



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 24 June 2008

location: council chambers

time: 5:00 p.m.



**ORDINARY MEETING**

**MINUTES: 24 June 2008**

**MINUTES**

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTES ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **QUESTIONS WITH NOTICE**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**

**General Manager**

**City Planning**

**Infrastructure Services**

**Support Services**

- **SECTION 5 - Reports of Committees**
- **QUESTIONS WITHOUT NOTICE**

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 24 June 2008, commencing at 5.01pm.

Reverend Wayne Tildsley of St Peter's Anglican Church, Richmond, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

**ATTENDANCE**

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

**ALSO PRESENT:** General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Chris Daley, Acting Director Support Services - Rob Stalley, Manager Corporate Services and Governance - Fausto Sut, Executive Manager - Community Partnerships - Joseph Litwin and Administrative Support Team Leader - Amy Dutch.

Councillor Paine arrived at the meeting at 5.04pm.

**SECTION 1: Confirmation of Minutes**

**180 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Porter that the Minutes of the Ordinary Meeting held on the 27 May 2008, be confirmed.

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

**SECTION 3 - Notices of Motion**

**NM1 - Speed Limit on Bells Line of Road - (80104)**

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Mr William Shields, proponent, addressed Council.

**MOTION:**

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

*Refer to RESOLUTION*

**181 RESOLUTION:**

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

That Council request the RTA to implement the revised speed limits which had previously been advised in relation to Bells Line of Road, as a matter of urgency.

**182 RESOLUTION:**

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

That the State Government be requested to provide additional funding to allow selective upgrading and additional maintenance on Bells Line of Road to complement the speed reductions in promoting safety.

Councillor Devine left the chamber at 5.18pm and was not present during the voting for the Foreshadowed motion, he returned at 5.26pm.

**NM2 - Refund of Development Application Fees - Hawkesbury Rural Fire Service (RFS) Fire Shed - (79016, 80106, 95498)**

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Mr David Prince and Mr Peter Coffill, proponents, addressed Council.

**MOTION:**

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

*Refer to RESOLUTION*

**183 RESOLUTION:**

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



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That:

1. Council recognise the valuable and important work done in our community by the RFS volunteers.
2. Council recognise that RFS volunteers carry out many amenity improvements and enhancements to the Hawkesbury RFS fire sheds and that these improvements are funded, in the main, from local community donations (money and materials), in-kind contributions (labour and skills) and self-help events such as raffles, trivia nights and door knock appeals.
3. Council consider by August 2008 a report on the refunding of Development Application fees for not for profit groups as an interim position.
4. Council work towards the development of amendments to the Exempt Development provisions to address this issue in a long-term manner.
5. The matter be workshopped prior to being reported to Council.

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**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 114            GM - Meetings of Council - Mayoral Election 2008 - (79351, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**184 RESOLUTION:**

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

That:

1. The Special Meeting of Council scheduled for Tuesday, 14 October 2008 not be held.
2. A Special Meeting of Council be scheduled for Tuesday, 30 September 2008 to hold the election of the Mayor and Deputy Mayor and other matters as necessary.
3. Tuesday 7 October 2008 be set aside as a Special Meeting of Council should the timing of the declaration of the polls adversely impact on Council's normal business paper processing timeframes.

**Item: 115            GM - Quarterly Newsletter Review - (79351, 79356)**

**Previous Item:**        205, Ordinary (9 October 2007)

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**MOTION:**

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

*Refer to RESOLUTION*

**185 RESOLUTION:**

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

That the quarterly newsletter communication program be continued in 2008/2009 with the 2008 Community Report acting as the first quarterly newsletter and thereafter spring, summer and autumn quarterly newsletters be issued with the rates instalment notices and mailed separately to those ratepayers not receiving instalment notices, as well as being placed on Council's website.

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**Item: 116**            **GM - Portland Head Road, Ebenezer - Proposed Sealing - (95495, 79344)**

**Previous Item:**        111, Ordinary (27 May 2008)

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Mr Ron Marks, proponent, addressed Council.

Councillor Calvert was not present during the discussion or voting for this item.

**MOTION:**

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

***Refer to RESOLUTION***

An AMENDMENT was moved by Councillor Rasmussen, seconded by Councillor Williams.

That further to Council's resolution of 27 May 2008 regarding an offer received from the residents of Portland Head Road, Ebenezer to contribute \$300,000 towards the cost of reconstruction and sealing this road:

1. The residents be requested to confirm and provide this contribution, in a form to the satisfaction of the General Manager.
2. Subject to a satisfactory arrangement being reached in respect of 1 above that action be taken to enable the project to proceed by way of preparation of designs, specifications, the calling of tenders, etc., as appropriate.
3. In the absence of grant funding towards the project being received that the issue of the funding of Council's contribution toward the construction costs be considered in association with the June quarterly review of the Council's 2007/2008 Management Plan currently scheduled to be submitted to the meeting of Council to be held on 26 August 2008.
4. A further report be submitted concerning the process required to reclassify and rezone part of the reserve in this location, known as the "Charles Kemp Reserve", to enable an appropriate part to be sold with the funding received from the sale being utilised to contribute towards the Council's portion of the costs of reconstruction and sealing of Portland Head Road with any balance of funds being utilised on the embellishment of the remaining reserve.

The amendment was lost.

The motion was put and carried

**186 RESOLUTION:**

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

That further to Council's resolution of 27 May 2008 regarding an offer received from the residents of Portland Head Road, Ebenezer to contribute \$300,000 towards the cost of reconstruction and sealing this road:

1. Council continue to seek grant funding to support the offer from the residents.

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2. A further report be submitted concerning the process required to reclassify and rezone part of the reserve in this location, known as the "Charles Kemp Reserve", to enable an appropriate part to be sold with the funding received from the sale being utilised to contribute towards the Council's portion of the costs of reconstruction and sealing of Portland Head Road with any balance of funds being utilised on the embellishment of the remaining reserve.
3. The residents be advised of Council's actions in this regard.

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**CITY PLANNING**

**Item: 117 CP - Use of Premises as Wholesale Produce Store - Lot 410 DP862539, 88 Whitmore Road, Maraylya - (DA0814/07, 88784, 29595, 29596, 95498, 96329)**

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Mr Patrick Hurley, proponent, addressed Council.  
Mr John Chapman, Mr Michael Calleja and Mr Cliff Palmer, respondents, addressed Council.

Councillor Calvert left the meeting at 6.00pm and was not present during the discussion or voting for this item.

**MOTION:**

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

***Refer to RESOLUTION***

**187 RESOLUTION:**

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

That the application be deferred pending submission by the applicant of a report from a suitably qualified consultant to examine any risk of transmission of avian disease created by the proposal.

**Item: 118 CP - Rezoning Application - New Street, Johnston Street and The Terrace, Windsor - (8736, 95498)**

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Mr Rob Sledge, proponent, addressed Council.

Councillor Calvert returned to the meeting at 7.25pm.

**MOTION:**

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

***Refer to RESOLUTION***

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

That the:

1. Application to rezone the following properties at New Street and Johnston Street to Business General 3(a)/B2 Local Centre be supported.

<b>Property Description</b>	<b>Address</b>
Lot 8 DP1066324	8 New Street
Lot 6 DP1066233	6 New Street
Part Lot 51 DP1073306	Walkway to New Street

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<b>Property Description</b>	<b>Address</b>
Lot 1 DP804295	4 New Street
Lot 11&12 DP854037	2 New Street
Lot 1 DP159404	70 The Terrace
Lot 1 DP741997	68 The Terrace
Lot 1 DP609363	66 The Terrace
Part Lot 51 DP1073306	Land on the south western side of Johnston Street
Lot 1 DP70063	17 Johnston Street
SP49911	19 Johnston Street
Lot 1 DP800664	23-27 Johnston Street

2. Draft LEP incorporate appropriate mechanisms to allow limited residential development on the subject properties.
3. Draft LEP and the draft Standard Template LEP be consolidated prior to sending to the Minister for gazettal if the progress and timing of the two draft plans becomes aligned.

The amendment was lost.

The motion was put and carried

**188 RESOLUTION:**

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

That the:

1. Application to rezone the following properties at New Street and Johnston Street to Business General 3(a)/B2 Local Centre be supported.

<b>Property Description</b>	<b>Address</b>
Lot 8 DP1066324	8 New Street
Lot 6 DP1066233	6 New Street
Part Lot 51 DP1073306	Walkway to New Street
Lot 1 DP804295	4 New Street
Lot 11&12 DP854037	2 New Street
Part Lot 51 DP1073306	Land on the south western side of Johnston Street
Lot 1 DP70063	17 Johnston Street
SP49911	19 Johnston Street
Lot 1 DP800664	23-27 Johnston Street

2. Draft LEP incorporate appropriate mechanisms to allow limited residential development on the subject properties.
3. Draft LEP and the draft Standard Template LEP be consolidated prior to sending to the Minister for gazettal if the progress and timing of the two draft plans becomes aligned.

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**Item: 119 CP - Finalisation of Mobility Plan - (96328)**

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**MOTION:**

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

*Refer to RESOLUTION*

**189 RESOLUTION:**

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

That Council re-allocate \$40,000 of unspent funds from the 2007-2008 Road Safety Component of Council's budget, to be used to engage a consultant in the 2008-2009 financial year to finalise the preparation of the Hawkesbury Mobility Plan in accordance with the approved scoping study for the Plan.

**Item: 120 CP - NSW Department of Planning Reforms - Draft Discussion Paper, NSW Housing Code for Exempt and Complying Development - (95498)**

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**MOTION:**

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

*Refer to RESOLUTION*

**190 RESOLUTION:**

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

That the:

1. Information be received.
2. Draft submission prepared and distributed to Councillors under separate cover, based on the contents of this report be forwarded to the Department of Planning subject to the Dictionary section being reworded to clarify and ensure that development in flood prone land is no more onerous than it is now.

**Item: 121 CP - Update of Hawkesbury Crime Prevention Strategy - (95498, 96328)**

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**MOTION:**

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

*Refer to RESOLUTION*

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**191 RESOLUTION:**

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

That:

1. Council approve the implementation of the community planning process, as outlined in this report and conducted in conformance with Council's Community Engagement Policy, to update the Hawkesbury Crime Prevention Strategy.
2. A report be brought to Council regarding strategies followed by neighbouring Councils to reduce graffiti on both public and private property.

**Item: 122 CP - Youth Participation and Civic Engagement - Update - (95498, 96328)**

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

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**MOTION:**

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

*Refer to RESOLUTION*

**192 RESOLUTION:**

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

That:

1. Council endorse the proposed youth participation and civic engagement consultation strategy as outlined in this report.
2. Receive the information regarding the status of the WSROC Regional Youth Council proposal.



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**SUPPORT SERVICES**

**Item: 123            SS - Creation of Easements for Services between Valad Property Group and Council over Lot 10 in Deposited Plan 801727 - (95496, 92522, 31465)**

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Councillor Devine declared an interest in this matter as he currently has a contract with Valad Property Group in another property matter. He left the meeting and did not take part in voting or discussion on the matter.

**MOTION:**

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

That Council agree to the creation of an easement as outlined in the report subject to:

1. The documentation, as provided by Valad Property Group, being considered satisfactory by Council's solicitors pursuant to Section 88B of the Conveyancing Act 1919.
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 Valad Property Group 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 executed by Council.

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

***Refer to RESOLUTION***

The amendment was carried.

The amendment then became the motion which was put and carried.

**193 RESOLUTION:**

RESOLVED on the AMENDMENT moved by Councillor Paine, seconded by Councillor Wearne.

That this matter be deferred.

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**Item: 124**            **SS - Proposed Lease of Land From Hawkesbury City Council for a Cycleway Bridge - Lot 12 DP1073816, 10 Mulgrave Road, Mulgrave - (95496, 74282)**

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**MOTION:**

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

*Refer to RESOLUTION*

**194 RESOLUTION:**

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

That:

1. Council request the RTA to consider the redesign of the bridge to reduce the cost involved and enable the expenditure of the remaining funds on other cycleways in the area and seek the support of the Minister and Local Members in this regard.
2. Council agree to leasing approximately 30sqm of Lot 12 in Deposited Plan 1073816 to the Roads and Traffic Authority at a peppercorn rental of \$1.00 per annum for a period of twelve months.
3. Authority be given for any documentation in association with the matter to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the Roads and Traffic Authority, together with the advice that Council is not, and will not, be bound by the terms of it's resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.
5. Council indicate it would not be prepared to take on responsibility for the ongoing maintenance of the Cycleway and Bridge when completed.

**Item: 125**            **SS - New South Wales Electoral Commission - Updated Costs for 2008 Local Government Elections - (79351, 107, 95496)**

**Previous Item:**        138, Ordinary (31 July 2007)

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**MOTION:**

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

*Refer to RESOLUTION*

**195 RESOLUTION:**

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

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That Council:

1. Write to the NSW Electoral Commission raising serious concern and objection to the election costs passed down to the ratepayers of Hawkesbury City Council, and in terms of accountability and transparency, seeking a detailed breakdown of the election costs attributable to Hawkesbury City Council including identifying those services paid on an actual costs basis, and those services apportioned over a unit rate basis.
2. Make representations to the Premier, relevant State Ministers and seek the support of Local State Members, WSROC and the LGSA regarding the significant increase in elections costs, and seeking greater accountability and transparency from the NSW Electoral Commission over the setting of these costs.

**Item: 126            SS - Pecuniary Interest Returns - (79337, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**196 RESOLUTION:**

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

That the information be received and noted.

**Item: 127            SS - 2008/2009 Remuneration for Councillors and Mayor - (95496, 96332)**

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**MOTION:**

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

*Refer to RESOLUTION*

**197 RESOLUTION:**

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

That the:

1. Fee for Councillors for 2008/2009 be set at \$15,120.00.
2. Additional fee for the Mayor be set at \$33,010.00, and the Deputy Mayor's additional fee be set at \$4,951.50 to be deducted from the Mayor's fee.

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**Item: 128            SS - Outstanding Receivables - Bad Debts Write-Off - (96332, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**198 RESOLUTION:**

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

That the debts as listed below be written off:

Outback Rural Entertainment	\$7,218.53
Kellyville Christmas Tree Farm	\$7,092.51
Mr P Longhurst	\$ 551.00
Ms G Mason	\$ 524.00
Mainbridge Constructions Pty Ltd	\$ 545.20
Mr M Vanderburg	\$ 739.80

**Item: 129            SS - Monthly Investments Report - May 2008 - (96332, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**199 RESOLUTION:**

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

That the information be received and noted.

**CONFIDENTIAL REPORTS**

**200 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.

**201 RESOLUTION:**

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

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: 130 Tender No.015/FY08 - Hire of Plant**

*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: 131 Tender No.019/FY08 - Mowing and Trimming of Active Recreation, Sports Fields and Ovals**

*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: 132 Tender No.020/FY08 - Supply and Installation of Guardrail at Various Locations**

*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: 133 Tender No.021/FY08 - Reconstruction of Creek Ridge Road Bridge**

*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.*

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**Item: 134 Tender No.022/FY08 - Provision of a Dual Control Road Suction Sweeper**

*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: 135 Fishfood Trading Pty Limited - New Lease of 246 Windsor Road, Vineyard**

*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: 136 Property Matter - HCC Lease to Schofield & Co (Administration) Pty Limited - Reverend Turner Cottage**

*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.*

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.

**INFRASTRUCTURE SERVICES**

**Item: 130 IS - Tender No.015/FY08 - Hire of Plant - (95454, 79344) 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 Williams.

***Refer to RESOLUTION***

**202 RESOLUTION:**

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

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

That the:

1. Tender list for the selection of plant for the 2008/2009 financial year be adopted.
2. Seal of Council be affixed to any necessary documentation.

**Item: 131**            **IS - Tender No.019/FY08 - Mowing and Trimming of Active Recreation, Sports Fields and Ovals - (79354, 73611) CONFIDENTIAL**

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Councillor Wearne declared an interest in this matter as his brother-in-law is one of the tenderers (ie "Cleetondale"). He left the meeting and did not take part in voting or discussion on the matter.

**MOTION:**

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

***Refer to RESOLUTION***

**203 RESOLUTION:**

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

That:

1. The tender of Cleetondale in the amount of \$105,047.00 (GST exclusive) per year for the Mowing and Trimming of Active Recreation, Sports Fields and Ovals for a 2 year contract period, with a 2 year option, in favour of Hawkesbury Sports Council, be accepted.
2. This rate being fixed for the first twelve months of the contract, with subsequent years being determined in accordance with Sydney Metropolitan CPI movements (average).
3. The Seal of Council to be affixed to any necessary documentation.

**Item: 132**            **IS - Tender No.020/FY08 - Supply and Installation of Guardrail at Various Locations - (95495, 79344) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

**204 RESOLUTION:**

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

That the:

1. Tender received from J&A Guardrail Pty Ltd, in the amount of \$257,220 (GST exclusive) for the supply and installation of guardrail at various locations be accepted.
2. Seal of Council be affixed to any necessary documentation.

**Item: 133            IS - Tender No.021/FY08 - Reconstruction of Creek Ridge Road Bridge - (95495, 79344) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**205 RESOLUTION:**

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

That the:

1. Tender received from Jay & Lel Excavations Pty Ltd in the amount of \$238,162.00 for the reconstruction of Creek Ridge Road Bridge be accepted.
2. Seal of Council be affixed to any necessary documentation.
3. Council's 50% share be funded from the 2008/2009 3x3 Block Grant allocation of \$128,000.

**Item: 134            IS - Tender No.022/FY08 - Provision of a Dual Control Road Suction Sweeper - (95495, 79344) 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 Williams.

***Refer to RESOLUTION***



**ORDINARY MEETING**

**MINUTES: 24 June 2008**

**206 RESOLUTION:**

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

That the:

1. Tender received from Rosmech Pty Ltd, in the amount of \$200,906.36 (GST excl.), for the provision of a dual control road suction sweeper, be accepted.
2. Seal of Council be affixed to any necessary documentation.

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

**SUPPORT SERVICES**

**Item: 135**            **SS - Fishfood Trading Pty Limited - New Lease of 246 Windsor Road, Vineyard - (105560, 95496) CONFIDENTIAL**

**Previous Item:**        190 (Ordinary, 11 September 2007)  
                              252 (Ordinary, 13 November 2007)

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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 Williams.

***Refer to RESOLUTION***

**207 RESOLUTION:**

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

That:

1. Council accept the amount of \$800,000 in two separate bank guarantees, as follows:
  - Guarantee 1:        \$300,000 to be held by Council and released when the replacement building is completed to lock-up stage; and
  - Guarantee 2:        \$500,000 to be held by Council and released when the replacement building is completed and an occupation certificate is issued.
2. Council agree to an easement in favour of Integral Energy, which affects a 56m<sup>2</sup> portion of the subject property, subject to Fishfood Trading Pty Limited accepting responsibility for all costs associated with the creation and registration of the easement.
3. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

**Item: 136**            **SS - Property Matter - HCC Lease to Schofield & Co (Administration) Pty Limited - Reverend Turner Cottage at 360 George Street, Windsor - (77907, 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 Devine.

***Refer to RESOLUTION***

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

**208 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Schofield & Co (Administration) Pty Limited in accordance with the proposal outlined in the report, subject to clarification/alteration of responsibility for lease preparation fees as appropriate.
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 lessees 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.

**209 RESOLUTION:**

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

**SUPPLEMENTARY REPORTS**

**CITY PLANNING**

**Item: 137 CP - Environmental Planning and Assessment Bill 2008 - (95498)**

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**MOTION:**

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

***Refer to RESOLUTION***

**210 RESOLUTION:**

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

That the information be noted.

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

**SECTION 5 - Reports of Committees**

**ROC - Community Planning Advisory Committee Minutes - 8 May 2008 - (96737)**

**211 RESOLUTION:**

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

That the minutes of the Community Planning Advisory Committee held on 8 May 2008 as recorded on pages 99 to 102 of the Ordinary Business Paper be received.

**ROC - Waste Management Advisory Committee Minutes - 19 May 2008 - (95249)**

**212 RESOLUTION:**

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

That the minutes of the Waste Management Advisory Committee held on 19 May 2008 as recorded on pages 103 to 110 of the Ordinary Business Paper be received subject to the resolved motions on page 104 and 105 moved by Councillor Books being corrected to show they were moved by Councillor Devine.

**ROC - Heritage Advisory Committee Minutes - 22 May 2008 - (80242)**

**213 RESOLUTION:**

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

That the minutes of the Heritage Advisory Committee held on 22 May 2008 as recorded on pages 111 to 113 of the Ordinary Business Paper be received.

## ORDINARY MEETING

MINUTES: 24 June 2008

### QUESTIONS WITHOUT NOTICE

1. Councillor Finch referred to a letter received from Mr Smith at North Richmond regarding the rezoning of his land and requested further information about the matter.

The Director City Planning advised that Council received a letter from the SES following a letter they had received from Mr Smith advising that Council had considered a DA for his property and deferred it subject to a SES determination. There were two incorrect statements in the letter, the application was for a rezoning and not a DA and it was not deferred due to an SES issue. The SES have expressed their disappointment that Council has not finalised a Flood Risk Management Plan as yet and it is also expressing great concern that small rezonings are looked at on an ad-hoc rather than a strategic basis.

2. Councillor Finch enquired if overflowing sewerage in Bilpin Park comes under Council's domain.

The Director Infrastructure Services advised that it does come under Council's domain and the matter will be investigated.

3. Councillor Paine enquired when the Flood Risk Management Plan would be completed.

The Director City Planning advised that the Flood Risk Management Advisory Committee has resolved that the brief is to be finalised with the Department of Environment and Climate Change, staff are currently completing this now and an application for funding to do this has also been lodged. Subject to finalising the brief and receiving funding the work could commence towards the end of 2008 and will take approximately 12 - 18 months.

4. Councillor Paine advised that there is green water running down Johnson Street starting from somewhere near the Fire Station and requested that the matter be investigated.

The Director Infrastructure Services advised the matter will be investigated.

5. Councillor Paine referred to the truck incident that occurred in Fitzgerald Street today and requested that council staff be thanked for their assistance.

The Mayor advised that the request has been noted.

6. Councillor Williams referred to a recent report regarding high zinc levels in the Grose River and requested that further information be sought that includes how the matter may affect the Hawkesbury River and water supply.

The General Manager advised that the matter will be investigated.

7. Councillor Williams enquired about the progress of the Lower Portland Ferry overhaul.

The Director Infrastructure Services advised that the overhaul is anticipated to be completed in the first week in July.

8. Councillor Williams requested that on-street parking in Windsor be marked to ensure that the available spaces are being used efficiently.

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

The Director Infrastructure Services advised that the matter will be investigated however marking the spaces may be counter productive as there is a set length required for a parking bay where vehicles are normally shorter than the required set length.

9. Councillor Williams requested staff to investigate the possibility of having a recycled goods store at the waste depot.

The Mayor advised that the Waste Management Committee is currently looking at recycling and may be able to address this matter.

Councillor Devine advised that eventually people who are depositing waste will not go to the tip site. There will be receiving bays where material will be sorted by the people depositing there and staff will then remove anything of value that can be sold at a recycled goods store that will be on-site.

10. Councillor Books advised that there are large clay pots on the footpath in the main street of Richmond, near the squash courts, that are being filled with rubbish and requested the matter be investigated.

The Director Infrastructure Services advised that the pots were installed by the Richmond Main Street Committee on the condition that they were to maintain them. The committee is no longer in existence. The matter will be investigated.

11. Councillor Books requested that a streetlight be installed in Little Church Street near the St Matthews Church Hall.

The Director Infrastructure Services advised that the matter will be investigated.

12. Councillor Books advised that Longneck Lagoon and Mckenzie's Creek are clogged with salvinia and requested that the matter be investigated.

The Director Infrastructure Services advised that National Parks have been working on Longneck Lagoon and are dropping the water level to allow them to remove the salvinia. They are also installing a fish ladder to try and return the lagoon back to its original state.

13. Councillor Books advised that he has received complaints regarding operating and vehicle noise at Putland Place and requested that the matter be investigated.

The Director City Planning advised that compliance staff are currently investigating the matter and visiting the site on a regular basis to monitor the situation.

14. Councillor Rasmussen enquired if Council is aware of and can do anything regarding Redbank Creek eroding residents backyards.

The Mayor advised that he visited the area with staff approximately 12 months ago regarding the matter to discuss with residents efforts to obtain federal funding to conduct works in the area, issues with logs not being able to be removed from the creeks and watercourse changes due to debris build up.

The Director Infrastructure Services advised staff have previously investigated the matter and will look into it again.

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

15. Councillor Rasmussen advised that there are cars being parked for sale outside Windsor Downs and requested that the matter be investigated.

The Director City Planning advised that staff will investigate.

16. Councillor Rasmussen enquired if a letter of thanks has been sent to the State Government regarding the Windsor Bridge.

The Mayor advised that a report is coming to the next council meeting regarding the matter.

17. Councillor Rasmussen enquired if the recent notice regarding the full funding of the Rural Fire Service by ratepayers is true and enquired what the effect will be on Councils budget.

The General Manager advised that it is correct and the LGSA is currently following up the matter. Council will also follow up the matter and investigate the implications on Council budget. Council will consider making a submission regarding the matter depending on the actions the ALGA is taking.

18. Councillor Rasmussen enquired if Council will be making a submission regarding the Regional Development Funding Program.

The General Manager advised that he was not aware of the request for submissions and asked Councillor Rasmussen to provide a copy of the LGA Newsletter that contained the request.

19. Councillor Devine referred to his question at the previous meeting and enquired when the tour of the Sewerage Treatment Plants will occur.

Councillor Rasmussen advised that approval from the RAAF has been received and a date for the tour is currently being arranged.

20. Councillor Devine referred to his question at the previous meeting and enquired if sound recording equipment has been provided to the Guide Dog facility to monitor the noise from the establishment and if the previous noise monitoring results have been provided to the facility.

The Director City Planning advised that the Guide Dog facility had applied for the noise reports from the Jordan Avenue facility and these have been supplied. Council's Compliance Officers have audited the Guide Dog Facility conditions and the only condition that had not been complied with related to the placement of gauze over some openings in the kennels. The development will be continue to be monitored.

21. Councillor Porter enquired how often the bins at Swallow Ridge Reserve are emptied as they are often overflowing with waste.

The Director Infrastructure Services advised that the matter will be investigated.

22. Councillor Porter enquired about the regulations for shed water run-off flowing onto a neighbouring property.

The Director City Planning advised that generally the direction of roofwater flow onto an adjoining is not permitted unless there is an easement and requested that Councillor Porter provide details for the property so the matter can be investigated.

**ORDINARY MEETING**

**MINUTES: 24 June 2008**

The meeting terminated at 9.26pm.

Submitted to and confirmed at the Ordinary meeting held on 8 July 2008.

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Mayor