



# Hawkesbury City Council

## ordinary meeting minutes

date of meeting: 10 May 2005

location: council chambers

time: 5:00 p.m.



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**ORDINARY MEETING**  
**MINUTES: 10 May 2005**

## **ORDINARY MEETING**

**MINUTES: 10 May 2005**

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 10 May 2005, commencing at 5:00pm.

Reverend Chris Burgess of St Matthew's Anglican Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

### **ATTENDANCE**

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

### **APOLOGIES**

An apology for absence was received from Councillor C Paine

**RESOLVED** on the motion of Councillor Rasmussen and seconded by Councillor Stubbs that the apology be accepted.

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

#### **188 RESOLUTION:**

**RESOLVED** on the motion of Councillor Rasmussen and seconded by Councillor Books that the Minutes of the Ordinary Meeting held on the 26 April 2005, be confirmed.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**SECTION 3 - Rescission Motion**

**RM - Rescission of Previous Resolution - Modification of Development Application DA0813/03, Commercial and Multi-Unit Housing Development - 8-14 Bosworth Street, Richmond - (80106, 80093, 80105, 81371)**

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**MOTION:**

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

That the resolution of Council's Ordinary Meeting of 26 April 2005 in relation to Item 121: ENV B Modification of Development Application DA0813/03, Commercial and Multi-Unit Housing Development - 8-14 Bosworth Street, Richmond, be rescinded.

The MOTION was lost.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 135**            **GM B - Recruitment - Director of Support Services - (79351, 79355)**

**Previous Item:**        17, Ordinary (25 January 2005)

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**MOTION:**

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

***Refer to RESOLUTION***

**189 RESOLUTION:**

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

A Committee of Council comprising the Mayor and Councillors Stubbs and Books be established to assist the General Manager to recruit suitable applicants for Council's consideration for the position of Director, Support Services.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**COMMERCIAL STRATEGY - (CORPORATE RESPONSE UNIT)**

**Item: 136            RES B - Developing Intellectual Property Assets - (107, 73538)**

**Previous Item:**        118, Ordinary (26 April 05)  
                              3, Ordinary (25 January 05)  
                              115, Ordinary (14 September 04)

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**MOTION:**

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

***Refer to RESOLUTION***

**190 RESOLUTION:**

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

The logo design known as "Option A(i)" be adopted as Council's official Marketing Logo and used for the promotion of the Hawkesbury Local Government area as appropriate with the use of the wording "Hawkesbury Valley" or other appropriate "tag" as an option under the logo at specific times.

**Item: 137            RES B - External Payments - Hawkesbury Harvest Inc - Fourth Quarter Instalment  
                              (March - June 2005) - (74197)**

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Mr Frank Scharfe, respondent, addressed the Committee

**MOTION:**

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

***Refer to RESOLUTION***

**191 RESOLUTION:**

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

That the Quarterly Activity Report (January to March 2005) of Hawkesbury Harvest be received.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**ENVIRONMENT AND DEVELOPMENT**

**Item: 138**                    **ORG B - Execution of Funding Agreement - South Windsor Family Centre - (83080, 95494)**

**Previous Item:**            149, Ordinary (9 September 2005)

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**MOTION:**

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

***Refer to RESOLUTION***

**192 RESOLUTION:**

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

That the Seal of Council be affixed to the Funding Agreement with the Department of Transport and Regional Services to accept the offer of a \$264,000 (GST inclusive) *Regional Partnerships Grant* as a contribution to the cost of constructing the South Windsor Family Centre.

**Item: 139**                    **ORG B - Establishment of Hawkesbury Bicycle and Access Mobility Committee - (95494)**

**Previous Item:**            82, Ordinary (29 March 2005)

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Mr Frank Scharfe, respondent, addressed the Committee

**MOTION:**

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

***Refer to RESOLUTION***

**193 RESOLUTION:**

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

That:

1. The draft constitution for the Hawkesbury Bicycle and Access Mobility Committee be ratified.
2. Nominations be sought from members of the community for eight community appointments to this Committee as provided for in clause 5 (a) (iii) of the proposed constitution, representing the various objectives of the Committee.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**Item: 140                    ORG B - Vehicles Placed on Public Land and Advertised for Sale - (95494)**

**Previous Item:**            61, General Purpose Committee - Infrastructure - (30 November 2004)

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Mr Frank Scharfe, respondent, addressed the Committee

**MOTION:**

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

***Refer to RESOLUTION***

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

The Commercial Response Unit be asked to investigate initiatives to provide a market for the private sale of cars.

The amendment was lost.

The motion was put and carried

**194 RESOLUTION:**

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

That:

1. On a trial basis, signs be erected at the corner of Pitt Town and Windsor Roads McGrath's Hill, prohibiting the parking, sale, or driving of unauthorised vehicles at this location.
2. The cost of approximately \$2,000 be met by Development Legal Expenses.
3. Once the signs are installed, notification be placed in the local newspaper.
4. Two weeks after notification, any vehicle found in the restricted area to be issued with a penalty notice in the amount of \$110.
5. The results of the trial be reported to Council twelve months after implementation.
6. A further report be provided to Council in relation to the sale of vehicles on public roads with a view to introducing similar restrictions on Richmond Road entering into Windsor Downs; Kurmond Road, Kurrajong and the corner of Bells Lines of Road and Crooked Lane, North Richmond.
7. The Commercial Response Unit be asked to investigate initiatives to provide a market for the private sale of cars.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**CORPORATE AND COMMUNITY**

**Item: 141                    ORG B - Documents for Execution Under Common Seal of Council - (77907)**

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**MOTION:**

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

***Refer to RESOLUTION***

**195 RESOLUTION:**

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

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

1. Lease agreement for "Reverend Turner Cottage" 360 George Street, Windsor with Schofield & Co (Administration) Pty Limited for a lease of three years with a three year option with a commencing annual rent of \$20,800 plus metered services. A car space is to be provided when one becomes available at an annual rent of \$1,000. The lessee is to be responsible for the lease preparation fees.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**CONFIDENTIAL REPORTS**

**196 RESOLUTION:**

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

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chamber during consideration of the following items:

**Item 142: ORG B - Lease of Windsor Function Centre, Mr Peter Payne and Mrs Cherie Payne**

**Item 143: ORG B - Proposed New Lease - Part Commercial Space Deerubbin Centre Cultural Precinct - Mr Ron Hackett**

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

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
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.
3. The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with this confidential matter.

There was no response, therefore, the public left the gallery.

**197 RESOLUTION:**

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

**Item: 142                      ORG B - Lease of Windsor Function Centre, Mr Peter Payne and Mrs Cherie Payne - (79337, 74416, P-26816)**

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

***Refer to RESOLUTION***

**198 RESOLUTION:**

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

That:

1. The information concerning the termination of the existing lease of the Windsor Function Centre be received.

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2. Council call for Expressions of Interest/Tenders, as considered appropriate, for the premises known as the Windsor Function Centre as soon as possible.
3. The results of the Expressions of Interest/Tenders be reported to Council upon closing of the advertising period.
4. The "community uses" function of the Windsor Function Centre feature in any future development of the precinct and be incorporated into the Expressions of Interest and that such development be at Council's discretion.
5. Council also call for expressions of interest for the existing Windsor Library Building as well as continuing current negotiations for the possible lease of the building.
6. Council advertise in the local newspapers Council's position in relation to the Windsor Function Centre's lease.

**Item: 143                      ORG B - Proposed New Lease - Part Commercial Space Deerubbin Centre, Cultural Precinct – Mr Ron Hackett - (79337, 85788, P-31516))    CONFIDENTIAL**

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**RECOMMENDATION:**

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

***Refer to RESOLUTION***

**199 RESOLUTION:**

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

That:

1. On the basis that Council is not bound by the terms of its resolution until such time as appropriate legal documentation has been agreed to and executed, Council agree to the proposal for the lease of part of the commercial office space in the Deerubbin Centre within Council's Cultural Precinct by Mr Hackett of Curves for Women Pty Limited based upon the terms and conditions contained within the "Heads of Agreement" document dated 22 April 2005 accepted by Mr Hackett and detailed in the report in this regard, subject to Special Condition 8 relating only to the building containing the commercial office space being leased and Mr Hackett obtaining consent from the Council in its capacity as consent authority, as distinct from being the property owner, to the proposed use, if required.
2. In the event of the lease proceeding, authority be given for any documentation in association with the matter to be executed under the Common Seal of Council.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**SUPPLEMENTARY REPORTS**

**Item: 144**                    **GM B - Invitation to attend 50th Anniversary Ceremony of Tamba Town, 29 May, 2005 in Tamba Town, Japan - (79351, 73610)**

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**MOTION:**

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

***Refer to RESOLUTION***

**200 RESOLUTION:**

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

That Councillor Dianne Finch on behalf of the Hawkesbury Sister City Association, attend the 50<sup>th</sup> Anniversary Ceremony of Tamba Town on 29 May 2005 at an approximate cost of \$2,500.00.

**Item: 145**                    **ENV B - The National Heritage List - (95498, 81107, 79514, 80242)**

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Mr Graham Brooks, Heritage Consultant and Mr Harvey Read, respondents, addressed the Committee

Councillor Stubbs declared an interest in this matter as he is the owner of property within the nominated area, he left the meeting and did not take part in voting or discussion on the matter.

The General Manager declared an interest in this matter as a relative is employed by G H Ghantos & Associates entities who are landholders on the relevant area , he left the meeting and did not take part in voting or discussion on the matter.

**MOTION:**

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

***Refer to RESOLUTION***

**201 RESOLUTION:**

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

That a submission be prepared to the Australian Heritage Council, advising the Heritage Council that in Hawkesbury City Council's opinion sufficient work has been carried out to guarantee the protection of the precinct and further listing at the National Heritage List is not required. This submission further assesses the criteria of the Heritage List and supply sufficient written information to support the submission.

Councillors Rasmussen and Williams asked for their names to be recorded against the motion.

**ORDINARY MEETING**

**MINUTES: 10 May 2005**

**SECTION 5 - Reports of Committees**

**202 RESOLUTION:**

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

That the minutes of the Local Traffic Committee held on 20 April 2005 as recorded on pages 39 to 53 of the Ordinary Business Paper be adopted.

## ORDINARY MEETING

MINUTES: 10 May 2005

### QUESTIONS WITHOUT NOTICE

1. Councillor Wearne advised that he has received correspondence in relation to deterioration of a boat ramp and it becoming run down near the bridge and asked whose responsibility it was.

The Director Infrastructure Services advised that the boat ramp was not a formal boat ramp and it used to be the approach to the ferry. He advised that it was utilised by people with smaller boats as the larger boats would not have access to it. He advised that Council did grade it when necessary.

2. Councillor Porter asked if any inspections were carried out on the Windsor Bridge for the structural integrity. He commented on the bridge being over 100 years old and that it was originally designed for horse and cart, not trucks, which could be putting extra stress on the bridge.

The Director Infrastructure Services advised that it was the responsibility of the RTA and he would be very surprised if the RTA were not undertaking regular inspections of the bridge. The Director Infrastructure Services advised that he had written to the RTA and asked them to attend to the bumps, but have not heard back at this stage.

3. Councillor Porter asked what the licensing arrangements for 'The Orange Spot' on Wilberforce Road were as it appeared that instead of being used for the seasonal purpose of selling oranges it is turning into quite a development.

The Acting Director External Services advised that he would investigate the matter and advise Councillor Porter of the outcomes.

4. Councillor Devine referred to two letters that he had received, one from North Richmond Florist and the other from Angels Florist, protesting against the unchecked selling of flowers on roadsides on Mothers Day and Valentines Day. He asked what action can be taken to kerb the activities of the roadside vendors.

The Acting Director of External Services advised that he would investigate the matter.

5. Councillor Rasmussen requested an update on the development at the end of Bowman Street Richmond.

The Manager Town Planning advised that Council had had received a complaint from one resident regarding the development causing possible increased traffic. He advised a new road has been included in the development from Hobart Street to Windsor Street so that traffic accessing the new and existing development will access through Hobart Street. Therefore, traffic will not be going through the residential streets.

Councillor Rasmussen asked if the RAAF had been asked about this development as the ILS locator is very close to that end.

The Mayor advised that ongoing discussions with RAAF had been and are being carried out to ensure it creates no impact on the operations at the Base.

6. Councillor Rasmussen asked if Council had had any progress with Mr Sartor and the pump out given that we are entitled to pump-out subsidies i.e. Sydney's drinking water compared to Hawkesbury's drinking water.

The Mayor advised that the letter had been sent and no feedback has been received as yet.

## ORDINARY MEETING

MINUTES: 10 May 2005

7. Councillor Rasmussen asked if he could have an update on the Upper Colo Reserve regarding the caretaker and the Contract.

The Director External Services advised that he would investigate and advise Councillor Rasmussen of the current status.

8. Councillor Rasmussen asked if Council had received any information on the Forced Development Review for the RAAF Base and if so, had Council been informed.

The Mayor advised that he had spoken to Ministers Parliamentary Secretary at the welcome back to the Officers and she had no direct advice at this stage.

9. Councillor Finch referred to the Main Street Committee and St Vincent De Paul's request to have the St Vincent De Paul's clothes bins removed from the North Richmond Shopping Centre and asked if this these bins could be removed.

The Acting Director External Services advised that he will refer the matter to Manager Regulatory Services.

10. Councillor Williams commented on the noise that the Council Gardeners were making with leaf blowers in the mall in the early hours and asked if a broom could be used instead.

The Director Infrastructure Services advised that the leaf blowers were introduced to increase efficiency but alternative means will be re-investigated.

11. Councillor Williams advised that Packer Road needed grading.

The Mayor nodded to advise the request had been noted.

12. Councillor Williams advised that on the weekend asbestos/fibro had fallen off of a truck and was scattered in on Sackville Road, West Portland Road, Bull Ridge Road and the Putty Road. He asked that as it was an urgent public health issue if Council could act urgently to clean this asbestos/fibro up.

The Acting Director External Services advised that most of the material has been collected by RTA and in order to pick up the residue, the contractors will need to have the appropriate WorkCover Authority. He advised that staff had discussed this issue with the RTA and Department of Environment and Conservation and in order for them to collect the asbestos they would have to go through a lengthy process. He added that staff were currently contacting WorkCover to identify a contractor who could be authorised to clean up the asbestos immediately. The Acting Director External Services advised that further advice should be available later in the week.

13. Councillor Williams referred to the Ferry at Lower Portland and commented on the operation times having been changed. He advised that the Ferry was closed from midnight to 5:00am and asked if this was a resolution of Council.

The Director Infrastructure Services advised that in terms of the Contract, he advised that it was operating 24 hours while Sackville Ferries were having repairs to the ramps and it is now back to normal operating hours.

Councillor Williams commented that according to the Ferry driver it had always operated 24 hours and asked if this was no longer happening.

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The Director Infrastructure Services advised that there was an arrangement by the Contractor where there was a bell or telephone call to operate out of the hours midnight to 5:00am. He advised that the matter would be investigated further.

14. Councillor Williams referred to Sackville Ferry and commented on how it had been out of action quite a lot and Lower Portland Ferry was not operating last weekend. He asked if Council was responsible for the maintenance of them as it is an RTA ferry on loan to Council.

The Director Infrastructure Services advised that the problem was a short-out in the electrical wiring and Council was responsible for repairs.

15. Councillor Williams asked what was happening with our own ferry as it didn't appear to be a lot of progress with it. He asked if Council had to pay for the loan of the RTA ferry.

The Director Infrastructure Services advised that the loan of RTA ferry is free of charge. He added that resource problems have been experienced with getting the ferry finished.

16. Councillor Calvert referred to his question a week or so ago in relation to a Kurrajong Heights property having raw sewage running through the yard and he asked if Council had an update on the situation.

The Acting Director External Services advised that staff have spoken to the owner of the property who has undertaken to take action to rectify the problem. He further advised that he was unsure as to whether Council staff had contacted the complainant, but that he would follow this up.

17. Councillor Books referred to cigarette butts and chewing gum being thrown on the pavement at the South Windsor Shopping Centre and asked what the littering fine was and if Council can do anything about cleaning up the strip.

The Director Infrastructure Services advised that he would investigate the matter and try to come up with a solution. He added that to fine someone for littering you have to obtain their name and most people would not give that information.

18. Councillor Books advised that he had received a letter from Wrigley Chewing Gum to advise that they put \$300,000 per year into Schools to educate children, which is obviously not working.

The meeting terminated at 9:03pm.

Submitted to and confirmed at the Ordinary meeting held on 31 May 2005

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Mayor