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ordinary meeting minutes

date of meeting: 31 January 2012

location: council chambers

time: 6:30 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 31 January 2012, commencing at 6:30pm.

Pastor Ric Burrell of the Hawkesbury Church, Windsor, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

Councillor Paine advised that Mr Noel Wenzel, who was a great community member and part of this community for a long time, died on Sunday and his funeral will be held on Thursday. Councillor Pained advised he regularly attended Council Meetings up until six month ago and will be greatly missed by the community and asked if Council could send its condolences to the family.

ATTENDANCE

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

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

Councillor Williams arrived at the meeting at 6:38pm.

SECTION 1: Confirmation of Minutes

1 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Tree that the Minutes of the Ordinary Meeting held on the 13 December 2011, be confirmed.

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 1 GM - Division of Local Government - Local Infrastructure Renewal Scheme - (79351)

MOTION:

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

Refer to RESOLUTION

2 RESOLUTION:

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

That Council:

- 1. Lodge a "Pre-notification" with the Division of Local Government by 10 February 2012, as required, indicating its intention to submit an application under the Local Infrastructure Renewal Scheme for the proposals as outlined in the report in this regard.
- 2. Lodge the associated application with the Division of Local Government by 30 March 2012, as required in this regard.
- 3. Authorise the General Manager to commence other necessary actions, including negotiations with potential lenders, to facilitate the lodgement and subsequent consideration of Council's submission with the matter being reported back to Council as necessary.

Item: 2 GM - Australian Local Government Women's Association (NSW) 59th Annual Conference - (79351, 111930)

MOTION:

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

Refer to RESOLUTION

3 RESOLUTION:

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

That the attendance of nominated Councillors and staff members as considered appropriate by the General Manager, at the Australian Local Government Women's Association (NSW) 59th Annual Conference at an approximate cost of \$1,320.00 plus travel expenses per delegate be approved.

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CITY PLANNING

Item: 3 CP - Planning Proposal for Large Lot Residential Development of Lot 1 DP 880684, 1411 Kurmond Road, Kurmond - (95498)

Mr Robert Montgomery, proponent, addressed Council. Mr Michael Want, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

4 RESOLUTION:

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

- 1. Council support in principle a planning proposal to permit not more than five large residential lots on Lot 1 DP 880684, 1411 Kurmond Road, Kurmond, generally consistent with the layout in plan prepared by McKinlay Morgan & Associates Pty Ltd., titled "Plan Showing Gradients Over Part of Lot 1 DP 880684 Kurmond Road, Kurmond", dated 1/11/2011.
- 2. The "in principle" support for this Planning Proposal must be subject to the proposal being responsible, jointly with the Roads and Maritime Services, for some upgrade to the intersection of Kurmond Road and Bells Line of Road to improve right turn movements into Kurmond Road for traffic travelling west along Bells Line of Road.
- 3. Montgomery Planning Solutions be requested to provide Council with a planning proposal consistent with resolution 1 and Department of Planning and Infrastructure's "A guide to preparing planning proposals".
- 4. As a result of parts 1, 2 and 3 of the resolution, the planning proposal be forwarded to the Department of Planning and Infrastructure for a "gateway" determination.
- 5. The Roads and Maritime Services be reminded of the concerns of the community and Council in relation to the significant existing traffic problems along Bells Line of Road through North Richmond and Richmond and request that this issue be addressed as soon as possible.

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In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Bassett	Councillor Calvert
Councillor Conolly	Councillor Paine
Councillor Ford	Councillor Porter
Councillor Mackay	Councillor Rasmussen
Councillor Reardon	Councillor Williams
Councillor Tree	
Councillor Whelan	

Item: 4 CP - Review of Housing Opportunities Identified by Landowners by Department of Planning & Infrastructure - 108 Grose Vale Road, North Richmond and Box Hill North - (95498)

Councillor Rasmussen declared a pecuniary interest in this matter as his property adjoins the proposed Yarramundi Bridge and Associated Road Infrastructure. He left the Chamber and did not take part in voting or discussion on the matter.

Ms Mary Buckett and Mr Clive Schultz, proponents, addressed Council. Mr Michael Want, Mr Brian Smith and Mr Ted Books, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

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

- 1. A submission, in relation to the proposals at 108 Grose Vale Road, North Richmond and Box Hill North, be prepared in accordance with the comments provided in this report and forwarded to the Department of Planning & Infrastructure by 3 February 2012 with the following amendments:
 - a. In the second last paragraph of Point 2 on page 36 of the Business Paper, wording be changed as follows: "....would be required before Council is in a position to support any large scale additional development in this locality".
 - b. The last paragraph of Point 3 on page 37 of the Business Paper of the report be duplicated into the North Richmond Proposal.
- Council's previous submission to the Department regarding 108 Grose Vale Road, North Richmond
 (as attached to the Council report dated 2 February 2010) and this current report and resolution be
 appended to the new submission to provide background to this matter.

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The amendment was lost.

The motion was put and carried.

5 RESOLUTION:

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

- 1. A submission, in relation to the proposals at 108 Grose Vale Road, North Richmond and Box Hill North, be prepared in accordance with the comments provided in this report and forwarded to the Department of Planning & Infrastructure by 3 February 2012.
- 2. Council's previous submission to the Department regarding 108 Grose Vale Road, North Richmond (as attached to the Council report dated 2 February 2010) and this current report and resolution be appended to the new submission to provide background to this matter.

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INFRASTRUCTURE SERVICES

Item: 5 IS - Development Servicing Plan - Windsor Sewerage Scheme - (95495, 79357)

Previous Item: 93, Ordinary (10 May 2011)

MOTION:

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

Refer to RESOLUTION

6 RESOLUTION:

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

That the Section 64 Development Servicing Plan for the Windsor Sewerage Scheme area as exhibited be adopted.

Item: 6 IS - Rural Fire Service Estimates 2012/2013 - Hawkesbury District - (95495, 79016,

73835)

MOTION:

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

Refer to RESOLUTION

7 RESOLUTION:

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

That the 2012/2013 Rural Fire Fighting Fund estimates as submitted by the NSW Rural Fire Service be endorsed in principle.

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SUPPORT SERVICES

Item: 7 SS - Monthly Investment Report - December 2011 - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

8 RESOLUTION:

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

The report regarding the monthly investments for December 2011 be received and noted.

Item: 8 SS - Pecuniary Interest Returns - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

9 RESOLUTION:

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

That the information be received and noted.

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CONFIDENTIAL REPORTS

10 RESOLUTION:

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

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

11 RESOLUTION:

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

That:

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: 9 CP - Amendments to Constitution - Hawkesbury Disability Advisory Committee

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: 10 SS - Tender WR01-11/12 - Provision of General Hardware Products - Western Sydney Regional Organisation of Councils - WSROC

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: 11 SS - Property Matters - Lease of Hawkesbury District Tennis Association Inc - Richmond Tennis Centre (Part of Ham Common) and Lease to the Upper Hawkesbury Power Boat Club - Club House, Governor Phillip Park

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and , therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the Press and the public left the Council Chambers.

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12 RESOLUTION:

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

Item: 9 CP - Amendments to Constitution - Hawkesbury Disability Advisory Committee -

(95498, 88324) CONFIDENTIAL

Previous Item: 272, Ordinary (30 November 2010)

MOTION:

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

Refer to RESOLUTION

13 RESOLUTION:

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

That Council:

- Amend Clause 5 (a) (ii) the constitution of the Hawkesbury Disability Advisory Committee to provide for the appointment of nine community representatives.
- 2. Appoint Ms Janine Plummer to the Hawkesbury Disability Advisory Committee.

Item: 10 SS - Tender WR01-11/12 - Provision of General Hardware Products - Western

Sydney Regional Organisation of Councils - WSROC - (95496, 96332, 99657)

CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

14 RESOLUTION:

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

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That:

- The information contained in the report on tenders for the provision of General Hardware Products be received.
- 2. The tender from J Blackwood & Son Ltd (also trading as A. E. Baker & Co Pty Ltd) be accepted for all General Hardware Products on the basis of a unit price standing offer agreement for a period of three years with an option to extend the arrangements for a further two x one year periods subject to satisfactory performance and with provision for rise and fall.
- 3. The tender from Complete Office Supplies Pty Ltd for the provision of Paper Janitorial Products (20 items) be accepted on the basis of a unit price standing offer agreement for a period of three years with an option to extend the arrangements for a further two x one year periods subject to satisfactory performance and with provision for rise and fall.
- 4. Any necessary documents in this matter be executed under the Seal of Council.

Item: 11

SS - Property Matters - Lease to Hawkesbury District Tennis Association Inc - Richmond Tennis Centre (Part of Ham Common) and Lease to The Upper Hawkesbury Power Boat Club - Club House, Governor Phillip Park - (95496, 112106, 74070, 73829) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

15 RESOLUTION:

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

- Council proceed to publicly exhibit the proposed lease with Hawkesbury District Tennis Association Inc of Part of Lot 2 in Deposited Plan 1062683 (Part of Ham Common), as outlined in the report, in accordance with Sections 47 and 47A of the Local Government Act 1993.
- 2. Council proceed to publicly exhibit the proposed lease with The Upper Hawkesbury Power Boat Club of Part of Lot X in Deposited Plan 161237 (Club House at Governor Phillip Park), as outlined in the report, in accordance with Sections 47 and 47A of the Local Government Act 1993.
- 3. At the expiration of the public exhibition period outlined in Parts 1 and 2 above, the following action be taken:
 - (A) <u>Lease to Hawkesbury District Tennis Association Inc.</u>
 - (a) Should any submissions be received regarding the proposed lease to Hawkesbury District Tennis Association Inc, a further report be submitted to Council, or

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- (b) i. Should no submissions be received, Council enter into a new lease with Hawkesbury District Tennis Association Inc of Part of Lot 2 in Deposited Plan 1062683 (Part of Ham Common), as outlined in the report.
 - ii. Authority be given for any documentation in association with the matter to be executed under the Seal of Council.
 - iii. 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 the resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

(B) <u>Lease to The Upper Hawkesbury Power Boat Club</u>

- (a) Should any submissions be received regarding the proposed lease to The Upper Hawkesbury Power Boat Club, a further report be submitted to Council, or
- (b) i. Should no submissions be received, Council enter into a new lease with The Upper Hawkesbury Power Boat Club of Part of Lot X in Deposited Plan 161237 (Club House at Governor Phillip Park), as outlined in the report.
 - ii. Authority be given for any documentation in association with the matter to be executed under the Seal of Council.
 - iii. 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 the resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

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SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Advisory Committee Minutes - 31 October 2011 - (86589)

16 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Committee held on 31 October 2011 as recorded on pages 61 to 65 of the Ordinary Business Paper be received with an alteration to where Councillor Conolly speaks to general non-specific declarations of interest from land owners, it should state the probable maximum flood, not the 1 in 100 year flood. This alteration should occur wherever this is stated.

ROC - Community Planning Advisory Committee Minutes - 7 November 2011 - (96737)

17 RESOLUTION:

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

That the minutes of the Community Planning Advisory Committee held on 7 November 2011 as recorded on pages 66 to 72 of the Ordinary Business Paper be received.

ROC - Hawkesbury Disability Advisory Committee Minutes - 24 November 2011 - (88324)

18 RESOLUTION:

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

That the minutes of the Hawkesbury Disability Advisory Committee held on 24 November 2011 as recorded on pages 73 to 76 of the Ordinary Business Paper be received.

ROC - Audit Committee Meeting - 30 November 2011 - (95496, 91369)

19 RESOLUTION:

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

That the minutes of the Audit Committee held on 30 November 2011 as recorded on pages 77 to 87 of the Ordinary Business Paper be received.

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ROC - Floodplain Risk Management Advisory Committee Minutes - 12 December 2011 - (86589)

20 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Advisory Committee held on 12 December 2011 as recorded on pages 88 to 92 of the Ordinary Business Paper be received with an alteration to where Councillor Conolly speaks to general non-specific declarations of interest from land owners, it should state the probable maximum flood, not the 1 in 100 year flood. This alteration should occur wherever this is stated.

ROC - Local Traffic Committee - 9 January 2012 - (80241)

21 RESOLUTION:

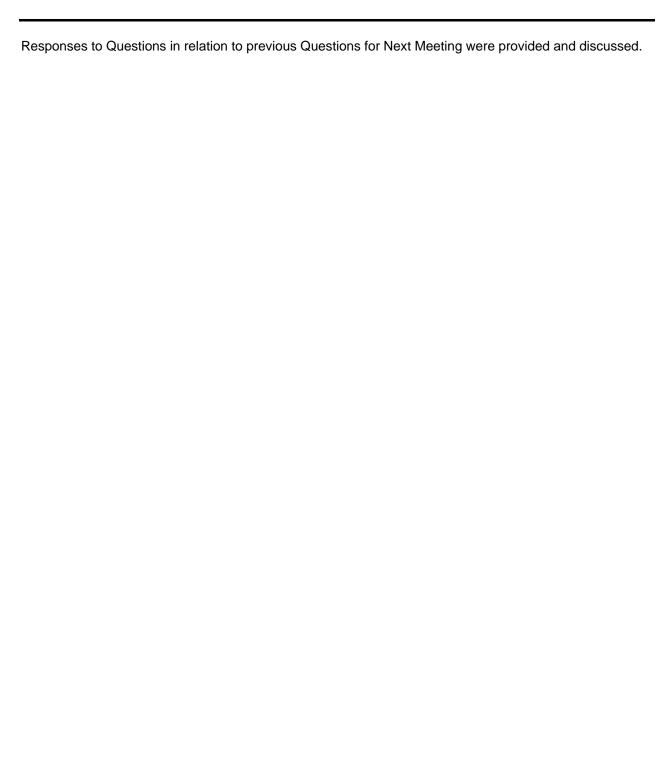
RESOLVED on the motion of Councillor Ford, seconded by Councillor Bassett.

That the minutes of the Local Traffic Committee held on 9 January 2011 as recorded on pages 93 to 110 of the Ordinary Business Paper be adopted.

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QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)



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QUESTIONS WITHOUT NOTICE

#	Councillor	Question	Response
1	Calvert	Enquired as to the outcomes of investigations that were to take place in relation to a 'dogs off leash' park being made available.	Director Infrastructure Services
2	Paine	Enquired if Council staff could investigate the drainage problem in College Street. She advised with all the rain we have experienced, water is coming halfway up driveways and added that residents had concerns with what is happening with the dam at university.	Director Infrastructure Services
3	Paine	Enquired as to how many grants Council had applied for over the past three years and asked for a breakdown of how many Council was successful in obtaining and the amount of grant funding received. Councillor Paine also enquired as to who Council had lobbied to obtain these grants.	Director Support Services
4	Paine	Referred to an event that is being held near Wisemans Ferry, Del Rio, between 1 - 4 March. She advised the residents are quite concerned and had sent a list of questions to the General Manager and the Roads and Maritime Services. She enquired if Councillors could be copied in on the reply to these residents' concerns.	Director City Planning
5	Paine	Enquired if Council had any news on the rental of the Old Hospital Building site and if not, does Council have a program of what will be done over the next couple of months to have it leased.	Director Support Services
6	Paine	Enquired if Council had obtained any final figures or feedback from the Sand Sculpting Event that had been held over the previous few weeks.	General Manager
7	Williams	Enquired if it was an option to change mobile phone providers for his Council iPhone as he generally has minimal to no service at his residence.	Director Infrastructure Services
8	Tree	Enquired if the road surface could be investigated at the Castlereagh end of The Driftway as it has become dangerous when approaching the intersection.	Director Infrastructure Services

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#	Councillor	Question	Response
9	Bassett	Enquired if the footpath at North Richmond could be cleaned up as it overgrown and has weeds growing through it from between the telephone box up towards the lights on Grose Vale Road on the Franklin side as well as the graffiti in that area that has previously been mentioned.	Director Infrastructure Services
10	Mackay	Enquired if a new 'No Through Road' sign could be erected on Krahes Road at McKinnons Road due to the new subdivision in the area.	Director Infrastructure Services
11	Reardon	Enquired if the recent land slide from the wall beneath the Sydney Water site at Kurrajong on the Old Bells Line of Road could be investigated.	Director Infrastructure Services
12	Reardon	Enquired if the cars turning right out of Old Kurrajong Road into Kurrajong Road near the polo fields could be referred to the Local Traffic Committee.	Director Infrastructure Services
13	Whelan	Enquired if Musson Lane, Richmond could be referred to the Local Traffic Committee to have defined where that roadway actually goes through the carpark.	Director Infrastructure Services

The meeting terminated at 10:21pm.

Submitted to and	confirmed at the	Ordinary	meeting held on	Tuesday.	14 February	2011

Mayor