



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 09 September 2014

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Minutes: 09 September 2014

MINUTES

– **WELCOME**

Prayer
Acknowledgement of Indigenous Heritage

– **APOLOGIES AND LEAVE OF ABSENCE**

– **DECLARATION OF INTERESTS**

– **SECTION 1 - Confirmation of Minutes**

– **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**

– **SECTION 2 - Mayoral Minutes**

– **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**

– **SECTION 3 - Reports for Determination**

Planning Decisions

General Manager

City Planning

Infrastructure Services

Support Services

– **SECTION 4 - Reports of Committees**

– **SECTION 5 - Notices of Motion**

– **QUESTIONS FOR NEXT MEETING**

– **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

ORDINARY MEETING

Minutes: 09 September 2014

ORDINARY MEETING

Minutes: 09 September 2014

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	5
	APOLOGIES	5
	SECTION 1: Confirmation of Minutes	5
	SECTION 3 - Reports for Determination	6
	GENERAL MANAGER	6
Item: 159	GM - A Best Practice in Local Government Event "Doing More With Less" Conference - (79351, 105109)	6
Item: 160	GM - 2014 National Sister Cities Conference - (79351, 105109, 110165)	6
Item: 161	GM - Process for Considering Motions of Urgency at Council Meetings - (79351)	7
	CITY PLANNING	8
Item: 162	CP - Upper Hawkesbury River Coastal Zone Management Plan (CZMP) Final Report August 2014 - (124414)	8
	INFRASTRUCTURE SERVICES	9
Item: 163	IS - Windsor Riverside Market Governor Phillip Reserve - (95495, 79354)	9
	SUPPORT SERVICES	10
Item: 164	SS - Consultants Utilised by Council - 1 January 2014 to 30 June 2014 - (95496, 96332)	10
Item: 165	SS - Pecuniary Interest Return - Designated Person - (95496, 96333)	10
Item: 166	SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496, 96332)	11
Item: 167	SS - Rating Structure Review Process - (95496, 96332)	11
	SECTION 5 - Notices of Motion	12
NM1	Lobbying Contact Register - (79351, 105109, 80093)	12
NM2	ICAC Investigation - Operation Spicer and Redbank - (79351, 105109, 80093)	12
NM3	Contact ACCC regarding Rates Notice Carbon Tax statement - (79351, 105109, 80093)	13
NM4	Council Committee Minutes - (79351, 105109, 80093)	13

ORDINARY MEETING

Minutes: 09 September 2014

ITEM	SUBJECT	PAGE
QUESTIONS FOR NEXT MEETING		14
	Councillor Questions from Previous Meetings and Responses - (79351)	14
	Questions for next meeting	15
CONFIDENTIAL REPORTS		16
Item: 168	IS - Tender No. 00945 - Concrete Works - Reconstruction of Footpaths and Kerb and Gutter within the City of Hawkesbury - (95495, 79344) CONFIDENTIAL	17
Item: 169	SS - Property Matter - Lease to Hawkesbury House Pty Limited - Former Hawkesbury Hospital Building - Part of Lot 50 in Deposited Plan 1035291, Macquarie Street, Windsor - (95496, 112106) CONFIDENTIAL	18
Item: 170	MM - Staff Matter - General Manager Performance Review 2013-2014 - (79353) CONFIDENTIAL	19

ORDINARY MEETING

Minutes: 09 September 2014

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 9 September 2014, commencing at 6:32pm.

Father Arthur Cook of St Matthews Catholic Church, Windsor, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor K Ford, 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, Manager Development Services – Cristie Evenhuis, Manager Strategic Planning – Shari Hussein, Executive Manager - Community Partnerships - Joseph Litwin, Chief Financial Officer - Emma Galea, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Coordinator - Natasha Martin.

APOLOGIES

An apology for absence was received from Councillor T Tree.

264 RESOLUTION:

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

The meeting was adjourned by the Mayor at 6:35pm to allow for the continuation of the Extraordinary Council meeting, commenced earlier in the evening.

The meeting was resumed at 6:57pm.

SECTION 1: Confirmation of Minutes

265 RESOLUTION:

RESOLVED on the motion of Councillor Mackay and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 26 August 2014, be confirmed.

ORDINARY MEETING

Meeting Date: 09 September 2014

SECTION 3 - Reports for Determination

GENERAL MANAGER

Item: 159 **GM - A Best Practice in Local Government Event "Doing More With Less" Conference - (79351, 105109)**

MOTION:

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

Refer to RESOLUTION

266 RESOLUTION:

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Best Practice in Local Government "Doing More With Less" Conference at an approximate cost of \$1,700 per delegate be approved and that Councillor Rasmussen attend the Conference as Council's delegate.

Item: 160 **GM - 2014 National Sister Cities Conference - (79351, 105109, 110165)**

MOTION:

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

Refer to RESOLUTION

267 RESOLUTION:

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2014 National Sister Cities Conference at an approximate cost of \$3,330 per delegate be approved.

The meeting was adjourned for five minutes at 7pm.

The meeting resumed at 7:05pm.

ORDINARY MEETING

Meeting Date: 09 September 2014

Item: 161 **GM - Process for Considering Motions of Urgency at Council Meetings - (79351)**

MOTION:

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

Refer to RESOLUTION

268 RESOLUTION:

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

That the information be received and noted.

ORDINARY MEETING

Meeting Date: 09 September 2014

CITY PLANNING

Item: 162 **CP - Upper Hawkesbury River Coastal Zone Management Plan (CZMP) Final Report August 2014 - (124414)**

Previous Item: 241, Ordinary (11 October 2011)
 140, Ordinary (31 July 2012)
 69, Ordinary (08 April 2014)

MOTION:

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

Refer to RESOLUTION

269 RESOLUTION:

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

That Council adopt the Upper Hawkesbury River Coastal Zone Management Plan Final Report August 2014.

ORDINARY MEETING

Meeting Date: 09 September 2014

INFRASTRUCTURE SERVICES

Item: 163 **IS - Windsor Riverside Market Governor Phillip Reserve - (95495, 79354)**

Previous Item: 43, Ordinary (11 March 2014)
 153, Ordinary (26 August 2014)

Ms Sarah Gradwell addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

270 RESOLUTION:

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

That the fee for the use of Governor Phillip Reserve by Eclectic Markets and Events be capped at \$600 per event for 2014/2015 with the fee reverting to that adopted by Council at the time for the 2015/2016 financial year.

ORDINARY MEETING

Meeting Date: 09 September 2014

SUPPORT SERVICES

Item: 164 **SS - Consultants Utilised by Council - 1 January 2014 to 30 June 2014 - (95496, 96332)**

MOTION:

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

Refer to RESOLUTION

271 RESOLUTION:

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

That the information concerning consultancies utilised by Council during the period January to June 2014 be received.

Item: 165 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Mr Michael Want addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

272 RESOLUTION:

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

That:

1. The information be received and noted.
2. A report come back to Council regarding the Pecuniary Interests Returns being made available on Council's website.

ORDINARY MEETING

Meeting Date: 09 September 2014

Item: 166 **SS - Policy for Payment of Expenses and Provision of Facilities to Councillors
- Review - (95496, 96332)**

Previous Item: 218, Ordinary (29 October 2013)

MOTION:

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

Refer to RESOLUTION

273 RESOLUTION:

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

That the 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, along with any submissions received.

Item: 167 **SS - Rating Structure Review Process - (95496, 96332)**

Previous Item: 97, Extraordinary (17 June 2014)

MOTION:

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

Refer to RESOLUTION

274 RESOLUTION:

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

That the information contained within this report be received and noted.

ORDINARY MEETING

Notices of Motion

SECTION 5 - Notices of Motion

NM1 Lobbying Contact Register - (79351, 105109, 80093)

MOTION:

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

Refer to RESOLUTION

275 RESOLUTION:

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

That Council staff prepare a report on the most effective system for monitoring and recording meetings/contact between developers and Councillors and Council staff. The system recommended is to be transparent, easily understood and freely available to the public. Many government departments e.g. the Department of Planning and Environment have a Lobbying Contact Register and perhaps it would be possible to copy one of these existing models.

NM2 ICAC Investigation - Operation Spicer and Redbank - (79351, 105109, 80093)

The Notice of Motion was withdrawn due to the matter being considered at the Extraordinary Meeting.

ORDINARY MEETING

Notices of Motion

NM3 **Contact ACCC regarding Rates Notice Carbon Tax statement - (79351, 105109, 80093)**

MOTION:

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

Refer to RESOLUTION

276 RESOLUTION:

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

That given the recent statement by the ACCC that they will be “knocking on the door to ensure that what was said on the way in applies on the way out”, that the General Manager approach the ACCC to gain advice on how Council should best approach this matter, with regard to the statement about the Carbon Tax which was included on our rates notices.

NM4 **Council Committee Minutes - (79351, 105109, 80093)**

A MOTION was moved by Councillor Calvert, seconded by Councillor Rasmussen.

That the minutes of all Council committees should contain a section entitled “Recommendations to Council”.

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

ORDINARY MEETING

Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

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

ORDINARY MEETING
Questions for Next Meeting

Questions for next meeting

#	Councillor	Question	Response
1	Porter	Enquired if the parking in Fitzgerald Street, Windsor could be reviewed.	Director Infrastructure Services
2	Calvert	Enquired about what appeared to be earthworks near Grose Vale Road and asked if there is an application for works in that location.	Director City Planning
3	Paine	Requested that the monument in Thompson Square, Windsor be rejuvenated.	Director Infrastructure Services
4	Paine	Enquired if the application for 5 New Street, Windsor could have a conservation plan as the building that is to be demolished is surrounded by heritage buildings.	Director City Planning
5	Paine	Enquired if it is possible to have the area around the Jolly Frog Hotel cleaned up.	Director City Planning
6	Creed	Requested that a series of road signs be placed on Grose Vale Road or a request be submitted to the Local Traffic Committee, in order to reduce the dangerous driving on Grose Vale Road.	Director Infrastructure Services

ORDINARY MEETING
CONFIDENTIAL REPORTS

CONFIDENTIAL REPORTS

277 RESOLUTION:

RESOLVED on the motion of Councillor Mackay, 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: 168 IS - Tender No. 00945 - Concrete Works - Reconstruction of Footpaths and Kerb and Gutter within the City of Hawkesbury - (95495, 79344)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) 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, 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.*

Item: 169 SS - Property Matter - Lease to Hawkesbury House Pty Limited - Former Hawkesbury Hospital Building - Part of Lot 50 in Deposited Plan 1035291, Macquarie Street, Windsor - (95496, 112106)

*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: 170 MM - Staff Matter - General Manager Performance Review 2013-2014 - (79353)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personnel 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.

278 RESOLUTION:

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 168 **IS - Tender No. 00945 - Concrete Works - Reconstruction of Footpaths and Kerb and Gutter within the City of Hawkesbury - (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 Reardon.

Refer to RESOLUTION

279 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 tenders of the following companies be accepted for Minor Works Part A - Kerb and Gutter (Tender No. 00945) with works allocated in the following order as listed
 - a) LGS Plant Hire Pty Ltd
 - b) Grants Concreting Pty Ltd
 - c) Kelbon Project Service Pty Ltd

2. The tenders of the following companies be accepted for Minor Works Part B - Footpath (Tender No. 00945) with works allocated in the following order as listed
 - a) Savage Earthmoving Pty Ltd
 - b) MJ & MD Skinner Pty Ltd
 - c) LGS Plant Hire Pty Ltd

3. Authority be given for any necessary documentation in association with the matter to be executed under the Seal of Council.

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 169 **SS - Property Matter - Lease to Hawkesbury House Pty Limited - Former Hawkesbury Hospital Building - Part of Lot 50 in Deposited Plan 1035291, Macquarie Street, Windsor - (95496, 112106) CONFIDENTIAL**

Previous Item: 117, Ordinary (24 June 2014)

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

280 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. Further to Council's resolution of 24 June 2014 (Minute No. 194), Council note and agree to the change of name of the proposed Lessee from QI Pty Limited to Hawkesbury House Pty Limited in regard to the lease of The Former Hawkesbury Hospital Building, Macquarie Street, Windsor (Part of Lot 50, Deposited Plan 1035291) and seven car spaces beneath the Deerubbin Centre.
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
CONFIDENTIAL REPORTS

Item: 170 **MM - Staff Matter - General Manager Performance Review 2013-2014 - (79353)**
CONFIDENTIAL

The General Manager and all staff left the meeting during consideration of this item.

MOTION:

The Mayor advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Porter, seconded by Councillor Mackay.

Refer to RESOLUTION

281 RESOLUTION:

The Mayor advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Porter, seconded by Councillor Mackay.

That the Mayoral Minute regarding the 2013/2014 annual review of the General Manager's Performance Agreement by the General Manager's Performance Review Panel be received and noted and that the Panel's recommendation as outlined in the Mayoral Minute be adopted by Council.

ORDINARY MEETING
CONFIDENTIAL REPORTS

The meeting terminated at 8:05pm.

Submitted to and confirmed at the Ordinary meeting held on 30 September 2014.

.....
Mayor