Hawkesbury City Council

ordinary meeting minutes

date of meeting: 28 November 2006
location: council chambers
time: 5:00 p.m.

MINUTES

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MINUTES: 28 November 2006

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 28 November 2006, commencing at 5:00pm.

Reverend Andrew Mahaffey of the Anglican Church of Wilberforce, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

APOLOGIES

An apology for absence was received from Councillor Calvert

431 RESOLUTION:

RESOLVED on the motion of Councillor Finch and seconded by Councillor Bassett that the apology be accepted.

Councillor Williams arrived at the meeting at 5:05pm
Councillor Books left the meeting at 11:41pm

432 RESOLUTION:

RESOLVED on the motion of Councillor Finch, seconded by Councillor Rasmussen that standing orders be suspended to allow Councillor Finch to present a plague to Council that was presented to her at the Sports Academy Award's evening.

433 RESOLUTION:

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

That Item 283 be brought forward in the agenda to be dealt with in conjunction with the presentation given by Council's Auditor, Mr Dennis Banicevic, of PriceWaterhouseCoopers, in respect of Council's audited 2005/2006 Financial Statements.

Mr Banicevic addressed the meeting in respect of Council's 2005/2006 Financial Statements and Council subsequently considered the report in this regard (see Minute Number 444)

434 RESOLUTION:

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

SECTION 1: Confirmation of Minutes

435 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Bassett that the Minutes of the Ordinary Meeting held on the 14 November 2006, be confirmed.

SECTION 2 - Mayoral Minutes

MM 1 - Bells Line of Road Upgrade - (79353)

MOTION:

RESOLVED on the motion of Councillor Stubbs, Mayor

Refer to RESOLUTION

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

That:

1. Council reaffirm its previous resolutions relating to the Bells Line of Road upgrading.
2. Council support the resolution of the Kurrajong Heights Action Group.
3. Discussions continue with Mr Ian Armstrong, Leader of the lobby group for upgrading Bells Line of Road to communicate concerns of Hawkesbury residents and to try to achieve amendments to the proposal which incorporates solutions to those concerns whilst achieving improvements to Bells Line of Road.

The amendment was lost.

The motion was put and carried

436 RESOLUTION:

RESOLVED on the motion of Councillor Stubbs, Mayor

That:

1. Council recognise the potential benefits to the residents of the Hawkesbury of an upgrade of the Bells Line of Road subject to satisfactory resolution of environmental and social issues.
2. Any upgrade should continue from Blacktown Road/Driftway between the M7 and the other side of the Hawkesbury River.
3. In relation to the immediate vicinity of Kurrajong Heights, Council support the resolution of the Kurrajong Heights Action Group.
4. Discussions continue with Mr Ian Armstrong, Leader of the lobby group for upgrading Bells Line of Road to communicate concerns of Hawkesbury residents and to try to achieve amendments to the proposal which incorporates solutions to those concerns whilst achieving improvements to Bells Line of Road.

QUESTIONS WITH NOTICE

Question With Notice - Sister City Relationships - (74399)

MOTION:

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

Refer to RESOLUTION

437 RESOLUTION:

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

That the information be received.

SECTION 3 - Notices of Motion

NM 1 - WSRWI's Proposal to Release Highly Treated STP Water Into the Hawkesbury River - (80106, 79351)

Mr Neville Diamond, respondent, addressed Council

MOTION:

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

Refer to RESOLUTION

438 RESOLUTION:

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

That Council urgently write to the State Government expressing serious concern regarding:

1. The Western Sydney Recycle Water Initiative (WSRWI) and in particular the aspects of the scheme which propose:

   - A net 20,000 Mega litre annual decrease in river flow;
   - The removal of the current Compensation releases from Warragamba Dam to the Hawkesbury Nepean river; and
   - A 70% drop in water flow in South Creek.

2. The Water Industry Competition Bill 2006 and in particular the aspects of the Bill which does NOT require new and current sewerage and water service suppliers to return to the river a set minimum percentage of the water taken from the Hawkesbury Nepean river.

3. The potential, if the above measures are implemented without amendment, is for the Hawkesbury Nepean River flow to be reduced in the future to a mere trickle below the North Richmond bridge.

4. Council's preference regarding the recycling of water entering the Pacific Ocean.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 278 GM - Media Policy - (79351, 79356)

MOTION:

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

That Council adopt the draft Media Policy to establish protocols and consistent methods for managing communication between the Council and all media, to ensure coordinated, accurate and reliable presentation.

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

Refer to RESOLUTION

The amendment was carried.

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

439 RESOLUTION:

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

That the matter be taken up with the General Manager and further reported to Council with advise in relation to following the issue of the Council Business Paper no comment be made by staff to the media on any items listed on the Business Paper Agenda, prior to a Council meeting, without the express authority of the General Manager.

CITY PLANNING

Item: 279 **CP - Animal Establishment, Shed Greater Than 170m2 - Horse Stable and Arena and Animal Establishment, Lot 1 DP 740305, 64 Coromandel Road, EBENEZER NSW 2756 - (95498, 16439, 16440, 96329, DA0412/06)**

Councillor Paine declared an interest in this matter as her husband is representing one of the objectors. She left the meeting and did not take part in voting or discussion on the matter.

Mr Andrew Hayes, Ms Mary-Jane Reid and Mr Michael Reid, proponents, addressed the Council. Mr Ted Brill, Ms Luisa Gillett and Mr Richard Hulls, respondent, addressed the Council.

MOTION:

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

That a site inspection be organised and carried out prior to the next Council Meeting.

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

Refer to RESOLUTION

The amendment was carried.

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

440 RESOLUTION:

RESOLVED on the amendment moved by Councillor Books, seconded by Councillor Williams.

That the Development Application be refused for the following reasons:

1. It is in the vicinity of the site to the historic Ebenezer Church and the adverse impact this development could have on this national heritage building.
2. The development proposed is an over-development of the site.
3. The proposed development will have an adverse effect on the Wetlands.
4. The issues relating to the size of the sheds being too large.
5. The proposed development is unsuitable for this property and will have an adverse impact on the amenity of the area.
6. A lack of water supply to the development to ensure ongoing cleanliness and maintenance of the stable complex.
7. The proposed development will create an adverse traffic impact on Coromandel Road, Ebenezer.
8. The proposed development is not in the public interest.

Councillors Bassett and Conolly requested that their names be recorded as having voted against the motion.

Item: 280 CP - Conversion of Hawkesbury Local Environmental Plan 1989 to The NSW Government's Standard LEP Template - Section 54 Notice - (95498)

Mr Walter Kullen and Mr Phillip Smith, proponents, addressed the Council.
Mr John Mahaffy, Mr Brian McKinlay and Mr Robert Montgomery, respondents, addressed the Council.

MOTION:

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

Refer to RESOLUTION

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

That:

1. As a matter of urgency, this matter be further workshopped in a one off session.

2. Council investigate a Land Use/Housing Strategy.

3. Council seek clarification from the Department of Planning regarding the possibility of an extension of time for the LEP conversion.

The amendment was lost.

The motion was put and carried

441 RESOLUTION:

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

That:

1. As a matter of urgency, this matter be further workshopped in a one off session.

2. Council investigate a Land Use/Housing Strategy.

3. Council staff to provide details of zoning anomalies within the current Hawkesbury Local Environmental Plan 1989.

4. Staff provide details of how the 'Montgomery Report' can be included in the proposed Local Environmental Plan template.

5. Council seek clarification from the Department of Planning regarding the possibility of an extension of time for the Local Environmental Plan conversion.

6. Prior to the workshop being held, Councillors and senior staff undertake a tour of suitable locations for increased development.

COMMERCIAL STRATEGY

Item: 281 **CS - External Payments - Sister City Program and Hawkesbury Sister City Association - Activity 2005-2006 - (91811, 83119, 107)**

Previous Item: 229, Ordinary (26 September 2006)

Ms Jean Peare, proponent, addressed the Council.

MOTION:

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

Refer to RESOLUTION

442 RESOLUTION:

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

That the information on the Sister City Program be received and that Council support the continuation of the current Sister City Program.

INFRASTRUCTURE SERVICES

Item: 282 **IS - Transfer of Easement - Lot 1 DP229624, No. 483 Windsor Road and Lot 2 DP559566, No. 711 Windsor Road, Vineyard - (95495, 74282)**

MOTION:

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

Refer to RESOLUTION

443 **RESOLUTION:**

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

That the Transfer of Easement be executed by Council, and the Seal of Council be affixed to the necessary documentation.

SUPPORT SERVICES

Item: 283 SS - General Purpose Financial Report and Special Purpose Financial Report for the period ended 30 June 2006 - (96332)

Mr Neville Diamond, respondent, addressed the Council.
Mr Dennis Banicevic, Council's Auditor from PriceWaterhouseCoopers, made a presentation to Council in respect of Council's audited 2005/2006 Financial Statements.

MOTION:

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

Refer to RESOLUTION

444 RESOLUTION:

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

That Council note:

1. Completion of the General Purpose, Special Purpose Financial Reports and Special Schedules for the period ended 30 June 2006.

2. The presentation by Council's auditor, Mr Dennis Banicevic of PricewaterhouseCoopers, in respect of Council's audited 2005/06 Financial Reports.

Item: 284 SS - Monthly Investments Report - October 2006 - (96332)

MOTION:

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

Refer to RESOLUTION

445 RESOLUTION:

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

That the information be received.

CONFIDENTIAL REPORTS

446 RESOLUTION:

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

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

447 RESOLUTION:

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

That:

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

   Item: 285 SS - Sale of 520 Windsor Road, Vineyard

   *This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the sale and/or purchase of property by the Council 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.*

   Item: 286 CS - Car parking Management and Development

   *This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and (d) of the Local Government Act, 1993 as it relates to details concerning:*

   2) The matters and information are 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,*
   - *(d) commercial information of a confidential nature that would, if disclosed:*
     - *(i) prejudice the commercial position of the person who supplied it, or*
     - *(ii) confer a commercial advantage on a competitor of the council, or*
     - *(iii) reveal a trade secret,*

   Item: 287 CS - Hawkesbury Tourism Contract Negotiations

   *This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to information that 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 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.

448 RESOLUTION:

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

Item: 285 SS - Sale of 520 Windsor Road, Vineyeard - (95496, 96333) CONFIDENTIAL

Previous Item: 451, Ordinary (18 July 2006)
147, Ordinary (11 July 2006)
217, Ordinary (12 July 2006)
128, Ordinary (28 April 2005)

MOTION:

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

Refer to RESOLUTION

449 RESOLUTION:

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

That:

1. Council accept the offer from Kirep Pty Limited via Ray White Real Estate Windsor as outlined in the report for the purchase of 520 Windsor Road, Vineyard.

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

3. Details of Council's resolution be conveyed to Ray White Real Estate to then advise the proposed purchasers together with advice that Council is not and will not be bound by the terms of it's resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

Item: 286 **CS - Car Parking Management and Development - (95497) CONFIDENTIAL**

Previous Item: 85, Special (2 May 2006)

Councillor Finch declared an interest in this matter as the proprietor of Savy Smart Card is her Son-in-Law. She left the meeting and did not take part in voting or discussion on the matter.
The Acting Director City Planning declared an interest in this matter has her husband is the proprietor of Savy Smart Card. She left the meeting and did not take part in discussion on the matter.

MOTION:

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

Refer to RESOLUTION

450 RESOLUTION:

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

That the matter not be proceeded with.

Item: 287 **CS - Hawkesbury Tourism Contract Negotiations - (95497, 91811, 73824, 97939) CONFIDENTIAL**

Previous Item: 264, Ordinary (24 October 2006)

MOTION:

The Acting General Manager advised that whilst in closed session, Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

Refer to RESOLUTION

451 RESOLUTION:

The Acting General Manager advised that whilst in closed session, Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen

That the Tourism Contract be continued to be implemented as currently written.

SECTION 5 - Reports of Committees

SUPPLEMENTARY REPORTS

ROC - Local Traffic Committee - 22 November 2006 - (80245, 95495)

452 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 22 November 2006 as recorded on pages 3 to 30 of the Supplementary Ordinary Business Paper be adopted.

QUESTIONS WITHOUT NOTICE

1. Councillor Finch asked if there had been any update in relation to the bridge being named Ashton's Bridge as it was going back out to be advertised and asked if this had occurred.

   The Director Infrastructure Services advised that it hadn't as the resolution was to have discussions with the RTA to come up with a protocol for naming these sorts of assets. He advised that he had spoken to the manager concerned at the RTA and is waiting for a meeting to be held.

2. Councillor Finch asked if Council could do a similar thing as Baulkham Hills City Council has just done with the City of Cootamundra, whereby Council enters into a sister relationship with Cobanne where we can help them out.

   The Mayor advised that Council had received a letter from Cobonne and we have offered to have discussions, but nothing had progressed past this stage. There will need to be a resolution of Council prior to this association between the two towns being initiated. The intention would be that it would be a low cost relationship, which could involve some exchange time for staff members and some potential sharing of resources that might be of financial benefit to both Councils. Council hasn't had any discussion at this stage, except for letter from Cobonne.

3. Councillor Books referred to the resolution from some time ago that was to have the opposition signs in Pitt Town removed. He advised that this hadn't occurred and asked if it when this was going to be done.

   The Director External Services advised that letters had been sent out earlier this week giving the recipients time to remove the signs.

4. Councillor Books referred to his request for Council to install some seats at the South Windsor shops and asked if this could be done for Christmas.

   The Director Infrastructure Services advised that the request had been noted and that Council needed to consult with the shop keepers as the last time we went through this exercise, almost all of the shop keepers didn't want the seats put out the front of their particular shops so we had nowhere to place them. Council is going through the process to ensure that the seats are put in the right place.

5. Councillor Books referred to where Muligan's Arcade is in the parking area at the back and advised that a there was a lady who comes out and mowes the grass strip near the parking area and asked if Council could fill up some of the hollows to assist her in her mowing and keeping the area clear and clean.

   The Director Infrastructure Services advised that matter would be investigated.

6. Councillor Books asked if the Local Traffic Committee could have a look at the speeding traffic in Church Street as there will be a serious accident if a calming device is not installed as it is being used as a by-pass road.

   The Director Infrastructure Services advised that the matter would be past onto the Traffic Committee and investigated.

7. Councillor Paine advised that some time ago Council had approved three dams on Windsor Turf Farms to collect water. Councillor Paine advised that she had information from a concerned resident and others driving up to Freeman's Reach concerned about what is going on. She advised that in the information she had DIPNR required the dams to be built in three months. She asked if there could be a timeframe given for the dams to be completed and also there seems to be gravelling going on.

   Councillor Books asked if he could clarify as he was involved in the application, but not anymore and commented that the applicant has five years to construct these dams and advised in relation to the gravel comment, the dam on the Freemans Reach Road had clay put in the bottom of it and it also needs to be put in the sides because of the sandy nature of it and they have had trouble getting clay fill with a classification as it is very difficult to get a clay fill suitable for holding water with a classification. He advised that a lot of the clay coming out of the City is contaminated and the applicant wouldn't accept anything unless it had a classification on it. Councillor Books also added that one of the conditions of consent was that the applicant had to get rid of the soil off the farm and couldn’t change the lay of the land in case it affected neighbours.

   The Director External Services advised that if the concerns could be tabled, the matter will be investigated.

8. Councillor Paine advised that over the weekend, the Hawkesbury Council Watch ran a function at the Richmond Club to raise some money for a young boy with disabilities and commented that they raised over $3,000. As they put so much work into it, is there anyway that Council could nominate the Hawkesbury Council Watch for a Community Award as not many groups go out and raise that kind of money for people with disabilities.

   The Mayor advised that there were processes and nominations could be taken and he would outline these to Councillor Paine after the meeting.

9. Councillor Williams referred to a few meetings back and a resolution to refer e-mails to the Australian Federal Police and other appropriate bodies for investigation. He advised that there was concern in the community that the people being investigated could be them and they don't know if it was them or not. He advised the Business Paper wasn't confidential, but the people were referred to as Member A and Member B and asked if the names of Member A and Member B could be provided. He also asked if a response had been received from these bodies.

   The Acting General Manager advised that the report refrained from providing the names of Member A and Member B because to name the people would have meant that the report would have had to have been dealt with in confidential session so by not naming them, it could be presented to open Council in the Business Paper. He also advised correspondence had been sent in accordance with Council's resolution, however, responses had not been received to date.

10. Councillor Williams advised that, a while back, he had seen a letter from Council staff to Murray Thompson in South Windsor advising that Round Up would not be sprayed near children's play areas. He commented that in Memorial Park in Kurrajong, that the edge around that play area had been sprayed with round up. Councillor Williams asked if the policy on not using round up around children's playgrounds had been reversed.

    The Director Infrastructure Services advised that he was not aware and would make some enquiries in relation to the specific incident. He added that there was currently a protocol out for exhibition regarding spraying.

11. Councillor Williams advised that there was apparently no key for the toilets at the Wilberforce Shops. He advised that he had been approached by a few of the shop keepers asking for some more keys and also a better arrangement with the toilets as there are always key issues. He asked if Council could arrange for someone to open the toilets when the shops opened and close them again at

close of business rather than having customers having to go to a counter to ask for a toilet key. He commented they were public toilets and that they should be open to the public in business house, at least.

The Acting General Manager advised that he wasn't aware of any issues with the toilets at the Wilberforce Shopping Centre and that Council hadn't received any requests from the shop keepers in relation to additional keys. He commented that if they did contact the property section, that issue would be resolved. The Acting General Manager advised that there was a problem in leaving the public toilets open as there are vandalism issues and Council has found that if the toilets aren't kept locked, they will be vandalised.

Councillor Williams advised that he was approached to ask Council. He commented that he thought the risk of vandalism was quite minimal during daylight and business hours.

The Acting General Manager advised that he appreciated that the shop keepers may have contacted Councillor Williams, but if they contacted the property section directly, the staff who deal with the shopping centre can issue a key as quickly as possible. He commented that past history indicates that there is an issue with vandalism and a high risk of it occurring and this is why the toilets are locked and keys issued. He added that he would ask property staff to contact the shop keepers and find out who needs new keys.

12. Councillor Wiliams referred to Sackville Ferry and that he had asked what was happening with the bank. He advised that the staff on the ferry are concerned now that they have been told by Council staff that Council was going to impose parking restrictions on Sackville Road in the vicinity of the Ferry. Ever since the reserve has been closed due to the land slip, the staff have had no where to park except on the road verge. If restrictions are put, they will have to park their cars up the road out of sight exposing them to vandalism or with cars being interfered with and/or stolen. He asked if the reserve could be reopened or if Council could give some consideration to them if parking restrictions are put in place or if Council could allow them to use the house site.

    The Director Infrastructure Services advised that the matter would be investigated and if there were any regulatory signs to be erected, it would have to go through the Local Traffic Committee for discussion.

13. Councillor Bassett advised that he attended a function, along with Councillor Finch, where for the first time since the Bendigo Bank opened four years ago, the bank gave away some tens of thousands of dollars to community groups in the Hawkesbury. He commented that a number of people approached him in relation to Council's banking and he explained to them that Council had been through this process before. He asked what Council ended up resolving regarding Council's banking and is there any possibility of Council looking at any of our banking, not all of it, but some of it to Bendigo Bank if they are competitive that would see some more money coming back into the community from that community bank.

    The Acting General Manager advised that the Bendigo Bank was investigated in the past and Council has, on occasions, taken out comparative quotes for investment purposes. Unfortunately, the rates haven’t allowed us to invest with the Bank. With regard to other business, Council will be calling for tenders for our banking services, which will be open to all interested parties.

14. Councillor Rasmussen commented that Council had probably been inundated with e-mails in relation to Ham Street Hall and wanted confirmation on whether Council had made provisions for dancers in the new South Windsor Community Complex with a sprung wooden floors.

    The Director External Services advised that there wasn't going to be sprung wooden floors in the new Community Family Centre and the area was not large enough for what the dancers wanted. Council did provide them with other community facilities that they may have wanted to access. The sprung wooden floor was out of Council's budget.

15. Councillor Rasmussen referred to Council asking for an extension to the RAAF Study and asked if Council had received any replies from the Minister and if not, if the matter could be followed up.

    The Director Commercial Strategy advised that no replies have been provided and the matter would be followed up.

16. Councillor Rasmussen referred to the City Art Collection and asked if a reply had been received.

    The Director External Services advised that no reply had been received as yet.

17. Councillor Rasmussen referred to a large pile of dirt, that was probably contaminated dirt, on the road side out the front of his property in Yarramundi. He estimated it to be about 40-50 tonne and asked if Council could investigate.

    The Director External Services advised that the Compliance Officer may be aware of it, but if the details could be provided, it would be investigated.

18. Councillor Rasmussen asked if Council had life members of the City and wanted to recommend Jean Peare and one or two others.

    The Mayor advised that the matter could be investigated.

19. Councillor Rasmussen requested a copy of the transcript from the External Auditors report that was presented tonight.

    The Acting General Manager advised that this could be arranged.

20. Councillor Rasmussen commented that some time ago, Mr Cox left as the Ranger for the Upper Colo Reserve and asked if he had been replaced and if not, who was looking after the Upper Colo Reserve.

    The Director Infrastructure Services advised that he matter would be investigated.

21. Councillor Ramussen asked if Loder House had been sold and if it had, what was it sold for.

    The Mayor advised that it had been.

    The Acting General Manager advised that the property was sold at Auction on 15 November 2006 for $677,500.

22. Councillor Rasmussen referred to the Council property at Colonial Drive, Bligh Park and asked what stage this was up to.

    The Acting General Manager advised that it would be a little while before the property would come on the market as Council first had to subdivide the property to have a separate site for the community centre and also, from a previous Council resolution, discuss with our solicitors about the possibility of positive covenant on the site after subdivision.

    Councillor Rasmussen asked for timeframe for this to be done.

    The Acting General Manager advised that a timeframe couldn't be put on it as it would depend on how long it will take to get the subdivision plans drawn and approved. He commented that Council will be working on getting it done as soon as possible.

453 RESOLUTION:

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

That the meeting continue past 11:00pm to allow the business paper to be completed in full.

23. Councillor Devine asked if it was true that Council would be receiving a report reviewing its staff structure before Christmas.

    The Acting General Manager advised that he was not aware of when the report would be coming. He commented that he had discussed the matter with to the General Manager who indicated that he would send advice to Councillors within the next day or two.

24. Councillor Devine commented that as Council was in the process of appointing a new Director City Planning was the job description for that position was compatible to any likely new structure.

    The Acting General Manager advised that he would have to take the question on notice and indicated that the General Manager had indicated that he would send advice to Councillors within the next day or two.

MATTER OF URGENCY

Councillor Finch declared an interest in this matter as her daughter is a staff member within the City Planning Division. She left the meeting and did not take part in voting or discussion on the matter.

454 RESOLUTION:

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

That a matter of urgency, Council consider a motion in relation to the appointment of the Director City Planning.

As a result of the resolution the Mayor, in accordance with Clause 2.2.3(3)(b) of the Council's Code of Meeting Practice ruled the matter to be of great urgency.

455 RESOLUTION:

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

That Council request the General Manager not to finalise the appointment of the Director City Planning until Council's likely new staff structure is determined.

25. Councillor Conolly asked if it had been determined what process Council would be using to sell the Ham Street Hall.

    The Acting General Manager advised that the site will be sold by public auction, but the manner in which that proceeds has not been determined. He advised that Council was currently seeking advise on the most appropriate method of proceed i.e. should the site be sold in tact with the hall on it with a subdivision potential or should the hall be demolished, the land subdivided and sold or any other possible combination which will maximise Council's return on the site.

    Councillor Conolly asked if there was interest from a party or parties that wanted to buy the hall in tact, was there any mechanism to seek expressions of interest to find out what methods of sale is likely to return the best income before we lock into one method or another.

    The Acting General Manager advised that that was the advice he was seeking from a valuer to determine what they consider, based on all the evidence, would achieve the ultimate return to Council. He advised that Council's current policy is to sell by public auction unless there is a strong reason not to however, the selected process should be based on maximising return on the site to Council.

    Councillor Conolly asked that in reaching a conclusion, the cost of demolition and subdivision would be taken into consideration and would Councillors be advised of the course of action selected.

    The Acting General Manager advised that the cost of demolition, the cost of subdivision, holding costs for anyone who may do that, profit margin and all those issues would come into consideration. He indicated that Councillors would notified by memol when a course of action has been determined.

26. Councillor Conolly referred to the Loder House sale and asked if there was any comment available on how that affects the 2006/2007 budget and asked if Council budgeted for asset sales this financial year and if we did, is Council behind or in front.

    The Acting General Manager advised that he couldn't confirm at this stage how it would affect the budget but the proceeds of the sale will reimburse the property reserve so effectively whether or not it's a budget item, it is an interest saving on Council's additional interest on our reserves. The property was brought and sold in the one year so there will be a reasonable reduction in that outstanding balance because of the amount we sold the property for.

27. Councillor Conolly commented that he believed there was going to be a report on the Wilberforce Fire Shed and the future site discussions we were having on that and asked if that report was imminent.

    The Director Infrastructure Services advised that it was and that he had written to the Superintendent Rogers and asked for some more information and he was waiting for this before reporting.

28. Councillor Conolly referred to the interviews on Saturday and asked what time they were being set for and if there was any indication on the length of time the interviews would be held for.

    The Mayor advised he would work out an estimate and advise.

29. Councillor Porter requested that at the next briefing session that an update on the Vegetation Mapping be provided in relation to the progress of it and the cost so far.

    The Director Infrastructure Services advise this would be done.

30. Councillor Wearne commented on the anti-social behaviour starting again in the Wilberforce area and advised that bins were set on fire behind the shops where a resident tried to put them out but had difficulties as both fire reels did not reach being at least 30 metres short. He asked if a secured reel could be installed.

The meeting terminated at 12.13am on Wednesday, 29 November 2006.

Submitted to and confirmed at the Ordinary meeting held on 12 December 2006.

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Mayor