



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 08 March 2011
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 8 March 2011, commencing at 6:32pm.

Pastor Roger Brewer of the Bridgewater Baptist Church, 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, K Ford, 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, Director Infrastructure Services - Chris Daley, Director Support Services - Laurie Mifsud, Acting Manager Corporate Services and Governance - Nicole Spies, Executive Manager - Community Partnerships - Joseph Litwin and Administrative Support Team Leader - Kylie Wade-Ferrell.

Councillor Williams arrived at the meeting at 6:37pm.

Councillor Williams left the meeting at 10:55pm.

SECTION 1: Confirmation of Minutes

49 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 15 February 2011, be confirmed.

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SECTION 2 - Mayoral Minutes

MM - Development Application No.0038/11 - Redevelopment and Refurbishment of existing Retreat Centre - 347 Grose Wold Road, Grose Wold - (79353, DA0038/11)

The General Manager and the Director City Planning declared a significant non-pecuniary conflict of interest in this matter as they both sit as Council's representatives on the Joint Regional Planning Panel which will ultimately determine this application. They left the Chamber and did not take part in voting or discussion on the matter.

Councillor Conolly advised that even though he is employed by the Parramatta Dioceses, this Development Application has been lodged by the Sydney Dioceses and advised that they are two separate entities and he didn't believe he needed to declare a pecuniary conflict of any kind.

Mr Danny Casey, proponent, addressed Council.
Mr Mark Caine, Ms Kellie Coffey and Mr Paul Coffey, respondents, addressed Council.

MOTION:

RESOLVED on the motion of Councillor Bassett, Mayor

Refer to RESOLUTION

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

That Council engage an Independent Planning Consultant to prepare a report in relation to the various aspects associated with the development application and the concerns raised by members of the public at the Council Meeting and that if time permits, the Consultants report be referred back to Council.

The amendment 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 amendment, the results of which were as follows:

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

The motion was put and carried.

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50 RESOLUTION:

RESOLVED on the motion of Councillor Bassett, Mayor

That:

1. The Mayoral Minute regarding the concerns of local residents to Development Application No.0038/11 for the redevelopment and refurbishment at the existing retreat centre at 347 Grose Wold Road, Grose Wold and any other issues raised at the Council Meeting be forwarded to the Joint Regional Planning Panel.
2. The submission to the Joint Regional Planning Panel on behalf of Council, referred to in 1 above, take into account all matters raised at the Council Meeting by members of the public.
3. Council's Planning Staff be requested to listen to the recording of the concerns expressed at the Council Meeting.

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

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 30 GM - Waste 2011 Conference - (79351)

MOTION:

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

Refer to RESOLUTION

51 RESOLUTION:

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

The attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 2011 Waste Conference at an approximate cost of \$2,270.00 per delegate be approved.

52 RESOLUTION:

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

That Councillors Paine, Porter, Reardon and Williams, as nominated Councillors, attend the 2011 Waste Conference.

Item: 31 GM - Sister City and City Country Alliance Program - Annual Report 2009/2010 - (79351, 73610, 85814, 90568)

MOTION:

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

Refer to RESOLUTION

53 RESOLUTION:

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

That the 2009/2010 annual report for the Sister City Program be received.

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Item: 32 **GM - Proposal from IAB Services to Conduct Audits - (104746, 91369, 95496, 79351)**

Previous Item: 3, Audit Committee (9 February 2011)

Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as he attended University with one of the applicants and no further action is required.

MOTION:

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

Refer to RESOLUTION

54 RESOLUTION:

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

That:

1. The proposal from IAB Services for the review of Development Applications, Fire Order Works, Construction Certificates, Building Code of Australia Reports, Occupation Certificates and Accounts Payable and Sundry Creditors dated 27 January 2011 be received.
2. IAB Services be engaged to conduct the audits as specified in 1, and in accordance with, its proposal dated 27 January 2011.

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CITY PLANNING

Item: 33 CP - Development Application - Rural Shed at No. 315 Springwood Road, Yarramundi - (95498, 39300, DA0665/10, 47401)

Councillor Ford declared a significant non-pecuniary conflict of interest in this matter as his wife is employed by J & L Civil, a company that is owned by the applicant. He left the Chamber and did not take part in voting or discussion on the matter.

Mr Leo Carey and Mr Greg Hall, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

55 RESOLUTION:

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

That Development Application No. DA0665/10 for a Rural Shed at Lot 12 DP1115732, No. 315 Springwood Road, Yarramundi be approved subject to the following conditions:

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 building shall not be used or occupied prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the Building Code of Australia.
5. 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.

Prior to Commencement of Works

6. 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.
7. 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.
8. 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.

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9. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
10. 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.
11. 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.
12. 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.

During Construction

13. Any water tanks, outbuildings or other ancillary structures shall be finished in colours and materials of earth tones of low reflective quality to blend in with the bushland.
14. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
15. 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.
16. 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.
17. 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.
18. All roofwater shall be drained to appropriate water storage vessel/s. The overflow shall discharge to a rubble pit of a suitable size. The rubble pit shall be located a minimum of 3 metres from any structure or boundary.

Prior to Issue of Occupation Certificate

19. Compliance with all conditions of this development consent.

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Use of the Development

- 20. No internal or external alterations shall be carried out without prior approval of Council.
- 21. The rural shed shall not be occupied for human habitation/residential, industrial or commercial purposes.

Advisory Notes

- Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- 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.

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

Councillor Ford was not in the Chamber when the vote was taken.

Item: 34 **CP - Governor Phillip Reserve Noise Policy - Requirement for Community Engagement - (95498)**

Previous Item: 10, Ordinary (1 February 2011)
 59, Ordinary (30 March 2010)

MOTION:

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

Refer to RESOLUTION

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

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That the matter be reported to a Councillor Briefing Session.

The amendment was lost.

The motion was put and carried.

56 RESOLUTION:

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

That the *Governor Phillip Reserve – Noise Policy* be amended, as outlined in this report, to include provision for a clause requiring applicable event holders to undertake community consultation prior to seeking approval from Council where it is proposed to exceed the allowable noise limit for an event by more than 3dB(A) in excess of the applicable limits as outlined in the Policy.

Councillors Paine and Williams asked to have their names be recorded as having voted against the motion.

Item: 35 CP - Gym Equipment on Ham Common - (95498, 88324)

Previous Item: NM1, Ordinary (30 November 2010)
11, Ordinary (1 February 2011)

MOTION:

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

Refer to RESOLUTION

57 RESOLUTION:

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

That the recommendations of the Hawkesbury Disability Advisory Committee from its meeting of 3 February 2011, as outlined in this report, be adopted.

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Item: 36 CP - Community Sponsorship Program - 2010/2011 - Round 3 - (96328, 95498)

Previous Item: 180, Ordinary (27 July 2010)
246, Ordinary (9 November 2010)
NM2, Ordinary (1 February 2011)

MOTION:

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

Refer to RESOLUTION

58 RESOLUTION:

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

That Council:

1. Approve payment of Section 356 Financial Assistance to the organisations noted, and at the level recommended in Table 1 of this report.
2. Authorise staff to advise applicants that any further applications received under the Community Sponsorship Program for 2010/2011 will be carried forward for determination under Round 1 of the 2011/2012 program following the adoption of the 2011/12 Financial Estimates.

Item: 37 CP - Licence Agreement: Macquarie Towns Arts Society - Yarramundi Community Centre - (80153, 95498, 86820)

Previous Item: 165, Ordinary (25 August 2009)
230, Ordinary (10 November 2009)

Ms Narelle Ward, Mr John Sheilds and Ms Sheila Sharp, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

59 RESOLUTION:

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

That the General Manager be authorised to negotiate and execute a Licence Agreement with the Macquarie Towns Arts Society for their exclusive use of defined office and storage areas within the Yarramundi Community Centre on the basis outlined in this report. The Licence Agreement is to also provide the MTAS with access to other areas and facilities within the Centre on a shared basis.

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Item: 38 **CP - Hawkesbury Macquarie 2010 Celebrations - Final Report from the Hawkesbury Macquarie 2010 Committee (95498, 114013)**

Previous Item: 168, Ordinary (12 August 2008)
 259, Ordinary (9 December 2008)

MOTION:

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

Refer to RESOLUTION

60 RESOLUTION:

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

That Council:

1. Receive and refer the findings of the Hawkesbury Macquarie 2010 Celebrations Survey, together with final reports and recommendations of the Hawkesbury Macquarie 2010 Committee and its constituent working parties to Council Staff to inform planning for future civic and community events.
2. Write to the Her Excellency Professor Marie Bashir AC CVO, Governor of New South Wales, to thank her for her warm support of the Hawkesbury Macquarie 2010 Celebrations.
3. Write to each of the members of the Hawkesbury Macquarie 2010 Committee to extend its appreciation of their work in making the Hawkesbury Macquarie 2010 Celebrations a success and to thank them for their acknowledgement of Council's contribution to the Celebrations.

Item: 39 **CP - Customer Service and Communication Strategy - (95498)**

Previous Item: 44, Ordinary (13 March 2007)
 298, Ordinary (12 December 2006)
 231, Ordinary (26 September 2006)

MOTION:

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

Refer to RESOLUTION

61 RESOLUTION:

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

That Council endorse the concept of a 'one-stop-shop' involving the refurbishment of Council's customer service areas from available funding to establish a more customer friendly service environment and an integrated customer service unit as outlined in this report.

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INFRASTRUCTURE SERVICES

Item: 40 **IS - Financial Assistance Grant Funding - (95495)**

Previous Item: 252, Ordinary (9 November 2010)
 270, Ordinary (30 November 2010)

MOTION:

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

Refer to RESOLUTION

62 RESOLUTION:

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

That the amount of \$102,000 received as additional funding under the roads component of the 2010/2011 Financial Assistance Grants be allocated towards the rehabilitation of Scheyville Road.

Item: 41 **IS - Governor Phillip Reserve - Exclusive use for the Bridge to Bridge - (95495, 79354)**

MOTION:

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

Refer to RESOLUTION

63 RESOLUTION:

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

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for Bridge to Bridge Power Boat Classic to be held on 1 May 2011, with an alternate date of 29 May 2011 if required.
2. The approval be subject to the following conditions:
 - a. Council's general Park conditions.
 - b. Council's Fees and Charges.
 - c. The Windsor Foreshore Plan of Management.
 - d. The Governor Phillip Exclusive Use Policy.
 - e. Governor Phillip Noise Policy.
 - f. A Traffic Management Plan which has been approved as part of the Special Event Application.

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Item: 42 **IS - Naming of a un-named Road at Grose Wold within proposed Subdivision of Lot 2 DP 1118655 and Lot 3 DP 87137, No.41 Avoca Road, Grose Wold - (95454)**

MOTION:

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

Refer to RESOLUTION

64 RESOLUTION:

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

That public comment be sought under the New South Wales Road Act, 1993 for the naming of the new public road in connection with the proposed subdivision of Lot 2 DP 1118655 and Lot 3 DP 87137, No.41 Avoca Road Grose Wold as Oakford Place.

Item: 43 **IS - Proposed Extension to Kurrajong Rural Fire Brigade Station - (95495, 73591)**

MOTION:

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

Refer to RESOLUTION

65 RESOLUTION:

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

The proposed extension to the Kurrajong Brigade Station be advertised for a period of 28 days and be further reported to Council for consideration.

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SUPPORT SERVICES

Item: 44 SS - Pecuniary Interest Returns - (79337, 95496)

MOTION:

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

Refer to RESOLUTION

66 RESOLUTION:

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

That the information be received and noted.

CONFIDENTIAL REPORTS

67 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.

68 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, 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: 45 IS - Tender No. 00511 - Provision of Repainting Various Sites

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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Item: 46 IS - Acquisition of (Part) 176 Golden Valley Drive, Glossodia

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 47 IS - Francis Street, Richmond - Road Subsidence

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 48 SS - Property Matter - Lease to David Spencer - Wilberforce Nursery, Wilberforce Shopping Centre

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of 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: 49 SS - Property Matter - Lease to Jodale Enterprises Pty Limited - Shop 1 Glossodia Shopping Centre, Glossodia

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of 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.

69 RESOLUTION:

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

That the meeting continue past 11:00pm.

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70 RESOLUTION:

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

**Item: 45 IS - Tender No.00511 - Provision of Repainting Various Sites - (95495)
CONFIDENTIAL**

Previous Item: 257, Ordinary (9 November 2010)

MOTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Ford.

Refer to RESOLUTION

71 RESOLUTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Ford.

That the contract for the "Provision of Repainting Various Sites" be terminated as requested by Omega Maintenance Group Pty Ltd and quotations be sought from competent contractors to complete the remaining outstanding works.

Item: 46 IS - Acquisition of (Part) 176 Golden Valley Drive, Glossodia - (95495, 93913, 93914) CONFIDENTIAL

The General Manager, Peter Jackson declared a less than significant non-pecuniary conflict of interest in this matter and advised that whilst he was not related to the landowners, they were acquaintances of his and cared for this dog, on a pay for service basis, on two or three occasions per year, and no further action is required.

MOTION:

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

Refer to RESOLUTION

72 RESOLUTION:

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

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That:

1. The acquisition of an easement, in the order of 2.5 metres wide and 100.59 metres long, within 176 Golden Valley Drive, Glossodia (Lot 487 in Deposited Plan 214756) proceed.
2. The affected landowners, Mr B and Mrs K Jackson, be paid an amount of \$5,000 (plus GST) compensation for the acquisition of the easement and, additionally, an allowance of up to \$3,000 (plus GST) be made available to Mr and Mrs Jackson to compensate for any legal or professional costs they incur (subject to evidence of expenditure).
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 Mr and Mrs Jackson together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been agreed to and executed by all parties.

Item: 47 IS - Francis Street, Richmond - Road Subsidence - (95495) CONFIDENTIAL

MOTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Ford.

The Director Infrastructure Services advised that a schedule of rates quotation had been received from Insituform Pacific Pty Ltd and based on the lining costs alone, the price would be in excess of \$145,000.

Refer to RESOLUTION

73 RESOLUTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Ford.

That:

1. The quotation of \$76,451.77 from Interflow Pty Ltd, for the relining and back filling of the failed drainage system in Francis Street, Richmond be accepted.
2. The funding identified within the report be reallocated to the Relining Project.

Item: 48 SS - Property Matter - Lease to David Spencer - Wilberforce Nursery, Wilberforce Shopping Centre - (112106, 34779, 86218) CONFIDENTIAL

MOTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon.

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Refer to RESOLUTION

74 RESOLUTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Mackay, seconded by Councillor Reardon.

That:

1. Council agree to enter into a new lease of Wilberforce Garden Nursery, Wilberforce with Mr David Spencer, as 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 the appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

Item: 49 SS - Property Matter - Lease to Jodale Enterprises Pty Limited - Shop 1 Glossodia Shopping Centre, Glossodia - (112106, 74051, 38869) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

75 RESOLUTION:

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

That:

1. Council agree to enter into a new lease of Shop 1, Glossodia Shopping Centre, Glossodia, with Jodale Enterprises Pty Limited as 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 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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SECTION 5 - Reports of Committees

ROC - Hawkesbury Disability Advisory Committee Minutes - 3 February 2011 - (88324)

76 RESOLUTION:

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

That the minutes of the Hawkesbury Disability Advisory Committee held on 3 February 2011 as recorded on pages 107 to 111 of the Ordinary Business Paper be received.

ROC - Floodplain Risk Management Advisory Committee Minutes - 7 February 2011 - (86589)

77 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Advisory Committee held on 7 February 2011 as recorded on pages 112 to 115 of the Ordinary Business Paper be received.

ROC - Audit Committee Meeting Minutes - 9 February 2011 - (91369, 95496)

78 RESOLUTION:

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

That the minutes of the Audit Committee held on 9 February 2011 as recorded on pages 116 to 120 of the Ordinary Business Paper be received.

ROC - Hawkesbury Macquarie 2010 Committee Minutes - 10 February 2011 - (114013)

79 RESOLUTION:

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

That the minutes of the Hawkesbury Macquarie 2010 Committee held on 10 February 2011 as recorded on pages 121 to 124 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 16 February 2011 - (80245)

80 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 16 February 2011 as recorded on pages 125 to 136 of the Ordinary Business Paper be adopted.

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ROC - Heritage Advisory Committee Minutes - 17 February 2011 - (80242)

81 RESOLUTION:

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

That the minutes of the Heritage Advisory Committee held on 17 February 2011 as recorded on pages 137 to 140 of the Ordinary Business Paper be received.

QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

Responses to previous Questions for Next meeting were provided and discussed.

ORDINARY MEETING**MINUTES: 8 March 2011****QUESTIONS WITHOUT NOTICE**

#	Councillor	Question	Referred To
1	Reardon	Enquired if there had been, to date, any consultation with the RTA in relation to signage at Bilpin following the meeting held with residents who wanted Hunter Valley Style signage.	Director Infrastructure Services
2	Tree	Enquired as to an update on the fence for the adjoining properties at the Out of School Hours Care at Richmond and the old Post Office building.	Director Infrastructure Services
3	Rasmussen	Referred to a report from the Metropolitan Fire Brigade that was sent to Council regarding the Hawkesbury Gas Works and enquired as to whether Council had received the report and what Council has done as a result of that Report.	Director City Planning
4	Williams	Referred to a telephone tower placed at Ebenezer on the corner of Sackville Road and Ebenezer Wharf Road. He enquired as to whether Council has a policy on towers or distances phone towers need to be from residences. He advised that no one seems to have been notified in relation to this phone tower.	Director City Planning
5	Paine	Referred to recent newspaper articles regarding the developer of the new Pitt Town areas and asked if this would have any effects on facilities to be provided under the Part 3A approval.	Director City Planning
6	Paine	Enquired as to how much Section 94 money Council had collected to date for Pitt Town and what the timeframe was for providing community works particularly now the precinct order contradicts the order of development set out in the Section 94 document drafted by the Department of Planning. She also enquired if the money had been collected and if it had been spent elsewhere.	Director City Planning
7	Calvert	Enquired about the footpath outside of McDonalds in Richmond and asked for an update.	Director City Planning
8	Porter	Enquired as to when the next Waste Committee Meeting would be held.	Director City Planning

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#	Councillor	Question	Referred To
9	Mackay	Advised that when the extension to the Oasis Gymnasium was built, a loading zone was removed and never returned causing delivery trucks are parking right out the front of the main door and obstructing traffic flow and enquired if the matter could be investigated.	Director Infrastructure Services

MATTER OF URGENCY

Matter of Urgency - Suspension of Use of Wakeboard Boats on the Hawkesbury River

Councillor Williams advised the Mayor that there was a matter relating to the suspension of use of wakeboard boats on the Hawkesbury River due to the impact on the River Banks and that he wished to move a motion in relation to as a Matter of Urgency in the terms of Clause 2.2.3(3) of Council's Code of Meeting Practice.

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

That the matter concerning the suspension of use of wakeboard boats on the Hawkesbury River due to the impact on the River Banks be considered as a matter of urgency in accordance with Clause 2.2.3(3) of Council's Code of Meeting Practice.

The MOTION was lost.

The meeting terminated at 11:09pm.

Submitted to and confirmed at the Ordinary meeting held on 29 March 2011.

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Mayor