



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 30 August 2016

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Minutes: 30 August 2016

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**
- **COUNCILLORS WISHING TO ADDRESS COUNCIL AT THE LAST MEETING OF TERM**
- **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 30 August 2016, commencing at 6:31pm.

Chaplain Cheryle Symons of the Salvation Army, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

The Mayor presented Chaplains Cheryl and Greg Symons with a Mayoral Citation as a token of appreciation for their services to the community.

ATTENDANCE

PRESENT: Councillor K Ford, Mayor, Councillor Dr W Mackay (OAM), Deputy Mayor and Councillors B Calvert, P Conolly, M Lyons-Buckett, C Paine, B Porter, P Rasmussen, T Tree and L Williams.

ALSO PRESENT: Acting General Manager - Laurie Mifsud, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Executive Manager - Community Partnerships - Joseph Litwin, Corporate Communication Manager – Sonia Porter, Strategic Planning Manager - Andrew Kearns, Manager Corporate Services and Governance - Ian Roberts and Administrative Support Coordinator - Natasha Martin.

APOLOGIES

Apologies for absence were received from Councillors M Creed and J Reardon.

279 RESOLUTION:

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

Councillor Rasmussen arrived at the meeting at 6:33pm.

Councillor Mackay arrived at the meeting at 6:34pm.

SECTION 1 - Confirmation of Minutes

280 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Porter that the Minutes of the Ordinary Meeting held on the 9 August 2016, be confirmed.

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Suspension of Standing Orders

281 RESOLUTION:

RESOLVED on the motion of Councillor Mackay, seconded by Councillor Ford that standing orders be suspended to allow the Deputy Mayor to address Council.

The Deputy Mayor noted that several Hawkesbury organisations celebrated significant milestones over the weekend; The Richmond Literary Institute and Richmond School of Arts, celebrated its 150th anniversary on Saturday, 27 August 2016 and on Sunday, 28 August 2016, the Wesleyan Church in Windsor celebrated its 200th year as a congregation and 140th anniversary of the third church building.

The Deputy Mayor attended a commemorative service in Ham Common, Richmond on Sunday, 28 August 2016. The hon. Dominic Perrottet, the Member for Hawkesbury, unveiled a commemorative plaque for the 100th anniversary of the NSW State Aviation School, which was founded in 1916. Attending the service were descendants of two of the first intake of students Mr Nigel Love and Mr Phillip Love. The Deputy Mayor presented a book titled '*The Illustrated Autobiography of Nigel Love, Australian Aviation Pioneer*' and photographs of the World War I RAAF servicemen Nigel and Phillip Love from 1916, to the Mayor, Councillor Ford.

Councillors wishing to address Council at the last Meeting of term

Councillors Williams, Paine, Mackay and Ford addressed Council noting their accomplishments and memories of their past terms on Council.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 185 **CP - Draft Voluntary Planning Agreement for Lot 8 DP 7565, 136 Longleat Lane, Kurmond - Post Exhibition Report - (95498, 124414)**

Previous Item: 20, Ordinary (23 February 2016)

Mr Mark Simpson addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

282 RESOLUTION:

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

That:

1. The Voluntary Planning Agreement and Explanatory Note for Lot 8 DP 7565, attached to this report, be endorsed.
2. Delegation be given to execute the Voluntary Planning Agreement under the Seal of Council including the making of any necessary wording and formatting changes to the Voluntary Planning Agreement prior to execution, provided that these changes do not alter the intent of the Voluntary Planning Agreement.

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 Ford	Councillor Lyons-Buckett
Councillor Mackay	Councillor Rasmussen
Councillor Paine	Councillor Williams
Councillor Porter	
Councillor Tree	

Councillors Creed and Reardon were absent from the meeting.

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Item: 186 CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - Lots 104 and 105 DP 1051618, 1442 and 1442A Kurmond Road, Kurmond - (95498, 124414, 74563, 7663, 84535, 119045)

Mr Michael Want addressed Council, speaking against the recommendation.

A MOTION was moved by Councillor Paine, seconded by Councillor Lyons-Buckett.

That the item be deferred to the next Ordinary Council meeting.

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

That Council:

1. Proceed with the making of a plan to amend the Hawkesbury Local Environmental Plan 2012 in order to permit the subdivision of Lots 104 and 105 DP 1051618, 1442 and 1442A Kurmond Road, Kurmond into not more than 13 lots with minimum lot sizes of 4000m², 1ha and 4ha as described in this report.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act, 1979.
3. Adopt and make the draft local environmental plan, under the authorisation for Council to exercise delegation issued by the Gateway determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Following the making of the Plan, advise the Department of Planning and Environment that the Plan has been made and request to notify the Plan on the NSW Legislation website.
5. Publically exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days and the Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.

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 amendment, the results of which were as follows:

For the Amendment	Against the Amendment
Councillor Conolly	Councillor Calvert
Councillor Ford	Councillor Lyons-Buckett
Councillor Mackay	Councillor Paine
Councillor Porter	Councillor Rasmussen
Councillor Tree	Councillor Williams

Councillors Creed and Reardon were absent from the meeting.

The Amendment was carried on the casting vote of the Mayor.

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MOTION:

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

Refer to RESOLUTION

283 RESOLUTION:

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

That Council:

1. Proceed with the making of a plan to amend the Hawkesbury Local Environmental Plan 2012 in order to permit the subdivision of Lots 104 and 105 DP 1051618, 1442 and 1442A Kurmond Road, Kurmond into not more than 13 lots with minimum lot sizes of 4000m², 1ha and 4ha as described in this report.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act, 1979.
3. Adopt and make the draft local environmental plan, under the authorisation for Council to exercise delegation issued by the Gateway determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Following the making of the Plan, advise the Department of Planning and Environment that the Plan has been made and request to notify the Plan on the NSW Legislation website.
5. Publically exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days and the Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.

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 Ford	Councillor Lyons-Buckett
Councillor Mackay	Councillor Rasmussen
Councillor Paine	Councillor Williams
Councillor Porter	
Councillor Tree	

Councillors Creed and Reardon were absent from the meeting.

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GENERAL MANAGER

Item: 187 **GM - Hawkesbury Community Strategic Plan - Community Indicators End of Term Report - (95498, 124414, 96328)**

Previous Item: 164, Ordinary (29 September 2015)
 108, Ordinary (28 June 2014)
 135, Ordinary (29 July 2014)

MOTION:

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

Refer to RESOLUTION

284 RESOLUTION:

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

That the Hawkesbury Community Strategic Plan: Community Indicators End of Term Report be:

1. Received and released for publication on Council's website, in accordance with the Office of Local Government's guidelines.
2. Submitted to the NSW State Government as part of statutory reporting requirements.

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CITY PLANNING

Item: 188 **CP - Kurmond and Kurrajong Investigation Area Survey Results - (95498, 124414)**

Previous Item: 199, Ordinary (24 November 2015)

Councillor Lyons-Buckett declared a pecuniary interest in this matter as her home is in the investigation area. She left the Chamber and did not take part in voting or discussion on the matter.

Mr Gary Jol and Mr Graham Ferguson addressed Council, speaking for the recommendation.

Ms Fiona Smith and Mr Michael Want addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

285 RESOLUTION:

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

That the item be deferred to the first Ordinary Council meeting of the new Council.

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INFRASTRUCTURE SERVICES

Item: 189 **IS - Exclusive Use of Governor Phillip Reserve - Power Boat Spectacular Event
- (95495, 79354, 78329)**

MOTION:

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

Refer to RESOLUTION

286 RESOLUTION:

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

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for "exclusive use" of Governor Phillip Reserve for the 2016 Power Boat Spectacular to be held on Saturday, 17 September and Sunday, 18 September 2016.
2. The approval be subject to the following conditions/documents:
 - a) Council's general park conditions
 - b) Council's fees and charges
 - c) The Windsor Foreshore Plan of Management
 - d) The Governor Phillip Reserve Exclusive Use Policy
 - e) The Governor Phillip Reserve Noise Policy.
3. It is noted that appropriate approvals from RMS and NSW Police also need to be obtained from those authorities.
4. As the applicant has not advised alternative dates in the event of inclement weather, the Acting General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

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SUPPORT SERVICES

Item: 190 SS - Monthly Investments Report - July 2016 - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

287 RESOLUTION:

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

The report regarding the monthly investments for July 2016 be received and noted.

Item: 191 SS - 2015/2016 Operational Plan - Re-Votes - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

288 RESOLUTION:

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

That the funding for projects detailed within this report, totaling \$171,457, be re-voted and carried over into the 2016/2017 financial year.

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SECTION 4 - Reports of Committees

ROC Human Services Advisory Committee - 28 July 2016 - (95498, 124414, 123486)

289 RESOLUTION:

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

That the minutes of the Human Services Advisory Committee held on 28 July 2016 as recorded on pages 77 to 80 of the Ordinary Business Paper be received.

ROC Local Traffic Committee - 8 August 2016 - (80245)

290 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 8 August 2016 as recorded on pages 81 to 101 of the Ordinary Business Paper be adopted.

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SECTION 5 - Notices of Motion

NM1 Letter to the Premier regarding greyhound racing - (79351, 105109, 80093)

MOTION:

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

Refer to RESOLUTION

291 RESOLUTION:

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

That Council write to the Hon. Mike Baird MP, Premier of NSW and to the Local Member the Hon. Dominic Perrottet, MP to ask if the State Government plans to compensate the businesses of the Hawkesbury which will lose significant trade if the Richmond greyhound track is closed.

NM2 Signs and Banners Policy Review - (79351, 105109, 80104)

MOTION:

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

Refer to RESOLUTION

292 RESOLUTION:

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

That Council undertake a review of the Signs and Banners Policy within the first three months of the Council, following the 2016 General Local Government elections.

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QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

There were no responses to Questions in relation to previous Questions for Next Meeting.

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Questions for Next Meeting

There were no questions for the next meeting.

#	Councillor	Question	Response
1	Williams	Requested that additional investigations be made into the waste bin collection service location at the intersection of Wheelbarrow Ridge Road and Greens Road, Lower Portland.	Director City Planning

The meeting terminated at 8:15pm.

Submitted to and confirmed at the Ordinary meeting held on 11 October 2016.

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Mayor