



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 25 September 2007

location: council chambers

time: 5:00 p.m.

ORDINARY MEETING
MINUTES: 25 September 2007

MINUTES

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

Acting General Manager
City Planning
Infrastructure Services
Support Services

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

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 25 September 2007, commencing at 5:01pm.

Rev Ruth Mahaffey of the St John's Anglican Church at Wilberforce, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

ALSO PRESENT: Acting General Manager - Peter Jackson, Directory City Planning - Matt Owens, Director Infrastructure Service - Chris Daley, Acting Director Support Services - Laurie Mifsud, Executive Manager, Community Partnerships - Joseph Litwin, Robert Stalley - Chief Financial Officer and Administrative Support Team Leader - Amy Dutch.

Councillor Williams arrived at the meeting at 5:04pm.

SECTION 1: Confirmation of Minutes

329 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 11 September 2007, be confirmed.

330 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Wearne that the Minutes of the Special Meeting held on the 18 September 2007, be confirmed.

331 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Books that the Minutes of the Extraordinary Special Meeting held on the 22 September 2007, be confirmed.

SECTION 3 - Notices of Motion

NM1 - Proposed Kurrajong Community Centre - McMahon's Park, Kurrajong - (80093, 95498)

Mr Colin Tindale, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

332 RESOLUTION:

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

That further action in relation to the construction of the proposed new Kurrajong Community Centre in McMahon's Park, Kurrajong be deferred until a report is submitted to Council in relation to concerns raised by the McMahon's Park Management Association in connection with the design and location of the proposed facility and its effects on the surrounding park and that the matter be discussed at the next Councillor Briefing Session.

SECTION 4 - Reports for Determination

CITY PLANNING

Item: 195 CP - Cultural Services Suite of Logos and Visual Identity - (103542)

MOTION:

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

Refer to RESOLUTION

333 RESOLUTION:

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Finch

That:

1. Council adopt the Cultural Services logos and visual identity, and Style Guide as attached to the report.
2. The Council staff involved in this matter be congratulated.

Item: 196 CP - Rear Pergola - Lot 15 DP24043, 67 Burdekin Road, Wilberforce NSW 2756 - (DA0376/07, 15410, 15411, 95498)

MOTION:

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

Refer to RESOLUTION

334 RESOLUTION:

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

That the Development Application DA0376/07 for use of the structure at 67 Burdekin Road, Wilberforce as a deck and awning be approved subject to the conditions following:

General Conditions

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.
2. The approved use shall not commence until all conditions of this Development Consent have been complied with.

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3. The development shall comply with the provisions of the Building Code of Australia at all times.
4. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.

During Construction

5. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components or construction:

Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.

- (a) prior to occupation of the building.
6. No internal or external alterations shall be carried out without prior approval of Council.

Advisory Notes

*** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.

*** The applicant is advised to consult, if applicable, with:

- (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.

INFRASTRUCTURE SERVICES

Item: 197 **IS - Reduction in the Cost of Mulch from the Hawkesbury City Waste Management Facility - (95495)**

MOTION:

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

Refer to RESOLUTION

335 RESOLUTION:

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

That the reduction in the cost of mulched green waste:

1. To \$15.00 per tonne until 25 December 2007, or whilst stocks last, be approved.
2. Be advertised in the local media.

Item: 198 **IS - Hollands Paddock Plan of Management - (79354)**

Previous Item: 136, Ordinary (27 June 2006)

Mr Frank Scharfe, proponent, addressed Council.

MOTION:

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

That the matter be deferred until additional information is received including a site plan of the proposal.

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

Refer to RESOLUTION

The amendment was carried.

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

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336 RESOLUTION:

RESOLVED on the AMENDMENT moved by Councillor Conolly, seconded by Councillor Wearne

That the proposed amendment to the Hollands Paddock Plan of Management to allow lease/licence of the deck area above the water tank for dining purposes, and the construction of shade sails be advertised in accordance with the requirements of the Local Government Act.

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SUPPORT SERVICES

Item: 199 **SS - Payments to Hawkesbury Sports Council Inc - (107, 96332, 95496, 73611)**

Previous Item: 27, Ordinary (13 February 2007)

Mr Frank Scharfe, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

337 RESOLUTION:

RESOLVED on the motion of Councillor Finch, seconded by Councillor Stubbs

That the information be received.

Item: 200 **SS - Consultants Utilised by Council - 1 January to 30 June 2007 - (95496, 79337)**

Previous Item: 187, Ordinary (14 June 2005)
 331, Ordinary (1 November 2005)
 19, Ordinary (31 January 2006)
 48, Ordinary (13 March 2007)

Mr Frank Scharfe, proponent, addressed Council.
Mr Doug Bathersby and Ms Kim Smith, respondents, addressed Council.
Mr Neville Diamond, proponent, addressed Council.

MOTION:

A MOTION was moved by Councillor Porter, seconded by Councillor Devine.

That Mr Neville Diamond, based on his actions, not be permitted to speak further on this item.

Refer to RESOLUTION

338 RESOLUTION:

RESOLVED on the motion of Councillor Porter, seconded by Councillor Devine

That Mr Neville Diamond, based on his actions, not be permitted to speak further on this item.

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The Mayor subsequently adjourned the meeting at 6.25pm for a five minute break.

The meeting resumed at 6.32pm.

MOTION:

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

Refer to RESOLUTION

339 RESOLUTION:

RESOLVED on the motion of Councillor Devine, seconded by Councillor Books

That the information concerning consultancies utilised by Council during the period January to June 2007 be received.

Item: 201 SS - Monthly Investments Report - August 2007 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

340 RESOLUTION:

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

That the information be received and noted.

CONFIDENTIAL REPORTS

341 RESOLUTION:

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

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

342 RESOLUTION:

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

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: 202 IS - Tender for Telecommunications - Mobile Phone Carriers

*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: 203 IS - Tender No. 011/FY07 - Reconstruction and Bitumen Sealing of the Remaining Gravel Section of St Albans Road

*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.

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Item: 202 IS - Tender for Telecommunications - Mobile Phone Carriers - (95495, 79340)
CONFIDENTIAL

Councillor Calvert declared an interest in this matter as he is a Director of a company that sells mobile phones. He left the meeting and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

343 RESOLUTION:

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

That:

1. The current Telstra contract be terminated.
2. The tender for Optus (GCT) at an estimated cost of \$28,485.55 for a two year period, be accepted as the mobile carrier S1.
3. The Seal of Council be affixed to any necessary documentation.
4. A mobile gateway be provided to the existing PABX at an estimated cost of \$10,000.

Item: 203 IS - Tender No. 011/FY07 - Reconstruction and Bitumen Sealing of the Remaining Gravel Section of St Albans Road - (95495, 79344, 106075) CONFIDENTIAL

Previous Item: 162, Ordinary (14 August 2007)

Councillor Williams declared an interest in this matter as one of his brothers works for one of the contractors. He left the meeting and did not take part in voting or discussion on the matter.

MOTION:

The Acting General Manager advised, whilst in closed session, Council RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Finch.

Refer to RESOLUTION

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344 RESOLUTION:

The Acting General Manager advised, whilst in closed session, Council RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Finch

That the:

1. Tender in the amount of \$1,202,023.30 (GST exclusive) submitted by MJ & MD Skinner Earthmoving P/L for the reconstruction and bitumen sealing of St Albans Road be accepted;
2. Council determined 3x3 funding in the amount of \$128,000 be utilised for the reconstruction of St Albans Road; and
3. Seal of Council be affixed to any necessary documentation.

345 RESOLUTION:

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

SUPPLEMENTARY REPORTS

MM - Meeting with Minister for Planning - Pitt Town Proposals - (79353)

Mr John Hagar, respondent, addressed Council.

MOTION:

RESOLVED on the motion of Councillor Bassett, Mayor.

Refer to RESOLUTION

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

That Council note that a meeting is to be held with the Minister for Planning to discuss the proposed further amendments to the Hawkesbury LEP in respect of residential development at Pitt Town and indicate its willingness to consider alternate proposals in this regard in an endeavour to achieve the provision of an appropriate level of community facilities and infrastructure improvements as a result of the proposal.

The amendment was lost.

The motion was put and carried

346 RESOLUTION:

RESOLVED on the motion of Councillor Bassett, Mayor.

That:

1. Council note that a meeting is to be held with the Minister for Planning to discuss the proposed further amendments to the Hawkesbury LEP in respect of residential development at Pitt Town and indicate its willingness to consider alternate proposals in this regard in an endeavour to achieve the provision of an appropriate level of community facilities and infrastructure improvements as a result of the proposal.
2. Council notes the concerns of the majority of submissions received relating to lot size, sports and recreational facilities and the need for the Pitt Town By-pass in order to cater for the needs of an increased population.
3. Any proposed changes to Council's current resolution regarding Pitt Town be reported to Council for consideration.

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QUESTIONS WITHOUT NOTICE

1. Councillor Wearne referred to the new shed at the Rural Fire Service Depot and enquired if staff were aware that the greenery is starting to grow back through the tar and if the asphalt is going to be extended around to the shower area when it is cleared out.

The Director Infrastructure Services advised that greenery will be investigated and that the asphalt will be extended around to the shower room.

2. Councillor Rasmussen asked when the report on Richmond Pool will be coming to Council.

The Director Infrastructure Services advised that the report will come to Council in October 2007.

3. Councillor Rasmussen referred to the number of cars that are being displayed for sale on the footpath outside Windsor Downs each weekend and requested the matter be investigated.

The Director City Planning advised that the matter will be investigated.

4. Councillor Rasmussen referred to the semi-trailers that are being parked on Richmond Road opposite Windsor Downs and requested that the matter be investigated.

The Director City Planning advised that the matter will be investigated.

5. Councillor Books referred to work that is being carried out on Pitt Town Ferry Road on the opposite side of the river and enquired if a Development Application has been submitted for the work.

The Director City Planning advised that the matter will be investigated.

6. Councillor Books advised that he has received a complaint regarding the build up of fill, the water run-off and the smell from the Recycling Plant on Fairey Road.

The Director City Planning advised that the matter will be investigated.

7. Councillor Williams referred to a property in Kurrajong where all the trees surrounding the house are either dead or dying and requested that the matter be investigated.

The Director City Planning advised that the matter will be investigated.

8. Councillor Paine requested an update on the Australiana Pioneer Village.

The Acting General Manager advised that there had been a resolution to proceed with the re-classification of the site as operational land and this was recently gazetted and a report to Council is currently being prepared regarding the steps that will now be taken in relation to the site.

9. Councillor Paine referred to the white structures in Pitt Town that were previously displaying signs and enquired if it is legal to have the structures in place.

The Director City Planning advised that the structures do not have consent however there was a resolution from Council not to take any action in relation to signs in Pitt Town.

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10. Councillor Calvert asked if a traffic study will be carried out to assess the traffic flows after the opening of the Jim Anderson Bridge.

The Mayor advised that the RTA conducted a survey prior to the opening of Jim Anderson Bridge so that they can compare the traffic flows including the existing Windsor Road, Macquarie Street and across the flood evacuation route.

11. Councillor Calvert advised that the traffic lights at the intersection of George and Macquarie Streets are not synchronised.

The Mayor advised that the RTA has acknowledged there is no turn signal installed at the George and Macquarie Street intersection and the matter is currently being investigated.

12. Councillor Finch requested an update on the repairs at the Oasis Centre.

The Director Infrastructure Services advised that a builder has been requested to complete the work.

13. Councillor Williams enquired if staff are aware of the proposal that the Volunteers of Australiana Pioneer Village are preparing to put to Council.

The Acting General Manager advised that the report that was submitted to Council previously resulting in a resolution to proceed with the re-classification of the property did have a proposal included within it from the Village Volunteers and as a result of the re-classification the Volunteers will be contacted again to ascertain their current views on the matter.

The meeting terminated at 7:10pm

Submitted to and confirmed at the Ordinary meeting held on 9 October 2007.

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Mayor