



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 29 April 2014

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Minutes: 29 April 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, 29 April 2014**, commencing at 6:32pm.

Pastor David Hames of Windsor District Baptist Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor K Ford, Mayor, Councillor T Tree, Deputy Mayor and Councillors B Calvert, P Conolly, M Creed, M Lyons-Buckett, W Mackay, C Paine, B Porter, P Rasmussen and J Reardon.

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Nicole Cooney and Administrative Support Coordinator - Natasha Martin.

APOLOGIES

An apology for absence was received from Councillor L Williams.

115 RESOLUTION:

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

Councillor Rasmussen arrived at the meeting at 6:33pm.

Councillor Mackay arrived at the meeting at 6:47pm.

SECTION 1: Confirmation of Minutes

116 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Creed that the Minutes of the Ordinary Meeting held on the 8 April 2014, be confirmed.

117 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Rasmussen that the Minutes of the Extraordinary Meeting held on the 15 April 2014, be confirmed.

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MATTER OF URGENCY

Councillor Paine advised the Mayor that there was a matter of urgency relating to a tragic drowning that occurred in the Hawkesbury River at Windsor on Saturday, 26 April 2014 and that she wished Council to consider in the terms of Clause 2.2.3, 3) of Council's Code of Meeting Practice.

118 RESOLUTION:

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

That the matter concerning the tragic drowning that occurred in the Hawkesbury River at Windsor on Saturday, 26 April 2014 be considered as a matter of urgency in accordance with Clause 2.2.3, 3) of Council's Code of Meeting Practice.

The motion was carried and the Mayor ruled that the matter to be of great urgency in accordance with the provisions of Clause 2.2.3, 3)b) of Council's Code of Meeting Practice.

119 RESOLUTION:

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

That in view of the tragic drowning that occurred in the Hawkesbury River at Windsor on Saturday, 26 April 2014 that a report be submitted to Council regarding appropriate signage erected along the river to warn users of the river of potential risks.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 75 **CP - Planning Proposal - Amendment to Hawkesbury Local Environmental Plan 2012 - 1026 Grose Vale Road, Kurrajong - (95498)**

Previous Item: 20, Ordinary (25 February 2014)

Mr Glenn Falson addressed Council, speaking for the item.

MOTION:

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

That the planning proposal for Lot 2 DP 617404, 1026 Grose Vale Road, Kurrajong be refused as it is considered an inappropriate proposal for the site.

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 Conolly
Councillor Lyons-Buckett	Councillor Creed
Councillor Paine	Councillor Ford
Councillor Porter	Councillor Mackay
Councillor Rasmussen	Councillor Reardon
	Councillor Tree

Councillor Williams was absent from the meeting.

The Motion was lost.

A FORESHADOWED MOTION was moved by Councillor Conolly, seconded by Councillor Tree.

Refer to RESOLUTION

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120 RESOLUTION:

RESOLVED on the Foreshadowed Motion of Councillor Conolly, seconded by Councillor Tree.

That:

1. Council support the preparation of a planning proposal for Lot 2 DP 617404, 1026 Grose Vale Road, Kurrajong to allow development of the land for rural residential development with a minimum lot size of 4ha.
2. Council does not endorse any proposed subdivision layout submitted with the planning proposal as this will need to be subject to a development application should the planning proposal result in gazettal.
3. The planning proposal be forwarded to the Department of Planning and Infrastructure for a "Gateway" determination.
4. The Department of Planning and Infrastructure be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.
5. The Department of Planning and Infrastructure and the applicant be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress, either completion of the Section 94 Developer Contributions Plan or a Voluntary Planning Agreement, has been made towards resolving infrastructure provision for this planning proposal.

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

For the Motion	Against the Motion
Councillor Conolly	Councillor Calvert
Councillor Creed	Councillor Lyons-Buckett
Councillor Ford	Councillor Paine
Councillor Mackay	Councillor Porter
Councillor Reardon	Councillor Rasmussen
Councillor Tree	

Councillor Williams was absent from the meeting.

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Minutes: 29 April 2014.

Item: 76 **CP - Planning Proposal - Amendment to Hawkesbury Local Environmental Plan 2012 - 1059A Grose Vale Road, Kurrajong - (95498)**

Previous Item: 21, Ordinary (25 February 2014)

Councillor Lyons-Buckett declared a pecuniary interest in this matter as she is an owner of a property across the road from the proposed development site and also, her sister-in-law lives in close proximity to the site. She left the Chamber and did not take part in voting or discussion on the matter.

Councillor Rasmussen declared a less than significant non-pecuniary conflict of interest in this matter as his second choice on his vote ticket is a local resident and landowner who is affected by this matter and no further action is required.

Ms JoAnne Goesch, Ms Fiona Smith, Ms Christina Tallack and Mr Steve Rawling addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

121 RESOLUTION:

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

That the planning proposal for 1059A Grose Vale Road, Kurrajong be refused as it is considered to be an inappropriate proposal for the site.

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 Ford
Councillor Conolly	
Councillor Creed	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

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

Councillor Williams was absent from the meeting.

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Item: 77 **CP - Planning Proposal - Amendment to Hawkesbury Local Environmental Plan 2012 - 136 Longleat Lane, Kurmond - (95498)**

Previous Item: 22, Ordinary (25 February 2014)

Mr Glenn Falson and Mr Mark Simpson addressed Council, speaking for the item.

MOTION:

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

Refer to RESOLUTION

122 RESOLUTION:

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

That:

1. Council support the preparation of a planning proposal for Lot 8 DP7565, 136 Longleat Lane, Kurmond to allow development of the land for rural residential development.
2. Council does not endorse any proposed subdivision layout submitted with the planning proposal as this will need to be subject to a development application should the planning proposal result in gazettal.
3. The planning proposal be forwarded to the Department of Planning and Infrastructure for a "Gateway" determination.
4. The Department of Planning and Infrastructure be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.
5. The Department of Planning and Infrastructure and the applicant be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress, either completion of the Section 94 Developer Contributions Plan or a Voluntary Planning Agreement, has been made towards resolving infrastructure provision for this planning proposal.

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

For the Motion	Against the Motion
Councillor Conolly	Councillor Calvert
Councillor Creed	Councillor Lyons-Buckett
Councillor Ford	Councillor Porter
Councillor Mackay	Councillor Rasmussen
Councillor Paine	
Councillor Reardon	
Councillor Tree	

Councillor Williams was absent from the meeting.

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Item: 78 **CP - Development Report - DA0453/13 - Lot 263 DP751665 - 3 Hendrens Road, Ebenezer - (95498, 78878, 1845, 2807)**

Previous Item: 24, Ordinary (25 February 2014)

Councillor Porter declared a pecuniary interest in this matter as he is a joint owner of the subject property. He left the Chamber and did not take part in voting or discussion on the matter.

Mr Kim Woolard addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

123 RESOLUTION:

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

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. DA0453/13 for earthworks on Lot 263 in DP 751665, known as 3 Hendrens Road, Ebenezer, subject to the following conditions:

General Terms of Approval – Office of Water

1. These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA 2013/453 [NSW Office of Water Reference] and provided by Council:

- (i) Site plan, map and/or surveys

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.

2. Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.

3. The consent holder must prepare or commission the preparation of:

- (i) Vegetation Management Plan
- (ii) Erosion and Sediment Control Plan
- (iii) Soil and Water Management Plan

4. All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx;

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- (i) Vegetation Management Plans
 - (ii) Riparian Corridors
 - (iii) In-stream works
 - (iv) Outlet structures
5. The consent holder must:
- (i) carry out any controlled activity in accordance with approved plans; and
 - (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional; and
 - (iii) when required, provide a certificate of completion to the NSW Office of Water.
6. The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
7. The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of accessway in a riparian corridor other than in accordance with a plan approved by the NSW Office of Water.
8. The consent holder must ensure that no materials of cleared vegetation that may:
- (i) obstruct flow;
 - (ii) wash into the water body; or
 - (iii) cause damages to river banks; are left on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
9. The consent holder is to ensure that all drainage works:
- (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and
 - (ii) do not obstruct the flow of water other than in accordance with the a plan approved by the NSW Office of Water.
10. The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.
11. The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
12. The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
13. The consent holder must establish a five metre riparian corridor from the top of each bank along the creek in accordance with a plan approved by the NSW Office of Water.

Hawkesbury City Council Conditions

General Conditions

14. The development shall take place in accordance with:
- Plan Number 92283/1 dated 6 June 2013 drawn by McKinlay Morgan
 - Specifications and accompanying documentation submitted with the application except as modified by these further conditions.

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15. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Design Compliance Certificate (Civil Works).
16. The proposed filling works are to be substantially completed within two years of the date of this consent. Inspections of the site are to be undertaken by the Principal Certifying Authority at regular intervals of approximately three months during this time to monitor the works. The applicant is to ensure that suitable vegetation for pasture is planted and maintained during this period. Council may, upon written request by the applicant including a detailed justification for the failure to complete works, permit a further filling period of no more than 12 months.
17. Following completion of the filling works, a maintenance period for three years shall apply. A maintenance report is to be submitted on an annual basis at the conclusion of the filling phase to Council demonstrating that:
 - a) recommendations identified in the management plan have been completed;
 - b) that any subsidence has been rectified in the filled areas
 - c) vegetation cover has been maintained in accordance with the Environmental Management Plan and Rehabilitation Plan.

If the maintenance works are not completed at the end of 3 years the consent will lapse.

18. 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 Design Compliance Certificate (Civil Works)

The Design Compliance Certificate (Civil Works) will not be issued over any part of the site requiring a controlled activity approval until a copy of that approval (from Office of Water) has been provided to Council.

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Design Compliance Certificate (Civil Works) 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 (Civil Works) The Design Compliance Certificate (Civil Works) shall be obtained prior to the commencement of any earth works or building works.

19. The filling is not to commence until three copies of the plans and specifications of the works are submitted to and approved by an Accredited Certifier.
20. Details of any fill material removed from or imported to the site shall be submitted with the engineering plans. Details are to include quantities, borrow sites or disposal sites.
21. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person (such as environmental professional with specialist expertise in the preparation of Environmental Management Plans and in soil rehabilitation). The Plan shall address (without being limited to) earthworks, erosion control, site rehabilitation and landscaping.

The fill material shall comprise 450 cubic metres of imported excavated natural material (ENM) for the capping base and 450 cubic metres of from the site for the top layer as growing medium to provide a total of 900 cubic metres of material for filling.

The appropriately qualified person is to determine if the existing fill currently at the property is suitable for the capping layer. If the fill is not suitable the appropriately qualified person is to specify the requirements for fill being brought on to the property. The replacement fill is to meet the requirements for ENM and not to exceed the quantity already permitted. A plan of management shall be prepared for the re-use of any residual fill including any stockpiles on the site.

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

Prior to Commencement of Works

22. 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.
23. 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.
24. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - a) Unauthorised access to the site is prohibited.
 - b) The owner of the site.
 - c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - d) The name and contact number of the Principal Certifying Authority.
25. Erosion and sediment control devices are to be installed and maintained at all times during site works.
26. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of the work. Such facilities shall be located wholly within the property boundary.

During Construction

27. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification.
28. Site works (including the delivery of material to the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
29. The site shall be secured to prevent the depositing of any unauthorised material.
30. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved plan and Hawkesbury Development Control Plan 2002 – Part C Chapter 4 – Soil Erosion and Sediment Control.
31. 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.
32. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
33. A ticketing system is to accompany any material being brought to the site. A register is to be kept onsite to cross reference against the source records. An EPA accredited 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 use and free of contamination.
34. Filling shall comprise of excavated natural material (ENM) only. No additional waste tyres are to be disposed of as a part of the rehabilitation works. Soil validation certificates for all source material shall be provided to the Principal Certifying Authority (PCA) (and the Council if it is not acting as the PCA) for all fill material imported to the site.
35. The filling shall be completed in stages to minimise the area exposed at any one time. Each cell is to be stabilised by grassing/landscaping immediately prior to moving onto the next cell.

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36. All fill, including existing fill, shall be compacted to 95% standard compaction in accordance with AS1289 and verified by the submission of test results over the rehabilitated area by track rolling or similar in layers not exceeding 300mm. Details are to be provided to the Principal Certifying Authority that the compaction has been tested at the completion of filling of each cell to meet this requirement.
37. The cut or fill shall be battered at a slope not exceeding one vertical to three horizontal, with a height not exceeding one metre.
38. All constructed batters are to be topsoiled and turfed.
39. The fill batter toe is to be located a minimum of one metre from the property boundary.
40. All natural and subsurface waterflow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
41. No excavated material, including soil, shall be removed from the site.

Prior to Issue of the Compliance Certificate

42. A works as executed plan and contour depth of fill plan prepared by a registered surveyor or the design engineer shall be submitted prior to the release of the compliance certificate.
43. Landscaping works are to be completed in accordance with the approved Environmental Management and Rehabilitation Plan.
44. Registration on the title of a restriction on the use of the land shall be created with the following wording: "No building shall be erected or be permitted to be erected on any rehabilitated area of Lot 263 DP 751665 as approved under DA0347/92 (as amended) and DA0453/13."

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

Advisory Notes

- This consent operates from the *consent date* shown on the top of this notice and will lapse unless the development is commenced within five years from this date.
- 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.
- 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.
- Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- 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.
- Should any Aboriginal site or relic or European relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service or the Heritage Office (European relic) consulted. Any person who knowingly disturbs an Aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974 and Heritage Act.

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

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

Councillor Williams was absent from the meeting.

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CITY PLANNING

Item: 79 **CP - Hawkesbury Revitalisation Plan - (95498)**

MOTION:

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

Refer to RESOLUTION

124 RESOLUTION:

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

That Council:

1. Change the focus of the Revitalisation Plan from an individual town approach to a Hawkesbury regional approach as outlined in the report.
2. Proceed with the proposed North Richmond and Windsor Workshops.
3. Support the investigation of involvement of SEGRA to assist in the grant process and taking the project to the State and Federal Government.

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INFRASTRUCTURE SERVICES

Item: 80 IS - Macquarie Park Camp Stopover for Charity Cycling Event - (95495, 79354)

MOTION:

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

Refer to RESOLUTION

125 RESOLUTION:

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

That

1. The Chris O'Brien Lifehouse charity be given approval for use of part of Macquarie Park on 11 and 12 October 2014 for camping and activities associated with the "Ride to Conquer Cancer" event.
2. 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) A Traffic Management Plan has been submitted as part of the Special Event Application
 - e) Any other necessary approvals being obtained.

Item: 81 IS - Proposed Tree Removal at Porpoise Crescent, Bligh Park - (95495, 79354)

MOTION:

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

Refer to RESOLUTION

126 RESOLUTION:

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

That

1. The proposed tree removal on Porpoise Crescent, Bligh Park be placed on public exhibition for a 14 day consultation period along with a selection of appropriate replacement tree species.
2. Should any objection be received, the matter be reported back to Council.

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SUPPORT SERVICES

Item: 82 SS - Monthly Investments Report - March 2014 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

127 RESOLUTION:

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

That the report regarding the monthly investments for March 2014 be received and noted.

ORDINARY MEETING
Reports of Committees

SECTION 4 - Reports of Committees

ROC Development Application Monitoring Advisory Committee - 20 February 2014 - (127794)

128 RESOLUTION:

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

That the minutes of the Development Application Monitoring Advisory Committee held on 20 February 2014 as recorded on pages 89 to 90 of the Ordinary Business Paper be received.

ROC Waste Management Advisory Committee - 12 March 2014 - (95249)

129 RESOLUTION:

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

That the minutes of the Waste Management Advisory Committee held on 12 March 2014 as recorded on pages 91 to 95 of the Ordinary Business Paper be received.

ROC Sustainability Advisory Committee - 24 March 2014 - (126363)

130 RESOLUTION:

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

That the minutes of the Sustainability Advisory Committee held on 24 March 2014 as recorded on pages 96 to 98 of the Ordinary Business Paper be received.

ROC Local Traffic Committee - 14 April 2014 - (80245)

131 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 14 April 2014 as recorded on pages 99 to 152 of the Ordinary Business Paper be adopted.

ORDINARY MEETING

Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

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

ORDINARY MEETING
Questions for Next Meeting

Questions for Next Meeting

#	Councillor	Question	Response
1	Creed	Requested an update on the resolution of issues relating to a property on Cabbage Tree Road, Grose Vale that is the subject of many complaints.	Director City Planning
2	Reardon	Requested advice on behalf of the Windsor Business Group regarding the creation of a traffic management plan for the Sebel Resort and Spa's annual New Year's Eve function.	Director Infrastructure Services
3	Lyons-Buckett	Enquired as to any action regarding the roof of the Jolly Frog Hotel, to protect the heritage listed building from weather.	General Manager
4	Tree	Requested an update on the progress of previously requested works at Bligh Park.	Director Infrastructure Services
5	Tree	Enquired if contact can be made with the RMS regarding poor visibility for motorists using the George Street, Windsor round-about due to long grass.	Director Infrastructure Services
6	Calvert	Requested an update on the future of the Windsor Court House.	General Manager
7	Rasmussen	Requested an update on the Council owned property at Colonial Drive, Bligh Park.	Director Support Services

ORDINARY MEETING
CONFIDENTIAL REPORTS

CONFIDENTIAL REPORTS

132 RESOLUTION:

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

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: 83 CP - Provision of Additional Recycling Services over the Christmas and New Year Period - (96330)

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

Item: 84 SS - Property Matter - Lease to David John Spencer - Wilberforce Garden Nursery - Wilberforce Shopping Centre - (102508, 86218, 34779, 112106, 95496)

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

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.

133 RESOLUTION:

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 83 **CP - Provision of Additional Recycling Services over the Christmas and New Year Period - (96330) CONFIDENTIAL**

Previous Item: NM2 - Ordinary (4 February 2014)

MOTION:

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

Refer to RESOLUTION

134 RESOLUTION:

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

That:

1. The report regarding the costs associated with providing a weekly recycling collection service over the Christmas/New Year period for 2014/2015 be received and noted.
2. Council accept the quote made by JJ Richards & Sons Pty Ltd to introduce a weekly recycling collection service to eligible properties paying for a domestic waste service between 29 December 2014 and 23 January 2015 at the additional cost stated in this report.
3. The funding to cover the additional costs associated with providing a weekly service over the Christmas/New Year period be taken from the current Domestic Waste Reserve.
4. The provision of a weekly recycling service be adopted as an annual event over future Christmas/New Year periods, and that funds to provide such future arrangements be incorporated into the future domestic waste budgets.

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 84 **SS - Property Matter - Lease to David John Spencer - Wilberforce Garden Nursery - Wilberforce Shopping Centre - (102508, 86218, 34779, 112106, 95496)**
CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

135 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with David John Spencer, trading as "Stonehill Rural Services", in regard to Wilberforce Garden Nursery within 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 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 8:45pm.

Submitted to and confirmed at the Ordinary meeting held on 13 May 2014.

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Mayor