



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 29 September 2009

location: council chambers

time: 5:00 p.m.

ORDINARY MEETING
MINUTES: 29 September 2009

MINUTES

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

General Manager
City Planning
Infrastructure Services
Support Services

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

ORDINARY MEETING

MINUTES: 29 September 2009

ORDINARY MEETING
MINUTES: 29 September 2009

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
SECTION 3 - Notices of Motion		7
	RM - Development Application - Seniors Housing Development - Lot 27 DP 1042890, 108 Grose Vale Road, North Richmond - (DA0852/08, 106510, 112157, 77679, 95495)	7
SECTION 4 - Reports for Determination		8
GENERAL MANAGER		8
Item: 197	GM - Innovation in Planning and Development Assessment Summit 2009 - (79351)	8
CITY PLANNING		9
Item: 198	CP - Development Application - Multi Unit Development - Lot 1 DP 544593, 55 East Market Street and Lot 2 DP 223745 57 East Market Street, Richmond - (DA0132/09, 85405, 95498)	9
Item: 199	CP - Representations - Governor Lachlan Macquarie Statue - (114013, 95498)	19
Item: 200	CP - Non-renewal of Brighter Futures Funding Agreement - Update - (33821, 79778, 96328, 95498)	19
Item: 201	CP - Conversion of Hawkesbury Local Environmental Plan 1989 to NSW Government Standard Local Environmental Plan- Progress Report - (95498)	20
Item: 202	CP - Asset Management Policy - (95498)	21
INFRASTRUCTURE SERVICES		22
Item: 203	IS - Roads to Recovery Program - (95495, 79344)	22
Item: 204	IS - Removal of Playgrounds located at Price Lane, Agnes Banks and Panorama Crescent, Freeman's Reach - (95494, 79354)	24
Item: 205	IS - St Albans Park, St Albans Master Plan - (95495, 79354)	24
Item: 206	IS - Richmond Park - Plan of Management - (95495, 79354)	25
Item: 207	IS - Windsor Foreshore Parks Plan of Management - (95495, 79354)	25
SUPPORT SERVICES		26
Item: 208	SS - Gifts and Benefits Policy - (95496)	26
Item: 209	SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496)	26
Item: 210	SS - Review of Code of Meeting Practice - (79337)	27

ORDINARY MEETING
MINUTES: 29 September 2009

ITEM	SUBJECT	PAGE
Item: 211	SS - Financial Assistance - St Monica's Catholic Primary School - (95496, 95498, 12932)	28
Item: 212	SS - Monthly Investments Report - August 2009 - (96332, 95496)	29
	CONFIDENTIAL REPORTS	30
	GENERAL MANAGER	31
Item: 213	GM - Legal Matter - Hawkesbury City Council ats Birdon Contracting Pty Ltd - (27001, 107, 79351) CONFIDENTIAL	31
	CONFIDENTIAL SUPPLEMENTARY REPORTS	32
	INFRASTRUCTURE SERVICES	32
Item: 214	IS - Tender No.00310 - Provision of Electrical Reticulation for Bensons Lane, Richmond - (95495, 79340) CONFIDENTIAL	32
	SECTION 5 - Reports of Committees	33
	ROC - Hawkesbury Bicycle and Access Mobility Committee Minutes - 20 August, 2009 - (98212, 95498)	33
	ROC - Heritage Advisory Committee Minutes - 10 September 2009 - (80242, 95498)	33
	ROC - Local Traffic Committee - 16 September 2009 - (80245)	33
	ROC - Hawkesbury Macquarie 2010 Committee Minutes - 17 September 2009 - (114013)	33
	QUESTIONS WITHOUT NOTICE	34

ORDINARY MEETING

MINUTES: 29 September 2009

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 29 September 2009, commencing at 5.01pm.

Rev Wayne Tildsley of St Peter's Anglican Church, Richmond, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Acting Director Infrastructure Services - Richard Vaby, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Fausto Sut, Executive Manager - Community Partnerships - Joseph Litwin and Administrative Support Team Leader - Amy Dutch.

APOLOGIES

Apologies for absence were received from Councillors Paine and Stubbs.

326 RESOLUTION:

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

Councillor Mackay arrived at the meeting at 5.12pm

Councillors Conolly and Whelan left the meeting at 7.06pm

SECTION 1: Confirmation of Minutes

327 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 8 September 2009, be confirmed.

328 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Tree that the Minutes of the Extraordinary Meeting held on the 15 September 2009, be confirmed.

ORDINARY MEETING

MINUTES: 29 September 2009

329 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Tree that the Minutes of the Extraordinary Meeting held on the 22 September 2009, be confirmed.

330 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Williams that a five minute break be taken to allow time for Councillor Mackay to arrive at the meeting for discussion of the Rescission Motion.

The meeting resumed at 5.12pm.

ORDINARY MEETING

MINUTES: 29 September 2009

SECTION 3 - Notices of Motion

RM - Development Application - Seniors Housing Development - Lot 27 DP 1042890, 108 Grose Vale Road, North Richmond - (DA0852/08, 106510, 112157, 77679, 95495)

Previous Item: 192, Ordinary (15 September 2009)

Councillor Bassett, Mayor, Councillors Connolly, Reardon, Tree and Whelan declared a less than significant non-pecuniary conflict of interest in this matter as the developer has made donations directly to the Liberal Party Head Office but as they had received no direct benefit from donations in any campaign they would continue to participate in the meeting.

Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as the developer may have made a donation directly to the Australian Labor Party Head Office but as he was not aware of and did not receive a direct benefit from the donations he would continue to participate in the meeting.

Mr Mark Regent, Mr Steve Riddington and Dr Barry McGlasson proponents, addressed Council. Ms Mary Buckett, Mr Dave Perry and Ms Dianne Sykes, respondents, addressed Council.

MOTION:

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

That Council's resolution to approve Item 192 - Development Application - Seniors Housing Development - Lot 27 DP 1042890, 108 Grose Vale Road, North Richmond at the meeting of 15 September 2009 be rescinded.

The Rescission Motion was lost.

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 rescission motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Calvert	Councillor Bassett
Councillor Mackay	Councillor Conolly
Councillor Porter	Councillor Reardon
Councillor Rasmussen	Councillor Tree
Councillor Williams	Councillor Whelan

Councillors Paine and Stubbs were absent from the meeting.

As the voting on the rescission motion was equal with five votes for the motion and five votes against the motion the Mayor used his casting vote against the motion and declared the motion to be lost.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 197 GM - Innovation in Planning and Development Assessment Summit 2009 - (79351)

MOTION:

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

Refer to RESOLUTION

331 RESOLUTION:

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

That the attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the Innovation in Planning and Development Assessment Summit 2009, to be held 21 and 22 October, 2009 at a cost of \$950.00 per delegate be approved.

332 RESOLUTION:

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

That Councillor Rasmussen attend the Innovation in Planning and Development Assessment Summit 2009, as a nominated representative of Council.

ORDINARY MEETING
MINUTES: 29 September 2009

CITY PLANNING

Item: 198 **CP - Development Application - Multi Unit Development - Lot 1 DP 544593, 55 East Market Street and Lot 2 DP 223745 57 East Market Street, Richmond - (DA0132/09, 85405, 95498)**

Mr Robert Montgomery and Dr Robert Jack, proponents, addressed Council.
Mr Vic Tchadovitch, respondent, addressed Council.

MOTION:

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

That a site inspection be carried out at Lot 1 DP 544593, 55 East Market Street and Lot 2 DP 223745, 57 East Market Street, Richmond NSW 2753 in relation to the application for a Multi Unit Development - ten x two storey town houses.

An AMENDMENT was moved by Councillor Mackay, seconded by Councillor Tree.

Refer to RESOLUTION

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 amendment, the results of which were as follows:

For the Amendment	Against the Amendment
Councillor Bassett	Councillor Rasmussen
Councillor Calvert	Councillor Reardon
Councillor Mackay	Councillor Williams
Councillor Porter	
Councillor Tree	

Councillors Conolly, Paine and Stubbs and Whelan were absent from the meeting.

The amendment was carried.

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

333 RESOLUTION:

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

That Development Application DA0132/09 at Lot 1 DP 544593, 55 East Market Street and Lot 2 DP 223745, 57 East Market Street, Richmond NSW 2753 for Multi Unit Development - ten x two storey town houses be approved subject to the following conditions:

ORDINARY MEETING

MINUTES: 29 September 2009

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. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The approved use shall not commence until all conditions of this Development Consent have been complied with.
4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the provisions of the Building Code of Australia at all times.
6. The basement shall comply with the requirements of Section J of the Building Code of Australia.
7. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.
8. All vegetative debris (including felled trees) resulting from the approved clearing of the site for construction, is to be chipped or mulched. Tree trunks are to be recovered for posts, firewood or other appropriate use. No vegetative material is to be disposed of by burning.

Prior to Issue of Construction Certificate

9. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$ 18 000.00 shall be paid to Hawkesbury City Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time).

The contribution is to be paid prior to the issue of the construction certificate and copies of receipts confirming that the contribution has been fully paid are to be provided to the certifying authority.

10. A landscape plan for the entire site, prepared by a suitably qualified person, shall be submitted to the Principal Certifying Authority for approval.

The landscape plan shall detail the soil depths required for the necessary landscaping to be planted on top of the proposed basement.

The landscape plan is to make provision for the retention of as many existing trees as possible.

11. Construction of the road, access, car park, drainage, filling and retaining walls are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director of City Planning or an Accredited Certifier.
12. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.

ORDINARY MEETING

MINUTES: 29 September 2009

13. Payment of a Construction Certificate checking fee and a Compliance Certificate inspection fee in accordance of Councils fees and charges when submitting Civil Engineering Plans for approval. Fees required if an Accredited Certifier is used will be provided on request.
14. A Traffic Guidance Scheme prepared in accordance with AS 1742-3 (2002) by an appropriately qualified person shall be submitted to Council.
15. Retaining walls are to be designed by a suitably qualified and experienced Structural Engineer.
16. Details of any fill material removed or imported to the site shall be submitted to Council. Details to include quantities, borrow sites or disposal sites.
17. Amended plans detailing the retention of the existing Melrose Cottage and details of the new location shall be submitted and approved by Hawkesbury City Council prior to any works on the cottage.
18. A report from a practicing structural engineer shall be submitted to Council to confirm that Melrose Cottage can be retained, supported and not undermined by the proposed relocation. Details of where the cottage will be temporary positioned during the excavation of the site shall be submitted and approved by Council.

Note:

A separate development application may be required to be submitted and approved if the building was to be positioned on a different property from which this consent is granted.

19. A structural assessment of Melrose Cottage be submitted to indicate if the entire weatherboard house, together with the iron tiles over part of it, is capable of being moved whole or in large segments. It is preferred if possible to relocate the cottage as whole or in large segments.

Prior to Commencement of Works

20. Prior to its repositioning, colour photographs of all elevations of the existing cottage located on 55 East Market Street shall be submitted to Council. The photographs shall be labelled and cross referenced to a base plan drawn to scale.
21. An Aboriginal archaeological assessment shall be completed by appropriately qualified consultant prior to any works commencing. Details are to be provided to Council prior to commencement of works.
22. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
23. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
24. The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls under construction and in compliance with the approved plans shall be lodged with the principal certifying authority. Any easements must be shown on the Survey Certificate.
25. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.

ORDINARY MEETING

MINUTES: 29 September 2009

26. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
27. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
28. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
29. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.
30. The approved plans must be submitted to a Sydney Water Quick Check agent or customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For quick Check agent details, please refer to the web site www.sydneywater.com.au, see Building Developing and Plumbing then Quick Check or telephone 13 20 92.

The consent authority or a private accredited certifier must either:

- Ensure that Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate; or
 - If there is a combine Development/Construction Certificate application or Complying Development, include the above condition as one to be met prior to works commencing on site.
31. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.
 32. All traffic management devices shall be installed and maintained in accordance with the approved traffic guidance scheme.
 33. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
 34. Off street parking associated with the proposed development, including driveway widths, aisle widths, grades parking bay dimensions, sight distance requirements and turning paths are to be in accordance with AS 2890.1-2004 and Council's Development Control Plan and AS2890.2 - 2002 for loading areas as appropriate.
 35. A record, both written and photographic, be kept prior to and during the relocation of Melrose Cottage. Details are to be deposited with the Hawkesbury City Library.

During Construction

36. The site shall be secured to prevent the depositing of any unauthorised material.

ORDINARY MEETING

MINUTES: 29 September 2009

37. An appropriately qualified European Archaeological consultant and an Aboriginal archaeological consultant shall monitor any physical works associated with the relocation, demolition or excavation of any structures on the subject site and the movement of the existing cottage. Should any relic or artefact be found during the construction works, all work on the site is to cease and the Principal Certifying Authority and Council are to be notified of the find. Work on the site is not to recommence until approval from Council is obtained.
38. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
39. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
40. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
41. At all times during demolition, a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
 - a) Adjoining owners are given 24 (twenty four) hours notice, in writing, prior to commencing demolition.
 - b) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed before any demolition commences.
 - c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
 - d) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
 - e) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes.
 - f) The structure and all components shall be maintained in a stable and safe condition at all stages of the demolition work.
 - g) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings
 - h) Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).

ORDINARY MEETING

MINUTES: 29 September 2009

- i) All work shall be carried out in accordance with AS2601 and the Work Plan submitted with the development application.
 - j) Unless otherwise permitted by Council, the structure is to be demolished in reverse order of construction, being progressive and having regard to the type of construction, to enable the maximum separation and recycling of demolished materials to take place.
 - k) No material is to be burnt on site.
42. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components of construction:
- Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.**
- a) commencement of work ;
 - b) piers;
 - c) steel reinforcement prior to pouring concrete;
 - d) external sewer or stormwater lines, prior to backfilling;
 - e) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - f) wet area flashing, after the installation of bath and shower fixtures
 - g) prior to occupation of the building
43. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:
- (a) must preserve and protect the building from damage; and
 - (b) if necessary, must underpin and support the building in an approved manner; and
 - (c) must, at least 7 (seven) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- The person acting in accordance with this Consent is liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
44. The development shall be treated for termites in accordance with the Building Code of Australia and AS 3660 as amended by a suitably qualified person with particular attention to timber floors, slab penetrations, joints between slabs, additions to existing buildings.
- Details of the type and method of treatment are to be provided to the Principal Certifying Authority and a copy of durable material to be located in the meter box and at the entrance to any crawl space if chemicals are sprayed or pressurised into the soils.
45. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.

ORDINARY MEETING

MINUTES: 29 September 2009

46. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
47. Off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, as shown on the approved plan.
48. Vehicle entrances and exits shall be clearly signposted including house number and shall be visible from both the street and site at all times.
49. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted
50. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
51. All work shall be completed in accordance with the BASIX Certificate and supporting ABSA Certificates in accordance with the requirements of the NSW Department of Planning. Evidence must be submitted to the certifying authority prior to the issue of the occupation certificate.
52. The development shall be completed in accordance with the approved colours and finishes and shall not be altered.
53. New boundary fences shall be provided at the developer's expense prior to the issue of an occupation certificate. Fencing behind the building line shall be a height of 1.8m.
54. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
55. Concrete path paving 1.2m wide shall be constructed along the road frontage to the development. The remaining footway area shall be formed in earth and planted with grass.
56. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at pre-development levels.
57. Arrangements are to be made for the provision of common drainage and the disposal of storm water from the site.
58. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved plan and Hawkesbury Development Control Plan chapter on Soil Erosion and Sedimentation.
59. A heavy duty layback and footway vehicular crossing 6.5m wide shall be constructed to the proposed driveway. The crossing shall be constructed in accordance with Hawkesbury Development Control Plan Appendix E, Civil Works Specification.
60. All services or suitable conduits shall be placed prior to concrete pouring.
61. All driveways, pedestrian pathways and communal open space areas shall be suitably illuminated in accordance of the relevant Australian Standard.
62. All internal and external lighting shall be installed in a manner that would avoid intrusion onto adjacent residential properties.
63. The work of relocation of Melrose Cottage be supervised by a suitably qualified heritage consultant.
64. Particular care be given to ensuring that the iron roof tiles of Melrose Cottage are not damaged or degraded during the move.

ORDINARY MEETING

MINUTES: 29 September 2009

Prior to Issue of the Occupation Certificate

65. The following certificates are to be provided, stating the name of person or company carrying out the installation, type of material and the relevant Australian Standard to which installed:
 - a) The type and method of termite treatment (complying with AS 3660) provided to walls and floors, pipe penetrations, jointing of new work to existing and slab perimeters. A copy of the termite treatment and materials used shall also be securely fixed inside the meter box for future reference.
 - b) An automatic smoke detection system installed in residential development by a licensed electrician. Smoke alarms must comply with AS 3786 and be connected to the consumer mains power where supplied to the building.
 - c) A statement or other suitable evidence shall be submitted to the Principal Certifying Authority, certifying that all commitments made on the BASIX certificate have been implemented and installed as approved.
66. A report from an appropriately qualified Structural Engineer shall be provided to the Principal Certifying Authority demonstrating that the relocated cottage is structurally adequate for its intended use.
67. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
68. Compliance with all conditions of this development consent.
69. Registration of a plan of survey consolidating the site into a single allotment. Documentary evidence to be submitted prior to release of any occupation certificate.
70. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
71. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
72. A Plan of Management for the on-site stormwater detention facilities shall be submitted to and approved by Council. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance.
73. The owner shall enter a positive covenant with Council which provides the following:
 - a) The registered proprietors will at all times maintain, repair and keep the on-site stormwater detention facilities in a good and safe condition and state of repair, in accordance with the approved design to the reasonable satisfaction, at all times, of Council, having due regard to the Plan of Management for the operation and maintenance of the on-site stormwater detention facilities, and
 - b) The liability under the Covenant will jointly and severally bind the registered proprietors of the proposed dwellings, and
 - c) Council only will be entitled to release or modify the Covenant.

All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner or applicant.
74. Submission of a report by the Design Engineer stating the conformance or otherwise of the system in relation to the approved design.

ORDINARY MEETING

MINUTES: 29 September 2009

75. Works-As-Executed drawings for the One Site Detention Stormwater System which indicate the following shall be submitted to and approved by Council:
- a) Invert levels of tanks, pits and pipes
 - b) Surface levels of pits and surrounding ground levels
 - c) Levels of surrounding kerb
 - d) Floor levels of buildings
 - e) Top of kerb levels at the front of the lot; and
 - f) Extent of inundation
76. Dedication of a 4m x 4m splay corner at the intersection of Grose and East Market Streets (At no cost to Council) shall be provided.
77. Signage be erected, visible from the corner of East Market Street and Grose Street, outlining the history and significance of Melrose Cottage and its values to the history of Richmond.

Use of the Development

78. No internal or external alterations shall be carried out without prior approval of Council.
79. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
- a) been assessed by a properly qualified person, and
 - b) found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.
80. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
81. The gym shall only be used by the residents of the development and be limited to the hours of 6:00am to 7:00pm, Monday to Sunday.
82. Melrose Cottage is to remain visible from Grose street after relocation.

Advisory Notes

- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- *** 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.

ORDINARY MEETING

MINUTES: 29 September 2009

*** The applicant is advised to consult 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.

*** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

*** The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

*** Separate Council approval would be required if Strata subdivision of the proposal is intended.

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 Bassett	Councillor Reardon
Councillor Calvert	Councillor Williams
Councillor Mackay	
Councillor Porter	
Councillor Rasmussen	
Councillor Tree	

Councillors Conolly, Paine and Stubbs and Whelan were absent from the meeting.

ORDINARY MEETING
MINUTES: 29 September 2009

Item: 199 **CP - Representations - Governor Lachlan Macquarie Statue - (114013, 95498)**

MOTION:

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

Refer to RESOLUTION

334 RESOLUTION:

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

That:

1. Council receive the request from the Hawkesbury Macquarie 2010 Committee.
2. Council write to the Manager of Building Services, NSW Parliament House to clarify the Parliament's intentions regarding the relocation of the statue and register its interest in providing a new home for the statue in the City of Hawkesbury subject to confirmation of the likely costs should such a request be viewed positively.
3. Copies of this correspondence be forwarded to local State Members and the Chair of the NSW Government Macquarie 2010 Bicentenary Commemoration Committee.

Item: 200 **CP - Non-renewal of Brighter Futures Funding Agreement - Update - (33821, 79778, 96328, 95498)**

Previous Item: 157 Ordinary (Supplementary) 11 August 2009

MOTION:

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

Refer to RESOLUTION

335 RESOLUTION:

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

That:

1. The information be received.
2. Council write to Hawkesbury Community Services Inc. to express its appreciation of their decision to take over the Hawkesbury Brighter Futures Program to enable the Program to be managed and operated within the City of Hawkesbury.
3. Council support the transfer of the Hawkesbury Brighter Futures contract to Hawkesbury Community Services Inc by providing HCS with access to the Stewart Street Early Intervention Centre and South Windsor Family Centre on the same terms and provisions as previously applied to the use of these facilities by Peppercorn Services Inc. to deliver the BF Program.

ORDINARY MEETING

MINUTES: 29 September 2009

- 4. Council write to the Board of Peppercorn Services Inc. to express its appreciation of the work of PSI in establishing and operating the Hawkesbury BF service and to pass on Wesley Mission's acknowledgement as to the quality of the BF services delivered by PSI. Council to ask the Board to extend it's thanks to the staff of the Hawkesbury BF Program.
- 5. Council write to the Minister for Community Services to request that the Minister give serious consideration to reviewing funding arrangements, particularly under the BF program, to reinstate a requirement for lead agencies to consult with its subcontracted service partners, and the employees and clients of these partners, prior to any decision to change or relocate a BF service. The Minister also be requested to establish a process by which a decision of a lead agency to terminate a partnership agreement can be subject to administrative and/or Ministerial review prior to the implementation of such a decision.
- 6. The matters raised in Part 5 of the recommendation be referred to WSROC for its support.

Item: 201 CP - Conversion of Hawkesbury Local Environmental Plan 1989 to NSW Government Standard Local Environmental Plan- Progress Report - (95498)

MOTION:

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

Refer to RESOLUTION

336 RESOLUTION:

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

That the matter be deferred to the Councillor Briefing Session on 6 October 2009.

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 Bassett	Nil
Councillor Calvert	
Councillor Mackay	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Conolly, Paine, Stubbs and Whelan were absent from the meeting.

ORDINARY MEETING
MINUTES: 29 September 2009

Item: 202 CP - Asset Management Policy - (95498)

MOTION:

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

Refer to RESOLUTION

337 RESOLUTION:

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

That the Draft Asset Management Policy, attached as Attachment 1 to the report, be adopted by Council.

ORDINARY MEETING
MINUTES: 29 September 2009

INFRASTRUCTURE SERVICES

Item: 203 IS - Roads to Recovery Program - (95495, 79344)

MOTION:

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

Refer to RESOLUTION

338 RESOLUTION:

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

That the Roads to Recovery funding be utilised on the following list of scheduled works:

Road Name	Location and Description of Works	Amount
Comleroy Road, Kurrajong	Rehabilitate failed sections between Bells Line of Road and North of Oswald Park Road <i>* In conjunction with RTA Repair Program</i>	\$298,500
Grose Vale Road, North Richmond	Rehabilitate Failed Sections: <ul style="list-style-type: none"> - Between Pecks Road and Grose River Road <i>* In conjunction with RTA Repair Program</i> - Between Pecks and Bells Line of Road - Between Bowen Mountain and Westbury Road 	\$55,000 \$110,000 \$85,000
Sackville Road, Wilberforce	Rehabilitate failed sections including widening generally between Grono Farm Road and Wymarks Lane <i>*In conjunction with RTA repair Program</i>	\$420,000
Terrace Road, North Richmond	Rehabilitate failed section between Beaumont Avenue and 1200m North.	\$495,000
Upper Colo Road, Colo	Replace Timber Bridge over the Wheeny Creek, with a reinforced concrete structure.	\$810,000
Blacktown Road, Freemans Reach	Rehabilitate failed pavement generally between Vollers and Gorricks Lane	\$202,500
Snailham Crescent, South Windsor	Rehabilitate failed pavement	\$170,000
Slopes Road, North Richmond	Rehabilitate failed pavement generally between Maddens Road and Crooked Lane	\$245,263
Kable Street, Windsor	Rehabilitate failed sections between George Street and The Terrace including drainage	\$98,800
King Road, Wilberforce	Rehabilitate between Old Sackville Road and Pitt Town Ferry Road	\$92,500
St Albans Road	Rehabilitate failed pavement generally between Webbs Creek Road and Webbs Creek Mountain Road	\$165,500

ORDINARY MEETING
MINUTES: 29 September 2009

Road Name	Location and Description of Works	Amount
Midson Road, Oakville	Rehabilitate failed sections between Dormitory Hill Road and Cusack Road	\$135,000
Scheyville Road, Oakville	Rehabilitate failed sections between Old Stock Route Road and Old Pitt Town Road	\$265,000
Mileham Street, South Windsor	Rehabilitate failed section between James and Drummond Street	\$144,000
Hermitage Road, Kurrajong Hills	Rehabilitate failed section between Mill Road and Mountain View Close	\$180,200
Kurmond Road, Glossodia	Rehabilitate failed sections between Wire Lane and Spinks Road	\$74,000
Approximate Limit of Funding		\$4,046,263
Additional Projects Subject to available funding		
Bells Lane, Kurmond	Rehabilitate failed pavement at southern end	\$95,000
Cornwallis Road, Richmond Lowlands	Rehabilitate failed sections	\$118,000
Freemans Reach Road, Windsor	Rehabilitate failed sections between Wilberforce Road – 750m West	\$341,250
Spinks Road, Glossodia	Western End from Kurmond Road CH550 to CH1150	\$204,250
James Meehan Street, Windsor	Rehabilitate failed section	\$85,000
Harris Street, Windsor	Rehabilitate failed section	\$125,000
Racecourse Road, Clarendon	Rehabilitate failed section – Railway to 426m South	\$195,000

ORDINARY MEETING

MINUTES: 29 September 2009

Item: 204 IS - Removal of Playgrounds located at Price Lane, Agnes Banks and Panorama Crescent, Freeman's Reach - (95494, 79354)

MOTION:

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

Refer to RESOLUTION

339 RESOLUTION:

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

That the playground located at:

1. Price Lane, Agnes Banks be removed with public consultation to take place to determine a more suitable site.
2. Panorama Crescent, Freemans Reach be removed, with funding for a replacement to be reported to Council in conjunction with the September 2009 Quarterly Review.

Councillor Rasmussen requested he be recorded as having voted against the motion.

Item: 205 IS - St Albans Park, St Albans Master Plan - (95495, 79354)

MOTION:

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

Refer to RESOLUTION

340 RESOLUTION:

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

That the St Albans Park, St Albans Master Plan be adopted.

ORDINARY MEETING
MINUTES: 29 September 2009

Item: 206 **IS - Richmond Park - Plan of Management - (95495, 79354)**

Previous Item: 131, Ordinary (14 July 2009)

MOTION:

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

Refer to RESOLUTION

341 RESOLUTION:

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

The Richmond Park Plan of Management be adopted.

Item: 207 **IS - Windsor Foreshore Parks Plan of Management - (95495, 79354)**

Previous Item: 118, Ordinary (30 June 2009)

MOTION:

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

Refer to RESOLUTION

342 RESOLUTION:

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

That:

1. Part Lot 50, DP 1073306, Hollands Paddock, as shown on the map attached to this report, be reclassified from Community Land to Operational Land and a Planning Proposal be prepared to rezone the land to General Business 3(a).
2. The Plan of Management and Master Plans for the Windsor Foreshore Parks, Windsor, inclusive of Deerubbin Park, Howe Park, Holland's Paddock, Thompson Square, Macquarie Park, Windsor Wharf Reserve and Governor Phillip Reserve be adopted.

SUPPORT SERVICES

Item: 208 **SS - Gifts and Benefits Policy - (95496)**

Previous Item: Item 67, Ordinary (8 April 2008)

MOTION:

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

Refer to RESOLUTION

343 RESOLUTION:

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

That Council re-affirm the existing Gifts and Benefits Policy attached to this report as Attachment 1.

Item: 209 **SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496)**

Previous Item: 193, Ordinary (9 September 2008)

MOTION:

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

Refer to RESOLUTION

344 RESOLUTION:

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

That:

1. The amended Policy for Payment of Expenses and Provision of Facilities to Councillors attached as Attachment 1 to the report be adopted.
2. Council is of the opinion that the proposed change is not substantial and that public notice of the proposed change is not required.
3. As required by Section 253(4) of the Local Government Act 1993, a copy of the adopted amended Policy be forwarded to the Director-General of the Department of Local Government, with the advice that Council is of the opinion that the amendment to the Policy regarding the model of the Mayoral vehicle is not substantial, and therefore public notice was not required.

ORDINARY MEETING

MINUTES: 29 September 2009

Item: 210 SS - Review of Code of Meeting Practice - (79337)

Previous Item: 123, Ordinary (30 June 2009)
 NM, Ordinary (12 May 2009)
 201, Ordinary (28 June 2005)
 62, Ordinary (9 November 2004)

Mr Neville Diamond, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

345 RESOLUTION:

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

That:

1. In Council's view the amendments, other than that relating to the proposal to discontinue "Questions Without Notice", made since exhibition of Council's Draft Code of Meeting Practice are not substantial and accordingly, but for that one exception, they may be adopted without further exhibition.
2. The sections of the existing Code of Meeting Practice relating to "Questions Without Notice" be retained in the Revised Code on an interim basis.
3. The Revised Draft Code of Meeting Practice, as exhibited and amended by this resolution be adopted by Council.
4. The Revised Code of Meeting Practice as amended take effect from 10 November 2009.
5. In Council's view, the practice of "Questions Without Notice" does not constitute transacting business in the terms of Section 241 of the Local Government (General) Regulation 2005, as no resolutions of Council are made by means of that practice, unless through the moving of a motion of urgency as provided for in Section 241 (3).
6. Council obtain legal advice as to whether the asking of questions seeking information and answering of those questions by councillors or staff constitutes transaction of business in the terms of Section 241 of the Local Government (General) Regulation 2005.
7. In the event that legal advice supports the view that "Questions Without Notice" are not inconsistent with Section 241 of the Local Government (General) Regulation 2005, Council write to the Minister for Local Government conveying that advice and stating its view that "Questions Without Notice" are an important dimension of councillors' role on behalf of the community and the Department's Practice Note No. 16 should be amended to permit the continuation of such questions with appropriate procedural conditions.
8. At a future Councillor Briefing Session the matter of how to facilitate questions from the public at Council Meetings be discussed.

ORDINARY MEETING

MINUTES: 29 September 2009

Item: 211 **SS - Financial Assistance - St Monica's Catholic Primary School - (95496, 95498, 12932)**

Previous Item: 87, Ordinary (12 May 2009)
 142, Ordinary (28 July 2009)

Councillor Conolly submitted a disclosure of pecuniary interest in this matter as St Monica's Catholic Primary School is conducted by his employer, the Catholic Education Office, Parramatta. He was not present in the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

346 RESOLUTION:

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

That:

1. Pursuant to Section 356 of the Local Government Act 1993, Council approve the financial assistance of \$30,000 to St Monica's Catholic Primary School, Richmond.
2. An appropriate adjustment in respect of this donation be made as part of the September 2009 Quarterly Review.
3. The Catholic Education, Diocese of Parramatta be advised of Council's decision.

Councillors Calvert, Porter and Williams requested they be recorded as having voted against the motion.

ORDINARY MEETING
MINUTES: 29 September 2009

Item: 212 **SS - Monthly Investments Report - August 2009 - (96332, 95496)**

Previous Item: 17, Ordinary (3 February 2009)

MOTION:

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

Refer to RESOLUTION

347 RESOLUTION:

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

That the information be received and noted.

CONFIDENTIAL REPORTS

348 RESOLUTION:

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

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

Mr Neville Diamond and Mr Bill Sneddon, respondents, addressed Council regarding whether Item: 213 concerning a legal matter involving Hawkesbury City Council ats Birdon Contracting Pty Ltd should be considered in closed Council.

349 RESOLUTION:

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

That Item 213 concerning a legal matter involving Hawkesbury City Council ats Birdon Contracting Pty Ltd should be considered in closed Council.

The Mayor asked for any other 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.

350 RESOLUTION:

RESOLVED on the motion of Councillor Tree, 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: 213 GM - Legal Matter - Hawkesbury City Council ats Birdon Contracting Pty Ltd - (27001, 107, 79351) CONFIDENTIAL

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Act as it relates to legal advice concerning development application related matters and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 214 IS - Tender No. 00310 - Provision of Electrical Reticulation for Bensons Lane, Richmond - (95495, 79340) CONFIDENTIAL

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Act as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the*

ORDINARY MEETING

MINUTES: 29 September 2009

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.

351 RESOLUTION:

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

GENERAL MANAGER

Item: 213 GM - Legal Matter - Hawkesbury City Council ats Birdon Contracting Pty Ltd - (27001, 107, 79351) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

352 RESOLUTION:

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

That:

1. In consultation with Council's solicitors the General Manager be authorised to endorse action along the lines suggested by Council's solicitors in their advice in order to resolve issues relating to costs associated to the two recent proceedings in the Land and Environment Court between Council and Birdon Contracting Pty Ltd.
2. Authority be given for an appropriate Deed of Agreement, or similar document, in connection with this matter to be executed under the Seal of Council if necessary.

ORDINARY MEETING

MINUTES: 29 September 2009

CONFIDENTIAL SUPPLEMENTARY REPORTS

INFRASTRUCTURE SERVICES

Item: 214 **IS - Tender No.00310 - Provision of Electrical Reticulation for Bensons Lane, Richmond - (95495, 79340) CONFIDENTIAL**

Previous Item: 262, Ordinary (9 December 2008)

MOTION:

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

Refer to RESOLUTION

353 RESOLUTION:

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

That:

1. The tender submitted by M.L & J.Y Beynon-Mills, in the amount of \$204,355.28 (GST exclusive), for the Provision of Electrical Reticulation in Bensons Lane Reserve be accepted subject to the Department of Infrastructure, Transport, Regional Development and Local Government extending the completion date to mid November 2009.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

SECTION 5 - Reports of Committees

ROC - Hawkesbury Bicycle and Access Mobility Committee Minutes - 20 August, 2009 - (98212, 95498)

354 RESOLUTION:

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

That the minutes of the Hawkesbury Bicycle and Access Mobility Committee held on 20 August 2009 as recorded on pages 91 to 93 of the Ordinary Business Paper be received.

ROC - Heritage Advisory Committee Minutes - 10 September 2009 - (80242, 95498)

355 RESOLUTION:

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

That the minutes of the Heritage Advisory Committee held on 10 September 2009 as recorded on pages 94 to 102 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 16 September 2009 - (80245)

356 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 16 September 2009 as recorded on pages 103 to 117 of the Ordinary Business Paper be adopted.

ROC - Hawkesbury Macquarie 2010 Committee Minutes - 17 September 2009 - (114013)

357 RESOLUTION:

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

That the minutes of the Hawkesbury Macquarie 2010 Committee held on 17 September 2009 as recorded on pages 118 to 122 of the Ordinary Business Paper be received.

ORDINARY MEETING**MINUTES: 29 September 2009****QUESTIONS WITHOUT NOTICE**

#	Councillor	Question	Response
1	Tree	Enquired about the role of the Hawkesbury Macquarie 2010 Committee and staff on the Committee. She also asked if the Committee is functional.	<p>The Executive Manager - Community Partnerships advised that the Committee has roles and authorities listed in its constitution.</p> <p>Primarily the Committee is a group of people who are meeting to facilitate events to be held in conjunction with the 2010 celebrations. The Committee itself is not running the events but is working with community groups to assist them in organising different activities and events.</p> <p>He advised that there are Council staff members who sit on the Committee and attend the meetings including himself who attends to ensure that the business papers and minutes are properly recorded and reported to Council.</p> <p>The Executive Manager - Community Partnerships advised that the Committee is an unusually large Committee and four working groups have been formed. The Committee is functional as it is achieving the objectives in its constitution.</p>
2	Tree	Enquired when the next Peppercorn Services Inc. meeting will be held.	The Executive Manager - Community Partnerships advised that the meetings are held on the fourth Thursday of the month at 10am. A copy of the Business Paper and meeting details will be provided to Councillor Tree.
3	Rasmussen	Advised that Superbases are being reconsidered by the Department of Defence and enquired if Council is preparing for the future decision that the Government is likely to make.	The General Manager advised that the matter is currently being investigated and will be reported to Council shortly.

ORDINARY MEETING

MINUTES: 29 September 2009

#	Councillor	Question	Response
4	Williams	<p>Referred to his previous question regarding the tree lopping practices of Integral Energy Contractors and enquired if any information has been obtained regarding Council retaining ownership of lopped branches and selling the woodchips at the Waste Management Facility.</p>	<p>The Mayor advised that Integral Energy has statutory authority to retain the lopped branches and Council does not get involved in the process or have any jurisdiction.</p> <p>The Acting Director Infrastructure Services advised that Council would incur a levy if they were to take the material to the Waste Management Facility.</p>
5	Williams	<p>Enquired if Macquarie and Argyle Streets form part of a B-Double route as he recently witnessed a truck turning at the intersection of the two roads run into the traffic lights.</p> <p>He also enquired about the policing of B-Doubles using roads other than the specified routes.</p>	<p>The Mayor advised that every B-Double route requires approval. The Police are responsible for enforcing penalties for the illegal use of roads.</p>
6	Williams	<p>Enquired when the Australiana Pioneer Village report will come to Council</p>	<p>The Director Support Services advised that information from the Council's External Auditor has not been received to date and Staff are currently assessing the revised business plan.</p>
7	Williams	<p>Enquired when the recently distributed Australiana Pioneer Village Inventory List was completed.</p>	<p>The Director Support Services advised that the list was based on an existing list and was updated based on items sighted in a recent inventory inspection.</p>
8	Calvert	<p>Advised that when driving from North Richmond into Richmond the signage directing traffic to Blacktown is indicating that they should turn right at the intersection near McDonalds which is causing traffic to bank up.</p> <p>He suggested that the signage should be moved to indicate the right turn at Bosworth Street and requested that the matter be referred to the Local Traffic Committee.</p>	<p>The Acting Director Infrastructure Services advised that the matter will be referred to the Local Traffic Committee.</p>
9	Calvert	<p>Enquired if a response to the Council resolution requesting an investigation into alternate energy sources for Council buildings, particularly solar energy, was reported to Council.</p>	<p>The Acting Director Infrastructure Services advised that the matter will be investigated.</p>

ORDINARY MEETING

MINUTES: 29 September 2009

#	Councillor	Question	Response
10	Calvert	Requested that all Councillors receive regular feedback from WSROC meetings and enquired if an outcome has been reached regarding Councils in Western Sydney pooling together to buy electricity in order to obtain a cheaper price.	The Mayor advised that regular feedback regarding WSROC meetings will be provided. He also advised that the electricity matter was reported to Council when Councillor Calvert was on his leave of absence, The WSROC tender was more expensive than other tenders.
11	Porter	Requested that the Tri-Generation Plant be referred to as the Co-Generation Plant as previously named. He enquired if there is a contract in relation to power going back into the grid and requested to see the contract if one exists.	The General Manager advised that the only contract he is aware of is the contract with Integral Energy regarding maintaining supplies on certain days and is worth approximately \$35,000pa.
12	Porter	Enquired if Council was aware that no blackouts occurred in recent winds and suggested that Integral Energy contractors trimming trees around the power lines may have assisted.	The Mayor acknowledged that no blackouts had occurred.
13	Porter	Enquired about the electronic sign that was recently parked on Macquarie Street advertising that the Oasis Swimming Centre was open.	The General Manager advised that the sign was not placed in the area by Council and was more than likely placed by the YMCA as the Managers of the facility. The matter will be investigated.
14	Reardon	Enquired when the next Hawkesbury Macquarie 2010 Committee meeting will be held.	The Executive Manager - Community Partnerships advised that meetings are held on the second Tuesday of the month starting at 9am.
15	Porter	Requested that a Waste Management Advisory Committee Meeting be scheduled for when Councillors Paine and Williams return from leave. He also requested that an inspection at the Waste Management Facility be scheduled.	The Director City Planning advised that the last meeting was postponed and will be rescheduled shortly. An inspection of the Waste Management Facility will be included in the Agenda.

The meeting terminated at 10.20pm.

Submitted to and confirmed at the Ordinary meeting held on 13 October 2009.

.....
Mayor