



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 27 March 2012
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 27 March 2012, commencing at 6:32pm.

Reverend Barry Macalister of St John's Anglican Church, Wilberforce, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor K Ford, Mayor, Councillor T Tree, Deputy Mayor and Councillors B Bassett, B Calvert, K Conolly, W Mackay, C Paine, B Porter, P Rasmussen, J Reardon, W Whelan and L Williams.

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services – Jeff Organ, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Abbey Rouse, Executive Manager - Community Partnerships - Joseph Litwin and Administrative Support Team Leader - Kylie Wade-Ferrell.

SECTION 1: Confirmation of Minutes

64 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Paine that the Minutes of the Ordinary Meeting held on the 13 March 2012, be confirmed.

SECTION 3 - Notices of Motion

NM1 - Flood Mitigation Activities and Water Storage - (79351, 80106)

MOTION:

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

Refer to RESOLUTION

65 RESOLUTION:

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

That it be noted that the item was dealt with in conjunction with the General Business item from the report of the Floodplain Risk Management Advisory Committee at the Ordinary Meeting 27 March 2012.

NM2 - Historical Significance of Thompson Square - (80105)

Mrs Jan Barkley-Jack, Mr Graham Edds and Mr Peter Reynolds, proponents, addressed Council
Mr Noel Butler, respondent, addressed Council.

MOTION:

A MOTION was moved by Councillor Williams, seconded by Councillor Calvert.

That Council:

1. Recognise that Thompson Square, Windsor, is the oldest civic square in Australia, the only such square surviving from the eighteenth century, and that as a result it is a unique and highly significant part of Australia's heritage, and;
2. Further recognise that the heritage values of Thompson Square should be respected and maintained.

RESOLVED on the AMENDMENT moved by Councillor Conolly, seconded by Councillor Mackay.

Refer to RESOLUTION

The amendment was carried.

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

66 RESOLUTION:

RESOLVED on the AMENDMENT moved by Councillor Conolly, seconded by Councillor Mackay.

That Council:

1. Recognise that at least since 1814, when a punt service connected the town of Windsor to land on the western side of the river, there has been a traffic corridor on approximately the alignment of Bridge Street.
2. Recognise that the road connection through Thompson Square is as much a part of the square's heritage as the buildings which were subsequently built around it.
3. Supports Option 1 for the replacement of Windsor Bridge on the basis that the alignment and design are to be prepared to respect the heritage of Thompson Square, including specifically the 50km per hour design gradient to ensure the road enters Thompson Square at a level no higher than the lowest house.

Councillors Calvert and Williams requested that their names be recorded as having voted against the motion.

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 38 GM - Waste 2012 Conference - (79351)

MOTION:

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

Refer to RESOLUTION

67 RESOLUTION:

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

That the attendance of nominated Councillors and staff members as considered appropriate by the General Manager, at the Waste 2012 Conference at an approximate cost of \$2,300.00 plus travel expenses per delegate be approved.

68 RESOLUTION:

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

That Councillor Porter, as Council's nominated representative, attend the Waste 2012 Conference.

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CITY PLANNING

Item: 39 CP - Development Application - Two Lot Torrens Title Subdivision - Lot 7 in DP249442, 33 Griffins Road, Tennyson NSW 2754 - (95498, 102260, 10221, 88830)

Ms Lynne Johnson and Mr Robert Montgomery, proponents, addressed Council.
Mr Peter O'Donnell, Mr Peter Schmelitschek and Mr Adam Wynn, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

69 RESOLUTION:

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

That:

1. The objection under SEPP No. 1 not be supported.
2. Development Application No. DA0018/12 for a Two Lot Torrens Title at Lot 7 in DP 249442, No. 33 Griffins Road, Tennyson be refused based on the following:
 - a) The State Environmental Planning Policy No. 1 objection received in respect to the minimum allotment area is not supported as compliance with the statutory development standard was not considered to be unreasonable or unnecessary in the circumstances.
 - b) The proposal does not comply with the requirements of the Hawkesbury Local Environmental Plan 1989.
 - c) The proposal is inconsistent with the DRAFT Hawkesbury Local Environmental Plan 2011.
 - d) The development does not comply with the Hawkesbury Development Control Plan 2002 Part D Chapter 3 – Subdivision.
 - e) The application, seeking a significant variation to Council's minimum allotment size requirement, is considered to not be in the general public interest.

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:

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For the Motion	Against the Motion
Councillor Bassett	Councillor Mackay
Councillor Calvert	Councillor Porter
Councillor Conolly	Councillor Williams
Councillor Ford	
Councillor Paine	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	

Item: 40 **CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)**

Previous Item: 161, Ordinary (26 July 2011)
 263, Ordinary (29 November 2011)

Mr Peter Gooley, Mr Jeremy Spinak and Mr John Vassallo, proponents, addressed Council.
Ms Mary Buckett, Mr Bryan Newey Smith and Mr Michael Want, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

70 RESOLUTION:

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

That:

1. Council support the preparation of a Planning Proposal for the land comprising of:

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A - 780C Kurmond Road, North Richmond

to rezone the land primarily for large lot residential and/or residential development.

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- 2. The concept plan titled “Jacaranda Ponds Planning Proposal Concept Plan, November 2011” and plan titled “Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas”, reference number 9420/SK07 A, prepared by J. Wyndham Prince attached to this report be adopted for the purposes of preparing the planning proposal.
- 3. EG Property Group, in consultation with Council staff, be requested to provide Council with a planning proposal consistent with resolution 1 and 2 and Department of Planning and Infrastructure’s “A guide to preparing planning proposals”.
- 4. The planning proposal be forwarded to the Department of Planning and Infrastructure for a “gateway” determination.
- 5. If the Department of Planning and Infrastructure determines that the planning proposal is to proceed, Council commence Voluntary Planning Agreement negotiations with EG Property Group and any other relevant party.
- 6. The Department of Planning and Infrastructure and EG Property Group be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress has been made:
 - a. Towards resolving the existing traffic problems.
 - b. Replacement of the Windsor Bridge.
 - c. Measures to upgrade local roads affected by the proposal.

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 Bassett	Councillor Calvert
Councillor Conolly	Councillor Paine
Councillor Ford	Councillor Rasmussen
Councillor Mackay	Councillor Williams
Councillor Porter	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	

71 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Bassett that the meeting continue past 11:00pm.

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Item: 41 **CP - Planning Proposal - 533 - 547 Windsor Road and 7 Chapman Road, Vineyard - (95498)**

Previous Item: 147, Ordinary (12 July 2011)

Mr Patrick Hurley, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

72 RESOLUTION:

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

That:

1. The Planning Proposal as outlined in this report be prepared and forwarded to the Minister for Planning and Infrastructure seeking a Gateway Determination.
2. Upon receipt of notification of the Gateway Determination to proceed, Council exhibit the Planning Proposal in accordance with the requirements of the Gateway Determination and the Environmental Planning and assessment Act, 1979.

Further that Council write to the Minister for Planning & Infrastructure re-affirming Council's support for the early release of the Vineyard Precinct.

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 Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Ford	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

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SUPPORT SERVICES

Item: 42 SS - Pecuniary Interest Returns - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

73 RESOLUTION:

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

That the information be received and noted.

Item: 43 SS - Monthly Investments Report - February 2012 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

74 RESOLUTION:

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

The report regarding the monthly investments for February 2012 be received and noted.

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SUPPLEMENTARY REPORTS

**MM - Council's Policy Regarding Regional Flood Mitigation in the Hawkesbury-Nepean Valley -
(79351, 79353)**

Previous Item: 281, Ordinary (13 December 2011)

Mr John Miller, proponent, addressed Council.

MOTION:

RESOLVED on the motion of Councillor Ford, Mayor.

Refer to RESOLUTION

75 RESOLUTION:

RESOLVED on the motion of Councillor Ford, Mayor.

That Council acknowledges the lobbying work undertaken by Council's Floodplain Risk Management Advisory Committee, Councillors and Council staff in conjunction with Council's three local State Members of Parliament to bring to the attention of the State Government issues relating to regional flood mitigation in the Hawkesbury-Nepean Valley and to successfully instigate a review of the issues with the Sydney Catchment Authority to undertake flood mitigation activities as well as water storage.

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SECTION 5 - Reports of Committees

ROC - Human Services Advisory Committee - 23 February 2012 - (95498, 123486)

76 RESOLUTION:

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

That the minutes of the Human Services Advisory Committee held on 23 February 2012 as recorded on pages 79 to 82 of the Ordinary Business Paper be received.

ROC - Floodplain Risk Management Advisory Committee - 5 March 2012 - (95498, 86569)

Mr Les Sheather and Mr Robert Tolson, proponents, addressed Council.

77 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Advisory Committee held on 5 March 2012 as recorded on pages 83 to 86 of the Ordinary Business Paper be received and that Council adopt the Committees recommendation regarding the regulatory framework for the Sydney Catchment Authority in respect of Warragamba Dam under the General Business Section and in addition suggest that the operating licence for the Sydney Catchment Authority be amended to enable the dams use for flood mitigation activities.

ROC - Heritage Advisory Committee - 8 March 2012 - (95498, 80242)

78 RESOLUTION:

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

That the minutes of the Heritage Advisory Committee meeting held on 8 March 2012 as recorded on pages 87 to 90 of the Ordinary Business Paper be received and in regard to the item of General Business concerning the formation of a Sub-Committee the General Manager be requested to ensure that no Council staff or resources are allocated to this Sub-Committee as this is inconsistent with Council's resolution of 28 February 2012 that no further presentation was required.

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ROC - Local Traffic Committee - 12 March 2012 - (80245)

79 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 12 March 2012 as recorded on pages 91 to 108 of the Ordinary Business Paper be adopted.

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QUESTIONS FOR NEXT MEETING

Questions from Previous Meetings and Responses - (105109)

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

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#	Councillor	Question	Response
1	Bassett	Requested that before renewing Council's membership to Hawkesbury Radio, that council seek clarification with regard to how much of the membership fees and income goes towards the maintenance of the facility.	The General Manager
2	Williams	Advised that there is a mattress downstream of Currency Creek and requested its removal.	Director City Planning
3	Paine	Advised that the Hollands Paddock where the Sand Sculpting Competition was conducted hasn't been restored and requested that some turf be laid before the weather gets too cold.	Director Infrastructure Services
4	Paine	Asked for a update on the Old Hospital Building.	Director Support Services
5	Calvert	Asked for an update on the installation of solar panels on the roof of the Council Administration Building.	Director Infrastructure Services
6	Calvert	Requested to be advised of the status of the proposed new "off leash" area following an email from local residents congratulating Council on the additional area.	Director Infrastructure Services
7	Porter	Asked for an update in relation to studies associated with the possible dredging of parts of the rivers.	Director City Planning
8	Porter	Asked if the Canoe Club pay for the use of Phillip Park and also for the equipment they store there.	Director Infrastructure Services
9	Rasmussen	Asked for an update on Yarramundi Lane and Kurrajong Road intersection.	Director Infrastructure Services
10	Tree	Wanted to pass on her thanks for the removal of graffiti on the rear wall of the Auto One building.	Director Infrastructure Services

The meeting terminated at 12:07am.

Submitted to and confirmed at the Ordinary meeting held on 24 April 2012.

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Mayor