



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 09 December 2014

location: council chambers

time: 6:30 p.m.



**ORDINARY MEETING**

**Minutes: 09 December 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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## ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 9 December 2014, commencing at 6:31pm.

Pastor Andrew Mann of the Hawkesbury Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

### ATTENDANCE

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

**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 Strategic Planning - Shari Hussein, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Coordinator - Natasha Martin.

### APOLOGIES

Apologies for absence were received from Councillors B Calvert, W Mackay and C Paine.

### 413 RESOLUTION:

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

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

Councillor Williams arrived at the meeting at 6:36pm.

Councillor Williams left the meeting at 8:55pm.

### SECTION 1: Confirmation of Minutes

### 414 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Creed that the Minutes of the Ordinary Meeting held on the 25 November 2014, be confirmed.

**ORDINARY MEETING**

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**SECTION 3 - Reports for Determination**

**PLANNING DECISIONS**

**Item: 236 CP - Development Application - DA0183/14 - Subdivision - Community Title - 67, 67A, 67B Browns Road, Kurrajong - (95498, 88784, 125590)**

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Mr Patrick Hurley, Ms Margot Locke and Mr David Bonjer addressed Council, speaking for the item. Ms Lisa Turner and Mr Jocken Letsch addressed Council, speaking against the item.

**MOTION:**

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

***Refer to RESOLUTION***

**415 RESOLUTION:**

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

That the matter be deferred for a site inspection.

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 Conolly	Councillor Creed
Councillor Lyons-Buckett	Councillor Ford
Councillor Rasmussen	Councillor Porter
Councillor Reardon	Councillor Tree
Councillor Williams	

Councillors Calvert, Mackay and Paine were absent from the meeting.



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**Item: 237 CP - Development Application - DA0538/14 - Dwelling House and Ancillary Development - 241 Blaxlands Ridge Road, Blaxlands Ridge - (95498, 88148, 88149)**

Mr Craig Hewitt addressed Council, speaking for the item.

**MOTION:**

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

***Refer to RESOLUTION***

**416 RESOLUTION:**

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

That development application DA0538/14 at Lot 31 DP 831094, 241 Blaxlands Ridge Road, Blaxlands Ridge for construction of a new dwelling house and attached garage, swimming pool and shed be approved subject to the following conditions:

***General***

1. The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

<b>Architectural Drawing Number</b>	<b>Prepared by</b>	<b>Dated</b>
2016/1655/1/4	Apted Plan Service	March 2014
2016/1655/2/4	Apted Plan Service	March 2014
2016/1655/3/4	Apted Plan Service	March 2014
2016/1655/4/4	Apted Plan Service	March 2014
2016/1655/4/4(2)	Apted Plan Service	March 2014
Shed ELEVATIONS BTSEM20087		18 July 2014
Shed PLAN VIEW BTSEM20087		18 July 2014
Shed Layout Drg. No. XX		Undated

2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the National Construction Code/Building Code of Australia.
5. The accredited certifier shall provide copies of all Part 4A 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 commitments listed in the BASIX certificate for this development must be fulfilled.

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7. This development falls within the Sewerage Scheme controlled by Hawkesbury City Council. Therefore Hawkesbury City Council is the approving authority for all sewer works.

### ***Bushfire Asset Protection***

8. That the site where not built upon shall have the vegetation reduced where necessary to satisfy the requirements of "Planning for Bushfire Protection 2006" for an inner protection area of an asset protection zone and this area shall be maintained at this vegetation level for the lifetime of the development as described below:

- a) From the Northern building elevation for a distance of 40 metres to the North.
- b) From the Eastern building elevation to the property boundary.
- c) From the Southern building elevation to the property boundary.
- d) From the Western building elevation for a distance of 60 metres to the West.

These areas are to form a continuous and linked buffer around the entire dwelling.

9. To allow for emergency service personnel and residents to undertake property protection activities, a defensible space that permits unobstructed pedestrian access is to be provided around the building.

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

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. **The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.**

10. 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 \$6,765 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.

11. The payment of a long service levy as required under Part 5 of the Building and Construction Industry Long Service Payments Act 1986, in respect to this building work, and in this regard, proof that the levy has been paid, is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. All building works in excess of \$25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Corporation offices or at most Councils.
12. Hawkesbury City Council is the sewer authority for this development. As this development involves connection to an on-site septic system, a payment of the prescribed inspection fee for both internal and external sewer drainage work is required to be made prior to the issue of a Construction Certificate.

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13. A Sewer Management Facility System application shall be submitted to Hawkesbury City Council. Evidence of the lodgement (or approval) of the application must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.
14. The building shall comply with the requirements of "Planning for Bush Fire Protection" prepared by Planning NSW and AS 3959 Construction of Buildings in Bush Fire Prone Areas. Details demonstrating compliance with AS 3959 shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

The building shall comply with the requirements of AS 3959 - 2009 Construction of Buildings in Bush Fire Prone Areas, Bushfire Attack Level (BAL) 19.

A written specification of the proposed materials to be used, demonstrating compliance with Sections 3 and 6 (BAL 19) of Australian Standard AS 3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection' shall be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.

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

15. 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.
16. 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.
17. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
18. 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.
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. 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.
21. 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.

### ***During Construction***

22. Compliance certificates (known as Part 4A Certificates) as are to be issued for critical stage inspections as detailed in the Environmental Planning and Assessment Regulation 2000 as required by Section 109E (3) (d) of the Environmental Planning and Assessment Act 1979 by the nominated Principal Certifying Authority.

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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 secured to prevent unauthorised access and the depositing of unauthorised material.
26. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
27. 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.
28. 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.
  - d) All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
29. The dwelling shall be provided with on-site, non-combustible, water storage vessels of minimum 100,000 litres capacity, which incorporates the following:
  - a) A draw off line with a 65mm Storz fitting and metal ball valve which extends to the base of the water tank for Rural Fire Service access.
  - b) The domestic line shall terminate so as to retain a minimum of 20,000 litres permanently in the tank.
  - c) All tanks shall have an access hatch, minimum 800mm in diameter, to gain entry directly through the lid.
  - d) A 3kW (5hp) petrol or diesel powered pump shall be installed and maintained.
  - e) A 19mm hose capable of reaching the entire perimeter of the dwelling shall be provided and maintained.

The tank shall, where practical, be positioned no closer than ten metres and no further than 20 metres from the dwelling. Adequate access to within six metres of the water supply for a Category 1 heavy bushfire tanker shall also be provided.

30. All roofwater shall be drained to the water storage vessel/s. The tank overflow is to discharge to a rubble pit/absorption trench. The pit shall be located a minimum of six metres from any structure or boundary.

The stormwater drainage pit shall be of adequate size and be fitted centrally with vertical overflow pipes and be located so as not to interfere with any other property or sewer drainage system.

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31. Inspections and Compliance Certificates for sanitary drainage works shall be conducted and issued by Hawkesbury City Council. Inspections must be conducted on the exposed pipes prior to covering.
  - a) In the case of internal and external (house service connection) drainage, the inspection must be conducted by Hawkesbury City Council's Building and Development Branch. Please phone (02) 4560 4444 to arrange inspections.
32. An automatic fire detection and alarm system shall be installed in the building in accordance with the Building Code of Australia for Class 1a structures. Alarms and detectors shall be installed by a licenced electrician and multiple alarms shall be interconnected. A Certificate of Compliance shall be provided to the Principal Certifying Authority prior to the occupation of the development.
33. Waste water from the swimming pool shall be disposed of in a manner so as not to create a nuisance for neighbours.
34. The pool shall not be filled with water until a suitable child safety fence is in place which complies with the Swimming Pools Act and AS 1926.
35. A warning notice (incorporating resuscitation techniques) complying with the requirements of Section 17(1) and Regulation 8 of the Swimming Pools Act, 1992, shall be provided and maintained in a prominent position in the immediate vicinity of the pool.

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

36. A written clearance from Hawkesbury City Council (as the local sewer authority) that the development is suitably connected to the on-site sewerage management system, is required to be submitted to the Principal Certifying Authority prior to the issue of an Interim Occupation Certificate.
37. The following certificates are to be provided, 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) 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.
  - d) 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.

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

38. The structure shall not be occupied for human habitation/residential, industrial or commercial purposes.
39. The outbuilding structure is only to be used in conjunction with, or ancillary to, the residential or agricultural use of the land.

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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 Conolly	NIL
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Calvert, Mackay and Paine were absent from the meeting.

**Item: 238 CP - Planning Proposal to amend Hawkesbury Local Environmental Plan 2012 - 431 and 431A Greggs Road, Kurrajong - (95498, 124414)**

Mr Robert Montgomery addressed Council, speaking against the item.

**MOTION:**

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

***Refer to RESOLUTION***

**417 RESOLUTION:**

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

That:

1. Council support the preparation of a planning proposal for Lots 431 and 432, DP 1189536, 431 and 431A Greggs Road, Kurrajong to allow development of the land for large lot residential / rural residential development.
2. The planning proposal be forwarded to the Department of Planning and Infrastructure for a "Gateway" determination.
3. The Department of Planning and Infrastructure be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.
4. The Department of Planning and Infrastructure and the applicant be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress, either completion of the Section 94 Developer Contributions Plan or a Voluntary Planning Agreement, has been made towards resolving infrastructure provision for this planning proposal.

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- 5. Council does not endorse the subdivision concept plan submitted with the planning proposal as this will need to be subject to a future development application if the plan was made.

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 Creed	Councillor Conolly
Councillor Ford	Councillor Lyons-Buckett
Councillor Porter	Councillor Rasmussen
Councillor Reardon	Councillor Williams
Councillor Tree	

Councillors Calvert, Mackay and Paine were absent from the meeting.

NOTE: A Rescission Motion was lodged at the conclusion of the meeting in respect of this matter.

**Item: 239 CP - Permissibility of Rural "Secondary Dwellings" and "Detached Dual Occupancy" in the Hawkesbury Local Government Area - (95498, 124414)**

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

That:

1. The report regarding the options for amending Hawkesbury Local Environmental Plan 2012 to permit "secondary dwellings" and "detached dual occupancy" be received and noted.
2. Council officers prepare a concept planning proposal for discussion with the Department of Planning in February 2015 based on the recommendations in this report for both Option 1 and Option 4 (4 ha) to amend Local Environmental Plan 2012 to permit "secondary dwellings" and "detached dual occupancy" within all rural zones and E3 & E4 environmental zones.
3. Should the Department of Planning and Environment support the preliminary discussions about the concept planning proposal, a planning proposal be prepared and be referred to the Department for a gateway determination.
4. Council also amend the Residential Land Strategy to address the Policy change to permit Secondary Dwellings and Detached Dual Occupancy as described in this report.
5. A further report be presented to Council in the first quarter of 2015 providing an update on the status of the planning proposal, Development Contributions (Section 94) Plan, DCP chapter and Enforcement Policy chapter preparation.

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An AMENDMENT was moved by Councillor Conolly, seconded by Councillor Lyons-Buckett.  
That:

1. The report regarding the options for amending Hawkesbury Local Environmental Plan 2012 to permit “secondary dwellings” and “detached dual occupancy” be received and noted.
2. Council officers prepare a concept planning proposal for discussion with the Department of Planning in February 2015 based on the recommendations in this report for both Option 1 and Option 3 to amend Local Environmental Plan 2012 to permit ‘secondary dwellings” and “detached dual occupancy” within certain rural zones.
3. Should the Department of Planning and Environment support the preliminary discussions about the concept planning proposal, a planning proposal be prepared and be referred to the Department for a gateway determination.
4. Council also amend the Residential Land Strategy to address the Policy change to permit Secondary Dwellings and Detached Dual Occupancy as described in this report.
5. A further report be presented to Council in the first quarter of 2015 providing an update on the status of the planning proposal, Development Contributions (Section 94) Plan, DCP chapter and Enforcement Policy chapter preparation.

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:

<b>For the Amendment</b>	<b>Against the Amendment</b>
Councillor Conolly	Councillor Creed
Councillor Lyons-Buckett	Councillor Ford
Councillor Rasmussen	Councillor Porter
	Councillor Reardon
	Councillor Tree
	Councillor Williams

Councillors Calvert, Mackay and Paine were absent from the meeting.



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**MOTION:**

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

***Refer to RESOLUTION***

**418 RESOLUTION:**

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

That:

1. The report regarding the options for amending Hawkesbury Local Environmental Plan 2012 to permit “secondary dwellings” and “detached dual occupancy” be received and noted.
2. Council officers prepare a concept planning proposal for discussion with the Department of Planning in February 2015 based on the recommendations in this report for both Option 1 and Option 4 (4 ha) to amend Local Environmental Plan 2012 to permit “secondary dwellings” and “detached dual occupancy” within all rural zones and E3 & E4 environmental zones.
3. Should the Department of Planning and Environment support the preliminary discussions about the concept planning proposal, a planning proposal be prepared and be referred to the Department for a gateway determination.
4. Council also amend the Residential Land Strategy to address the Policy change to permit Secondary Dwellings and Detached Dual Occupancy as described in this report.
5. A further report be presented to Council in the first quarter of 2015 providing an update on the status of the planning proposal, Development Contributions (Section 94) Plan, DCP chapter and Enforcement Policy chapter preparation.

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 Creed	Councillor Conolly
Councillor Ford	Councillor Lyons-Buckett
Councillor Porter	Councillor Rasmussen
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Calvert, Mackay and Paine were absent from the meeting.

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**Item: 240 CP - Council's Section 94 Contributions Plan 2008 - Current Review and Preparation of Future Contributions Plan - (95498, 124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**419 RESOLUTION:**

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

That:

1. Council staff prepare amendments the Council's existing Section 94 Contributions Plan 2008 as generally described in this report (particularly in relation to Pitt Town) and publically exhibit the proposed amendments as a matter of priority.
2. Following public exhibition of the amended Section 94 Plan as resolved in Part 1 above, the Plan and all issues raised in public submissions during the public exhibition period, be reported back to Council no later than March 2015.
3. Council prepare a Section 94 Contributions Plan that will apply to growth development in the areas identified in the Hawkesbury Residential Land Strategy. In this regard, the Plan will apply to the areas identified on the growth maps in the adopted Strategy and also the areas permitted for large lot residential development.
4. The Section 94 Contributions Plan proposed in Part 3 of this resolution is to be extended, if required, to address the development of Detached Dual Occupancy as determined by Council.
5. The resourcing and timing of the preparation of the Section 94 Contributions Plan is to be reported to Council upon Council's final decision on the scope of that Plan, but no later than the second Council meeting of February 2015.

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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 Conolly	NIL
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillors Calvert, Mackay and Paine were absent from the meeting.

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**GENERAL MANAGER**

**Item: 241                    GM - Australian Mayoral Aviation Council - Council Membership - (79351)**

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**MOTION:**

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

*Refer to RESOLUTION*

**420 RESOLUTION:**

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

That Council accept the invitation from the Australian Mayoral Aviation Council and become a member of that organisation.

**Item: 242                    GM - 2015 Local Government Managers (LGMA) National Congress & Business Expo (79351, 80532)**

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**MOTION:**

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

*Refer to RESOLUTION*

**421 RESOLUTION:**

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

That the:

1. Attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2015 Local Government Managers Australia National Congress & Business Expo at an approximate cost of \$4,000 per delegate be approved and that Councillors Creed, Ford, Mackay, Porter, Rasmussen and Reardon attend the Conference as Council's delegates.
2. Number of Councillors attending individual conferences to be discussed at the next Councillor Briefing Session.

**ORDINARY MEETING**

**Minutes: 09 December 2014**

**CITY PLANNING**

**Item: 243**                    **CP - Hawkesbury Horizon Project - Progress and Proposed Future Actions - (124414)**

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**MOTION:**

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

*Refer to RESOLUTION*

**422 RESOLUTION:**

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

That:

1. The information on the progress of the Hawkesbury Horizon Project be received and the participants be thanked for their contributions to date.
2. Phase 2 of the Hawkesbury Horizon Project as outlined in this report be supported and implemented.
3. A further progress report be presented to Council after the completion of Phase 2 of the Hawkesbury Horizon Project.

**Item: 244**                    **CP - Hawkesbury-Nepean Valley Flood Management Review Taskforce - (95498, 86589)**

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

That as recommended by the Floodplain Risk Management Advisory Committee, Council write to:

1. Infrastructure NSW, specifically the chair of the Hawkesbury-Nepean Valley Flood Management Review Taskforce, seeking a representative from the Hawkesbury Floodplain Risk Management Advisory Committee be included on the Stakeholder Reference Panel.
2. The Minister for Roads and Freight and the Minister for Natural Resources, Land and Water and the State Local Members, seeking their urgent support to assist Council in obtaining a license for the dredging of the Hawkesbury River at the following points:
  - a) Sackville Ferry
  - b) Sackville Gorge
  - c) Ebenezer Church
  - d) Pitt Town Bottoms
  - e) Sandy Point
  - f) Cattai Creek
  - g) Bens Point.

**ORDINARY MEETING**

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An AMENDMENT was moved by Councillor Lyons-Buckett, seconded by Councillor Williams.

That as recommended by the Floodplain Risk Management Advisory Committee, Council write to Infrastructure NSW, specifically the chair of the Hawkesbury-Nepean Valley Flood Management Review Taskforce, seeking a representative from the Hawkesbury Floodplain Risk Management Advisory Committee be included on the Stakeholder Reference Panel.

The Amendment was lost.

**MOTION:**

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

***Refer to RESOLUTION***

**423 RESOLUTION:**

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

That as recommended by the Floodplain Risk Management Advisory Committee, Council write to:

1. Infrastructure NSW, specifically the chair of the Hawkesbury-Nepean Valley Flood Management Review Taskforce, seeking a representative from the Hawkesbury Floodplain Risk Management Advisory Committee be included on the Stakeholder Reference Panel.
2. The Minister for Roads and Freight and the Minister for Natural Resources, Land and Water and the State Local Members, seeking their urgent support to assist Council in obtaining a license for the dredging of the Hawkesbury River at the following points:
  - a) Sackville Ferry
  - b) Sackville Gorge
  - c) Ebenezer Church
  - d) Pitt Town Bottoms
  - e) Sandy Point
  - f) Cattai Creek
  - g) Bens Point.

**ORDINARY MEETING**

**Minutes: 09 December 2014**

**INFRASTRUCTURE SERVICES**

**Item: 245**                    **IS - Establishment of a Midnight Basketball Program - (95495, 79354)**

**Previous Item:**        NM1, Ordinary (30 July 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**424 RESOLUTION:**

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

That Council explore opportunities to partner with a suitable community service agency to auspice a Midnight Basketball Program.

**Item: 246**                    **IS - Road Naming Proposal Redbank Development North Richmond - (95495, 79346)**

**Previous Item:**        197, Ordinary (14 October 2014)

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**MOTION:**

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

*Refer to RESOLUTION*

**425 RESOLUTION:**

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

That Council, as the road naming authority for local roads in accordance with the Roads Act 1993, adopt and make the list of road names attached as Attachment 1 to the report, available for use within the Redbank development at North Richmond.

**ORDINARY MEETING**

**Minutes: 09 December 2014**

**Item: 247**                      **IS - Rural Fire Service Bid and Estimates 2015/2016 - Hawkesbury District - (95495, 79016, 73835)**

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**MOTION:**

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

*Refer to RESOLUTION*

**426 RESOLUTION:**

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

That the 2015/2016 Rural Fire Fighting Fund estimates as submitted by the Hawkesbury Rural Fire Service be endorsed in principle to enable submission to the NSW RFS for consideration.



**ORDINARY MEETING**

**Minutes: 09 December 2014**

**SUPPORT SERVICES**

**Item: 248**                    **SS - Community Sponsorship Program - 2014/2015 - Round 2 - (95496, 96328)**

**Previous Item:**        133, Ordinary (29 July 2014)

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**MOTION:**

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

*Refer to RESOLUTION*

**427 RESOLUTION:**

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

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations and individuals listed, and at the level recommended in Table 1 of the report.
2. Approve the execution of Council's standard Sponsorship Agreement for the applications 1, 5, 6, 7 and 8, identified in Table 1 of the report.

**Item: 249**                    **SS - Lobbying Contact Register - (95496)**

**Previous Item:**        NM1, Ordinary (9 September 2014)

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**MOTION:**

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

*Refer to RESOLUTION*

**428 RESOLUTION:**

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

That the information be received and noted.

**ORDINARY MEETING**

**Minutes: 09 December 2014**

**Item: 250                    SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

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**MOTION:**

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

*Refer to RESOLUTION*

**429 RESOLUTION:**

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

That the information be received and noted.

**Item: 251                    SS - Request to Withdraw a Caveat - Lots 7 and 9, DP256516 and Lot 2,  
DP590789, Lower Colo Road, Lower Portland - (95496, 112106, 21162, 105003)**

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**MOTION:**

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

*Refer to RESOLUTION*

**430 RESOLUTION:**

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

That:

1. Council agree to the withdrawal of the caveat affecting Lots 7 and 9, DP256516 and Lot 2, DP590789, Lower Colo Road, Lower Portland.
2. The Seal of Council be affixed to all relevant documentation.
3. Details of Council's resolution be conveyed to the affected landowner, or his conveyancer; together with 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 executed by all relevant parties.

**ORDINARY MEETING**

**Minutes: 09 December 2014**

**SECTION 4 - Reports of Committees**

**ROC Human Services Advisory Committee - 6 November 2014 - (123486)**

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**431 RESOLUTION:**

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

That the minutes of the Human Services Advisory Committee held on 6 November 2014 as recorded on pages 111 to 116 of the Ordinary Business Paper be received.

**ROC Sustainability Advisory Committee - 17 November 2014 - (126363)**

---

**432 RESOLUTION:**

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

That the minutes of the Sustainability Advisory Committee held on 17 November 2014 as recorded on pages 117 to 120 of the Ordinary Business Paper be received.

**ROC Floodplain Risk Management Advisory Committee - 20 November 2014 - (86589)**

---

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

That:

1. The minutes of the Floodplain Risk Management Advisory Committee held on 20 November 2014 as recorded on pages 121 to 127 of the Ordinary Business Paper be received.
2. Council request the Floodplain Risk Management Advisory Committee to direct its attention to the priorities in the Floodplain Risk Management Study and Plan.

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

That:

1. The minutes of the Floodplain Risk Management Advisory Committee held on 20 November 2014 as recorded on pages 121 to 127 of the Ordinary Business Paper be received.
2. A report be brought to Council on the feasibility of another Committee being established to implement the Floodplain Risk Management Study and Plan.

**ORDINARY MEETING**

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The Amendment was lost.

The Motion was lost.

A FORESHADOWED MOTION was moved by Councillor Creed, seconded by Councillor Porter.

That the minutes of the Floodplain Risk Management Advisory Committee held on 20 November 2014 as recorded on pages 121 to 127 of the Ordinary Business Paper be received.

**433 RESOLUTION:**

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

That the minutes of the Floodplain Risk Management Advisory Committee held on 20 November 2014 as recorded on pages 121 to 127 of the Ordinary Business Paper be received.

**ORDINARY MEETING**

**Minutes: 09 December 2014**

**QUESTIONS FOR NEXT MEETING**

**Councillor Questions from Previous Meeting and Responses - (79351)**

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

**ORDINARY MEETING**

Minutes: 09 December 2014

**Questions for Next Meeting**

#	Councillor	Question	Response
1	Lyons-Buckett	Requested an update on the shipping containers and sheds at 64 Grandview Lane, Bowen Mountain.	The Director City Planning
2	Reardon	Noted concerns regarding the increases in animal numbers at the Hawkesbury Community Animal Shelter (HCAS), due to the collection of animals from neighbouring council's and the recent storms resulting in an increase in lost dogs. Councillor Reardon enquired if HCAS has sufficient resources for the increased numbers of animals in its care and if this could be an initiative in the budget.	The Director City Planning
3	Reardon	Enquired on behalf of the Principal of Grose View Public School if traffic from the proposed Navua Bridge could be kept away from the School for safety reasons and if this request could be presented to the Local Traffic Committee for consideration.	The Director Infrastructure Services

ORDINARY MEETING

Minutes: 09 December 2014

CONFIDENTIAL REPORTS

434 RESOLUTION:

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

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chambers during consideration of the following items:

**Item: 252 IS - Tender No. 00946 - Supply of Bulk Materials for Civil Construction - (95495, 79344)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of bulk materials for civil construction to Council and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 253 IS - Tender No. 00950 - Rehabilitation of Former East Kurrajong Waste Depot, East Kurrajong - (95495, 79344)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and it is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 254 SS - Property Matter - Lease by Council of (Part) Scheyville National Park from The Minister Administering the National Parks and Wildlife Act 1974 - (95496, 112106)**

*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 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: 255 SS - Sale of 8 Yarwood Road, Bligh Park (Lot 9156 in DP843382) - (95496, 112106, 114885)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the sale of property by the Council 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.

**ORDINARY MEETING**

**Minutes: 09 December 2014**

**435 RESOLUTION:**

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

The Mayor then briefly adjourned the meeting due to the lack of a quorum and resumed the meeting when the following Councillors were present:

Councillor K Ford, Mayor, Councillor B Porter, Deputy Mayor and Councillors P Conolly, M Creed, M Lyons-Buckett, P Rasmussen, J Reardon, T Tree and L Williams.

**Item: 252**                    **IS - Tender No. 00946 - Supply of Bulk Materials for Civil Construction - (95495, 79344) CONFIDENTIAL**

**Previous Item:**            366, Ordinary (30 September 2014)

---

**MOTION:**

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

***Refer to RESOLUTION***

**436 RESOLUTION:**

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

That:

1. The tenders of:
  - a) Boral Resources (NSW) Pty Ltd
  - b) Hanson Heidelberg Cement Group
  - c) Concrete Recyclers (Group) Pty Ltd
  - d) State Asphalt NSW Pty Ltd

to be placed on a supplier panel for the supply of bulk materials for civil construction be accepted for a two year period commencing October 2014, with an option to extend for two further periods of one year each, subject to satisfactory performance.

2. The Seal of Council be affixed to any necessary documentation.



**ORDINARY MEETING**

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**Item: 253**                    **IS - Tender No. 00950 - Rehabilitation of Former East Kurrajong Waste Depot, East Kurrajong - (95495, 79344) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**437 RESOLUTION:**

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

That:

1. The tender submitted by Azbuild Pty Ltd in the amount of \$1,202,830 (GST exclusive) for the rehabilitation of former East Kurrajong Waste Depot located at 743 Putty Road, East Kurrajong, be accepted.
2. Any required documentation be executed under the Seal of Council.

**Item: 254**                    **SS - Property Matter - Lease by Council of (Part) Scheyville National Park from The Minister Administering the National Parks and Wildlife Act 1974 - (95496, 112106) CONFIDENTIAL**

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**MOTION:**

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

***Refer to RESOLUTION***

**438 RESOLUTION:**

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

That:

1. Council agree to enter into a new lease with The Minister Administering the National Parks and Wildlife Act 1974 in regard to (Part) Scheyville National Park, being part Lot 1 in DP420280, 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.

**ORDINARY MEETING**

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**Item: 255**                    **SS - Sale of 8 Yarwood Road, Bligh Park (Lot 9156 in DP843382) - (95496, 112106, 114885) CONFIDENTIAL**

**Previous Item:**        85, Ordinary (13 July 2004)  
                              25, Ordinary (1 February 2011)

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**MOTION:**

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

***Refer to RESOLUTION***

**439 RESOLUTION:**

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

That:

1. Council accept the offer from Mr Chris Cruse and Mrs Mia Cruse (nee Kelly) as outlined in the report for the purchase of 8 Yarwood Road, Bligh Park (Lot 9156 in Deposited Plan 843382) in the amount of \$170,000 (inclusive of any GST payable).
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 Mr Chris Cruse and Mrs Mia Cruse (nee Kelly), via Cassidy Real Estate, advising 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 8:56pm.

Submitted to and confirmed at the Ordinary meeting held on 3 February 2015.

.....  
Mayor