

375 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the Minutes of the Extraordinary Meeting held on the 3 December 2012, be confirmed.

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376 RESOLUTION:

RESOLVED on the motion of Councillor Creed, seconded by Councillor Tree that the meeting continue past 11:00pm to allow the Business Paper to be completed.

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SECTION 2 - Mayoral Minutes

Mayoral Minute - Tragic Death of Detective Inspector Bryson Anderson - (79353)

MOTION:

RESOLVED on the motion of Councillor Ford.

Refer to RESOLUTION

377 RESOLUTION:

RESOLVED on the motion of Councillor Ford.

That Council:

1. Convey its deepest condolences to the family of the late Detective Inspector Bryson Anderson following his tragic death in an incident at Oakville on the afternoon of Thursday, 6 December 2012.
2. Contribute \$5,000 to the Bryson Anderson Memorial Fund established by the NSW Police Association together with Police Legacy.
3. Encourage all residents of the Hawkesbury to recognise the valuable contribution made to the community by the late Detective Inspector Bryson Anderson and to also consider making a contribution to the Bryson Anderson Memorial Fund.

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SECTION 3 - Notices of Motion

RM1 - Rescission Motion - Human Services Advisory Committee - (94598)

Ms Danielle Wheeler, respondent, addressed Council.

RESCISSION MOTION:

Submitted by: Mayor, Councillor Kim Ford
Deputy Mayor, Councillor Tiffany Tree
Councillor Mike Creed

MOTION:

The RESCISSION MOTION was moved by Councillor Tree, seconded by Councillor Creed.

That Council's resolution of 27 November 2012 in respect of that part of Item 216 in relation to the appointment of community representatives to the Human Services Advisory Committee be and is hereby rescinded.

The rescission motion was put and lost.

RM2 - Rescission Motion - Floodplain Risk Management Advisory Committee - (94598)

RESCISSION MOTION:

Submitted by: Mayor, Councillor Kim Ford
Deputy Mayor, Councillor Tiffany Tree
Councillor Mike Creed

378 RESOLUTION:

The RESCISSION MOTION was moved by Councillor Tree, seconded by Councillor Creed.

That Council's resolution of 27 November 2012 in respect of that part of Item 216 in relation to the appointment of community representatives to the Floodplain Risk Management Advisory Committee be and is hereby rescinded.

The rescission motion was put and carried on the casting vote of the Mayor.

379 RESOLUTION:

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

That consideration of the Substantive Motion be referred for consideration by Council in confidential session at the end of the meeting.

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NM1 - Report - Hard Surfaced Basketball Court at Hawkesbury Indoor Stadium - (79351, 80104)

Mr Jimmy Ball and Mr Jacob Cremen-Darkin, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

380 RESOLUTION:

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

That:

1. A report be prepared for Council's consideration, outlining the feasibility, costing and demand to build an outdoor, hard surfaced basketball court at the Hawkesbury Indoor Stadium.
2. The hoop and seating on Court six be repaired immediately.

NM2 - Policy - Employment of School-Based Trainees and/or Apprentices - (79351, 80093)

MOTION:

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

Refer to RESOLUTION

381 RESOLUTION:

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

That from the beginning of 2013 Council adopt a policy of employing up to two school-based trainees and/or apprentices on an ongoing basis.

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SECTION 4 - Reports for Determination

CITY PLANNING

Item: 219 CP - Community Sponsorship Program - 2012/2013 - Round 2 - (96328, 95498)

Previous Item: 153, Ordinary (31 July 2012)

Councillor Calvert declared a significant non-pecuniary interest in this matter as one of the applicants is a public school and he is an employee of the NSW Department of Education and Communities. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

382 RESOLUTION:

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

That Council approve:

1. Payments under Section 356 financial assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. The execution of Council's standard Sponsorship Agreement for application 15 identified in Table 1 of this report.

Item: 220 CP - Delegations and Independent Reviews of Local Environmental Plan-Making Decisions - (95498)

MOTION:

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

Refer to RESOLUTION

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383 RESOLUTION:

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

That:

1. Council accept the plan-making delegations as described in Circular PS 12-006, dated 29 October 2012, and the Director-General be advised of this acceptance.
2. These delegations be delegated to the General Manager subject to the following conditions:
 - (a) Exercise of the delegations can be used without the need for a subsequent report to Council following public exhibition of a planning proposal only if no submissions are received, or,
 - (b) Where public submissions are received following public exhibition of the planning proposal, a report addressing the submissions is to be brought to council for determination prior to the use of the delegations.

Item: 221 CP - Establishment of a Combined Waste and Sustainability Advisory Committee - (95498)

Mr John Street, proponent, addressed Council.
Ms Danielle Wheeler, respondent, addressed Council.

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Williams.

Refer to RESOLUTION

384 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Williams.

That:

1. The Waste Management Advisory Committee and Sustainability Advisory Committee operate as two separate committees.
2. The objectives of the Sustainability Advisory Committee be as follows;
 - a) To assist in the achievement of the key environmental goals contained in Council's Community Strategic Plan.
 - b) To facilitate information-sharing, education and support necessary for informed action on sustainability throughout the community.
 - c) To maximise resource reduction, reuse and recycling.
 - d) To establish and maintain natural resource management (NRM) networks.
 - e) To support and progress an active volunteer network for NRM and sustainable activities.
 - f) To engage the community in the development and implementation of sustainability initiatives and activities.

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3. The following objectives be included in the Committees as listed as well as retained in the objectives of the Sustainability Advisory Committee;
 - (a) *"To assist in the application of Council's Sustainability Principles and Objectives contained in Council's Community Strategic Plan" (be included into the constitutions of the Floodplain Risk Management Advisory Committee, Human Services Advisory Committee and Heritage Advisory Committee.)*
 - (b) *"To support and progress an active volunteer network for natural resource management and other sustainable activities" (be incorporated into the constitution of the Human Services Advisory Committee.)*
4. A report be submitted to the next Council meeting regarding the structure and membership of the two Committees.

Item: 222 CP - Planning Proposal to Rezone 77 - 87 Bells Line Of Road, Kurrajong - (95498)

Previous Item: 279, Ordinary (13 December 2011)

Ms Natalie Smith, Mr Robert Montgomery and Mr Glenn Falson, proponents, addressed Council. Mr Kenneth Forsstrom, Mr Dave Povey and Ms Fiona Smith, respondents addressed Council.

Councillor Lyons-Buckett declared a less than significant non-pecuniary conflict of interest in this matter as she knows land owners and business owners on both sides of the main street in Kurrajong Village, but does not have a personal relationship with them and is also a public officer on the Kurrajong Public Community Forum and no further action is required.

Councillor Tree declared a pecuniary interest in this matter as her brother works for a business operated within one of the properties involved in the proposal. She 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 Creed.

Refer to RESOLUTION

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

1. The Planning Proposal seeking rezoning of the subject land to B1 Neighbourhood Centre be deferred subject to the preparation and adoption of a Masterplan/ Development Control Plan for the Kurrajong Village centre.
2. A report be prepared for Council's consideration to propose the terms of reference, timing and funding for the preparation of this Plan.

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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 Calvert	Councillor Conolly
Councillor Lyons-Buckett	Councillor Creed
Councillor Rasmussen	Councillor Ford
Councillor Williams	Councillor Mackay
	Councillor Paine
	Councillor Porter
	Councillor Reardon

Councillor Tree was not in the Chamber when the vote was taken.

The amendment was lost.

The motion was put and carried.

385 RESOLUTION:

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

The Planning Proposal seeking rezoning of the subject land to B1 Neighbourhood Centre be forwarded to the Department of Planning and Infrastructure for making of the Plan.

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 Conolly	Councillor Calvert
Councillor Creed	Councillor Rasmussen
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Reardon	
Councillor Williams	

Councillor Tree was not in the Chamber when the vote was taken.

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Item: 223 CP - Planning Proposal to Rezone Lot 201 DP 801533, 36 Argyle Street, South Windsor - (95498)

MOTION:

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

Refer to RESOLUTION

386 RESOLUTION:

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

That:

1. A Planning Proposal to rezone Lot 201 DP 801553, 36 Argyle Street, South Windsor from RE2 Private Recreation to IN2 Light Industrial under Hawkesbury Local Environmental Plan 2012 be prepared and forwarded to the Minister for Planning and Infrastructure for a Gateway Determination.
2. Upon receipt of notification of the Gateway Determination to proceed, Council consult the public authorities and the public on the Planning Proposal in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act, 1979*.

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	
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

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Item: 224 CP - Post Exhibition of Draft Hawkesbury Flood Risk Management Study and Plan - (95498, 86589)

Mr Ted Books and Mr Trevor Devine, respondent, addressed Council.

MOTION:

A MOTION was moved by Councillor Porter, seconded by Councillor Tree

That the Floodplain Risk Management Study and Plan be referred back to the Floodplain Risk Management Advisory committee for further consideration.

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

Refer to RESOLUTION

The amendment was carried.

The amendment then became the motion which was put and carried.

387 RESOLUTION:

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

That:

1. Subject to any necessary minor editing and layout amendments the draft Hawkesbury Floodplain Risk Management Study and Plan, as exhibited, be adopted.
2. The adopted Hawkesbury Floodplain Risk Management Study and Plan be published on Council's website.
3. Council notes that the adoption of the Hawkesbury Floodplain Risk Management Study and Plan does not adopt the changes to Council's Planning Instruments. In this regard the review of the Planning Instruments will be via a separate statutory process that will further consider the recommendations in Volume two of the Plan, the recent changes to the planning Legislation and additional public consultation.
4. That the Floodplain Risk Management Study and Plan be referred back to the Floodplain Risk Management Advisory committee for further consideration.

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Item: 225 CP - Review of Hawkesbury Community Strategic Plan 2010 - 2030 - (95498)

Previous Item: Item 188, Ordinary (9 October 2012)

MOTION:

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

Refer to RESOLUTION

388 RESOLUTION:

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

That:

1. Subject to the graphical formatting of the document being completed, the Draft Community Strategic Plan as attached to the report be adopted for public exhibition purposes based on the public consultation process adopted by Council on 9 October 2012.
2. A further report be submitted to Council at the conclusion of the public exhibition period.

Item: 226 CP - Development Report - DA0419/12 - Lot 216 DP 751649 - 268 Carters Road, Grose Vale - Clearing Native Vegetation - (94598, 24706)

Mr Robert Montgomery, proponent, addressed Council.
Mr Malcolm Chew, respondent, addressed Council.

MOTION:

A MOTION was moved by Councillor Tree, seconded by Councillor Creed.

That Development Application DA0419/12 at Lot 216 DP 751649, 268 Carters Road, Grose Vale for Clearing Native Vegetation for an access trail be approved subject to the following conditions:

General Conditions

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application as amended in red and as modified by these further conditions.
2. This consent is limited to the removal of vegetation only along the access trail shown on the stamped plans and does not cover the construction of a driveway.

Prior to Commencement of Works

3. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.

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4. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
5. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.

During Construction

6. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
7. No material, including soil, shall be imported or removed from the site.
8. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
9. Trees greater than 1m in diameter must be retained.
10. The waste material from the vegetation removal is to be mulched and re-used as proposed in the documents submitted as part of this application.

Note: The material is not to be burnt in the open.

11. Two replacement trees shall be planted along the Carters Road property boundary property for each tree removed from the access trail. Replacement trees shall:
 1. Consist of endemic species the same as those removed from the site;
 2. Have a minimum height at maturity of not less than 10 meters;
 3. Be planted no later than three months after tree removal has taken place; and,
 4. Be protected and maintained by the developer/landowner so as to ensure that they reach maturity.

Photographic evidence of the replacement trees shall be provided to Council no later than one month after the replacement tree planting occurs.

12. No bush rock shall be removed from the site. Any bush rock to be moved shall be placed in the native vegetation areas to be retained on the site.

Use of the land

13. The development shall be limited to the area shown on the submitted plans.
14. Care is to be taken at all times not to interfere or damage the root structure of the trees to be retained.

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Advisory Notes

- Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.
- The applicant is advised to make detailed inquiries as to whether approval by the Australian Government Minister for the Environment and Heritage is necessary under the Environment Protection and Biodiversity Conservation Act

An AMENDMENT was moved by Councillor Reardon, seconded by Councillor Lyons-Buckett.

Refer to RESOLUTION

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 Calvert	Councillor Conolly
Councillor Lyons-Buckett	Councillor Creed
Councillor Paine	Councillor Ford
Councillor Porter	Councillor Mackay
Councillor Rasmussen	Councillor Tree
Councillor Reardon	
Councillor Williams	

The amendment was carried.

The amendment then became the motion which was put and carried.

389 RESOLUTION:

RESOLVED on the AMENDMENT of Councillor Reardon, seconded by Councillor Lyons-Buckett.

That the matter be deferred for a site inspection.

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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	Councillor Creed
Councillor Conolly	Councillor Ford
Councillor Lyons-Buckett	Councillor Tree
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Williams	

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INFRASTRUCTURE SERVICES

Item: 227 **IS - Appointment of Chairperson of Local Emergency Management Committee - (79899)**

MOTION:

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

Refer to RESOLUTION

390 RESOLUTION:

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

That Council in accordance with the provisions of Section 378 and Section 381 of the Local Government Act 1993, delegate the function of Chairperson of the Local Emergency Management Committee to the General Manager.

Item: 228 **IS - World Championships Powerboat Racing Event - 17-19 May 2013 - (95495, 79354)**

Previous Item: Item 10, Ordinary (1 February 2011)
 Item 59, Ordinary (30 March 2010)

MOTION:

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

Refer to RESOLUTION

391 RESOLUTION:

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

That:

1. Approval be granted to Fastwater Promotions for "Exclusive Use" of Governor Phillip Reserve for the World Championships Power Boat Racing Event on 18 and 19 May 2013.
2. The request for amendment to the noise limits for this event, as outlined within the report, be approved subject to no significant issues being raised from the community consultation.

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3. The approval be subject to the following conditions/documents:
 - (a) Council's general park conditions.
 - (b) Council's Fees and Charges.
 - (c) The Windsor Foreshore Plan of Management.
 - (d) The Governor Phillip Reserve Exclusive Use Policy.
 - (e) Governor Phillip Reserve Noise Policy.
 - (f) A Traffic Management Plan being approved as part of the Special Event Application.

4. As the applicants have not advised alternative dates in the event of inclement weather, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicants.

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SUPPORT SERVICES

Item: 229 SS - Pecuniary Interest Returns - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

392 RESOLUTION:

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

That the information be received and noted.

Item: 230 SS - Possible Rating Strategy for the 2013/2014 Financial Year - (95496, 96332)

Previous Item: Item 37, Ordinary (13 March 2012)

MOTION:

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

Refer to RESOLUTION

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

That the matter be deferred to the first Council meeting in 2013.

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

The motion was put and carried on the casting vote of the Mayor.

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393 RESOLUTION:

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

That the following rating structure for 2013/2014 be approved for incorporation in the Council's Draft 2013/2014 Operational Plan:

- 1. Each of the rating categories/sub-categories raise the following approximate proportion of Notional Yield:

Rating Category/Sub-Category	
Residential	65%
Residential – Rural Residential	20%
Business	10%
Farmland	5%

- 2. The following three sub-categories be established within the Business Category:
 - (a) Business Area 1 – Business rated properties in Richmond, Windsor, Vineyard and Mulgrave
 - (b) Business Area 2 – Business rated properties in North Richmond and South Windsor
 - (c) Business Area Other – All other Business rated properties.
- 3. A Base Rate of 50% be applied across all rate categories and sub-categories excluding the Farmland Category which will continue with a Minimum Rate.

Councillors Calvert, Conolly, Lyons-Buckett, Paine, Rasmussen and Williams requested that their names be recorded as having voted against the motion.

Note: A Rescission Motion was subsequently submitted in respect of the above resolution.

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SUPPLEMENTARY REPORTS

Item: 231 IS - Re-Test B Double Route Application at Beaumont Avenue, North Richmond - (95495)

MOTION:

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

Refer to RESOLUTION

394 RESOLUTION:

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

That:

1. Council delegate to the General Manager it's authority under the Ministers delegation pursuant to Section 264A(7) of the Roads Act, 1993 and to approve the application to operate 25 metre long B-Doubles is supported along the route of;
 - Terrace Road, North Richmond between Bells Line of Road and Beaumont Avenue, and;
 - Beaumont Avenue, North Richmond, between Terrace Road and the Entry Gate into No. 24 Bells Line of Road (access via Beaumont Avenue) for an approximate distance of 200 metres

As the stipulated route has been assessed as Complying in accordance with the "Route Assessment Guidelines for Restricted Access Vehicles (May 2002)" issued by the Roads and Maritime Services - RMS (formerly RTA).

2. The Roads and Maritime Services be advised to undertake the Gazettal of the B-Double route outlined in Item 1 subject to the applicant undertaking road shoulder construction works for a length of 20 metres in a westerly direction commencing at the western edge of the Exit Gate along the southern side of Beaumont Avenue (No. 24 Bells Line of Road) or lodgement of a Bank Guarantee for \$7,000 as security for competition of these works within three months. The works are to include the necessary pavement and sealing of the road shoulder (in accordance with Council's DCP) between the edge of the centralised sealed pavement and table drain. The pavement and seal is to be undertaken to the satisfaction of the Manager of Construction and Maintenance.

ORDINARY MEETING

Minutes: 11 December 2012

QUESTIONS FOR NEXT MEETING

Councillors Questions from Previous Meetings and Responses

There were no responses to Questions in relation to previous Questions for Next Meeting.

ORDINARY MEETING**Minutes: 11 December 2012****Questions for Next Meeting**

#	Councillor	Question	Response
1	Creed	Requested a site inspection with Council staff to discuss the current issues relating to 64 Grandview Lane, Bowen Mountain and in particular the trenches being dug on the road boundary.	Director City Planning
2	Mackay	Asked for information regarding DA0116/11 for 64 Grandview Lane, Bowen Mountain and in particular if the current building works are compliant with the Construction Certificate? If the works are not in line with the conditions then should a Section 96 application have been applied for.	Director City Planning
3	Paine	Asked if a seat could be placed in Friendship Park in honour of Jean Peare.	Director Infrastructure Services
4	Rasmussen	Requested a report on street furniture in Kurrajong as some of the seating is in need of repair and/ or replacement.	Director Infrastructure Services

ORDINARY MEETING

Minutes: 11 December 2012

CONFIDENTIAL

395 RESOLUTION:

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

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:

**RM2: Rescission Motion - Floodplain Risk Management Advisory Committee
(Substantive Motion) - (94598)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personal matters concerning particular individuals (other than councillors)*

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.

396 RESOLUTION:

RESOLVED on the motion of Councillor Porter, seconded by Councillor Reardon that open meeting be resumed.

**RM2: Rescission Motion - Floodplain Risk Management Advisory Committee
(Substantive Motion) - (94598)**

SUBSTANTIVE MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING

Minutes: 11 December 2012

397 RESOLUTION:

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

That:

1. The Constitution for the Floodplain Risk Management Advisory Committee be amended to specify five community members.
2. Mr Les Sheather, Mr Geoffrey Bessell, Mr Damian Moon, Mr Trevor Devine and Mr Henry 'Ted' Books be appointed as community representatives on the Floodplain Risk Management Advisory Committee in accordance with the Committee's Constitution.

The meeting terminated at 12:48 am.

Submitted to and confirmed at the Ordinary meeting held on 5 February 2013.

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Mayor

