



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 29 November 2016

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

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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 29 November 2016, commencing at 6:32pm.

Pastor Stephen Jonker of the Hawkesbury Christian Reformed Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor M Lyons-Buckett, Mayor, Councillor B Calvert, Deputy Mayor and Councillors P Conolly, E-J Garrow, A Kotlash, P Rasmussen, P Reynolds, S Richards, J Ross, T Tree, D Wheeler and N Zamprogno.

ALSO PRESENT: Acting General Manager - Laurie Mifsud, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Executive Manager - Community Partnerships - Joseph Litwin, Development Services Manager - Cristie Evenhuis, Acting Chief Financial Officer – Vanessa Browning, Manager Corporate Services and Governance - Ian Roberts and Administrative Support Coordinator - Natasha Martin.

Councillor Kotlash left the meeting at 9:05pm.

Councillor Conolly left Chambers at 9:05pm and returned at 9:15pm.

Councillor Richards left the meeting at 11:05pm.

Councillor Tree left the meeting at 11:05pm.

SECTION 1 - Confirmation of Minutes

395 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Calvert that the Minutes of the Ordinary Meeting held on the 8 November 2016, be confirmed.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 250 CP - DA0074/15 - 11 Hanckel Road, Oakville - Lot 11 DP416762 - Landscaping Material Supplies - (94598, 133379, 128521)

Mr David Jones addressed Council, speaking for the recommendation.

Ms Lynne Clark, Mr Hugh McCorry and Mr George Vella addressed Council, speaking against the recommendation.

MOTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Richards.

Refer to RESOLUTION

396 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Richards.

That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. DA0074/15 for a landscaping material supplies premises on Lot 11 DP 32307, known as 141 Hanckel Road, Oakville, subject to the following conditions:

TRANSGRID CONDITIONS

TransGrid controls and operates the NSW high voltage transmission line network that includes the infrastructure and easement on the subject property identified as follows:

Vales Point – Sydney West 330KV transmission line (Feeder's 25/26, Structure 249 – 251) situated within an 85.344m wide easement.

The development shall be undertaken in accordance with the requirements of TransGrid:

1. TransGrid's access to the transmission lines, stanchions and easement must be maintained at all times, including during the construction period. Please note that TransGrid operates 40 ton heavy vehicle maintenance trucks throughout the full length of the easement and that the ground makeup must be able to bear this weight.
2. All vegetation and landscaping proposed within TransGrid's easement shall be kept to a minimum and must not exceed a mature height of four metres (preferably species of no greater height than three metres are used).

No plantings are permitted within 30 metres of the transmission towers.

The screen planting of trees must be undertaken entirely outside of TransGrid's registered easement.

3. Height restrictors must be applied to cranes, backhoes, elevated work platforms or any other plant and equipment proposed to operate within the easement that is capable of exceeding the 4.2 metre height restriction.

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- 4. No truck parking and/or temporary stopping is permitted within TransGrid's easement. The truck unloading and parking area must not encroach into the easement as shown in Drawing No. DA01 Issue 'D' 'Proposed Site Plan' prepared by Lime Architects and dated 18 February 2016.
- 5. No mounds of earth or other materials may be formed or left within the easement above existing ground levels, even on a temporary basis, as doing so creates a hazard that reduces the vertical clearances to the transmission lines and obstructs TransGrid easement maintenance.
- 6. During construction, traffic control measures must be implemented to prevent vehicles colliding with TransGrid's transmission towers. Any temporary fencing within TransGrid's easement will need to be earthed and every second panel isolated. No works are permitted within a 30 metre exclusion zone around each TransGrid transmission tower.

TransGrid's transmission towers possess subterranean earthing straps that protrude diagonally out by 15 metre from each leg of the structure and are situated approximately 500mm below the ground surface. These earthing straps must not be disturbed and pose a dangerous hazard if disturbed under transmission line fault conditions.

- 7. All works are to be carried out in accordance with the NSW WorkCover 'Work Near Overhead Power Lines' Code of Practice 2006:

http://www.safework.nsw.gov.au/_data/assets/pdf_file/0020/52832/Work-near-overhead-power-lines-code-of-practice.pdf

Reference shall also be made to TransGrid's 'Easement Guidelines for Third Party Development'. Contact TransGrid on (02) 9620 0777 in the event of any uncertainty.

- 8. TransGrid shall be notified prior to the commencement of any construction work commences. This will allow a TransGrid Easement Officer to attend the site to advise of key high voltage transmission line safety issues.

TransGrid shall be contacted on (02) 9620 0777 a minimum of two weeks prior to the commencement of any works to arrange a visit.

- 9. TransGrid shall be formally notified of any or all subsequent stages to this development site.
- 10. Any further development on the subject land, including but not limited to subdivision, road construction and/or landscaping etc., must be assessed by TransGrid to determine whether it complies with the relevant easement restrictions.

Note: TransGrid does not endorse nor encourage people to congregate within the easement and/or under the transmission lines.

HAWKESBURY CITY COUNCIL CONDITIONS

General Conditions

- 11. The development shall take place generally in accordance with the following stamped approved plans and documentation:

Document Number	Prepared By	Dated
Drawing No. DA01 Issue 'D' 'Proposed Site Plan'	Lime Architects	18 February 2016
Drawing No. DA02 Issue 'C' 'Proposed Ground Plan'	Lime Architects	10 August 2015
Drawing No. DA03 Issue 'C' 'Proposed Roof Plan'	Lime Architects	10 August 2015
Drawing No. DA04 Issue 'C' 'Proposed Section Elevations'	Lime Architects	10 August 2015
Drawing No. DA05 Issue 'C' 'Existing and New Ground Levels'	Lime Architects	10 August 2015

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... except as modified by the conditions of this consent. The proposed western driveway is not approved by this consent (See condition 22 of this consent).

Note: In no way does this consent authorise or indicate support for the construction of a detached second dwelling house as shown on Drawing No. DA01 Issue 'D' 'Proposed Site Plan' prepared by Lime Architects and dated 10 August 2015 as such a use is prohibited in the RU4 zone at the time of issue of this consent.

12. No excavation, site works or building works shall be commenced prior to the issue of a Construction Certificate and/or Design Compliance Certificate as appropriate.
13. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
14. The development shall comply with the provisions of the Building Code of Australia (BCA)/National Construction Code.
15. The development shall comply with the Disability (Access to Premises – Buildings) Standards 2010.
16. 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.
17. This development falls within the Sewerage Scheme controlled by Hawkesbury City Council. Therefore Hawkesbury City Council is the approving authority for all sewer works.

As this development involves connection to an onsite effluent disposal 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.

Prior to Issue of Design Compliance Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Design Compliance 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 Design Compliance Certificate. The Design Compliance Certificate shall be obtained for the earthworks, access driveway, car park and drainage.

18. A Design Compliance Certificate must be obtained for this development covering the:
 - a) earthworks
 - b) access driveway
 - c) car park
 - d) drainage design.

Should Council be nominated as the Principal Certifying Authority for the Design Compliance Certificate, the Applicant shall pay a Design Compliance Certificate Fee and a Construction Compliance Certificate Fee in accordance with Council's adopted fees and charges when submitting Civil Engineering Plans for approval.

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19. Prior to the issue of the Design Compliance Certificate, the applicant must submit and obtain approval from the Certifying Authority for an Erosion and Sediment Control Plan (ESCP). The ESCP must be designed in accordance with Landcom's publication 'Managing Urban Stormwater – Soils and Construction (2004)' and include the following:
- the nature and extent of any earthworks, including the amount of any cut and fill
 - the location of all soil and other material stockpiles including topsoil storage
 - the location and type of proposed erosion and sediment control measures
 - any site rehabilitation proposals
 - the frequency and nature of the maintenance program.

20. Details of any earthworks shall be submitted to the Principal Certifying Authority with the engineering plans for the Design Compliance Certificate. Details are to include fill material to be removed from or imported to the site, quantities, finished levels, borrow sites and/or disposal sites.

Any earthworks must comply with the following:

- topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping
 - all disturbed areas are to be stabilised/revegetated, using a minimum 300mm surface layer of topsoil, as soon as practicable after the completion of filling works
 - all fill within the site shall be placed in layers not exceeding 300mm thickness and compacted to achieve a minimum dry density ratio of 98% when tested in accordance with Australian Standard AS1289 'Methods of testing soils for engineering purposes' unless otherwise specified
 - filling shall comprise only uncontaminated Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM). Contamination certificates for all source material shall be provided to the Principal Certifying Authority prior to placing any fill on site.
21. An 'Unexpected Finds Protocol', including stop work procedures, is to be developed for the earthworks phase of the development to manage any unexpected finds of potential asbestos-containing materials. This document shall be provided to the Principal Certifying Authority for approval prior to the release of the Design Compliance Certificate or the commencement of any works on the site that disturb the soil.
22. The onsite parking provision and layout (including driveways, grades, sight distances, car parking spaces and manoeuvrability, etc.) shall comply with Australian Standards AS2890.1:2004, AS2890.6:2009 and AS2890.2:2002.

The development must be provided with a total of six off street car parking spaces in accordance with AS2890.1:2004 and AS2890.6:2009. Parking for persons with a disability is to be provided in accordance with AS2890.6:2009.

The vehicular crossing, driveway and loading areas are to be designed in accordance with AS2890.2:2002 to cater for a minimum 12.5m Heavy Rigid Vehicle (HRV) and for the requirements of TransGrid as specified in this consent.

The truck unloading and parking area must not encroach into TransGrid's easement as detailed in their letter dated 6 June 2016.

Details of compliance are to be demonstrated with the plans for the Design Compliance Certificate.

23. The proposed western access driveway adjacent to 133 Hanckel Road is not approved. Access to the landscape material supplies premises shall instead be provided via the existing central driveway.

The centrally located access driveway is to be sealed with asphaltic concrete.

Details demonstrating compliance with these requirements are to be shown on the plans for the Design Compliance Certificate.

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24. Under the Provisions of the Roads Act 1993, all works within the public road reserve are to be approved and inspected by the appropriate road authority. In this case the road authority is Council.

Details of an approval from the relevant road authority shall be provided to the Principal Certifying Authority with the plans for the Design Compliance Certificate.

25. The Design Construction Certificate shall not be released and no related works are to commence onsite until written confirmation of the acceptability of the development is received from TransGrid and provided the Principal Certifying Authority.
26. A Traffic Control Plan prepared in accordance with AS1742.3:2002 by an appropriately qualified person shall be submitted to Council prior to the release of a Design Compliance certificate.

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 building works.

27. Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building works in excess of \$25,000.00 are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.
28. Access to the development for people with disabilities shall be provided in accordance with the Disability (Access to Premises – Buildings) Standards 2010. Details shall be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate for building work.
29. A qualified Structural Engineer's design for all reinforced concrete, structural steel and retaining walls shall be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.
30. Details of any bunded areas to be used to store unpackaged materials are to be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.
31. A Construction Management Plan shall be submitted and approved by Council prior to the issue of any Construction Certificate or approval under the Roads Act 1993. The plan shall detail:
- The proposed phases of construction works on the site and the expected duration of each construction phase;
 - The proposed order in which works on site will be undertaken and the method statements on how the various stages of construction will be undertaken;
 - The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period; and
 - The proposed manner of maintaining the drainage flows through the site during construction.
32. The walls and roof of the landscaping material supplies building shall be finished in an earthtone/natural colour (e.g. muted green or brown). Details of compliance are to be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.
33. A landscaping plan shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The plan shall be prepared by a suitably qualified landscape consultant and indicate the plantation of indigenous vegetation along the eastern and western boundaries.

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Native trees, shrubs and groundcovers and grasses (of local provenance), shall be used for the landscaping works. Trees to be used shall have a minimum height of 10m at maturity.

The vegetation buffer along the eastern boundary shall extend across the length of the development, whilst the western buffer shall extend from the existing southern vegetation to the TransGrid transmission line easement. Existing vegetation within these areas shall be retained.

Trees shall not be planted within TransGrid's transmission line easement.

The applicant is to be responsible for the maintenance, and replacement of plants should they die, for the life of the approved development.

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

Hawkesbury City Council is the sewer authority for this development. As this development involves connection to an onsite 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.

35. A Sewer Management Facility System application shall be submitted to Hawkesbury City Council. This application must be accompanied by an Effluent Disposal Report prepared by a suitably qualified person to demonstrate the suitability of the land for onsite effluent disposal.

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.

36. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the 'Building Developing and Plumbing' section of the website www.sydneywater.com.au then refer to 'Water Servicing Coordinator' under 'Developing Your Land' or telephone 13 20 92 for assistance.

Following application a 'Notice of Requirements' will advise of water infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

37. The Construction Certificate shall not be released and no related works are to commence onsite until written confirmation of the acceptability of the development is received from TransGrid and provided the Principal Certifying Authority.

Prior to the Commencement of Works

38. 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.
39. At least two days prior to the commencement of works, notice is to be given to Hawkesbury City Council in accordance with the Environmental Planning and Assessment Regulation 2000.
40. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road:
- 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 days' emergency numbers).
 - d) The name and contact number of the Principal Certifying Authority.

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The sign is to be maintained for the duration of works.

41. Toilet facilities (to the satisfaction of Council) shall be provided for workers throughout the course of building operations. Such a facility shall be located wholly within the property boundary.
42. The measures required in the Erosion and Sediment Control Plan (ESCP) approved by the Certifying Authority must be implemented prior to the commencement of works.

Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.

During Construction

43. 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 and 6pm and on Saturdays between 8am and 4pm.
44. The property's entry and exit points shall be secured at all times to prevent the unauthorised entry of vehicles, and to ensure that the site manager can control and prevent dumping of waste and potentially contaminated material whilst fill material is being imported or managed on site.
45. 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.
46. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
47. 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.
48. The Traffic Control Plan must be implemented and all devices maintained for the duration of the works in compliance with the approved plan.
49. The vehicle entrance/exit shall be clearly signposted, including street number, and visible from both the street and site at all times.
50. If asbestos is encountered during any work, measures must be in place in accordance with WorkCover NSW guidelines and the Occupational Health and Safety Regulation 2001. Work shall not commence or continue until all the necessary safeguards required by WorkCover NSW are fully in place.

Only contractors who are appropriately licensed for asbestos disposal by WorkCover NSW may carry out the removal and disposal of asbestos from demolition and construction sites.

Prior to commencing the removal of any structures containing asbestos, a commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring 400mm x 300mm shall be erected in a prominent visible position on the site in accordance with Australian Standard AS1319 'Safety Signs for the Occupational Environment'.

The person entitled to act on this consent shall notify adjoining residents in writing five working days prior to the demolition.

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Asbestos waste must only be disposed of at a landfill site authorised to receive such waste. All receipts and supporting documentation must be retained in order to verify lawful disposal and are to be made available to Hawkesbury City Council on request.

51. Compliance Certificates (known as Part 4A Certificates) are to be issued by the nominated Principal Certifying Authority 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.
52. The footings shall be pierced or shall penetrate through any fill or unstable foundation material to bear upon a structurally adequate foundation material of a uniform load-bearing value.
53. Inspections and Compliance Certificates for sanitary drainage works can be conducted and issued by Hawkesbury City Council. Inspections must be conducted on the exposed pipes prior to covering.
54. In the case of internal and external drainage, the inspection must be conducted by Hawkesbury City Council's Building and Development Branch. Please phone (02) 4560 4565 to arrange inspections.
55. All roofwater shall be drained to water storage vessel(s). The tank overflow is to discharge to the existing dam onsite.
56. All necessary works are to be undertaken to ensure that any natural water flow from adjoining properties is not impeded or diverted.

All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.

57. All debris (including felled trees) resulting from the approved clearing of the site for construction is to be removed from the property and taken to a waste disposal facility. Alternatively, trees may be mulched on site and used for ground cover or landscaping.

No vegetative material is to be burnt onsite.

58. All civil construction works required by this consent shall be undertaken in accordance with Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification.
59. 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 2002 – Appendix E – Civil Works Specification – Part II Table 1.1.
60. A 6m wide heavy duty layback and footway vehicular crossing shall be constructed to service the development. The crossing shall be constructed in accordance with Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification.

Prior to Issue of a Construction Compliance Certificate

61. The applicant shall pay a Construction Compliance Certificate fee in accordance with Council's adopted fees and charges when submitting Civil Engineering Plans for approval.
62. Prior to the issue of a Construction Compliance Certificate all works must be completed in accordance with the approved Design Compliance Certificate Plans, approved supporting documentation and to the satisfaction of the Principal Certifying Authority.

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63. Works As Executed plans must be submitted to the Certifying Authority by a registered surveyor certifying compliance with the approved design plans. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Design Compliance Certificate plans. The plans must verify:
- a) surface level of constructed paved areas,
 - b) invert levels and sizes of all pipelines, and
 - c) floor levels of all buildings.

All levels must relate to Australian Height Datum (AHD).

Prior to Issue of the Occupation Certificate

64. Written clearance from Hawkesbury City Council (as the local sewer authority) that the development is suitably connected to the onsite detention system is required to be submitted to the Principal Certifying Authority prior to the issue of an Interim or Final Occupation Certificate.
65. All landscaping works are to be completed in accordance with the approved landscaping plan.
66. Retaining walls are to be certified on completion by a suitably qualified and experienced structural engineer.
67. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
68. A certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.

Use of the Development

69. The development shall not operate outside of the following hours:

Monday to Friday:	7am to 5pm
Saturday:	8am to 4pm
Sunday and Public Holidays:	Closed.

70. Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979 and Council's Section 94 Development Contributions Plan 2015 (as amended from time to time) the developer must make a monetary contribution to Hawkesbury City Council in the amount of 18.5 cents per tonne of material hauled inbound or outbound from the site. This is based on a contribution rate of 5 cents per kilometre of local road use and haul route length of approximately 3.7km from Windsor Road to the site entry.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Council's Section 94 Development Contributions Plan 2015.

The contribution is to be paid no later than 28 days after the end of March, June, September and December over the life of the development. Each quarter the operator of the development must submit to Council true and accurate tonnage returns of the material hauled over the preceding quarter including number of trips, receipts, times and dates.

71. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
- a) been assessed by a properly qualified person, and
 - b) found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

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72. The storage and display of materials, supplies, equipment and product shall be limited to the display area of the landscape material supplies building and the external landscape supplies storage area. No materials, supplies, equipment or product are to be stored or displayed outside of these areas.
73. All deliveries must be undertaken during the approved hours of operation.
74. All vehicles must enter and exit the property in a forward direction.
75. All vehicles being loaded or unloaded shall stand entirely within the property.
76. No contaminated waste water or liquid waste shall be discharged into Council's stormwater system.
77. The development is to be maintained in a clean and tidy manner. All waste materials are to be regularly removed from the property. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
78. Any unpackaged materials are to be appropriately banded to prevent pollution and runoff.
79. In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
80. The development is not to contribute to water pollution or pollution of waters as defined in the dictionary to the Protection of the Environment Operations Act 1997.
81. 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.
82. The landscaping approved as part of this consent are to be maintained by the applicant or operator of the approved use for the life of the operations of the approved use.

Advisory Notes

- i. This consent operates from the determination date shown on the top of this notice and will lapse unless the development is commenced within five years from the date endorsed on this consent.
- ii. The sewage management facility must be operated in accordance with the relevant operating specifications and procedures for the component facilities, and so as to allow disposal of treated sewage in an environmentally safe and sanitary manner (Local Government [General] Regulation 2005).
- iii. The installed onsite management system will be the subject of an approval to operate a system of sewage management in accordance with the provisions of Subdivision 6 & 7 of Division 4 of Part 2 of the Local Government (General) Regulation 2005 and for this purpose will be subject to inspection at annual frequency by Council's Environmental Health Officer or at such other frequency as may be determined according to the future operation or risk of the system.
- iv. 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.
- v. If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six months after the date on which you receive this notice.
- vi. Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.

ORDINARY MEETING

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- vii. The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- viii. Building work in close proximity to the boundary may be a sensitive matter for each property owner and can often end in an unsatisfactory relationship between the neighbours. You are advised that the consent given to undertake work in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act 1991 that gives certain rights to adjoining owners, including use of the common boundary. In the absence of any structure standing well clear of the common boundary you need to make yourself aware of your legal position, which may involve a survey to identify the allotment boundary.

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

For the Motion	Against the Motion
Councillor Calvert	Councillor Ross
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Tree	
Councillor Wheeler	
Councillor Zamprogno	

ORDINARY MEETING

Minutes: 29 November 2016

Item: 251 CP - DA0455/15 - 31A Flinders Place, North Richmond - Lot 2 DP1010228 - Multi Dwelling Housing - (94598, 88858, 36645, 36644)

Mr Mark McDonell, Ms Helen Williams, Mr Greg Hall and Ms Barbara Tarnawski addressed Council, speaking against the recommendation.

MOTION:

RESOLVED on the motion of Councillor Richards, seconded by Councillor Reynolds.

Refer to RESOLUTION

397 RESOLUTION:

RESOLVED on the motion of Councillor Richards, seconded by Councillor Reynolds.

That:

1. The matter be deferred to permit a site inspection to be carried out.
2. Council review the correspondence in regard to this matter to ascertain whether information requested by the applicant was provided within an acceptable time frame.

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Tree	
Councillor Wheeler	
Councillor Zamprogno	

ORDINARY MEETING

Minutes: 29 November 2016

Item: 252 CP - DA0685/15 - 64 Grandview Lane, Bowen Mountain - Lot A DP416762 - Dual Occupancy - (94598, 120744)

Mr Philip Suvakov addressed Council, speaking for the recommendation.

Mr Franco Cosaro, Mr John Boyle and Mr Neville Diamond addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

398 RESOLUTION:

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

That the matter be deferred to an informal Councillor Briefing Session and be reported to the next Ordinary Council meeting.

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Tree	
Councillor Wheeler	
Councillor Zamprogno	

399 RESOLUTION:

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

That Standing Orders be suspended to allow for Item 257 to be brought forward and dealt with before Item 253.

ORDINARY MEETING

Minutes: 29 November 2016

Item: 257 **CP - Kurmond and Kurrajong Investigation Area Survey Results - (95498, 124414)**

Previous Item: 99, Ordinary (24 November 2015)
 188, Ordinary (30 August 2016)

Councillor Lyons-Buckett declared a pecuniary interest in this matter as her family home is situated within the investigation area. She left the Chamber and did not take part in voting or discussion on the matter.

In the absence of the Mayor, the Deputy Mayor, Councillor Calvert, in accordance with Section 369 (1) of the Local Government Act 1993, acted as Chairperson.

Mr Glen Falson, Mr John Cornish and Ms Jennie Hopkins addressed Council, speaking for the recommendation.

Mr Robert Montgomery, Mr Paul Norris and Ms Fiona Smith addressed Council, speaking against the recommendation.

MOTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Wheeler.

Refer to RESOLUTION

400 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Wheeler.

That:

1. Council receive the results of the Kurmond and Kurrajong Investigation Area Survey.
2. Council Staff identify a number of specific areas (based upon Constraints Mapping, survey results and the preferred approach as outlined in this report) for possible, but not certain, development of additional large lot residential/rural-residential development throughout the Investigation Area and some residential development up to, but not within, the existing villages of Kurmond and Kurrajong.
3. The identified areas be further consulted with the community regarding future development.
4. The results of that further consultation be reported to Council.
5. Council not accept any further planning proposal applications within the Kurmond and Kurrajong investigation area until such time as the structure planning as outlined in this report is completed. Council receive a progress report on the structure planning prior to July 2017.
6. Council continue processing the planning proposals within the investigation area that have received support via a Council resolution to proceed to a Gateway determination and any planning proposals currently lodged with Council as at 29 November 2016.

ORDINARY MEETING

Minutes: 29 November 2016

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

For the Motion	Against the Motion
Councillor Calvert	Councillor Rasmussen
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Tree	
Councillor Wheeler	
Councillor Zamprogno	

Councillor Lyons-Buckett was not in the Chambers when the vote was taken.

Councillor Rasmussen requested that his name be recorded as having voted against the Motion.

The Mayor, Councillor Lyons-Buckett, resumed the Chair.

401 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler that standing orders be resumed.

ORDINARY MEETING

Minutes: 29 November 2016

Item: 253 **CP - LEP002/14 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 1420 Kurmond Road, Kurmond - (95498, 124414)**

Previous Item: 215, Ordinary (11 November 2014)

Councillor Lyons-Buckett declared a pecuniary interest in this matter as her husband is currently employed by the land owner's brother. She left the Chamber and did not take part in voting or discussion on the matter.

In the absence of the Mayor, the Deputy Mayor, Councillor Calvert, in accordance with Section 369 (1) of the Local Government Act 1993, acted as Chairperson.

Mr Glen Falson and Mr Ernest Bennett addressed Council, speaking for the recommendation.

Mr Lionel Tomich, Mr Michael Want and Mr Chris Hallam addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

402 RESOLUTION:

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

That Council:

1. Proceed with the making of the plan to amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012) in order to permit the subdivision of Lot 2 DP805023, 1420 Kurmond Road, Kurmond into large lots with minimum lot sizes of 4,000m² and 4ha.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act, 1979.
3. Adopt and make the draft Local Environmental Plan, under the authorisation for Council to exercise delegation issued by the Gateway determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Following the making of the plan advise the Department of Planning and Environment that the plan has been made and request to notify the plan on the NSW Legislation website.
5. Publically exhibit the draft Voluntary Planning Agreement attached to this report in accordance with the relevant statutory provisions for a minimum of 28 days.
6. The draft Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.

ORDINARY MEETING

Minutes: 29 November 2016

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

For the Motion	Against the Motion
Councillor Calvert	Councillor Rasmussen
Councillor Conolly	Councillor Ross
Councillor Garrow	Councillor Wheeler
Councillor Reynolds	
Councillor Richards	
Councillor Tree	
Councillor Zamprogno	

Councillors Lyons-Buckett was not in the Chamber when the vote was taken.

Councillor Kotlash was absent from the meeting when the vote was taken.

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

The Mayor, Councillor Lyons-Buckett resumed the Chair.

ORDINARY MEETING

Minutes: 29 November 2016

Item: 254 **CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 43 Bootles Lane, Pitt Town - (95498, 124414)**

Previous Item: 225, Ordinary (25 October 2016)
 170, Ordinary (9 August 2016)

Mr Keith Johnson and Mr Brian Garland addressed Council, speaking for the recommendation.

Mr Michael Roberts, Mr Stephen Brown and Mr Peter Ryan addressed Council, speaking against the recommendation.

A MOTION was moved by Councillor Tree, seconded by Councillor Richards.

That:

1. Council support the planning proposal for Lot 61 DP 1206587, 43 Bootles Lane, Pitt Town seeking an amendment to Hawkesbury Local Environmental Plan 2012 to allow development of the subject site as detailed in this report.
2. The planning proposal be forwarded to the Department of Planning and Environment for a 'Gateway' determination.
3. The Department of Planning and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

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

For the Motion	Against the Motion
Councillor Calvert	Councillor Garrow
Councillor Conolly	Councillor Lyons-Buckett
Councillor Richards	Councillor Rasmussen
Councillor Tree	Councillor Reynolds
	Councillor Ross
	Councillor Wheeler
	Councillor Zamprogno

Councillor Kotlash was absent from the meeting when the vote was taken.

The Motion was lost.

ORDINARY MEETING

Minutes: 29 November 2016

MOTION:

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

Refer to RESOLUTION

403 RESOLUTION:

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

That Council not support the planning proposal for Lot 61 DP 1206587, 43 Bootles Lane, Pitt Town seeking an amendment to Hawkesbury Local Environmental Plan 2012 to allow development of the subject site as detailed in this report as the endangered native vegetation on the land needs to be protected.

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 Garrow	Councillor Calvert
Councillor Lyons-Buckett	Councillor Richards
Councillor Rasmussen	Councillor Tree
Councillor Reynolds	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

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

Councillor Kotlash was absent from the meeting meeting when the vote was taken.

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

ORDINARY MEETING

Minutes: 29 November 2016

Item: 255 CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - Lots 431 and 432 DP 1189536, 431 and 431A Greggs Road, Kurrajong - (95498, 124414)

Councillor Reynolds declared a less than significant non-pecuniary conflict of interest in this matter as he is a friend of the owner and no further action is required.

Mr Robert Montgomery and Ms Maddie Bull addressed Council, speaking for the recommendation.

Mr Michael Want addressed Council, speaking against the recommendation.

A MOTION was moved by Councillor Conolly, seconded by Councillor Richards.

That Council:

1. Proceed with the making of a plan to amend the Hawkesbury Local Environmental Plan 2012 in order to permit the subdivision of Lots 431 and 432 DP 1189536, 431 and 431A Greggs Road, Kurrajong into not more than eight lots with minimum lot sizes of 4,000m² and 4ha as described in this report.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act 1979.
3. Adopt and make the draft local environmental plan, under the authorisation for Council to exercise delegation issued by the Gateway determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Following the making of the Plan, advise the Department of Planning and Environment that the Plan has been made and request to notify the Plan on the NSW Legislation website.
5. Publically exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days and the Draft Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.

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

That the matter be deferred until the comprehensive regional traffic study is completed and a report from Sydney Water in regard to water supply in the subject area is received.

ORDINARY MEETING

Minutes: 29 November 2016

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 Garrow	Councillor Calvert
Councillor Lyons-Buckett	Councillor Conolly
Councillor Rasmussen	Councillor Richards
Councillor Reynolds	Councillor Tree
Councillor Ross	Councillor Wheeler
	Councillor Zamprogno

Councillor Kotlash was absent from the meeting when the vote was taken.

The Amendment was lost.

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

For the Motion	Against the Motion
Councillor Calvert	Councillor Garrow
Councillor Conolly	Councillor Lyons-Buckett
Councillor Richards	Councillor Rasmussen
Councillor Tree	Councillor Reynolds
Councillor Zamprogno	Councillor Ross
	Councillor Wheeler

Councillor Kotlash was absent from the meeting when the vote was taken.

The Motion was lost.

MOTION:

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

Refer to RESOLUTION

404 RESOLUTION:

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

That the matter be deferred to the next Ordinary Council meeting.

ORDINARY MEETING

Minutes: 29 November 2016

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Garrow	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

Councillors Kotlash, Richards and Tree were absent from the meeting when the vote was taken.

405 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Wheeler that the meeting continue past 11pm to allow the Business Paper to be completed.

ORDINARY MEETING

Minutes: 29 November 2016

GENERAL MANAGER

Item: 256 **GM - Sydney West Planning Panel - Re-appointment of Council Nominees - (79351, 117061)**

Previous Item: Item 102, Ordinary (26 May 2009)
 Item 114, Ordinary (10 July 2012)
 Item 58, Ordinary (28 April 2015)
 Item 59, Ordinary (12 April 2016)

MOTION:

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

Refer to RESOLUTION

406 RESOLUTION:

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

That Council confirm the nomination of the Mayor and Director City Planning as Council's representatives on the Sydney West Planning Panel and the General Manager be authorised to nominate an appropriate member of staff as an alternate member of the Panel, if necessary.

ORDINARY MEETING

Minutes: 29 November 2016

CITY PLANNING

Item: 258 **CP - Local Heritage Assistance Fund 2016/2017 - Minor
Improvements/Conservation Works to Heritage Listed Commercial Properties
in Windsor and Richmond Historic Townships - (95498, 124414)**

Previous Item: 244, Ordinary (8 November 2016)

MOTION:

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

Refer to RESOLUTION

407 RESOLUTION:

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

That:

1. Council approve financial assistance up to \$4,000 (including GST) under Section 356 of the Local Government Act 1993 to the Richmond Literary Institute Est 1861 Inc under the terms of the Local Heritage Assistance Fund 2016/2017.
2. The applicant for the Local Heritage Assistance Fund 2016/2017 be advised accordingly.

ORDINARY MEETING

Minutes: 29 November 2016

INFRASTRUCTURE SERVICES

Item: 259 **IS - Location of a Variable Message Sign Within Richmond Park - (95495, 79354)**

The Mayor, Councillor Lyons-Buckett read to Council a presentation, on behalf of Ms Venecia Wilson, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

408 RESOLUTION:

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

That Council refuse to give the necessary approval to the Roads and Maritime Services to seek formal Office of Environment and Heritage consideration of the Variable Message Sign proposal.

Item: 260 **IS - Road Naming Proposal Associated with DA0205/12 Agnes Banks - (95495, 79346)**

Previous Item: 85, Ordinary (10 May 2016)
 141, Ordinary (12 July 2016)

MOTION:

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

Refer to RESOLUTION

409 RESOLUTION:

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

That in accordance with the requirements of the Roads Act 1993, the name McCue Place, Agnes Banks, in connection with DA0205/12 be adopted for use.

ORDINARY MEETING

Minutes: 29 November 2016

SUPPORT SERVICES

Item: 261 SS - Monthly Investments Report - October 2016 - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

410 RESOLUTION:

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

The report regarding the monthly investments for October 2016 be received and noted.

Item: 262 SS - Community Sponsorship Program - 2016/2017 - Round 2 - (96328, 95498)

Previous Item: 235, Ordinary (25 October 2016)
 149, Ordinary (26 July 2016)
 82, Ordinary (29 April 2008)
 47, Ordinary (13 March 2007)

MOTION:

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

Refer to RESOLUTION

411 RESOLUTION:

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

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 this report.
2. Approve the execution of Council's standard Sponsorship Agreement for the applications 2, 5, 10, 11, 14 identified in Table 1 of this report.
3. Approve the execution of a five year Sponsorship Agreement for application 16 and the provision of future funding to the Hawkesbury Area Women's and Kids Services Inc. in accordance with the 'special category' sponsorship model outlined in this report.
4. Authorise staff to advise applicants that any further applications received under the Community Sponsorship Program for 2016/2017 will be carried forward for determination under Round 1 of the 2017/2018 program following the adoption of the 2017/2018 Operational Plan.

ORDINARY MEETING

Minutes: 29 November 2016

Item: 263 SS - Pecuniary Interest Return - Designated Persons - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

412 RESOLUTION:

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

That the information be received and noted.

Item: 264 SS - Proposed Licence Agreement - Girl Guides Hall, Holland's Paddock Windsor - (95496, 96328)

Previous Item: 118, Ordinary (30 June 2009)
 89, Ordinary (29 April 2008)

MOTION:

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

Refer to RESOLUTION

413 RESOLUTION:

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

That:

1. Council progress negotiations with Girl Guides Association (NSW) on the granting of a lease for the exclusive use of that portion of Holland's Paddock, Windsor containing the Girl Guides Hall for a period of 21 years based the terms and conditions as outlined in this report.
2. The outcome of these negotiations to be further reported to Council.

ORDINARY MEETING

Minutes: 29 November 2016

Item: 265 **SS - September 2016 Quarterly Budget Review Statement - (95496, 96332)**

Previous Item: 113, Extraordinary (14 June 2016)

MOTION:

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

Refer to RESOLUTION

414 RESOLUTION:

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

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – September 2016 be adopted.

ORDINARY MEETING

Minutes: 29 November 2016

SECTION 4 - Reports of Committees

ROC

Local Traffic Committee - 14 November 2016 - (80245)

415 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 14 November 2016 as recorded on pages 203 to 246 of the Ordinary Business Paper be adopted.

ORDINARY MEETING

Minutes: 29 November 2016

SECTION 5 - Notices of Motion

NM **Use of exotic animals in circus events in the Hawkesbury LGA - (79351, 138882)**

Previous Item: 25, Ordinary (24 February 2015)
 NM1, Ordinary (11 November 2014)

MOTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Garrow.

Refer to RESOLUTION

416 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Garrow.

That:

1. Council as a policy objective seek to prohibit those circuses which use wild, native or exotic animals in their performances, including but not limited to animals such as elephants, lions, tigers, monkeys and apes from using Council premises.
2. The Draft Policy on Circuses, previously reported to Council on 24 February 2015 and attached to this Notice of Motion, now be placed on public exhibition for 28 days and then re-reported to Council.

ORDINARY MEETING

Minutes: 29 November 2016

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

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

ORDINARY MEETING**Minutes: 29 November 2016****Questions for Next Meeting**

#	Councillor	Question	Response
1	Rasmussen	Requested if it is possible for Council to identify State owned lands in the Hawkesbury Local Government Area.	Acting Director Support Services
2	Ross	Enquired if the trip hazards on the nature strip at Chisholm Catholic Primary School, Bligh Park, could be investigated and rectified.	Director Infrastructure Services
3	Reynolds	Requested an update on the status of the Jolly Frog Hotel.	Director City Planning
4	Wheeler	Requested that Council investigate antisocial activities at Hanna Park car park and consider the possibility of gating the entrance to prevent after-hours access.	Director Infrastructure Services
5	Calvert	Requested that the grass along Windsor Function Centre be attended to for weeds.	Director Infrastructure Services
6	Zamprogno	Requested copies of any reports relating to the feasibility and cost of web casting of Council meetings.	Acting Director Support Services
7	Zamprogno	Enquired if poor quality asphalt or bitumen could result in a road surface that melts at a lower temperature.	Director Infrastructure Services

ORDINARY MEETING

Minutes: 29 November 2016

CONFIDENTIAL REPORTS

417 RESOLUTION:

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

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: 266 IS - Tender No. T00048 - Construction of Two Bridges on Upper Macdonald Road, Higher Macdonald - (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 considered that 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.*

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.

418 RESOLUTION:

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

ORDINARY MEETING

Minutes: 29 November 2016

Item: 266 IS - Tender No. T00048 - Construction of Two Bridges on Upper Macdonald Road, Higher Macdonald - (95495, 79344) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

419 RESOLUTION:

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

That:

1. The tender submitted by Civilbuild Pty Ltd to undertake the construction of two concrete bridges on Upper Macdonald Road, Higher Macdonald at a cost of \$1,444,677 (excl. GST) be accepted.
2. The Seal of Council be affixed to any necessary documentation.

The meeting terminated at 11:28pm.

Submitted to and confirmed at the Ordinary meeting held on 13 December 2016.

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Mayor