



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 25 March 2014
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

Minutes: 25 March 2014.

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, 25 March 2014**, commencing at 6:36pm.

Pastor Colin Wellings of River of Life Church, 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 Calvert, P Conolly, M Lyons-Buckett, W Mackay, C Paine, B Porter, P Rasmussen and J Reardon.

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Development Services – Shari Hussein, Manager Corporate Services and Governance - Nicole Cooney and Administrative Support Coordinator - Natasha Martin.

APOLOGIES

Apologies for absence were received from Councillors M Creed and L Williams.

82 RESOLUTION:

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

Councillor Mackay arrived at the meeting at 7pm.

SECTION 1: Confirmation of Minutes

83 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Paine that the Minutes of the Ordinary Meeting held on the 11 March 2014, be confirmed, it being noted that Councillor Calvert should be listed as an apology for the Ordinary Meeting of 11 March 2014, as he was attending a Conference representing Council.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 53 **CP - Development Report - DA0267/13 - Lot 6 DP873934 - 47 Pine Place, Grose Vale - Tourist and Visitor Accommodation - (95498, 37982, 37983)**

Mr Michael Want addressed Council, speaking for the item.

MOTION:

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

Refer to RESOLUTION

84 RESOLUTION:

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

That development application DA0267/13 at Lot 6 DP 873934, 47 Pine Place, Grose Vale for Tourist and Visitor Accommodation be approved subject to the following conditions.

NSW Rural Fire Service Conditions

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

- A. At the commencement of building works and in perpetuity the property around the building to a distance of 30 metres, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

- B. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
- C. Due to the rear or most distant part of the dwelling being >70 metres from the nearest accessible hydrant, an onsite 20,000 litre water supply shall be provided for fire fighting purposes.

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- D. If an above ground tank is provided it shall be non combustible and fitted with a 65mm storz outlet with a gate or ball valve via a 50mm diameter metal pipe. The tank should (where practicable) be located no closer than 10 metres from the dwelling and no greater than 20 metres. A fire fighting vehicle must be able to gain access to within four metres of the water supply.
- E. An 'SWS' marker shall be obtained and positioned for ease of identification by brigade personnel and other users of the SWS. In this regard:
- Markers must be fixed in a suitable location so as to be highly visible; and
 - Markers should be positioned adjacent to the most appropriate access for the static water supply.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

- F. A Bush Fire emergency evacuation Plan is to be prepared in accordance with the NSW Rural Fire service document 'Guide for Developing a Bush Fire Emergency Evacuation Plan'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- G. New construction on the B&B dwelling shall comply with Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' Sections 5 (BAL 12.5) and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

Landscaping

- H. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

Hawkesbury City Council conditions

General Conditions

1. The development shall take place generally in accordance with the following stamped plans, specifications and documentation listed below and endorsed with Council's stamp, except as modified by these further conditions.

Architectural Drawing Title / Number	Prepared By	Dated
Proposed Site Plan, Drawing No: DA.03/B	LT+ Associates	31/10/2013
Proposed Ground Floor Plan, Drawing No. DA.05/A	LT+ Associates	10/07/2013
Proposed Mezzanine Level, Drawing No. DA.06/A	LT+ Associates	10/07/2013
Proposed Elevations, Drawing No. DA.07/A	LT+ Associates	10/07/2013
Section A-A + B-B & Construction Notes, Drawing No. DA.08/A	LT+ Associates	10/07/2013
Proposed Schedule of External Finishes + BASIX Comments, Drawing No. DA.09/A	LT+ Associates	10/07/2013

2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The buildings shall not be used or occupied prior to the issue of an Occupation Certificate.

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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 development shall be constructed and maintained in accordance of the New South Wales Rural Fire Services Conditions of approval.

Prior to Issue of Construction Certificate

7. 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 \$505.00 shall be paid to Hawkesbury City Council.

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.

8. 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 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 Council.
9. The drinking water to be supplied to the tourist and visitor accommodation shall consistently meet the NSW Health Private Water Supply Guideline 2008 and any subsequent amendments to the guidelines. A water supply management plan is to be kept on site and updated periodically in accordance with NSW Health Private Water Supply Guideline 2008 and other related NSW health guidelines. Details are to be provided to the Principal Certifying Authority.

Prior to Commencement of Works

10. Erosion and sediment control devices are to be installed, in accordance with the HDCP 2002, and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence / erosion control device.
11. The application to install a Sewage Management Facility - S0039/13 must be approved by Hawkesbury City Council prior to any works being commenced in relation to the sewage management facility.
12. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority 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 commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.

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15. Toilet facilities (to the satisfaction of Council) shall be provided for workers throughout the course of building operations. Such facility shall be located wholly within the property boundary.
16. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.
17. 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.

During Construction

18. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
19. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - 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 brick 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.
20. The building must be designed and constructed to comply with the requirements of the National Construction Code – Building Code of Australia Volume Two as a 'Class 1b' building.
21. All constructed batters are to be topsoiled and turfed and where batters exceed a ratio of three horizontal to one vertical, retaining walls, stone flagging or terracing shall be constructed.
22. Off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved and maintained as shown on the approved plan.
23. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
24. A bitumen sealed rural footway crossing minimum three metres wide shall be constructed to the entrance of the new driveway in accordance with the Hawkesbury DCP Appendix "E", "Civil Works Specification". Prior to works commencing the applicant shall consult with Council regarding fees to be paid, the works required and to organise inspections for a Compliance Certificate.
25. The development shall be completed in accordance with the approved colours and finishes as specified in drawing No.DA.09/A dated 10 July 2013.
26. Screening plants shall be planted along the north-western side of the tourist and visitor accommodation as shown on the approved plan in the form of a hedgerow to provide a suitable

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screening between the site and its adjoining properties. Planting shall consist of a mixture of trees, shrubs and plants of local provenance.

27. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
28. The site shall be secured to prevent the depositing of any unauthorised material.
29. 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.
30. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
31. All roof water shall be drained to the water storage vessel/s.

Prior to Issue of the Occupation Certificate

32. The following certificates are to be provided to Principal Certifying Authority, stating the name of person or company carrying out the installation, type of material and the relevant Australian Standard to which installed:
 - a) The type and method of termite treatment (complying with AS 3660) provided to walls and floors, pipe penetrations, jointing of new work to existing and slab perimeters. A copy of the termite treatment and materials used shall also be securely fixed inside the meter box for future reference.
 - b) Glazing materials installed in the building in accordance with AS1288 and AS2047 - Glass in Buildings - Selection and Installation, e.g. windows, doors, footlights and showers.
 - c) The type of timber installed indicating both species and durability as required by AS 1684.
 - d) An automatic smoke detection system installed in residential development by a licensed electrician. Smoke alarms must comply with AS 3786 and be connected to the consumer mains power where supplied to the building.
 - e) A statement or other suitable evidence shall be submitted to the Principal Certifying Authority, certifying that all commitments made on the BASIX certificate have been implemented and installed as approved.
33. A bush fire emergency evacuation and management plan shall be developed for the development. The plan shall advise occupants of bush fire evacuation procedures and emergency telephone numbers. The applicant shall contact NSW Rural Fire 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

34. An appropriate drinking water management system, in compliance with NSW Health requirements and the Public Health Act 2010 and regulation 2012 is to be provided for the tourist and visitor accommodation.
35. Reduced bushfire fuel loads are to be maintained at all times to the property boundary.
36. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
 - a) been assessed by a properly qualified person, and

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- b) found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.
37. No internal or external alterations shall be carried out without prior approval of Council.
38. The tourist and visitor accommodation facility shall not be used for permanent occupation, and shall only be used for short term tourist accommodation and is not to be made available for long term accommodation. In this regard any continuous length of stay is to be restricted to not more than four weeks.
39. The activity shall be carried out in accordance with the management plan submitted with the application.
40. A copy of the guest register is to be provided to Council every six months from the date of commencement of the use of the proposed tourist and visitor accommodation facility.
41. All premises offering food, packaged or otherwise, are to be registered with Hawkesbury City Council and have inspections conducted by Council's officers as necessary/required. The fit out and ancillary works are to be inspected by a Council Environmental Health Officer prior to commencement of any food preparation or retail operations at the premises.
42. These premises are required to comply with the Food Act 2003, associated Regulations, and the Food Safety Standards 3.2.2 and 3.2.3. These are available on line at www.foodstandards.gov.au.
43. All food premises are to comply with Hawkesbury City Council's Food Premises Fit Out Code. 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.
44. The premise is 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;
- a) to be fitted with hand's free taps such as knee or foot operated devices;
- b) with hot and cold running potable water;
- c) with a common spout delivering water of at least 40° Centigrade.
- d) to be easily accessible at all times.
45. A supply of soap and single use paper hand towels should be fitted to the wall in an appropriate and durable dispenser adjacent to any hand washing basin.
46. The area used for storage of garbage receptacles is to be completely separate from any food preparation and storage areas and kept in a clean condition, so as to not create offensive odours.
47. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
48. Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour and dust), 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.

Advisory Notes

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- *** The sewage management facility must be operated in accordance with the relevant operating specifications and procedures for the component facilities, and so as to allow disposal of treated sewage in an environmentally safe and sanitary manner [Local Government (General) Regulation 2005].
- *** The installed sewage system will be the subject of an approval to operate a system of sewage management in accordance with the provisions of Subdivision 6 & 7 of Division 4 of Part 2 of the Local Government (General) Regulation 2005 and for this purpose will be subject to inspection at annual frequency by Council's Environmental Health Officer or at such other frequency as may be determined according to the future operation or risk of the system.
- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Should any Aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- *** The applicant is advised to consult with:
 - a) A water and sewer provider
 - b) A electricity provider
 - c) A natural gas provider
 - d) A telecommunications carrierregarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.
- *** 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.
- *** 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.

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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 Ford	
Councillor Lyons-Buckett	
Councillor Paine	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

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

Councillors Creed and Williams were absent from the meeting.

Item: 54 **CP - Draft Voluntary Planning Agreement for Proposed Development known as Redbank, Grose Vale Road, North Richmond - (95498)**

Previous Item: 223, Ordinary (12 November 2013)

Councillor Rasmussen declared a pecuniary interest in this matter as owns a property which is adjacent to the Grose River Bridge which is part of this draft Voluntary Planning Agreement. He left the Chamber and did not take part in voting or discussion on the matter.

Mr Bill Denne, Mr Andrew Flaherty and Mr Les Sheather addressed Council, speaking for the item. Ms Beatriz Insausti, Ms Colleen Turnbull and Mr Michael Want addressed Council, speaking against the item.

MOTION:

A motion was moved by Councillor Tree, seconded by Councillor Porter.

That:

1. The draft Voluntary Planning Agreement attached to this report be placed on public exhibition for a minimum period of 28 days.
2. All persons who made a submission to the planning proposal for the Redbank at North Richmond development be advised of the public exhibition of the Voluntary Planning Agreement.
3. Following public exhibition the Voluntary Planning Agreement be reported back to Council for Council's final consideration.

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AMENDMENT:

An amendment was moved by Councillor Paine, seconded by Councillor Calvert.

That Council staff hold community meetings as soon as possible at North Richmond and Glossodia to explain in detail the draft Voluntary Planning Agreement and following the community meetings, this matter be reported back to Council.

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 Calvert	Councillor Conolly
Councillor Lyons-Buckett	Councillor Ford
Councillor Paine	Councillor Mackay
	Councillor Porter
	Councillor Reardon
	Councillor Tree

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

Councillors Creed and Councillor Williams were absent from the meeting.

The Amendment was lost.

MOTION:

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

Refer to RESOLUTION

85 RESOLUTION:

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

That:

1. The draft Voluntary Planning Agreement attached to this report be placed on public exhibition for a minimum period of 28 days.
2. All persons who made a submission to the planning proposal for the Redbank at North Richmond development be advised of the public exhibition of the Voluntary Planning Agreement.
3. Following public exhibition the Voluntary Planning Agreement be reported back to Council for Council's final consideration.

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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 Ford	Councillor Lyons-Buckett
Councillor Mackay	Councillor Paine
Councillor Porter	
Councillor Reardon	
Councillor Tree	

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

Councillors Creed and Councillor Williams were absent from the meeting.

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GENERAL MANAGER

Item: 55 **GM - Local Government NSW - Nominations and Applications for the Greater Blue Mountains World Heritage Area Advisory Committee - (79351, 79633, 112608, 118820)**

Previous Item: 230, Ordinary (12 October 2010)

MOTION:

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

Refer to RESOLUTION

86 RESOLUTION:

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

That the Councillor Rasmussen be nominated to Local Government NSW as a representative for the Greater Blue Mountains World Heritage Area Advisory Committee.

Item: 56 **GM - Sister City and City-Country Alliance Program - Annual Report 2012/2013 - (79351, 73610, 85814, 90568)**

Previous Item: 27, Ordinary (26 February, 2013)
54, Ordinary (8 May, 2012)

MOTION:

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

Refer to RESOLUTION

87 RESOLUTION:

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

That the 2012/2013 annual report for the Sister City Program be received.

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CITY PLANNING

Item: 57 **CP - Office of Coal Seam Gas - Petroleum Exploration Licence Application 158
Lodged by Ceemac Pty Ltd - (95498)**

Ms Kerrie Wilson on behalf of Ms Venecia Wilson and Ms Danielle Wheeler addressed Council, speaking for the item.

Mr Doug Bathesby addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

88 RESOLUTION:

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

That Council:

1. Council lodge a submission with the Office of Coal Seam Gas in respect of Petroleum Exploration Licence Application 158 Lodged by Ceemac Pty Ltd and that Council indicate the direction such submission should take to enable its preparation and lodgement by the extended date given to Council by the Office of Coal Seam Gas of 31 March 2014.
2. The General Manager and the Mayor to finalise the submission by the final date, ensuring that the submission reflects the sentiment that Council opposes any current or proposed coal seam gas exploration or mining in the Hawkesbury LGA.
3. Write to the Premier of NSW informing him Hawkesbury City Council's position.
4. Write to the Hawkesbury, Riverstone and Londonderry Members of Parliament seeking their support for Council's position.
5. Write to the State Government to advise them of Council's opposition to any Coal Seam Gas activities being undertaken in sensitive environmental areas.
6. Request a report on the practices of having coal seam gas water transported into, and stored or disposed of in the Hawkesbury LGA.

Councillors Conolly and Mackay requested that their names be recorded as having voted against the Motion.

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INFRASTRUCTURE SERVICES

Item: 58 **IS - Hawkesbury Indoor Stadium provision of Basketball Facilities - (95495, 79340)**

Previous Item: NM – 1 Ordinary Meeting 11 December 2012
 NM – 1 Ordinary Meeting 30 July 2013

Mr Bradley McGuinness addressed Council, speaking for the item.

MOTION:

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

Refer to RESOLUTION

89 RESOLUTION:

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

That Council:

1. Note the report.
2. Consider the replacement of the basketball court backboards in its draft 2014/2015 Operational Plan.
3. Consider the provision of an outdoor court in future capital programs following a review of operational issues during peak usage periods of the indoor courts.
4. Receive a further report on the Midnight Basketball Program following consideration and response by Midnight Basketball Australia.

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Minutes: 25 March 2014.

Item: 59 **IS - Provision of Public Amenities - (95495, 79340)**

Previous Item: NM 3, Ordinary (25 June 2013)

MOTION:

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

Refer to RESOLUTION

90 RESOLUTION:

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

That Council:

1. Reallocate funding of \$160,000 for the upgrade and refurbishment of the Kable Street amenities, including accessibility compliance.
2. Continue to conform to the relevant Australian Standards and Building Code of Australia for accessibility including signage for the visually impaired.

ORDINARY MEETING

Minutes: 25 March 2014.

SUPPORT SERVICES

Item: 60 SS - Monthly Investments Report - February 2014 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

91 RESOLUTION:

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

The report regarding the monthly investments for February 2014 be received and noted.

Item: 61 SS - Adoption of Access and Inclusion Checklist - (96328, 95496)

MOTION:

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

Refer to RESOLUTION

92 RESOLUTION:

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

That Council:

1. Adopt and endorse the Access and Inclusion Checklist developed by the Hawkesbury Access and Inclusion Advisory Committee, subject to formatting and minor editing.
2. Write to business owners and community agencies that operate retail and/or service outlets within the major town centres within the Hawkesbury, to advise them of the development of the Access and Inclusion Checklist, and to invite them to contact Council to discuss the option of arranging an access audit of their premises.
3. Amend the Guidelines of its Community Sponsorship Program to include the provision of grants to community agencies and business owners, on a 50:50 basis, to fund accessibility improvements to their premises as outlined in this report.

ORDINARY MEETING

Minutes: 25 March 2014.

Item: 62 **SS - Community Sponsorship Program - 2013/2014 - Round 3 - (96328, 95496)**

Previous Item: 145, Ordinary (30 July 2013)
 249, Ordinary (10 December 2013)

MOTION:

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

Refer to RESOLUTION

93 RESOLUTION:

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

That Council:

1. Approve payments under Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. Approve the execution of Council's standard Sponsorship Agreement for applications 3, 4, 5 and 9, identified in Table 1 of this report.

ORDINARY MEETING
Reports of Committees

SECTION 4 - Reports of Committees

ROC **Floodplain Risk Management Advisory Committee - 27 February 2014 - (86589, 95498)**

Mr Peter Jessop addressed Council, speaking for the item.
Mr Les Sheather addressed Council, speaking against the item.

MOTION:

A motion was moved by Councillor Porter, seconded by Councillor Reardon.

That:

1. The minutes of the Floodplain Advisory Committee held on 27 February 2014 as recorded on pages 87 to 93 of the Ordinary Business Paper be received.
2. As recommended by the Floodplain Advisory Committee at its meeting held on 27 February 2014 Council adopt a preferred position of flood mitigation measures being taken immediately in the Hawkesbury/Nepean River system and that relevant government departments, state members of parliament and adjoining councils be advised accordingly.
3. The Floodplain Advisory Committee recognise the need to raise the height of the Warragamba Dam wall however, as this project, will take many years to complete, in the meantime, the residents of the Hawkesbury/Nepean valley can be provided with instant flood protection by the following three step mitigation process:
 - a) By using Warragamba dam for partial flood mitigation,
 - b) By dredging the identified 'choke points' in the Hawkesbury River', and
 - c) By removing the top of Sackville Gorge by excavating approximately 120,000 cubic metres of sandstone.
4. Maritime Services have advised, in writing, that the seven choke points within the Hawkesbury/Nepean River are a navigational hazard and therefore the dredging of these points will provide the benefits additional to flood protection.

AMENDMENT:

An amendment was moved by Councillor Conolly, seconded by Councillor Paine.

That a report on the Committee's recommendation as recorded on page 92 of the Ordinary Business Paper be brought back to Council in two meeting's time.

The amendment was carried and became the motion.

94 RESOLUTION:

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

That a report on the Committee's recommendation as recorded on page 92 of the Ordinary Business Paper be brought back to Council in two meeting's time.

ORDINARY MEETING
Reports of Committees

ROC **Hawkesbury Access and Inclusion Advisory Committee - 27 February 2014 - (124569, 96328)**

95 RESOLUTION:

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

That the minutes of the Hawkesbury Access and Inclusion Committee held on 27 February 2014 as recorded on pages 94 to 99 of the Ordinary Business Paper be received.

ROC **Local Traffic Committee - 10 March 2014 - (80245)**

96 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 10 March 2014 as recorded on pages 100 to 112 of the Ordinary Business Paper be adopted.

ORDINARY MEETING

Notices of Motion

SECTION 5 - Notices of Motion

NM - Coal Seam Gas Exploration in the Hawkesbury LGA - (79351, 125612)

The Notice of Motion was withdrawn by Councillor Lyons-Buckett as the issue had been dealt with by Council as a result of a previous item on the Business Paper.

ORDINARY MEETING

Questions for Next Meeting

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
Questions for Next Meeting

Questions for next meeting

#	Councillor	Question	Response
1	Rasmussen	Enquired if it was possible to determine why the traffic in North Richmond was delayed for more than an hour on 25 March 2014.	The Director Infrastructure Services
2	Calvert	Enquired if overgrown grass near Crowleys Lane, Agnes Banks could be addressed as it is impeding vision for motorists.	The Director Infrastructure Services
3	Paine	Enquired if a clean-up notice could be issued to the owners of a block of land behind Richmond Library, as it is very overgrown and causing problems to neighbours.	The Director City Planning
4	Paine	Enquired if the area between the Kurmond shops and the Bells Line of Road could be mowed.	The Director Infrastructure Services
5	Tree	Enquired if Windsor Rotary could be requested to remove graffiti in Bligh Park as part of its ongoing graffiti removal program.	The Director Infrastructure Services
6	Tree	Enquired if the round-about at Rifle Range Road, Bligh Park could be weeded and replanted with low growing shrubs and mulch.	The Director Infrastructure Services
7	Tree	Noted that birds are nesting in the street light cages around the sporting complex in Bligh Park and raised concerns of the potential fire hazard.	The Director Infrastructure Services
8	Tree	Enquired about the mowing of and the parking on the nature strip outside a property in Colonial Drive, Bligh Park.	The Director City Planning
9	Reardon	Enquired about the status of the previous request to install historic flood markers.	The Director City Planning
10	Reardon	Requested that the lighting and line markings in the parking bays at the car park in North Richmond be improved for safety reasons.	The Director Infrastructure Services
11	Reardon	Enquired if Council can trim vegetation along Grose Vale Road, between Bowen Mountain Road and Westbury Road, Bowen Mountain.	The Director Infrastructure Services

ORDINARY MEETING
CONFIDENTIAL REPORTS

CONFIDENTIAL REPORTS

97 RESOLUTION:

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

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: 63 SS - Property Matter - Assignment of Lease from Denise O'Rourke to Kate McGill and Julie Milner - Shop 2 Glossodia Shopping Centre - (129953, 18223, 112106, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 64 SS - Property Matter - Lease to Hawkesbury Equestrian Centre Incorporated - Part of 40 Racecourse Road, Clarendon (Part of Lot 187 in Deposited Plan 45754) - (74207, 112106, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 65 SS - Property Matter - Lease to Schofield & Co (Administration) Pty Limited - Reverend Turner Cottage - 360 George Street Windsor - (77907, 112106, 95496)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(*) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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.

98 RESOLUTION:

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 63 **SS - Property Matter - Assignment of Lease from Denise O'Rourke to Kate McGill and Julie Milner - Shop 2 Glossodia Shopping Centre - (129953, 18223, 112106, 95496) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

99 RESOLUTION:

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

That:

1. Council agree to the assignment of the lease of Shop 2 Glossodia Shopping Centre from Ms Denise O'Rourke, to Ms Kate McGill and Ms Julie Milner, as outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to both the existing Lessee and the proposed Lessees, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 64 **SS - Property Matter - Lease to Hawkesbury Equestrian Centre Incorporated - Part of 40 Racecourse Road, Clarendon (Part of Lot 187 in Deposited Plan 45754) - (74207, 112106, 95496) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

100 RESOLUTION:

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

That:

1. Council agree to enter into a new lease of Part of 40 Racecourse Road, Clarendon (Part of Lot 187 in Deposited Plan 45754) with Hawkesbury Equestrian Centre Incorporated as outlined in the report, subject to the consent of the relevant Minister, as required, being obtained for the new Lease.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as the consent of the relevant Minister has been obtained, and appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 65 **SS - Property Matter - Lease to Schofield & Co (Administration) Pty Limited - Reverend Turner Cottage - 360 George Street Windsor - (77907, 112106, 95496)**
CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

101 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Schofield & Co (Administration) Pty Limited of "Reverend Turner Cottage", 360 George Street, Windsor in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 10:30pm.

Submitted to and confirmed at the Ordinary meeting held on 8 April 2014.

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Mayor