



# Hawkesbury City Council

## ordinary meeting minutes

date of meeting: 08 May 2007

location: council chambers

time: 5:00 p.m.



**ORDINARY MEETING**

**MINUTES: 8 May 2007**

**MINUTES**

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

**General Manager**

**City Planning**

**Commercial Strategy**

**External Services**

**Infrastructure Services**

**Support Services**

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

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## **ORDINARY MEETING**

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 8 May 2007, commencing at 5:03pm.

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

### **Condolences**

The Mayor referred to the recent death of Doctor John Bain and following a brief summation of his long service to the medical profession and the community, he requested that Council observe a period of silence in recognition of Doctor John Bain.

The Council then observed a minutes silence.

### **SECTION 1: Confirmation of Minutes**

#### **130 RESOLUTION:**

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Wearne that the Minutes of the Ordinary Meeting held on the 24 April 2007, be confirmed.

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### SECTION 2 - Mayoral Minutes

#### MM - Resignation of General Manager

The Mayor advised the Council, by way of a verbal Mayoral Minute, of the resignation of the General Manager, Mr G Faulkner, and indicated that, subject to Council's agreement, his last day of service with Council be Friday, 18 May 2007

#### 131 RESOLUTION:

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

That Council accept the resignation of the General Manager, Mr G Faulkner, effective as of Friday, 18 May 2007 and that the Director Support Services, Mr P Jackson, be appointed as the Acting General Manager.

#### MM - Visit to Cabonne Council - (79351)

**Previous Item:** QWN, Ordinary (2 November 2006)

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#### MOTION:

RESOLVED on the motion of Councillor Stubbs, Mayor

*Refer to RESOLUTION*

#### 132 RESOLUTION:

RESOLVED on the motion of Councillor Stubbs, Mayor

That Council agree in principle to a city-country alliance with Cabonne Council, and a Memorandum of Understanding to that effect be jointly developed for consideration by the councils.



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**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 81                    GM - Cessation of Commercial Response Unit & Redundancy of Position,  
Director Commercial Strategy - (79351, 91811)**

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Mr Doug Bathersby, proponent, addressed the Council.

**MOTION:**

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

***Refer to RESOLUTION***

**133 RESOLUTION:**

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

That Council:

1. Make the position of Director, Commercial Strategy redundant.
2. Note the Commercial Response Unit has ceased to exist.

**Item: 82                    GM - Instruction of Council Solicitors by Elected Members of Council - (79351)**

**Previous Item:**            18 - NM2, Ordinary (13 February 2007)

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**MOTION:**

A MOTION was moved by Councillor Devine, seconded by Councillor Porter.

That:

1. Council note the correspondence of Pike, Pike and Fenwick and the Department of Local Government.
2. When development applications proceed to the Land and Environment Court, Council's solicitor's will be provided with a tape of the business item to assist in ascertaining the will of the Council.
3. Future concerns of Councillors will be brought to the attention of Council by notices of motion and if resolved in the affirmative then a further tape of the business item will be forwarded to Council solicitors.

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

***Refer to RESOLUTION***

The amendment was carried.

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

**134 RESOLUTION:**

RESOLVED on the AMENDMENT moved by Councillor Conolly, seconded by Councillor Paine.

That Council note the correspondence from the Department of Local Government dated 20 April 2007 and take no further action in this matter.

A FORESHADOWED motion was moved by Councillor Calvert, seconded by Councillor Paine.

That Council:

1. Apologise to the General Manager and staff for any implication that they might undermine cases referred to the Land and Environment Court.
2. Notify the General Manager and the Department of Local Government that Council has total faith in the staff and its professionalism in matters referred to the Land and Environment Court.

An AMENDMENT was moved by Councillor Bassett, seconded by Councillor Wearne.

***Refer to RESOLUTION***

The amendment was carried.

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

**135 RESOLUTION:**

RESOLVED on the AMENDMENT moved by Councillor Bassett, seconded by Councillor Wearne.

That Council notify the General Manager and the Department of Local Government that Council has total faith in the staff and its professionalism in matters referred to the Land and Environment Court.

**Item: 83                    GM - Consultation pursuant to Section 337 of the Local Government Act 1993 -  
Non-renewal of executive contracts of employment (79351)**

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This matter was withdrawn by the General Manager.

**ORDINARY MEETING**

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**SUPPORT SERVICES**

**Item: 84                    SS - Monthly Investments Report - March 2007 - (95496, 96332)**

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**MOTION:**

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

***Refer to RESOLUTION***

**136 RESOLUTION:**

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

That the information be received.

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**SUPPLEMENTARY REPORTS**

**Item: 85**                    **CP - Request for Refund of Fees for DA0850/06 - Bilpin Fire Service - (95498, 73582)**

**Previous Item:**            71, Ordinary (24 April 2007)

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Mr Bill Shields, respondent, addressed the Council.

**MOTION:**

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

***Refer to RESOLUTION***

**137 RESOLUTION:**

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

That Council, under Section 356 of the Local Government Act 1993, refund the development application fees of \$515.00 to the Bilpin Rural Fire Service.

**138 RESOLUTION:**

RESOLVED on a FORESHADOWED motion moved by Councillor Bassett, seconded by Councillor Wearne.

That a report be provided to Council regarding a policy on fees payable by non-profit organisations within the Hawkesbury City Council area.

**Item: 86**                    **IS - Lower Portland Ferry - (95495, 73652)**

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Ms Wilhelmina Pennings, respondent, addressed the Council.

**MOTION:**

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

***Refer to RESOLUTION***

An AMENDMENT was moved by Councillor Conolly, seconded by Councillor Bassett.

That:

1. Further consideration be given to the future operation of the Lower Portland Ferry following community consultation held in conjunction with Baulkham Hills Shire Council.
  2. Council investigate any alternative source of funding for the ongoing operation of the Lower Portland Ferry, including heritage funding.
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**ORDINARY MEETING**

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The amendment was lost.

The motion was put and carried

**139 RESOLUTION:**

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

That:

1. Hawkesbury City Council indicate to Baulkham Hills Shire Council and the community that it wishes to continue with the current arrangements regarding the operation of the Lower Portland Ferry.
2. Council investigate any alternative source of funding for the ongoing operation of the Lower Portland Ferry, including heritage funding.

**LATE SUPPLEMENTARY CONFIDENTIAL REPORTS**

**Item: 87                    GM - Staff Matter - (79351) - CONFIDENTIAL**

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This matter was withdrawn by the General Manager.

**ORDINARY MEETING**

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**SECTION 5 - Reports of Committees**

**ROC - Local Traffic Committee - 18 April 2007 - (80245, 95495)**

**140 RESOLUTION:**

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

That the minutes of the Local Traffic Committee held on 18 April 2007 as recorded on pages 33 to 50 of the Ordinary Business Paper be adopted.

## ORDINARY MEETING

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### QUESTIONS WITHOUT NOTICE

1. Councillor Finch referred to the event being held on 2 June 2007 at North Richmond and commented that they are only asking for our help with providing rubbish bins and she was wanting to know if Council could do that.

The Director Infrastructure Services advised there was a cost in providing rubbish bins and disposing of the rubbish. He advised that Council could provide items like barriers which can be picked up and returned to the Depot, but where there is a cost involved, the cost would have to be worn by Council.

Councillor Finch asked if there would be a cost for the barriers if they go and pick them up.

The Director Infrastructure Services advised that no, there would be no cost, they could be on loan.

Councillor Finch asked what the approximate cost for the bins would be.

The Director Infrastructure Services advised that the information would be provided to Councillor Finch.

2. Councillor Books commented again about the dog faeces on the footpaths in South Windsor.

The Director External Services advised that the last time the matter was brought to Council's attention, surveillance was undertaken and Council officers were not able to detect anyone, or anyone's dogs, not complying. She advised that she could again, ask the Animal Control Officers to undertake surveillance, but acknowledged that it is very difficult to be there and see the incident before any action can be taken.

Councillor Books asked if when they go, if they could clean it up as it wasn't cleaned up last time and he observed that it was there for a week. He added that he believed the Council Rangers should go up there early in the morning as soon as it is happening.

The Director External Services advised that that was the time the surveillance was undertaken prior to them commencing their normal work hours.

3. Councillor Calvert wished the General Manager well in his new position and thank him for the hard work he has done in our community.
4. Councillor Paine asked if the contractors who do the mowing are suppose to pick up rubbish before mowing as she watched the mowers go around the Oasis Centre and there were bottles and rubbish there and they mowed straight over the top of the rubbish.

The Director Infrastructure Services advised that if there is obvious rubbish, they will pick it up, but if it is hidden in the grass, they may accidentally run over it, but he will take the matter up with them.

5. Councillor Paine referred to a meeting some months ago that Council staff had at Glossodia regarding the management of the 40 acres there. She commented that it had gone out to a consultant and wanted to know what happened with that.

The Director Infrastructure Services advised that the consultant would provide a report with a recommendation for Council's consideration in relation to the Plan of Management.

Councillor Paine asked what the time frame was.

The Director Infrastructure Services advised he would investigate.

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6. Councillor Williams thanked the General Manager for his hard work and professionalism in the time he has been here and that he was sorry to see him go. He commented that he believed the General Manager had handled a very difficult situation very well and at a difficult time. He wanted to wish him well with his new job.

7. Councillor Williams referred to two parts of the East Kurrajong Road at the 693 letterbox and between letterboxes 974 and 1002, the road surface is subsiding and it is now a potential road hazard, so asked if they could be investigated.

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

8. Councillor Williams referred to two new billboards that had been erected, one on the corner of Post Office Road and Sackville Road at Ebenezer and another on just opposite the Freeman's Reach turnoff onto Wilberforce Road advertising the Fitzroy Hotel. He wanted to know if the signs had authority to be there.

The Director External Services advised the matter would be investigated.

9. Councillor Williams referred to two large pot holes on West Portland Road in the vicinity of Merit Farm that had been there for while, if these could be investigated.

The Director Infrastructure Services advised that it would be investigated.

10. Councillor Rasmussen referred to the Richmond Pool Grant from the State Government and asked if there was a deadline for the take up of that grant and if so when is it.

The Director Infrastructure Services advised he believed the grant had been accepted so it is just a matter of getting the rest of the funding together.

11. Councillor Rasmussen referred to the outside 50-metre pool at the Oasis Centre and asked if Council had considered asking the Oasis management if they would agree to a trial opening of the outdoor pool in winter to alleviate the pressure on the lanes within the indoor pool.

The Director Support Services advised that issue hadn't been considered and commented that to heat the outdoor pool to sufficient temperatures to swim in during winter would involve a considerable expense.

12. Councillor Rasmussen referred to the Yarramundi Reserve gate arrangements and asked when they open and shut, as they seem to be open all the time.

The Director Infrastructure Services advised that they are being opened by Council's security company and added that they should be open from 7:00am and closed around 4:00pm to 5:00pm.

Councillor Rasmussen confirmed that they shouldn't be open of an evening and commented that Council may wish to review the security contract.

13. Councillor Rasmussen referred to trail bikes in the Yarramundi Reserve and commented that it was becoming a real problem and asked if anything could be done about trail bikes using the Reserve.

The Director Infrastructure Services advised that he would take the matter up with Ms Gee to see if our staff can catch them.



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The Director External Services asked if more information could be provided like times it is happening.

Councillor Rasmussen advised weekends mostly, Saturday mornings, Saturday afternoons, Sunday mornings, Sunday afternoons and public holidays. He advised he couldn't get number plates, as most of them aren't registered.

14. Councillor Rasmussen enquired if there had been a resignation at the Regional Art Gallery recently.

The Director External Services advised Council had received a resignation from Ingrid Hoffman.

Councillor Rasmussen asked, when is the effect of that resignation?

The Director External Services advised around two weeks.

15. Councillor Rasmussen wished the General Manager well with his new job and hoped he likes the South Coast.

16. Councillor Rasmussen asked if the Mayor was going to do an Exit Interview with the General Manager to try and find out why he had decided to leave.

The Mayor advised he would be conducting an Exit Interview.

17. Councillor Conolly asked if the town entry sign at the junction of Macquarie and George Street could be fixed as it appeared to have been covered in graffiti for some time.

The Mayor advised yes.

18. Councillor Porter referred to the Orange Spot and asked if we were still in Court with them and what the costs were up to.

The Director External Services advised that a memo had been prepared for all Councillors, but yes Council is still in Court and costs to date is around \$14,500 with a predicted \$2,000 to finalise the matter.

19. Councillor Wearne referred to the roundabout on Richmond Road and George Street and commented that traffic on the through lane that want to go on to Richmond are not stopping for traffic turning right from George Street. He advised there had been some near misses and asked if signs could be erected advising to give way to traffic already on the roundabout and asked if the Traffic Committee could investigate the matter.

The Director Infrastructure Services advised that the matter would be taken up with the RTA.

20. Councillor Wearne referred to some pavers in the Windsor Street Mall had risen and is a trip hazard.

The Mayor advised that it would be looked at.

21. Councillor Wearne advised he was doing an RFS exercise where they ended up at the old quarry on Colo Heights Road which is a dirt road and advised that there has been some illegal asbestos dumped, i.e. roof sheeting and roof capping, in the area and advised that photos will be provided.

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22. Councillor Wearne extended his best wishes to the General Manager.

23. Councillor Williams referred to correspondence received from the Pitt Town Progress Committee regarding the motion for 1182 blocks at Pitt Town and in the correspondence it states that it was perused by the Mayor and three other Councillors who were there and in their opinions, the motion seemed workable. He commented that he was concerned as there is no resolution in Council for 1182 blocks.

The Mayor advised that the comments made at the meeting were that he gave a position of the current status and we, as a Council, are yet to form our final decision on that and that we would welcome community opinion on what should happen. If the plan was workable, the Mayor was asked if the motion was legal and it was a legitimate motion. The Mayor asked Councillor Bassett, as he was also present, if that was his recollection.

Councillor Bassett agreed that it was correct and commented that it had nothing to do with whether the motion was workable from a Council point of view, but whether the motion for them was something that could articulate their view to Council adequately and that is how the response was.

Councillor Conolly wanted to add, being one of the names listed in the correspondence, that that was absolutely the case, the Mayor indicated that the Councillors were not taking any position on the subject and they didn't want that worked into it. We were asked if the motion was clear and what the people the room wanted to say.

Councillor Rasmussen asked how Councillors got an invitation to this meeting, did they gate crash it, as he didn't get one.

Councillor Books advised that the Pitt Town Progress Committee have a meeting the first Monday of every month.

The Mayor commented that he was a member.

24. Councillor Finch wanted to give the Mayor a letter in relation to playground equipment at Bilpin Hall and asked if it could be looked at.

The Mayor advised that she could provide the letter to him after the meeting.

The meeting terminated at 7:15pm.

Submitted to and confirmed at the Ordinary meeting held on 29 May 2007.

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Mayor