



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 21 October 2008  
location: council chambers  
time: 5:00 p.m.



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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 21 October 2008, commencing at 5:00pm.

Reverend Ruth Mahaffey of St John's Anglican Church, Wilberforce, 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, C Paine, B Porter, P Rasmussen, J Reardon, R Stubbs, T Tree, W Whelan and L Williams

**ALSO PRESENT:** General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Chris Daley, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Fausto Sut, Executive Manager - Community Partnerships - Joseph Litwin and Administrative Support Team Leader - Kylie Wade-Ferrell.

**APOLOGIES**

An apology for absence was received from Councillor W Mackay

**325 RESOLUTION:**

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

Councillor T Tree arrived at the meeting at 5:08pm

**SECTION 1: Confirmation of Minutes**

**326 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Porter that the Minutes of the Ordinary Meeting held on the 9 September 2008, be confirmed subject to confirmation that Councillor Williams was stated as having left the meeting at 7:20pm and the spelling of his name being corrected.

**327 RESOLUTION:**

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Williams that the Minutes of the Special Meeting held on the 30 September 2008, be confirmed.

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**SECTION 2 - Mayoral Minutes**

**MM - Announcement by Premier of NSW - Office for the Hawkesbury Nepean - (79351, 79353)**

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Mr Neville Diamond and Mr Ted Books, proponents, addressed Council.

**MOTION:**

RESOLVED on the motion of Councillor Bassett, Mayor.

*Refer to RESOLUTION*

**328 RESOLUTION:**

RESOLVED on the motion of Councillor Bassett, Mayor.

That Council:

- 1 Write to the Premier of NSW, the Hon N Rees MP, and congratulate him for his recent announcement concerning the State Government's proposal to establish an Office for the Hawkesbury-Nepean.
- 2 Advise the Premier that Council would be pleased to work with the State Government and other stakeholders to assist in the establishment of this Office as envisaged in his News Release in this regard.
- 3 Welcomes the Premier's announcement of a \$29 million program to improve the 16 weirs along the River to allow planned new environmental flows from Upper Nepean dams to reach deep into the river system unimpeded.

RESOLVED on a FORESHADOWED motion moved by Councillor Conolly, seconded by Councillor Paine.

*Refer to RESOLUTION*

**329 RESOLUTION:**

RESOLVED on a FORESHADOWED motion of Councillor Conolly, seconded by Councillor Paine.

That Council investigate the likely shortfall in river water flows resulting from the Government's announcement about STP diversions and reductions in outflows from Warragamba Dam.



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**SECTION 3 - Notices of Motion**

**NM1 - Incorporation of Appropriate Provisions Within Tenders - (80104, 79351)**

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**MOTION:**

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

*Refer to RESOLUTION*

**330 RESOLUTION:**

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

That a report be submitted to Council regarding the adoption of a policy for the incorporation of appropriate provisions within tender documentation, for roadworks or similar services, to require the works to commence within an appropriate time period after the acceptance of the tender, failing which, in the event that delay was not beyond the control of the successful tenderer, the tender would lapse.

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**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 202            GM - Future Operations of Richmond RAAF Base - (79351, 77675)**

**Previous Item:**        MM – Ordinary Meeting, 13 May, 2008

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**MOTION:**

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

***Refer to RESOLUTION***

**331 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Porter

That:

1. The information concerning responses to Council's representations in relation to the Defence White Paper and the future operations and retention of the Richmond RAAF Base be noted.
2. Council continue to support the need for the retention of the Richmond RAAF Base as both an important defence facility for the Nation and as an integral part of the local region's economy and community and the retention and continued operation of the Airlift Group out of RAAF Base Richmond.
3. Council continue to make submissions as necessary through out future stages following the current exhibition of the Defence White Paper and that further reports in this regard be submitted to Council as and when required.

**Item: 203            GM - Delegation of Authority to Westpool - Tenders for Insurance Broker and Claims Management Services - (79351, 79426)**

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**MOTION:**

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

***Refer to RESOLUTION***

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**332 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Porter

That:

1. Westpool be delegated authority to undertake a review of Westpool's insurance broker and claims management teams on Council's behalf.
2. The results and recommended tenderers be submitted back to Council for approval.

**Item: 204            GM - Going Public 2008 - A Conference for Women in the Public Sector and Politics, 20-21 November 2008 in Sydney - (79351)**

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**MOTION:**

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

***Refer to RESOLUTION***

**333 RESOLUTION:**

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

That attendance by nominated Councillors, and staff members as considered appropriate by the General Manager, at the Going Public 2008 Conference for Women in the Public Sector and Politics to be held 20 – 21 November 2008 at a cost of approximately \$1,488.00 per delegate be approved.

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

***Refer to RESOLUTION***

**334 RESOLUTION:**

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

That Councillor Paine, as the nominated Councillor, attend the Going Public 2008 Conference for Women in the Public Sector and Politics.

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**Item: 205            GM - Local Government Constitutional Summit - A Special National General Assembly, 8-11 December 2008 in Melbourne, Victoria - (79351)**

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**MOTION:**

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

*Refer to RESOLUTION*

**335 RESOLUTION:**

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

That attendance by nominated Councillors, and staff members as considered appropriate by the General Manager, at the Local Government Constitutional Summit – A Special National General Assembly of the Australian Local Government Association to be held 8-11 December 2008 in Melbourne, Victoria at a cost of approximately \$2,500.00 per delegate be approved.

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

*Refer to RESOLUTION*

**336 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Williams

That Councillor Rasmussen, as the nominated Councillor, attend the Local Government Association Summit - A Special National General Assembly of the Australian Local Government Association, if an issue arises from the upcoming meeting of the National Council for Local Government that requires attendance by a Council representative.

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**CITY PLANNING**

**Item: 206**            **CP - Development Application - Rural Shed - Lot 3 DP813866, 72 Fisher Road, Maraylya - (DA0365/08, 109945, 110212, 95498)**

**Previous Item:**        187, Ordinary (9 September 2008)

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Mr Warren Millard, respondent, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**337 RESOLUTION:**

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

That the application for a Rural Shed at Lot 3 DP 813866, 72 Fisher Road, Maraylya, be approved subject to the following 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.
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.
3. The approved use shall not commence until all conditions of this Development Consent have been complied with.
4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the provisions of the Building Code of Australia at all times.
6. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.

***Prior to Commencement of Works***

7. The wind classification for the site has been assessed as Minimum W21N. This classification should be referred to your glazing supplier, frame manufacturer and building contractor to enable the appropriate frame, glazing, bracing and tie downs to be designed. A copy of the designs and glazing certificate are to be provided to the Principal Certifying Authority.
8. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
9. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.

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10. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
11. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
  - (a) Unauthorised access to the site is prohibited.
  - (b) The owner of the site.
  - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
  - (d) The name and contact number of the Principal Certifying Authority.
12. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.

### ***During Construction***

13. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
14. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am - 6pm and on Saturdays between 8am - 4pm.
15. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
  - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
  - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
  - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
16. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components or construction:

**Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.**

- (a) piers;
  - (b) steel reinforcement prior to pouring concrete;
  - (c) external sewer or stormwater lines, prior to backfilling;
  - (d) swimming pool fencing, prior to the pool being filled with water;
  - (e) on completion of the works;
17. All roofwater shall be drained to the water storage vessels.

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- 18. The overflow from the water storage vessel shall be drained to a stormwater pit. The stormwater pit shall be located so as not to interfere with any other property
- 19. The area between the southern boundary and the proposed shed, for the minimum length of the shed, is to be planted with screening trees that will have a mature height equal or greater than that of the ridge height of the shed.

***Use of the Development***

- 20. No internal or external alterations shall be carried out without prior approval of Council.
- 21. The shed shall not be occupied for human habitation/residential, industrial or commercial purposes.
- 22. The access driveway, particularly in the vicinity of the adjoining dwelling to the south, is to be a minimum of 2 metres from the property boundary. This setback area is to be densely landscaped with screening plants with a mature height of at least 2.5 metres and this landscaping is to extend along the boundary to 5 metres east of the rear (eastern side) of the proposed rural shed.
- 23. Landscaping is to be undertaken at the rear (eastern side) of the proposed rural shed to provide visual screening of the structure from the adjoining property to the southeast. This landscaping is to be undertaken with species that have a mature height of at least 5 metres.
- 24. All landscaping is to be maintained by the property owner at all times. Should any plants die, those plants are to be replaced immediately with similar species and maintained at all times.

***Advisory***

- \*\*\* Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- \*\*\* Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	

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Councillor Williams	
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ABSENT: Councillor Mackay was absent from the meeting and did not vote.

**Item: 207 CP - Development Application - Animal Establishment - Construction of a Kennel Building and Outdoor Kennels for the keeping and breeding of show dogs - Lot 11 DP1034864, 262 Grose Wold Road, Grose Wold - (DA0359/08, 85782, 108159, 95498)**

Mr Glen Sparham, proponent, addressed Council.  
 Ms Eli Fjehein, Mr Tony Raby and Mr Graham Swain, respondents, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**338 RESOLUTION:**

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Whelan

That:

1. The matter be deferred to allow a conciliation process to occur.
2. A report be provided to Council discussing options to review planning controls for Animal Establishments (dog kennels) to enable clearer controls for the location and operation of such establishments.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Bassett	Councillor Calvert
Councillor Conolly	Councillor Paine
Councillor Reardon	Councillor Porter
Councillor Stubbs	Councillor Rasmussen
Councillor Tree	Councillor Williams
Councillor Whelan	

ABSENT: Councillor Mackay was absent from the meeting and did not vote.



**ORDINARY MEETING**

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**Item: 208 CP - Development Application - Three Lot Torrens Title Sub-division, Lot 2 DP212203 No. 220 Castlereagh Road, Richmond - (DA0318/08, 95498, 96329, 102260, 1495)**

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**MOTION:**

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

*Refer to RESOLUTION*

**339 RESOLUTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Stubbs

That the matter be deferred and reported back to Council providing further information in relation to the location of houses, access roads, how the Department of Planning would deal with the SEPP1 objection for all the allotments, impact on escarpment and wetlands, etc.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

ABSENT: Councillor Mackay was absent from the meeting and did not vote.

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**Item: 209 CP - Commissioning of Hawkesbury Cultural Heritage Award - (95498, 96972)**

**Previous Item:** 5, Ordinary (5 February 2008)  
262, Ordinary (27 November 2007)

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Councillor Stubbs declared a non significant non pecuniary conflict of interest in this matter as he is the President of the Hawkesbury Historical Society and no further action is required.

**MOTION:**

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

*Refer to RESOLUTION*

**340 RESOLUTION:**

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

That:

1. A *Hawkesbury Cultural Heritage Award* be included as an award category within the Australia Day Awards.
2. A process for inviting and assessing nominations for determining the recipients of the *Hawkesbury Cultural Heritage Award*, as outlined in this report, be implemented.
3. Recipients of the *Hawkesbury Cultural Heritage Award* be acknowledged by a means of a metal plaque affixed to the Regional Museum.
4. The constitution of the Hawkesbury Civics and Citizenship Committee be amended to provide for a representative of the Hawkesbury Historical Society to sit on the Committee, in respect of the Hawkesbury Cultural Heritage Award only.

**Item: 210 CP - Execution of Funding Agreement with NSW Department of Community Services - Working to Strengthen Youth Services in the Hawkesbury Project (W Y S H Project) - (95498, 94401)**

**Previous Item:** 187, Ordinary (8 August 2006)  
109, Ordinary (30 May 2006)

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**MOTION:**

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

*Refer to RESOLUTION*

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**341 RESOLUTION:**

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

That:

1. Authority be given to execute, under the Seal of Council, a service agreement with the Department of Community Services to accept a total of \$189,245 fixed two year term funding for the Working to Strengthen Youth Services in the Hawkesbury Project.
2. Council delegate to Peppercorn Services Inc the responsibility of day-to-day management and operations of the Working to Strengthen Youth Services in the Hawkesbury Project.

**Item: 211 CP - River Summit Proceedings - (95498)**

**Previous Item:** NM2, Ordinary (11 December 2007)

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Mr Neville Diamond, proponent, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**342 RESOLUTION:**

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

That:

1. Council establish a sunset working group, of approximately eight persons who are representative of the participating groups from the River Summit, with a short list of constituents to be decided by the Mayor and General Manager and then reported back to Council for final approval.
2. The primary task of the Working Group is to formulate a proceedings document identifying the key outcomes of the Summit, develop an action plan to be implemented by relevant parties so that action may be progressed with the State and Federal Government in an attempt to improve the ongoing future management of the Hawkesbury- Nepean River system and to assist the State Government with the setting up of the "Office for the Hawkesbury-Nepean River" as announced on 7 October 2008 by Premier Rees.

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**Item: 212 CP - Community Participation and Civic Leadership for Young People - (95498)**

**Previous Item:** NM1, Ordinary (8 April 2008)

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Ms Jessica Knott and Mr Michael Vassili, proponents, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**343 RESOLUTION:**

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

That Council:

1. Receive the *Young People – Community Participation and Civic Leadership* Report
2. Endorse the eight (8) recommendations contained in the *Young People – Community Participation and Civic Leadership* Report.

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**Minutes: 21 October 2008**

**INFRASTRUCTURE SERVICES**

**Item: 213**      **IS - Rural Fire Service Estimates 2009/2010 - Hawkesbury District - (95495, 79016, 73835)**

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**MOTION:**

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

*Refer to RESOLUTION*

**344 RESOLUTION:**

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

That:

1. The 2009/2010 Rural Fire Fighting Fund estimates as submitted by the NSW Rural Fire Service be endorsed in principle.
2. Consideration of the request for additional funding for the existing 2009/2010 Budget Allocation be deferred until Council's 2009/2010 Budget estimates are determined.
3. Council advise the Rural Fire Service that there will be no increase in discretionary funding above the current budget allocation, for the 2009/2010 financial year.

**Item: 214**      **IS - Conservation Management Plan for Wilberforce Cemetery - (79354)**

**Previous Item:**      207, Ordinary (9 October 2008)

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**MOTION:**

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

*Refer to RESOLUTION*

**345 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Porter

That the Conservation Management Plan for Wilberforce Cemetery be adopted.

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**Item: 215 IS - Underbelly II - Filming Application - (79354)**

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Councillor Rasmussen declared a pecuniary interest in this matter as he is the Chairman of the community radio station. He left the Chamber and did not take part in voting or discussion on the matter.

Mr Phillip Roope, proponent, addressed Council.

**MOTION:**

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

*Refer to RESOLUTION*

**346 RESOLUTION:**

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

That:

1. Permission be granted to UB II Pty Ltd to close Windsor Street, Richmond, between East Market Street and West Market Street, on 28 October 2008 between the hours of 6am -11am for the purpose of filming.
2. All filming be in accordance with Council's Standard Filming Conditions.

**Item: 216 IS - Charles Kemp Reserve - Draft Plan of Management - (79354)**

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Councillor Whelan declared a non significant non pecuniary conflict of interest in this matter as he is a member of the Community Group, but not an Executive member of the Group and no further action is required.

**MOTION:**

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

*Refer to RESOLUTION*

**347 RESOLUTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Stubbs

That the Charles Kemp Reserve Draft Plan of Management be placed on public exhibition for a period of 42 days and be further reported to Council following this process.

**ORDINARY MEETING**

**Minutes: 21 October 2008**

**Item: 217 IS - Woodbury Reserve - Draft Plan of Management - (79354)**

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Reverend Andrew Mahaffey and Mr Robin Cox, proponents, addressed Council.

**MOTION:**

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

*Refer to RESOLUTION*

**348 RESOLUTION:**

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Stubbs

That the matter be deferred and Council be presented with a report regarding the proposal submitted by the Glossodia Community Anglican Church.

**Item: 218 IS - Roads to Recovery - First Timber Bridge on Upper Colo Road - (79344, 95495)**

**Previous Item:** 236, Ordinary (26 July 2005)

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**MOTION:**

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

*Refer to RESOLUTION*

**349 RESOLUTION:**

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

That:

1. The Roads to Recovery project to reconstruct the timber bridge over Wheeny Creek on Upper Colo Road with a reinforced concrete structure at an estimated cost of \$358,400 not proceed at this stage.
2. The allocated funding in the amount of \$358,400, less survey and design costs, be reallocated towards the rehabilitation of Curtis Road, Mulgrave project.

**ORDINARY MEETING**

**Minutes: 21 October 2008**

**SUPPORT SERVICES**

**Item: 219            SS - Monthly Investments Report - August 2008 - (96332, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**350 RESOLUTION:**

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

That:

1. The information be received and noted.
2. Council acknowledge the ongoing good work of the staff in relation to the sound financial investments and that the Mayor include this in the Mayoral Column when possible.

**Item: 220            SS - Monthly Investments Report - September 2008 - (96332, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**351 RESOLUTION:**

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

That the information be received and noted.



**ORDINARY MEETING**

**Minutes: 21 October 2008**

**Item: 221            SS - Pecuniary Interest Returns - Councillors and Designated Persons - (79337)**

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**MOTION:**

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

*Refer to RESOLUTION*

**352 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Porter

That the information be received and noted.

**Item: 222            SS - Richmond Golf Club Ltd - Lease of Crown Reserve R81554, Bourke Street, Richmond - (79337, 38630)**

**Previous Item:**        208, Ordinary (29 August 2006)

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**MOTION:**

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

*Refer to RESOLUTION*

**353 RESOLUTION:**

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

That Council:

1. Notify the Department of Lands that:
  - a. It has no objection to the Minister for Lands exercising his discretion pursuant to S34A of the Crown Lands Act and entering into a lease over Crown Reserve 81554 directly with the Richmond Golf Club Limited.
  - b. Should the proposal proceed, all costs associated with the surrender of the existing lease and any new lease would not be borne by Council.
2. Make any appropriate adjustments to rental income within the 2008/2009 Budget through the relevant quarterly review based process, when known.

**ORDINARY MEETING**

**Minutes: 21 October 2008**

**CONFIDENTIAL REPORTS**

**354 RESOLUTION:**

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

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

**355 RESOLUTION:**

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

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: 223 IS - Tender No. 017/FY08 - Lump Sum Tender for Sewer Main Relining**

*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: 224 IS - Tender No. 001/09 - Tenders for the Supply and Installation of SCADA Communication and Pump Station Control System**

*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: 225 SS - Property Matter - HCC Lease to Macquarie Auto Village Pty Limited - 20 Bosworth Street, Richmond**

*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.*

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: 21 October 2008**

**356 RESOLUTION:**

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

**Item: 223            IS - Tender No. 017/FY08 - Lump Sum Tenders for Sewer Main Relining - (79354)**

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**MOTION:**

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

*Refer to RESOLUTION*

**357 RESOLUTION:**

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

That:

1. All tenders submitted for the sewer main relining tender not to be accepted.
2. Fresh tenders be invited for the relining of the remaining mains in Condition 4 and 5 within Catchment 'C'.

**Item: 224            IS - Tender No. 001/09 - Tenders for the Supply and Installation of SCADA Communication and Pump Station Control System - (79357)**

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**MOTION:**

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

*Refer to RESOLUTION*

**358 RESOLUTION:**

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

That:

1. The tender submitted by Rad Tel Pty Ltd in the amount of \$166,529.00 (GST inclusive), for the Supply and Installation of a SCADA Communication & Pump Station Control System be accepted.
2. The Seal of Council be affixed to any necessary documentation in relation to this matter.

**ORDINARY MEETING**

**Minutes: 21 October 2008**

**Item: 225            SS - Property Matter - HCC Lease to Macquarie Auto Village Pty Limited - 20  
Bosworth Street, Richmond - (99191, 95496) CONFIDENTIAL**

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**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***

**359 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 agree to enter into a new lease with Macquarie Auto Village Pty Limited in regard to 20 Bosworth Street, Richmond 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: 21 October 2008**

**SUPPLEMENTARY REPORTS**

**Item: 226            Section 64 Contribution - Pitt Town Development - (95495, 79357, 87959)**

**Previous Item:**        146, Ordinary (8 July 2008)

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**MOTION:**

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

*Refer to RESOLUTION*

**360 RESOLUTION:**

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

That the Section 64 Contribution plan for the provision of reticulated sewerage services within the defined Pitt Town development area be placed on public exhibition for a period of 28 days.

**ORDINARY MEETING**

**Minutes: 21 October 2008**

**SECTION 5 - Reports of Committees**

**ROC - Heritage Advisory Committee Minutes - 21 August 2008 - (80242)**

**361 RESOLUTION:**

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

That the minutes of the Heritage Advisory Committee held on 21 August 2008 as recorded on pages 135 to 136 of the Ordinary Business Paper be received.

**ROC - Community Planning Advisory Committee Minutes - 28 August 2008 - (96737)**

**362 RESOLUTION:**

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

That the minutes of the Community Planning Advisory Committee held on 28 August 2008 as recorded on pages 137 to 141 of the Ordinary Business Paper be received.

**ORDINARY MEETING**

Minutes: 21 October 2008

**QUESTIONS WITHOUT NOTICE**

#	Councillor	Question	Response
1	Porter	Referred to his request for the RTA to be asked to erect a sign on the approach to Windsor Bridge on the Wilberforce side advising of a narrow bridge and also to have a speed limit for large vehicles across it.	The Mayor advised he had followed up on the matter with the Local Traffic Committee and requested a sign to mirror the one the on the Windsor side and also that a speed limit sign go up.
2	Calvert	Referred to an asbestos problem in Kurrajong Heights and asked if any action had taken place.	The Director City Planning advised that the asbestos had been removed. Council was following up matters with the owners. The property had been inspected recently.
3	Calvert	Referred to the upgrading of the intersection at Richmond Road and St Marys Road and asked if Council was aware of a timeline.	The Director Infrastructure Services advised that he will follow up the matter with the RTA.
4	Calvert	Referred to the announcement received several times regarding the upgrading of the bus interchange at Windsor Station and asked if Council had heard anymore about this matter.	The Director Infrastructure Services advised that he will make enquiries.
5	Paine	Asked when Council would call tenders for its advertising.	The General Manager advised that Council was in the process of reviewing the issue and tenders would probably be called early in the year.
6	Paine	<p>Referred to a previous question she had asked in relation to the new Council looking at the issue of graffiti and commented it was becoming a huge problem. She asked what Council was doing about the problem.</p> <p>Councillor Paine also asked if Council reports all graffiti instances on Council property to the Police e.g. the Museum.</p> <p>Councillor Paine also asked if Council would look at working with the Chamber of Commerce and business groups to see what can be done about the town centres.</p>	<p>The Mayor advised the Police are aware and a Mayoral Column regarding the matter will be coming up, encouraging people to report any instances to the Police so it may be documented by the Police to enable them to track the graffiti and work in with the Youth Liaison Officers to resolve the problem.</p> <p>The Director Infrastructure Services advised that photos are taken of the offending material before it is cleaned up and they are forwarded to the Police to be recorded. He advised that he had been in contact with Penrith City Council as to what they are doing including the Levy they apply towards Graffiti. Research is required and cost is an issue.</p>

**ORDINARY MEETING**

**Minutes: 21 October 2008**

#	Councillor	Question	Response
7	Paine	Referred to the Wiseman's Ferry and Maroota Preschools and asked if Peppercorn Services had asked for a re-assessment of the funding application from DoCS.	<p>The Executive Manager - Community Partnerships advised that there was a program called the Preschool Improvement Reform Program being implemented by DoCS. A change to the funding arrangements means that funding will be allocated on the basis of utilisation rather than a licence capacity. DoCS has guaranteed the core funding for this year, but next year it will be working with each currently funded pre-school to assess the level of funding under its new program. He commented that there is no need to apply, it will happen automatically.</p> <p>The General Manager advised that early this year, a Notice of Motion was put to Council by former Councillor Devine about this issue and representations were made by Council to a number of Ministers in respect of what has been happening.</p>
8	Paine	Referred to the departure of Rachel Cummings from Council and she was really sad that she wasn't given the opportunity to thank her for the work she has done for us. She commented that she was also aware that Andrew Matthews was leaving Council and she wanted to thank Andrew publicly for all his work in the community and for being such a great asset to Council. She asked if senior staff leave Council, could the Councillors be notified.	The General Manager advised the question has been noted and will be dealt with when it comes up again.
9	Williams	Asked if Council had received legal advise that the consent on Tinda Creek had lapsed and was Council given a date of when the consent did lapse.	The Director City Planning advised that a consent, once issued, lasts for a period of time under Act, which is usually five years unless work commences.
10	Conolly	Referred to the graffiti matter and asked if a report was coming to Council as a result of a resolution asking for one in terms of how to address graffiti.	The Director Infrastructure Services advised there had not been one commenced at this stage, except for the initial research referred to earlier with enquiries to Penrith and Blue Mountains Council, but it would be done.



**ORDINARY MEETING**

Minutes: 21 October 2008

#	Councillor	Question	Response
11	Conolly	Referred to the Preschool issue and commented that his concern was that Peppercorn had changed the nature of service, for reasons already explained, but was wondering what level of involvement should Council have in decisions to change the nature of service when we have delegated these to Peppercorn. He asked if we had any continuing role or do they have complete autonomy in decision making.	<p>The Executive Manager - Community Partnerships advised that there may have been a misunderstanding on the level of change as they weren't changing the operations of the preschool, it will still operate as a preschool. He advised the change is to the staffing configuration.</p> <p>The other answer is Council has delegated to Peppercorn Services the day to day operational and management aspects and the functioning of those services had been transferred to Peppercorn Services.</p>
12	Rasmussen	Referred to The Driftway and commented at the poor state of the road and that it is starting to break up badly, particularly at the Castlereagh end of the road and asked if Council could investigate.	The Director Infrastructure Services advised that the matter would be investigated.
13	Rasmussen	Referred to the truck turning area on the The Terrace and that trucks are taking up all of the road when turning out. He asked if there had been any follow up assessment on this road to see if it is sufficient to accommodate the trucks that are moving in and out of there.	The Director Infrastructure Services advised that the trucks shouldn't be turning left, but if they are turning right, the turning path is enough.
14	Rasmussen	Referred to the graffiti problem and commented that the shop owners in South Windsor know who it is. Apparently, the Police know, but have bigger issues to deal with and have to catch him in the act, they can't do anything. He wanted confirmation that there was going to be a report.	The Director Infrastructure Services advised the Police Community Youth Liaison Office, is one person who is trying to deal with it.
15	Rasmussen	Referred to the Australian Pioneer Village and Friends and asked where it was up to and Council could get a report on it.	The Director Support Services advised a meeting was held between staff and Friends to clarify a number of issues put in their Business Plan. He advised it was a lengthy meeting, but staff now feel they have enough information from the Friends to prepare a report for Council and is hoping to have it to Council by the end of the year.

**ORDINARY MEETING****Minutes: 21 October 2008**

#	Councillor	Question	Response
16	Rasmussen	Advised that Mr Bond had written to all Councillors regarding the roundabout at Bligh Park and asked if the matter has been dealt with.	The Mayor advised that it is a roundabout and is a traffic rules issue and we should be explaining back to residents that it is a roundabout and the road rules apply. He advised it had been referred to the Police and the Local Traffic Committee.  The Director Infrastructure Services advised that he had responded to Mr Bond.
17	Tree	Referred to the road going to Bowen Mountain and that a number of residents have blown out tyres and wheels on the road.	The Director Infrastructure Services advised it will be investigated.
18	Reardon	Referred to Berambing Crest and advised that the residents are concerned about the Intersections at of either end and asked if it could be looked at.	The Director Infrastructure Services advised it will be investigated.

The meeting terminated at 10:51pm.

Submitted to and confirmed at the Ordinary meeting held on 11 November 2008.

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Mayor