



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 30 January 2007
location: council chambers
time: 5:00 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 30 January 2007, commencing at 5:00pm.

Ms Ruth Mahaffey of the Anglican Church, Wilberforce, 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

SECTION 1: Confirmation of Minutes

1 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Finch that the Minutes of the Ordinary Meeting held on the 12 December 2006, be confirmed with the confirmation of the correct wording for Question Without Notice 5.

SECTION 3 - Notices of Motion

NM - Instituting a System of Life Memberships (LMs) - (79351, 80106)

MOTION:

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

That Council consider instituting a system of Life Memberships (LMs) of the City of Hawkesbury which celebrates, recognizes, values and honours long standing dedication, commitment and exceptional service, of an exemplary kind, to our City.

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

That Council refer the proposal to institute a *City of Hawkesbury Life Membership Award* to the Hawkesbury Civics and Citizenship Committee.

The amendment was lost.

The motion was put and lost.

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 1 GM - 6th National Mainstreet Conference - 18-21 March, 2007

MOTION:

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

Refer to RESOLUTION

2 RESOLUTION:

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

That attendance of one member of Council and a staff member as considered appropriate by the General Manager, at the 6th National Mainstreet Conference to be held 18-21 March 2007 in Melbourne & Geelong Victoria at a cost of approximately \$2,463.00 plus travel expenses per delegate be approved.

3 RESOLUTION:

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

That Councillor Stubbs be Council's nominated representative to attend the 6th National Mainstreet Conference to be held on 18-21 March 2007.

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CITY PLANNING

Item: 2 **CP - Pecuniary Interest and Exercise of Powers Under Section 458 of the Local Government Act 1993 - (95498)**

Previous Item: 215, Ordinary (12 September 2006)

MOTION:

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

Refer to RESOLUTION

4 RESOLUTION:

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

That this information be received.

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EXTERNAL SERVICES

Item: 3 **ES - Establishment of (Regional) Companion Animal Community Education Working Party - (95494, 79342, 39906)**

Previous Item: 229, Ordinary (26 July 2005)
 9, Ordinary (31 January 2006)

MOTION:

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

Refer to RESOLUTION

5 RESOLUTION:

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

That:

1. The adopted constitution for the proposed (Regional) Companion Animal Community Education Working Party be amended to include a provision for membership from Blacktown City Council and Hornsby Shire Council.
2. A councillor be appointed to fill the position of Chairperson of the (Regional) Companion Animal Community Education Working Party.
3. Christine Sercombe be invited to sit on the (Regional) Companion Animal Community Education Working Party to fill the position of community representative from the Hawkesbury Local Government Area.

6 RESOLUTION:

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

That Councillor Stubbs, as Council's nominated representative, fill the position of Chairperson of the (Regional) Companion Animal Community Education Working Party.

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INFRASTRUCTURE SERVICES

Item: 4 **IS - Proposed Compulsory Acquisition by the Roads and Traffic Authority for parts of Forbes Street and Day Street, Windsor, in association with the Windsor Flood Evacuation Route - (73625)**

MOTION:

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

Refer to RESOLUTION

7 RESOLUTION:

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

That:

1. Council agree to the compulsory acquisition of parts of Forbes Street and Day Street, being approximately 730 sqm as outlined in Plan No.SW0813 by the Roads and Traffic Authority in association with the construction of the Windsor Flood Evacuation Route;
2. All costs associated with the compulsory acquisition be borne by the Roads and Traffic Authority;
3. All necessary documents, associated with this matter be executed under the Seal of Council.

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SUPPORT SERVICES

Item: 5 SS - Monthly Investments Report - November 2006 - (96332)

MOTION:

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

Refer to RESOLUTION

8 RESOLUTION:

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

That the information be received and noted.

Item: 6 SS - Monthly Investments Report - December 2006 - (96332)

MOTION:

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

Refer to RESOLUTION

9 RESOLUTION:

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

That the information be received and noted.

Item: 7 SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496)

Previous Item: 276, Ordinary (14 November 2006)

MOTION:

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

Refer to RESOLUTION

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10 RESOLUTION:

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

That:

1. The revised Policy for the "Payment of Expenses and Provision of Facilities to Councillors" be adopted.
2. As required by Section 253(4) of the *Local Government Act*, a copy of the adopted revised Policy be forwarded to the Director-General of the Department of Local Government, together with a copy of the public notice placing the draft Policy on public exhibition, and the advice that during the required exhibition period the council received no submissions in respect of the draft Policy.

Item: 8 SS - Pecuniary Interest Return - (79337)

MOTION:

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

Refer to RESOLUTION

11 RESOLUTION:

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

That the information be received and noted.

Item: 9 SS - Proposal to Re-establish Alcohol Free Zone - (79337)

Mr Mark Halford, proponent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

12 RESOLUTION:

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

That:

1. In accordance with the provisions of the Local Government Act, 1993, the consumption of alcohol in the areas outlined in the report, be prohibited for the period of 1 January 2007 to 31 December

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2009, by the re-establishment of the Alcohol-Free Zones in the Hawkesbury Local Government Area.

2. Public notification (including erection of signage and an advertisement in the Hawkesbury Independent) be given of the re-establishment.
3. Notice of a proposal to establish an Alcohol-Free Zone be processed in accordance with the Local Government Act for the roads and footpaths at the following locations:
 - March Street, between East Market Street and Paget Street, Richmond; and
 - Paget Street, between March Street and Windsor Street, Richmond.
4. Further contact be made with the Principal of Richmond North Public School to determine if they wish to pursue the possible establishment of an Alcohol-Free Zone as previously requested.

Item: 10 SS - Electrical Substation - 320 George Street, Windsor - (79337)

MOTION:

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

Refer to RESOLUTION

13 RESOLUTION:

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

That:

1. Council note the information that Integral Energy has exercised the option of 25 years as provided for in the existing lease with Council in relation to the substation at 320 George Street, Windsor as outlined in the report and that action to finalise the matter is proceeding.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

CONFIDENTIAL REPORTS

14 RESOLUTION:

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

That the Confidential Reports be moved to the end of the Business Paper and dealt with at the end of the meeting.

15 RESOLUTION:

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

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: 11 GM - Appointment of Directory City Planning

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as the matter relates to personnel matters concerning particular individuals (other than councillors).*

Item: 12 SS - Property Matter - Shop 1, McGraths Hill Shopping Centre

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to lease property and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting, would, on balance, be contrary to the public interest.*

Item: 13 SS - Property Matter - Shop 5, Wilberforce Shopping Centre

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to lease property and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting, would, on balance, be contrary to the public interest.*

Item: 14 SS - Property Matter - Shop 8, Wilberforce Shopping Centre

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to the leasing of a Council property and it is considered that the release of 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: 15 SS - Property Matter - Shop 9, Glossodia Shopping Centre

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to the leasing of a Council property and it is considered that the release of 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: 16 SS - Property Matter - 80 George Street, Windsor

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to lease property and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret 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.

16 RESOLUTION:

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

Item: 11 Confidential Report - GM - Appointment of Director City Planning

Councillor Finch declared an interest in this matter as her daughter is currently the Acting Directory City Planning. She left the meeting and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

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17 RESOLUTION:

The General Manager advised, that whilst in Closed Session, Council RESOLVED on the motion of Councillor Devine, seconded by Councillor Williams

That:

1. Council note the decision of the General Manager in consultation with the Mayor and Councillors to appoint Peter Matthew Owens to the position of Director City Planning.
2. A media release be issued announcing the appointment when negotiations are finalised.

Item: 12 SS - Property Matter - Shop 1 McGraths Hill Shopping Centre - (79337)

MOTION:

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

Refer to RESOLUTION

18 RESOLUTION:

The General Manager advised, that whilst in Closed Session, Council RESOLVED on the motion of Councillor Devine, seconded by Councillor Porter

That:

1. Council agree to enter into a new lease with Shi Jun Mo and Cai Ling Wong, trading as "Pong Loy Chinese Restaurant" in regard to Shop 1 McGraths Hill 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.
4. Representations be made to the RTA regarding the possible construction at a direct access road from Windsor Road into the McGrath's Hill Shopping Centre.

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Item: 13 SS - Property Matter - Shop 5, Wilberforce Centre - (79337)

MOTION:

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

Refer to RESOLUTION

19 RESOLUTION:

The General Manager advised, that whilst in Closed Session, Council RESOLVED on the motion of Councillor Books, seconded by Councillor Williams

That:

1. Council agree to the assignment of the lease of Shop 5 Wilberforce Shopping Centre to Ms Allison Griffiths Mr Clifford Griffiths & Ms Danielle Griffiths, 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, as well as the existing 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: 14 SS - Property Matter - Shop 8, Wilberforce Shopping Centre - (73874, 74403, 34779)

MOTION:

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

Refer to RESOLUTION

20 RESOLUTION:

The General Manager advised, that whilst in Closed Session, Council RESOLVED on the motion of Councillor Wearne, seconded by Councillor Porter

That:

1. Council agree to enter into a new lease with Migae Pty Ltd, trading as " Kelly's of King Road" in regard to Shop 8, Wilberforce Shopping Centre in accordance with the proposal outlined in the report.

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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: 15 SS - Property Matter - Shop 9, Glossodia Shopping Centre - (4716, 38869, 76718, 95739)

MOTION:

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

Refer to RESOLUTION

21 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Mrs J James and Mrs F Thompson trading as "Glossodia Pharmacy" in regard to Shop 9, 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: 16 SS - Property Matter - 80 George Street, Windsor - (79337)

MOTION:

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

Refer to RESOLUTION

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22 RESOLUTION:

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

That:

1. Council agree to the transfer of the Deed in respect of the use of the footway adjacent to "The Bridge Café" in accordance with the proposal outlined in the report based on an annual fee of \$2,318.28 plus GST, paid in monthly instalments of \$193.19 plus GST.
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 parties involved in the matter 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.

SECTION 5 - Reports of Committees

ROC - E-Commerce / Markets Advisory Committee - 30 November 2006 - (91367)

23 RESOLUTION:

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

That the minutes of the E-Commerce / Markets Advisory Committee held on 30 November 2006 as recorded on pages 43 to 51 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee Minutes - 17 January 2007 - (80245, 95495)

24 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 17 January 2007 as recorded on pages 52 to 60 of the Ordinary Business Paper be adopted.

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QUESTIONS WITHOUT NOTICE

1. Councillor Wearne commented that he had spoken with the Director External Services in relation to some billboards that had been erected near Windsor Leagues Club, where a DA hadn't been lodged. Work had ceased whilst this occurred and Councillor Wearne had been advised that work on the billboards had again commenced and asked if the DA had been approved.

The Mayor advised that the matter would be investigated.

2. Councillor Porter referred to the community members of Council's committees and advised that the committee he had been on, the community members had been carried on from the previous Council. Councillor Porter asked what the process was for community members, as there is a community member with outstanding qualifications for a committee who still hasn't received a reply in relation to being on a committee. Councillor Porter asked if the Council gets re-elected, do we inherit the community members from the previous Council.

The General Manager advised that it was open to Council to review its community membership at any time. He wasn't aware of the particular circumstances that Councillor Porter was referring to, but the community memberships should be determined by the constitution which each committee has, which was made mandatory in 2005 for all Committees of Council to have constitution after Council's experience with the Pitt Town Advisory Committee. The membership criteria for community members and the number of Councillors is contained within each of those constitutions. However, it is still up to Council to change the composition or review the constitution of the Committees at any time if it so wishes.

Councillor Porter commented that the re-election of Council, those community members get re-applied, the same as what the committees do.

The General Manager advised that it would largely depend on the constitution of the Committee involved, but Council reviews the composition of its Committees every year at the Mayoral Election, but notwithstanding that, it is still open to Council if there is a concern about the composition of the committees if they want to alter that at any point in time.

3. Councillor Conolly also referred to Council Committees and asked if there was a timetable of meetings dates for the Committees, particularly the Floodplain Risk Management Committee.

The Acting Director City Planning advised letters should go out towards the end of this week advising of all the dates for the Floodplain Risk Management Committee.

4. Councillor Devine advised that he had only just been provided with an updated copy of the Local Environmental Plan that is dated September 2006. He asked if Councillors who might be in the same position as he was who were previously working off the 2003 Edition, if they could also be updated with the latest version.

The Acting Directory City Planning advised this could be done and copies of the latest LEP will be distributed to those who want them.

5. Councillor Rasmussen asked if anyone had heard any complaints as he had about the smell coming from the town's water supply in Richmond. He asked if Council had heard anything about it and, what is causing it. He advised that the people who complained to him are of the view that the River is very low and perhaps the treatment there isn't quite the same or that there is less fresh water coming down the channel and of course we know that the compensation flow from Warragamba Dam is no longer flowing. Councillor Rasmussen asked if Council could ask Sydney Water if they have changed their processing or if it is localised to a couple of streets in Richmond.

The Director Infrastructure Services advised matter will be followed up with Sydney Water.

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6. Councillor Rasmussen commented that a position paper had been released by the State Government called 'A New Direction for Local Government' and a workshop is planned for this. He asked if Council was planning on sending anybody to that and if so, who will be attending.

The General Manager advised that there are a number of workshops that are being convened, and members of management will be attending. He advised that the Mayor may also have been possibly approached with an invitation. He advised that it was a matter that Council will consider, probably, at its next meeting on 13 February 2007.

7. Councillor Bassett referred to the Plain Trees on the Avenue running from Windsor down to Richmond outside the RAAF Base and commented that a number of people have commented that the trees seem to be struggling quite badly and its no doubt the drought that is causing it, but he was wondering if it was possible to get somebody to look at the trees to make sure that they are just dropping their leaves as a survival mechanism and its not the actual tree itself that we could possibly loose. He thought it would be better if we could be a bit more pro-active on that particular strip rather than the tree itself struggling, we might be able to do something about it earlier, rather than later.

The Director Infrastructure Services advised that it is some of the smaller to medium size trees and it would be investigated.

8. Councillor Williams advised that he had received a letter from Murray Thompson regarding the spraying of herbicide in South Windsor. Councillor Williams commented that it seemed to be an on again, off again policy about spraying RoundUp and Mr Thompson had shown him a letter, some time ago of, a letter from Council saying that a decision had been made not to use RoundUp, but apparently, there was RoundUp being sprayed on 18 January 2007. Councillor Williams advised that he had previously raised the issued of RoundUp being used around children's playgrounds in the City. He advised that Mr Thompson had written to the General Manager and asked if there was going to be a response provided and when will this likely be.

The Director Infrastructure Services advised that matter would be followed up and that he believed there must have been some confusion as he didn't believe Council had said we wouldn't spray RoundUp, but this will certainly be confirmed. He also advised that there was the Pesticide Use Notification Plan that came into force on 1 February that was adopted by Council.

9. Councillor Paine advised that she had received a phone call from a lady wanting to know why Council doesn't offer BPay for rates. Councillor Paine added that she had been told that Council does offer BPay and asked if it was on the Rates Notices that they can.

The Director Support Services advised that payment options are detailed on the rates notices when they go out and we do have BPay.

10. Councillor Paine commented that in the Penrith Press, that Penrith City Council had made a big effort in reducing green house emissions and has advised of these reduced levels. She asked if Council could come up with some statistical information on whether this Council has made the same effort and also lowered any green house gasses.

The General Manager advised a report will be provided with our statistics on our attempts to lower green house gases.

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11. Councillor Paine referred to the Oasis Centre and commented that there hadn't been a report on how it was going, costs, usage, etc. She asked if a short report could be provided to Councillors on how it is going.

The Director Support Services advised he had only this week received the six monthly report to 31 December 2006 for the Oasis Centre and a copy of the report can be referred to all Councillors.

12. Councillor Calvert referred to the famous, or infamous, signs that Council paid for along Richmond Road. He referred to the original motion where the matter was to be referred to RTA and asked if this did in fact occur, and if not, why not.

The Director Infrastructure Services advised that no, there was no formal application made to the RTA to erect the signs. They were done on the same basis that the signs on Windsor Road were erected and they were put up in a similar fashion and there was no problem from the RTA or comment in relation to those signs so the signs on Blacktown Road, similar to the Nuclear Free Zones that we put up on the main roads also and there was no comment about those. On that basis, they were put up on Richmond Road.

The second part of the question is now that the RTA has commented on those signs, is that their official response or are we still awaiting their official response.

The Director Infrastructure Services advised that no, he didn't believe so. Council had asked the RTA for their official comment on the signs, and we haven't had a response at this stage.

Thirdly, what is the legal position if those signs are considered to be the cause of an accident along that stretch of road and the RTA hasn't approved the signs, does this mean Council is responsible?

The Director Infrastructure Services advised that he wasn't sure how you would justify that the signs were the cause of an accident as they are off the road and at a height that wouldn't cause an accident normally. He doubted that Council would be held responsible if there was an accident, but it would have to go through a process of the Courts to determine if an accident did occur if somebody made that claim.

The General Manager advised that Council couldn't speculate on liability, but it was a matter that would be of interest to both the RTA and to Council because his understanding is that Council and the RTA have operated on the basis of convention for some time. He said that the Director Infrastructure Services commented that Windsor Road signs and the Nuclear Free Zone signs that are within this City were erected under that convention.

13. Councillor Books asked if the Pitt Town signs had been taken down as they hit your eye level while driving.

The Mayor advised the matter would be investigated, but commented that he understood the signs were on private property.

14. Councillor Books referred to Councillor Rasmussen's query in relation to the environmental flow from Warragamba Dam and advised that he had been assured that it hasn't stopped. He advised that Sydney Water is working on bigger pumps to pump out deeper water and their problem is that the old pipe lines won't handle the pressure.

Councillor Rasmussen thanked the Mayor for the information, but commented that he didn't know how current that information was. He advised that it was not an environmental flow, but a compensation flow and commented that it has been halved once already and his understanding was that recently, it had been stopped.

ORDINARY MEETING

MINUTES: 30 January 2007

15. Councillor Books asked what was happening with the Kable Street Carpark as it had been sitting in shadows for a long time.

The Director Infrastructure Services advised that there had been some discussions between the General Manager, himself and the owner of the property and advised that the matter would have to be reported to Council.

16. Councillor Finch referred to the lighting problem in the new Riverview Shopping Centre and advised that she had received letters in relation to the intrusion of light from the neon Coles sign on the new shopping centre. She asked if this information had been received and if it is being acted on.

The Acting Director City Planning advised that Council certainly has received letters in relation to that signage and the matter will be investigated.

17. Councillor Porter asked if Council had received a response in relation to an event that was held at the Acquatic Centre on Friday and Saturday. He advised that Council Staff, along with Stephen Phillips, and the Bridge Steering Committee had put a lot of effort into the event. He commented that he had spoken with some American guests who were out here on that Friday and Saturday who told him that the Hawkesbury and the way the event was held, was a real compliment to the district and they were proud to be out here to represent America. Councillor Porter advised that over the Friday and Saturday, there were around 8,000 visitors to the Centre on both days. The event was great and was well run and it brought a lot of people into the Hawkesbury as a tourist destination.

The Mayor advised that he had received positive comments today in relation to the event.

18. Councillor Finch referred to the North Richmond lights and advised that there had been a rather large portable sign on the back of a low loader advertising ALDI and it gets moved around. She asked if this was allowable under Council's sign policy

The Acting Director City Planning advised that she currently didn't have a copy of the LEP in front of her, but was fairly certain that signs on the back of vehicles is prohibited.

The meeting terminated at 6:20pm.

Submitted to and confirmed at the Ordinary meeting held on 13 February 2007

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Mayor