



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 29 May 2007

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, 29 May 2007, commencing at 5:00pm.

Pastor Cheryl Symons of the Salvation Army, Windsor, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor R Stubbs, Mayor, Councillor B Bassett, Deputy Mayor and Councillors T Books, B Calvert, K Conolly, T Devine, C Paine, B Porter, P Rasmussen and N Wearne

APOLOGIES

Apologies for absence were received from Councillors D Finch and L Williams.

141 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Wearne that the apologies be accepted.

SECTION 1: Confirmation of Minutes

142 RESOLUTION:

RESOLVED on the motion of Councillor Wearne and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 8 May 2007, be confirmed.

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SECTION 4 - Reports for Determination

ACTING GENERAL MANAGER

Item: 88 **AGM - Community Visioning Master Class, 14 - 15 June 2007, Brisbane, Queensland - (79351, 105109)**

MOTION:

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

Refer to RESOLUTION

143 RESOLUTION:

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

That attendance of nominated Councillors, and staff considered appropriate by the Acting General Manager at the Community Visioning Master Class, 14 - 15 June 2007 in Brisbane, Queensland at a cost of \$1,900 per delegate be approved.

144 RESOLUTION:

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

That Councillor Rasmussen, as Council's nominated representative, attend the Community Visioning Master Class on 14-15 June 2007 in Brisbane, Queensland.

Item: 89 **AGM - Tourism Program - Future Direction - (79351, 95497, 96812, 105004)**

Previous Item: 308, Ordinary (12 December 2007)

Mr John Mahaffy, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

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145 RESOLUTION:

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

That:

1. Council hold a community/stakeholders' meeting.
2. Council defer this matter to a Workshop.

146 RESOLUTION:

RESOLVED on the FORESHADOWED motion moved by Councillor Devine, seconded by Councillor Porter.

That, subject to the required information being available to Council, a Special Council Meeting be held on Tuesday, 12 June 2007 in order to finalise the past relationship between Hawkesbury City Council and Hawkesbury City Chamber of Commerce in relation to the operation of Tourism activities.

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CITY PLANNING

Item: 90 **CP - Conversion of Hawkesbury Local Environmental Plan 1989 to the NSW Government's Standard LEP Template - Anomalies and Progress Report - (95498)**

Previous Item: NM 1, Ordinary (24 April 2007)

Mr Robert Montgomery, proponent, addressed the Council.

MOTION:

RESOLVED on the motion of Councillor Devine, seconded by Councillor Books.

Refer to RESOLUTION

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

That:

1. Land uses defined as truck depot, bus depot, heliport, bus station, helipad, airline terminal, road transport terminal, and transport terminal be prohibited in the equivalent of the Rural Living and Rural Village zones in the Standard Template
2. Truck depots, bus depots and heliports not be made permissible land uses on the basis of land having frontage to main or arterial roads.
3. Transport terminals, airline terminals, road transport terminals, bus stations and bus depots be made prohibited land uses in the equivalent of the Mixed Agriculture and Consolidated Land Holdings zone in the Standard Template.
4. Council write to the Department of Planning seeking clarification with respect to the definition of "self storage unit" as there is no definition in the dictionary attached to the standard template or in the Macquarie Dictionary.
5. The following objective be included in all zones within the Standard Template where "tourist and visitor accommodation" is a permissible land use;

"To encourage tourism related development that will not have significant adverse environmental effects or conflict with other landuses in the locality"
6. "Sheds" be included in the land use table in rural zones as a permissible land use.
7. The land adjoining Nepean Park (Springwood Road Yarramundi) owned by Mrs Williams not be included in the Nepean Park zone i.e R5 - Large Lot Residential.
8. The land owned by Mr Smith in Chapel Street Richmond not be included in the adjoining residential zone or a zoning appropriate for an aged care facility.

The amendment was lost.

The motion was put and carried

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147 RESOLUTION:

RESOLVED on the motion of Councillor Devine, seconded by Councillor Books.

That:

1. Land uses defined as bus depot, heliport, bus station, helipad, airline terminal, road transport terminal, and transport terminal be prohibited in the equivalent of the Rural Living and Rural Village zones in the Standard Template.
2. Bus depots and heliports not be made permissible land uses on the basis of land having frontage to main or arterial roads.
3. Transport terminals, airline terminals, road transport terminals, bus stations and bus depots be made prohibited land uses in the equivalent of the Mixed Agriculture and Consolidated Land Holdings zone in the Standard Template.
4. Council write to the Department of Planning seeking clarification with respect to the definition of "self storage unit" as there is no definition in the dictionary attached to the standard template or in the Macquarie Dictionary.
5. The following objective be included in all zones within the Standard Template where "tourist and visitor accommodation" is a permissible land use;

"To encourage tourism related development that will not have significant adverse environmental effects or conflict with other landuses in the locality"
6. "Sheds" be included in the land use table in rural zones as a permissible land use and Council further workshop a review of the Rural Shed Policy.
7. The land adjoining Nepean Park (Springwood Road Yarramundi) owned by Mrs Williams be subject to a further report to Council following the release of the State Government Subregional Strategy.
8. The land owned by Mr Smith in Chapel Street Richmond be subject to a further report to Council following the release of the State Government Subregional Study.
9. The location of truck depots be included in the Employment Lands Strategy.
10. The submission by Montgomery Planning Solutions be received and considered with other submissions received following public exhibition of the LEP.

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Item: 91 **CP - Preparation of Land Use Strategy for Hawkesbury Local Government Area - (95498)**

Previous Item: 40, Ordinary (13 March 2007)

Mr Robert Montgomery and Mr John Mahaffy, proponents, addressed the Council.

MOTION:

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

Refer to RESOLUTION

148 RESOLUTION:

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

That:

1. The process and prioritisation for LEP and strategy preparation contained in this report be endorsed.
2. Council note that it is proposed to proceed with the offer previously accepted from Buildex Group for an employment lands study as soon as practically possible.
3. Upon release of the Sub-Regional Strategy for North-West Sydney, the implications of the Strategy on the Hawkesbury be reported to Council.

Item: 92 **CP - Rural Shed, Lot 25 DP192412, 193 Crooked Lane, North Richmond NSW 2754 - (DA1020/06, 103511, 104622, 95498)**

MOTION:

RESOLVED on the motion of Councillor Books, seconded by Councillor Devine.

Refer to RESOLUTION

149 RESOLUTION:

RESOLVED on the motion of Councillor Books, seconded by Councillor Devine

That this matter be deferred and reported to Council's next Ordinary Meeting on 26 June 2007 as the applicant may be resubmitting a revised application.

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Item: 93 **CP - Section 96 Modification, Agricultural Shed/Stable Complex, Lot 3 DP 596178, 269 Grono Farm Road, Wilberforce NSW 2756 - (DA0224/06A, 100489, 18449, 18450, 95498)**

Councillor Books declared an interest in this matter as he has previously worked at Dr Warwick MacKay's property and Dr MacKay is his Doctor. He left the meeting and did not take part in voting or discussion on the matter.

Councillor Porter declared an interest in this matter as he is an adjoining property owner. He left the meeting and did not take part in voting or discussion on the matter.

Mr Glenn Falson, proponent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

150 RESOLUTION:

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

That the application to modify the Development Consent DA0224/06 be refused for the following reasons:

1. The existing conditions of consent were appropriate having regard to the circumstances and nature of the development.
2. Approval of proposed amendments would have a further adverse and undesirable affect on the adjoining property.

151 RESOLUTION:

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

That Development Applications seeking approval for buildings already under construction or completed without consent be the subject of a report to Council and not approved under delegated authority.

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INFRASTRUCTURE SERVICES

Item: 94 **IS - Native Title Determination Application NG6061/698: Darug People - (79354, 27333, 36939)**

Previous Item: 246, Ordinary (10 October 2006)

MOTION:

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

Refer to RESOLUTION

152 RESOLUTION:

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

That further negotiations in relation to an Indigenous Land Use Agreement not proceed until the Minister for Lands has responded to the correspondence from the Deerubbin Local Aboriginal Council and this response is further reported for Council's consideration.

Item: 95 **IS - Auslink Strategic Regional Program - Racecourse Road, Clarendon - (95495, 74282)**

MOTION:

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

Refer to RESOLUTION

153 RESOLUTION:

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

That the offer of funding of \$723,000 for the sealing of Racecourse Road, Clarendon, through the Auslink Strategic Regional Funding be accepted.

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Item: 96

IS - Webbs Creek Ferry Toilet Replacement - (95495, 74282)

MOTION:

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

Refer to RESOLUTION

154 RESOLUTION:

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

That the existing toilet block and septic system located at the intersection of St Albans Road and Webbs Creek Road, adjacent to the Webbs Creek Ferry, be demolished and replaced with a new facility at the cost of the Roads and Traffic Authority and the RTA be thanked for their assistance in this matter.

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SUPPORT SERVICES

Item: 97 SS - Monthly Investments Report - April 2007 - (96332)

MOTION:

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

Refer to RESOLUTION

155 RESOLUTION:

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

That the information be received and noted.

Item: 98 SS - March 2007 Quarterly Review - 2006-2007 Management Plan - (96332)

MOTION:

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

Refer to RESOLUTION

156 RESOLUTION:

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

That:

1. The information contained in the report on the 2006/2007 Management Plan - March Quarter Review be received.
2. The quarterly review of the 2006/2007 Management Plan and Financial Statement for the period ending 31 March 2007 be adopted.

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Item: 99 SS - 2007/2008 Remuneration for Councillors and Mayor - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

157 RESOLUTION:

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

That:

1. The fee for Councillors for 2007/2008 be set at \$14,540.00.
2. The additional fee for the Mayor be set at \$31,740.00, and the Deputy Mayor's additional fee be set at \$4,761.00 to be deducted from the Mayor's fee.

Item: 100 SS - Goods and Services Tax Compliance Certificate 2007 - (96332)

MOTION:

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

Refer to RESOLUTION

158 RESOLUTION:

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

That the Goods and Services Tax Certificate be endorsed in accordance with Department of Local Government Circular 05/26.

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CONFIDENTIAL REPORTS

159 RESOLUTION:

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

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

160 RESOLUTION:

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

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: 101 IS - Land Acquisition for the Construction of a Roundabout at the Intersection of Gorricks Lane and Freemans Reach Road, Freemans Reach - National Black Spot Funding Programme

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the acquisition of property by the 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 proposed to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 102 SS - Property Matter - Lease of Lower MacDonald Bush Fire Station - Petinsky

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

Item: 103 SS - Property Matter - Lease of 139 March Street, Richmond - Craig Crowther Architects Pty Ltd

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

Item: 104 SS - Property Matter - Lease of 68 Macquarie Street, Windsor - Yum! Restaurants Australia Pty Limited

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

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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.

161 RESOLUTION:

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

Item: 101 **IS - Land Acquisition for the Construction of a Roundabout at the Intersection of Gorricks Lane and Freemans Reach Road, Freemans Reach - National Black Spot Funding Programme - (95495, 79346, 74282) CONFIDENTIAL**

Previous Item: ROC - Local Traffic Committee Minutes (28 June 2005)

MOTION:

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

Refer to RESOLUTION

162 RESOLUTION:

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

That:

1. Council undertake compulsory acquisition for the purpose of road widening in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, as listed:

| Locality | Street Number | Approximate Area of Land Required | Property Owner |
|---------------------------------|----------------------------|-----------------------------------|---------------------------------------|
| Lot 1 DP 228818 | No.448 Freemans Reach Road | 837.4 sqm | Mr J & Mrs DM Galea |
| Lot 1 DP 199701 (Northern Part) | No.435 Freemans Reach Road | 1063 sqm | Mr M & Mrs C Galea |
| Lot 1 DP 199701 (Southern Part) | No.435 Freemans Reach Road | 2.83 sqm (2mx2m Splay) | Mr M & Mrs C Galea |
| Lot 2 DP 875857 | No.447 Freemans Reach Road | 2.83 sqm (2mx2m Splay) | Hapuna Pty Ltd; Mr M & Mrs C Galea |

2. Application for Compulsory Acquisition be made to the Minister for Local Government and the Governor of NSW;

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3. The Minister be advised that Council does not want any mines or minerals on the land to be acquired.
4. All costs associated with the compulsory acquisition be borne by Council.
5. Correspondence be forwarded to the RTA requesting an extension of time for the completion of this project to 30 June 2008.
6. Application for acquisition be undertaken under the Roads Act 1993.
7. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

Item: 102 SS - Property Matter - Lease of Lower MacDonald Bush Fire Station - Petinsky - (23555, 79398, 95496) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

163 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Mr Radomil Hubert Petinsky in regard to Lot 91 in Deposited Plan 607210 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.

Item: 103 SS - Property Matter - Lease of 139 March Street, Richmond - Craig Crowther Architects Pty Ltd - (89725, 95496) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

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164 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Mr Craig Crowther trading as "Craig Crowther Architects Pty Ltd" in regard to 139 March 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.

Item: 104 SS - Property Matter - Lease of 69 Macquarie Street, Windsor - Yum! Restaurants Australia Pty Limited (Pizza Hut) - (74060, 73665, 95496) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

165 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Yum! Restaurants Australia 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.

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SUPPLEMENTARY REPORTS

Item: 105 IS - Paget Street, Richmond - Proposed Tree Removal - (95495)

MOTION:

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

Refer to RESOLUTION

166 RESOLUTION:

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

That the five Chinese Tallow Wood trees located on the western side of Paget Street, between Lennox Street and the access to the basement carpark, be removed and replaced with five advanced Australian Crepe Myrtle.

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SECTION 5 - Reports of Committees

ROC - Local Traffic Committee - 16 May 2007 - (80245)

167 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 16 May 2007 as recorded on pages 77 to 98 of the Ordinary Business Paper be adopted.

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QUESTIONS WITHOUT NOTICE

1. Councillor Books referred to a mail circular sent out by Sydney Water regarding the Three Town Sewerage hook-up. He asked that Council contact Sydney Water and request a report or hold a discussion to find out what the hook-up will cost when the system is available and what residents can expect.

Councillor Books suggested that there are a large number of residents that may need help to pay for the hook-up and thought needs to be given to a system that will help people finance the hook-up when it becomes available. Sydney Water may be able to help people to start financing the change over now.

The Director Infrastructure Services advised that the circular is the start of the community consultation process for the Three Towns Sewerage hook-up. The Director Infrastructure Services attended a meeting with Sydney Water on 18 May 2007 regarding the progress of the scheme and a memo will be issued to Councillors, with a timetable, in the near future.

2. Councillor Calvert referred to a recent press release where the Prime Minister and Kerry Bartlett indicated that they want to put money aside for another study for the Bells Line of Road Expressway. The press release stated that the Prime Minister saw this as a way of connecting to the M4. Is Council aware of a new proposal?

Councillor Bassett advised that this is being looked at as another option for a crossing for the Great Dividing Range and is not specifically about any one plan.

3. Councillor Paine advised that she has been contacted by a gentleman who received a \$179 fine for double parking in George Street while dropping off a disabled passenger. The passenger was clearly disabled, the vehicle displayed a disable sticker and there was no disabled parking available at the venue. The Ranger did not approach the driver.

The Director External Services advised that the situation would normally be taken into consideration before an infringement is issued and that in accordance with Council's policy the person needs to write to the Infringement Processing Bureau, whose details are on the infringement notice. The Bureau will take the representation into consideration and if they feel it is warranted they will forward it onto Council, Council has an independent review committee which will review the information.

4. Councillor Paine requested that figures relating to money received by Council from Infringements each year be provided to Council.

The Acting General Manager advised that this will be arranged.

5. Councillor Paine asked how Council will be going about the replacement of the General Manager and when this will be occurring.

The Mayor advised that Council is required to externally advertise the position and also has the option of using a management consultant for the recruitment. Council will conduct an informal session to discuss this matter further.

6. Councillor Paine referred to the signs on Blacktown Road and asked what the longevity of them are. She also asked if the signs were erected legally.

The Director Infrastructure Services advised that Council resolved to erect the signs and at this stage there has been no resolution from Council to take them down. No advice has been received from the RTA in reply to Council's correspondence regarding the legality of the signs.

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Councillor Paine asked that the advice from the RTA be followed up.

7. Councillor Paine asked that the proposed school in Slopes Road be called to a Council Meeting if it is going to be approved.

The Director of City Planning advised that this will be noted on the file.

8. Councillor Paine referred to pump out sewerage inspections and asked why when registered external parties carry out inspections on systems Council also needs to conduct an inspection.

The Director External Services advised that air-rated systems, as a condition of consent, require quarterly maintenance inspections to check things such as the chlorine tablets and this is what is conducted by the registered external parties. Council is required to inspect the systems to issue an approval to own, manage and operate the on-site sewerage management system in accordance with State Government Regulations.

Councillor Paine asked if there is any way Council could conduct the maintenance inspections.

The Director of External Services advised that Council would not be able to conduct the maintenance unless it took it on as a business and set itself up as an operating maintenance service to on-site sewerage management systems.

9. Councillor Rasmussen asked if external parties could be authorised to provide the same service as Council when inspecting on-site sewerage management systems.

The Director of External Services advised that this was previously looked at and training was offered to external parties and the offer of training was not taken up.

Councillor Rasmussen requested that Council write to the State Government to suggest that the authority and delegations to carry out inspections on behalf of Council be provided to external on-site sewerage system maintenance/servicing parties along with appropriate training.

The Director of External Services advised that at a recent Local Government Forum concerns by councils over the qualifications of the servicing agencies were raised and a motion was moved that the State Government investigate an accreditation system to ensure that servicing agencies were qualified and to increase the standard of the agencies and maintenance carried out.

10. Councillor Rasmussen referred to the Development Application for the Nursery at 261 Cattai Road, Pitt Town and asked if the Development Application had been handed back by owner because their legal advice was such that the Development Application was flawed.

The Director of City Planning advised the Development Application was subject to a third party appeal and the applicant decided to hand the approval in after receiving the notice because they did not want to go through court to defend the case, they had reassessed their business and decided that they did not require the dam. The application was not flawed.

11. Councillor Rasmussen asked if the increase of revenue at Richmond Pool is it due to the Wizards using the pool for a period of time. He also asked that if the outdoor pool was heated and the Wizards were using it throughout winter would that cover a great deal of the cost of heating the outdoor pool.

The Director Infrastructure Services advised that the Wizards using the pool did provide unexpected revenue however the cost for a full year operation of an outdoor heated pool was a loss of approximately \$300,000, one would not equate to the operation of the other.

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12. Councillor Rasmussen asked if an exit interview with the previous General Manager occurred.

The Mayor advised that no formal interview has been conducted, however, there were informal discussions but these have not been formally recorded.

13. Councillor Rasmussen asked what Council is doing to support and help build momentum for the Infrastructure Fund campaign that the Australian Local Government Association is pushing to get both federal political parties to accept as a means to overcome the shortfall in Infrastructure Funding.

The Acting General Manager is to advise.

14. Councillor Rasmussen referred to the auction of Council properties on 17 May 2007 and the properties that did not sell, in particular Ham Street Hall, South Windsor. He asked if negotiations will occur with the highest bidder for that property.

The Acting General Manager advised that since the auction the highest bidder has put in a further bid which is still significantly short of the reserve price and they are aware of that. We are waiting to see if they reconsider their position and couldn't recommend to Council the bid that has been received at this time by accepted.

Councillor Rasmussen asked when the valuation for the property was conducted and if it is still relevant.

The Acting General Manager advised that the valuation was conducted within a few weeks of the auction.

15. Councillor Devine referred to a large tree on commercial land to the rear of 16 Cunningham Place, South Windsor that has been subject to previous applications for removal to Council as it continues to shed large branches. He advised that owners of both properties agree that the tree should be removed and asked that urgent action to approve the removal of the tree be taken.

The Director Infrastructure Services advised that the tree has been assessed as being in a healthy condition and the dropping of branches is a common phenomenon with some eucalypts, even in healthy trees.

16. Councillor Conolly asked about the progress of the former Pine Furniture Shop site in George Street that Council purchased with a view to a development opportunity.

The Acting General Manager advised that there was a resolution for the site to be identified as a potential development site and for progress towards having a revenue generation project on that site with it being left with the General Manager to determine if it was appropriate to proceed with. He was unaware of what happened as a result of that resolution at this point in time however arrangements had been made for a sign to be erected in that vicinity to indicate the potential and Council will be pursuing the second aspect of the resolution regarding potential use of that site as soon as we can.

17. Councillor Conolly referred to Baulkham Hills Council's meeting about Lower Portland Ferry and advised that questions were raised by the contractor operating the Ferry about the accuracy of data concerning patronage of ferry and also a request for details regarding the operating costs, in particular, the overheads element.

The Director Infrastructure Services advised that the data is accurate according to the figures provided by the contractor that operates the ferry. The patronage has dropped over the last 12 months, the average usage over the last four years was in 2003, 108 vehicles, in 2004, 125 vehicles, in 2005, 110 vehicles and in 2006, 100 vehicles per day.

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The Director Infrastructure Services advised that over the last three years the average operating cost for the ferry was \$375,000 per year, this includes the contractor is \$182,000, ferry maintenance including maintenance of the approaches \$61,000, marine insurance was just over \$2,000 and the overhaul of the ferry averaged at \$129,000, there was one large expenditure in 2004/2005 that included some infrastructure for us to do the overhaul so that is slightly high. There were no overheads charged to the operation.

The meeting terminated at 8:25pm

Submitted to and confirmed at the Ordinary meeting held on 26 June 2007.

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Mayor