



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 26 June 2012

location: council chambers

time: 6:30 p.m.



**ORDINARY MEETING**

**Table of Contents**

**MINUTES: 26 June 2012**

**MINUTES**

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTE ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **QUESTIONS WITH NOTICE**
- **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: 26 June 2012**

**ORDINARY MEETING****Table of Contents****MINUTES: 26 June 2012****TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>ATTENDANCE</b>		<b>1</b>
<b>APOLOGIES</b>		<b>1</b>
<b>SECTION 1: Confirmation of Minutes</b>		<b>1</b>
<b>SECTION 3 - Notices of Motion</b>		<b>3</b>
NM -	Possible Amendment of Hawkesbury Local Environmental Plan Regarding Second Dwellings - (79351, 90479)	3
<b>SECTION 4 - Reports for Determination</b>		<b>4</b>
<b>GENERAL MANAGER</b>		<b>4</b>
Item: 91	GM - 2012 Australian Economic Forum (79351)	4
Item: 92	GM - Small Business Week 2012 - (79351)	4
Item: 93	GM - Defence Posture Review and Defence White paper 2013 (79351)	5
<b>CITY PLANNING</b>		<b>6</b>
Item: 94	CP - Request to revoke Dangerous Dog Declaration - (96330, 95498)	6
Item: 95	CP - Proposed Policy - Desexing of all Cats and Dogs Sold through Hawkesbury City Companion Animal Shelter - (96330)	6
Item: 96	CP - Use of SEPP 1 Variation Report - January 2012 - March 2012 - (95498)	7
Item: 97	CP - Provision of Containerised Organics and Processing Service - (96330, 95498)	8
Item: 98	CP - Natural Hazards Resilience Study - (95498)	8
<b>INFRASTRUCTURE SERVICES</b>		<b>10</b>
Item: 99	IS - Community Banner Poles Policy - (79354)	10
Item: 100	IS - Street Tree Removals within Towns and Villages - (95454)	10
Item: 101	IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club and Ski Racing NSW Inc. - (95495, 79354)	11
Item: 102	IS - Future of the Lower Portland Ferry - (95495)	12
<b>SUPPORT SERVICES</b>		<b>13</b>
Item: 103	SS - Monthly Investments Report - May 2012 - (96332, 95496)	13
Item: 104	SS - Pecuniary Interest Returns - (95496, 96333)	13

**ORDINARY MEETING**

**Table of Contents**

**MINUTES: 26 June 2012**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
Item: 105	SS - Review of Council's Draft Investment Policy and Appointment of Investment Advisor - (96332, 95496)	13
Item: 106	SS - Outstanding Receivables - Bad Debts Write Off - (96332, 95496)	14
<b>CONFIDENTIAL REPORTS</b>		<b>15</b>
Item: 107	IS - Tender FY004/09 - Cleaning of Various Council Buildings - Proposed Extension of Contract - (79340, 95495) CONFIDENTIAL	16
Item: 108	IS - Tender No. 00412 - Pitt Street Roadworks & Stormwater Drainage Construction - (95495, 79344) CONFIDENTIAL	17
Item: 109	IS - Tender No.00914 - Supply of Bulk Materials for Civil Construction - (95495, 79344) CONFIDENTIAL	18
Item: 110	SS - Tender No. 00915 - Supply of Banking Services (95496, 96332) CONFIDENTIAL	18
Item: 111	SS - Property Matter - Lease to Y Ghet Cang - Shop 2 McGraths Hill Shopping Centre - (112106, 95496, 111656) CONFIDENTIAL	19
Item: 112	SS - Property Matter - Hawkesbury Living Pty Limited - Lease of Former Hawkesbury Hospital Building and Johnson Wing Building - Part of Lot 50, Deposited Plan 1035291, George Street, Windsor - (95496, 112106, 100848) CONFIDENTIAL	20
<b>SECTION 5 - Reports of Committees</b>		<b>22</b>
ROC - Human Services Committee Minutes - 17 May 2012 - (123486)		22
ROC - Heritage Advisory Committee Minutes - 31 May 2012 - (80242)		22
<b>QUESTIONS FOR NEXT MEETING</b>		<b>23</b>
Councillors Questions from Previous Meetings and Responses - (105109)		23
Questions for next meeting		24

## ORDINARY MEETING

MINUTES: 26 June 2012

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 26 June 2012, commencing at 6:34pm.

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 Bassett, B Calvert, K Conolly, 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 W Mackay and W Whelan

#### 153 RESOLUTION:

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

### SECTION 1: Confirmation of Minutes

#### 154 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 29 May 2012, be confirmed.

#### 155 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen, that the Minutes of the Extraordinary meeting held on 19 June 2012, be confirmed subject to the correction of the sections of part 3 of the resolution relating to the Business Category and Rural Residential Category by the addition of the wording "The base amount represents 12.08% of the categories' yield" and "The base amount represents 10.62% of the categories' yield" at the end of each section, respectively.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

Councillor Paine referred that the recent passing of Doreen Mitchell and acknowledged that she had been well known in the community for her contribution and long standing affiliations with CWA and Red Cross. Councillor Paine requested that flowers and Council's condolences be sent to Doreen Mitchells family.



**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**SECTION 3 - Notices of Motion**

**NM - Possible Amendment of Hawkesbury Local Environmental Plan Regarding  
Second Dwellings - (79351, 90479)**

---

Mr Michael Want, respondent, addressed Council.

**MOTION:**

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

*Refer to RESOLUTION*

**156 RESOLUTION:**

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

That a report be submitted to Council regarding the possible amendment of the Hawkesbury Local Environmental Plan to incorporate provisions, similar to those utilised by The Hills and Penrith City Councils, allowing second dwellings on appropriately sized lots and the possible implementation of an associated infrastructure levy where a second dwelling is approved to contribute to the cost of upgrading infrastructure, including roads, affected by such approvals.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 91            GM - 2012 Australian Economic Forum (79351)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**157 RESOLUTION:**

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

That the attendance of nominated Councillors and staff members as considered appropriate by the General Manager, at the 2012 Australian Economic Forum at an approximate cost of \$1,350.00 per delegate, plus travel expenses be approved.

**158 RESOLUTION:**

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

That Councillor Rasmussen, as Council's nominated representative attend the 2012 Australian Economic Forum.

**Item: 92            GM - Small Business Week 2012 - (79351)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**159 RESOLUTION:**

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

That the information regarding Small Business Week Hawkesbury 2012 be received.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**Item: 93            GM - Defence Posture Review and Defence White paper 2013 (79351)**

**Previous Item:**     Item 22, Ordinary (23 February, 2010)  
                          Item 23, Ordinary (23 February, 2010)  
                          Item 201, Ordinary (13 September, 2011)  
                          Item 46, Ordinary (24 April, 2012)  
                          Item NM1, Ordinary (29 May, 2012)

---

**MOTION:**

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

*Refer to RESOLUTION*

**160 RESOLUTION:**

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

That the information regarding the Defence Posture Review and the Defence White Paper 2013 be received.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**CITY PLANNING**

**Item: 94 CP - Request to revoke Dangerous Dog Declaration - (96330, 95498)**

---

**MOTION:**

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

***Refer to RESOLUTION***

**161 RESOLUTION:**

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

That:

1. The dangerous dog declaration placed on the dog, a female Staffordshire Terrier X Bull Terrier on 28 January 2011 not be revoked until such time as the owner of the dog can demonstrate to Council's Animal Control Officers, that dogs kept on the property can be contained on the property, by installing suitable and adequate perimeter fencing of the house yard, to prevent them escaping into adjoining properties and public land.
2. The applicant be invited to make a further application to revoke the Dangerous Dog Declaration, once the fencing required by Part 1 above has been completed and approved by Council's Companion Animal Officer supervisor.
3. The applicant be notified in writing of the reasons for refusal of the revocation application of the Dangerous Dog Declaration and invited to reapply for further consideration of this decision in accordance with Part 2 above.

**Item: 95 CP - Proposed Policy - Desexing of all Cats and Dogs Sold through Hawkesbury City Companion Animal Shelter - (96330)**

---

**MOTION:**

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

***Refer to RESOLUTION***

**162 RESOLUTION:**

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

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

That:

1. The following Policy Statement be placed on public exhibition for a period of 28 days:

*“That all companion animals sold from the Hawkesbury City Council Companion Animal Shelter, are to be desexed prior to the new owner taking possession, with the exception of a puppy or kitten that is too young for such a procedure.*

*Companion animals will only be released from the Hawkesbury City Council Companion Animal Shelter to rehoming organisations that have a compulsory desexing policy in place.”*

2. The following proposed new fees to purchase an animal from the Hawkesbury City Council Animal Shelter be publicly advertised for a period of 28 days;

<b>Dogs</b>	<b>\$ Fee</b>	<b>Cats</b>	<b>\$ Fee</b>
Sale Fee	\$295.00	Sale fee	\$200.00
Pensioner Concession Sale Fee	\$270.00	Pensioner Concession Sale Fee	\$175.00

3. Should submissions be received to the proposed Policy and/or fees following the public consultation a further report will be submitted to Council addressing the issues raised, prior to adoption of the Policy.
4. Should there be no submissions to the proposed Policy and fees following the public consultation process, the Policy be adopted, Council’s Fees and Charges be amended and the program commenced, without the need for a further report to Council.
5. A program review be conducted 12 months after commencement and the review is to involve consultation with the participating Veterinary Practices and Animal Shelter staff to gauge the effects of the new program on budgets, rehoming rates and surrender rates of animals to the shelter. The review is to be reported to Council should any adjustments to the program be required.

**Item: 96 CP - Use of SEPP 1 Variation Report - January 2012 - March 2012 - (95498)**

**Previous Item:** Item 21, Ordinary (28 February 2012)

---

**MOTION:**

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

***Refer to RESOLUTION***

**163 RESOLUTION:**

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

That the report regarding the Reporting SEPP 1 Variations to Development Standards - January 2012 - March 2012 be received and noted.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**Item: 97**                    **CP - Provision of Containerised Organics and Processing Service - (96330, 95498)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**164 RESOLUTION:**

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

That a Tender for the provision of a garden organics collection service be prepared generally as follows:

1. Tenders be called for the provision of an organics collection service based upon the collection service being provided to properties in the urban areas of the LGA only, approximately 12,000 services.
2. The tender process also include, options that the successful contractor:
  - (a) Collects, processes and disposes of the organics at a site of their choosing.
  - (b) Collects, processes and disposes of the organics at their own site with Council receiving a share of the product (that share being determined prior to Tendering and to be based on Council's current and projected needs for Parks, etc).
  - (c) Collects and delivers organics to Council's waste management facility for processing and disposal by others.
  - (d) Collects and processes the organics within a leased area of Council's waste management facility.
3. As part of the tender and evaluation process, consideration should be given to the results of the public consultation, environmental responsibility, and cost effectiveness for the Hawkesbury community.

**Item: 98**                    **CP - Natural Hazards Resilience Study - (95498)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**165 RESOLUTION:**

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

That:-

1. The report titled "Draft Hawkesbury City Council Planning for Climate and Natural Hazards Initial Risk Assessment" be adopted by Council and forwarded to the Office of Environment and Heritage, in accordance with the Waste and Sustainability Improvement Payment (WaSIP) Program, to comply with their funding standard.
2. A formal letter of request be forwarded to Ku-ring-gai Council requesting the use of their cost benefit analysis model and support services to effectively prioritise measures in accordance with the quadruple bottom line principle.
3. Council provide a formal letter to the UWS- Hawkesbury to reinforce our support for their recent NSW Trust grant application entitled "Re-thinking Peri-Urban Governance: Management of Extreme Events".

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**INFRASTRUCTURE SERVICES**

**Item: 99**            **IS - Community Banner Poles Policy - (79354)**

**Previous Item:**        76 Ordinary (12 April 2011)

---

**MOTION:**

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

*Refer to RESOLUTION*

**166 RESOLUTION:**

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

That Council receive the report on the Community Banner Poles Policy and note the proposed action to streamline the booking process.

**Item: 100**            **IS - Street Tree Removals within Towns and Villages - (95454)**

**Previous Item:**        Item 142, Ordinary (29 June 2010)  
Item NM, Ordinary (22 February 2005)

---

**MOTION:**

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

*Refer to RESOLUTION*

**167 RESOLUTION:**

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

That the current process of advertising village street tree removal be discontinued, noting that appropriate consultation and engagement will continue to be carried out in accordance with Councils Community Engagement Policy.



**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**Item: 101            IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club and Ski Racing NSW Inc. - (95495, 79354)**

---

Mr Les Sheather, respondent, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**168 RESOLUTION:**

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

That:

1. Approval be granted to the Ski Racing NSW Inc. for "Exclusive Use" of Governor Phillip Reserve for the Hawkesbury 120 Water Ski Classic on Sunday, 26 August 2012.
2. Approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for the 2012 Windsor Spectacular on Saturday, 15 and Sunday, 16 September and 'non exclusive' use on Friday, 14 September 2012, until 5:00pm with "exclusive use" after this time.
3. The approvals 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 Exclusive Use Policy.
  - e) Governor Phillip Noise Policy.
  - f) A Traffic Management Plan which has been 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 delegated authority to negotiate exclusive use on an alternate date, if required by the applicants.
5. The information contained in the report relating to the review of the Exclusive Use Policy for Governor Phillip Reserve be noted, and that Council support the review and any necessary action to amend the Plan of Management to ensure the ongoing viability and safe and successful event management of the major water based events on the Hawkesbury River.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**Item: 102**            **IS - Future of the Lower Portland Ferry - (95495)**

**Previous Item:**        Item 159, Ordinary (10 May 2011)

---

Mr Stan Suman, Mr Colin Thompson and Mr Steve Arblastor, respondent, addressed Council.

**MOTION:**

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

That Council seek to establish a joint working party with The Hills Shire Council, to investigate and assess options relating to the future operation of the Lower Portland Ferry with these options and assessments to be reported back to both Councils.

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

***Refer to RESOLUTION***

Councillors Bassett and Conolly declared a significant non-pecuniary conflict of interest in this matter as members of the State Government, when the amendment was moved to seek RMS (ie State) to be solely responsible for the operation of the ferry concluding that a reasonable person may perceive that their position could be influenced by membership of the State Government. At this stage they left the Chamber and did not take any further part in voting or discussion on the matter.

Upon the withdrawal from the meeting of Councillor Conolly, the motion was deemed to have collapsed and the amendment became the motion which was put and carried.

**169 RESOLUTION:**

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

That:

1. Council support the ongoing operation of the Lower Portland Ferry as an essential resource.
2. Council seek to establish a joint working party with The Hills Shire Council, to investigate and assess options relating to the future operation of the Lower Portland Ferry with these options and assessments to be reported back to both Councils noting the urgency of the matter and having regard for the November 2012 deadline.
3. Council include one Councillor and two members of the community in the working party.
4. Council concurrently make representation seeking the RMS to accept sole responsibility for the entire operation, including the purchase of a replacement ferry in conjunction with its other ferry commitments.

**170 RESOLUTION:**

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

That Councillor Porter, be Council's nominated representative on the working party.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**SUPPORT SERVICES**

**Item: 103            SS - Monthly Investments Report - May 2012 - (96332, 95496)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**171 RESOLUTION:**

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

That the report regarding the monthly investments for May 2012 be received and noted.

**Item: 104            SS - Pecuniary Interest Returns - (95496, 96333)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**172 RESOLUTION:**

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

That the information be received and noted.

**Item: 105            SS - Review of Council's Draft Investment Policy and Appointment of Investment  
Advisor - (96332, 95496)**

**Previous Item:**        140, Ordinary (28 June 2011)

---

**MOTION:**

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

*Refer to RESOLUTION*

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**173 RESOLUTION:**

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

That Council:

1. Adopt the Investment Policy attached as Attachment 1 to the report.
2. Appoint Spectra Financial Services Pty Ltd. as its Independent Investment Advisor for the financial year ending 30 June 2013.

**Item: 106            SS - Outstanding Receivables - Bad Debts Write Off - (96332, 95496)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**174 RESOLUTION:**

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

That Council write off the debt due in the amount of \$3,473.14 from Debtor Account No. 7301053.

**CONFIDENTIAL REPORTS**

**175 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.

**176 RESOLUTION:**

RESOLVED on the motion of Councillor Reardon, 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:

**Item: 107 IS - Tender FY004/09 - Cleaning of Various Council Buildings - Proposed Extension of Contract - (79340, 95495)**

*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: 108 IS - Tender No. 00412 - Pitt Street Roadworks & Stormwater Drainage Construction - (95495, 79344)**

*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: 109 IS - Tender No.00914 - Supply of Bulk Materials for Civil Construction - (95495, 79344)**

*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: 110 SS - Tender No. 00915 - Supply of Banking Services (95496, 96332)**

*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*

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

*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: 111 SS - Property Matter - Lease to Y Ghet Cang - Shop 2 McGraths Hill Shopping Centre - (112106, 95496, 111656)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property 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: 112 SS - Property Matter - Hawkesbury Living Pty Limited - Lease of Former Hawkesbury Hospital Building and Johnson Wing Building - Part of Lot 50, Deposited Plan 1035291, George Street, Windsor - (95496, 112106, 100848)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property 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.

**177 RESOLUTION:**

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

**Item: 107 IS - Tender FY004/09 - Cleaning of Various Council Buildings - Proposed Extension of Contract - (79340, 95495) CONFIDENTIAL**

**Previous Item:** 67, Ordinary (31 March 2009)

---

**MOTION:**

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

***Refer to RESOLUTION***

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**178 RESOLUTION:**

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

That:

1. Council extend the contract for the Provision of Cleaning Services for Various Council Buildings with Storm International Pty Ltd for a period of two years, in the total amount of \$162,753.33 (GST exclusive) being the original tendered pricing, and
2. The Seal of Council be affixed to the necessary documentation.

**Item: 108                    IS - Tender No. 00412 - Pitt Street Roadworks & Stormwater Drainage Construction - (95495, 79344)    CONFIDENTIAL**

**Previous Item:**            31, Ordinary (28 February 2012)

---

Councillor Ford, Mayor declared a pecuniary interest in this matter as his wife, Lyn Ford, is the Office Manager to Jay & LeI Civil and contributes to the family income. He left the Chamber and did not take part in voting or discussion on the matter.

**MOTION:**

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

***Refer to RESOLUTION***

**179 RESOLUTION:**

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

That:

1. Due to extenuating circumstances and in accordance with Section 55 (3)(i) of the Local Government Act 1993, fresh tenders not be called as
  - a. the work is a continuation of an existing contract for which competitive tenders were previously obtained;
  - b. the revised tender price, reflects price increases for material supply;
  - c. the revised price remains lower than the original tender of the next lowest tenderer.
2. The revised price submitted by Jay & LeI Civil Contractors P/L incorporating material price rises in the amount of \$25,915.04 for the total amount of \$380,420.79 (GST excl.) (stage 3) for the Pitt Street & Stormwater Drainage Construction, be accepted.
3. Any required documentation be executed under the Seal of Council.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**Item: 109**            **IS - Tender No.00914 - Supply of Bulk Materials for Civil Construction - (95495, 79344)    CONFIDENTIAL**

---

**MOTION:**

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

***Refer to RESOLUTION***

**180 RESOLUTION:**

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

That the:

1. Tenders of:
  - a. Mulgoa Quarries (North Shore Landscape Supplies)
  - b. Hanson Construction Materials Pty Ltd
  - c. Metromix Pty Ltd
  - d. The Good Soil People Pty Ltd

for the supply of Bulk Materials for Civil Construction be accepted for a two year period commencing 1 July 2012.

2. Seal of Council be affixed to any necessary documentation.

**Item: 110**            **SS - Tender No. 00915 - Supply of Banking Services (95496, 96332)    CONFIDENTIAL**

**Previous Item:**        Item 117, Ordinary (31 May 2011)

---

**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***

**181 RESOLUTION:**

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



**ORDINARY MEETING**

**MINUTES: 26 June 2012**

That:

1. The tender submitted by the Commonwealth Bank of Australia (CBA) to provide banking services to Council for a period of three years commencing 1 July 2012 to 30 June 2015, with an option of a further two years at the discretion of Council, be accepted.
2. Authority be given for the contract arising from this tender to be executed under the Seal of Council.
3. The unsuccessful tenderers be advised of the outcome of this tender process and thanked for their submissions.

**Item: 111            SS - Property Matter - Lease to Y Ghet Cang - Shop 2 McGraths Hill Shopping Centre - (112106, 95496, 111656)    CONFIDENTIAL**

---

**MOTION:**

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

***Refer to RESOLUTION***

**182 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Mrs Y Ghet Cang, trading as 'McGraths Hill Take Away' in regard to Shop 2 McGraths Hill Shopping Centre, in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**Item: 112**      **SS - Property Matter - Hawkesbury Living Pty Limited - Lease of Former Hawkesbury Hospital Building and Johnson Wing Building - Part of Lot 50, Deposited Plan 1035291, George Street, Windsor - (95496, 112106, 100848)**  
**CONFIDENTIAL**

---

**MOTION:**

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

*Refer to RESOLUTION*

**183 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Hawkesbury Living Pty Limited in regard to The Former Hawkesbury Hospital Building, The Johnson Wing Building and associated parking, and ten car spaces beneath the Deerubbin Centre, in accordance with the proposal outlined in the report with the conditions section of that proposal being amended to read as follows:
  - (i) A rent free period of three months at the commencement of the lease.
  - (ii) The Lease is to be subject to the Lessee obtaining all necessary approvals including approval of a Development Application, if required.
  - (iii) The Lessee is to be responsible for obtaining development approval for use and any other consents necessary for the permitted use.
  - (iv) The Lessor is to require the Lessee to make good the premises on expiry of the lease or if the Lessee purchases the premises pursuant to the first right of refusal, to a similar condition that existed at the commencement of the lease.
  - (v) The Lessee to be permitted to carry out the works in accordance with the approved Development Application.
  - (vi) In recognition of the staged nature of the use of the premises the rental payable for the balance of the first two years of the lease (after the rent-free period) is to be limited to 80% of the agreed rental, incorporating annual CPI increases, increasing to 100% of the agreed rental, plus applicable annual CPI increases from the commencement of Year 3 of the lease.
  - (vii) The lessee be given a first right of refusal to purchase after Year 10 of the lease if the Council is proposing or considering the sale of the property.
  - (viii) Any other conditions considered appropriate to Council's solicitors and the lease is to be in a form reasonably acceptable to the solicitors for Hawkesbury Living Pty Limited.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

3. Details of Council's resolution be conveyed to the proposed Lessee together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

**ORDINARY MEETING**

**MINUTES: 26 June 2012**

**SECTION 5 - Reports of Committees**

**ROC - Human Services Committee Minutes - 17 May 2012 - (123486)**

---

**184 RESOLUTION:**

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

That the minutes of the Human Services Committee held on 17 May 2012 as recorded on pages 81 to 84 of the Ordinary Business Paper be received.

**ROC - Heritage Advisory Committee Minutes - 31 May 2012 - (80242)**

---

**185 RESOLUTION:**

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

That the minutes of the Heritage Advisory Committee held on 31 May 2012 as recorded on pages 85 to 88 of the Ordinary Business Paper be received.

**ORDINARY MEETING**  
Questions for Next Meeting

**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.

**Questions for next meeting**

#	Councillor	Question	Response
1	Rasmussen	Requested an update on the progress of the Rural Land Study.	Director City Planning
2	Rasmussen	Asked if an E-waste facility at the Waste Management Depot had been introduced at the facility.	Director Infrastructure Services
3	Rasmussen	Advised that 'shooters' were recently given access to National Parks in other LGA's and asked if that access carried through to Hawkesbury's LGA.	Director Infrastructure Services
4	Rasmussen	Advised that the Office of Hawkesbury Nepean is being made redundant and asked if Council staff could write to the State Government seeking clarification of this advice and if so, how many local jobs would be lost as a result of its closure.	Director City Planning
5	Porter	Asked Council staff to ascertain how many inmates reside at the John Marony Correctional Centre, how many staff work at the Centre and how many visitors visit the Centre.	Director Infrastructure Services
6	Calvert	Requested clarification on the status of the petition from the North Richmond Group. Councillor Calvert asked that he be advised if the petition has been tabled/ acknowledged and if it has not been tabled when can it be.	General Manager
7	Paine	Requested the speed limit through the village at St Albans be sign posted.	Director Infrastructure Services
8	Paine	Requested that the Ferry closure signs for Lower Portland Ferry be posted at an earlier stage.	Director Infrastructure Services
9	Tree	Advised that the State Government are undertaking changes to Companion Animals Act and asked what measures Council are taking to obtain the communities input in relation to these changes and asked for the feedback from the Animal Shelter in relation to these proposed changes.  Councillor Tree also asked what kind of education programs the Council's Shelter runs, to help improve the number of deaths in custody.	Director City Planning

#	Councillor	Question	Response
10	Bassett	Advised that the State Government has allocated \$100,000 per year for the next four years, to go towards the operation of the weed harvester operated by the Hawkesbury River County Council.	General Manager
11	Bassett	Advised that Hawkesbury Radio are yet to provide proof of receipt for membership and asked if Council has received proof of membership in the past and has Council been asked to renew their membership recently.	General Manager
12	Conolly	Asked for an update on the Floodplain Committee Meeting schedule.	Director City Planning
13	Conolly	Requested advice regarding the adequacy of leave entitlements for staff and what the Industry Standards recommend should be in that reserve and if we are meeting that.	Director Support Services
14	Reardon -	Asked if seats and trees will be provided in the Dog-off-leash park at Peel Park, North Richmond.	Director Infrastructure Services
15	Reardon	Asked in the vegetation along Kurrajong Road between Richmond and North Richmond could be cut back and tidied up.	Director Infrastructure Services

The meeting terminated at 9:45pm.

Submitted to and confirmed at the Ordinary meeting held on 10 July 2012.

.....  
Mayor