



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 14 May 2013

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Table of Contents

Meeting Date: 14 May 2013

MINUTES

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

Meeting Date: 14 May 2013

ORDINARY MEETING**Table of Contents**

Meeting Date: 14 May 2013

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
ATTENDANCE		1
APOLOGIES		1
SECTION 1: Confirmation of Minutes		1
SECTION 2 - Mayoral Minutes		2
MM -	Release of Report - A study of Wilton and RAAF Base Richmond for civil aviation operations - (79351, 79353)	2
MOTION:		2
SECTION 3 - Notices of Motion		3
RM1 -	Rescission Motion - Code of Meeting Practice - (79351, 80106, 125612, 80104)	3
RM2 -	Rescission Motion - Carbon Tax Message on Rate Notices - (79351, 80106, 125612, 80104)	3
NM1 -	Major Infrastructure Works West of Hawkesbury River - (79351, 80104)	3
NM2 -	NSW Upper House Enquiry Regarding Windsor Bridge Option 1 - (79351, 125612)	4
SECTION 4 - Reports for Determination		5
CITY PLANNING		5
Item: 81	CP - Increase in Sale Price of Animals Purchased from the Companion Animal Shelter - (39906, 96330)	5
Item: 82	CP - Restructure of Hawkesbury Mobility Plan Implementation Committee - (96328)	6
Item: 83	CP - Hawkesbury City Eisteddfod - Renewal of Event Sponsorship Agreement - (96328)	7
Item: 84	CP - Youth Week 2013 - (96328)	7
INFRASTRUCTURE SERVICES		9
Item: 85	IS - Exclusive Use of Governor Phillip Reserve - NSW Water Ski Federation Ltd - (74204)	9
Item: 86	IS - Exclusive Use of Governor Phillip Reserve - 2013 Windsor Spectacular - (73829)	9
Item: 87	IS - Draft Landscape Masterplan for Memorial Park, Kurrajong - (95495, 79354)	10

ORDINARY MEETING

Table of Contents

Meeting Date: 14 May 2013

Item: 88	IS - Hawkesbury Regional Open Space Strategy - (95495, 79354)	11
CONFIDENTIAL REPORTS		12
Item: 89	GM - Community Representation on Sustainability Advisory Committee - (79351, 126363) CONFIDENTIAL	13
Item: 90	IS - Tender No. 00925 - Maintenance Grading of Gravel roads & Associated Works in St Albans & Surrounding District - (95495, 79344) CONFIDENTIAL	13
Item: 91	IS - Tender No. 00929 - Construction of Semi-Contiguous Pile Retaining Wall on West Portland Road, Lower Portland - (95495, 79344) CONFIDENTIAL	14
SECTION 5 - Reports of Committees		15
ROC - Floodplain Risk Management Committee - 15 April 2013 - (86589)		15
QUESTIONS FOR NEXT MEETING		16
Councillor Questions from Previous Meetings and Responses		16
Questions For Next Meeting		17

ORDINARY MEETING

MINUTES: 14 May 2013

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 14 May 2013, commencing at 6:30pm.

Pastor Peter Goldstein of the Midway Christian Centre, 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 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, Chief Financial Officer - Emma Galea, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Team Leader - Bianca James.

APOLOGIES

An apology for absence was received from Councillor B Calvert.

134 RESOLUTION:

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

Councillor Mackay arrived at the meeting at 6:39pm.
Councillor Williams left the meeting at 10:45pm.

SECTION 1: Confirmation of Minutes

135 RESOLUTION:

RESOLVED on the motion of Councillor Tree and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 30 April 2013, be confirmed.

ORDINARY MEETING

MINUTES: 14 May 2013

SECTION 2 - Mayoral Minutes

MM - Release of Report - A study of Wilton and RAAF Base Richmond for civil aviation operations - (79351, 79353)

MOTION:

RESOLVED on the motion of Mayor Councillor Ford.

Refer to RESOLUTION

136 RESOLUTION:

RESOLVED on the motion of Mayor Councillor Ford.

That the information relating to the recent release of the report titled "*A study of Wilton and RAAF Base Richmond for civil aviation operations*" be noted and a further report be submitted to Council following the briefing sessions referred to in the email of 10 May 2013 from the General Manager, Sydney Aviation Capacity within the Department of Infrastructure and Transport.

ORDINARY MEETING

MINUTES: 14 May 2013

SECTION 3 - Notices of Motion

RM1 - Rescission Motion - Code of Meeting Practice - (79351, 80106, 125612, 80104)

Ms Fiona Smith and Mr Michael Want, proponents, addressed Council.
Ms Danielle Wheeler, respondent, addressed Council.

RESCISSION MOTION:

Submitted by: Councillor P Rasmussen
Councillor M Lyons-Buckett
Councillor C Paine

MOTION:

The RESCISSION MOTION was moved by Councillor Rasmussen, seconded by Councillor Paine.

That Council's resolution of 30 April 2013 in respect of Item 72 concerning Council's Code of Meeting Practice be and is hereby rescinded.

The rescission motion was put and lost.

RM2 - Rescission Motion - Carbon Tax Message on Rate Notices - (79351, 80106, 125612, 80104)

Ms Fiona Smith, proponent, addressed Council.

RESCISSION MOTION:

Submitted by: Councillor P Rasmussen
Councillor M Lyons-Buckett
Councillor C Paine

MOTION:

The RESCISSION MOTION was moved by Councillor Rasmussen, seconded by Councillor Lyons-Buckett.

That Council's resolution of 30 April 2013 in respect of Item 73 concerning Carbon Tax Message on Rate Notices be and is hereby rescinded.

The rescission motion was put and lost.

NM1 - Major Infrastructure Works West of Hawkesbury River - (79351, 80104)

Mr Michael Want, proponent, addressed Council.

Councillor Creed declared a less than significant non-pecuniary conflict of interest in this matter as he is employed by the NSW Parliament in the local Members office and as he would not deal with any correspondence no further action is required.

This is Page 3 of the Minutes of the ORDINARY MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on Tuesday, 14 May 2013

ORDINARY MEETING

MINUTES: 14 May 2013

MOTION:

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

That Council notes that the Department of Planning considers the area west of the river to be a *“remote location for housing which cannot be delivered in the short term”*. It *“has no capacity in regional road network and long lead times for servicing. Remote, with poor accessibility to jobs and services.”*

Accordingly, in view of the continuing rezoning west of the river, excessive traffic congestion now, that Council request the local MPs for Hawkesbury, Londonderry and Riverstone to lead a delegation to the Planning and Infrastructure Minister Hazzard to request details on any major infrastructure works in these electorates in particular west of the river in the next 5, 10 and 20 years.

I suggest that this delegation comprise a cross-section of Councillors and representatives from local community associations.

The Notice of Motion was put and lost.

NM2 - NSW Upper House Enquiry Regarding Windsor Bridge Option 1 - (79351, 125612)

Mr Dail Miller, proponent, addressed Council.

MOTION:

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

That Council support calls for a NSW Upper House enquiry regarding the proposed Windsor Bridge Replacement Project (Option 1).

The Notice of Motion was put and lost.

SECTION 4 - Reports for Determination

CITY PLANNING

Item: 81 CP - Increase in Sale Price of Animals Purchased from the Companion Animal Shelter - (39906, 96330)

Ms Kim Smith, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

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

That:

1. The fees for the sale of animals from the Hawkesbury City Companion Animal Shelter be increased by \$15 for each of the relevant categories for the remainder of the current financial year and for the 2013/2014 financial year.
2. The proposed fee increases be advertised for comment by the community for a period of 28 days in accordance with Sections 610F and 705 of the *Local Government Act 1993*.
3. Should submissions be received in response to the proposed increase in fees following the public consultation process, a further report will be submitted to Council addressing the issues raised for further consideration of the fee increase proposal.
4. Should there be no submissions to the proposed increase in fees following the public consultation process, the fee increase be adopted and Council's Fees and Charges amended accordingly, and the new fees introduced without the need for a further report to Council.

The amendment was lost.

The motion was put and carried.

ORDINARY MEETING

MINUTES: 14 May 2013

137 RESOLUTION:

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

That:

1. The fees for the sale of animals from the Hawkesbury City Companion Animal Shelter be increased by \$30 for each of the relevant categories for the remainder of the current financial year and for the 2013/2014 financial year.
2. The proposed fee increases be advertised for comment by the community for a period of 28 days in accordance with Sections 610F and 705 of the *Local Government Act 1993*.
3. Should submissions be received in response to the proposed increase in fees following the public consultation process, a further report will be submitted to Council addressing the issues raised for further consideration of the fee increase proposal.
4. Should there be no submissions to the proposed increase in fees following the public consultation process, the fee increase be adopted and Council's Fees and Charges amended accordingly, and the new fees introduced without the need for a further report to Council.

Item: 82 CP - Restructure of Hawkesbury Mobility Plan Implementation Committee - (96328)

Previous Item: RM2, Ordinary (5 February 2013)
205, Ordinary (27 November 2012)
88, Ordinary (11 May 2010)

MOTION:

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

Refer to RESOLUTION

138 RESOLUTION:

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

That

1. Council re-establish an Access and Inclusion Advisory Committee with primary responsibility for completing the preparation of the Hawkesbury Access and Inclusion Plan and for working with staff to implement the Pedestrian Access and Mobility Plan (PAMP) component of the Hawkesbury Mobility Plan.
2. Those persons who had lodged Expressions of Interest to sit as community representatives on the previous Hawkesbury Access and Inclusion Advisory Committee be contacted to determine if they would like their Expression of Interest to be carried forward and reported to Council for membership of the proposed Hawkesbury Access and Inclusion Advisory Committee.

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

ORDINARY MEETING

MINUTES: 14 May 2013

Item: 83 **CP - Hawkesbury City Eisteddfod - Renewal of Event Sponsorship Agreement - (96328)**

Previous Item: 82, Ordinary (29 April 2008)

Ms Carolyn McKenzie, proponent, addressed Council.

Councillor Mackay declared a less than significant non-pecuniary conflict of interest in this matter as his mother in-law is treasurer for the Committee of the Hawkesbury City Eisteddfod and no further action is required.

MOTION:

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

Refer to RESOLUTION

139 RESOLUTION:

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

That Council approve the execution of Council's standard Community Sponsorship Agreement for a period of five years, commencing in the financial year 2013/2014, for the staging of the Hawkesbury City Eisteddfod.

Item: 84 **CP - Youth Week 2013 - (96328)**

MOTION:

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

Refer to RESOLUTION

140 RESOLUTION:

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

That Council write to the following agencies and groups to extend its appreciation for their involvement in working to deliver a successful Youth Week 2013 Program in the Hawkesbury:

- North Richmond Community Services Inc.
- NRGY Youth Action Team (based at North Richmond Youth Centre)
- Hawkesbury Community Outreach Services Inc.
- Headspace
- Australian Red Cross
- Family Planning NSW (Penrith)

ORDINARY MEETING

MINUTES: 14 May 2013

- Nepean Blue Mountains Local Health District
- Bligh Park Community Services Inc.
- JobQuest
- Hawkesbury Oasis (YMCA NSW)
- Style Fitness 24/7
- Youth Safe
- Substance.Org
- Salvation Army (Windsor Branch)
- Grose Vale Rural Fire Service
- Peppercorn Services Inc.
- Hawkesbury High School
- Richmond High School
- Colo High School
- Windsor High School

ORDINARY MEETING

MINUTES: 14 May 2013

INFRASTRUCTURE SERVICES

Item: 85 IS - Exclusive Use of Governor Phillip Reserve - NSW Water Ski Federation Ltd - (74204)

MOTION:

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

Refer to RESOLUTION

141 RESOLUTION:

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

That:

1. Approval be granted to the NSW Water Ski Federation Ltd for "Exclusive Use" of Governor Phillip Reserve for the Bridge to Bridge Water Ski Classic on the 23 and 24 November 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 applicants have not advised alternative dates 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.

Item: 86 IS - Exclusive Use of Governor Phillip Reserve - 2013 Windsor Spectacular - (73829)

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING

MINUTES: 14 May 2013

142 RESOLUTION:

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

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for the 2013 Windsor Spectacular on Saturday, 14 September and Sunday, 15 September 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 applicants have not advised alternative dates 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 applicants.

Item: 87 IS - Draft Landscape Masterplan for Memorial Park, Kurrajong - (95495, 79354)

Ms Fiona Smith, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

143 RESOLUTION:

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

That the Draft Landscape Masterplan for Memorial Park, Kurrajong be placed on public exhibition for a 28 day period seeking submissions and be referred back to Council, for consideration and adoption.

ORDINARY MEETING

MINUTES: 14 May 2013

Item: 88 **IS - Hawkesbury Regional Open Space Strategy - (95495, 79354)**

Previous Item: 13, Ordinary (5 February 2013)
 163, Ordinary (26 July 2011)

MOTION:

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

Refer to RESOLUTION

144 RESOLUTION:

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

That the Hawkesbury Regional Open Space Strategy be adopted.

ORDINARY MEETING

MINUTES: 14 May 2013

CONFIDENTIAL REPORTS

145 RESOLUTION:

RESOLVED on the motion of Councillor Creed, 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: 89 GM - Community Representation on Sustainability Advisory Committee - (79351, 126363) CONFIDENTIAL

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personal matters concerning particular individuals (other than councillors).*

Item: 90 IS - Tender No. 00925 - Maintenance Grading of Gravel Roads & Associated Works in St Albans & Surrounding District - (95495, 79344) CONFIDENTIAL

*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: 91 IS - Tender No. 00929 - Construction of Semi-Contiguous Pile Retaining Wall on West Portland Road, Lower Portland - (95495, 79344) CONFIDENTIAL

*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.

146 RESOLUTION:

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

ORDINARY MEETING

MINUTES: 14 May 2013

Item: 89 **GM - Community Representation on Sustainability Advisory Committee - (79351, 126363) 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

147 RESOLUTION:

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

That Mr John Street and Ms Vickii Lett be appointed as community representatives on the Sustainability Advisory Committee.

Item: 90 **IS - Tender No. 00925 - Maintenance Grading of Gravel roads & Associated Works in St Albans & Surrounding District - (95495, 79344) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

148 RESOLUTION:

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

That:

1. The schedule of rate tender submitted by Hawkesbury Road Maintenance Pty Ltd for the Maintenance Grading of Gravel Roads and Associated Works in the St Albans Area and Surrounding District for a two year period commencing 1 July 2013, be accepted.
2. Subject to satisfactory performance, the contract be extended for a further twelve month period, with no increase in the schedule of rates.
3. Any required documentation be executed under the Seal of Council, if necessary.

ORDINARY MEETING

MINUTES: 14 May 2013

Item: 91 IS - Tender No. 00929 - Construction of Semi-Contiguous Pile Retaining Wall on West Portland Road, Lower Portland - (95495, 79344) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

149 RESOLUTION:

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

That:

1. The tender submitted by Delaney Civil Pty Ltd in the amount of \$323,237 (GST exclusive) for the construction of a 30m length semi-contiguous pile retaining wall on West Portland Road, Lower Portland, be accepted (Tender No. 00929).
2. Any required documentation be executed under the Seal of Council, if necessary.

ORDINARY MEETING

MINUTES: 14 May 2013

SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Committee - 15 April 2013 - (86589)

150 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Committee held on 15 April 2013 as recorded on pages 53 to 69 of the Ordinary Business Paper be received.

ORDINARY MEETING

MINUTES: 14 May 2013

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses

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

ORDINARY MEETING**MINUTES: 14 May 2013****Questions For Next Meeting**

#	Councillor	Question	Response
1	Rasmussen	Asked if a response has been sent to the residents who wrote complaining about 69 Blacktown Road, Freemans Reach.	Director City Planning
2	Porter	Requested copies of the Draft Budget currently on exhibition could be made available to the public who do not have access to the internet to take with them.	Director Support Services
3	Paine	Asked if Council could investigate the tin laying on the veranda at Fairfield House as there are concerns that the tin will fly off during strong winds.	Director City Planning
4	Paine	Asked if the "Open Now" sign on Union Lane, referring to the premises next to the Royal Exchange complied with Councils sign policy.	Director City Planning
5	Tree	Asked if Council are in communication with neighbouring Councils regarding issues arising from the report of the Independent Local Government Review Panel.	General Manager
6	Tree	Requested rope and security be placed in the Chambers during Council meetings.	General Manger
7	Tree	Asked what the framing of the question was when the North Richmond and Districts Community Action Association (NRDCAA) asked people to sign the petition against re-zoning north of Hawkesbury River.	Director City Planning
8	Lyons-Buckett	Requested Council staff to clean up Bellbird Hill Lookout at Kurrajong.	Director Infrastructure Services
9	Reardon	Requested that a loose fence paling at Wilberforce Cemetery near the gate could be repaired.	Director Infrastructure Services
10	Reardon	Asked if Council's garbage trucks were responsible for the amount of litter along Grose Vale Road.	Director City Planning
11	Creed	Asked if the potholes near the crossing on Grose Vale Road in the vicinity of the school could be repaired and if not Council's responsibility could the RMS be contacted regarding the repairs.	Director Infrastructure Services

ORDINARY MEETING

MINUTES: 14 May 2013

The meeting terminated at 11:00.

Submitted to and confirmed at the Ordinary meeting held on 28 May 2013.

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Mayor