Hawkesbury City Council

# ordinary meeting minutes

date of meeting: 12 October 2004
location: council chambers
time: 7.00 p.m.

## MINUTES

- **PRAYER**
- **APOLOGIES**
- **SECTION 1 - Confirmation of Minutes**
- **SECTION 2 - Notices of Motion**
- **SECTION 3 - Report of the General Purpose Committee**

  ***Environment***
  ***Infrastructure***
  ***Organisation and Resource**s*
  ***Commercial Strategy***

- **SECTION 4 - Reports for Determination**
- **SECTION 5 - Reports for Information**
- **SECTION 6 - Reports of Committees**
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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 12 October 2004, commencing at 7:02pm.

Sister Antionett, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

**ATTENDANCE**

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

Councillor Calvert arrived at the meeting at 7:06pm
Councillor Porter arrived at the meeting at 7:10pm

**CONFIRMATION OF MINUTES**

**433 RESOLUTION:**

**RESOLVED** on the motion of Councillor Rasmussen and seconded by Councillor Finch that the Minutes of the Ordinary Meeting held on the 14 September 2004, be confirmed.

**434 RESOLUTION:**

**RESOLVED** on the motion of Councillor Stubbs and seconded by Councillor Books that the Minutes of the Special Meeting held on the 27 September 2004, be confirmed.

**435 RESOLUTION:**

**RESOLVED** on the motion of Councillor Stubbs and seconded by Councillor Books that the Minutes of the Special Meeting held on the 13 September 2004, be confirmed.

## SECTION 3 - Report of the General Purpose Committee

## NOTICE OF MOTION

### NM - Hawkesbury LEP and DCP - (107, 90476)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**436 RESOLUTION:**

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

That Amendment 130 be further workshopped in the near future and reported back to Council.

## ENVIRONMENT

**Item: 44** **ENV A - Review of Determination Under Section 82A of the Environmental Planning and Assessment Act 1979 - 16 Manns Road, Wilberforce - Development Application No. DA0854/03 - (79347, 85788)**

**Previous Item:** Item 82, General Purpose Committee (27 January 2004)

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Mr Roger Gray, proponent, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**437 RESOLUTION:**

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

That:

1. The decision of Council of 10 February 2004 be upheld.

2. There be no requirement to move any fixtures or fittings on the premises until after the matter has been heard in the Land and Environment Court or until such time as the ability to lodge an appeal against Councils decision with the Court has expired.

**Item: 45** **ENV A - 8 Unit Residential Development, Lot 1 DP1010228 and Lot 2 DP1010228, 31 and 31A Flinders Place, North Richmond NSW 2754 - (DA0403/04, 79347)**

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Councillor Porter declared an interest in this item for the reason outlined in the letter to the General Manager and the Mayor, and left the meeting and did not take part in voting or discussion on the matter.

Mr Barry McGlasson and Ms Pam Carne, respondents, addressed the Committee.

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**438 RESOLUTION:**

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

The matter be deferred for consideration at the next General Purpose Committee Meeting.

**Item: 46 ENV B - Draft Local Environmental Plan 5/03 - Amendment 147, Reclassification of Lot 2 DP788531 - No. 21 Johnston Street, Windsor from Community to Operational - (79339)**

**Previous Item:** 92, Ordinary (4 November 2004)

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Mr Walter Kullen, proponent, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**439 RESOLUTION:**

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

That:

1. The draft local environmental plan to reclassify Lot 2 DP788531, No. 21 Johnston Street, Windsor from Community to Operational land proceed and be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal.

2. Council exercise its delegation in respect of Section 69 of the Environmental Planning and Assessment Act 1979.

3. The submission authors be notified accordingly

**Item: 47** **ENV B - Review of Determination Under Section 82A of the Environmental Planning and Assessment Act 1979 - Lot 1 DP 10281047, 34 Chaseling Road, Wisemans Ferry - (79339)**

**Previous Item:** 175, Ordinary (14 October 2003)
53, GPC Environment (26 August 2003)
53, GPC Environment (26 August 1999)

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Councillor Porter declared an interest in this item for personal reasons as outlined in the memorandum to the General Manager and left the meeting and did not take part in voting or discussion on the matter.
Councillor Paine declared an interest in this item and left the meeting and did not take part in voting or discussion on the matter.

Ms Brenda Ireland, proponent, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**440 RESOLUTION:**

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

The Council defer this application for 28 (twenty eight) days.

**Item: 48** **ENV B - Intensive Agricultural, Pollution Control Principle and Waste Not Chapters for the Hawkesbury Development Control Plan - (79347)**

**Previous Item:** 7, Ordinary (11 February 2003)
41, GPC - Environment (24 August 2004)
41, Ordinary (14 September 2004)

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Mr Neville Diamond, proponent, addressed the Committee
Mr David Tolson, Mr Greg Miller and Mr John Miller, respondents, addressed the Committee

**441 RESOLUTION:**

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

That Council exercising its delegation as Committee of the Whole resolve that this item be deferred until the next General Purpose Committee and a working party be created consisting of Mr David Tolson, Mr Greg Miller, Mr John Miller and other interested parties to workshop the matter for a further report to Council.

**Item: 49** **ENV B - Staffing at Hawkesbury City Companion Animal Shelter - (79348)**

**Previous Item:** 114, Ordinary (8 July 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

442 **RESOLUTION:**

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

That:

1. The "CAMS" clerical position be made permanent, now that the funding to support the position can be maintained.

2. An additional kennel assistant position be created for 16 (sixteen) hours per week over 5 (five) days.

3. That both positions be funded from the income produced from the "CAMS" program.

4. The new positions be advertised in accordance with Council's Staff Recruitment Policy.

**Item: 50** **ENV C - Request for Review of Fees and Release of Final Plan of Subdivision - 26 Kurmond Road, Freeman's Reach - (79347, 31136, 31138)**

**Previous Item:** 124, Ordinary (14 September 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

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

That this item be deferred pending a further costing report.

The motion was lost

**443 RESOLUTION:**

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

The information be received.

## INFRASTRUCTURE

**Item: 41** **INF B - Cycleway Budget Allocation - (79346, 74282, 80226)**

**Previous Item:** 74, Special (28 June 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**444 RESOLUTION:**

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

That the information be received.

**Item: 42** **INF B - Road Naming Proposal - Subdivision Lots 200-203 DP751665, Moles Road, Glossodia - Cartela Pty Ltd DA148/02 - (23968, 79346)**

**Previous Item:** 10, Ordinary (9 March 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**445 RESOLUTION:**

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

That the proposed public road within subdivision of Lots 200-203, DP751665 Moles Road, Glossodia be named "Kamrock Grove".

**Item: 43** **INF B - Half Pipe Skate Ramp at North Richmond Community Centre - (79354, 74231)**

**Previous Item:** 47, Ordinary (9 December 2003)

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Mr Mike Pauna, Mr Brian Bruce, proponent, addressed the Committee
Ms Michelle Horner, respondent, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**446 RESOLUTION:**

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

That:

1. The half pipe skate-ramp be left in its current location for a further 6 (six) months.

2. Consultation take place with the neighbouring properties regarding the existing fencing and possible repairs.

3. A management committee be established by Council incorporating the youth of the area.

**Item: 44** **INF B - Conservation Plans for Richmond Park, McQuade Park and Wilberforce Park - (79354)**

**Previous Item:** 20, Ordinary (7 May 2002)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**447 RESOLUTION:**

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

That:

1. Both the Richmond and Wilberforce Conservation Management Plans, as modified, be adopted with the exception of the recommendation to nominate for State Heritage Register Listing.

2. Any works undertaken within Richmond and Wilberforce Parks are to comply with their respective plans of management.

**Item: 45 INF B - Richmond Pool Fees and Charges - (79354)**

**Previous Item:** 73, Special (28 June 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**448 RESOLUTION:**

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

That a report be provided to Council outlining an appropriate maintenance plan and the costs of refurbishment of Richmond Pool to bring it up to a standard to allow for continued use for a further 40 (forty) years.

**449 RESOLUTION:**

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

That Council exercising its delegation as a Committee of the Whole adopt the amended fees and charges for Richmond Pool for the 2004/2005 season with the exemption that the carer/spectator fee remain at $0.50 (fifty cents).

**Item: 46** **INF B - Purchase of Land at St Albans - (79354, 32680)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**450 RESOLUTION:**

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

That:

1. The offer of Ms Benita Williams to sell 4 Bulga Road Lot 7 DP 196226 for the amount of $12,000 (twelve thousand dollars) be accepted.

2. The land, when purchased be classified as Community Land.

3. Funding of $10,000 (ten thousand dollars) currently allocated to investigate possible extension of the regional playground at Ham Common and $2,000 (two thousand dollars) for landscaping work in Friendship Park, be reallocated to the purchase of the land.

**Item: 47** **INF B - Upper Hawkesbury Power Boat Club - Waiver of Fees - (79354, 37829)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**451 RESOLUTION:**

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

That the exclusive use fee applicable to Governor Phillip Park not be waived for 7 and 8 August 2004, but a debtor be raised and an interest free agreed payment arrangement be made with the Upper Hawkesbury Power Boat Club.

**Item: 48 INF B - Draft Plan of Management for Hollands Paddock Reserve - (79354)**

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Mr Walter Kullen, proponent, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**452 RESOLUTION:**

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

That the Hollands Paddock Plan of Management be adopted.

**Item: 49 INF B - Categorisation of Community Land - (79354)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**453 RESOLUTION:**

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

That $15,000 remaining from the construction of the Regional Skate Park be reallocated towards completion of the categorisation of Community Land process.

**Item: 50** **INF B - Skateboard Facilities - Windsor - (79354)**

**Previous Item:** 19, Ordinary (7 May 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**454 RESOLUTION:**

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

That:

1. The site at the intersection of Bell Street/George Street not be further considered for the location of the South Windsor Skate Park.

2. The provision of skateboard facilities be further considered when priorities for future capital works programs are being determined.

**Item: 51** **INF B - Creation of Easement - 24 Wallace Road, Vineyard - (79338)**

**Previous Item:** 112, Ord (14 September 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**455 RESOLUTION:**

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

That:

1. An easement be created for the purposes of drainage along the boundary of 24 Wallace Road (Lot 62 in Deposited Plan 9478), Vineyard to alleviate flooding problem.

2. All associated fees and costs are be borne by Council.

3. The approved plans and associated documents be referred to Council's solicitors for appropriate action and lodgement.

4. The Common Seal of Council be affixed to all necessary documents, including the plans and 88B Instruments.

**Item: 52 INF B - Sewage Pump Station 'P' - Cost Recovery for Structural Failure - (79357, 79969)**

---

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**456 RESOLUTION:**

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

That the alternate proposal to stabilise pump station 'P' at an estimate cost of $180,000 (one hundred and eighty thousand dollars) be adopted and Council's contribution of $60,000 (sixty thousand dollars) be provided from the Sewer Reserve.

**Item: 53 INF B - McGraths Hill Wetlands and Effluent Reuse Scheme (MHW&ERS) - Access by the Cumberland Bird Observers Club Inc - (79357, 91165)**

---

Mr Greville Reidy, respondent, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**457 RESOLUTION:**

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

That:

1. This matter be deferred to the next General Purpose Committee to allow the Cumberland Bird Observers Club to place their submissions to Council.

2. The submissions received from the Cumberland Bird Observers Club be distributed to all Councillors.

3. Council investigate the idea of creating an observation area at the McGraths Hill Wetlands and Effluent Reuse Scheme.

4. Council also investigate the possibility of allowing access to the area by person/groups accompanied by supervising volunteers.

**Item: 54 INF B - Footpaving - March, East Market, Lennox and Paget Streets, Richmond - (79344)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**458 RESOLUTION:**

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

That this item be deferred until a report can be provided after investigations have been carried out as to what trees were recommended for planting in this location, whether the trees planted were in accordance with Council's recommendation and, if not, who is liable for the resultant damage.

**Item: 55 INF B - NSW Road Classification Review - (74282, 79338)**

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**459 RESOLUTION**

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

That Council exercising its delegation as Committee of the Whole resolve that:

1. No change be made to the existing regional Road network.

2. Consideration be given to assessing those 2 (two) lane rural regional roads within the urban/fringe Councils utilising the rural Block Grant formula for the distribution of Regional Road funding.

3. The Regional Roads Timber Bridge Program be extended to include all Councils with 2 (two) lane rural roads as part of their Regional Road Network.

## ORGANISATION AND RESOURCES

**Item: 53 ORG A - Monthly Financial Report - August 2004 - (79349)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

460 **RESOLUTION:**

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

That the information be received.

**Item: 54 ORG A - WSROC, Minutes of Meeting held 27/8/2004 - (74251, 79351)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

461 **RESOLUTION:**

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

That the information be received.

**Item: 55** **ORG A - The 3rd A-Z of Australian Water Trading Conference, Sydney - (79351)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**462 RESOLUTION:**

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

The Council approve the attendance of Councillors Books and Rasmussen and appropriate Council staff at the 3rd A-Z of Australian Water Trading in Sydney at a cost of approximately $997.50 (nine hundred and ninety seven dollars and fifty cents) per delegate, to be held on 29 and 30 November 2004.

**Item: 56** **ORG B - Donation Request for Kurrajong Bilpin Little Athletics Zone Championships - (81141)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**463 RESOLUTION:**

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

That Council provide $1,300.00 (one thousand, three hundred dollars) for in-kind support to the Kurrajong Bilpin Athletics Centre Inc. for their Zone Championships to be held in December 2004. Expenditure to be from the Donations Program budget.

**Item: 57** **ORG B - Public Artwork Proposal - Hawkesbury Cultural Precinct - (79342, 86141)**

**Previous Item:** 47, Ordinary (14 September 2004)

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**432 RESOLUTION:**

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

That Council exercising its delegation as Committee of the Whole resolve that:

1. Council approve the execution of a contract with Milestone Art to supply and install a sculptural piece for the Cultural Precinct based on the reworked design elements submitted by the artists with a total quoted cost not exceeding $65,223 (sixty five thousand, two hundred and twenty three dollars).

The members of the Public Art Selection Team be invited to attend a briefing with Milestone Art to review the alternate design proposal for the sculptural piece selected by the Public Art Selection Team.

**Item: 58** **ORG B - The Women's Cottage Rental - (79337)**

**Previous Item:** 121, Ordinary (14 September 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**464 RESOLUTION:**

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

That the matter be deferred to the next General Purpose Committee meeting to give the Women's Cottage representatives the opportunity to address Council.

## SECTION 4 - Reports for Determination

### Item: 130 ORG A - Internal Audit Charter - (79351)

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

465 **RESOLUTION:**

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

That Council formally adopt the Internal Audit Charter.

### Item: 131 ENV B - Local Government Advisory Group - (81409)

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

466 **RESOLUTION:**

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

That:

1. Council write to the Minister of Infrastructure, Planning and Natural Resources, Mr Craig Knowles, expressing its concern that funding for the ongoing works program supervised by the Local Government Advisory Group is in jeopardy and supporting the process of the Group.

2. Council write to the Chairman of the Hawkesbury/Nepean Catchment Management Trust expressing its concern regarding the funding of the Local Government Advisory Group and that Council would seek assurances that the funding for the Round 3 and Round 4 ongoing works program is guaranteed.

3. Copies of these submissions be circulated to all other member Councils of the Local Government Advisory Group for their information.

**Item: 132 ENV B - NSW Planning Reforms - (79347, 85649, 84750)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**467 RESOLUTION:**

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

That:

1. This item be further workshopped at a Councillor Briefing Session.

2. Council request an extension to the exhibition period for the draft standard provisions for LEPs to allow council sufficient time to consider and comment on that matter.

3. Council authorise the Mayor to lodge a submission expressing Council's concerns about proposed standardised LEPs.

**Item: 133 INF B - Patersons Lane, Grose Vale - Extension of Public Road - Road Naming, DA1168/02 - (79346)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**468 RESOLUTION:**

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

That the public road extending from the existing Patersons Lane and resulting from the subject subdivision be named Patterson Lane.

**Item: 134 INF B - Lower Portland Ferry - Tender for Operation - (79338)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**469 RESOLUTION:**

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

That

1. The forthcoming tender for operation of the Lower Portland ferry service be for a 4 (four) year period.
2. That a further report be provided to Council in relation to the history and future operation of the service in consultation with Baulkham Hills Shire Council.

**Item: 135 INF B - Concrete Footpaving - Bligh Park - (79344)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**470 RESOLUTION:**

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

That funding in the amount of $44,000 (forty four thousand dollars) be provided from the kerb and gutter reserve to:

1. Construct full width concrete foot paving for the full frontage of Bligh Park Primary School in Alexander Street, at an estimated cost of $29,500 (twenty nine thousand five hundred dollars).

2. Reconstruct damaged concrete foot paving in Porpoise Crescent, Bligh Park including root guard or tree removal as appropriate at an estimated cost of $14,500 (fourteen thousand five hundred dollars).

**Item: 136 INF B - Supply and Lay Asphaltic Concrete - (79344)**

**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**471 RESOLUTION:**

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

That subject to the General Manager clarifying with WSROC the current position regarding proposals for regional tendering for Asphaltic Concrete:

1. The schedule of rate tender submitted by Bernie Pave to supply and lay of Asphaltic Concrete for Pothole Patching Part A at $185.00 (one hundred and eighty five dollars) per hour be accepted and be executed under the seal of council.

2. The schedule of rate tender submitted by Bernie Pave to supply and lay of Asphaltic Concrete deep lift patching Part B be accepted and be executed under the Seal of Council.

3. The schedule of rate tender submitted by Bernie Pave to supply and lay of Asphaltic Concrete for Re-sheeting Part C be accepted and be executed under the Seal of Council.

**Item: 137 INF B - Kerb and Gutter Construction, Freemans Reach - (79344)**

**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**472 RESOLUTION:**

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

That the lump sum/schedule of rates tender submitted by Savage Earthmoving Pty Ltd for the construction of kerb and gutter in Marlene Street, Panorama Crescent, Golden Grove and Carmen Place for $334,246.80 (three hundred and thirty four thousand, two hundred and forty six dollars and eighty cents) be accepted and necessary documents be executed under the seal of council.

**Item: 138 ORG B - Policy and Payment of Expenses and Provision of Facilities to Councillors - (79341)**

**Previous Item:** 25, Ordinary (8 June 2004)

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**473 RESOLUTION:**

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

That the revised Policy for Payment of Expenses and Provision of Facilities to Councillors be adopted by Council subject to an appropriate clause being included to provide that where necessary, subject to the agreement of the Mayor and General Manager, additional appropriate facilities be made available to Councillors with a disabilities.

**Item: 139 ORG B - Documents for Execution Under Seal - (34779, 74477)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**474 RESOLUTION:**

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

That the seal of Council be affixed to the following documents:

1. Lease Agreement with Australiawide Finance and Property Investments for the balance of the lease of 2 (two) years and approximately 3 (three) months, with a 3 (three) year option on Shop 3, Hobartville Shopping Centre and rent commencing at $6,000 (six thousand dollars) plus outgoings and GST.

2. Lease Agreement with Mr Biondi for 3 (three) years with a 2 (two) year option on Shop 2, Hobartville Shopping Centre and rent commencing at $7,800 (seven thousand and eight hundred dollars) per annum plus outgoings and GST with annual CPI increase, a review to market rental at exercise of the option and then CPI increases, subject to Mr Biondi completing the purchase of the business from the existing tenant and the existing tenant not wishing to renew the lease of the shop.

**Item: 140 RES B - Strategic Planning Committee - Meeting of 16 September 2004 - (91368, 91811)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**475 RESOLUTION:**

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

That:

1. Council proceeds to facilitate and develop local industry networks in Real Estate, finance and education industries.

2. Council proceeds to explore partnerships opportunities capable of generating outcomes for mutual benefit with relevant stakeholders.

3. Council note the information about the Strategic Planning Committee Structure and Membership.

**CONFIDENTIAL REPORTS**

**476 RESOLUTION:**

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

That the Confidential reports be moved to be dealt with at the end of the meeting.

**477 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs seconded Councillor Books

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 Chamber during consideration of the following items:

   **Item: 141 ORG B - Proposed Sale of Property, Bligh Park - (79341)**

   *This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:*

   *(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*

   *as the public disclosure of the details involved could financially disadvantage the Council and would, therefore, on balance be contrary to the public interest.*

   **Item: 142 ORG B - Proposed Lease of Lot 20 and 22 The Driftway, Londonderry - (79776)**

   *This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:*

   *(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*

   *as the public disclosure of the details involved could financially disadvantage the Council and would, therefore, on balance be contrary to the public interest.*

2. In accordance with the relevant provisions of the Act, the reports, correspondence and other relevant documentation associated with these matters be withheld from the Press and the public.

**478 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs seconded Councillor Rasmussen that Open Council be resumed.

**Item: 141 ORG B - Proposed Sale of Property, Bligh Park - (79341) CONFIDENTIAL**

**Previous Item:** 85, Ordinary (13 July 2004)

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**RECOMMENDATION:**

RESOLVED on the motion of Councillor Stubbs, seconded Councillor Wearne.

***Refer to RESOLUTION***

**479 RESOLUTION:**

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

That:

1. Council approach Mr P and Mrs L McDermott of 3 Conlan Street, Bligh Park and the owners of 49 Berger Road, South Windsor to purchase the land, 1 Conlon Street, Bligh Park, at Council's valuation by way of apportionment between these parties subject to Council's costs being covered in full.

2. In the event that an agreement between the parties is not reached, the property be sold to the highest bidder of those two parties above their current bids offered.

**Item: 142 ORG B - Proposed Lease of Lot 20 and 22 The Driftway, Londonderry - (79776) CONFIDENTIAL**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**480 RESOLUTION:**

The General Manager advised that while in closed Council, Council RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Books.

That the item be withdrawn pending the submission of a further report as outlined by the General Manager.

**SUPPLEMENTARY REPORTS**

**Item: 147 ENV B - Pitt Town LEP/DCP - (79347)**

**Previous Item:** 102, Special (13 September 2004)

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**481 RESOLUTION:**

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

The Report be prepared for the next General Purpose Committee on the preparation of the Draft Development Control Plan to accompany the Pitt town Draft Local Environmental Plan.

**Item: 148 ORG A - Fire Services Estimates for 2005-2006 - Hawkesbury Rural Fire District Funding Submission - (79350)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**482 RESOLUTION:**

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

That:

1. The 2005/2006 RFS estimates as submitted by the NSW Rural Fire Service be endorsed in principle.

2. That representation be made to the NSW Rural Fire Service Commissioner requesting an explanation and detailed costing of program charges totalling $800,000 (eight hundred thousand dollars).

3. That consideration of the $365,700 (three hundred and sixty five thousand, seven hundred dollars) of additional Council funding be deferred until Council's 2005/2006 budget estimates are determined.

**Item: 149 ORG B - Document for Execution Under Seal - (34779, 74477)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**483 RESOLUTION:**

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

That the seal of Council be affixed to the following document:

1. Lease Agreement with Mr Issa for Shop 11, Wilberforce Shopping Centre for a 5 (five) lease with a 5 (five) year option with a commencing rent of $17,680 (seventeen thousand, six hundred and eighty dollars) plus outgoings and GST.

**LATE SUPPLEMENTARY REPORTS**

**Item: 150 INF B - Ferry Cottages - Lease to Roads and Traffic Authority - (79338)**

---

**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**484 RESOLUTION:**

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

That:

1. The properties 897 Sackville Road, Ebenezer (Lot 1 DP 650010) and 3004 River Road, Wisemans Ferry (Lot 3 DP 363993) be:

   a) leased to the Roads and Traffic Authority for a 12 (twelve) month period at $180 (one hundred and eighty dollars) and $160 (one hundred and sixty dollars) per week respectively; and

   b) that the RTA be requested to purchase both properties, and a valuation be obtained before the sale of the properties.

2. Authority be given for any documents, in association with the leases, to be executed under the Common Seal of Council.

**Item: 151 ORG A - General Purpose Financial Report and Special Purpose Financial Report for 2003/2004 - (79350)**

---

**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**485 RESOLUTION:**

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

That the Statement in the approved form on the General Purpose Financial Report and the Special Purpose Financial Report for the period ended 30 June 2004 be endorsed in accordance with Section 413(2) of the Local Government Act 1993 (as amended) and the Local Government Code of Accounting Practice and Financial Reporting.

## SECTION 5 - Reports for Information

**Item: 143** **ORG C - Councillors and Designated Employees - Pecuniary Interest Returns - (79341)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**486 RESOLUTION:**

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

That the information be received.

**Item: 144** **ORG C - Election Funding Authority - Decarations of Political Contributions and Electoral Expenditure - (79341, 92748)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**487 RESOLUTION:**

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

That the information be received.

**Item: 145** **ORG C - State Electoral Office - Local Government Association of NSW - 2004 Election of Executive Committee - (79338, 90496, 82574)**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**488 RESOLUTION:**

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

That the information be received.

**Item: 146** **RES C - Tourism Cooperative with Lithgow Council (E-Commerce / Markets Advisory Committee) - (91367, 79805)**

**Previous Item:** 115, Ordinary (14 September 2004)

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**489 RESOLUTION:**

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

That the information be received.

## SECTION 6 - Reports of Committees

### ROC - Local Traffic Committee Minutes - 15 September 2004

**490 RESOLUTION:**

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

That the minutes of the Local Traffic Committee meeting held on 15 September 2004 as recorded on pages 77 to 92 be adopted.

### ROC - Strategic Planning Committee - 16 September 2004 - (91368)

**491 RESOLUTION:**

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

That

That the minutes of the Strategic Planning Committee meeting held on 16 September 2004 as recorded on pages 93 to 101 be received.

## QUESTIONS WITHOUT NOTICE

1. Councillor Porter advised that he had received many complaints regarding customers from Kentucky Fried Chicken doing a three-point turn to reverse park and asked if the parking could be reassessed.

   The Director Asset Services and Recreation advised that the matter was a safety issue and if front to kerb parking was allowed vehicles would have to cross both lanes to get out. If vehicles were to back out and head in a westerly direction towards George Street they would have to turn across the southern lane and if backing out to go in a northerly direction they would cut across the southern lanes. Neither of these methods are suitable in view of the high traffic and pedestrian volume in that location. The Director Asset Services and Recreation advised that it is planned to run a publicity campaign to expound the virtues of rear to kerb parking.

2. Councillor Conolly advised that the constitution addresses membership of committees for a four year period seeking nominations through public advertisements and asked if that had occurred in the case of the Traffic Committee.

   The General Manager advised that some constitutions differ and that there has been no attempt at this stage to initiate this but it is something that should be expedited as soon as possible, along with nominations for other committees.

   Councillor Conolly advised that if there was a vacancy on the Flood Plain Risk Management Committee he would like to nominate.

   The Director Environment and Development advised that there is in fact a vacancy on that Committee and he would be taking the matter up with the General Manager as to whether a person be appointed for the vacant position or whether all four positions were to be advertised.

   The General Manager advised that where the Constitution allows for election of public representatives by way of advertisement he proposes to do that.

3. Councillor Devine advised that the Windsor Main Street Committee had received no benefit for Main Street funding from 1 July to date and asked what action can be taken to ensure they receive their share of funding.

   The General Manager advised that Windsor Main Street should apply to Council in writing regarding funding requirements. Council has recently changed their funding policy where any organisation can make representation to Council and Council will consider each application.

4. Councillor Rasmussen referred to the establishment of the River Health Committee and Hawkesbury Significant Cemeteries Committee and the report that was to be submitted to Council for a decision on a Standard Constitution for those committees, however, it appears that there are differing views on that resolution.

The General Manager advised that to expedite the matter he would request the Director Environment and Development to report to Council as quickly as possible regarding the reports that have been received to date.

5. Councillor Finch referred to the Council's property at 22 Fitzgerald Street, Windsor and requested that in view of the recent break and enter that Council waive the rent for more than just one month or more.

   The Director Community and Corporate Services advised that the current monthly rental is $1,560.03 and Council has asked for details regarding insurance cover and financial aspects of the business. Upon receipt of this information the matter will be reported to Council for consideration if it wishes to waive the rent as his authority only authorises him to waive amounts up to $500.00.

6. Councillor Finch referred to the "No Smoking" signs on the ferries and advised that people were freely smoking on the ferries and asked who enforces the no smoking rule.

   The Director Asset Services and Recreation advised that the ferry driver is able to advise Council who then take action. However, the ferries now come under the jurisdiction of the RTA so they would have to take the action.

7. Councillor Williams advised that he is being lobbied to look into the provision of a pedestrian crossing and at bus stop at Wilberforce Caravan Park on Putty Road.

   The Director Asset Services and Recreation advised he would provide Councillor Williams with the warrants for a pedestrian crossing and will investigate the provision of a bus stop.

8. Councillor Williams advised that during the recent tragic accident at South Creek residents of The Terrace were unable leave their properties as the road was locked by a post at the bridge end. Councillor Williams asked if there an arrangement with the police in times of emergency for this post to be unlocked and if there isn't could Council investigate having an arrangement.

   The Mayor advised that the matter is to be discussed with the Police and the Traffic Committee to form an emergency plan for future occurrences.

1. Councillor Williams asked if Council could bring up the resolution in emergencies and ask the Police to open it.

   The Director Asset Services and Recreation advised that it was probably better for the Police to decide when there was an emergency and ask the assistance of Council or use the key that they have been given rather than going the other way which could create problems.

   The Mayor advised that the issue would be raised with the Local Traffic Committee Meeting together with the issues raised by Councillor Stubbs and Councillor Williams agreed.

9. Councillor Paine tabled a letter from Ted Brill requesting waiving of fees as the Church at Ebenezer are building a toilet block which will be used by members of the public.

10. Councillor Paine tabled a letter from Carol Edds of 47 Bells Line of Road, Richmond and asked if Council could advise her what the development application was for and how far the process has gone for approval.

11. Councillor Calvert referred to the matter of employing trainees and asked if this was going to occur in December 2004.

    The General Manager advised he would report back to Councillor Calvert after discussing the matter with the Human Resources Manager.

12. Councillor Calvert asked for a progress report on the proposed park at Yarramundi.

    The Director Asset Services and Recreation advised that he would investigate the matter and report back to Councillor Calvert.

13. Councillor Calvert asked for a progress report on the lookout at Kurrajong Heights.

    The Director Asset Services and Recreation advised that there was no change since the last memorandum was sent to Councillor Calvert.

14. Councillor Calvert advised that Penrith Council invites local School Captains for a talk with the Mayor and to receive a business certificate and asked if Council could do a similar thing.

    The General Manager advised that he would like to consider the matter and come back to Council.

15. Councillor Books advised that he had been asked by Windsor Bowling Club if Council could reconsider having the Local Government Bowls Day this year and advised that this event would bring a lot of people into the area.

    The General Manager advised that a report would be provided to Council with a cost proposal.

The meeting terminated at 10:35pm.

Submitted to and confirmed at the Ordinary meeting to be held on 9 November 2004.

……………………………..
Mayor