



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 28 February 2012

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING
Table of Contents
MINUTES: 28 February 2012

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTE 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**

ORDINARY MEETING

Table of Contents

MINUTES: 28 February 2012

ORDINARY MEETING
Table of Contents
MINUTES: 28 February 2012

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	1
	APOLOGIES	1
	SECTION 1: Confirmation of Minutes	1
	SECTION 4 - Reports for Determination	2
	GENERAL MANAGER	2
Item: 19	GM - 2012 Local Government Managers Australia Conference - (79351)	2
Item: 20	GM - Sister City and City-Country Alliance Program - Annual Report 2010/2011 - (79351, 73610, 85814, 90568)	2
	CITY PLANNING	3
Item: 21	CP - Reporting of State Environmental Planning Policy (SEPP) 1 Variations to Development Standards - (95498)	3
Item: 22	CP - Car Parking Arrangements at the Hawkesbury Seniors Leisure and Learning Centre - (95498)	3
Item: 23	CP - Community Sponsorship Program - 2011/2012 - Round 3 - (96328, 95498)	4
	INFRASTRUCTURE SERVICES	5
Item: 24	IS - Funding Allocations to Hawkesbury River County Council - (95495)	5
Item: 25	IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club and the NSW Water Ski Federation - (79354, 73829, 74204)	5
Item: 26	IS - Renaming of McMahons Park, Kurrajong to Singleton's Reserve - (95495, 79354)	6
Item: 27	IS - Naming of a Proposed Road at Kurrajong Hills Within Proposed Subdivision of Lot 1 DP 543262 and Lot 4 DP 1064408, No.'s 150 and 274B Hermitage Road, Kurrajong Hills - (95495, 118654)	7
	SUPPORT SERVICES	8
Item: 28	SS - Monthly Investments Report - January 2012 - (96332, 95496)	8
Item: 29	SS - December 2011 Quarterly Review - 2011/2012 Management Plan - (79351, 95496, 96332, 107)	8
Item: 30	SS - Hawkesbury Regional Museum - Relocation of RAAF Display - (95496, 103542, 114055, 78462)	9

ORDINARY MEETING

Table of Contents

MINUTES: 28 February 2012

ITEM	SUBJECT	PAGE
	CONFIDENTIAL REPORTS	10
Item: 31	IS - Tender No. 00412 - Pitt Street Roadworks and Stormwater Drainage Construction - (95495, 79344) CONFIDENTIAL	11
Item: 32	IS - Tender No. 00612 - Tender for the Bitumen Sealing and Resealing of Roads within the City of Hawkesbury - (95495) CONFIDENTIAL	12
Item: 33	SS - Property Matter - 37 Macquarie Street, Windsor - (95496, 112106, 74960) CONFIDENTIAL	12
	SECTION 5 - Reports of Committees	13
	ROC - Heritage Advisory Committee Minutes - 9 February 2012 - (95498, 80242)	13
	ROC - Local Traffic Committee - 13 February 2012 - (80245)	13
	QUESTIONS FOR NEXT MEETING	14
	Councillor Questions From Previous Meetings and Responses - (105109)	14
	QUESTIONS WITHOUT NOTICE	15

ORDINARY MEETING

MINUTES: 28 February 2012

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 28 February 2012, commencing at 6:32pm.

Pastor Roger Brewer of Bridgewater Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

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

APOLOGIES

An apology for absence was received from Councillor B Calvert.

34 RESOLUTION:

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

SECTION 1: Confirmation of Minutes

35 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 14 February 2012, be confirmed.

ORDINARY MEETING
MINUTES: 28 February 2012

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 19 **GM - 2012 Local Government Managers Australia Conference - (79351)**

MOTION:

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

Refer to RESOLUTION

36 **RESOLUTION:**

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

That attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 2012 LGMA National Congress & Business Expo at an approximate cost of \$4,350.00 per delegate be approved.

37 **RESOLUTION:**

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

That Councillor Ford, Mayor and Councillors Paine and Reardon, as Council's nominated representatives attend the 2012 LGMA National Congress & Business Expo.

Item: 20 **GM - Sister City and City-Country Alliance Program - Annual Report 2010/2011 - (79351, 73610, 85814, 90568)**

MOTION:

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

Refer to RESOLUTION

38 **RESOLUTION:**

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

That the 2010/2011 annual report for the Sister City Program be received.

CITY PLANNING

Item: 21 **CP - Reporting of State Environmental Planning Policy (SEPP) 1 Variations to Development Standards - (95498)**

MOTION:

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

Refer to RESOLUTION

39 RESOLUTION:

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

That the report regarding the Reporting SEPP 1 Variations to Development Standards be received and noted.

Item: 22 **CP - Car Parking Arrangements at the Hawkesbury Seniors Leisure and Learning Centre - (95498)**

Previous Item: NM, Ordinary (29 November 2011)

MOTION:

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

Refer to RESOLUTION

40 RESOLUTION:

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

That:

1. Council consult with users and operators of the Hawkesbury Seniors Leisure and Learning Centre, Richmond Community Nursing Home and the Richmond Pre-School regarding the proposal to introduce timed parking to a portion of the car-park located at 108 to 116 March Street, Richmond.
2. Required statutory signage be installed at the entrance to the car-park to enable Council Officers to police the use of designated disability parking spaces at the March Street site.

ORDINARY MEETING
MINUTES: 28 February 2012

Item: 23 **CP - Community Sponsorship Program - 2011/2012 - Round 3 - (96328, 95498)**

Previous Item: 267, Ordinary (29 November 2011)
 159, Ordinary (26 July 2011)

Councillor Ford, Mayor declared a less than significant non-pecuniary conflict of interest in this matter as he is a Life Member and Deputy Captain of the Yarramundi Fire Brigade and as such has a roll in the management of the Brigade and the Executive Meetings and no further action is required.

MOTION:

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

Refer to RESOLUTION

41 RESOLUTION:

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

That Council approve:

1. Payments under Section 356 Financial assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. The execution of Council's standard Sponsorship Agreement for application five identified in Table 1 of this report.

INFRASTRUCTURE SERVICES

Item: 24 IS - Funding Allocations to Hawkesbury River County Council - (95495)

MOTION:

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

Refer to RESOLUTION

42 RESOLUTION:

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

That Council:

1. Write to the Sydney Weeds Committee requesting that Hawkesbury River County Council funding levels are restored to previous levels in line with CPI and any NSW State Budget increases.
2. Appeal to the Minister for Primary Industries to preserve all Local Government funding devolved via the NSW Weed Action Program to meet the obligations of the Noxious Weeds Act 1993, and not permit regional level committees to re-allocate this to other State Government entities.

Item: 25 IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club and the NSW Water Ski Federation - (79354, 73829, 74204)

MOTION:

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

Refer to RESOLUTION

43 RESOLUTION:

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

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for the 2012 Bridge to Bridge Boat Race on Sunday, 6 May 2012.
2. Approval be granted to the NSW Water Ski Federation Ltd for "Exclusive Use" of Governor Phillip Reserve for the 2012 Bridge to Bridge Water Ski Classic on Friday, 30 November, Saturday, 1 and Sunday, 2 December 2012.

ORDINARY MEETING
MINUTES: 28 February 2012

3. The approvals be subject to the following conditions/documents:
- a) Council's general park conditions.
 - b) Council's Fees and Charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) The Governor Phillip Exclusive Use Policy.
 - e) Governor Phillip Noise Policy.
 - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
4. As the applicants have not advised alternative dates in the event of inclement weather, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicants.

Item: 26 **IS - Renaming of McMahons Park, Kurrajong to Singleton's Reserve - (95495, 79354)**

Previous Item: 174, Ordinary (9 August 2011)

MOTION:

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

Refer to RESOLUTION

44 RESOLUTION:

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

That the name of Singleton's Reserve for the Reserve located on Mill Road Kurrajong (Lot 285 & 286 DP 751649) be supported and application be made to the Geographical Names Board for formal gazettal.

ORDINARY MEETING

MINUTES: 28 February 2012

Item: 27 **IS - Naming of a Proposed Road at Kurrajong Hills Within Proposed Subdivision of Lot 1 DP 543262 and Lot 4 DP 1064408, No.'s 150 and 274B Hermitage Road, Kurrajong Hills - (95495, 118654)**

MOTION:

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

Refer to RESOLUTION

45 RESOLUTION:

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

That public comment be sought under the New South Wales Road Act, 1993 for the naming of the new public road in connection with the proposed subdivision, DA0821/08, of Lot 1 DP 543262 and Lot 4 DP 1064408, No.'s 150 and 274B Hermitage Road, Kurrajong Hills as Peartree Hill Road.

SUPPORT SERVICES

Item: 28 SS - Monthly Investments Report - January 2012 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

46 RESOLUTION:

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

The report regarding the monthly investments for January 2012 be received and noted.

Item: 29 SS - December 2011 Quarterly Review - 2011/2012 Management Plan - (79351, 95496, 96332, 107)

Previous Item: 121, Extraordinary (21 June 2011)

MOTION:

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

Refer to RESOLUTION

47 RESOLUTION:

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

That the:

1. Information contained in the report on the 2011/2012 Management Plan – December 2011 Quarter Review, be received.
2. Quarterly Review of the 2011/2012 Management Plan, for the period ending 31 December 2011, be adopted.

ORDINARY MEETING
MINUTES: 28 February 2012

Item: 30 **SS - Hawkesbury Regional Museum - Relocation of RAAF Display - (95496, 103542, 114055, 78462)**

Previous Item: 5, Ordinary (5 February 2008)

MOTION:

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

Refer to RESOLUTION

48 RESOLUTION:

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

That the RAAF display be relocated from Howe House to the new Hawkesbury Regional Museum building.

CONFIDENTIAL REPORTS

49 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.

50 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, 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: 31 IS - Tender No. 00412 - Pitt Street Roadworks and Stormwater Drainage Construction

*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: 32 IS - Tender No. 00612 - Tender for the Bitumen Sealing and Resealing of Roads within the City of Hawkesbury

*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: 33 SS - Property Matter - 37 Macquarie Street, Windsor

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details 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.

ORDINARY MEETING
MINUTES: 28 February 2012

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.

51 RESOLUTION:

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

Item: 31 IS - Tender No. 00412 - Pitt Street Roadworks and Stormwater Drainage Construction - (95495, 79344) CONFIDENTIAL

Councillor Ford, Mayor, declared a pecuniary interest in this matter as his wife is the Office Manager for Jay & Lel Civil Contractors Pty Ltd. and therefore, contribute to family income. He left the Chamber and did not take part in voting or discussion on the matter.

The Deputy Mayor, Councillor Tree assumed Chair in the absence of the Mayor.

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

52 RESOLUTION:

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

That:

1. The tender submitted by Jay & Lel Civil Contractors Pty Ltd in the total amount of \$725,523.50 (excluding GST) (Stages 1 and 2) for the Pitt Street Roadworks and Stormwater Drainage Construction, be accepted.
2. The tender for the separable portion, Stage 3, by Jay & Lel Civil Contractors Pty Ltd of \$354,505.75 (excluding GST) be accepted subject to funding being included in the 2012/2013 adopted Budget and the tenderer confirming an extension of their tender validity period to 31 July 2012.
3. Any required documentation be executed under the Seal of Council.

ORDINARY MEETING

MINUTES: 28 February 2012

Item: 32 **IS - Tender No. 00612 - Tender for the Bitumen Sealing and Resealing of Roads within the City of Hawkesbury - (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

53 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. Schedule of rates tender submitted by Fulton Hogan Pty Ltd for Bitumen Sealing and Resealing of Roads within the City of Hawkesbury, to 30 June 2014, with the option of two by one year extensions, be accepted.
2. Seal of Council be affixed to any necessary documentation.

Item: 33 **SS - Property Matter - 37 Macquarie Street, Windsor - (95496, 112106, 74960) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

54 RESOLUTION:

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

That:

1. The information regarding the lease between Kentucky Fried Chicken Pty Limited and Council of 37 Macquarie Street, Windsor be noted.
2. A report be submitted to Council with estimates for the demolition of the building at 37 Macquarie Street, Windsor, restoration of this site for use as a carpark and costs for the erection of a public toilet building in that location.

ORDINARY MEETING

MINUTES: 28 February 2012

SECTION 5 - Reports of Committees

ROC - Heritage Advisory Committee Minutes - 9 February 2012 - (95498, 80242)

55 RESOLUTION:

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

That the minutes of the Heritage Advisory Committee held on 9 February 2012 as recorded on pages 69 to 77 of the Ordinary Business Paper be received and in regard to the item of General Business concerning Windsor Bridge/ Thompson Square, the Committee be advised that as Council has previously resolved to support Option 1 in respect of the proposed replacement of Windsor Bridge, it does not consider that there is any need for a further presentation from the Committee in this regard.

Councillor Williams requested that his name be recorded as having voted against the Motion.

ROC - Local Traffic Committee - 13 February 2012 - (80245)

56 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 13 February 2012 as recorded on pages 78 to 93 of the Ordinary Business Paper be adopted.

ORDINARY MEETING

MINUTES: 28 February 2012

QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

Responses to Questions in relation to previous Questions for Next meeting were provided and discussed.

ORDINARY MEETING
MINUTES: 28 February 2012

QUESTIONS WITHOUT NOTICE

#	Councillor	Question	Response
1	Reardon	Enquired if the Council Chambers and other Council properties are insured against flood and who Council's Insurers are.	General Manager
2	Bassett	Requested that when Council renews its membership with Hawkesbury Radio, that staff ensure that prior to renewal membership numbers are reviewed to those reported in the Gazette.	General Manager
3	Tree	Reported that there is a substantial amount of graffiti on the rear exterior wall of the Auto One building near Windsor Station and enquired if staff can ask Rotary to remove it.	Director Infrastructure Services
4	Paine	Enquired about the progress of the recommendation from the Windsor Traffic Study for a No left turn onto The Terrace.	Director Infrastructure Services
5	Paine	Enquired if Council Rangers issue fines to Taxi drivers who unload passengers with disabilities at the rear of bus stops.	Director City Planning
6	Paine	Referred to the Councillor Briefing Session regarding the proposal from Richmond Club to put a Caravan "rest-a-while" area in Windsor, and enquired about the progress of the matter.	General Manager
7	Paine	Advised that shopping trolleys from Windsor Woolworths and Coles were being left on the streets and inhibiting Councils street sweepers from carrying out routine cleaning. Councillor Paine asked if staff could contact the organisations regarding trolley collection.	Director City Planning
8	Williams	Asked for an update in respect of a previous request for staff to investigate the provision of a drop off zone for patients using the Medical Centre in Fitzgerald Street.	Director Infrastructure Services

The meeting terminated at 7:35pm.

Submitted to and confirmed at the Ordinary meeting held on 13 March 2012.

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Mayor