



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 30 November 2010
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING
MINUTES: 30 November 2010

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTES 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**

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 30 November 2010, commencing at 6.31pm.

Reverend Aleks Pinter of St Matthews Anglican Church, Windsor, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Acting Director Infrastructure Services - Richard Vaby, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Fausto Sut, Executive Manager - Community Partnerships - Joseph Litwin, Rates Team Leader - Alwyn Nash and Administrative Support Team Leader - Amy Dutch.

Councillor Mackay arrived at the meeting at 6.43pm.
Councillor Tree arrived at the meeting at 6.55pm.

SECTION 1: Confirmation of Minutes

415 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 9 November 2010, be confirmed.

Councillor Ford advised that he was aware of a complaint that has been made against him under Council's Code of Conduct regarding some comments that were made at the Farming Small Areas Expo and an earlier Council Meeting regarding Councillor Leigh Williams. He indicated that whilst the comments were made in "jest" they were not intended to offend and he acknowledged that the comments were inappropriate and should not have been made. Councillor Ford advised that he has issued an apology to the complainant and also offered a personal apology to Councillor Williams in respect to the incident.

416 RESOLUTION:

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

That the meeting continue past 11pm.

SECTION 3 - Notices of Motion

NM1 - Gym Equipment on Ham Common - (80104)

MOTION:

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

Refer to RESOLUTION

417 RESOLUTION:

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

That the Council investigate the possibilities of constructing a piece of gym equipment on Ham Common that would be suitable for use by residents with disabilities.

NM2 - Water Skiing on Bushells Lagoon - (80105)

Mr Keith Brandwood, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

418 RESOLUTION:

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

That:

1. Council organise a meeting with relevant stakeholders and agencies with a view towards seeking a satisfactory solution to objections regarding water skiing on Bushells Lagoon.
2. The Maritime Authority be requested to suspend consent for skiing until the meeting can be held and satisfactory outcomes achieved.

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NM3 - Drop In Program for Young People within the Hawkesbury - (111627)

MOTION:

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

Refer to RESOLUTION

419 RESOLUTION:

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

That a report be prepared to investigate the demand, feasibility and cost of establishing 'drop in' program options for young people within the Hawkesbury. The report to include information as to the success of previous programs of this nature and that the Hawkesbury Youth Interagency be consulted in the preparation of the report.

NM4 - Signage for the Tennyson Area - (80104)

Mr Tom Misdrom, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

420 RESOLUTION:

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

That Council locate the appropriate place and erects name signs for the area of Tennyson.

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NM5 - Lighting in the Town of Windsor, Christmas 2010 - (111630)

Councillor Paine declared a less than significant non-pecuniary conflict of interest in this matter as her husband owns a business in George Street, Windsor and no further action is required.

Ms Gae Kelly, Mr Darren Pead and Ms Sue Guymmer, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

421 RESOLUTION:

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

That Council:

1. Contribute \$2,000 to the Windsor Business Group to start an ongoing Christmas light program for George Street, Windsor.
2. Contribute \$200 to the Windsor Business Group towards prize awards for the competition being conducted by the Group for the best lighting display within business premises in the Windsor CBD.
3. Also agree to contribute \$200 to any other business representative group in other townships/villages in the Hawkesbury Local Government Area towards prize awards for similar competitions being conducted in those areas.
4. Consider the provision of funding towards Christmas lights in the 2011/2012 Budget.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item:260 GM - 51st Annual Floodplain Management Authorities Conference 2011 - (79351)

MOTION:

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

Refer to RESOLUTION

422 RESOLUTION:

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

That:

1. Attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 51st Annual Floodplain Management Authorities Conference 2011 at an approximate cost of \$2,030 plus travel expenses per delegate be approved.
2. Councillors Ford, Porter, Rasmussen and Whelan attend the 51st Annual Floodplain Management Authorities Conference 2011 as nominated representatives of Council.

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Item:261 **GM - Bells Line of Road Long Term Strategic Corridor Plan - Current Community Consultation Process - Council Submission - (79351)**

Previous Item: 241, Ordinary (9 November 2010)
Late Matter, Ordinary (11 November 2009)

Mr David Gregory, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

423 RESOLUTION:

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

That:

1. The submission attached to the report titled "Bells Line Of Road – Long Term Strategic Corridor Plan - Submission On Corridor Objectives - November 2010" incorporating the following amendments be endorsed by Council:
 - a) The deletion of the words "the areas east of Kurrajong but more" from the last sentence of the first paragraph of section 3.1.
 - b) The addition of the following paragraph at the end of section 3.1:

"Accordingly, in the light of the acknowledgement of the SKM report that a new roadway is not currently economically viable the Council does not support the construction of a new roadway or the creation of a corridor west of North Richmond."
 - c) The deletion of the words ", such as a recent fatal accident near Bilpin," from the last sentence of the first paragraph of section 3.2.
 - d) Additional conclusions be added into section 4 of the submission highlighting Council's opposition to a Superhighway and environmental concerns of the Hawkesbury Community associated with the construction of any such Superhighway.
2. Council's submission, as amended, be forwarded to the Roads and Traffic Authority in response to the current community consultation process in connection with the preparation of a Bells Line of Road Long Term Strategic Corridor Plan.
3. A copy of the submission also be placed on Council's website.

CITY PLANNING

Item:262 **CP - Development Application - Dam - Lot 3 DP 205812, 90 Stahls Road, Oakville - (DA0496/10, 11613, 11614, 95498)**

MOTION:

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

Refer to RESOLUTION

424 RESOLUTION:

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

That development application DA0496/10 at Lot 3 DP 205812 Vol 9080 Fol 187, 90 Stahls Road, Oakville for a Dam be approved subject to the following conditions:

NSW OFFICE OF WATER
ERM2010/0863

GENERAL TERMS OF APPROVAL

WATER ACT (1912)

SURFACE WATER LICENCE

1 General and Administrative Issues

- 1.1 The location of the dam as shown on a plan retained in the office of the NSW Office of Water shall not be altered. Please be advised that any installation of an additional dam and /or enlargement of an existing dam may require further local council approval and /or an amended license from the NSW Office of Water.
- 1.2 Subject to any access or flow condition contained in the license, the holder may divert part or all of the stored water from the licensed work.
- 1.3 The applicant shall not allow any tail water drainage to discharge into or onto:
 - any adjoining public or crown road;
 - any other persons land;
 - any Crown Land;
 - any river, creek or watercourse;
 - any groundwater aquifer;
 - any area of native vegetation as described in the Native Vegetation Conservation Act 1997;
 - any wetlands of environmental significance
- 1.4 Your attention is particularly drawn to the provisions of condition (1.3) regarding disposal of drainage waters. The discharge of polluted waters into a river or lake otherwise than in accordance with the conditions of a license under the Protection of the Environment Operations Act may render the offender subject to prosecution and penalty under the Act. Therefore where an approved drainage disposal system involves the possible discharge of drainage water into a river or lake, a license may be required under the Protection of the Environment Operations Act to authorise such discharge.

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- 1.5 The existing profile of the channel and bank of any watercourse or drainage depression must not be disturbed any more than is necessary in order to site and maintain the authorised work. Any area that is disturbed when carrying out such work shall be stabilised and maintained by vegetation cover, stone pitching or any other approved material as directed and to this Department's satisfaction so as to prevent the occurrence of erosion.
- 1.6 Works used for the purpose of conveying, distributing or storing water taken by means of the authorised work shall not be constructed or installed so as to obstruct the reasonable passage of floodwaters flowing into or from a river.
- 1.7 Works used for the purpose of conveying, distributing or storing water taken by means of the authorised work shall not be constructed or installed so as to obstruct the reasonable passage of floodwaters other than water to be impounded or obstructed.
- 1.8 The pumping and ancillary equipment and pump site shall be, at all times, properly secured and/or sealed so as to prevent any leakage of petroleum based products and/or noxious material from entering any river or lake. Typically, a bunding wall of hay bales or other approved material shall be installed around the pumping plant to avoid contamination of any river or lake through spills or leaks of oils, fuels or greases.
- 1.9 The existing profile of the channel and bank of any watercourse or drainage depression must not be disturbed any more than is necessary in order to site and maintain the authorised work. Any area that is disturbed when carrying out such work shall be stabilised and maintained by vegetation cover, stone pitching or any other approved material as directed and to this department's satisfaction so as to prevent the occurrence of erosion.
- 1.10 Any drainage channels or cross banks associated with the authorised works or access roads to or from that work shall have installed and maintained a bunding wall of hay bales or other approved material, to prevent siltation reaching any river or lake.
- 1.11 The work shall be constructed and maintained in such manner as will ensure its safety and as will preclude the possibility of damage being occasioned by it, or resulting from it, to any public or private interest.

2 Conditions Specific to DA0496/10

- 2.1 All inflow and outflow drainage lines shall be maintained with sufficient vegetation to ensure optimum quality of water entering the dam.
- 2.2 The level of the embankment crest shall be fixed at not higher than RL 51.00 (Ref Plan No: 92074: E: 2) and particulars of which are retained in the NSW Office of Water.
- 2.3 The bywash of the dam must be stabilized and vegetated within 3 months of the issue of the license. The bywash level is to be fixed at not higher than RL 50.00 (Ref. Plan No. 92074: E :!)

3 Formal Application Issues

- 3.1 Upon receipt of an approved development application from Hawkesbury City Council, NOW will issue a new license under Section 10 of the Water Act, 1912.
- 3.2 A licence under Part 2 of the Water Act would generally fall due for renewal every five years.

Hawkesbury City Council Conditions

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.

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2. This consent covers the removal of trees which are necessary to allow the construction of works covered by, and detailed on plans approved as part of a Construction Certificate issued for the development. No other trees or vegetation are to be removed without prior approval.
3. The approved use shall not commence until all conditions of this Development Consent have been complied with.
4. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
5. All vegetative debris (including felled trees) resulting from the approved clearing of the site for construction, is to be chipped or mulched. Tree trunks are to be recovered for posts, firewood or other appropriate use. No vegetative material is to be disposed of by burning.
6. The dam shall have a maximum capacity of 2.9 mega litres.

Prior to Issue of Construction Certificate

7. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.
8. Construction of the dam and filling are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director City Planning or an Accredited Certifier.
9. Payment of a Construction certificate checking fee of **\$390.00** and a Compliance Certificate inspection fee of **\$520.00** when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2011. Fees required if an accredited certifier is used will be provided on request.
10. Details of any fill material removed from site shall be submitted with the engineering plans. Details to include quantities and disposal sites.
11. Submission of a water licence for the dam from the NSW Office of Water under the Water Act 1912.

Prior to Commencement of Works

12. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
13. 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.
14. The name and licence number of the contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any works relevant to this approval.

During Construction

15. The dam shall be constructed in accordance with the Dam Construction Chapter of Hawkesbury Development Control Plan, except where requirements are varied by conditions of consent.

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16. To ensure that flows are appropriately managed during periods of high rainfall, the spillway is to be designed to cater for the runoff generated by the critical 1 in 100 year ARI storm for the catchment.
17. To ensure that sufficient storage is provided for catchment runoff, a minimum 1.0 metre freeboard is to be provided.
18. The topsoil shall be stripped and stockpiled and used to cover the landfill.
19. The filled area, including batters, shall be grassed immediately after filling takes place.
20. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved plan and Hawkesbury Development Control Plan chapter on Soil Erosion and Sedimentation.
21. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
22. All fill to be adequately compacted by track rolling or similar in layers not exceeding 300mm.
23. The top 300mm of fill shall be topsoil in order to ensure site revegetation.
24. No fill material, apart from clay as detailed on the construction certificate plans, shall be imported onto the site.
25. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
26. Care is to be undertaken when excavating not to intercept ground water. If ground water is discovered then excavation works are to cease immediately and the Principal Certifier is to be notified.
27. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
28. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix B Civil Works Specification, Part II, Table 1.1.
29. The structural adequacy of the dam and spillway capacity is to be certified by a suitably qualified and experienced engineer upon completion of works.
30. A works as executed plan shall be submitted to Council on completion of works. The plan shall include the location of the constructed dam in relation to property boundaries.

Use of the Site

31. Trees and shrubs are to be kept clear from the dam wall at all times.

Advisory

- *** Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- *** 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.
- *** 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

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person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.

*** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

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

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**Item:263 CP - Development Application - LPG Storage Tank - Lot 11 DP 621493, 299
Castlereagh Road, Agnes Banks - (DA0549/10, 88870, 88871, 95498)**

Mr Patrick Hurley, proponent, addressed Council.
Mr Phillip Griffin, Mr Denis McGrane and Ms Vicki Roberts, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

425 RESOLUTION:

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

That this matter be deferred to allow residents to consider their responses and appeals to Council and that some negotiation be included in that timeframe.

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

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Item:264 **CP - Revocation of Dangerous Dog Order - (39906, 95498)**

MOTION:

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

Refer to RESOLUTION

426 RESOLUTION:

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

That:

1. The dangerous dog orders placed on the dogs (a Whippet and a Staffordshire Bull Terrier) owned by Mrs Light be revoked, as Council's Animal Control Officers consider that they are suitable to have such orders lifted.
2. In accordance with the requirements of the *Companion Animals Act*, Council will notify the Director General of the revocation within seven days of its decision.
3. The applicant (Mrs Light) be notified in writing of the revocation of the dangerous dog orders.

Item:265 **CP - Crime Prevention Strategy - (96328, 95498)**

Previous Item: 121, Ordinary (24 June 2008)

MOTION:

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

Refer to RESOLUTION

427 RESOLUTION:

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

That Council:

1. Seek nominations from the organisations and groups as outlined in this report to establish a working party to develop a draft crime prevention plan to be reported to Council for public exhibition and possible gazettal as a Safer Community Compact.
2. Delegate to the working party the roles, authorities and governance framework as outlined in this report.
3. Nominate Councillor Paine as its working party representative.

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Item:266 **CP - Public Exhibition - Statement of Business Ethics - (95498)**

Previous Item: 200, Ordinary (31 August 2010)

MOTION:

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

Refer to RESOLUTION

428 RESOLUTION:

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

That Council adopt the revised *Hawkesbury City Council Statement of Business Ethics* prepared in accordance with guidelines issued by the Independent Commission Against Corruption (ICAC), with the following alteration:

The wording "Council expects all its suppliers, contractors, consultants, tenderers, business partners, property owners lodging Development Applications (and persons making submissions in relation to these Applications)" found in the fifth paragraph on Page 61 of the Business Paper be replaced with "Council expects all its suppliers; contractors; consultants; tenderers; business partners; property owners and applicants lodging Development Applications, and persons making submissions in relation to these Applications"

INFRASTRUCTURE SERVICES

Item:267 **IS - Graffiti Removal Project - Rotary Club of Windsor - (95495)**

MOTION:

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

Refer to RESOLUTION

429 RESOLUTION:

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

That the proposal by Rotary Club of Windsor for the graffiti removal project be supported and funding in the amount of \$10,000 be provided from the Vandalism Repairs Budget.

Item:268 **IS - Underground Piped Drainage System - 22 Price Lane, Agnes Banks - (95495, 79344)**

Previous Item: 249, Ordinary (9 November 2010)

MOTION:

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

Refer to RESOLUTION

430 RESOLUTION:

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

That:

1. The proposal to construct a piped drainage system through properties, 22/24/26 Price Lane (338/340/342 Castlereagh Road), Agnes Banks not proceed and be considered in a future works program.
2. The residue funding in the amount of \$197,166 from the Price Lane project be reallocated to the construction of a piped drainage system at the intersection of Windsor and Chapel Streets, Richmond.
3. Funding in the amount of \$40,000 available in the Kerb and Gutter Reserve be utilised as required to pursue the provision of drainage easements through, 22 Price Lane (338 Castlereagh Road) and, 24 Price Lane (340 Castlereagh Road), and 26 Price Lane (342 Castlereagh Road), Part Lot 4 DP513439 Agnes Banks including compulsory acquisition if required.

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SUPPORT SERVICES

Item:269 **SS - Rating Strategy for the 2011/2012 Financial Year - (95496, 96332)**

Previous Item: 54, Ordinary (10 March 2009)
 44, Ordinary (9 March 2010)
 66, Ordinary (30 March 2010)

MOTION:

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

Refer to RESOLUTION

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

That Council introduce a base rate of 50% and include a Differential Business Rate to provide a fairer rating system.

The amendment was lost.

The motion was put and carried.

431 RESOLUTION:

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

That the information concerning the current and alternate rating methods and structures be received and noted.

Item:270 **SS - September 2010 Quarterly Review - 2010/2011 Management Plan - (79341, 95496, 96332, 107)**

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Previous Item: 126, Extraordinary (22 June 2010)

MOTION:

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

Refer to RESOLUTION

432 RESOLUTION:

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

That:

1. The information contained in the report on the 2010/2011 Management Plan – September 2010 Quarterly Review be received.
2. The Quarterly Review of the 2010/2011 Management Plan for the period ending 30 September 2010 be adopted.

Item:271 SS - Monthly Investments Report - October 2010 - (96332, 95496)

Previous Item: 17, Ordinary (3 February 2009)
82, Ordinary (28 April 2009)

MOTION:

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

Refer to RESOLUTION

433 RESOLUTION:

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

The report regarding the monthly investments for October 2010 be received and noted.

CONFIDENTIAL REPORTS

434 RESOLUTION:

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

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

435 RESOLUTION:

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

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: 272 CP - Community Appointments - Disability Advisory Committee - (88324)

*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).*

Item: 273 SS - Property Matter - Lease to HPBC Pty Limited - Old Library Building, Dight Street, Windsor - (95496, 112106, 99884)

*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 proposed to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 274 SS - Property Matter - Assignment of Lease from Vannarith Chea and Sayoeun Khun to Meng Buth and Noun Sok - Shop 11 Wilberforce Shopping Centre, Wilberforce - (75821, 109556, 95496, 34779)

*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 proposed 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.

ORDINARY MEETING

MINUTES: 30 November 2010

436 RESOLUTION:

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

ORDINARY MEETING

MINUTES: 30 November 2010

CITY PLANNING

Item:272 **CP - Community Appointments - Disability Advisory Committee - (88324)**
CONFIDENTIAL

Previous Item: 232, Ordinary (12 October 2010)
 165, Ordinary (13 July 2010)
 NM2, Ordinary (8 June 2010)

MOTION:

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

Refer to RESOLUTION

437 RESOLUTION:

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

That Council appoint Mr Desmond J. Crane, Mr Ken Ferris, Ms Jennifer Luke, Ms Wendy Sledge, Mr Robert Bosshard, Ms Carolyn Lucas, Ms Mary-Jo McDonnell and Mr Alan Aldrich to sit as community representatives on the Hawkesbury Disability Advisory Committee.

ORDINARY MEETING

MINUTES: 30 November 2010

SUPPORT SERVICES

Item:273 SS - Property Matter - Lease to HPBC Pty Limited - Old Library Building, Dight Street, Windsor - (95496, 112106, 99884) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

438 RESOLUTION:

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

That:

1. Council agrees to enter into a new lease of Old Library Building, Cnr Dight and George Streets, Windsor with HPBC Pty Limited as outlined in this report.
2. Authority by given for any documentation in association with the 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 bounded by 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: 30 November 2010

Item:274 **SS - Property Matter - Assignment of Lease from Vannarith Chea and Sayoeun Khun to Meng Buth and Noun Sok - Shop 11 Wilberforce Shopping Centre, Wilberforce - (75821, 109556, 95496, 34779) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

439 RESOLUTION:

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

That:

1. Council agrees to the assignment of the lease of Shop 11, Wilberforce Shopping Centre, Wilberforce, from Vannarith Chea and Sayoeun Khun, to Meng Buth and Noun Sok, 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 Assignors and Assignees, 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

SECTION 5 - Reports of Committees

ROC - Hawkesbury Macquarie 2010 Committee Minutes - 11 November 2010

440 RESOLUTION:

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

That the minutes of the Hawkesbury Macquarie 2010 Committee held on 11 November 2010 as recorded on pages 95 to 97 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 17 November 2010 - (80245)

441 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 17 November 2010 as recorded on pages 98 to 105 of the Ordinary Business Paper be adopted with the following alteration:

Council consult the stakeholders of the outcomes of the report regarding Item 2.1: LTC - 17 November 2010 - Item 2.1 - Adjustment to the existing No Stopping Zone in George Street, Windsor, adjacent to New Street for the Installation of a New Pedestrian Access Point.

ORDINARY MEETING
MINUTES: 30 November 2010

QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

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

Questions 30 November 2010

#	Councillor	Question	Referred To
1	Mackay	Referred to a recent article in the Mount Druitt Standard regarding weeds on an Aboriginal mission site at Sackville and enquired if staff knew where the land was and if it was owned by Council.	Director Infrastructure Services.
2	Porter	Enquired if the signs that were previously used on Blacktown Road could be refurbished and used to promote the replacement of Windsor Bridge.	Director Infrastructure Services.
3	Porter	Enquired if an update could be provided regarding the Co-Generation Plant court case.	General Manager.
4	Calvert	Enquired if it is Council's responsibility or McDonalds' responsibility to maintain the footpath outside McDonalds in Richmond as since the fence has been removed it has become muddy and slippery due to recent rain.	Director Infrastructure Services.
5	Calvert	Enquired if sight impairment will be part of the brief for the Disability Advisory Committee.	Director City Planning.
6	Calvert	Enquired if the Director City Planning would be able to facilitate some workshop meetings in January 2011 with identified community groups including the North Richmond Action Group to gather extensive feedback regarding the Draft Residential Land Strategy	Director City Planning.
7	Calvert	Referred to his previous question regarding electricity costs for the Administration Building and the Deerubbin Centre and enquired if he could be provided with the actual costs for the electricity.	Director Infrastructure Services.

ORDINARY MEETING**MINUTES: 30 November 2010**

#	Councillor	Question	Referred To
8	Paine	Enquired if an update could be provided regarding the Old Hospital Building.	Director Support Services.
9	Paine	Enquired if further information could be provided regarding the sale of the 2010 Iris.	General Manager.
10	Williams	Enquired if a copy of the letter that was sent to the Minister as part of resolution from last meeting regarding wakeboard boats could be provided.	General Manager.
11	Williams	Enquired if there is a way in which Council can assist residents in affording connection to the Three Towns Sewer.	Director Infrastructure Services.
12	Williams	Enquired if surrounding residents and bird watching groups could be included as relevant stakeholders in the resolution for tonight's Notice of Motion 2.	Director City Planning.
13	Williams	Enquired if the sewer line along the southern side of Macquarie Street coming from Pitt Town could be looked at as the road surface is rough following the works.	Director Infrastructure Services.
14	Conolly	Referred to Question 6 above by Councillor Calvert and also enquired if this could be carried out.	Director City Planning.
15	Conolly	Enquired if Councillors could be advised of the effect on properties who remain on pump out once the Three Towns Sewer is finalised, including likely impacts on costing and how that will be dealt with.	Director Infrastructure Services.
16	Rasmussen	Advised that he has recently attended meetings regarding the Residential Land Strategy in North Richmond and Glossodia. He indicated that residents are keen to integrate the Residential Land Strategy with a Rural Lands Strategy and enquired if it is proposed that a Rural Lands Strategy will be developed.	Director City Planning.
17	Rasmussen	Referred to the response to his previous question regarding sewerage connection take up and enquired if take up rates could be provided for Agnes Banks.	Director Infrastructure Services.
18	Tree	Enquired if the community kitchen would operate over the Christmas period.	Director City Planning.

ORDINARY MEETING
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#	Councillor	Question	Referred To
19	Tree	Enquired if the feasibility of installing a program called Browse Aloud on the website could be investigated as it assists visually impaired people with accessing information over the internet.	Director Support Services.
20	Reardon	Enquired if the RTA is progressing with signs for Bilpin businesses.	Director Infrastructure Services.

The meeting terminated at 11.11pm.

Submitted to and confirmed at the Ordinary meeting held on 14 December 2010.

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Mayor