



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 12 August 2008

location: council chambers

time: 5:00 p.m.



**ORDINARY MEETING**

**MINUTES: 12 August 2008**

**MINUTES**

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTES ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **INTRODUCTION OF SISTER CITY EXCHANGE STUDENTS AND PRESENTATION OF CERTIFICATES**
- **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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**ORDINARY MEETING**

**MINUTES:** 12 August 2008

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 12 August 2008, commencing at 5.00pm

**ATTENDANCE**

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

**ALSO PRESENT:** General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Chris Daley, 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.

Councillor Wearne left the meeting at 7.05pm.

**SECTION 1: Confirmation of Minutes**

**267 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Books that the Minutes of the Ordinary Meeting held on the 29 July 2008, be confirmed with the following amendments:

1. Deletion of "and Lot 14 DP 865977" from the title of Item 155 on page 19.
2. Deletion of "and Lot 14 DP 865977" from the first paragraph of the amendment on page 19.
3. Deletion of "and Lot 14 DP 865977" from the first paragraph of resolution 249 on page 24.

**268 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Books that standing orders be suspended to allow Councillor Finch to introduce Ms Tina Tallack from the Sister City Association who then introduced the delegates who participated in the Sister City Exchange Program. Certificates were presented to the Sister City exchange students by the Mayor.

**269 RESOLUTION:**

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

**ORDINARY MEETING**

**MINUTES:** 12 August 2008

**SECTION 3 - Notices of Motion**

**RM - Rescission Motion - Construction of Exhibition Homes as part of an Exhibition Village comprising 13 Exhibition Homes, Lot 14 DP 865977, (Proposed Lots 1003–1007, 1010–1015, 1021 & 1022) 17 Bootles Lane PITT TOWN NSW 2756 - (95498)**

**Previous Item:** 155, Ordinary (29 July 2008)

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Mr John Hager and Mr Philip Dunesky, proponents, addressed Council.  
Mr Michael Vassili, respondent, addressed Council.

**270 RESOLUTION:**

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

That the meeting be adjourned due to Mr Michael Vassili failing to cease his public address upon request of the Mayor.

**271 RESOLUTION:**

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

That meeting be resumed.

**MOTION:**

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

That Council's resolution of 29 July 2008 Item 155 being the Construction of Exhibition Homes as part of an Exhibition Village comprising of 13 Exhibition Homes be rescinded.

The motion was lost.



**ORDINARY MEETING**

**MINUTES: 12 August 2008**

**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 167**            **GM - Independent Pricing and Regulatory Tribunal of NSW - Revenue Framework for Local Government - Issues Paper - (79351)**

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**MOTION:**

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

*Refer to RESOLUTION*

**272 RESOLUTION:**

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

That in respect of the Issues Paper released by the Independent Pricing and Regulatory Tribunal in relation to a "Revenue Framework for Local Government" that Council support those submissions being prepared by the Local Government & Shires Association of NSW and WSROC and also work with WSROC in relation to the regional submission being prepared by that organisation.

**Item: 168**            **GM - Proposed 2010 Bicentenary Celebrations - (79351)**

**Previous Item:**        MM1, Ordinary (8 April 2008)

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Mr John Miller and Mr Frank Holland, proponents, addressed Council.

**MOTION:**

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

*Refer to RESOLUTION*

**273 RESOLUTION:**

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

That in association with proposed Macquarie 2010 Celebrations the Council call a meeting of interested parties with a view to forming a "community committee" in accordance with Council's Community Engagement Policy to plan an approach to proposed celebrations on the basis, as outlined in the report in this regard, of the Council taking a facilitation role to enable the community to appropriately celebrate this historic event.

**ORDINARY MEETING**

**MINUTES: 12 August 2008**

**CITY PLANNING**

**Item: 169 CP - Construction of premises - Commercial Development - Lot 121 DP 771719, Lot 3 DP 748866, Lot 100 DP 776172, Lot 103 DP 776172, Lot 1 DP 577444, Lot 2 DP 577444, 47 Bells Line of Road, North Richmond - (DA0750/07, 85782, 87967, 95498)**

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Mr Patrick Hurley, Mr Troy Myers and Mr David Thompson, proponents, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**274 RESOLUTION:**

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

That:

1. Development Application DA0750/07 for the construction of a commercial building to accommodate Franklins Supermarket on Lot 121 DP 771719, Lot 3 DP 748866, Lot 100 DP 776172, Lot 103 DP 776172, Lot 1 DP 577444, Lot 2 DP 577444, 47 Bells Line Of Road North Richmond be refused for the following reason:
  - There is no appropriate access available to the site as the proposed access to the development is from Council's car park which is Community Land and under the provisions of the Local Government Act 1993 Council has no powers to grant formal access for a private development.
2. Council supports the application in principle and subject to the access issue being satisfactorily resolved, delegated authority be given to the General Manager to determine the development application.

**ORDINARY MEETING**

**MINUTES:** 12 August 2008

**INFRASTRUCTURE SERVICES**

**Item: 170**            **IS - Argyle Bailey Memorial Reserve Plan of Management - (79354)**

**Previous Item:**        58, Ordinary (27 March 2007)

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Councillor Porter declared an interest in this matter as he is part owner of a property adjoining the Reserve.

**MOTION:**

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

*Refer to RESOLUTION*

**275 RESOLUTION:**

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

That the Argyle Bailey Memorial Reserve Plan of Management, including Landscape Master Plan, be adopted.

**ORDINARY MEETING**

**MINUTES: 12 August 2008**

**SUPPORT SERVICES**

**Item: 171            SS - Payments to Hawkesbury Sports Council Inc - (107, 96332, 95496, 73611)**

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**MOTION:**

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

*Refer to RESOLUTION*

**276 RESOLUTION:**

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

That the information be received.

**ORDINARY MEETING**

**MINUTES:** 12 August 2008

**CONFIDENTIAL REPORTS**

**277 RESOLUTION:**

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

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

**278 RESOLUTION:**

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

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: 172 SS - Property Matter - Lease to Daniel Naethuys and Rebecca Gee - Shop 6 Glossodia 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 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: 173 SS - Property Matter - Lease to New South Wales Fire Brigade for Road Reserve - Cnr of March and Paget Streets, Richmond**

*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 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: 174 SS - Property Matter - Lease to Mr Stephen Hill trading as "Richmond Trophies: - 139 March Street, Richmond**

*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 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.

**ORDINARY MEETING**

**MINUTES: 12 August 2008**

**Item: 172            SS - Property Matter - Lease to Daniel Naethuys and Rebecca Gee - Shop 6  
Glossodia Shopping Centre - (102921,38869, 95496) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**279 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Mr Daniel Naethuys and Ms Rebecca Gee in regard to Shop 6 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 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.

**Item: 173            SS - Property Matter - Lease to New South Wales Fire Brigade for Road Reserve -  
Cnr of March and Paget Streets, Richmond - (95496, 74076) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**280 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with The Minister for Emergency Services (NSW Fire Brigades) on behalf of Her Majesty Queen Elizabeth II 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.

**ORDINARY MEETING**

**MINUTES: 12 August 2008**

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.

**Item: 174            SS - Property Matter - Lease to Mr Stephen Hill trading as "Richmond Trophies" -  
139 March Street, Richmond - (98759, 95496)    CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**281 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with Mr Stephen Hile trading as "Richmond Trophies" in regard to 139 March Street, Richmond 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 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.

**282 RESOLUTION:**

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

**ORDINARY MEETING**

**MINUTES: 12 August 2008**

**SUPPLEMENTARY REPORT**

**MAYORAL MINUTE**

**MM - Review of Traffic Issues Throughout Richmond and North Richmond Areas - (95495, 79353)**

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**MOTION:**

RESOLVED on the motion of Councillor Bassett, Mayor.

*Refer to RESOLUTION*

**283 RESOLUTION:**

RESOLVED on the motion of Councillor Bassett, Mayor.

That the Minister for Roads be requested to undertake a review of the traffic issues throughout the Richmond and North Richmond areas with a view to identifying strategies to alleviate the significant delays being experienced by motorists during peak traffic periods, and the three Local State Members of Parliament and WSROC be asked to support Council's endeavors in this regard.



**ORDINARY MEETING****MINUTES:** 12 August 2008**QUESTIONS WITHOUT NOTICE**

#	Councillor	Question	Response
1	Devine	Enquired if there has been changes to the Section 94 plans to upgrade Brinsley Park at Pitt Town.	The Director City Planning advised that details of the plans were included in the Section 94 report that came to Council on 29 July 2008.
2	Devine	Advised that there is a leaking pipe in McQuade Park near the fence on the main oval and requested it be repaired.	The Director Infrastructure advised that the repairs will be carried out.
3	Devine	Requested a break down of the distribution of Section 94 and Section 94A contributions for the 2007/2008 financial year.	The General Manager advised that the details will be provided.
4	Rasmussen	Enquired when the works on Richmond Pool will be completed and asked if a grand reopening has been planned.	The Director Infrastructure Services advised that works are progressing and it is anticipated to open at the start of the swimming season in September.  Plans for a reopening event have not been made at present however will be investigated.
5	Rasmussen	Requested that a letter of thanks be sent to the RAAF regarding the recent Sewerage Treatment Plant tour.	The Mayor advised that a letter of thanks is currently being prepared.
6	Rasmussen	Enquired if Council will be making a submission regarding the RAAF White Paper and requested a copy of any submission made by Council to be provided to him.	The General Manager advised that a submission is being considered and a copy will be provided to Councillor Rasmussen upon completion.
7	Rasmussen	Enquired when a green accounting report will come to Council.	The Director City Planning advised that staff are working to finalise the most appropriate way to report the information.
8	Books	Referred to the site at Grose Vale where it is proposed to build a dog breeding kennel and requested an inspection of the site be arranged for Councillors prior to the development application being reported to Council.	The Director City Planning advised that an inspection could be arranged.
9	Conolly	Referred to the previous questions from Councillor Books regarding the dog breeding kennel at Grose Vale and enquired how this matter would be effected by the caretaker mode if the development application is considered a controversial matter.	The General Manager advised that the issue of the caretaker provisions needs to be considered, however, Council will need to determine if the matter is controversial and whether or not it is prepared to consider it with regard to the circumstances.
10	Books	Requested that an effort be made to clean up the dog droppings on the footpaths in South Windsor near the shopping centre.	The Director Infrastructure Services noted the request.

**ORDINARY MEETING**

**MINUTES: 12 August 2008**

#	Councillor	Question	Response
11	Williams	Requested that the microphones in the Council Chambers be repaired.	The Director Infrastructure Services advised that this matter would be attended to.
12	Williams	<p>Enquired when the rehabilitation of Tennyson Road between Valley Way and East Kurrajong Road will be carried out.</p> <p>He also asked if the successful tenderer is the same tenderer that is working on St Albans Road.</p>	<p>The Director Infrastructure Services confirmed that the area is earmarked for rehabilitation and advised that the rehabilitation will be commencing in the near future.</p> <p>The Director Infrastructure Services confirmed that the contractor who was awarded the tender is the same contractor that is working on St Albans Road and advised that Council will not be signing the contract or looking at them commencing the work until the works are satisfactorily completed on St Albans Road. If works are not satisfactorily completed a report will be coming back to Council.</p>
13	Paine	Referred to the work to be completed on Tennyson Road between Valley Way and East Kurrajong Road and enquired if there is a time limit on the tendering process and is there any way that the works can be completed earlier.	The Director Infrastructure Services advised that the funds for the works are from the Extractive Industries Reserve. He also advised that the works will be carried out as early as possible, however, they will not commence on this site until the current works on St Albans Road are completed to a satisfactory standard by the contractor. Extenuating circumstances in the case of St Albans Road have lead to the extended period of time before the commencement of works on Tennyson Road.
14	Calvert	Enquired if letters to residents regarding street lights in Don Street have come from Council or Integral Energy.	<p>The Director Infrastructure Services advised that the letters were sent to residents by Council as a request for street lights to be installed in the street has been received. The letter was advising residents of the request and asking for comments on the matter.</p> <p>A number of objections have been received and the matter will be reported to Council for determination.</p>

**ORDINARY MEETING**

**MINUTES:** 12 August 2008

#	Councillor	Question	Response
15	Calvert	<p>Enquired if a speed limit audit has been conducted on Bells Line of Road.</p> <p>He advised that residents are requesting that the speed limits near Colo High School be looked at as during school zone hours the limit changes from 80km to 40km for the school zone and then back to 80km for approximately 300m before entering the 60km zone which goes into North Richmond. Residents have requested that the 60km zone directly follow the 40km school zone which will eliminate the 300m strip that is currently an 80km zone.</p>	<p>The Director Infrastructure Services advised that the audit has been completed and a determination was made by the RTA. There was a delay with the implementation of the determination and a notice of motion was submitted to have the changes implemented. As a result of the notice of motion a letter was sent to the RTA however a response has not been received.</p> <p>The matter regarding the speed limits near Colo High School will be referred to the Local Traffic Committee.</p>
16	Stubbs	<p>Referred to the construction of the new bridge at Windsor and enquired if there will be any impact on traffic crossing the River at Windsor during the construction period which may put a greater strain on the bridge at North Richmond.</p>	<p>The Director Infrastructure Services advised that at this stage he does not believe there will be an impact on traffic crossing the bridge during the construction works and advised that a presentation by the RTA regarding the Windsor Bridge is scheduled for the Councillors Briefing Session on 2 September.</p>

The meeting terminated at 7.54pm.

Submitted to and confirmed at the Ordinary meeting held on 26 August 2008.

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Mayor