



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 11 March 2014
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

Minutes: 11 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, 11 March 2014**, commencing at 6:31pm.

Pastor Roger Brewer of Bridgewater Baptist Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor K Ford, Mayor and Councillors P Conolly, M Creed, M Lyons-Buckett, W Mackay, C Paine, B Porter, P Rasmussen, J Reardon 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 Development Services – Shari Hussein, Manager Corporate Services and Governance – Nicole Cooney and Administrative Support Team Leader - Natasha Martin.

APOLOGIES

Apologies were received from Councillor Tree and Councillor Calvert.

59 RESOLUTION:

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

Councillor Mackay arrived at the meeting at 6:45pm.

Councillor Rasmussen arrived at the meeting at 6:46pm.

SECTION 1: Confirmation of Minutes

60 RESOLUTION:

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

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 36 **CP - Development Report - DA0002/14 S82A - Lot 7 DP251845 and Lots 1-5 DP262394 - 69 Blacktown Rd and 121A Batchelors Wharf Rd, Freemans Reach - Intensive plant agriculture - (95498, 85782, 114078)**

Previous Item: 167, Ordinary (27 August 2013)

Mr Donovan Callaghan and Ms Kaye Ridge addressed Council, speaking for the item.

MOTION:

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

Refer to RESOLUTION

61 RESOLUTION:

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

That:

- A. Council refuse Section 82A Review of Determination Application DA0002/14 S82A and reinforce the refusal of Development Application No. DA0280/13 for intensive plant agriculture (horticulture), the construction of an agricultural farm shed and the installation of igloos on Lot 7 DP: 251845, known as 69 Blacktown Road, Freemans Reach, for the following reasons;
1. The development is inconsistent with the objectives of the RU2 Rural Landscape zone in that it will result in land use conflict, detract from the existing rural character, adversely impact upon water catchments and important ecosystems.
 2. The development is inconsistent with the objectives of the E2 Environmental Conservation zone in that it will adversely impact on the preservation and conservation of Bushells Lagoon and indigenous and migratory wildlife.
 3. The development is not designed, sited or managed to avoid adverse environmental impacts to Bushells Lagoon.
 4. The development is inconsistent with Section 6.4 and 6.5 of the Hawkesbury Local Environmental Plan 2012 in that it will generate adverse impacts on the condition and significance of Bushells Lagoon, which acts as habitat for indigenous and migratory species.
 5. The proposed development is inconsistent with Part 5A of the Environmental Planning and Assessment Act, 1979 in that adequate information has not been provided to demonstrate that the proposed development will not have a significant impact on threatened species, populations or ecological communities, or their habitats.

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6. The development is inconsistent with the specific planning policies and recommended strategies outlined in Section 6 of Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River, in particular with respect to environmentally sensitive areas, water quality, flora and fauna, riverine scenic quality and agriculture.
 7. Inadequate management and operational practices are proposed to mitigate the impacts generated by the development.
 8. The development will generate unreasonable noise and amenity impacts.
 9. The hours of operation are excessive within the context of the locality.
 10. The prepared Acoustic Report fails to demonstrate that the activities of the market garden may be undertaken without negatively impacting on the amenity of neighbours.
 11. The number and extent of the proposed igloos will detract from the scenic character of the locality.
 12. The development will generate unreasonable odour impacts.
- B. Council continue compliance action with respect to the unauthorised use of the land.

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	NIL
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Williams	

Councillors Calvert and Tree were absent from the meeting.

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Item: 37 **CP - Development Report - DA0304/13 - Lot 1 DP811806 - 2 Creek Ridge Road, Wilberforce - Construction of a shed ancillary to a dwelling and filling of an existing water storage facility (dam) - (95498, 32577)**

MOTION:

A Motion was moved by Councillor Paine, seconded by Councillor Rasmussen.

That this matter be deferred to the next Council meeting.

AMENDMENT:

An Amendment was moved by Councillor Conolly, seconded by Councillor Reardon.

That Development Application DA0304/13 at Lot 1 DP 811806, 2 Creek Ridge Road, Wilberforce for construction of a shed ancillary to a dwelling and filling of an existing water storage facility (dam) be approved subject to the following conditions:

General Conditions

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. The development shall comply with the provisions of the National Construction Code / Building Code of Australia.
3. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
4. The works shall not be occupied prior to the issue of an Occupation Certificate.
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.

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.

6. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.

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7. A detailed landscaping plan prepared by a suitably qualified person shall be submitted to the Principal Certifying Authority showing tree planting on the southern, western and northern sides of the shed. Planting shall consist of a combination of a mixture of trees, shrubs and ground species of local provenance.

Prior to Commencement of Works

8. 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*.
9. 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.
10. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
11. Toilet facilities (to the satisfaction of the Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
12. 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 the 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 seven day emergency numbers).
 - d) The name and contact number of the Principal Certifying Authority.
13. 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.
14. 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.

During Construction

15. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
16. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted. Water flows from the site shall follow the original flow direction without increased velocity.
17. 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.
18. 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.

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- b) 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.
- 19. All roofwater shall be drained to water storage vessel/s. The overflow from water storage vessels shall be drained to a rubble pit of suitable size.
- 20. The topsoil shall be stripped and stockpiled and used to cover the landfill in areas not forming part of a building platform.
- 21. The filled dam area and shed platform batters shall be top soiled and grassed immediately after filling takes place.
- 22. All fill, including existing fill, must be compacted to 98% standard compaction in accordance with AS1289 and verified by the submission of test results in layers not exceeding 300mm.
- 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. A ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination.
- 26. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
- 27. Filling shall comprise only uncontaminated virgin excavated natural material. Contamination certificates for all source material shall be provided to the Principal Certifying Authority prior to placing any fill on site.
- 28. A bitumen sealed rural footway crossing minimum four metres wide shall be constructed to the site in accordance with the Hawkesbury DCP Appendix "E", "Civil Works Specification". Prior to works commencing the applicant shall consult with Asset Services and Recreation regarding fees to be paid, the works required and to organise inspections for a Compliance Certificate.
- 29. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
- 30. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix B Civil Works Specification, Part II, Table 1.1.

Prior to Issue of Occupation Certificate

- 31. Compliance with all conditions of this development consent.
- 32. A works as executed plan and contour depth of fill plan prepared by a registered surveyor or the design engineer shall be submitted.

Use of the Development

- 33. No internal or external alterations shall be carried out without prior approval of Council.
- 34. The subject development, including landscaping, is to be maintained in a clean and tidy manner.

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- 35. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
- 36. The structure ancillary to the dwelling shall not be occupied for human habitation/residential, industrial or commercial purposes.

Advisory Notes

- *** 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.
- *** 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 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

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the amendment, the results of which were as follows:

For the Amendment	Against the Amendment
Councillor Conolly	Councillor Lyons-Buckett
Councillor Creed	Councillor Paine
Councillor Ford	Councillor Rasmussen
Councillor Mackay	Councillor Williams
Councillor Porter	
Councillor Reardon	

Councillors Calvert and Tree were absent from the meeting.

The amendment was carried and became the motion before the Chair.

MOTION:

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

Refer to RESOLUTION

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62 RESOLUTION:

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

That Development Application DA0304/13 at Lot 1 DP 811806, 2 Creek Ridge Road, Wilberforce for construction of a shed ancillary to a dwelling and filling of an existing water storage facility (dam) be approved subject to the following conditions:

General Conditions

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. The development shall comply with the provisions of the National Construction Code / Building Code of Australia.
3. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
4. The works shall not be occupied prior to the issue of an Occupation Certificate.
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.

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.

6. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, site rehabilitation and landscaping.

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10. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
11. Toilet facilities (to the satisfaction of the Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
12. 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 the works:
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 - c) The person/company carrying out the site works and telephone number (including 24 hour seven day emergency numbers).
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 - b) 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.
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21. The filled dam area and shed platform batters shall be top soiled and grassed immediately after filling takes place.
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24. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
25. A ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination.
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29. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
30. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix B Civil Works Specification, Part II, Table 1.1.

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33. No internal or external alterations shall be carried out without prior approval of Council.
34. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
35. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
36. The structure ancillary to the dwelling shall not be occupied for human habitation/residential, industrial or commercial purposes.

Advisory Notes

- *** 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.

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- *** 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 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

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 Lyons-Buckett
Councillor Creed	Councillor Paine
Councillor Ford	Councillor Rasmussen
Councillor Mackay	Councillor Williams
Councillor Porter	
Councillor Reardon	

Councillors Calvert and Tree were absent from the meeting.

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GENERAL MANAGER

Item: 38 GM - 2014 Best Practice in Local Government Conference - (79351)

MOTION:

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

Refer to RESOLUTION

63 RESOLUTION:

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2014 Best Practice in Local Government Conference at an approximate cost of \$1,460 per delegate be approved and that Councillor Rasmussen attend the Conference as Council's nominated delegate.

Item: 39 GM - 2014 Floodplain Management Association Conference - (79351)

MOTION:

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

Refer to RESOLUTION

64 RESOLUTION:

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2014 Floodplain Management Association Conference at an approximate cost of \$2,200 per delegate be approved and that Councillors Lyons-Buckett, Reardon, Paine and Porter attend the Conference as Council's nominated delegates.

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CITY PLANNING

Item: 40 CP - Reporting of Variations Granted to Development Standards - (95498)

MOTION:

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

Refer to RESOLUTION

65 RESOLUTION:

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

That the report regarding the reporting of variations granted to development standards under Hawkesbury Local Environmental Plan 1989 and Hawkesbury Local Environmental Plan 2012 be received and noted.

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INFRASTRUCTURE SERVICES

Item: 41 **IS - Bowen Mountain - Emergency Evacuation Route Improvements (94595, 79344)**

Previous Item: NM, (29 October 2013)

MOTION:

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

Refer to RESOLUTION

66 RESOLUTION:

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

That

1. Funding in the amount of \$80,000 be considered in the 2014/2015 Operational Plan for the provision of short term Emergency Fire Evacuation Projects in the Bowen Mountain area as detailed in this report.
2. Consideration be given to provide funding in the amount of \$589,000 in future Capital Works Programs for the implementation of Fire Emergency Evacuation Projects in the Bowen Mountain area, as detailed in this report.

Item: 42 **IS - Enhanced Town and Village Cleaning Program - (105109, 80104, 79351, 95495)**

Previous Item: NM2, (12 November 2013)

MOTION:

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

Refer to RESOLUTION

67 RESOLUTION:

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

That an Enhanced Town and Village Cleaning Program be established in the 2014/2015 financial year, with:

1. The establishment of a dedicated two person cleaning crew.
2. The purchase of the multifunction suction sweeper and trailer from reserves.
3. The operational costs associated with the truck and sweeper to be funded from existing reserves.

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Item: 43 **IS - Governor Phillip Reserve Proposed Markets - (95495, 79354)**

MOTION:

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

Refer to RESOLUTION

68 RESOLUTION:

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

That:

1. The proposal be advertised and subject to no significant objections being raised during the 14 day public consultation period Eclectic Markets and Events the General Manager be given delegated authority to approve monthly market at Governor Phillip Reserve for one year.
2. Such approval be subject to the following :
 - a) Council's general park conditions
 - b) Council's fees and charges
 - c) The Windsor Foreshore Plan of Management
 - d) Management of conflict with other users (including possible block out dates at the sole discretion of the General Manager)
3. In the event of significant objections being raised by the Community, the matter be reported back to Council.

Item: 44 **IS - Grant Offer - MacDonald Valley Weed Management - (95495, 79354)**

MOTION:

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

Refer to RESOLUTION

69 RESOLUTION:

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

That:

1. The grant offer of \$8,775 for the control of Invasive Weeds in the MacDonald Valley be accepted.
2. Council write to the Deputy Premier, the Hon. Andrew Stoner, MP, thanking him for the offer of the grant.

ORDINARY MEETING

Meeting Date: 11 March 2014

SUPPORT SERVICES

Item: 45 **SS - Consultants Utilised by Council - 1 July 2013 to 31 December 2013 - (95496, 79337)**

MOTION:

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

Refer to RESOLUTION

70 RESOLUTION:

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

That the information concerning consultancies utilised by Council during the period July to December 2013 be received.

Item: 46 **SS - Glossodia Shopping Centre - (38869, 95496)**

Previous Item: 1, Ordinary (4 February 2014)

Ms Renee Keddie addressed Council, speaking for the item.

Mr Peter Gooley, Mr Jud Haines and Mr Graeme Jay addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

71 RESOLUTION:

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

That a report regarding priorities for upgrades to the Centre and details regarding outgoings be brought back to Council following consultation with the shopkeepers and also following community engagement and an interim report be brought to the Councillor Budget Briefing Session.

ORDINARY MEETING

Meeting Date: 11 March 2014

Item: 47 **SS - Local Government NSW - Request for Contribution to Legal Costs -
Canterbury City Council - (112608, 90674, 95496)**

MOTION:

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

Refer to RESOLUTION

72 RESOLUTION:

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

That Council contribute the amount of \$532.50, as outlined in the correspondence dated 10 February 2014 from Local Government NSW, towards estimated legal costs to be incurred by Canterbury City Council, in a matter before the Supreme Court regarding an easement over land classified as Community land.

ORDINARY MEETING
Reports of Committees

SECTION 4 - Reports of Committees

ROC **Heritage Advisory Committee - 6 February 2014 - (80242)**

73 RESOLUTION:

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

That the minutes of the Heritage Advisory Committee held on 6 February 2014 as recorded on pages 75 to 80 of the Ordinary Business Paper be received.

ROC **Human Services Advisory Committee - 20 February 2014 - (123486)**

74 RESOLUTION:

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

That the minutes of the Human Services Advisory Committee held on 20 February 2014 as recorded on pages 81 to 85 of the Ordinary Business Paper be received.

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	Requested an update on the Council property at Colonial Drive, Bligh Park	The Director Support Services
2	Paine	Requested an investigation into a commercial soil depot on Racecourse Road, Clarendon whose trucks are dropping soil onto the road.	The Director City Planning
3	Williams	Sought clarification that out of area schools use the Oasis Aquatic Centre facility for swimming carnivals, preventing locals from using the lap lanes and also are additional entrance fees being charged for school carnival patrons who then choose to stay and swim at the Centre.	The Director Support Services
4	Lyons-Buckett	Enquired if it is possible to seal more of the area within the Waste Management Facility in order to prevent cars from becoming bogged.	The Director Infrastructure Services
5	Lyons-Buckett	Enquired if the potholes in Sherwood Street, Kurrajong could be fixed as residents believe that it was scheduled for repair in 2013 and an individual has fallen on the road near the pothole.	The Director Infrastructure Services
6	Lyons-Buckett	Enquired if works on Grose Vale Road, between Pecks Road and Grose Vale Public School are complete as there is loose gravel and corrugation along the road.	The Director Infrastructure Services
7	Creed	Requested an update on the progress of the repairs to the Windsor Wharf.	The Director Infrastructure Services

**ORDINARY MEETING
CONFIDENTIAL REPORTS**

CONFIDENTIAL REPORTS

75 RESOLUTION:

RESOLVED on the motion of Councillor Conolly, 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: 48 IS - Property Acquisition Lots 1223, 1275, 1273 Upper MacDonald Road (Associated with Jurds Bridge Replacement) - (95495, 36386, 29316, 34783, 27338)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to a purchase 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.*

Item: 49 IS - Sullage Collection Database Report - (95495, 112179)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 to Sullage Collection Database Reporting 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: 50 SS - Property Matter - Lease to Ms Kirsty Robertson - Shop 1A McGraths Hill Shopping Centre - (95496, 112106, 111190, 76666, 9587)

*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: 51 SS - Property Matter - Lease to Sai Chong Lao and Yen Sreg Tran - Shop 10 Wilberforce Shopping Centre - (73565, 76755, 34779, 74405, 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.*

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 52 SS - Property Matter - Lease to The Minister for Emergency Services (NSW Fire Brigades) - 43 March Street Richmond - (95496, 112106, 82354)

*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.*

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.

76 RESOLUTION:

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 48 **IS - Property Acquisition Lots 1223, 1275, 1273 Upper MacDonald Road (Associated with Jurds Bridge Replacement) - (95495, 36386, 29316, 34783, 27338) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

77 RESOLUTION:

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

That:

1. The acquisition of an area of land, in the order of 27m², within 1223 Upper MacDonald Road, Upper MacDonald (Lot 22 in DP 1126921) proceed.
2. The acquisition of an area of land, in the order of 2,374m², within 1275 Upper MacDonald Road, Upper MacDonald (Lot 1349 in DP 997871) proceed.
3. The acquisition of an area of land, in the order of 2,517m², within 1273 Upper MacDonald Road, Upper MacDonald (Lot 2 in DP 997871) proceed.
4. Part of the original road alignment, comprising an area of 789m² be returned to and consolidated with the parent parcel, being 1275 Upper MacDonald Road (Lot 1349 in DP997871).
5. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
6. Details of Council's resolution be conveyed to all affected landowners together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been agreed to and executed by all parties.

Item: 49 **IS - Sullage Collection Database Report - (95495, 112179) CONFIDENTIAL**

Previous Item: NM1, Ordinary (9 July 2013)

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING
CONFIDENTIAL REPORTS

78 RESOLUTION:

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

That Council note the information contained in the report on sullage collection.

Item: 50 SS - Property Matter - Lease to Ms Kirsty Robertson - Shop 1A McGraths Hill Shopping Centre - (95496, 112106, 111190, 76666, 9587) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

79 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Ms Kirsty Robertson trading as 'KL's Cut Above Hairdressing' in regard to Shop 1A McGraths Hill Shopping Centre, 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.

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 51 **SS - Property Matter - Lease to Sai Chong Lao and Yen Sreg Tran - Shop 10 Wilberforce Shopping Centre - (73565, 76755, 34779, 74405, 95496)**
CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

80 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Sai Chong Lao and Yen Sreg Tran trading as IGA Wilberforce, in regard to Shop 10 Wilberforce Shopping Centre, 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 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.

Item: 52 **SS - Property Matter - Lease to The Minister for Emergency Services (NSW Fire Brigades) - 43 March Street Richmond - (95496, 112106, 82354)**
CONFIDENTIAL

Councillor Ford declared a less than significant non-pecuniary conflict of interest in this matter as he owns property that is neighbouring the Fire Station in Richmond, however the lease on the Fire Station will have no influence on his business or income and no further action is required.

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING
CONFIDENTIAL REPORTS

81 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with The Minister for Emergency Services (NSW Fire Brigades) in regard to unformed portion of road adjoining 43 March Street, Richmond, 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 8:10pm.

Submitted to and confirmed at the Ordinary Meeting held on 25 March 2014.

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Mayor