



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 28 August 2012

location: council chambers

time: 6:30 p.m.



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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 28 August 2012, commencing at 6:30pm.

Rev Je-Kon Oh from St Andrews Uniting 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 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, Chief Financial Officer - Emma Galea, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Team Leader - Bianca James.

### SECTION 1: Confirmation of Minutes

#### 244 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 14 August 2012, be confirmed.

Councillor K. Ford, Mayor addressed the meeting, at this stage as it was the last Council meeting prior to the 2012 Local Government Elections to be held on 8 September 2012. Mayor Ford thanked the Councillors for their contributions to the community and their achievements over the past four years. He also highlighted the individual achievements of Councillors B. Bassett, K. Conolly and W. Whelan as they were not seeking re-election. Mayor Ford also wished the Councillors and candidates the best of luck for the upcoming elections and for their futures.

Councillors B. Bassett, K. Conolly and W. Whelan responded with references to their terms on Council and extended best wishes to all Councillors seeking re-election.

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**SECTION 4 - Reports for Determination**

**GENERAL MANAGER**

**Item: 148            GM - NSW Independent Local Government Review Panel - Submission to Consultation Paper "Strengthening Your Community"**

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**MOTION:**

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

*Refer to RESOLUTION*

**245 RESOLUTION:**

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

That the Draft Submission attached to the report be endorsed and referred to the NSW Independent Local Government Review Panel in response to the Panel's Consultation Paper "Strengthening Your Community", July 2012.



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**CITY PLANNING**

**Item: 149 CP - Development Application - DA0747/11 - Roof Replacement - Lot 2 DP 56964 - 2/ 2-4 Little Church Street, Windsor - (95498, 38193)**

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Ms Michelle Wade, proponent, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**246 RESOLUTION:**

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

That:

1. Development must be in accordance with Development Application No. DA0747/11 submitted with Council on 23 December 2011 and submitted Statement of Environmental Effects prepared by Michelle Wade, dated 27 November 2011.
2. An application for a Building Certificate for the as-constructed roof works shall be submitted to Hawkesbury City Council within 30 days of the date of this consent.
3. Work-as-Executed Drawings for the as-constructed roof works shall be submitted to Hawkesbury City Council in conjunction with the Building Certificate application. The Work-as-Executed Drawings shall be dimensioned and drawn to scale by an appropriately qualified draftsman.
4. A Practising Structural Engineer is to certify that the existing building and frame is able to support the change in roof loading and the method of attachment. In addition, the certification is to demonstrate that the existing frame will be able to support any expected loading being both dead and live loads.
5. No solar hot water heater storage tanks, solar panels, ventilators, air conditioning units, satellite dishes and antennae or the like are to be placed on the roof plane of the building visible from public roads situated adjacent to the subject site.

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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:

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

**Item: 150**            **CP - Development Application - DA0644/11 - Construction of Camping Sites and Amenities Buildings - Lot 2 DP 1101683 - 433 Pitt Town Bottoms Road, Pitt Town Bottoms - (95498, 85782, 90731)**

**Previous Item:**        669, Ordinary (29 May 2012)

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Mr Ian Hardy and Mr Greg Hall, proponent, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

A MOTION was moved by Councillor Porter, seconded by Councillor Mackay.

That:

1. Council supports the development proposed by DA0644/11 in relation to permissibility and flooding matters and the determination of the application be delegated to the General Manager.
2. The applicant will need to submit to Council details that adequately address the matters raised in the "Other Issues" section of this report prior to the determination of the application by the General Manager.

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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:

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

The motion was lost.

The foreshadow motion was put and carried.

**247 RESOLUTION:**

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

That Development Application No. DA0644/11 for the operation of a rural tourist facility, construction of camping sites, amenities buildings and an internal access road on Lot 2 DP: 1101683, known as 433 Pitt Town Bottoms Road, Pitt Town Bottoms, be refused for the following reasons:

1. The proposal falls under the definition of a 'tourist facility' and under the Hawkesbury Local Environmental Plan 1989 is prohibited within the Environmental Protection – Agriculture Protection zone.
2. The proposal is inconsistent with the objectives of the Hawkesbury Local Environmental Plan 1989.
3. Under the provisions of Draft Hawkesbury Local Environmental Plan 2011 the use of the site as a caravan park is prohibited within the RU2 Rural Landscape zone.
4. The proposal is inconsistent with the objectives of the RU2 Rural Landscape zone.
5. The proposal does not demonstrate compliance with Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
6. The proposal fails to satisfy the requirements of State Environmental Planning Policy No. 55 – Remediation of Land in that insufficient evidence has been provided to demonstrate that the land is suitable for its intended use.
7. The flooding and safety risks associated with the development, given the scale and intensity, are high and are too great to mitigate in the circumstances.
8. The row of buildings is residential in appearance and will adversely impact on the scenic quality of the locality.
9. Insufficient information has been provided for the full and proper assessment of the proposal.

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10. Approval of structures and this use in the locality subject to high flood risk is not in the 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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Bassett	Councillor Mackay
Councillor Calvert	Councillor Paine
Councillor Conolly	Councillor Porter
Councillor Ford	Councillor Rasmussen
Councillor Reardon	
Councillor Tree	
Councillor Whelan	

Councillor Williams was not in the Chamber when the vote was taken.

**Item: 151 CP - Development Application - DA0236/12 - Stage Alterations and additions to create grandstand and associated facilities - Lot 1 DP 879466 - 698 George Street, South Windsor - (95498, 10612)**

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**MOTION:**

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

*Refer to RESOLUTION*

**248 RESOLUTION:**

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

That:

1. The objection to Clause 25(4) of the Hawkesbury Local Environmental Plan 1989 (as amended), lodged pursuant to State Environmental Planning Policy No. 1 – Development Standards, is supported;
2. Development Application No. DA0236/12 for staged alterations and additions to create a grandstand complex on Lot 1 DP: 879466, known as 698 George Street, South Windsor, be approved subject to the conditions as follows:

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### **General Conditions**

1. The development shall take place in accordance with the stamped plans (Drawing No's DA-2 – DA-15 prepared by Midson Group Pty Ltd and dated 17 May 2012), specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate (Building).
3. The building subject to this approval shall not be used or occupied prior to the issue of an Occupation Certificate. Occupation Certificates are to be obtained for each stage (phase) of the development.
4. The development shall comply with the provisions of the Building Code of Australia (BCA)/National Construction Code.
5. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act 1979 relevant to this development to Hawkesbury City Council within seven days of issuing the certificate. A registration fee applies.
6. The land is within the Hawkesbury City Council Sewerage Catchment. A separate application shall be submitted to Council for any alterations or connections to the sewer mains. The applicant shall consult with Council regarding acceptable discharge limits to the sewerage system.
7. Inspections for a Compliance Certificate shall be requested from Hawkesbury City Council for internal and external sewer drainage prior to the covering of any pipe. An inspection fee applies.
8. Prior to trading the canteen must notify the NSW Food Authority of its operation and register with Council as a food business.

### **Prior to Issue of Construction Certificate**

9. The development shall comply with the provisions of the National Construction Code/Building Code of Australia (BCA). Details of compliance are to be provided to the Principal Certifying Authority (PCA) prior to issue of a Construction Certificate.
10. The development shall comply with the Disability (Access to Premises – Buildings) Standards 2010. Details of compliance are to be provided to the Principal Certifying Authority (PCA) prior to issue of a Construction Certificate.
11. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$24,467.75 shall be paid to Hawkesbury City Council. This fee is based on the supplied estimated value-of-works of \$2,446,775.00.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time).

The contribution is to be paid prior to the issue of the construction certificate and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the certifying authority.

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12. Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building works in excess of \$25,000.00 are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate.

Payments can be made at Long Service Payments Corporation offices or most Councils.

### ***Prior to Commencement of Works***

13. The applicant shall advise Council of the name, address and contact number of the principal certifier in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act 1979.
14. At least two days prior to the commencement of works, notice is to be given to Hawkesbury City Council in accordance with the Environmental Planning and Assessment Regulation 2000.
15. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
  - (a) Unauthorised access to the site is prohibited.
  - (b) The owner of the site.
  - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
  - (d) The name and contact number of the Principal Certifying Authority.
16. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority (PCA) prior to any works commencing on site.
17. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.
18. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
19. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
20. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's water mains, stormwater drains and/or easements and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site: [www.sydneywater.com.au](http://www.sydneywater.com.au), see Your Business then Building & Developing then Building & Renovating or telephone Sydney Water 13 20 92.

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### *During Construction*

21. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7:00am - 6:00pm and on Saturdays between 8:00am - 4:00pm.
22. The site shall be secured to prevent the depositing of any unauthorised material.
23. Dust control measures (e.g. vegetative cover, mulches, irrigation, barriers and stone) shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
24. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
25. The site shall be kept clean and tidy during the works and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply:
  - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
  - (b) Building operations such as metal cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
  - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
26. At all times during demolition, a competent person shall directly supervise the work. It is the responsibility of the person to ensure that:
  - (a) Utility services not required to be maintained during the demolition work shall be properly disconnected and sealed before any demolition commences.
  - (b) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
  - (c) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
  - (d) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes.
  - (e) The structure and all components shall be maintained in a stable and safe condition at all stages of the demolition work.
  - (f) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings.
  - (g) Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
  - (h) All work shall be carried out in accordance with AS2601.
  - (i) No material is to be burnt on site.

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27. The development shall be constructed of flood compatible materials in accordance with the NSW Government Flood Plain Manual. In this respect the following design precautions must be adhered to in all respects:
- (a) all electrical, heating and air conditioning service installations are to be located above the 2% AEP flood level of 15.7m AHD;
  - (b) the building is to be constructed of flood compatible materials such as galvanised steel frame, galvanised zinc alum cladding doors and door frames; and
  - (c) the structure and walls shall be strengthened to a level of 17.3m AHD to increase resistance to floodwater flow and debris impact to a water velocity of 2m/sec.
28. Scour protection is to be provided at stormwater outlets to the channel.
29. All works associated with the development shall be carried in accordance with the requirements of:
- Food Act 2003 and Regulations there under.
  - Australian Standard 4674:2004 'Design, construction and fit-out of food premises'.
  - Australian Standard 1668.2:2002 'The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control'.
30. The food premises (canteen) is to comply with Hawkesbury City Council's 'Food Premises Fit Out Code'.
31. Any area used for the storage of food or food appliances/equipment is to comply with the relevant section of Hawkesbury City Council's 'Food Premises Fit Out Code' including Section 7.0 – Storerooms.
32. Ceilings throughout the premises are to be solid and are to comply with Section 4.0 of Hawkesbury City Council's 'Food Premises Fit Out Code'. "Drop in" ceiling panels are not permitted over food preparation or food storage areas.
33. All walls, floors, benches, shelves, chairs, fittings and the like are to be constructed with materials that are smooth, durable, impervious to moisture, and capable of being easily cleaned with a disinfectant. Fittings and equipment should be constructed so as not to harbour food, insects or vermin.
34. The floors are to be covered with a durable, non-toxic, impervious surface, graded to trapped floor waste outlets (where necessary), and connected to an approved drainage installation. The floor covering is to be free of protrusions or gaps.
- Where used, floor tiles are to be epoxy grouted.
35. All wall/floor junctions in the food preparation and storage area(s), including any prefabricated low temperature room walls and floors, shall be coved according to Hawkesbury City Council's 'Food Premises Fit Out Code'. The coving is to be a minimum radius of 25mm using a smooth impervious material of a light colour. Where walls and floors are tiled, the coving is to be of a tile type. "Stick on" coving is not permitted. Feather edge skirting is not permitted
36. The premises are to be fitted with adequate hand washing facilities for the preparation of food. Hand washing basins are required in addition to other basins and sinks in any toilet, AND in any food preparation area. Where separate additional food preparation areas are provided, an additional hand washing basin is needed. Hand washing basins are required:



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- to be fitted with hand's free taps such as knee or foot operated devices;
  - with hot and cold running potable water;
  - with a common spout delivering water of at least 40° Centigrade; and
  - to be easily accessible at all times.
37. A slop sink should be installed so that mop water does not contaminate the kitchen sinks. Mop water and water used for washing garbage receptacles must not be disposed of using a storm water drainage inlet.
38. Food preparation and storage areas are to be adequately protected from flies, insects, and vermin. Windows are to be screened, and doorways are to be provided with self closing doors. External doors are to be provided with self-closing screen doors.

### ***Prior to Issue of an Occupation Certificate***

39. Occupation Certificates shall be obtained for each stage (phase) of the development.
40. A Trade Waste Agreement must be entered into with Hawkesbury City Council for the discharge of trade waste to Council's sewer prior to the release of the Stage 1 Occupation Certificate.
41. Prior to the release of the Stage 1 Occupation Certificate the applicant shall submit a report from a suitably qualified Engineer which verifies the following:
- (a) Any damage to the proposed structure sustained in a flood will not generate debris capable of causing damage to downstream buildings or property.
  - (b) Any part of the structure at or below the 1 in 100 year flood level will be able to withstand the force of floodwaters (including buoyancy forces) and the impact of debris.
  - (c) All finishes, plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of floodwaters.
42. Prior to the release of the Stage 1 Occupation Certificate a flood warning sign of durable material shall be permanently fixed in a prominent location within the site. The sign shall advise occupants that the site may subject to inundation during times of flood.
43. Prior to the release of the Stage 1 Occupation Certificate the applicant shall prepare a flood emergency evacuation and management plan for the development. The plan shall advise occupants of flood evacuation procedures and emergency telephone numbers. The applicant shall contact Council and the NSW State Emergency Service for advice in the preparation of the plan. The evacuation procedures shall be permanently fixed to the building in a prominent location and maintained at all times.

### ***Use of the Development***

44. The food premises shall be maintained in accordance with the requirements of:
- Food Act 2003 and Regulations there under.
  - Australian Standard 4674:2004 'Design, construction and fit-out of food premises'.
45. A portable thermometer accurate to  $\pm 1^{\circ}\text{C}$  is to be available at the premises at all times for the purposes of checking cold and hot foods for compliance temperatures.
46. Potentially hazardous foods should be stored below  $5^{\circ}\text{C}$ , or above  $60^{\circ}\text{C}$  at all times in accordance with The Food Act 2003.

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47. Any activity carried out in accordance with this approval shall not give rise to offensive noise, offensive odour, or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
48. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
49. In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
50. Any lighting on the site is to be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
51. Traffic Marshalls are to be provided for games where a significant number of spectators are expected. Where any traffic control is to occur on public roads, the Traffic Marshals involved will require certification from the Roads and Maritime Services (RMS), formerly known as the Roads and Traffic Authority (RTA).
52. No signage or advertisements have been approved with this consent. The installation of signage and/or advertisements may require the formal approval of Council.

The reasons for the imposition of these conditions are those matters in 79C(1) of the Environmental Planning and Assessment Act 1979 as are relevant to the subject development.

### **Advisory Notes**

- This consent operates from the *consent date* shown on the top of this notice and will lapse unless the development is commenced within five years from this date.
- Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- Where the land is within the Hawkesbury City Council Sewerage Catchment. A separate application shall be submitted to Council for any alterations or connections to the sewer mains. The applicant shall consult with Council regarding acceptable discharge limits to the sewerage system.
- The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.
- Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing on Council's Application Form (refer to Council's website or customer service centre) within six months after receipt of this Notice of Determination, together with payment of the appropriate fees. It is recommended that the applicant discuss any request for a review of determination with Council staff before lodging such a request.

NOTE: This clause does not relate to Designated, Integrated, Crown or applications determined by the Joint Regional Planning Panel or applications previously considered under Section 82A of the Environmental Planning and Assessment Act 1979.

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- If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six months after the date on which you receive this notice.
- The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- The applicant shall make themselves aware of the Disability Discrimination Act (DDA) 1992 in order to assess their responsibilities and liabilities with regards to the provision of access for all people.
- Should any Aboriginal site or relic or European relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service or the Heritage Office (European relic) consulted. Any person who knowingly disturbs an Aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974 and Heritage Act.

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:

<b>For the Motion</b>	<b>Against the Motion</b>
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	

**ORDINARY MEETING**

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**Item: 152 CP - Hawkesbury River Pre-dredging Investigations between Windsor and Sackville Ferry - (95498)**

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Mr William Sneddon, proponent, addressed Council.

**MOTION:**

A MOTION was moved by Councillor Porter, seconded by Councillor Rasmussen.

That the matter be deferred.

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

***Refer to RESOLUTION***

The motion was lost and the amendment upon becoming the motion was put and carried.

**249 RESOLUTION:**

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

That:

1. The Hawkesbury River Dredging Investigations Report prepared by WorleyParsons dated 17 August 2012 be received and noted.
2. Further work on this matter will proceed upon completion of the Estuary Management Plan currently being prepared by Council and due for completion and adoption by Council prior to September 2013.

**Item: 153 CP - Trial of NSW Food Authority Scores on Doors to Food Premises within Hawkesbury Local Government Area to be Trialled for a Period of 12 months - (95498, 96330)**

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**MOTION:**

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

***Refer to RESOLUTION***

**250 RESOLUTION:**

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

That:

**ORDINARY MEETING**

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1. A trial "Scores on Doors" program be implemented over a 12 month period as outlined in the report.
2. The proposed trial program be placed on public exhibition for a period of 28 days for public comment in accordance with the requirements of Section 610F and 705 of the "*Local Government Act 1993*."
3. If Council does not receive any negative public comment about the proposed trial program, the program be implemented in accordance with parts 1 and 2 without being further reported to Council.
4. Following the trial period the results of the review are to be reported to Council with a recommendation to continue or discontinue the program.

**Item: 154 CP - Planning System Review Green Paper Submission - (95498)**

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Ms Mary Lyons-Buckett, proponent, addressed Council.

**MOTION:**

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

*Refer to RESOLUTION*

**251 RESOLUTION:**

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

That the Draft Submission attached to the report be endorsed and referred to the NSW Government in response to the exhibition of the Green Paper - A New Planning System for NSW.

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**INFRASTRUCTURE SERVICES**

**Item: 155**            **IS - Effects on Carbon Price on Hawkesbury City Waste Management Facility - (95495, 112179, 107)**

**Previous Item:**        126, Ordinary (10 July 2012)

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Ms Fiona Smith, proponent, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**252 RESOLUTION:**

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

That:

1. A selective tender incorporating an expression of interest stage be prepared for the design, supply, installation and potentially the operation and maintenance of a landfill gas collection system at the Hawkesbury Council Waste Management Facility to be undertaken in 2012/2013.
2. The future budget allocation for the gas collection system be brought forward to 2012/2013 to fund the project.

**Item: 156**            **IS - Lower Portland Ferry Working Party - (95495)**

**Previous Item:**        102, Ordinary (26 June 2012)

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**MOTION:**

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

***Refer to RESOLUTION***

**253 RESOLUTION:**

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

That Council note and endorse the actions of the General Manager in accepting the nominations of John Hermitage and Stephen Arblaster for membership of the Lower Portland Ferry Working Party.

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**Item: 157 IS - Richmond, Vineyard and McLeod Park Amenities - (79354)**

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**MOTION:**

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

*Refer to RESOLUTION*

**254 RESOLUTION:**

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

That:

1. Gates be installed on both Richmond Park and Vineyard Park Toilets.
2. Richmond Park and McLeod Park toilets are to be locked during the evening between 9:00pm and 6:30am.
3. Vineyard Park Toilets are to be locked permanently with sporting groups being given a key for access when they book to use the oval.

**Item: 158 IS - Sydney Blues and Roots Festival - Exclusive Use - (95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**255 RESOLUTION:**

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

That:

1. Approval be granted to Sydney Blues and Roots Festival for "Exclusive Use" of Thompson Square and the Windsor Mall as identified in their application for 26, 27 and 28 October 2012.
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.

**ORDINARY MEETING**

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- d) Approval of a Traffic Management Plan as part of the Special Event Application.
  - e) Approvals from the NSW Heritage Office
  - f) Correspondence from Draybi Pty Limited (the owners of the former Westpac Bank/Vault Restaurant premises) consenting to restricted access to the premises
3. The Alcohol Free Zone within Windsor Mall, George Street, Windsor in the area indicated in Attachment 2 to this report as "*AFZ suspension area*" be suspended between Fitzgerald Street and Kable Street, Windsor, subject to the approval of the Hawkesbury Local Area Command (Police), for the purpose of holding the Sydney Blues and Roots Festival – Windsor 2012 during the following dates and times:
- |                          |                   |
|--------------------------|-------------------|
| Friday 26 October 2012   | 7.00pm to 1.00am  |
| Saturday 27 October 2012 | 1.00pm to 1.00am  |
| Sunday 28 October 2012   | 1.00pm to 10.30pm |
4. The Restricted Alcohol Zone within Thompson Square in the area indicated in Attachment 2 to this report as "*RAZ suspension area*" be suspended, subject to the approval of the Hawkesbury Local Area Command (Police), for the purpose of holding the Sydney Blues and Roots Festival – Windsor 2012 during the following dates and times:
- |                          |                   |
|--------------------------|-------------------|
| Friday 26 October 2012   | 7.00pm to 1.00am  |
| Saturday 27 October 2012 | 1.00pm to 1.00am  |
| Sunday 28 October 2012   | 1.00pm to 10.30pm |
5. The suspension of the AFZ and RAZ, as outlined in Parts 3 and 4 above, be subject to the following conditions that are required to be complied with by the Event Organiser:
- (i) The licensed premises adhere to any other requirements of the NSW Police Service and relevant authorities in relation to the service of alcohol within those areas. A limited licence, if not already held, must be applied for and granted by the Casino, Liquor and Gaming Control Authority for Thompson Square.
  - (ii) The suspension of the alcohol free zones are only within the fenced areas of the Zones as shown in Attachments 1 and 2 of this report. Any areas not fenced remain Alcohol Free Zones.
  - (iii) No alcohol is to be removed from within any fenced area.
  - (iv) No glass is permitted within the current Alcohol Free Zones and Restricted Alcohol Zones.
  - (v) Uniformed licensed security guards to remain at the entrances and exits of each of the Alcohol Free Zones and Restricted Alcohol Zones to ensure no persons leave the area with alcohol.
  - (vi) Uniformed licensed security guards to patrol within the fenced areas to ensure there is no intoxication or anti-social behaviour.
  - (vii) A limit of 300 patrons are to be allowed in the fenced area of Windsor Mall.
  - (viii) A limit of 1200 patrons are to be allowed in the fenced area of Thompsons Square.
  - (ix) The AFZ and RAZ suspension areas as indicated in Attachments 1 and 2 of this report be barricaded off.
  - (x) Signage advising the suspension of the AFZ and RAZ within the designated barricaded areas indicated in Attachments 1 and 2 of this report are to be displayed on the outer side of the barricade fences.



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6. The period of suspension of the AFZ and RAZ within the barricaded areas indicated in Attachments 1 and 2 of this report be advertised.
7. The Event Organiser and the NSW Police Service, Hawkesbury Local Area Command, be advised of Council's decision.

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**SUPPORT SERVICES**

**Item: 159            SS - Monthly Investments Report - July 2012 - (96332, 95496)**

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**MOTION:**

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

*Refer to RESOLUTION*

**256 RESOLUTION:**

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

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

**Item: 160            SS - Pecuniary Interest Returns - (95496, 96333)**

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**MOTION:**

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

*Refer to RESOLUTION*

**257 RESOLUTION:**

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

That the information be received and noted.

**Item: 161            SS - June 2012 Quarterly Review - 2011/2012 Management Plan - (95496, 96332)**

**Previous Item:**        126, Extraordinary (21 June 2011)

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**MOTION:**

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

*Refer to RESOLUTION*

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**258 RESOLUTION:**

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

That:

1. The information contained in the report on the 2011/2012 Management Plan – June 2012 Quarterly Review be received.
2. The Quarterly Review of the 2011/2012 Management Plan for the period ending 30 June 2012 be adopted.

**Item: 162            SS - Consultants Utilised by Council - 1 January 2012 to 30 June 2012 - (95496, 79337)**

**Previous Item:**        187, Ordinary (14 June 2005)

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Mr Doug Bathersby, respondent, addressed Council.

**MOTION:**

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

***Refer to RESOLUTION***

**259 RESOLUTION:**

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

That the information concerning consultancies utilised by Council during the period January to June 2012 be received.

**Item: 163            SS - Exemption from Rating - 7 Grenville Street, Pitt Town - (95496, 96332, 9050)**

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**MOTION:**

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

***Refer to RESOLUTION***

**260 RESOLUTION:**

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

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

That:

1. The Anglican Church Property Trust Diocese Of Sydney be granted an exemption from rating from 1 July 2012 for the property known as 7 Grenville Street, Pitt Town (Lot B, DP 154347).
2. An amount of \$940.70 be abandoned in respect of rates for the period 1 July 2012 to 30 June 2013.

**Item: 164**            **SS - Hawkesbury River County Council - Member Council Contributions - (95496, 12212)**

**Previous Item:**        44, Extra-Ordinary (17 April 2012)

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**MOTION:**

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

*Refer to RESOLUTION*

**261 RESOLUTION:**

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

That:

1. The information contained in the report regarding Council's 2012/2013 contribution to the Hawkesbury River County Council be received.
2. Council approve the payment of \$152,798 to the Hawkesbury River County Council, as its contribution for 2012/2013 to the County Council.

**Item: 165**            **SS - Review of Windsor Mall Policy and Outdoor Dining & Footpath Trading Policy - (95496, 96333)**

**Previous Item:**        75, Ordinary (24 April 2007)  
190, Ordinary (9 September 2008)  
51, Ordinary (24 April 2012)

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**MOTION:**

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

*Refer to RESOLUTION*

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**262 RESOLUTION:**

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

That Council adopt:

1. The "Outdoor Dining and Footpath Trading Policy" attached as Attachment 1 to the report.
2. The "Windsor Mall Policy" attached as Attachment 2 to the report.

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**SECTION 5 - Reports of Committees**

**ROC - Hawkesbury Civic and Citizenship Committee - 18 July 2012**

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**263 RESOLUTION:**

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

That the minutes of the Hawkesbury Civic and Citizenship Committee held on 18 July 2012 as recorded on pages 155 to 158 of the Ordinary Business Paper be received.

**ROC - Heritage Advisory Committee Minutes - 9 August 2012 - (80242)**

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**264 RESOLUTION:**

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

That the minutes of the Heritage Advisory Committee held on 9 August 2012 as recorded on pages 159 to 162 of the Ordinary Business Paper be received.

**ROC - Local Traffic Committee - 13 August 2012 - (80245)**

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**265 RESOLUTION:**

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

That the minutes of the Local Traffic Committee held on 13 August 2012 as recorded on pages 163 to 177 of the Ordinary Business Paper be received.

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**QUESTIONS FOR NEXT MEETING**

**Councillors Questions from Previous Meetings and Responses**

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

**ORDINARY MEETING**

**MINUTES: 28 August 2012**

**Questions for Next Meeting**

#	Councillor	Question	Response
1	Porter	Asked if Council were aware that the Hawkesbury 2012 Water Ski Race was held over the past weekend at Governor Phillip Park, which was a great success.	General Manager
2	Williams	Asked if the Director City Planning could provide the Development Application details of a shed that was approved on Currency Creek Bridge on Sackville Road.	Director City Planning
3	Bassett	Asked if Council was aware that there have been allegations made and referred to the Minister for Gaming and Racing, that Hawkesbury Radio allegedly conducted competitions where members of the board and associated families of the board won \$1000 cash prizes. Councillor Bassett asked if Council was members of Hawkesbury Radio at that time.	General Manager

The meeting terminated at 10:15 pm.

Submitted to and confirmed at the Ordinary meeting held on 9 October 2012.

.....  
Mayor