



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 09 November 2010

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

MINUTES: 9 November 2010

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **PRESENTATION BY COUNCIL'S AUDITOR, MR DENNIS BANICEVIC OF PRICEWATERHOUSECOOPERS, IN RESPECT OF COUNCIL'S AUDITED 2009/2010 FINANCIAL REPORTS**
- **SECTION 1 - Confirmation of Minutes**
- **AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **QUESTIONS WITH NOTICE**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**
 - General Manager**
 - City Planning**
 - Infrastructure Services**
 - Support Services**
- **SECTION 5 - Reports of Committees**
- **QUESTIONS FOR NEXT MEETING**

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 9 November 2010, commencing at 6.30pm.

ATTENDANCE

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

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

381 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reardon that standing orders be suspended to allow for a presentation to be given by Council's Auditor, Mr Dennis Banicevic, of PricewaterhouseCoopers, in respect of Council's audited 2009/2010 Financial Reports.

Mr Banicevic addressed to meeting in respect of Council's 2009/2010 Financial Reports.

382 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Porter that standing orders be resumed.

SECTION 1: Confirmation of Minutes

383 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 12 October 2010, be confirmed.

384 RESOLUTION:

RESOLVED on the motion of Councillor Williams, seconded by Councillor Porter that standing orders be suspended to allow for discussion of the Questions From Previous Meetings and Responses item.

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

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385 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Mackay that standing orders be resumed.

386 RESOLUTION:

RESOLVED on the motion of Councillor Williams, seconded by Councillor Rasmussen that the meeting continue past 11pm.

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SECTION 3 - Notices of Motion

NM1 - Hawkesbury Riverbank Destabilisation and Siltation - (114014, 90477)

Mr Ian Johnston, proponent, addressed Council.
Ms Robin Woods, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

387 RESOLUTION:

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

That Hawkesbury City Council:

1. Advise the Minister for Water and Minister for Regional Development The Hon. Phil Costa MP of Council's grave concern at the direction that the Office of Hawkesbury/Nepean (OoHN) is taking in regard to riverbank destabilisation and subsequently siltation of the Hawkesbury River.
2. Ask State Members Mr Shearan, Mr Aquilina and Mr Williams to organise for a delegation from Hawkesbury City Council to meet with Minister Costa and Minister Kelly to discuss the critical state of the Hawkesbury River.

388 RESOLUTION:

RESOLVED on the FORESHADOWED motion moved by Councillor Williams, seconded by Councillor Whelan.

That Council make representations to the appropriate Minister to find a more suitable location for the use of wakeboard boats on the Hawkesbury River and introduce a 12 month trial moratorium on wakeboard boats on the Upper Hawkesbury River.

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NM2 - Native Trees for Schools in Hawkesbury Local Government Area - (80104)

Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as he is an employee of the NSW Department of Education & Training (DET) and this motion recommends trees be given to DET schools and no further action is required.

Councillor Conolly declared a less than significant non-pecuniary conflict of interest in this matter as he is an employee of the Catholic Education Office and no further action is required.

MOTION:

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

Refer to RESOLUTION

389 RESOLUTION:

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

That Council offer the eligible schools in the Hawkesbury Local Government Area, four native trees per year, from the Community Nursery to plant in their school yard.

NM3 - Submission of Notices of Motion - (80105)

MOTION:

A motion was moved by Councillor Williams, seconded by Councillor Mackay.

That Council propose to amend Clause 2.3.2 of the Code of Meeting Practice to read "*Notices of Motion from Councillors must be lodged with the General Manager **by 3pm on the day of the meeting***" and that a draft Code incorporating this amendment be prepared and placed on public exhibition as required by Clause 361 of the Local Government Act.

The motion was lost on the casting vote of the Mayor.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 241 **GM - Bells Line of Road Long Term Strategic Corridor Plan - Current Community Consultation Process - (79351)**

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

Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as one of the original plans for the upgraded road, took a route adjacent to his property and no further action is required.

Mr David Gregory, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

390 RESOLUTION:

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

That in connection with the recently publicised community consultation process by the Roads and Traffic Authority in connection with the development of a Long Term Strategic Corridor Plan for the Bells Line of Road Council:

1. Request the Roads and Traffic Authority to increase the number of community information sessions that are undertaken and to extend the consultation and comment period to February 2011.
2. Invite a representative of the Roads and Traffic Authority to a Councillor Briefing Session to advise Council further and discuss the community consultation process, as well as subsequent actions and processes in connection with the development of the Plan.
3. Make a submission as part of the current community consultation process in line with and supporting Council's resolution of 31 July 2007 in this regard and that a copy of the submission be placed on Council's website.

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CITY PLANNING

Item: 242 CP - Development Application - Two Lot Torrens Title Subdivision, 12 Stewarts Lane, Wilberforce - (DA0546/10, 107542, 102260, 95498)

Mr Robert Montgomery, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

391 RESOLUTION:

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

That:

1. The objection under the provisions of SEPP No.1 be supported.
2. Council seek the concurrence of the Department of Planning to the SEPP No.1 Variation.
3. The applicant be requested to submit to Council a flora and fauna report for assessment and approval by the General Manager. This report is required to be prepared by a suitably qualified environmental consultant and shall include an Assessment of Significance undertaken in accordance with the guidelines prepared by the Department of Environment and Climate Change NSW.

The assessment is to cover all significant vegetation likely to be impacted by the proposal, inclusive of the proposed building footprint, proposed road construction for both Krahe Road and Stewarts Lane and asset protection zones.

4. Council support development application DA0546/10 at Lot 406 DP 751665, 12 Stewarts Lane, Wilberforce for Torrens title subdivision into two lots and, upon the receipt of the responses from the Department of Planning and the submission of a satisfactory Flora and Fauna assessment report, authority be delegated to the General Manager to appropriately determine the application.

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

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Item: 243 CP - Development Application - Retrospective Shed Additions and Use of Existing Shed for the Manufacture of Dog Biscuits - Lot 1 DP 564277, 412 Stannix Park Road, Ebenezer - (DA0922/08, 23330, 88784, 95498)

Mr Patrick Hurley and Mr Garry Jennings, proponents, addressed Council.
Mr Neville Diamond and Mr Bill Sneddon, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

392 RESOLUTION:

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

That:

1. Development application DA0922/08 at Lot 1 DP 564277 412 Stannix Park Road, Ebenezer NSW 2756 for retrospective shed additions and use of existing shed for the manufacture of dog biscuits be refused for the following reasons:
 - (a) The development is best defined as “industry” under the provisions of the Hawkesbury Local Environmental Plan 1989, which is a prohibited land use within the “Mixed Agriculture” zone.
 - (b) The development is defined as “industry” under the provisions of the Draft Hawkesbury Local Environmental Plan 2009, which is a prohibited land use within the RU1 Primary Production zone.
 - (c) Unacceptable noise and odour impacts in the context of this rural locality.
2. As the existing operation for the manufacture of dog biscuits is prohibited in the zone, appropriate compliance action be taken in accordance with Council’s Enforcement Policy to ensure that the operation ceases within six months.

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

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Item: 244 CP - Development Application - Five Rural Sheds with Attached Carports - 433 Pitt Town Bottoms Road, Pitt Town Bottoms NSW 2756 - (DA0160/10, 85782, 90731, 95498)

Mr Ian Hardy and Mr Troy Meyers, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

393 RESOLUTION:

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

That this matter be deferred to allow further discussions between the applicant and Council staff to take place.

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

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Item: 245 CP - Development Application - Rural Tourist Facility - Lot 433, DP 751665, 172 Blacktown Road, Freemans Reach - (DA0302/10, 14738, 95498)

Mr Michael Dimech and Mr Greg Hall, proponents, addressed Council.
Ms Julie Lindon, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

394 RESOLUTION:

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

That consideration of this matter be deferred to a future meeting of Council.

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

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Item: 246 **CP - Community Sponsorship Program - 2010/2011 - Round 2 - (96328, 95498)**

Previous Item: 180, Ordinary (27 July 2010)

Councillor Bassett declared a significant non-pecuniary conflict of interest in this matter as Pirasta Pty Ltd, a company linked to Riverview Shopping Centre owners, donated to his State Campaign for Londonderry in 2007. The donation was under the disclosure limit at the time but since the changes to donation laws is now included. Riverview Shopping Centre have applied for sponsorship. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Conolly declared a pecuniary interest in this matter as one of the applicants is Bede Polding College. This school is conducted by his employer, the Catholic Education Office, Diocese of Parramatta. Councillor Conolly also declared a significant non-pecuniary conflict of interest in this matter as another applicant, Windsor Riverview Shopping Centre, as Pirasta Pty Ltd, donated to the Liberal campaign for Riverstone in 2007 when he was the candidate. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as he is an employee of the NSW DET and there are two DET schools receiving funding through this program and no further action is required.

395 RESOLUTION:

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

That Councillor Paine assume the Chair as the Mayor and Deputy Mayor have declared interests in this matter.

Councillor Paine assumed the Chair.

Mr Mark Robson, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

396 RESOLUTION:

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

That Council approve payments of Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in the Table of this report.

Councillor Basset assumed the Chair as Mayor.

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Item: 247 **CP - Hawkesbury City Council - Annual Report - 2009/2010 - (95498)**

MOTION:

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

Refer to RESOLUTION

397 RESOLUTION:

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

That:

1. The completion of Council's 2009/2010 Annual Report information be received and noted and a copy be forwarded to the Division of Local Government and any other necessary authorities prior to 30 November 2010 as required.
2. Council display the full Annual Report on Council's website by the 30 November 2010.

Item: 248 **CP - Draft Notice of Approval - Protection of the Environment Operations (Clean Air) Regulation 2002 - (96330, 95498)**

Previous Item: 296, Ordinary (12 December 2006)
 196, Ordinary (31 August 2010)

MOTION:

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

Refer to RESOLUTION

398 RESOLUTION:

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

That the draft Clean Air Regulation Notice of Approval to Pile Burn as attached to this report be adopted and remain in force until 9 November 2015.

INFRASTRUCTURE SERVICES

Item: 249 **IS - Underground Piped Drainage System - 22 Price Lane, Agnes Banks - (95495, 79344)**

Mr Robert Marshall, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

399 RESOLUTION:

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

That this matter be deferred and a report be brought back to the next meeting of Council.

Item: 250 **IS - Jones Road, Lower Portland - (95495, 79344)**

Mr John Hermitage, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

400 RESOLUTION:

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

That:

1. Council agree to accept the dedication of the right of way known as Jones Road, Lower Portland as a public road, subject to the agreement of all property owners and no monetary compensation being for such dedication.
2. All reasonable survey and legal costs to be borne by Council.
3. Funding estimated at \$50,000 be made available to cover survey and legal costs, drainage works and road improvements, from within the 2011/2012 Capital Works Program.

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Item: 251 IS - Wilberforce Cemetery - Re-opening for Interments - (95495, 79354, 90781)

Ms Jill Vincent, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

401 RESOLUTION:

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

That:

1. The re-opening of Wilberforce Cemetery for burials be approved, following the policy guidelines detailed within the Wilberforce Cemetery Conservation Management Plan, to allow commencement of interments following the adoption of appropriate fees and charges by Council.
2. A report be submitted to Council to establish fees and charges for the management of the Wilberforce Cemetery to allow such to be advertised for public comment and subsequent adoption as soon as possible.

Item: 252 IS - Roads to Recovery - (95495, 79344)

Previous Item: 203, Ordinary (29 September 2009)

MOTION:

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

Refer to RESOLUTION

402 RESOLUTION:

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

That:

1. The funding allocation in the amount of \$495,000 for the rehabilitation of Terrace Road between Beaumont Avenue and Redbank Creek be re-allocated towards the rehabilitation of Scheyville Road between Old Stock Road and Dormitory Hill Road.
2. The Department of Infrastructure, Transport, Regional Development & Local Government be advised of Council's decision.

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SUPPORT SERVICES

Item: 253 SS - General Purpose Financial Report and Special Purpose Financial Report for the period ended 30 June 2010 - (96332, 95496)

Mr Dennis Banicevic, Council's Auditor from PricewaterhouseCoopers, made a presentation to Council in respect of Council's audited 2009/2010 Financial Reports.

Mr Neville Diamond, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

403 RESOLUTION:

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

That Council:

1. Note the completion of the General Purpose, Special Purpose Financial Reports and Special Schedules for the period ended 30 June 2010.
2. Suspend standing orders to allow Council's Auditor, Mr Dennis Banicevic of PricewaterhouseCoopers, to make a presentation in respect of Council's audited 2009/2010 financial reports.

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Item: 254 SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496)

Previous Item: 205, Ordinary (31 August 2009)
 209, Ordinary (29 September 2009)

MOTION:

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

Refer to RESOLUTION

404 RESOLUTION:

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

That:

1. The revised Policy for "Payment of Expenses and Provision of Facilities for Councillors" attached as Attachment 1 be adopted.
2. Council is of the opinion that the additional amendment proposed to the Policy, is not substantial, and that public notice of the amendment is not required.
3. As required by Section 253(4) of the Local Government Act 1993, a copy of the adopted amended Policy be forwarded to the Division of Local Government, Department of Premier and Cabinet, together with a copy of the public notice placing the draft Policy on public exhibition, and advice that during the required exhibition period the Council received no submissions in respect of the draft Policy.

Item: 255 SS - Monthly Investments Report - September 2010 - (96332, 95496)

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

MOTION:

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

Refer to RESOLUTION

405 RESOLUTION:

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

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

CONFIDENTIAL REPORTS

406 RESOLUTION:

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

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

407 RESOLUTION:

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

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: 256 IS - Tender No. 00311 - South Windsor Recycled Water Scheme - (32459, 95495)

*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: 257 IS - Tender No. 00511 - Provision of Repainting Various Sites - (95495, 79340)

*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: 258 SS - Lease to H & H Hotel Group - Windsor Function Centre - Cnr Dight and Macquarie Streets, Windsor - (112106, 115255, 33132)

*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: 259 SS - Hawkesbury Oasis Leisure Centre - Licence Agreement for the operation of Café by ChezPez Pty Ltd - (95496, 93487)

*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.

408 RESOLUTION:

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

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INFRASTRUCTURE SERVICES

Item: 256 IS - Tender No. 00311 - South Windsor Recycled Water Scheme - (32459, 95495)
CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

409 RESOLUTION:

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

That the:

1. Tender submitted by Murphy McCarthy & Associates Pty Ltd in the amount of \$6,927,572.00 (GST Inclusive) for the design, construction, testing and commissioning of the South Windsor Recycled Water Scheme in accordance with Tender Document 00311 be accepted.
2. Seal of Council to be affixed to the necessary documentation.

Item: 257 IS - Tender No.00511 - Provision of Repainting Various Sites - (95495, 79340)
CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

410 RESOLUTION:

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

That the:

1. Tender submitted by Omega Maintenance Group Pty Ltd for the provision of Repainting Various Sites in the amount of \$186,875.00 (GST exclusive) be accepted.
2. Seal of Council be affixed to the necessary documentation.

ORDINARY MEETING

MINUTES: 9 November 2010

SUPPORT SERVICES

Item: 258 SS - Lease to H & H Hotel Group - Windsor Function Centre - Cnr Dight and Macquarie Streets, Windsor - (112106, 115255, 33132) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

411 RESOLUTION:

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

That:

1. Council agree to enter into a new lease of "Windsor Function Centre", Cnr Dight and Macquarie Streets, Windsor with H & H Hotel Group as outlined in this report.
2. Authority by given for any documentation in association with the matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee together with the advice that Council is not and will not be bounded by terms of its resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

ORDINARY MEETING

MINUTES: 9 November 2010

Item: 259 **SS - Hawkesbury Oasis Leisure Centre - Licence Agreement for the operation of Cafe by ChezPez Pty Ltd - (95496, 93487) CONFIDENTIAL**

Previous Item: 186, Ordinary (11 September 2007)

MOTION:

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

Refer to RESOLUTION

412 RESOLUTION:

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

That:

1. Council approve the Licence Agreement for the operation of café at the Hawkesbury Oasis Leisure Centre between the YMCA of Sydney, ChezPez Pty Ltd. and Council as outlined in the report.
2. The Seal of Council be affixed to the necessary documentation.

ORDINARY MEETING

MINUTES: 9 November 2010

SECTION 5 - Reports of Committees

ROC - Audit Committee Minutes - 6 October 2010 - (95496, 91369)

413 RESOLUTION:

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

That the minutes of the Audit Committee held on 6 October 2010 as recorded on pages 145 to 149 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 20 October 2010 - (90245)

414 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 20 October 2010 as recorded on pages 150 to 152 of the Ordinary Business Paper be adopted.

ORDINARY MEETING**MINUTES: 9 November 2010****QUESTIONS FOR NEXT MEETING****Councillor Questions From Previous Meetings and Responses - (105109)**

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

Questions - 9 November 2010

#	Councillor	Question	Response
1	Clr Porter	Referred to his question from last meeting regarding the Flood Study and the response included in the business paper for this meeting. He advised that although staff indicated that there was no Flood Study undertaken in the 1990's he has information indicating otherwise and enquired if the matter could be further investigated.	Director City Planning.
2	Clr Bassett	Enquired if the Glossodia Poultry Farm matter could be brought to a Councillor Briefing Session.	Director City Planning.
3	Clr Mackay	Enquired why the streets around the Macquarie Arms were all blocked off during the Blues Festival. He commented that he felt it was not clear in the previous report that the streets were going to be closed off.	Director Infrastructure Services.
4	Clr Porter	Enquired if the letter recently received about applications for dredging and licensing could be addressed at a Councillor Briefing Session.	General Manager.
5	Clr Calvert	Enquired if information regarding the electricity costs for the Administration Building and the Deerubbin Centre could be provided with a view to consider installing solar energy on both sites.	Director Infrastructure Services.
6	Clr Calvert	Enquired if the orange electronic sign that shows drivers what speed they are travelling at could be placed in the Kurrajong Village.	Director City Planning.
7	Clr Paine	Enquired if staff could investigate the site on Blacktown Road that has an application in for 100 Igloos and look at the wastewater and noise from the site.	Director City Planning.

ORDINARY MEETING
MINUTES: 9 November 2010

#	Councillor	Question	Response
8	Clr Williams	Enquired if the claims that there is an illegal access road built across the Blacktown Road site lagoon are correct.	Director City Planning.
9	Clr Williams	Enquired if historic precinct signs can be arranged for Richmond similar to those in Windsor.	General Manager.
10	Clr Rasmussen	Enquired if information regarding the take up rates for newly sewered areas can be provided.	Director Infrastructure Services.
11	Clr Reardon	Enquired if a Street Category could be added to the Garden Awards in 2011.	Director Infrastructure Services.
12	Clr Reardon	Enquired if the MOU with Hornsby and Hills Shire Councils could be extended to include Community Services which would benefit the services of Peppercorn in the Wisemans Ferry area.	Director City Planning.
13	Clr Reardon	Enquired if hirers of Kurrajong Community Centre can be covered under Council's Public Liability Insurance, and the cost of this added to the hiring fee.	General Manager.
14	Clr Whelan	Enquired when a report regarding the Co-Generation Plat will come to Council.	General Manager.

The meeting terminated at 1.37am.

Submitted to and confirmed at the Ordinary meeting held on 30 November 2010.

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Mayor