



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 27 February 2007
location: council chambers
time: 5:00 p.m.

ORDINARY MEETING
Table of Contents
MINUTES: 27 February 2007

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **Address by Young Athletes**
- **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**

General Manager

City Planning

Commercial Strategy

External Services

Infrastructure Services

Support Services

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

ORDINARY MEETING

Table of Contents

MINUTES: 27 February 2007

ORDINARY MEETING
Table of Contents
MINUTES: 27 February 2007

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	ATTENDANCE	1
	APOLOGIES	1
	SECTION 1: Confirmation of Minutes	1
	MAYORAL MINUTES	3
	MM - State Environmental Planning Policy No. 64 - Advertising Signage (SEPP 64) - (79353)	3
	QUESTIONS WITH NOTICE	3
	Question With Notice - Tinda Creek Sand Mine - (80105)	3
	SECTION 4 - Reports for Determination	4
	GENERAL MANAGER	4
Item:30	GM - ECommerce/Markets Advisory Committee - (79351, 91367, 91811)	4
Item:31	GM - Strategic Planning Committee and Process - (79351, 91368)	4
	CITY PLANNING	6
Item: 32	CP - Conversion of Hawkesbury Local Environmental Plan 1989 to the NSW Government's Standard LEP Template - Section 54 Notice - (95498)	6
	EXTERNAL SERVICES	7
Item:33	ES - Request from Minister for the Environment to rejoin the Western Sydney Regional Illegal Dumping (RID) Squad - (96330, 81216, 95494)	7
Item:34	ES - Deed of Agreement Between Hawkesbury City Council, Hawkesbury Historical Society and the Friends of Hawkesbury Art Collection & Regional Art Gallery - (95494, 107, 78462, 80223)	7
	SUPPORT SERVICES	9
Item:35	SS - Monthly Investment Report - January 2007 - (96332)	9
Item:36	SS - December 2006 Quarterly Review - 2006-2007 Management Plan - (96332)	9
Item:37	SS - Review of Council's Workers' Compensation Program - (95496, 79509)	10
	QUESTIONS WITHOUT NOTICE	11

ORDINARY MEETING

Table of Contents

MINUTES: 27 February 2007

ORDINARY MEETING
MINUTES: 27 February 2007

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 27 February 2007, commencing at 5:00pm.

Captain Cheryl Symonds of the Salvation Army Church at North Richmond, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

APOLOGIES

Apologies for absence was received from Councillors T Devine and B Porter

44 RESOLUTION:

RESOLVED on the motion of Councillor Books and seconded by Councillor Wearne that the apologies be accepted.

Councillor Rasmussen arrived at the meeting at 5:06pm

SECTION 1: Confirmation of Minutes

45 RESOLUTION:

RESOLVED on the motion of Councillor Bassett and seconded by Councillor Finch that the Minutes of the Ordinary Meeting held on the 13 February 2007, be confirmed.

ORDINARY MEETING
MINUTES: 27 February 2007

46 RESOLUTION:

RESOLVED on the motion of Councillor Bassett, seconded by Councillor Williams that standing orders be suspended to allow Councillor Finch to introduce Council to two outstanding representatives of the Western Sydney Academy of Sport , Jessica Coulter who is a 15 year old Kurrajong resident whose chosen sport is softball and who plays in the Hawkesbury Softball Association and James Dwyer who is a 15 year old North Richmond resident whose chosen sport is AFL and who plays for Westbrook Club. Both sportspersons attend Colo High School.

47 RESOLUTION:

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

ORDINARY MEETING
MINUTES: 27 February 2007

MAYORAL MINUTES

MM - State Environmental Planning Policy No. 64 - Advertising Signage (SEPP 64) - (79353)

MOTION:

RESOLVED on the Mayoral Minute of Councillor Stubbs, Mayor

Refer to RESOLUTION

48 RESOLUTION:

RESOLVED on the Mayoral Minute of Councillor Stubbs, Mayor

That:

1. Council request to the Department of Planning to review the provisions of SEPP 64 in relation to prohibited advertisements in open space zones to facilitate sporting groups to generate income and sponsorship.
2. Council write to WSROC seeking its support in the above matter.

QUESTIONS WITH NOTICE

Question With Notice - Tinda Creek Sand Mine - (80105)

Noted.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item:30 GM - ECommerce/Markets Advisory Committee - (79351, 91367, 91811)

MOTION:

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

Refer to RESOLUTION

49 RESOLUTION:

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

That Council:

1. Disband the eCommerce/Markets Advisory Committee;
2. Reconstitute the working parties derived by the committee as sub-committees of Council and a further report be submitted regarding the sub-committees;
3. Abolish the constitution of the eCommerce/Markets Advisory Committee and formally thank all members of the committee for the work undertaken by them on Council's behalf.

Item:31 GM - Strategic Planning Committee and Process - (79351, 91368)

MOTION:

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

Refer to RESOLUTION

50 RESOLUTION:

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

That:

1. Council forward a submission to the Department of Local Government outlining its comments on the Department's position paper "A New Direction for Local Government", with additional time being given for input from Councillors and the Community.
2. Council forward, by way of submission, the commentary in the paper on alliances and business clusters as requested by the Department of Local Government.

ORDINARY MEETING

MINUTES: 27 February 2007

3. The Strategic Planning Committee and constitution be abolished and community members be thanked for their contribution.
4. In line with the proposed legislative changes, all matters of a strategic nature be reported directly to Council.
5. Option 3 contained in the attached 'Options' paper for Integrated Planning and Reporting" be supported by Council and this decision be formally conveyed to the Department.
6. A Community engagement process be developed for further report to Council.

ORDINARY MEETING
MINUTES: 27 February 2007

CITY PLANNING

Item: 32 **CP - Conversion of Hawkesbury Local Environmental Plan 1989 to the NSW Government's Standard LEP Template - Section 54 Notice - (95498)**

Previous Item: 21, Ordinary (13 February 2007)
 280, Ordinary (28 November 2006)

Councillor Bassett declared an interest in this matter as his residence is in Overton Road, Kurrajong and some residents are forwarding a proposal to Council for subdivision within Overton Road, Kurrajong. He left the meeting and did not take part in voting or discussion on the matter.

Ms Kim Smith, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

51 RESOLUTION:

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

That:

1. Council:
 - a. Prepare a (draft) comprehensive Local Environmental Plan for Hawkesbury consistent with the NSW Government's standard LEP template, pursuant to section 54(1) of the Environmental Planning and Assessment Act, 1979.
 - b. Give notice of the above resolution to the Director General of the Department of Planning, pursuant to section 54(4) of the Environmental Planning and Assessment Act, 1979.
2. A submission be made to the *Local Environmental Plan Review Panel* in the form and manner set out in the Department of Planning circular PS 06-005 titled *Local Environmental Plan Review Panel*.
3. The Director General be requested to provide written advice in relation to his issuing 'written Authorisation to Exercise Delegation', to allow Council to exercise delegation under Sections 65 and 69 of the Environmental Planning and Assessment Act, 1979, when progressing this draft LEP.
4. In preparing the (draft) comprehensive Local Environmental Plan for Hawkesbury consistent with the NSW Government's standard LEP template, consultation be undertaken with the various authorities and neighbouring Councils as required by section 62 of the Environmental Planning and Assessment Act, 1979.
5. Montgomery Planning Services Pty. Ltd be provided with a copy of this report as well as Council's resolution.

EXTERNAL SERVICES

Item:33 ES - Request from Minister for the Environment to rejoin the Western Sydney Regional Illegal Dumping (RID) Squad - (96330, 81216, 95494)

MOTION:

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

Refer to RESOLUTION

52 RESOLUTION:

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

That:

1. Council write to the Minister for Local Government, the Hon Kerry Hickey, MP, requesting that the funds required for membership of the RID Squad be allowed to be taken from the domestic waste budget.
2. Council write to the Minister for the Environment, Mr Bob Debus, MP, and advise that Council is unable to fund membership of the RID Squad from its general budget due to other priorities, however will be seeking permission from the Minister for Local Government for the membership of the RID Squad to be funded from Council's domestic waste budget.
3. If unsuccessful in its application referred to in point 1 above, the matter be further reported to Council.
4. Council approach State and Federal Governments to subsidise or take over the running of the RID Squad.

Item:34 ES - Deed of Agreement Between Hawkesbury City Council, Hawkesbury Historical Society and the Friends of Hawkesbury Art Collection & Regional Art Gallery - (95494, 107, 78462, 80223)

Councillor Stubbs, Mayor declared an interest in this matter as he is the President of the Hawkesbury Historical Society. He left the meeting and did not take part in voting or discussion on the matter.

Councillor Bassett, Deputy Mayor, chaired the meeting during discussion and resolution of this matter.

Ms Janice Barkley-Jack, Mr John Michael Ginnings and Mr Dudley Mercer, respondents, addressed the Council.

ORDINARY MEETING
MINUTES: 27 February 2007

MOTION:

A MOTION was moved by Councillor Books, seconded by Councillor Rasmussen

That:

1. The Assessment Report on a proposed Deed of Agreement between Hawkesbury City Council, Hawkesbury Historical Society and the Friends of the Hawkesbury Art Collection and Regional Gallery be received.
2. Council adopt *Option 2* within the Assessment Report as its preferred option for finalising the development of a sustainable partnership arrangement for the management of cultural collections within the Hawkesbury Cultural Precinct.

RESOLVED on an AMENDMENT moved by Councillor Paine, seconded by Councillor Calvert.

Refer to RESOLUTION

The amendment was carried.

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

53 RESOLUTION:

RESOLVED on an AMENDMENT moved by Councillor Paine, seconded by Councillor Calvert.

That this matter be further workshopped with Council and the community members involved.

SUPPORT SERVICES

Item:35 SS - Monthly Investment Report - January 2007 - (96332)

MOTION:

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

Refer to RESOLUTION

54 RESOLUTION:

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

That the information be received and noted.

Item:36 SS - December 2006 Quarterly Review - 2006-2007 Management Plan - (96332)

MOTION:

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

Refer to RESOLUTION

55 RESOLUTION:

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

That:

1. The information contained in the report on the 2006-2007 Management Plan - December Quarter Review be received.
2. The quarterly review of the 2006-2007 Management Plan and Financial Statement for the period ending 31 December 2006 be adopted.

ORDINARY MEETING
MINUTES: 27 February 2007

Item:37 SS - Review of Council's Workers' Compensation Program - (95496, 79509)

MOTION:

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

Refer to RESOLUTION

56 RESOLUTION:

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

That:

1. The various options and information contained in the report in connection with Council's Workers' Compensation Insurance coverage be noted.
2. Council continue in its endeavours to maintain its existing "Self Insurers Licence" for Worker's Compensation Insurance purposes.
3. Council endorse the course of action, and associated costs and staff positions, outlined in the report proposed for the purposes of 2 above and note that appropriate adjustments will be incorporated in the March 2007 quarterly review for this purpose and as outlined in the report in this regard.

ORDINARY MEETING
MINUTES: 27 February 2007

QUESTIONS WITHOUT NOTICE

1. Councillor Conolly asked about the current status of Windsor Wharf and what Council intends to do to ensure the continued use of the wharf while a long-term solution to the problems are being found.

The Director Infrastructure Services advised that discussions were taking place with Waterways. A notice has been served on Council to carry out certain works which includes piling. He advised Council had \$270,000 in the current Capital Works program to replace the wharf and that application had been made for Waterways to match the funds. The Director Infrastructure Services advised that the application had stalled due to Waterways deliberations that the wharf is a commercial wharf, and doesn't warrant funding. He advised the wharf is not a commercial wharf and that it is a public wharf that is also used by commercial vessels and Council is negotiating with Waterways at present.

Councillor Conolly asked to be advised if a temporary solution to allow immediate use of the wharf is found.

2. Councillor Rasmussen asked if Council had been successful in its application for a sport grant for the Richmond Swimming Pool.

The Director Infrastructure Services advised that the allocation of grants had not been announced as yet.

Councillor Rasmussen asked if there had been any indication of when the grants may be announced.

The Director Infrastructure Services advised that the advice of grants was expected in March.

3. Councillor Rasmussen asked if Council was aware of how many swimming squads were training at the Oasis Swimming Centre and how many were training at Richmond Swimming Pool.

The Director Support Services advised that there were two permanent squads that Council is aware of training at the Oasis Swimming Centre, each with a number of participants.

The Director Infrastructure Services advised that there were two squads that Council is aware of training at Richmond Pool, one permanent squad and another that had recently begun using the facility.

Councillor Rasmussen asked if Council was aware of where these groups will go to train when Richmond Pool is closed over winter.

The Director Infrastructure Services advised that the squads go to heated pools, possibly Penrith Pool as it was used before they moved to Oasis. The pool that is used is up to the swimming squads, Council does not make arrangements for the squads.

Councillor Rasmussen asked if any of the squads use the pool at the University.

Director Infrastructure Services advised that one of the squads from Richmond Pool was using the University Pool one night per week prior to moving to Richmond Pool.

4. Councillor Williams referred to the property on Corromandal Road, Ebenezer and advised that the property was currently the subject of some DA conditions and asked for the property to be inspected as they were instructed to fill in holes that had been dug in the wetlands and this has not been completed.
5. Councillor Williams asked if the major overhaul that was due on the Lower Portland Ferry is going ahead.

ORDINARY MEETING
MINUTES: 27 February 2007

The Director Infrastructure Services advised that the overhaul for the Lower Portland Ferry will be conducted in June 2007.

Councillor Williams stated that when Council maintained the RTA ferries it was much cheaper than what the RTA is currently paying for maintenance. Councillor Williams suggested Council approach the RTA and discuss taking over the maintenance on RTA ferries as a possible revenue generating venture.

The Director Infrastructure Services advised that conducting maintenance on the ferry was causing OH&S issues and costing a lot more money in terms of the operation of the ferry. The RTA took over the maintenance in order to have all ferries in NSW serviced by them rather than the individual Councils.

6. Councillor Williams advised that he had received a complaint from Malcolm Wells who does bush regeneration in London Place, Grose Wold, regarding the lot averaging development and the community title area. He advised a DA had been approved for a shed that was within an area that includes endangered plants. Councillor Williams asked that Council help to ensure the protection of threatened ecological species and wildlife within these lot averaged areas. Councillor Williams advised that he would make the letter from Mr Wells available after the meeting.
7. Councillor Williams advised that the chevron signs erected on West Portland Road have been removed and asked that new signs be erected in a position where motorists will see them on approach to the curve.
8. Councillor Paine enquired to the progress of the training arrangements for the Rotarians from Richmond and advised that the Mayor was going to get back to her in relation to this matter and asked what the latest position was.

Council Paine confirmed she was referring to the traffic wardens.

The General Manager advised that it was a policy position discussed by management. He advised that there was a one off agreement for Traffic Controllers and he believed there were no funds available, but he would investigate and confirm.

9. Councillor Paine referred to the subdivision at Peel Place, North Richmond and asked if the Mayor had had any discussions regarding this matter.

Mayor advised that discussions have been held with some property owners, Councillors were invited to attend however the Mayor was unable to attend on the day so the owners have held discussions with him privately. No Planners were in attendance.

10. Councillor Paine advised that she has received a complaint regarding soil being deposited at Lot 3 Racecourse Road. Councillor Paine asked if Council has control over dust levels or if this is left entirely up to the Private Certifier.

Director External Services advised that the applicant has to comply with conditions of the development consent and that the Private Certifier must ensure that the conditions of consent are complied with.

11. Councillor Paine asked where Council was at with the Australiana Pioneer Village.

The Director Support Services advised that the proposed reclassification of the APV is still with the Department of Planning. He added that he asked the question, not that long ago, and advised that Council was still not aware of when a response would be received from that Department as it is still

ORDINARY MEETING
MINUTES: 27 February 2007

being processed through their system.

12. Councillor Paine referred to a letter from a lady who had had a problem swimming at the Oasis, which she put down to management. Councillor Paine asked what was to be done about this and if the letter should be forwarded on.

The Mayor advised that a copy of the letter had been forwarded to the General Manager.

Councillor Paine asked if the General Manager would respond on Council's behalf.

The General Manager advised that the letter wasn't addressed to Hawkesbury City Council and that it was addressed to the Oasis. He commented that the Council would wait for the writer to write to Hawkesbury City Council as she had indicated in her letter to the Oasis that she would be sending a complaint to Council and upon receipt, the matter will be investigated.

13. Councillor Paine commented that over the weekend, Windsor Rotary Club had visitors from the Rotary Club of Cowra. She went on to comment that one of the visitors was talking about the fact that in a matter of two weeks, they had three suicides in the area. She commented that she was aware of an overture from Grenfell, which is near Cowra, to do something about joining in with the Hawkesbury City to form some association/affiliation. Councillor Paine believed this to be a really wonderful thing to do, particularly, when those areas really need some support now. She asked if Council was seriously considering participating in something like this.

The General Manager advised Council certainly had had contact with the General Manager from Weddin Shire, which is near Grenfell, which he thought Councillor Paine was referring to. He advised that there hadn't been any discussions apart from setting a meeting date for the respective Mayors and General Managers and this has been set for 17 March 2007 in the Hawkesbury and this is as far as we have gotten. He commented that he wasn't sure what was going to be on the agenda, but that it was an open agenda.

14. Councillor Calvert referred to the old shop at Kurrajong Heights and asked if there was any progress on the matter.

The Director External Services confirmed that it was the old Post Office site Councillor Calvert was referring to, which it was. She advised that they submitted a contaminated soil report and this is being evaluated at the moment to progress the remediation of the site.

15. Councillor Calvert advised that he had been contacted by Mr Yarak who put in an application to put in car wash at McGrath's Hill and his application went to the Traffic Committee who put a letter forward with two points in it. One of the points was that he should address the egress from the garage and the other was that the RTA should look at reducing the speed limit from 80kmh to 60kmh through that section of McGraths Hill. Councillor Calvert advised that Mr Yarak was confused as to whether the reduction in the speed limit was part of the conditions of his consent. He asked if the Traffic Committee could confirm if that point needs to be satisfied before he begins or is it being done independently of his application.

The Acting Director City Planning advised that the matter would be investigated.

16. Councillor Finch asked if Council has a policy on dealing with graffiti in the City. She advised that she had received a telephone call from a Youth Justice Officer who advised her that there was a conference held here this morning, which Council was apart of as we were one of the victims. She advised that the Youth Justice Officer wanted to know if Council had anything in place where the young offenders can go and remove the graffiti.

The Director Infrastructure Services advised that Council does remove graffiti off our own buildings,

ORDINARY MEETING

MINUTES: 27 February 2007

but it is unfortunately a specialists activity. He advised that yes, sometimes, something just needs to be painted over, but other times, if you actually have to remove it from the building, you can damage the fabric of the building by doing this. So, no, there is nothing in place for young offenders as Council employs specialist graffiti removers for our own assets and again, we don't go onto property to remove graffiti.

Councillor Finch commented that she believed he was talking about legal graffiti walls and do we have anywhere were kids can go and clean off the graffiti.

The Director Infrastructure Services advised that there wasn't anywhere.

Councillor Finch asked if it was an OH&S or insurance issue and asked if the matter could be investigated.

The Director Infrastructure Services advised that the matter would be investigated.

The meeting terminated at 8:30pm.

Submitted to and confirmed at the Ordinary meeting held on Tuesday, 13 March 2007.

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Mayor