Hawkesbury City Council

ordinary meeting minutes

date of meeting: 14 March 2006
location: council chambers
time: 5:00 p.m.

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MINUTES

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MINUTES: 14 March 2006

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 14 March 2006, commencing at 5.01pm.

Pastor Andrew Mann of the Hawkesbury 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, C Paine, B Porter, P Rasmussen, R Stubbs, N Wearne and L Williams

Councillor Wearne arrived at the meeting at 5.05pm.
Councillor Williams left the meeting at 8.57pm.

SECTION 1: Confirmation of Minutes

66 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Finch that the Minutes of the Ordinary Meeting held on the 28 February 2006, be confirmed.

67 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wearne that standing orders be suspended for the purpose of viewing a DVD recording of a State Line story in relation to the financial sustainability of Local Government in New South Wales.

68 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wearne that standing orders be resumed.

SECTION 3 - Notices of Motion

NM - Urban Development Pressure - West of the River - (90476, 79351, 95498)

Councillor Bassett (Mayor) and Councillors Calvert, Porter and Rasmussen declared an interest in this matter as they own properties west of the Hawkesbury River. They left the meeting and did not take part in voting or discussion on the matter.

Mr John Mahaffy and Mr Brian McKinlay, proponents, addressed the Council.
Mr David Mason, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

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

That:

1. Senior staff and Councillors visit Camden and Picton area with a view to examining the development options available to the Hawkesbury.

2. The Minister for Local Government be requested to provide dispensation for all Councillors to allow them to consider the concept of rural/residential development west of the river.

The amendment was lost.

The motion was put and carried.

69 RESOLUTION:

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

That in response to increased community demand:

1. Council request the Strategic Planning Committee to analyse the impact of continuing urban and economic development pressure on land West of the River, and investigate more flexible planning initiatives for rural/residential lifestyle development similar to those in the Camden and Picton areas.

2. Senior staff and Councillors visit Camden and Picton area with a view to examining the development options available to the Hawkesbury.

3. If appropriate rural/residential lifestyle development alternatives are recognised, that Council consult widely with the community on those options.

4. The Minister for Local Government be requested to provide dispensation for all Councillors to allow them to consider this matter in the future.

CITY PLANNING

Item: 46 **CP - Management Plan - Revenue Pricing Policy 2005/2006 - Pitt Town Development Area Drainage & Sewer Fees - (95498, 107)**

Mr Ian Johnston, proponent, addressed the Council.
Mr John Hagar, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

70 RESOLUTION:

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

That the fees as attached to the report be adopted by Council and inserted into the Management Plan - Revenue Pricing Policy 2005/2006 upon gazettal of Hawkesbury Local Environmental Plan 1989 (Amendment 145).

Item: 47 **CP - Draft Section 94A Development Contributions Plan - January 2006 - (95498)**

Previous Item: 342, Ordinary (15 November 2005)

MOTION:

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

Refer to RESOLUTION

71 RESOLUTION:

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

That:

1. The Section 94A Development Contributions Plan 2006 as attached to the report be adopted.

2. Part B Chapter 3 - Exempt & Complying Development of the Hawkesbury Development Control Plan be amended in accordance with the Environmental Planning & Assessment Regulations 2000 to include appropriate conditions on Complying Development Certificates relating to contributions under Section 94A of the Environmental Planning and Assessment Act 1979.

EXTERNAL SERVICES

Item: 48 **ES - Hawkesbury Regional Gallery Exhibition Sponsorship Initiative - "Bloodlines: The Horse in Australian Art" - (79342)**

The item was withdrawn at the meeting by the General Manager.

Item: 49 **ES - Draft Hawkesbury Cultural Plan 2006 - 2011 - (79342)**

MOTION:

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

Refer to RESOLUTION

72 **RESOLUTION:**

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

That Council receive the Draft Hawkesbury Cultural Plan 2006-2011 and place the Plan on public exhibition for a period of 28 days.

Item: 50 **ES - Waste Avoidance and Resource Recovery Conference 2006 - Coffs Harbour - (79348)**

MOTION:

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

Refer to RESOLUTION

73 **RESOLUTION:**

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

That attendance at the conference by the Manager of Regulatory Services, the Waste Management Officer and two Councillors from the Waste Technology Advisory Committee be approved.

74 RESOLUTION:

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

That Councillors Porter and Devine attend the Waste Avoidance and Resource Recovery Conference 2006 as Council's nominees as they are members of the Waste Technology Advisory Committee.

INFRASTRUCTURE SERVICES

Item: 51 **IS - Un-named Public Road, Berambing - Naming Proposal - "Bulgamatta Road" - (79346)**

Mr Donald Howe and Mr Edwin Hungerford, proponents, addressed the Council.
Mr Lionel Buckett, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

75 RESOLUTION:

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

That the presently un-named public road extending in a generally north-easterly direction from Berambing Crest, Berambing for a distance of approximately 940 metres, be named Bulgamatta Road.

Item: 52 **IS - Half Pipe at North Richmond Skate Ramp - (95495, 96331)**

Previous Item: 234, Ordinary (26 July 2005)

MOTION:

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

Refer to RESOLUTION

76 RESOLUTION:

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

That the Half Pipe at North Richmond Community Centre be dismantled and removed from the site for recycling.

Item: 53 IS - Management Arrangements for Bilpin Oval Reserve - (95495, 96331)

MOTION:

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

Refer to RESOLUTION

77 RESOLUTION:

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

That Council agree to continue the interim management of the Bilpin Oval Reserve and the National Parks and Wildlife Service be requested to assist Council in the preparation of a Management Plan for the Park as soon as possible.

Item: 54 IS - Bellbird Hill Reserve Landscape Plan - (95495, 96331)

Mr Steven Rawling, respondent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

78 RESOLUTION:

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

That:

1. The Landscape plan for Bellbird Hill Lookout be adopted.

2. A Management Committee be established for the management of Bellbird Hill Lookout with a view to staging works throughout the process.

CONFIDENTIAL REPORTS

79 RESOLUTION:

RESOLVED on the motion of Councillor Porter, 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 Chambers during consideration of the following items:

   Item: 55 GM - Staff Matter - Provision for Redundancy Payments - (79351, 79355)

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

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

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

80 RESOLUTION:

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

Item: 55 **GM - Staff Matter - Provision for Redundancy Payments - (79351, 79355) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

81 **RESOLUTION:**

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

That:

1. Council note the separation of Powers contained in the Local Government Act pertaining to Council and the General Manager, and the General Manager's responsibility for operational issues including matters relating to staff appointments and tenure.

2. Council approve the use of up to $400,000 from the Employee Leave Entitlement Reserve as requested by the General Manager for the purpose of restructuring/redundancy payments, noting the General Manager's intention to explore options for voluntary redundancy prior to giving consideration to enacting any forced redundancies.

SUPPLEMENTARY REPORTS

MAYORAL MINUTE

MM - Funding for Control and/or Eradication of Aquatic Weeds in the Hawkesbury-Nepean - (79353)

MOTION:

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

Refer to RESOLUTION

82 RESOLUTION:

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

That:

1. Hawkesbury City Council support the need for a deep-water harvester to manage the ever increasing outbreaks of exotic weed which are threatening our riverine eco-system and support our surrounding Councils by requesting the State Government to provide ongoing funding for the control and/or eradication of these aquatic weeds to the Hawkesbury River County Council.

2. Council's LGAG representative, Councillor T Books, be requested to raise this issue at the next meeting of the organisation with a view to encouraging all representative Councils support tothis proposal.

INFRASTRUCTURE SERVICES

Item: 56 **IS - Greater Blue Mountains World Heritage Advisory Committee - Nominations and Applications - (95495, 79633)**

MOTION:

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

Refer to RESOLUTION

83 RESOLUTION:

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

That nominations from members interested in being possible candidates for the Advisory Committee be forwarded to the Local Government and Shires Association.

84 RESOLUTION:

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

That Councillors Rasmussen and Williams (if he accepts the nomination) be Council's nominees to be possible candidates on the Greater Blue Mountains World Heritage Advisory Committee.

SECTION 5 - Reports of Committees

ROC - Haweksbury Civic and Citizenship Committee - 23 November 2005

85 RESOLUTION:

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

That the minutes of the Hawkesbury Civic and Citizenship Committee held on 23 November 2005 as recorded on pages 37 to 38 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee Minutes - 15 February 2006 - (80245)

86 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 15 February 2006 as recorded on pages 39 to 53 of the Ordinary Business Paper be adopted.

QUESTIONS WITHOUT NOTICE

1. Councillor Paine a requested an update on what was happening with the Museum site.

   The Director Infrastructure Services advised that Council was waiting on advice of our success or otherwise for Council's application for funding assistance through GROW. He advised that they requested additional information on numerous occasions at the regional level, then it will be forwarded to Canberra in possibly April.

2. Councillor Paine advised that she had received an e-mail from Margaret Betts complaining about the water in her lagoon as results were taken from the Yarramundi Landcare Lagoon Group that show it is rather nasty water. She advised that she had tried to get assistance through Council for several years and still not get anywhere. Councillor Paine asked what Council was doing about this.

   The Director External Services advised she is co-ordinating a group to respond to Ms Betts issues throughout Council as there are various areas within Council who have been dealing with the matters. She advised that the information is just being pulled together now so a response can be provided to Ms Betts by the end of this week or by the beginning of next week.

3. Councillor Finch referred to Item 48 within the agenda and referred to the procedure used to take out the item for technical reasons after the debate had begun. Councillor Finch asked if Councillors should have been given a vote to withdraw the item or to continue debating the matter.

   The General Manager advised that as General Manager he is responsible for the agenda and for the matters that come before Council. He advised that the item was a Management report, therefore, technically, he has the ability to withdraw it given the deficiencies with it. The General Manager advised that as far as the Mayor was concerned, he has the power under the Local Government Act to determine matters of order and is able to rule accordingly.

4. Councillor Finch asked if Item 48 could be reported back Council as she would like to know how Council can put a Business Paper out that says no impact on budget, when there is, causing embarrassment to those involved.

   The General Manager advised that it was his intention to bring the report back on the matter and at that time, will fully explore the insurance issue and the budget impacts whilst explaining Council's situation.

5. Councillor Finch referred to a letter received from Rural Press in relation to advertising.

   The General Manager advised that Management was not aware of the letter.

   Councillor Finch asked for some background on why Council moved away from Rural Press.

   The General Manager advised that Council went through an Expressions of Interest process. Rural Press and a number of other parties participated in that process and Council had an independent party assist us in the examination of the proposals. An assessment was made, which involved that independent party to assist Council with the assessment and that a report was put to Council, where Council voted unanimously to accept the recommendation to proceed with the Independent's proposal.

6. Councillor Rasmussen referred to the report 'Creating our Future Agriculture and Food Policy for Our Next Generation' that was instituted by the Federal Government. He advised that there were some recommendations within it and asked if Council could have a good look at these recommendations, especially the one on page 153 to see how it might impact the Hawkesbury farmers.

7. Councillor Rasmussen commented that the Minister for Defence was recently at the RAAF Base and made an important announcement about the C17 transport. He commented that the 36 Squadron would end up operating this aircraft and will be moved to Amberley. Councillor Rasmussen asked what representations Council had made to the Minister to keep 36 Squadron and that element of the 36 Squadron that will operate the C130 Globe Masters at Richmond.

   The Mayor advised that Council is continually liaising with the Federal Government, through Kerry Bartlett, for the long-term sustainability of that Squadron on the Base. He advised that Council was endeavouring to get a meeting with the new Minister for Defence, who has been very busy. The Mayor advised that the C17s were a separate item, the facility cannot accommodate these as they have to operate at a very low weight to operate in and out of that facility as the runway is too short. Council is certainly working towards extending the current arrangement for 10/20 operating at the RAAF Base for the C130s.

8. Councillor Rasmussen referred to the Forced Disposition Review and indicated that the Minister had commented that this would not be made public. He asked if Council was making representations to the Minister to ascertain why this might be so and if so, if Richmond is embedded in the FDR.

   The Mayor advised that the Federal Member, Kerry Bartlett, has on a number of occasions approached the Defence Minister previously. He advised that we needed to have an outcome on the review and he didn't believe Kerry Bartlett's position would have changed on that, but it did have to go to cabinet and that was the latest that we heard and it is believed that this still has not happened.

9. Councillor Rasmussen referred to the Economic Impact Study that the Defence Department were going to do some years ago when the present Minister for Defence was the Parliamentary Secretary. He asked where this Study was up to and if Council had a copy of it.

   The Director Commercial Strategy advised that Council did not have a copy of the Economic Impact Study at this point in time.

   Councillor Rasmussen asked if Council could ask the present Minister, who was then the Parliamentary Secretary for an update as he will know all about this.

10. Councillor Devine asked if Council could establish a protocol whereby appropriate Committees are contacted regarding offers when they have been made directly to individuals.

    The General Manager advised when a member of the public offered to hold an event, Council has very little control over what happens. He advised that should any future offers for sponsorship be received from members of the public in relation to any Council activities, that the Council be made of aware of the offers before any confirmation is given. The General Manager advised that Management will come back to Council with a report outlining all of the aspects of this and develop a policy along the lines discussed.

11. Councillor Devine advised that he had visited a proposed development at Hebron Road, Lower Portland and asked if Councillors could be briefed on this development application at the next Council Briefing Session.

    The Mayor advised that the development application was currently under assessment, so a briefing session cannot be held before a development application is lodged. He advised Council has organised a community consultation that Councillors could attend.

    The Director External Services advised that an information session will be organised so members of the community and the Councillors can come along and the developers will display their proposal and answer questions.

Councillor Devine asked if a date had been set.

The Director External Services advised that Council was still reviewing applications and the matter has been referred to the Rural Fire Service, who have raised concerns, therefore, a date at this stage is unknown.

12. Councillor Porter requested an update on The Orange Spot, trading as a supermarket as he as had many concerned calls.

    The Director External Services advised that she would investigate to see where this matter was up to.

The meeting terminated at 10.52pm.

Submitted to and confirmed at the Ordinary meeting held on 28 March 2006.

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Mayor