



ordinary
meeting
minutes

date of meeting: 25 June 2013

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Table of Contents

MINUTES: 25 June 2013.

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTES ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **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: 25 June 2013.

ORDINARY MEETING**Table of Contents****MINUTES: 25 June 2013.****TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
ATTENDANCE		1
SECTION 1: Confirmation of Minutes		1
SECTION 3 - Notices of Motion		2
NM1 -	Council to Oppose CSG Exploration and Extraction in the Hawkesbury LGA - (125612, 79351)	2
NM2 -	Aboriginal Flag in Council Chambers - (79351, 80104)	3
NM3 -	Painting of Doors - Public Toilets - (79351, 80104)	3
SECTION 4 - Reports for Determination		4
GENERAL MANAGER		4
Item: 109	GM - Questions For Next Meeting - Provision of Security and Rope Barrier at Council Meetings - (79351)	4
Item: 111	GM - DA0111/13 - 3 Hendrens Road, Ebenezer - Lot 263 DP 751665 - Retrospective Application - Structure Ancillary to a Dwelling - (79351, 85782, 78878, 18452, 2807)	4
CITY PLANNING		7
Item: 112	CP - DA0548/12 - 288 Packer Road, Blaxlands Ridge - Lot 185 DP 751656 - Cemetery - (95498, 14876, 85782)	7
CONTINUATION OF THE ORDINARY MEETING RECONVENED AT THE COUNCIL CHAMBERS, WINDSOR, WHICH WAS ADJOURNED AT 11:35PM AND RESUMED AT 6:32PM ON WEDNESDAY, 26 JUNE 2013.		9
ATTENDANCE		9
SECTION 4 - Reports for Determination		10
GENERAL MANAGER		10
Item: 110	GM - NSW Independent Local Government Review Panel - Submission to Consultation Paper - Future Directions for NSW Local Government - Twenty Essential Steps - April 2013 - (79351)	10
CITY PLANNING		11
Item: 113	CP - Planning Proposal to Amend Wording of Clause 4.1D (1) (a) of Hawkesbury LEP to Clarify Reticulated Sewer System Provision - (95498)	11
Item: 114	CP - Submission to the White Paper - A New Planning System for NSW - (95498)	12

ORDINARY MEETING**Table of Contents****MINUTES: 25 June 2013.**

INFRASTRUCTURE SERVICES	13
Item: 115 IS - Exclusive Use of Governor Phillip Reserve - Ski Racing NSW Inc. - (92138)	13
SUPPORT SERVICES	14
Item: 116 SS - Monthly Investments Report - May 2013 - (96332, 95496)	14
Item: 117 SS - Pecuniary Interest Returns - Designated Persons - (95496, 79337)	14
Item: 118 SS - 2013/2014 Remuneration for Councillors and Mayor - (95496, 96332)	14
Item: 119 SS - Outstanding Receivables - Bad Debts Write Off - (96332, 95496)	15
Item: 120 SS - Gifts and Benefits Policy - (95496)	15
Item: 121 SS - Review of Council's Draft Investment Policy and Appointment of Investment Advisor - (96332, 95496)	16
Item: 122 SS - Local Government NSW - Request for Contribution to Legal Costs - Mid-Western Regional Council - (112608, 78149, 95496)	16
CONFIDENTIAL REPORTS	17
Item: 123 CP - Proposal No. 00921 - Provision of Containerised Garden Organics Collection and Processing Service - (95498, 96330) CONFIDENTIAL	18
Item: 124 IS - Tender No. 00922 - Mowing and Trimming of Active Recreation Areas, Sports Fields and Ovals - (95495, 73611) CONFIDENTIAL	19
Item: 125 SS - Supply of Debt Recovery Services - (95496, 96332) CONFIDENTIAL	19
Item: 126 SS - Property Matter - Lease to Jeanette James and Ferne Thompson - Shop 9 Glossodia Shopping Centre - (112106, 96596, 38869, 95739) CONFIDENTIAL	20
SUPPLEMENTARY REPORTS	21
Item: 127 IS - Tender for Rehabilitation of Landfill - (95495) CONFIDENTIAL	21
SECTION 5 - Reports of Committees	22
ROC - Heritage Advisory Committee Minutes - 9 May 2013 - (80242)	22
QUESTIONS FOR NEXT MEETING	23
Councillor Questions from Previous Meetings and Responses - (79351)	23
QUESTION FOR NEXT MEETING	24

ORDINARY MEETING

MINUTES: 25 June 2013.

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 25 June 2013, commencing at 6:30pm.

Pastor Glen Clark of Hawkesbury Community 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 Calvert, P Conolly, M Creed, M Lyons-Buckett, W Mackay, C Paine, B Porter, P Rasmussen, J Reardon and L Williams.

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

SECTION 1: Confirmation of Minutes

175 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 28 May 2013, be confirmed.

176 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Creed that the Minutes of the Extraordinary Meeting held on the 18 June 2013, be confirmed.

ORDINARY MEETING

MINUTES: 25 June 2013.

SECTION 3 - Notices of Motion

NM1 - Council to Oppose CSG Exploration and Extraction in the Hawkesbury LGA - (125612, 79351)

Mr William Sneddon and Mr John Street, proponents, addressed Council.

MOTION:

A MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Paine.

That Council:

1. Oppose any current or proposed coal seam gas exploration or mining in the Hawkesbury LGA.
2. Request a report on the practices of having coal seam gas water and sludge transported into, and stored used or disposed of in the Hawkesbury LGA.
3. Write to the Premier of NSW informing him of Hawkesbury City Council's position and seeking a ban on coal seam gas mining and exploration in the Hawkesbury LGA.
4. Write to the Hawkesbury, Riverstone and Londonderry Members of Parliament, and the Federal Member for Macquarie seeking support for Council's position.
5. Write to the NSW State Government urging it to ban all coal seam gas exploration or extraction within all drinking water catchment areas.

A FORESHADOWED motion was moved by Councillor Conolly, seconded by Councillor Tree.

Refer to RESOLUTION

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

The foreshadowed motion then became the motion which was put and carried on the casting vote of the Mayor.

177 RESOLUTION:

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

That:

1. Council note the importance to ratepayers and residents of Local Government issues and challenges in the Hawkesbury; and
2. As a result, Council resolve to focus on these issues and not adopt policy statements relating to State and Federal Government matters.

ORDINARY MEETING

MINUTES: 25 June 2013.

NM2 - Aboriginal Flag in Council Chambers - (79351, 80104)

Ms Vikki Armytage and Mr Kyle Jonker, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

178 RESOLUTION:

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

That:

1. Council fly the Aboriginal and Torres Strait Islander flags within the Council Chambers and outside on the flag poles with the existing flags.
2. On the "Welcome to Hawkesbury City Council" signs Council add "this is the land of the Darug people".

NM3 - Painting of Doors - Public Toilets - (79351, 80104)

Ms Kate Mackaness and Mr William Sneddon, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

179 RESOLUTION:

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

That

1. Council investigate the possibility of painting the doors to public toilets distinctive colours eg, red and blue, so that it is easier for people with vision impairment to distinguish male from female toilets.
2. Council's report examine what is best practice in this area.

ORDINARY MEETING

MINUTES: 25 June 2013

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 109 GM - Questions For Next Meeting - Provision of Security and Rope Barrier at Council Meetings - (79351)

Mr Doug Bathersby, Ms Kim Smith and Mr Michael Want, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

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

That a report be submitted to Council identifying any security risks during Council meetings, and identify any appropriate solutions to mitigate the identified risks.

The amendment was put and lost on the casting vote of the Mayor.

The motion was then put and carried on the casting vote of the Mayor.

180 RESOLUTION:

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

That Council implement a security guard presence and rope barrier in the Council Chambers during Council meetings as outlined in the report.

Councillors Williams and Rasmussen requested that their names be recorded as having voted against the motion.

Item: 111 GM - DA0111/13 - 3 Hendrens Road, Ebenezer - Lot 263 DP 751665 - Retrospective Application - Structure Ancillary to a Dwelling - (79351, 85782, 78878, 18452, 2807)

Mr Greg Hall, proponent, addressed Council.

Councillor Porter declared a pecuniary interest in this matter as he is part owner of 3 Hendrens Road, Ebenezer. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

A MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Williams.

ORDINARY MEETING

MINUTES: 25 June 2013

That development application DA0111/13 at Lot 263 DP 751665, 3 Hendrens Road, Ebenezer for Retrospective Application – Structure Ancillary to a Dwelling be refused for the following reasons:

1. The development is inconsistent with the provisions of the Development Control Plan.
2. Approval of the development may create an undesirable precedent which is contrary to the Environmental Planning and Assessment Act 1979 and not in the public interest.

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 Calvert	Councillor Conolly
Councillor Lyons-Buckett	Councillor Creed
Councillor Paine	Councillor Ford
Councillor Rasmussen	Councillor Mackay
Councillor Williams	Councillor Reardon
	Councillor Tree

Councillor Porter was absent from the meeting.

Refer to RESOLUTION

The motion was put and lost.

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

181 RESOLUTION:

RESOLVED on the foreshadowed motion of Councillor Creed, seconded by Councillor Conolly.

That development application DA0111/13 at Lot 263 DP 751665, 3 Hendrens Road, Ebenezer for a retrospective application – Structure Ancillary to a Dwelling be approved subject to the following conditions:

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions and where amendments made in red to the approved plans, specifications or documentation submitted.
2. Application is to be made for a Building Certificate (pursuant to Clause 149A of the Environment Planning and Assessment Act 1979) with Hawkesbury City Council for the building the subject of this consent within 90 days from the issue of this Development Consent.
3. A Statutory Declaration and Drainage Diagram is required from the licensed plumber from the sanitary drainage lines for the bathroom installed within the building.
4. A Practising Structural Engineer is to certify the construction of the mezzanine level and loading plate notice to be provided to the floor of the mezzanine.

ORDINARY MEETING

MINUTES: 25 June 2013

Use of the Development

- 5. No internal or external alterations shall be carried out without prior approval of Council.
- 6. The shed shall not be occupied for human habitation/residential or industrial purposes.

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 Foreshadow Motion	Against the Foreshadow Motion
Councillor Conolly	Councillor Calvert
Councillor Creed	Councillor Lyons-Buckett
Councillor Ford	Councillor Paine
Councillor Mackay	Councillor Williams
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

Councillor Porter was absent from the meeting.

ORDINARY MEETING

MINUTES: 25 June 2013

CITY PLANNING

Item: 112 CP - DA0548/12 - 288 Packer Road, Blaxlands Ridge - Lot 185 DP 751656 - Cemetery - (95498, 14876, 85782)

Ms Sandra Romeo, proponent, addressed Council.

Ms Suzanne Gleeson, Ms Robin Woods and Mr Kim Woollard, respondents, addressed Council.

182 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Reardon that the meeting continue past 11:00pm and at the conclusion of Item 112 in the Business Paper, the meeting be adjourned to Wednesday, 26 June 2013 at 6:30pm.

MOTION:

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

Refer to RESOLUTION

183 RESOLUTION:

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

That development application DA0548/12 at Lot 185 DP 751656, 288 Packer Road, Blaxlands Ridge for a cemetery be refused for the following reasons:

1. The proposed development is inconsistent with the Object of the Environmental Planning and Assessment Act, 1979 in that it is not consistent with the principles of ecologically sustainable development.
2. The proposed development is inconsistent with Part 5A of the Environmental Planning and Assessment Act, 1979 in that adequate information has not been provided to demonstrate that the proposed development will not have a significant impact on threatened species, populations or ecological communities, or their habitats.
3. The proposed development fails to satisfy the requirements of Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean River in that adequate information has not been provided to demonstrate that the proposed development will not have a significant impact having regard to total catchment management, environmentally sensitive areas, water quality and quantity and flora and fauna.
4. The proposal fails to satisfy the requirements of State Environmental Planning Policy No.44 – Koala Habitat in that insufficient information has been provided to demonstrate that the proposed development will have no adverse impact on koala habitat.
5. The proposed development is inconsistent with the objectives of Hawkesbury Local Environmental Plan 2012 in that it is not consistent with the principles of ecologically sustainable development.
6. The proposed development is inconsistent with the objectives of the RU1 Primary Production zone contained within Hawkesbury Local Environmental Plan 2012 with respect to water quality and flora and fauna conservation.

ORDINARY MEETING

MINUTES: 25 June 2013

7. The proposed development is inconsistent with Clauses 6.1, 6.4 and 6.5 of Hawkesbury Local Environmental Plan 2012 having regard to acid sulphate soils, terrestrial biodiversity and wetlands.
8. The proposed development does not satisfactorily demonstrate that the development will have no adverse impact on the natural environment.
9. In the circumstances, approval of the development would not be in the public interest.

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 Calvert	NIL
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

In accordance with Council's earlier resolution at the conclusion of this item the meeting adjourned at 11:35pm.

ORDINARY MEETING

MINUTES: 25 June 2013

Continuation of the Ordinary Meeting reconvened at the Council Chambers, Windsor, which was adjourned at 11:35pm and resumed at 6:32pm on Wednesday, 26 June 2013.

ATTENDANCE

PRESENT: Councillor K Ford, Mayor, Councillor T Tree, Deputy Mayor and Councillors B Calvert, P Conolly, M Lyons-Buckett, W Mackay, B Porter, J Reardon, P Rasmussen and L Williams.

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Chief Financial Officer – Emma Galea, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Team Leader - Bianca James.

APOLOGIES

The Mayor advised that apologies had been received from Councillors Creed and Paine for their inability to be present when the meeting resumed.

Councillor Rasmussen arrived at the meeting at 6:49pm.

Councillor Mackay arrived at the meeting at 7:33pm.

ORDINARY MEETING

MINUTES: 25 June 2013

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 110 **GM - NSW Independent Local Government Review Panel - Submission to Consultation Paper - Future Directions for NSW Local Government - Twenty Essential Steps - April 2013 - (79351)**

Previous Item: 148 (Ordinary, 28 August 2012)
 41 (Ordinary, 12 March 2013)

MOTION:

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

Refer to RESOLUTION

184 RESOLUTION:

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

That:

1. The Draft Submission attached to the report be endorsed and referred to the NSW Independent Local Government Review Panel in response to the Panel's Consultation Paper "Future Directions for NSW Local Government - Twenty Essential Steps - April 2013".
2. Initially, appropriate discussions be held with The Hills Shire Council and Blacktown City Council regarding suggestions contained within the report concerning possible boundary adjustments that would result in the boundaries of Hawkesbury City Council being adjusted to incorporate a significant portion of the North West Growth Centre and a further report submitted to Council as a result of such discussions.
3. Any further approaches by Penrith City Council regarding that Council's suggestion for boundary adjustments with Hawkesbury City Council be reported to Council for its consideration.

ORDINARY MEETING

MINUTES: 25 June 2013

CITY PLANNING

Item: 113 CP - Planning Proposal to Amend Wording of Clause 4.1D (1) (a) of Hawkesbury LEP to Clarify Reticulated Sewer System Provision - (95498)

MOTION:

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

Refer to RESOLUTION

185 RESOLUTION:

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

That:

1. A Planning Proposal be prepared to amend Clause 4.1D(1)(a) of the Hawkesbury Local Environmental Plan 2012 to the following:
 - a. arrangements satisfactory to the consent authority are not in place at the time of determining the application to ensure that each of the lots to be created by the subdivision will be serviced by a reticulated sewerage system from the date of being created, and
2. The Minister for Planning and Infrastructure be requested to deal with this matter under the provisions of Section 73A – Expedited Amendments of Environmental Planning Instruments, of the Environmental Planning and Assessment Act 1979,
3. If the matter cannot be dealt with under the provisions of Section 73A, the Planning Proposal be forwarded to the Minister for Planning and Infrastructure for a “gateway” determination,
4. The Department of Planning and Infrastructure be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan,
5. This matter be pursued separately to any other Planning Proposal or combined with another matter only if that would expedite the matter.

ORDINARY MEETING

MINUTES: 25 June 2013

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 Calvert	NIL
Councillor Conolly	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Porter	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Creed, Mackay, Paine and Rasmussen were absent from the meeting.

Item: 114 CP - Submission to the White Paper - A New Planning System for NSW - (95498)

MOTION:

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

Refer to RESOLUTION

186 RESOLUTION:

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

That the submission attached to this report be forwarded to the Department of Planning and Infrastructure, in response to the public exhibition of the White Paper "A New Planning System for NSW", before the closing period for submissions being 28 June 2013.

ORDINARY MEETING

MINUTES: 25 June 2013

INFRASTRUCTURE SERVICES

Item: 115 IS - Exclusive Use of Governor Phillip Reserve - Ski Racing NSW Inc. - (92138)

MOTION:

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

Refer to RESOLUTION

187 RESOLUTION:

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

That:

1. Approval be granted to the Ski Racing NSW Inc. for "Exclusive Use" of Governor Phillip Reserve for the Hawkesbury 120 Water Ski Classic on Saturday 24 and Sunday, 25 August 2013.
2. The approval 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.
3. As the applicant has not advised alternative date in the event of inclement weather, the General Manager be given delegated authority to negotiate exclusive use on an alternate date, if required by the applicant.

ORDINARY MEETING

MINUTES: 25 June 2013

SUPPORT SERVICES

Item: 116 SS - Monthly Investments Report - May 2013 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

188 RESOLUTION:

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

The report regarding the monthly investments for May 2013 be received and noted.

Item: 117 SS - Pecuniary Interest Returns - Designated Persons - (95496, 79337)

MOTION:

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

Refer to RESOLUTION

189 RESOLUTION:

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

That the information be received and noted.

Item: 118 SS - 2013/2014 Remuneration for Councillors and Mayor - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING

MINUTES: 25 June 2013

190 RESOLUTION:

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

That:

1. The annual fee for Councillors for 2013/2014 be set at \$17,490.00.
2. The additional annual fee for the Mayor be set at \$38,160.00, and the Deputy Mayor's additional annual fee be set at \$5,724.00 to be deducted from the Mayor's annual fee.

Item: 119 SS - Outstanding Receivables - Bad Debts Write Off - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

191 RESOLUTION:

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

That:

1. Council write off the amount of \$851.30 from Debtor Account No. 7304302.
2. Council write off the amount of \$528.50 from Debtor Account No. 7302981.
3. Council write off the amount of \$2,217.85 from Debtor Account No. 7301918.

Item: 120 SS - Gifts and Benefits Policy - (95496)

MOTION:

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

Refer to RESOLUTION

192 RESOLUTION:

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

That the Gifts and Benefits Policy attached as Attachment 1 to the report be adopted.

ORDINARY MEETING

MINUTES: 25 June 2013

Item: 121 **SS - Review of Council's Draft Investment Policy and Appointment of Investment Advisor - (96332, 95496)**

Previous Item: 105, Ordinary (26 June 2012)

MOTION:

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

Refer to RESOLUTION

193 RESOLUTION:

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

That Council:

1. Adopt the Investment Policy attached as Attachment 1 to the report.
2. Appoint Spectra Pari Passu Pty Ltd. as its Independent Investment Advisor for the financial year ending 30 June 2014.

Item: 122 **SS - Local Government NSW - Request for Contribution to Legal Costs - Mid-Western Regional Council - (112608, 78149, 95496)**

MOTION:

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

Refer to RESOLUTION

194 RESOLUTION:

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

That Council contribute the amount of \$5,028.67, as outlined in the correspondence dated 18 April 2013 and 14 May 2013 from Local Government NSW, towards estimated legal costs to be incurred by Mid-Western Regional Council, in a matter before the Land and Environment Court challenging Council's categorisation of land for ratings purposes, in particular land used for mining purposes.

CONFIDENTIAL REPORTS

195 RESOLUTION:

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

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

196 RESOLUTION:

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

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: 123 CP - Proposal No. 00921 - Provision of Containerised Garden Organics Collection and Processing Service - (95498, 96330)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning 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: 124 IS - Tender No. 00922 - Mowing and Trimming of Active Recreation Areas, Sports Fields and Ovals - (95495, 73611)

*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: 125 SS - Supply of Debt Recovery Services - (95496, 96332)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to provision of debt recovery services and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 126 SS - Property Matter - Lease to Jeanette James and Ferne Thompson - Shop 9 Glossodia Shopping Centre - (112106, 96596, 38869, 95739)

*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.*

ORDINARY MEETING

MINUTES: 25 June 2013

Item: 127 IS - Tender for Rehabilitation of Landfill - (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.*

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.

197 RESOLUTION:

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

Item: 123 CP - Proposal No. 00921 - Provision of Containerised Garden Organics Collection and Processing Service - (95498, 96330) CONFIDENTIAL

Previous Item: 63, (Ordinary 9 April 2013)

MOTION:

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

Refer to RESOLUTION

198 RESOLUTION:

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

That:

1. Council accepts the proposal submitted by J J Richards & Sons Pty Ltd as part of the negotiation process conducted under Clause 178 of the Local Government (General) Regulation 2005 and Clause 3.19 of the Tendering Guidelines for NSW Local Government 2009, to provide a garden organics collection and processing service in accordance with the proposal submitted on 14 June 2013.
2. Contracts for the provision of the service be drawn up by Marsdens Law Group for commencement of the service on 30 September 2013, in accordance with the specification that formed part of the current proposal.

ORDINARY MEETING

MINUTES: 25 June 2013

3. Authority be given to any documentation in association with this matter to be executed under the Seal of Council.
4. The unsuccessful parties to the negotiation process be thanked for their submissions and informed of the outcome in writing.

Item: 124 IS - Tender No. 00922 - Mowing and Trimming of Active Recreation Areas, Sports Fields and Ovals - (95495, 73611) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

199 RESOLUTION:

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

That:

1. In accordance with Clause 178(1)(b) of the Local Government (General) Regulation (2005), Council decline to accept any tenders for Tender No. 00922 - Mowing & Trimming of Active Recreation Areas, Sports Fields & Ovals;
2. In accordance with Clause 178(3)(c) of the Local Government (General) Regulation (2005), Council invite fresh tenders for the proposed contract for Mowing & Trimming of Active Recreation Areas, Sports Fields & Ovals following a review of the technical specification for this service; and
3. Council note that Hawkesbury Sports Council Inc will negotiate for a month to month contract for a period not exceeding 12 months for the provision of this service, whilst fresh tenders are sought.

Item: 125 SS - Supply of Debt Recovery Services - (95496, 96332) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING

MINUTES: 25 June 2013

200 RESOLUTION:

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

That:

1. Council agree to take up the option for a further term of two years with Recoveries & Reconstruction (Aust) Pty Ltd, commencing 1 August 2013, for the Supply of Debt Recovery Services to Council.
2. Authority be given for any documentation in this matter to be executed under the Seal of Council, if necessary.

**Item: 126 SS - Property Matter - Lease to Jeanette James and Ferne Thompson - Shop 9
Glossodia Shopping Centre - (112106, 96596, 38869, 95739) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

201 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Jeanette James and Ferne Thompson trading as 'Glossodia Pharmacy' in regard to Shop 9 Glossodia Shopping Centre, in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed 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.

SUPPLEMENTARY REPORTS

Item: 127 IS - Tender for Rehabilitation of Landfill - (95495) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

202 RESOLUTION:

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

That:

1. In accordance with S 55 (3) (i) of the Local Government Act, (1993) Council resolve to not seek tenders for the works identified in this report, if required, due to the extenuating circumstances of urgency and the need for continuity of the proposed remediation works.
2. The remediation works be funded from the allocation provided in the 2013/2014 program as outlined in this report

ORDINARY MEETING

MINUTES: 25 June 2013

SECTION 5 - Reports of Committees

ROC - Heritage Advisory Committee Minutes - 9 May 2013 - (80242)

Mr Neville Dehn, respondent, addressed Council.

203 RESOLUTION:

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

That Council:

1. Receive the minutes of the Audit Advisory Committee held on 9 May 2013 as recorded on pages 119 to 124 of the Ordinary Business Paper.
2. Schedule a meeting with the interested parties to discuss the matter further.

ORDINARY MEETING

MINUTES: 25 June 2013

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

There were no responses to Questions in relation to previous Questions for Next Meeting.

ORDINARY MEETING**MINUTES: 25 June 2013****QUESTION FOR NEXT MEETING**

#	Councillor	Question	Response
1	Reardon	Requested consideration of the provision of seating in the Richmond Park Rotunda and tables in the surrounding areas.	Director Infrastructure Services
2	Lyons-Buckett	Asked if there could be a re-assessment of priority for the North Richmond to Kurrajong cycle-way.	Director Infrastructure Services
3	Lyons-Buckett	Asked for an update on 64 Grand View Lane, Bowen Mountain.	Director City Planning
4	Lyons-Buckett	Asked if a Koala Community Study could be undertaken.	Director Infrastructure Services
5	Williams	Asked if an EIS had been prepared for an extension of Halpens Quarry.	Director City Planning
6	Williams	Asked if an inspection could be undertaken at the GQ Quarry on Bull Ridge Road located 2.1km from Putty Road to ascertain if they are complying with the consent conditions.	Director City Planning
7	Calvert	Asked if the 'Stop' sign at the intersection of Crowleys Lane and Yarramundi Lane could be re-positioned to the dirt road as it appears to be on the wrong side of the road.	Director Infrastructure Services
8	Calvert	Asked if the bike path along Richmond TAFE will be restored to its previous condition.	Director Infrastructure Services
9	Calvert	Advised that St Marys Road is subject to flooding and asked if a 'Road Closed' sign could be erected on Richmond Road so that during times of flooding residents know not to go down that road.	Director Infrastructure Services
10	Porter	Asked what Council's stance was on removing bush rock and rock from private properties and Crown land.	Director City Planning
11	Rasmussen	Asked what the estimate was to rate payers for cost shifting over the last five years and in particular the last two 2 years.	Director Support Services
12	Rasmussen	Asked how much money has been allocated to Council from the State Government over the past three years to maintain Comleroy Road.	Director Infrastructure Services

ORDINARY MEETING

MINUTES: 25 June 2013

#	Councillor	Question	Response
13	Rasmussen	Asked when works will be completed on Grose Vale and Pecks Road, North Richmond.	Director Infrastructure Services
14	Rasmussen	Requested an update on Council's Colonial Drive, Bligh Park property.	Director Support Services

The meeting terminated at 7:50pm.

Submitted to and confirmed at the Ordinary meeting held on 9 July 2013.

.....
Mayor