ordinary meeting minutes

date of meeting: 25 July 2006
location: council chambers
time: 5:00 p.m.

Hawkesbury City Council

ORDINARY MEETING

Table of Contents

MINUTES: 25 July 2006

MINUTES

TABLE OF CONTENTS

ORDINARY MEETING

Table of Contents

MINUTES: 25 July 2006

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 25 July 2006, commencing at 5:00pm.

Reverend Peter Goldstein of the Midway Christian Centre, 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, C Paine, B Porter, R Stubbs, and N Wearne

APOLOGIES

Apologies for absence were received from Councillors P Rasmussen and L Williams

243 RESOLUTION:

RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Books that the apologies be accepted.

Councillor Finch left the meeting at 9:11pm

SECTION 1: Confirmation of Minutes

244 RESOLUTION:

RESOLVED on the motion of Councillor Devine and seconded by Councillor Wearne that the Minutes of the Special Meeting held on the 26 June 2006, subsequently adjourned to 28 June and 11 July 2006, be confirmed.

245 RESOLUTION:

RESOLVED on the motion of Councillor Finch and seconded by Councillor Porter that the Minutes of the Ordinary Meeting held on the 11 July 2006, be confirmed.

SECTION 2 - Mayoral Minutes

MM - Use of Footpaths - (79353)

MOTION:

RESOLVED on the Mayoral Minute proposed by the Mayor, Councillor Bassett

Refer to RESOLUTION

246 RESOLUTION:

RESOLVED on the Mayoral Minute proposed by the Mayor, Councillor Bassett

That a report be prepared for Council on a policy to cover the use of footpaths in front of businesses, that ensures both pedestrian safety and business activity.

MM2 - RTA Safety Audit - Bells Line of Road - (79353)

MOTION:

RESOLVED on the Mayoral Minute proposed by the Mayor, Councillor Bassett

Refer to RESOLUTION

247 RESOLUTION:

RESOLVED on the Mayoral Minute proposed by the Mayor, Councillor Bassett

That Council request the RTA to conduct a Safety Audit of Bells Line of Road, North Richmond to Lithgow, focussing on, but not limited to:

- Dead and Overhanging Trees
- Line of Sight
- Road Shoulders and
- Speed Limits

SECTION 3 - Notices of Motion

NM 1 - Richmond/Blacktown Road Upgrade - (107, 90477)

Councillor Bassett declared an interest in this matter as he is a candidate to the seat of Londonderry in the upcoming State Election, which is affected by the condition of Richmond Road, he left the meeting and did not take part in voting or discussion on the matter.

Councillor Conolly declared an interest in this matter as he is a candidate in the upcoming State Election, which is affected by the condition of Richmond Road, he left the meeting and did not take part in voting or discussion on the matter.

Councillor Devine declared an interest in this matter as he owns land in the South Windsor Extension Area, he left the meeting and did not take part in voting or discussion on the matter.

Ms Pauline Borg, Mr Walter Kullen and Ms Mary Vella, proponents, addressed the Council.

Mr Frank Scharfe, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

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

That:

1. The State Government be requested, in the strongest possible terms, to undertake the upgrade of Richmond/Blacktown Road to a dual carriageway standard, similar to the Windsor Road Project, between Richmond and its intersection with the M7 including Council's previous proposal regarding The Driftway and Blacktown Road.

2. The State Government be requested to investigate measures to reduce traffic delays between Richmond/North Richmond.

3. Council convene a forum involving Blacktown City Council, Penrith City Council, Local Members of Parliament and other interested parties to further progress the upgrade of Richmond/Blacktown Road.

The amendment was lost.

The motion was put and carried

248 RESOLUTION:

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

That:

1. The State Government be requested, in the strongest possible terms, to undertake the upgrade of Richmond/Blacktown Road to a dual carriageway standard, similar to the Windsor Road Project,

between Richmond and its intersection with the M7 including Council's previous proposal regarding The Driftway and Blacktown Road.

2. Based on the success of the Windsor Road campaign, a similar signage strategy be undertaken immediately on Richmond/Blacktown Road with funding to be provided from the Local Economic Development Program.

3. Signs to be located along Richmond Road near South Creek Crossing and to read:

   "What Will It Take

   To Make the State Labor Government

   Upgrade Richmond Road NOW

   Contact the Premier
   Phone: 9228 5239
   Fax: 9228 3934
   E-mail: thepremier@www.nsw.gov.au"

4. The State Government be requested to investigate measures to reduce traffic delays between Richmond/North Richmond.

5. Council contact neighbouring Councils to support Council's position.

NM 2 - Backflow Prevention Devices - Water Carters - (107, 90477)

Mr David Ingram and Mr Frank Scharfe, proponents, addressed the Council.

MOTION:

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

Refer to RESOLUTION

249 RESOLUTION:

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

That Council:

1. Write to Sydney Water on behalf of Hawkesbury Water Carters and request Sydney Water to review the Backflow Prevention Policy because of the significant time and cost delays resulting for suppliers and customers.

2. Seek the support from the relevant Minister, the Local Members of Parliament and WSROC.

NM 3 - Listed Heritage Buildings to be Maintained to Minimum Standard - (80104, 95494)

Mr Frank Scharfe, respondent, addressed the Council.

MOTION:

A MOTION was moved by Councillor Paine, seconded by Councillor Finch

That Council:

1. Write to the Local Government Association asking them to lobby the State Government to make changes to the appropriate Act so as to give reasonable power to allow Local Governments the authority to have listed heritage buildings maintained to a minimum standard.

2. Request the State Government to provide funding to private owners of heritage properties to enable them to maintain the buildings to a minimum standard.

The motion was lost.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 160 GM - Use of Council Crest - (107, 89731, 79351, 79356)

MOTION:

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

Refer to RESOLUTION

250 RESOLUTION:

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

That a licence be granted to the Hawkesbury City Business Lions Club for the use of the Council Crest pursuant to the terms and conditions outlined in the report in this regard.

CITY PLANNING

Item: 161 **CP - Garage - Rural Shed, Lot 1 DP245097, 144 Boundary Road, Glossodia NSW 2756 - (95498, 96329, 18065, 18064, DA1128/05)**

Ms Mandy Gwalter, proponent, addressed the Council.

Ms Lisa Mallia, respondent, addressed the Council.

MOTION:

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

That Development Application No. DA1128/05 for a shed at 144 Boundary Road, Glossodia, be approved.

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

Refer to RESOLUTION

The amendment was carried.

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

251 **RESOLUTION:**

RESOLVED on the AMENDMENT was moved by Councillor Paine, seconded by Councillor Porter.

That the matter be deferred to the next Council Meeting to allow for further conciliation and a Councillor's on-site inspection.

Item: 162 **CP - Proposed Foreshore Building Line - Flinders Place & Shortland Close, North Richmond - (95498, 107)**

Previous Item: 388, Ordinary (13 December 2005)

Mr William McGlasson, proponent, addressed the Council.

Mr Ben Cortese, respondent, addressed the Council.

MOTION:

A MOTION was moved by Councillor Conolly, seconded by Councillor Wearne

That:

1. The exhibited foreshore building line be adopted.

2. For Planning Certificates issued for land affected by the foreshore building line a notation be included under the provisions of Section 149(5) of the Environmental Planning and Assessment Act 1979 advising of the adoption of the foreshore building line.

RESOLVED on the AMENDMENT moved by Councillor Calvert, seconded by Councillor Devine.

Refer to RESOLUTION

The amendment was carried.

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

252 RESOLUTION:

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

That the matter be further workshopped.

Item: 163 CP - Water Savings Action Plan - (95498)

MOTION:

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

Refer to RESOLUTION

253 RESOLUTION:

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

That applications be made to the Department of Energy, Utilities and Sustainability for funds to implement identified water savings measures prioritised on the highest return on investment.

Item: 164 CP - Securing Sydney's Water Needs - (95498, 107)

Mr Neville Diamond, proponent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

254 RESOLUTION:

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

That:

1. Council support the formation of a Committee to be known as the 'Independent Community Ground Water Reference Group' (ICGRG), for the purpose of independently investigating and testing the proposal by the NSW Government contained within the (Sydney) 2006 Metropolitan Water Plan, if:

    a. The membership of ICGRG consists of representatives of all interested councils and citizens from the areas likely to be affected by the ground water proposal.

    b. The ICGRG seeks the opinion of expert hydrologists, engineers and other appropriate experts to advise on such of the technical and other aspects of the ground water proposal.

    c. The ICGRG lobbys for funding from the NSW Government to meet its expenses.

    d. The ICGRG reports in detail upon its findings to the NSW Government, councils and local communities in the areas affected by the ground water proposal.

2. Council write to the LGAG and LGSA advising of the establishment of the committee and outcomes and request their support.

Item: 165 CP - Ecosmart Pilot Program - (95498, 79348)

MOTION:

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

Refer to RESOLUTION

255 RESOLUTION:

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

That Council forward a letter of appreciation to WSROC and EcoSmart for the participation and success of the EcoSmart program.

COMMERCIAL STRATEGY

Item: 166 CS - Smart Card Scheme - Business and Community Partnership - (95497, 91811)

Councillor Finch declared an interest in this matter as she has a relative who is involved with the organisation, however, she had already left the meeting at 9:11pm and did not return so did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

256 RESOLUTION:

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

That on a 'without precedent' basis:

1. The Savvy Fundraising program be supported by Council in conjunction with Ebenezer Public School and that an amount of up to $1,000 be provided to cover any incidental costs in relation to access to Council's Oasis Leisure Centre as outlined in the report.

2. The Commercial Response Unit undertake negotiations with Savvy Australia & NZ and YMCA (Oasis Leisure Centre contractor), as appropriate to give effect to Part 1 above.

Item: 167 CS - Customer Service Assurance Program - (95497, 73824)

Previous Item: 193, Ordinary (28 June 2005)

Mr Alan Leek, proponent, addressed the Council.

Mr Walter Kullen, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

257 RESOLUTION:

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

That the matter be deferred to the next Council Meeting to enable discussions to be held between the Hawkesbury City Chamber of Commerce Inc. and Council staff.

Item: 168 CS - E-Commerce/Markets Advisory Committee - (95497, 91367)

MOTION:

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

Refer to RESOLUTION

258 RESOLUTION:

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

That:

1. The minutes of e-Commerce/Markets Advisory Committee (Committee) of the meeting held on 29 June 2006 be received.

2. The Committee's work in relation to the Royal Australian Air Force - Airshow 2006 be noted and the General Manager be authorised to send a letter expressing the concerns of the Committee to the event organisers with regard to crowd control and parking issues.

3. The Hawkesbury Business Christmas Decorations Competition continue for 2006 and that support again be sought from local business to contribute to an initial cash prize pool of $10,000 as established by Council.

4. The resignation of Mr Justin Melton from the Committee be accepted and the General Manager be authorised to fill the casual vacancy on the Committee with another Telstra representative as offered by the company.

INFRASTRUCTURE SERVICES

Item: 169 **IS - Road Naming Proposal - Proposed Lockart Road, Wilberforce - (95495)**

Previous Item: 67, Ordinary (14 December 2004)

MOTION:

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

Refer to RESOLUTION

259 **RESOLUTION:**

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

That the presently un-named public road between Stannix Park and Sackville Roads, Wilberforce, be named as "Lockart Road".

SUPPORT SERVICES

Item: 170 SS - Monthly Investments Report - June 2006 - (96332)

MOTION:

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

Refer to RESOLUTION

260 RESOLUTION:

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

That the information be received.

Item: 171 SS - Classification of Land - 126 George Street, Windsor - (95496, 107)

Previous Item: 358, Ordinary (15 November 2005)
37, Ordinary (13 July 2004)

MOTION:

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

Refer to RESOLUTION

261 RESOLUTION:

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

That Council classify the property known as Lot 1 in Deposited Plan 580753 being 126 George Street, Windsor as operational land in accordance with Section 31(2) of the Local Government Act 1993.

Item: 172 **SS - Woodlands Park Pony Club - Lease of Council Property in Sackville Road, Wilberforce - (74151, 79337)**

Previous Item: 12, Ordinary (25 January 2005)

Mr Theo Le-Garde, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

262 **RESOLUTION:**

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

That:

1. The information concerning developments as a result of Council's resolution of 25 January 2005 concerning the lease of part of 295 Sackville Road, Wilberforce to the Woodlands Park Pony Club be noted.

2. In the light of the developments outlined in the report, and in lieu of Council's resolution of 25 January 2005, Council now agree to enter into a three year lease with the Woodlands Park Pony Club of 295 Sackville Road, Wilberforce, being Lot 252 DP 1004592, at a peppercorn rental of $1.00 per annum on the basis of the Club being responsible for all outgoings, including electricity, water rates and usage, sewer charges and licence fees, if applicable.

3. At the same time as entering into the lease referred to in 2 above, the Council also enter into a Memorandum of Understanding with the Club regarding the subsequent lease, after the initial three year period, of that portion of the site currently occupied by the Club as outlined in the report, based on the further lease being for a further four years with a three year option.

4. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.

5. In the event that Council terminates the agreement, a suitable alternative site be located for the Woodlands Park Pony Club, from the Council's Property Portfolio, on terms to be agreed by the parties at that time.

Item: 173 **SS - Bligh Park Pedestrian Laneways - (95495, 95496)**

Previous Item: 109, Ordinary (30 May 2006)

Councillor Devine declared an interest in this matter as he owns property backing onto the Bligh Park Laneways, he left the meeting and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

263 RESOLUTION:

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

That in regard to the closure and sale of the laneways previously identified in Council's resolution of 30 May 2006, Council adopt the cost responsibility arrangements outlined in the report and the need for proposed purchasers to pay an agreed market value for any laneway purchased.

CONFIDENTIAL REPORTS

264 RESOLUTION:

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

That the Confidential report be moved to the end of the business paper and dealt with as the last item.

265 RESOLUTION:

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

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 item:

   Item: 174 IS - Tenders for the Rehabilitation Works of Blaxlands Ridge Ponds, Stage 2 - Tender No. 015/FY06

   Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning tenders for the supply of goods and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to this matter 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 this confidential matter.

There was no response, therefore, the Press and the public left the Council Chambers.

266 RESOLUTION:

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

Item: 174 **IS - Tenders for the Rehabilitation Works of Blaxlands Ridge Ponds, Stage 2 - Tender No. 015/FY06 - (79357, 84289) CONFIDENTIAL**

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

267 RESOLUTION:

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

That:

1. The tender submitted by RE:HABITAT in the sum of one hundred fifty three thousand seven hundred and sixty two dollars and sixty cents GST Inclusive ($153,762.60 GST Inclusive) be accepted for the Rehabilitation Works to Blaxlands Ridge Ponds, Stage 2**.**

2. The Seal of Council be affixed to the necessary documentation.

SUPPLEMENTARY REPORTS

Item: 175 GM - Redistribution Federal Electoral Boundaries - (79351)

MOTION:

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

Refer to RESOLUTION

268 RESOLUTION:

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

That Council:

1. Endorse the submission dated 25 July 2006 prepared by Management.
2. Authorise Management to forward the submission to the Redistribution Committee for NSW for their consideration.

Item: 176 IS - McMahons Park - Vandal Damage - (79354)

MOTION:

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

Refer to RESOLUTION

269 RESOLUTION:

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

That the information be received.

Item: 177 **IS - Bush Fire Management Committee Representation - (81880)**

MOTION:

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

Refer to RESOLUTION

270 RESOLUTION:

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

That, in accordance with the Rural Fire's Regulation 2002 Clause 15(a) and (e), Councillor Bart Bassett and Mr Chris Daley respectively be nominated as Council's representatives to the Hawkesbury Bush Fire Management Committee.

Item: 178 **SS - 2006/2007 Management Plan - Amendment - (95496)**

Previous Item: 121, Special (26 June 2006)

MOTION:

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

Refer to RESOLUTION

271 RESOLUTION:

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

That further to Council's resolution of 26 June 2006, Council's Management Plan for 2006/2007, incorporating Council's Strategic Plan, Operational Plan, Budget Estimates and Revenue Pricing Policy be amended by the removal of those components dependent upon the Council's Special Rate Variation resulting in the documentation being based upon a rate increase in line with the "rate pegging" variation previously approved on a state wide basis by the Minister for Local Government.

SECTION 5 - Reports of Committees

ROC - E-Commerce/Markets Advisory Committee - 29 June 2006 - (91367)

272 RESOLUTION:

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

That the minutes of the E-Commerce/Markets Advisory Committee held on 29 June 2006 as recorded on pages 67 to 75 of the Ordinary Business Paper be received.

QUESTIONS WITHOUT NOTICE

1. Councillor Devine commented that he had received a memorandum regarding the planned trip to Camden and Picton. The memo indicated that the dates being considered were the 27 and 31 July as well as 3 August 2006. He asked if a date had been selected.

   The Director City Planning advised that only two Councillors have nominated to attend the visit. He advised that they were investigating to see if the trip would still be worthwhile. He advised that the 31 July and 3 August were still available.

   Councillor Devine asked if they were able to have an interest vote.

   The Mayor advised that from interest shown and availability of Councillors, the visit will be held on , Monday, 31 July 2006 and that they would be travelling by car.

2. Councillor Paine referred to the retirement of Charles Whitelock and John Pye from Council and commented that Councillors, in the past, had been advised of the farewells so they could also attend to say farewell. Councillor Paine asked if Council could send a letter of appreciation for all their work they have done for Council over the years.

   The Mayor advised that this would be done.

   Councillor Paine asked that, in the future, could the Councillors be advised whenever there is a farewell organised for any employees who has given long service to Council.

   The General Manager advised that this would be investigated.

3. Councillor Calvert referred to Grose Vale Road between Bowan Mountain Road and Patersons Lane and the hairpin turns along the road and that there was a lack of signage along the road. He asked if it was Council's responsibility to show these signs.

   The Director Infrastructure Services advised the it was Council's responsibility and the matter would be investigated.

4. Councillor Books referred to his recent travel overseas and advised that he took on a lot of issues i.e. roads, water and farming, that he believed would be beneficial for Council to learn about. He advised that he would be happy to give a presentation to Council in relation to these matters.

   The Mayor asked Councillor Books to advise when he was ready to provide the presentation.

The meeting terminated at 9:53pm

Submitted to and confirmed at the Ordinary meeting held on 8 August 2006

……………………………..
Mayor