



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 08 September 2009

location: council chambers

time: 5:00 p.m.

ORDINARY MEETING
MINUTES: 8 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**

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 8 September 2009, commencing at 5.00pm.

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, C Paine, 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

An apology for absence was received from Councillors Stubbs.

291 RESOLUTION:

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

SECTION 1: Confirmation of Minutes

292 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 25 August 2009, be confirmed.

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SECTION 3 - Notices of Motion

RM - Rescission Motion - DA - Animal Establishment - Construction of Kennel Building and Outdoor Kennels including above ground rain water tank and front fence - Lot 11 DP 1034864, 262 Grose Wold Road, Grose Wold - (DA0359/08, 85782, 108159, 95498)

Previous Item: 164, Ordinary (25 August 2009)

Mr Glenn Sparman, Mr Brendan Yate and Mr Tony Raby, proponents, addressed Council.
Ms Robyn Holloman, Ms Eli Fjellheim and Mr Len Derkacz, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

293 RESOLUTION:

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

That Council's resolution to approve Item 164 - Animal Establishment at Lot 11 DP 1034864, 262 Grose Wold Road, Grose Wold at the meeting of 25 August 2009 be rescinded.

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	
Councillor Calvert	Councillor Bassett
Councillor Paine	Councillor Conolly
Councillor Porter	Councillor Mackay
Councillor Rasmussen	Councillor Reardon
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Stubbs was absent from the meeting.

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

Refer to RESOLUTION

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294 RESOLUTION:

RESOLVED on the FORESHADOWED motion moved by Councillor Whelan, seconded by Councillor Rasmussen.

That Development Application DA0359/08 for an animal establishment for Construction of a Kennel Building and Outdoor Kennels for the keeping and breeding of show dogs, including above ground rain water tank and front fence at Lot 11 DP 1034864, 262 Grose Wold Road, Grose Wold be refused for the following reasons:

1. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act, 1979, the proposal does not satisfy objectives (a), (c) and (f) of the rural living zone of Hawkesbury Local Environmental Plan 1989 subject to Clause 9A, as the development is considered to be inconsistent with the rural residential lifestyle of the locality, the development is unable to minimise conflict with rural living land uses and the development is inconsistent with the rural landscape character of the area.
2. Pursuant to Section 79C (1)(b) of the Environmental Planning and Assessment Act, 1979, the development does not satisfactorily demonstrate that the safety and security of adjoining properties and occupants will not be adversely impacted upon.
3. Pursuant to Section 79C (1)(b) of the Environmental Planning and Assessment Act, 1979, the development does not satisfactorily demonstrate that no adverse affect upon the rural and natural environment of the area is generated.
4. Pursuant to Section 79C (1)(b) of the Environmental Planning and Assessment Act, 1979, the development does not satisfactorily demonstrate that the social impact on the locality and the community is acceptable.
5. Pursuant to Section 79C (1)(c) of the Environmental Planning and Assessment Act 1979, the proposed development does not satisfactorily demonstrate the suitability of the site for the proposed land use.
6. Due to the above reasons, and the cumulative impacts that this development may cause, the proposal is considered to not be in the general public interest pursuant to Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act, 1979.

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	
Councillor Calvert	Councillor Bassett
Councillor Paine	Councillor Conolly
Councillor Porter	Councillor Mackay
Councillor Rasmussen	Councillor Reardon
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Stubbs was absent from the meeting.

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

Refer to RESOLUTION

295 RESOLUTION:

RESOLVED on the FORESHADOWED motion was moved by Councillor Williams, seconded by Councillor Rasmussen.

That the issue of Council's Development Control Plan and considering ways in which the requirements governing animal establishments could be dealt with as a result of issues arising from this Development Application be considered at a Councillor Briefing Session..

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 178 **GM - Sister City Program Policy - Student Exchange Donation, Kyotamba 2009 visit cancelled/rescheduled - Special Circumstance - (73610, 79351, 91811)**

Mr Frank Scharfe, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

296 RESOLUTION:

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

That Council's position on the student donations for the Kyotamba student exchange 2009, if the re-scheduled visit is cancelled again by Kyotamba Council, be that the donation may be used toward travel costs incurred in Australia as a special circumstance.

Item: 179 **GM - Risk Management Institution of Australia - 6th Annual Conference 22-25 November 2009 - (102766, 79351)**

MOTION:

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

Refer to RESOLUTION

297 RESOLUTION:

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

That the attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 6th Annual Conference of the Risk Management Institution of Australia to be held from 22-25 November 2009 be approved.

No nominations were made for Councillors to attend the Conference.

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Item: 180 **GM - Hawkesbury City Council's Model Code of Conduct - (79351, 79385, 95496)**

Mr Neville Diamond and Mr Frank Scharfe, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

298 RESOLUTION:

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

That:

1. Council adopt the revised Code of Conduct attached as Attachment 1 to this report subject to the deletion of Clauses 6.12 and 6.13 and the renumbering of subsequent clauses.
2. A copy of the Council's revised Code of Conduct be provided to all Councillors, Staff and delegates.

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CITY PLANNING

Item: 181 CP - Application for Rezoning - Part Lot B DP 411701, 130 Windsor Road, McGraths Hill - (85712, 95498)

Mr Robert Montgomery, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

299 RESOLUTION:

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

That:

1. Council prepare a Planning Proposal, under the provisions of Section 55 of the Environmental Planning and Assessment Act 1979, to rezone land at part Lots A and B DP 411701 (excluding the areas identified for road widening), 126 and 130 Windsor Road, McGraths Hill, from Rural Living to 4(b) Light Industrial zone.
2. The Planning Proposal be forwarded to the Minister requesting that the matter proceed.
3. This draft amendment be progressed separately to the draft Standard Instrument. However, if it is deemed timely and appropriate to do so, it is to be incorporated into the draft Standard Instrument prior to gazettal.

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	
Councillor Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Stubbs was absent from the meeting.

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Item: 182 CP - Modification of Development Consent 77/86 - Extension of Operating Hours - Richmond Star Kebab, Lot 3 SP 37397, 148 Windsor Street RICHMOND NSW 2753 - (D0027/86A, 95498, 74563, 30015, 30016, 30014, 75729)

Previous Item: 147, Ordinary (11 August 2009)

MOTION:

A MOTION WAS moved by Councillor Conolly, seconded by Councillor Mackay.

That:

1. Council support the modification, in principle, subject to the following:
 - (a) The extension to the operating hours be for a limited trial period of 12 months. Upon completion of this trial period the applicant will need to apply for an extension or continuation of those hours. Any future application for extended hours may be jeopardised by any incidents of anti-social behaviour in or around the premises.
 - (b) The operator is to install CCTV surveillance that covers both inside and outside the premises. Recording from this equipment, between the opening hours of 11pm and 4am, is to be retained for the entire trial period and is to be made available to the Police and Hawkesbury City Council upon request.
2. The General Manager be authorised to use his delegations to determine the modification of Development Consent 77/86 upon submission of the owners consent satisfying the Environmental Planning and Assessment Regulations 2000 provisions, and the applicant agreeing to the above conditions.

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

Refer to RESOLUTION

The amendment was carried.

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	
Councillor Calvert	Councillor Bassett
Councillor Mackay	Councillor Conolly
Councillor Paine	Councillor Reardon
Councillor Porter	Councillor Whelan
Councillor Rasmussen	
Councillor Tree	
Councillor Williams	

Councillor Stubbs was absent from the meeting.

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

300 RESOLUTION:

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

That:

1. Council support the modification, in principle, subject to the following:
 - (a) The extension to the operating hours be for a limited trial period of 12 months. Upon completion of this trial period the applicant will need to apply for an extension or continuation of those hours.
 - (b) The operator is to install CCTV surveillance that covers both inside and outside the premises. Recording from this equipment, between the opening hours of 11pm and 4am, is to be retained for the entire trial period and is to be made available to the Police and Hawkesbury City Council upon request.
2. The General Manager be authorised to use his delegations to determine the modification of Development Consent 77/86 upon submission of the owners consent satisfying the Environmental Planning and Assessment Regulations 2000 provisions, and the applicant agreeing to the above conditions.

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	
Councillor Bassett	Councillor Reardon
Councillor Calvert	
Councillor Conolly	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Stubbs was absent from the meeting.

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INFRASTRUCTURE SERVICES

Item: 183 **IS - Richmond Lawn Cemetery Upgrade Project - (95494, 79354)**

Previous Item: 116, Ordinary (30 June 2009)

MOTION:

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

Refer to RESOLUTION

301 RESOLUTION:

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

That the advertised fees and charges applicable to the new rose garden, located at the Richmond Lawn Cemetery, be adopted and included within the fees and charges for 2009/2010.

Item: 184 **IS - Co-Generation Plant - (95495)**

Previous Item: 32, Ordinary (26 February 2008)

MOTION:

A motion was moved by Councillor Porter, seconded by Councillor Williams

That the matter of the Co-Generation (Tri-Generation) Plant be referred to the Independent Commission Against Corruption (ICAC) for investigation of the following:

1. The purchase and installation of the plant.
2. The absence of any contract or warranties for the purchase and installation.
3. The apparent inability of Council to redeem the costs associated with the failure of the plant.
4. The absence of any contract for the sale of surplus electricity generated by the plant and sold back into the grid.

The motion was lost.

RESOLVED on the FORESHADOWED motion moved by Councillor Conolly, seconded by Councillor Reardon.

Refer to RESOLUTION

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302 RESOLUTION:

RESOLVED on the FORESHADOWED motion moved by Councillor Conolly, seconded by Councillor Reardon.

That:

1. Financial modeling in respect of the Tri-Generation Plant be updated as recommended by Council's Auditors and further reported to Council.
2. Advice be sought in relation to the cost to assist in the management of the Tri-Generation Plant from appropriately skilled external sources and in the mean time the main generator be turned off whenever possible.
3. Investigation be undertaken to connect other Council buildings and specifically the Administration Building to the Plant, and the cost/benefit of any proposal be reported as part of the review of the financial model for the Plant.
4. Council's Solicitors be requested to advise on any action which may be taken to recoup costs in relation to the rebuilding of the generator motor and the manner in which the installation of the Tri-Generation Plant was conducted.
5. The General Manager prepare a report to Council addressing the following items:
 - (a) The design, purchase and installation of the plant.
 - (b) The absence of any contract or warranties for the purchase and installation.
 - (c) The apparent inability of Council to redeem the costs associated with the failure of the plant.
 - (d) The absence of any contract for the sale of surplus electricity generated by the plant and sold back into the grid.

SUPPORT SERVICES

Item: 185 SS - Payments to Hawkesbury Sports Council Inc - (107, 96332, 95496, 73611)

MOTION:

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

Refer to RESOLUTION

303 RESOLUTION:

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

That the information be received.

Item: 186 SS - General Purpose Financial Report and Special Purpose Financial Report for 2008/2009 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

304 RESOLUTION:

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

That:

1. Council note the following Statement in respect of Section 413(2)(c) of the Local Government Act 1993 as to its Annual Financial Reports:
 - (a) Council's annual financial reports for 2008/2009 have been drawn up in accordance with:
 - The Local Government Act 1993 (as amended) and the Regulations made there under,
 - The Australian Accounting Standards and professional pronouncements, and
 - The Local Government Code of Accounting Practice and Financial Reporting
 - (b) The reports present fairly the Council's financial position and operating result for the year.
 - (c) The reports are in accordance with the Council's accounting and other records.
 - (d) The signatories do not know of anything that would make these reports false or misleading in any way.

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2. Council sign the "Statement by Councillors and Management". The statements are to be signed by the Mayor, Deputy Mayor, General Manager and the Responsible Accounting Officer.
3. Council seek a presentation from its External Auditor, PricewaterhouseCoopers, at a Council meeting following the completion of the audit.

Item: 187 SS - Consultants Utilised by Council - 1 January to 30 June 2009 - (95496, 79337)

Previous Item: 187, Ordinary (14 June 2005)

MOTION:

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

Refer to RESOLUTION

305 RESOLUTION:

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

That the information concerning consultancies utilised by Council during the period January to June 2009 be received.

CONFIDENTIAL REPORTS

306 RESOLUTION:

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

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

307 RESOLUTION:

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

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: 188 IS - Tender 005/FY09 - Provision of Mechanical Services - Administration Building (95495)

*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 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: 189 SS- Property Matter - Lease to Mrs Joanne Shepherd - Shop 10 Glossodia Shopping Centre - (31304, 96083, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Act as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 190 SS - Property Matter - Extinguishment of Lease to Shi Ju Mo & Mrs Cai Ling Wong and Lease to Mr Hui Liang Chen - Shop 1 McGraths Hill Shopping Centre - 74409, 112106, 89525, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Act as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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.

308 RESOLUTION:

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

INFRASTRUCTURE SERVICES

Item: 188 **IS - Tender 005/FY09 - Provision of Mechanical Services - Administration Building - (95495) CONFIDENTIAL**

Previous Item: 39, Ordinary (24 February 2009)

MOTION:

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

Refer to RESOLUTION

309 RESOLUTION:

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

That:

1. The tender 005/FY09: Provision of Mechanical Services – Administration Building, not proceed and Triple M Mechanical Services Pty Ltd be notified accordingly.
2. Upon the redesign of the air conditioning being completed, tenders be called for the installation or, if necessary the matter be further reported to Council for consideration.

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SUPPORT SERVICES

Item: 189 SS - Property Matter - Lease to Mrs Joanne Shepherd - Shop 10 Glossodia Shopping Centre - (31304, 96083, 95496) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

310 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Mrs Joanne Shepherd in regard to Shop 10, Glossodia Shopping Centre, in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

Item: 190 SS - Property Matter - Extinguishment of Lease to Mr Shi Ju Mo & Mrs Cai Ling Wong and Lease to Mr Hui Liang Chen - Shop 1 McGraths Hill Shopping Centre - (74409, 112106, 89525, 95496) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

311 RESOLUTION:

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

That:

1. Council agree to extinguish the existing lease with Mr Mo and Mrs Wong, trading as "Pong Loy Chinese Restaurant" in regard to Shop 1 McGraths Hill Shopping Centre, subject to new lease being

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entered into between Council and Mr Chen and subject to no costs being incurred by Council in regard to the extinguishment of the existing lease and the creation of the new lease.

2. Council agree to enter into a new lease with Mr Hui Liang Chen in regard to Shop 1 McGraths Hill Shopping Centre, in accordance with the proposal outlined in the report.
3. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the current and proposed Lessees together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

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SUPPLEMENTARY REPORTS

SECTION 2 - Mayoral Minutes

MAYORAL MINUTES

MM - Nepean River - (79353)

MOTION:

RESOLVED on the motion of the Mayor, Councillor Bassett.

Refer to RESOLUTION

312 RESOLUTION:

RESOLVED on the motion of the Mayor, Councillor Bassett.

That Council make representations to the Office of the Hawkesbury Nepean seeking assistance in identifying strategies to restore those modified areas of the river system to a more natural and manageable environment, specifically relating to the Yarramundi area where islands of debris and trees that are not part of the natural environment have begun to accumulate.

SECTION 4 - Reports for Determination

INFRASTRUCTURE SERVICES

Item: 191 IS - Regional and Local Community Infrastructure Program - (95495)

Previous Item: 262, Ordinary (9 December 2009)

MOTION:

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

Refer to RESOLUTION

313 RESOLUTION:

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

That in view of the circumstances outlined in the report, the funding of \$50,000 from the Regional and Local Community Infrastructure Program for the provision of pathways for cyclists and pedestrians, be utilised to extend the existing footpath/cycleway located in Howe Park, Windsor towards Rickaby Creek to provide a circular route, to form a future link to the proposed pedestrian cycleway bridge crossing over Rickaby Creek.

SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Advisory Committee Minutes - 3 August 2009 - (86589, 95498)

314 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Advisory Committee Meeting held on 3 August 2009 as recorded on pages 85 to 94 of the Ordinary Business Paper be received with the following alteration:

The Chair acknowledged Mr Rob Tolson's attendance at the meeting as an observer *at the invitation of the Committee*.

ROC - Local Traffic Committee - 19 August 2009 - (90245)

315 RESOLUTION:

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

That the minutes of the Local Traffic Committee Meeting held on 19 August 2009 as recorded on pages 95 to 102 of the Ordinary Business Paper be adopted.

ROC - Community Planning Advisory Committee Minutes - 20 August 2009 - (96737, 95498)

316 RESOLUTION:

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

That the minutes of the Community Planning Advisory Committee Meeting held on 20 August 2009 as recorded on pages 103 to 107 of the Ordinary Business Paper be received.

MOTION:

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

Refer to RESOLUTION

317 RESOLUTION:

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

That:

1. The recommendation in respect of Item 3 of the Community Planning Advisory Committee minutes of 20 August 2009 be adopted by Council.
2. Representations also be made to Council's three Local State Members of Parliament seeking their support of Council's representations in this regard.

ORDINARY MEETING

MINUTES: 8 September 2009

QUESTIONS WITHOUT NOTICE

#			
1	Paine	<p>Referred to the recent article in the Gazette regarding the installation of a Wave Pool on the Hawkesbury River.</p> <p>She requested that the public be advised that Council is not involved in the proposal or funding for the Wave Pool and to date an application has not been received.</p>	<p>The Mayor advised that Council was not aware of the Wave Pool proposal until it appeared in the newspaper.</p> <p>Since the article was published the Mayor and Council staff have met with the proposer and advised that there are numerous authorities and approvals that need to be obtained before the matter could progress.</p> <p>The proposer has been advised to contact the river authority to discuss the matter.</p>
2	Paine	<p>Advised that the banner in the Mall for the Windsor Mall Markets has been removed by Council's Compliance Section and requested that it be returned to owner and any penalty notice waived.</p>	<p>The General Manager advised that the Markets' banner was recently removed from the Welcome to the Hawkesbury sign at McGraths Hill and returned to the owner who was advised that the banner was not to be attached to the sign.</p> <p>The banner has since been seized again from an area where they were previously advised the banner was not to be displayed.</p> <p>The matter will be investigated.</p>
3	Williams	<p>Requested that the glass on Cycleway at McGraths Hill just past Bunnings be removed.</p>	<p>The Mayor advised that the cycleway will be inspected and a cleanup undertaken.</p>
4	Williams	<p>Requested that repair work required on Sackville Road near the Ebenezer Wharf Rd intersection be carried out as soon as possible.</p>	<p>The Mayor advised that the matter will be investigated.</p>
5	Williams	<p>Advised that the Chevron signs have been removed from the intersection of Packer and Putty Roads and requested that new signs be installed.</p>	<p>The Mayor advised that the matter will be investigated.</p>
6	Williams	<p>Advised that Chevron signs are required on the left hand side of the road heading north just past Ebenezer School where the road drops away and veers to the right as there are a large number of accidents on that area of the road.</p>	<p>The Acting Director Infrastructure Services advised that he will arrange a site meeting with Councillor Williams to discuss the matter.</p>
7	Williams	<p>Thanked Council Staff for installing the railing on West Portland Road near the creek and enquired if the speed limit along that section of the road is being reviewed.</p>	<p>Mayor advised that he will follow the matter up with the Local Traffic Committee.</p>

ORDINARY MEETING

MINUTES: 8 September 2009

#	Councillor	Question	Response
8	Conolly	Enquired why there is only one recommendation provided when reports are prepared by staff for the Council meetings rather than options for the Council to choose from.	<p>The General Manager advised that the Council employs staff to provide recommendations based on what is considered to be the appropriate course of action. Under the legislation staff cannot be directed as to the content of any advice or recommendation they make on an issue.</p> <p>Where an issue does provide options, the options are usually referred to in the body of the report and a definitive recommendation made.</p>
9	Rasmussen	Enquired if the beginning of fire season has been brought forward	<p>The Mayor advised that as of the recent field day the date had not been changed.</p> <p>The Acting Director Infrastructure Services advised that the matter will be investigated.</p>
10	Rasmussen	Enquired if there have been any updates on the RAAF Base.	The General Manager advised that he is not aware of any further developments.
11	Mackay	Enquired if the provision of a footpath in Chapel Street Richmond is planned for future works.	The Acting Director Infrastructure Services advised that the number and aggressive nature of the trees on Chapel Street would cause issues regarding maintenance and trip hazards with the tree roots lifting the footpath.
12	Mackay	Enquired if the Mobility Plan will be reported to Council and become a template for helping the community.	<p>The Executive Manager - Community Partnerships advised that the Draft Mobility Plan is intended to be reported to Council in September and placed on public exhibition to allow for submissions.</p> <p>Councillor Paine advised that she is currently working with Alan Aldridge to develop an access plan for people in wheelchairs/mobility scooters. The plan is expected to be completed within the next six months.</p>
13	Reardon	Enquired if a Welcome to Grose Vale sign can be installed.	The Mayor and General Manager advised that the matter has been previously discussed and due to the costs involved entry signs of that level will not be provided.
14	Whelan	Enquired if a Briefing will be held in relation to the Interim Report from the Commission for the Victorian Fires and its relevance to Hawkesbury Community.	The General Manager will investigate the matter.

ORDINARY MEETING
MINUTES: 8 September 2009

The meeting terminated at 9.32pm.

Submitted to and confirmed at the Ordinary meeting held on 29 September 2009.

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Mayor