



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 26 May 2015

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

MINUTES: 26 May 2015

MINUTES

– **WELCOME**

Prayer

Acknowledgement of Indigenous Heritage

– **APOLOGIES AND LEAVE OF ABSENCE**

– **DECLARATION OF INTERESTS**

– **SECTION 1 - Confirmation of Minutes**

– **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**

– **SECTION 2 - Mayoral Minutes**

– **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**

– **SECTION 3 - Reports for Determination**

Planning Decisions

General Manager

City Planning

Infrastructure Services

Support Services

– **SECTION 4 - Reports of Committees**

– **SECTION 5 - Notices of Motion**

– **QUESTIONS FOR NEXT MEETING**

– **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 26 May 2015, commencing at 6:32pm.

Father Clifford of St Monica's Catholic Church, Richmond, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor K Ford, Mayor, Councillor B Porter, Deputy Mayor and Councillors B Calvert, P Conolly, M Creed, M Lyons-Buckett, C Paine, P Rasmussen, J Reardon and T Tree.

ALSO PRESENT: Acting General Manager – Laurie Mifsud, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Executive Manager - Community Partnerships - Joseph Litwin, Chief Financial Officer, Emma Galea, Strategic Planning Manager - Shari Hussein, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Coordinator - Kylie Wade-Ferrell.

APOLOGIES

Apologies for absence were received from Councillors Dr W Mackay (OAM) and L Williams.

Councillor Creed left the meeting at 7:55pm.

Councillor Tree left the meeting 8:05pm.

121 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Rasmussen that the apologies be accepted and that leave of absence from the meeting be granted.

NATIONAL SORRY DAY

The Mayor, Councillor Ford noted that 26 May 2015 is 'National Sorry Day', which marks the start of 'National Reconciliation Week' and encouraged the community to participate in the celebrations that are happening over the next seven days.

SECTION 1: Confirmation of Minutes

122 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the Tuesday, 12 May 2015, be confirmed.

ORDINARY MEETING

MINUTES: 26 May 2015

SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 73 CP - Draft Hawkesbury Section 94 Contributions Plan 2015 - (95498, 124414)

Mr Ian Johnston and Mr Peter Ryan addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

123 RESOLUTION:

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

That:

1. The Hawkesbury Section 94 Contributions Plan 2015 as amended and attached to this report be adopted.
2. A site inspection of Pitt Town to be carried out as soon as possible.
3. The Hawkesbury Section 94 Contribution Plan 2015 be reviewed immediately.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

Councillors Mackay and Williams were absent from the meeting.

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Item: 74 **CP - Draft Voluntary Planning Agreement for Development known as Jacaranda Ponds, Glossodia - (95498, 124414, 111745)**

Previous Item: 19, Ordinary (24 February 2015)

Mr Peter Gooley and Mr Jeremy Spinak addressed Council, speaking for the item.
Mr Michael Want addressed Council, speaking against the item.

MOTION:

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

Refer to RESOLUTION

124 RESOLUTION:

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

That:

1. The exhibited draft Voluntary Planning Agreement attached to this report be endorsed with the following amendment to Schedule 1 – Road Works:

Golden Valley Drive to Glossodia Shops precinct - Upgrade pavement in Golden Valley Drive from Spinks Road to Glossodia Shops Precinct to include, rehabilitation of existing pavement, widen and seal shoulders, kerb & gutter with associated drainage and retaining walls as required.

(Note: This work to be funded from amendment to works proposed in Item 9 of Schedule 1. Timing and delivery of these works are to be determined via provisions in Schedule 3 of this agreement).

2. The General Manager be given delegation to make wording and formatting changes to the Voluntary Planning Agreement prior to executing, provided that these changes do not alter the intent of the Agreement.
3. Subject to the amendments referred to in 1 above, being incorporated in the Voluntary Planning Agreement, authority be given for the Agreement to be executed under the Seal of Council.

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In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Conolly	Councillor Calvert
Councillor Creed	Councillor Rasmussen
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Paine	
Councillor Porter	
Councillor Reardon	
Councillor Tree	

Councillors Mackay and Williams were absent from the meeting.

Item: 75 **CP - LEP004/14 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 6 Speedwell Place, South Windsor - (95498, 124414)**

Previous Item: 2, Ordinary (3 February 2015)

Mr George Moit addressed Council, speaking for the item.

MOTION:

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

Refer to RESOLUTION

125 RESOLUTION:

RESOLVED on the motion of Councillor Creed, seconded by Councillor Reardon.

That:

1. The information regarding the history of approvals of fill on the site be received.
2. Council support the preparation of a planning proposal to rezone part of Lot 21 DP 806993, 6 Speedwell Place, South Windsor from RU1 Primary Production to IN1 General Industrial under Hawkesbury Local Environmental Plan 2012.
3. The planning proposal be forwarded to the Department of Planning and Environment with a request for a Gateway determination.
4. The Department of Planning and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

ORDINARY MEETING

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In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Calvert	Councillor Porter
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Paine	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

Councillors Mackay and Williams were absent from the meeting.

ORDINARY MEETING

MINUTES: 26 May 2015

Item: 76 **CP - LEP001/15 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 219 Bells Line of Road, North Richmond - (95498, 129183)**

Previous Item: 183, Ordinary (30 August 2011)

Mr Charlie Ginty addressed Council, speaking for the item.
Ms Beatriz Insausti addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

126 RESOLUTION:

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

That:

1. Council support the preparation of a planning proposal for Lot 87 DP 1040092, 219 Bells Line of Road, North Richmond to amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012 to permit minimum lot sizes of not less than 4,000m² and 1ha on the land as shown in Attachment 1 to this report.
2. Council does not endorse any proposed subdivision layout/plan submitted with the planning proposal as this will need to be subject to a development application should the planning proposal result in making the plan.
3. The planning proposal be forwarded to the Department of Planning and Environment for a 'Gateway' determination.
4. The Department of Planning and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Conolly	Councillor Calvert
Councillor Creed	Councillor Lyons-Buckett
Councillor Ford	Councillor Paine
Councillor Porter	Councillor Rasmussen
Councillor Reardon	
Councillor Tree	

Councillors Mackay and Williams were absent from the meeting.

ORDINARY MEETING

MINUTES: 26 May 2015

GENERAL MANAGER

Item: 77 **GM - 2015 Hawkesbury Local Business Awards - (79351, 80198)**

MOTION:

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

Refer to RESOLUTION

127 RESOLUTION:

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

That:

1. Council sponsor the 2015 Local Business Awards to the value of \$5,000 (excluding GST).
2. A Sponsorship Agreement be entered into with Precedent Production for the 2015 Local Business Awards.

Item: 78 **GM - Blacktown City Council - Proposed Western and South-Western Sydney Council's Independent review of the future Western Sydney Airport EIS - (79351, 78149)**

MOTION:

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

Refer to RESOLUTION

128 RESOLUTION:

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

That Blacktown City Council be advised that Council does not propose to participate in the proposal outlined in its letter in relation to the engagement of consultants to review the impending EIS in respect of the proposed second Sydney airport at Badgerys Creek.

ORDINARY MEETING

MINUTES: 26 May 2015

CITY PLANNING

Item: 79 **CP - Draft Affordable Housing Policy - (95498, 95496, 96328, 96332)**

Previous Item: 37, Ordinary (10 March 2015)
 27, Ordinary (24 February 2015)
 129, Ordinary (29 July 2014)

MOTION:

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

Refer to RESOLUTION

129 RESOLUTION:

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

That:

1. The information be received.
2. Council place the draft Affordable Housing Policy, attached to this report, on public exhibition for 28 days.
3. A further report to Council be provided following the exhibition period.

ORDINARY MEETING

MINUTES: 26 May 2015

SUPPORT SERVICES

Item: 80 **SS - Monthly Investments Report - April 2015 - (96332, 95496)**

MOTION:

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

Refer to RESOLUTION

130 RESOLUTION:

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

The report regarding the monthly investments for April 2015 be received and noted.

Item: 81 **SS - March 2015 Quarterly Budget Review Statement - (96332, 95496)**

Previous Item: 97, Extraordinary (17 June 2014)

MOTION:

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

Refer to RESOLUTION

131 RESOLUTION:

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

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – March 2015 be adopted.

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MINUTES: 26 May 2015

Item: 82 SS - Pecuniary Interest Return - Designated Person - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

132 RESOLUTION:

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

That the information be received and noted.

ORDINARY MEETING

MINUTES: 26 May 2015

SECTION 4 - Reports of Committees

ROC

Local Traffic Committee - 11 May 2015 - (80245)

133 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 11 May 2015 as recorded on pages 109 to 136 of the Ordinary Business Paper be adopted.

SECTION 5 - Notices of Motion

NM1 Family and Domestic Violence - (79351, 105109, 80093)

MOTION:

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

Refer to RESOLUTION

134 RESOLUTION:

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

That:

1. Council views with deep concern the level of family and domestic violence within our own community
2. Council officers prepare a report outlining possible strategies for Council to support its commitment to prioritising and initiating a reduction in family and domestic violence in our local area. In addition confirm what funds may be available to implement strategies.
3. Council will work with local organisations/networks, specifically the Hawkesbury Action Network against Domestic Violence to facilitate and develop a community led response plan to family and domestic violence in the Hawkesbury.
4. Council corresponds with our local state and federal representatives to work alongside the community and to give priority to and support funding programs available through the NSW Domestic & Family Violence Framework Reform and the Federal Governments Family & Domestic Violence Strategy to ensure that Hawkesbury maintains and enhances locally based services.
5. Council instruct its senior officers to work through a joint consultative committee to establish a family and domestic violence clause in its workplaces.

NM2 Opening of Windsor Mall - (79351, 105109, 80104)

MOTION:

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

Refer to RESOLUTION

135 RESOLUTION:

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

That Council bring forward a report outlining options, procedures, cost and community interest in the opening of a section of Windsor Mall including the specific option for slow one way traffic through the Mall with the report to include consideration for alternate traffic options.

ORDINARY MEETING

MINUTES: 26 May 2015

NM3

Windsor Local Area Command - (79351, 105109, 80104)

MOTION:

RESOLVED on the motion of Councillor Paine, seconded by Councillor Lyons-Buckett.

Refer to RESOLUTION

136 RESOLUTION:

RESOLVED on the motion of Councillor Paine, seconded by Councillor Lyons-Buckett.

That Council lobby the State Government for more police to be stationed at Hawkesbury Local Area Command.

ORDINARY MEETING

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QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meeting and Responses - (79351)

Responses to Questions in relation to previous Questions for Next Meeting were provided and discussed.

ORDINARY MEETING**MINUTES: 26 May 2015****Questions for Next Meeting**

#	Councillor	Question	Response
1	Rasmussen	Enquired which council is responsible for the maintenance of The Driftway, Hawkesbury or Penrith Council, as there are potholes that require attention.	Director Infrastructure Services
2	Calvert	Enquired if Council could contact Telstra to determine when the telephone lines in the Kurrajong Heights area will be operable again.	Director Infrastructure Services
3	Calvert	Enquired if there is a reason for residents to receive a Final Notice with red wording, for an amount of one cent outstanding and also receiving the same notice twice and requested if this situation could be reviewed.	Director Support Services
4	Paine	Enquired if staff could investigate the massage parlour in George Street, South Windsor.	Director City Planning
5	Paine	Enquired if the old UWS building known as 'The Piggery' is heritage listed and if it is, what type of listing it has and also, requested that the heritage officer review the building and comment on its current state.	Director City Planning
6	Porter	Requested that Council liaise with the relevant State agency/s to address the ponding of the creek system upstream of Sackville Road.	Director Infrastructure Services
7	Lyons-Buckett	Requested that the issue of roadside rubbish removal around the Kurrajong area be referred to the RMS.	Director Infrastructure Services
8	Reardon	Enquired on the progress of the old Speedo factory in South Windsor that was approved as accommodation for the homeless.	Director City Planning
9	Conolly	Requested an update from the RMS regarding the round-about at the intersection of Richmond Road and George Street, Bligh Park, including when works will be completed.	Director Infrastructure Services

ORDINARY MEETING

MINUTES: 26 May 2015

CONFIDENTIAL REPORTS

137 RESOLUTION:

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

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: 83 CP - Formation of Hawkesbury Horizon Initiative Working Group

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act, 1993 as the matter is reported to the confidential session as the report deals with personal matters concerning particular individuals.*

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.

138 RESOLUTION:

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

ORDINARY MEETING

MINUTES: 26 May 2015

Item: 83 CP - Formation of Hawkesbury Horizon Initiative Working Group - (95498, 124414) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

139 RESOLUTION:

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

That Council:

1. Nominate the following to be representatives on the Hawkesbury Horizon Initiative Working Group:

- a) Sue Wingate (Windsor Business Group)
- b) Venecia Wilson (Richmond Mainstreet Inc)
- c) Ian Knowd (Hawkesbury Harvest, HHART)
- d) Lizz Reary (Acting CEO Medicare Local)
- e) Keren Lavery (Engagement Facilitator, UWS)
- f) Rob Ewin
- g) Peter Gooley
- h) Vanessa Hanna
- i) Rebecca Higgins
- j) Birgit Walter
- k) Peter Webb
- l) Jo Wilbow.

2. Nominate the following Councillors to participate in the Hawkesbury Horizon Initiative Working Group.

- a) Councillor Ford
- b) Councillor Lyons-Bucket
- c) Councillor Paine
- d) Councillor Rasmussen.

The meeting terminated at 9:18pm.

Submitted to and confirmed at the Ordinary meeting held on Tuesday, 30 June 2015.

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Mayor