



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 9 August 2016

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Minutes: 9 August 2016

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**

Introduction of Sister City Exchange Students and Presentation Certificates

Susan Templeman, Federal Member for Macquarie

– **SECTION 2 - Mayoral Minutes**

– **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**

– **SECTION 3 - Reports for Determination**

Planning Decisions

General Manager

City Planning

Infrastructure Services

Support Services

– **SECTION 4 - Reports of Committees**

– **SECTION 5 - Notices of Motion**

– **QUESTIONS FOR NEXT MEETING**

– **REPORTS TO BE DISCUSSED IN CONFIDENTIAL SESSION**

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ORDINARY MEETING

Minutes: 9 August 2016

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 9 August 2016, commencing at 6:33pm.

Reverend Daniel Cannone of the Hawkesbury Church, Vineyard, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

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, Town Planner - Elias Boumerhe, Strategic Planning Manager - Andrew Kearns, Manager Corporate Services and Governance - Ian Roberts and Administrative Support Coordinator - Natasha Martin.

APOLOGY

An apology for absence was received from Councillor Porter.

240 RESOLUTION:

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

Councillor Mackay arrived at the meeting at 7pm.

Councillor Paine left the Chambers at 9:23pm and returned at 9:25pm.

SECTION 1 - Confirmation of Minutes

241 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 26 July 2016, be confirmed.

ORDINARY MEETING

Minutes: 9 August 2016

ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL

Introduction of Sister City Exchange Students and Presentation Certificates

Councillor Ford, the Mayor introduced the delegates from the Hawkesbury and Council's Sister Cities Temple City, USA and Kyotamba, Japan, who are participating in the current Sister City Exchanges. Tina Tallac, Councillor Calvert and Susan Templeman, Federal Member for Macquarie presented certificates to the Sister City Exchange students.

Susan Templeman, Federal Member for Macquarie

Councillor Ford, the Mayor welcomed Susan Templeman, Federal Member for Macquarie to Council's meeting. Ms Templeman addressed Council, thanking it for reaching out and inviting her to the Council meeting. The Mayor presented Ms Templeman with Hawkesbury Council lapel pins, featuring the Macquarie Rose and the Mrs Macquarie Iris.

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SECTION 2 - Mayoral Minutes

MM Yes Campaign for Marriage Equality - (79353, 120428)

Councillor Creed declared a less than significant non-pecuniary conflict of interest in this matter as he is employed in the electorate office of a Federal Senator, but has no influence on any outcome related to any decision by the Federal Government and no further action is required.

MOTION:

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

Refer to RESOLUTION

242 RESOLUTION:

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

That Council:

1. Support marriage equality.
2. Opposes the imposition and cost of \$162 million non-binding plebiscite to achieve marriage equality and would prefer an immediate parliamentary vote on the matter. Should the Federal Government proceed with a plebiscite, Council resolves to support the 'Yes' campaign.
3. Seeks to engage with the local LBGTQI community with the aim of working with them to campaign for marriage equality.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

**Item: 154 CP - DA0093/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 102 - (94598, 109615)**

Mr Mark Regent and Mr Mike Scott addressed Council, speaking for the recommendation.

Mr John Thomas, Mr Bert Berry, Ms Margaret Padgen, Ms Sandi Herbert and Mr John Kropman addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

243 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0093/16 for a dwelling house on Proposed Lot 102 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 155 CP - DA0094/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 103 - (94598, 109615)

MOTION:

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

Refer to RESOLUTION

244 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0094/16 for a dwelling house on Proposed Lot 103 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 156 **CP - DA0095/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 104 - (94598, 109615)**

MOTION:

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

Refer to RESOLUTION

245 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0095/16 for a dwelling house on Proposed Lot 104 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 157 CP - DA0096/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 105 - (94598, 109615)

MOTION:

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

Refer to RESOLUTION

246 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0096/16 for a dwelling house on Proposed Lot 105 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 158 CP - DA0097/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 106 - (94598, 109615)

MOTION:

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

Refer to RESOLUTION

247 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0097/16 for a dwelling house on Proposed Lot 106 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 159 **CP - DA0098/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 107 - (94598, 109615)**

MOTION:

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

Refer to RESOLUTION

248 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0098/16 for a dwelling house on Proposed Lot 107 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 160 CP - DA0099/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 108 - (94598, 109615)

MOTION:

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

Refer to RESOLUTION

249 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0099/16 for a dwelling house on Proposed Lot 108 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 161 **CP - DA0100/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 109 - (94598, 109615)**

MOTION:

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

Refer to RESOLUTION

250 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0100/16 for a dwelling house on Proposed Lot 109 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 162 CP - DA0101/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 110 - (94598, 109615)

MOTION:

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

Refer to RESOLUTION

251 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0101/16 for a dwelling house on Proposed Lot 110 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 163 CP - DA0102/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 111 - (94598, 109615)

MOTION:

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

Refer to RESOLUTION

252 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0102/16 for a dwelling house on Proposed Lot 111 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

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**Item: 164 CP - DA0103/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 112 - (94598, 109615)**

MOTION:

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

Refer to RESOLUTION

253 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0103/16 for a dwelling house on Proposed Lot 112 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 165 **CP - DA0104/16 - 86 Arthur Phillip Drive, North Richmond - Lot 342 DP 1199663
- Dwelling house with attached garage on proposed lot 113 - (94598, 109615)**

MOTION:

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

Refer to RESOLUTION

254 RESOLUTION:

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

That Council defer consideration of the Development Application No. DA0104/16 for a dwelling house on Proposed Lot 113 in Lot 342 DP1199663, known as 86 Arthur Phillip Drive, North Richmond to enable Council to facilitate a meeting between the concerned parties, being RSL Life Care, the developers and the residents.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 166 CP - DA0837/15 - Lot 12 DP 1184975 - 741 George Street, South Windsor - Signage - Two Business Identification Signs - (95498, 130370, 82572)

Previous Item: 22, Ordinary (23 February 2016)
146, Ordinary (8 September 2015)

Mr Robert Montgomery addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

255 RESOLUTION:

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

That Development Application DA0837/15 at Lot 12 DP 1184975, 741 George Street, South Windsor for Signage - Two business identification signs be approved subject to the following conditions.

General

1. The development shall take place generally in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. The 6m pylon sign along George Street shall be designed to provide additional space for a future tenant, if or when this is required.
3. The development shall comply with the provisions of the Building Code of Australia.
4. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
5. The signs shall not be used or occupied prior to the issue of an Occupation Certificate.
6. 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.

Prior to Commencement of Works

7. 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.
8. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
9. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.

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10. The payment of a long service levy as required under Part 5 of the Building and Construction Industry Long Service Payments Act 1986, in respect to this building work, and in this regard, proof that the levy has been paid, is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. All building works in excess of \$25,000.00 are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Corporation offices or at most Councils.
11. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to issue of the construction certificate.
12. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
13. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - a) Unauthorised access to the site is prohibited.
 - b) The owner of the site.
 - c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - d) The name and contact number of the Principal Certifying Authority.

During Construction

14. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
15. Compliance certificates (known as Part 4A Certificates) as are to be issued for critical stage inspections as detailed in the Environmental Planning and Assessment Regulation 2000 as required by Section 109E (3) (d) of the Environmental Planning and Assessment Act 1979 by the nominated Principal Certifying Authority.
16. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site
 - b) building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site
 - c) builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
17. The signs shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the sign under construction and in compliance with the approved plans shall be lodged with the Principal Certifying Authority (PCA). Any easements must be shown on the Survey Certificate.
18. Lighting and signage shall be installed in a manner that would avoid intrusion onto adjacent residential properties or interfere with road traffic or aircraft movements. All signage and associated lighting shall be fitted with necessary devices capable of permitting the change in intensity of illumination in order to regulate glare or other like impacts.

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Prior to issue of a final occupation certificate

19. Creation of a restriction on use of land pursuant the Conveyancing Act as follows:
- Requiring any future freestanding signage on the site to be restricted to being constructed or installed on the multi-tenant signage approved as part of this consent.

Use of the Development

20. No internal or external alterations shall be carried out without prior approval of Council.
21. No advertising signs or structures other than those approved as part of this consent shall be erected, displayed or affixed on any building, footpaths, pedestrian ways, road ways or on any land other or land without prior approval.

Advice

- The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.
- Should Council receive any complaints concerning light pollution the operator would be instructed to change the intensity or hours of approved lighting to the satisfaction of Council.

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

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 167 CP - S960128/15 (DA0790/14) - Lot 12 DP 1184975 - 741 George Street Windsor - Modification of Development Consent DA0790/14 to Delete Condition 68, Construction of Pathway - (95498, 130370, 82572)

Previous Item: Item 23, Ordinary (23 February 2016)

Mr Robert Montgomery and Mr Walter Kullen addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

256 RESOLUTION:

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

That the matter be deferred to a future Council meeting, pending discussions with the applicant and further consultation with the Roads and Maritime Services.

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 Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillor Porter was absent from the meeting.

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

ORDINARY MEETING

Minutes: 9 August 2016

Item: 168 **CP - Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 2, July 2016 - Post Exhibition Report - (95498, 124414)**

Previous Item: 117, Ordinary (28 June 2016)

MOTION:

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

Refer to RESOLUTION

257 RESOLUTION:

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

That the Draft Section 64 Contribution Plan - Stormwater Infrastructure for Pitt Town - Contribution Area 2, July 2016 be adopted and made effective.

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 169 CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 74 Longleat Lane, Kurmond - (95498, 124414, 136641)

Mr Glenn Falson addressed Council, speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

258 RESOLUTION:

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

That:

1. Council support the preparation of a planning proposal for Lot 3 DP 747089, 74 Longleat Lane, Kurmond to allow development of the land for rural residential development with minimum lot sizes of 4,000m² and 2ha subject to the submission of further studies for consideration in relation to onsite effluent disposal, bushfire protection and heritage following a 'Gateway' determination.
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.
4. The Department of Planning and Environment 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 Rasmussen
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Reardon	
Councillor Tree	
Councillor Williams	

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 170 CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 43 Bootles Lane, Pitt Town - (95498, 124414)

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

That Council defer the matter for a site inspection.

An AMENDMENT was moved by Councillor Mackay, seconded by Councillor Reardon.

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 amendment, the results of which were as follows:

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

Councillor Porter was absent from the meeting.

The Amendment was lost.

ORDINARY MEETING

Minutes: 9 August 2016

MOTION:

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

Refer to RESOLUTION

259 RESOLUTION:

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

That Council defer the matter for a site inspection.

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

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

Councillor Porter was absent from the meeting.

ORDINARY MEETING

Minutes: 9 August 2016

GENERAL MANAGER

Item: 171 **GM - Submission of Motions - 2016 Local Government NSW Annual Conference (79351, 79633)**

MOTION:

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

Refer to RESOLUTION

260 RESOLUTION:

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

That the report be received and noted.

CITY PLANNING

Item: 172 **CP - Delivery Program 2013-2017 - End of Financial Year Progress Report 1 July 2015 - 30 June 2016 - (95498, 124414)**

MOTION:

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

Refer to RESOLUTION

261 RESOLUTION:

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

That the information be received.

ORDINARY MEETING

Minutes: 9 August 2016

INFRASTRUCTURE SERVICES

Item: 173 **IS - Tripartite Side Deed - Hawkesbury Gas Contract - Hawkesbury City Waste Management Facility Landfill Gas Flare Operation, Maintenance and Expansion - (95495, 112179)**

Previous Item: 149, Ordinary (8 September 2015)
 131, Ordinary (11 August 2015)

MOTION:

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

Refer to RESOLUTION

262 RESOLUTION:

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

That:

1. The Tripartite Side Deed between Landfill Gas Industries, Clean Energy Finance Corporation and Hawkesbury City Council, attached as Attachment 1 to the report, be endorsed.
2. The Seal of Council be affixed to any necessary documentation.

Item: 174 **IS - Upgrade and Funding Opportunities for Richmond Tennis Complex - (95495, 79354, 74070)**

MOTION:

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

Refer to RESOLUTION

263 RESOLUTION:

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

That:

1. Council give in principal support to provide matching funding, for any grants received, in the 2017/2018 Operational Plan to provide for renewal of deteriorated courts in the Richmond Tennis Complex.
2. The allocation of the funding be dependent upon a business plan being submitted to Council, to ensure appropriate long term asset management and renewal strategies are in place.

ORDINARY MEETING

Minutes: 9 August 2016

SUPPORT SERVICES

Item: 175 **SS - Local Government NSW - Request for Contribution to Legal Costs - Cowra Shire Council - (95496, 96333, 82733)**

MOTION:

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

Refer to RESOLUTION

264 RESOLUTION:

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

That Council contribute the amount of \$610.34, as outlined in the correspondence dated 20 July 2016 from Local Government NSW, towards legal costs incurred by Cowra Shire Council, in a matter before the Land and Environment Court regarding the ability of councils to issue notice orders under Section 124 of the Local Government Act, 1993 on animal welfare issues.

Item: 176 **SS - Implementation of 2015 Hawkesbury Youth Summit Recommendation - Anti-Bullying Program for Hawkesbury High Schools - (95496, 96328)**

Previous Item: 128, Ordinary (11 August 2015)

MOTION:

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

Refer to RESOLUTION

265 RESOLUTION:

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

That Council allocate the funding and implementation of the two preferred anti-bullying programs, as outlined in this report, to be delivered to high schools within the Hawkesbury.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 177 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

MOTION:

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

Refer to RESOLUTION

266 RESOLUTION:

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

That the information be received and noted.

Item: 178 **SS - Policy Regarding Payment of Expenses and Provision of Facilities to Councillors - Review - (95496, 96333)**

Previous Item: 206, Ordinary (24 November 2015)

MOTION:

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

Refer to RESOLUTION

267 RESOLUTION:

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

That the Policy Regarding Payment of Expenses and the Provision of Facilities to Councillors, included as Attachment 1 to the report and with the following amendment to Part 3, Provision of Facilities, Clause 2(a)(ii), be placed on public exhibition for a period of at least 28 days, and that the matter be reported back to Council at the conclusion of the exhibition period, along with any submissions received:

"a fully maintained and fuelled motor vehicle, being up to the value of the applicable Australian Taxation Office's Luxury Car Tax Thresholds,.....".

ORDINARY MEETING

Minutes: 9 August 2016

Item: 179 **SS - Public Exhibition of Code of Meeting Practice - (95496, 96333)**

Previous Item: 65, Ordinary (12 April 2016)
 21, Ordinary (2 February 2016)
 174, Ordinary (27 August 2013)

Mr Michael Want addressed Council, speaking against the recommendation.

MOTION:

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

Refer to RESOLUTION

268 RESOLUTION:

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

That the matter be deferred and the report be referred to the newly elected Council.

Item: 180 **SS - Review of Access and Inclusion Policy - (95496, 96328, 124569)**

Previous Item: 35, Ordinary (13 March 2012)
 265, Ordinary (29 November 2011)

MOTION:

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

Refer to RESOLUTION

269 RESOLUTION:

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

That Council adopt the amended Access and Inclusion Policy, attached as Attachment 1 to this report.

ORDINARY MEETING

Minutes: 9 August 2016

SECTION 4 - Reports of Committees

ROC **Hawkesbury Access and Inclusion Advisory Committee Minutes - 23 June 2016 - (124569, 96328)**

270 RESOLUTION:

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

That the minutes of the Hawkesbury Access and Inclusion Advisory Committee held on 23 June 2016 as recorded on pages 303 to 309 of the Ordinary Business Paper be received.

SECTION 5 - Notices of Motion

NM **Drop-in Centre for the Homeless - (79351, 105109, 80093)**

MOTION:

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

Refer to RESOLUTION

271 RESOLUTION:

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

That Council undertake a study to determine how a drop-in centre for the homeless could be established in the Hawkesbury. The study is to include all local groups currently working in this field and is also to consider the likelihood of attracting private funding.

ORDINARY MEETING

Minutes: 9 August 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.

MATTER OF URGENCY

Councillor Rasmussen requested to move a motion, as a Matter of Urgency, in relation to conducting a Council poll regarding establishing the community's view on a third crossing of the Hawkesbury River, between Richmond Bridge and Windsor in lieu of the two lane bridge.

In accordance with Clause 2.2.3(3)(b) of Council's Code of Meeting Practice, the Mayor ruled that the matter was not of great urgency.

ORDINARY MEETING**Minutes: 9 August 2016****Questions for Next Meeting**

#	Councillor	Question	Response
1	Calvert	Enquired if a telegraph pole on Argyle Street, South Windsor that is in poor repair could be investigated and replaced.	Director Infrastructure Services
2	Calvert	Enquired if the proposed bridge at the Navua Reserve river crossing is going ahead and also, what the final decision is on the bridge.	Director City Planning
3	Reardon	Requested an investigation into people riding pushbikes on the footpath along Windsor Street, Richmond.	Director City Planning

ORDINARY MEETING

Minutes: 9 August 2016

CONFIDENTIAL REPORTS

272 RESOLUTION:

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

That:

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

Item: 181 IS - Tender No. 00980 - Mowing and Maintenance of Parks and Reserves - (95495, 79354)

*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 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: 182 IS - Tender No. 00982 - Maintenance of Automatic Shutters and Gates to Various Sites and Automatic Sliding Doors to Various Sites - (95495, 79340)

*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 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: 183 IS - Tender No. 00984 - Maintenance of Gravel Roads and Associated Works - (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 release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 184 IS - Tender No. 00985 - Construction of a New Fire Shed for Tennyson Rural Fire Brigade - (95495, 79340, 73598)

*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 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: MM Staff Matter - Leave of Absence of Acting General Manager (79351)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personnel matters concerning particular individuals (other than councillors).*

ORDINARY MEETING

Minutes: 9 August 2016

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.

273 RESOLUTION:

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

ORDINARY MEETING

Minutes: 9 August 2016

Item: 181 **IS - Tender No. 00980 - Mowing and Maintenance of Parks and Reserves - (95495, 79354) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

274 RESOLUTION:

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

That:

1. The schedule of rates tender of Stone Will Pty Ltd for Tender No. 00980 Mowing and Maintenance of Parks and Reserves for a period of three years with a one year option be accepted.
2. The Seal of Council be affixed to any necessary documentation.

Item: 182 **IS - Tender No. 00982 - Maintenance of Automatic Shutters and Gates to Various Sites and Automatic Sliding Doors to Various Sites - (95495, 79340) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

275 RESOLUTION:

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

That:

1. The tender proposal submitted by BriTer Doors Solutions Pty Ltd to undertake Tender No. 00982 at a cost of \$62,261.23 (excluding GST) for the planned maintenance component and in accordance with the submitted schedule of rates for works to undertake maintenance and repairs of automatic shutters, gates and doors at various sites, over a period of five years be accepted.
2. The Seal of Council be affixed to any necessary documentation.

ORDINARY MEETING

Minutes: 9 August 2016

Item: 183 **IS - Tender No. 00984 - Maintenance of Gravel Roads and Associated Works - (95495, 79344) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

276 RESOLUTION:

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

That:

1. That the tender submitted by Hawkesbury Road Maintenance Pty. Ltd in the amount of \$386,651.60 (excluding GST) for the Maintenance of Gravel Roads and Associated Works (Tender No.00984) be accepted for a two year period with a one year option subject to satisfactory performance.
2. The Seal of Council be affixed to any necessary documentation

Item: 184 **IS - Tender No. 00985 - Construction of a New Fire Shed for Tennyson Rural Fire Brigade - (95495, 79340, 73598) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

277 RESOLUTION:

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

That:

1. The tender proposal submitted by Auscorp Constructions Pty Ltd to undertake Tender No. 00985, Construction of a New Fire Shed for Tennyson Rural Fire Service, at a cost of \$498,000 (excluding GST) be accepted.
2. The Seal of Council be affixed to any necessary documentation.

ORDINARY MEETING

Minutes: 9 August 2016

MM Staff Matter - Leave of Absence of Acting General Manager (79351)
CONFIDENTIAL

MOTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Ford.

Refer to RESOLUTION

278 RESOLUTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Ford.

That during any period of leave taken by Mr Laurie Mifsud whilst he is the Acting General Manager of Council, the Director Infrastructure Services, Mr Jeff Organ be appointed as the Acting General Manager.

The meeting terminated at 10:50pm.

Submitted to and confirmed at the Ordinary meeting held on 30 August 2016.

.....
Mayor