



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 14 February 2012

location: council chambers

time: 6:30 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 14 February 2012, commencing at 6:34pm.

Jay La Rue with the Covenant Players, representing the Hawkesbury Minister's Association, 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, W Mackay, C Paine, B Porter, P Rasmussen, J Reardon, W Whelan and L Williams.

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

Councillor Mackay arrived at the meeting at 6:37pm.

SECTION 1: Confirmation of Minutes

22 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 31 January 2012, be confirmed.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 12 **GM - Audit Committee - Request to Consider the Payment of Sitting Fees - (79351, 91369)**

MOTION:

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

Refer to RESOLUTION

23 RESOLUTION:

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

That:

1. Council not introduce "sitting fees" or other similar payments in respect of the independent members of Council's Audit Committee or any other Advisory Committees established by Council.
2. The issue of payment of travel expenses to Advisory Committee members be discussed at the next Councillor Briefing Session.

Item: 13 **GM - National Broadband Network and Digital Economy Funding Opportunities - (79351)**

MOTION:

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

Refer to RESOLUTION

24 RESOLUTION:

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

That the:

1. Information be received and noted and Council be updated regarding progress of the Digital Economy Funding programs as appropriate.

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2. General Manager be given authority to negotiate a Memorandum of Understanding with TAFE NSW Western Sydney Institute for the supply of training services in a digital hub, subject to Council executing a funding agreement for a digital hub with the Department of Broadband, Communications and the Digital Economy.

CITY PLANNING

Item: 14 **CP - Proposed Adoption of Draft Wilberforce Subdivision and Development Policy - (95498)**

Previous Item: 19, Ordinary (15 February 2011)
 264, Ordinary (29 November 2011)

MOTION:

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

Refer to RESOLUTION

25 RESOLUTION:

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

That Council:

1. Amend the Wilberforce Subdivision and Development Policy to remove reference to subdivision of any land below the 1 in 100 flood level.
2. Place the amended policy on exhibition.

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 Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Ford	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

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Item: 15 CP - Planning System Review Submission - (95498)

Ms Mary Buckett and Mr Michael Want, respondents, addressed Council.

MOTION:

A motion was moved by Councillor Williams, seconded by Councillor Calvert

That the matter be deferred until the next Council Meeting.

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 Bassett
Councillor Paine	Councillor Conolly
Councillor Rasmussen	Councillor Ford
Councillor Williams	Councillor Mackay
	Councillor Porter
	Councillor Reardon
	Councillor Tree
	Councillor Whelan

The Motion was lost.

RESOLVED on the FORESHADOWED motion was moved by Councillor Bassett, seconded by Councillor Whelan.

Refer to RESOLUTION

26 RESOLUTION:

RESOLVED on the FORESHADOWED motion was moved by Councillor Bassett, seconded by Councillor Whelan.

That the attached responses be included in Council's submission to the Issues Paper of the NSW Planning System Review and the submission be forwarded to the Planning System Review Panel prior to 17 February 2012.

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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 Bassett	Councillor Calvert
Councillor Conolly	Councillor Paine
Councillor Ford	Councillor Williams
Councillor Mackay	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	

The General Manager subsequently clarified with Council that this matter was not a "planning decision" in the terms of the Local Government Act and therefore, did not require a decision to be called. However, as this had occurred it would remain recorded in the minutes of the meeting.

SUPPORT SERVICES

Item: 16 **SS - Revaluation of Properties within the Hawkesbury City Council Local Government Area - (95496, 99089, 79337)**

MOTION:

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

Refer to RESOLUTION

27 RESOLUTION:

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

That a report be submitted to Council, following a presentation at a Councillor Briefing Session, regarding an appropriate rating model that would limit potential movement in the average residential rates payable in 2012/2013 as a result of the latest revaluation of properties within Council's area, generally and as far as practicable, to an amount of plus or minus 10% of the rates payable in 2011/2012, including the potential allowable rate pegging increase and, if necessary, such model to incorporate the use of a "rural residential" sub-category as defined in the Act, varying residential rates, base rates and/or a minimum rate.

Item: 17 **SS - Consultants Utilised by Council - 1 July 2011 to 31 December 2011 - (95496, 79337)**

Previous Item: 187, Ordinary (14 June 2005)

MOTION:

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

Refer to RESOLUTION

28 RESOLUTION:

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

That the information concerning consultancies utilised by Council during the period July to December 2011 be received.

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CONFIDENTIAL REPORTS

29 RESOLUTION:

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

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

30 RESOLUTION:

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

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: 18 CP - Evaluation of EOI - Funding and Construction of Community Facility on Council Owned land at Pound Paddock, Bourke Street, Richmond

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates details concerning an expression of interest for the supply of goods and /or services to Council and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret 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.

31 RESOLUTION:

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

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Item: 18 **CP - Evaluation of EOI - Funding and Construction of Community Facility on Council Owned land at Pound Paddock, Bourke Street, Richmond - (95498)**
CONFIDENTIAL

Previous Item: 108, Ordinary (31 May 2011)
 205, Ordinary (13 September 2011)

MOTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Tree, seconded by Councillor Mackay.

Refer to RESOLUTION

32 RESOLUTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Tree, seconded by Councillor Mackay.

That:

1. Council accept 'in principle' the Expression of Interest from North West Disability Services Inc. (NWDS) to fund, construct and occupy a community facility on Council owned land at Pound Paddock.
2. Further consultation be undertaken with local residents including the Scouts and Guides on the specific details of the NSWDS proposal and the outcomes of the consultation to be reported to Council.
3. Council proceed with the proposed re-categorisation of Pound Paddock from 'Sportsground' to 'General Community Use' and undertake the required public hearing process regarding this proposal.
4. Council seek confirmation from the energy authority on the future of the electrical substation adjacent to the site and any time line for decommissioning.
5. Council approach the management of the Richmond Golf Club to seek improvements to parking and entry and exit points.

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SECTION 5 - Reports of Committees

ROC - Hawkesbury Civic and Citizenship Committee - 7 December 2011 - (96972, 79356, 79351)

33 RESOLUTION:

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

That the minutes of the Hawkesbury Civic and Citizenship Committee held on 7 December 2011 as recorded on pages 47 to 51 of the Ordinary Business Paper be received.

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QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

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

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#	Councillor	Question	Response
1	Whelan	Enquired if Council had a plan to remove critical documentation in the event of a major flood and if Council does; where and what is the process.	Director Support Services
2	Bassett	Enquired how the issue with Hawkesbury Radio was going and asked if we had received receipts for our membership payments. He enquired when the membership list would be made public as it was due this week.	General Manager
3	Tree	Enquired about the laneway off Hereford Street heading towards the high school and that there is a large amount of vandalism and graffiti in the area, residents have reported issues to Council and enquired if Council Officers were aware of it and if action has taken place.	Director Infrastructure Services
4	Williams	Enquired if Council has any responsibility or anything to do with what is happening at the Wilberforce Abattoirs if we had to inspect the premises.	Director City Planning
5	Williams	Enquired if the following major potholes could be filled: South side of the Sackville Shops in the south bound lane; and, Blaxland's Ridge Road on the east bound lane about three or four kilometres from the Putty Road.	Director Infrastructure Services
6	Paine	Enquired if the potholes in Francis Street could be filled.	Director Infrastructure Services
7	Porter	Enquired about Windsor Wharf and requested an update of what was happening.	Director Infrastructure Services

The meeting terminated at 9:18pm.

Submitted to and confirmed at the Ordinary meeting held on 28 February 2012.

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Mayor