



ordinary
meeting
minutes

date of meeting: 09 July 2013

location: council chambers

time: 6:30 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 9 July 2013, commencing at 6:30pm.

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, J Reardon and L Williams.

ALSO PRESENT: General Manager - Peter Jackson, Acting Director City Planning – Shari Hussein, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Team Leader - Bianca James.

Councillor Mackay arrived at the meeting at 6:36pm.
Councillor Rasmussen arrived at the meeting at 6:44pm.

SECTION 1: Confirmation of Minutes

204 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 25 June 2013, be confirmed.

Councillor Paine referred to the recent passing of Olga Brown, the wife of Bruce Brown who was the President of the Council when Colo and Windsor Councils amalgamated. Olga did a lot for the district and will be sadly missed. Councillor Paine requested that a card and Council's condolences be sent to Olga Brown's family.

Councillor Paine also referred to a Council staff member's prestigious achievement in being presented with the Paul Harris Fellow Award by Rotary. Mr Garry Baldry was awarded the Paul Harris Fellow Award for his work with Rotary and specifically in relation to graffiti removal in Windsor. Councillor Paine requested that the Mayor pass on Council's congratulations and write to Mr Garry Baldry thanking him for his contribution to the community.

SECTION 3 - Notices of Motion

NM1 - Report to Council - Volume, Trends and Distribution of Sullage - (79351, 125610)

Mr Michael Want, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

205 RESOLUTION:

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

That following completion of the data base currently being compiled by Council to identify volume, trends and distribution of sullage being generated by customers across the City, a report be prepared that:

1. Examines alternative options and arrangements for frequency of collection services and the current arrangements for pensioner rebates including a comparison of charges and rebates in other local government areas.
2. Specifically canvass the option of reduced frequency of collection, having regard for environmental and health risks as well as financial impacts on all customers

NM2 - Sand Mining the Richmond Lowlands - (79351, 80104)

Ms Kate Mackaness, Mr Peter Reynolds and Mr David Hope, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

206 RESOLUTION:

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

That Council call for a report on the need for and possibility of establishing an independent panel of interested and informed community members and Council Staff to investigate the likelihood of future extraction of resources from the Richmond Lowlands.

Councillors Calvert and Rasmussen requested that their names be recorded as having voted against the motion.

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NM3 - Crisis Accommodation for the Hawkesbury - (79351, 80104)

MOTION:

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

Refer to RESOLUTION

207 RESOLUTION:

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

That Council lobby the State and Federal Governments to provide more crisis accommodation including a homeless shelter in the Hawkesbury.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 128 GM - Local Government NSW Annual Conference (79531, 112608)

208 RESOLUTION:

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

That:

1. Attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2013 Inaugural Local Government NSW Conference at an approximate cost of \$1,585.00 plus travel expenses per delegate be approved.
2. Council nominate four voting delegates from those nominated to attend the 2013 Inaugural Local Government NSW Conference.
3. Local Government NSW be advised of the significant issues of concern to Council and the community for consideration at the Conference as outlined in the report.

MOTION:

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

Refer to RESOLUTION

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

That Councillors Ford, Creed, Reardon and Calvert be nominated as Council's voting delegates at the Local Government NSW Annual Conference.

The amendment was lost.

The motion was put and carried.

209 RESOLUTION:

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

That:

1. Councillors Ford, Creed, Reardon and Tree be nominated as Council's voting delegates at the Local Government NSW Annual Conference.
2. Councillors Calvert, Lyons-Buckett, Paine, Rasmussen and Williams, also attend the conference as observers.

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Item: 129 GM - New South Wales Electoral Commission - 2013 Redistribution of State Electoral Districts - (79351)

Councillor Conolly declared a significant non-pecuniary conflict of interest in this matter as his father is the Local Member for Riverstone. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

210 RESOLUTION:

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

That the:

1. Information regarding the proposed redistribution of the NSW State electoral districts as related to the Hawkesbury local government area be received and noted.
2. New South Wales Electoral Commission be advised that the Council supports the proposed boundaries for the State electoral district of Hawkesbury which would result in all of the Hawkesbury local government area being incorporated within that district.

Item: 130 GM - Request from WSROC for One-off Additional Contribution - (79351)

MOTION:

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

Refer to RESOLUTION

211 RESOLUTION:

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

That, as requested Council make a "one-off" contribution of \$10,000 to WSROC.

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Item: 131 **GM - Small Business Week 2013 - (79351)**

Previous Item: 159, Ordinary (26 June 2012)

MOTION:

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

Refer to RESOLUTION

212 RESOLUTION:

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

That the information regarding Small Business Week Hawkesbury 2013 be received.

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CITY PLANNING

Item: 132 CP - DA0403/12 - 30 Douglas Farm Road, Kurrajong - Lot 272 DP 852481 - Subdivision - Torrens Title - Three lot torrens title subdivision - (95498, 102260)

MOTION:

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

Refer to RESOLUTION

213 RESOLUTION:

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

That:

1. Council advise the Department of Planning that it supports the objection lodged pursuant to the provisions of State Environmental Planning Policy No. 1 - Development Standards and requests that the Department issue its concurrence; and
2. Upon receipt of the concurrence, or otherwise of the Department of Planning, determination of Development Application DA0403/12 for a three lot Torrens Title subdivision be delegated to the General Manager.

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

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Item: 133 CP - DA0406/12 - 100 Mileham Street, South Windsor - Lot 101 DP 1107867 - Boarding house - Alterations to and the use of the front portion of the premises as a boarding house - (95498, 85782, 95365)

Mr David Donvito and Mr Greg Hall, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

214 RESOLUTION:

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

That development application DA0406/12 at Lot 101 DP 1107867, 100 Mileham Street, South Windsor for alterations to and the use of the front portion of the premises as a boarding house be approved subject to the following conditions:

General Conditions

1. The development shall take place in accordance with drawing numbers SK-02 Rev 'D', SK-03 Rev 'D' and SK-04 Rev 'D' prepared by Wilshire Stevens Architecture and dated July 2012, as well as any specifications and accompanying documentation submitted with the application, except as modified by these further conditions.
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate (Building).
3. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the Building Code of Australia (BCA)/National Construction Code.
5. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act 1979 relevant to this development to Council within seven days of issuing the certificate. A registration fee applies.
6. This development falls within the Sewerage Scheme, controlled by Council. Therefore Hawkesbury City Council is the approving authority for all sewer works.

The applicant must consult with the Waste Management Branch regarding any possible new work or upgrades to existing Council sewer mains related to this application.

7. The layout of rooms be labeled as either single or double rooms. Rooms with a floor space below 16m² are only to be labeled as 'single' rooms. Double rooms shall only be rooms greater than 16m² in floor area.

Prior to Issue of Construction Certificate

8. The proponent shall prepare a management plan to respond to the Police Crime Risk Assessment recommendations.

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9. Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$5,000.00 shall be paid to Council. This fee is based on the supplied value-of-works of \$500,000.00.

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 94A Development Contributions Plan 2006 (as amended from time to time).

The contribution is to be paid prior to the issue of the Construction Certificate and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the Principal Certifying Authority.

10. 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.
11. The development shall comply with the Disability (Access to Premises – Buildings) Standards 2010. Details of compliance are to be provided to the Principal Certifying Authority (PCA) prior to issue of a Construction Certificate.
12. The existing asbestos roof shall be removed and replaced by a metal roof. The plans submitted with the construction certificate must indicate the installation of a metal roof.
13. Sewerage details are to be submitted to and approved by Council's Waste Management Branch prior to the release of the construction certificate.
14. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) earthworks, erosion control, site rehabilitation and landscaping.

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

15. A Construction Management Program shall be submitted and approved by Council prior to the issue of any Construction Certificate. The program shall detail:
- (a) The proposed method of access to and egress from the site for construction vehicles (including the proposed method of traffic control), access routes through the Council area and the location and type of temporary vehicular crossings for the purpose of minimising traffic congestion and noise in the area.
 - (b) The proposed order in which works on the site will be undertaken and the method statements on how the various stages of construction will be undertaken;
 - (c) The proposed manner in which adjoining property owners will be kept advised of the timeframes for the completion of each phase of development/construction;
 - (d) The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Mobile cranes if used shall be located wholly within the site or only utilised during the demolition and excavation phase, and in association with the establishment and removal of a site crane, removal of excavation equipment and the like;
 - (e) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;

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- (f) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practicing Structural Engineer and shall not involve any permanent or temporary encroachment onto Council's property;
- (g) Proposed protection for Council and adjoining properties. Details are to include site fencing and the provision of hoardings over footpaths and laneways;
- (h) Details of any construction zones.

Prior to Commencement of Works

- 16. At least two days prior to the commencement of works, notice is to be given to Council in accordance with the Environmental Planning and Assessment Regulation 2000.
- 17. The applicant shall advise Council of the name, address and contact number of the Principal Certifying Authority (PCA) in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act 1979.
- 18. 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 (PCA).
- 19. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority (PCA) prior to any works commencing onsite.
- 20. Hoardings/fences shall be installed before any work is commenced onsite including construction/demolition, and shall remain in place for the duration of the work. A separate application is to be made for this purpose should any structures be located on Council land. No construction access is permitted other than at the approved vehicle crossing/s. All loading, unloading and storage of materials for works within the site shall take place within the hoarding enclosure.
- 21. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Any such facilities shall be located wholly within the property boundary.
- 22. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
- 23. All traffic management devices shall be installed and maintained in accordance with the approved traffic management plan.
- 24. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's water or sewer mains, stormwater drains and/or easements and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site: www.sydneywater.com.au

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During Construction

25. 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.
26. The site shall be secured at all times against the unauthorised entry of persons or vehicles.
27. All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors are to be used and the disposal of asbestos is to be carried out in accordance with the requirements of the WorkCover Authority.
28. Demolition work is to be carried out in accordance with the following:
 - (a) Australian Standard AS 2601:2001 and any requirements of the WorkCover Authority.
 - (b) The property is to be secured to prohibit unauthorised entry.
 - (c) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authority's requirements.
 - (d) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
 - (e) Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.
 - (f) Any existing accumulations of dust (e.g. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
 - (g) All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not be allowed to enter the street gutter and stormwater systems.
 - (h) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 'Respiratory Protective Devices' and shall adopt work practices in accordance with WorkCover requirements.
29. The site shall be kept clean and tidy during construction 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) The site shall be secured to prevent the depositing of any unauthorised material.
 - (b) Dust control measures (e.g. vegetative cover, mulches, irrigation, barriers and/or stone) shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
 - (c) Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
30. The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition.
31. If an excavation associated with the erection of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:

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- (a) must preserve and protect the building from damage; and
- (b) if necessary, must underpin and support the building in an approved manner; and
- (c) must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected.

The person acting in accordance with this Consent is liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

32. The property shall be set out by a Registered Surveyor. To ensure that the building satisfies the provisions of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority (PCA) indicating the:
- (i) location of the building with respect to the boundaries of the site;
 - (ii) site coverage of the buildings on the site.
33. Inspections and Compliance Certificates for sewer works can only be conducted and issued by Hawkesbury City Council.
- In the case of any sewer work constructed under a 'Major/Minor Sewer Works' application, the inspection must be conducted by Council's Waste Management Branch. A compliance certificate will not be issued until Works As Executed information has been received, assessed and approved by the Waste Management Branch. Council's Waste Management Branch may be contacted on (02) 4560 4444 to arrange inspections.
 - In the case of major sewer works where the contractor is allowed to use third party quality control, the third party must be approved by the branch manager of Hawkesbury City Council's Waste Management Branch.

In all cases inspections must be conducted on the exposed pipes prior to any backfilling this includes poured concrete slabs or concrete encasement.

A statutory declaration will not be accepted in lieu of the inspection as compliance.

34. Onsite car parking provision and layout (including driveways, grades, turn paths, sight distance, car parking spaces etc.) shall comply with AS 2890.1:2004.
35. Disabled parking shall be provided in accordance with AS2890.6:2009.
36. Landscaping shall be completed as shown on the approved plans.
37. A 6m wide layback and footway vehicular crossing shall be constructed in accordance with the approved plans. Prior to works commencing the Applicant shall consult with Infrastructure Services regarding fees to be paid, the works required and to organise an inspection for a Compliance Certificate.
38. Redundant layback crossings are to be removed and replaced with concrete kerb and gutter and the restoration of the footway area.
39. Suitable provision for the disposal of storm water from the development to the road drainage system is to be provided.

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40. All necessary works are to be carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
41. 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.
42. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan – Appendix E – Civil Works Specification.

Prior to Issue of Occupation Certificate

43. A Compliance Certificate from Council (as the local sewer authority) that the development is suitably connected to the reticulated sewerage system is required to be submitted to the PCA prior to the issue of an Interim or Final Occupation Certificate.
44. A compliance certificate from Hawkesbury City Council's Building & Development Branch confirming completion of internal and external drainage must be submitted to the PCA.
45. Prior to the release of any Occupation Certificate (Interim or Final,) a notice of completion including a validation report must be submitted to Council from a qualified occupational hygienist verifying that the site is suitable for residential purposes. This notice must:
 - be in writing and signed by the person who carried out the work, and
 - provide the person's name, address and business telephone number, and
 - provide details of the person's qualifications to carry out the work, and
 - specify, by reference to its property description and street address, the land on which the work was carried out, and
 - state when the work was completed, and
 - specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment, and
 - briefly describe the method of remediation used in the work, and
 - specify the guidelines that were complied with in the work, and
 - specify the standard of remediation achieved (in the light of the use proposed for the land).

The validation report must be prepared by an appropriately qualified person and state that the subject property is unconditionally suitable for residential purposes.

The construction certificate must not be released until such time that the validation report has been received.

46. 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 web site 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/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Use of the Development

47. Boarding House proprietors are required to register their boarding house with NSW Fair Trading within 28 days of operating.

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48. The operation of the boarding house shall be undertaken in accordance with the Management Plan prepared by Urban City Consulting and dated August 2012 and as modified by the management plane recommendations under Condition 8.
49. The approved use is to be conducted at all times without interference to the amenity of the area. Effective measures must be taken at all times to prevent any nuisance being caused by noise, vibrations, smells, fumes, dust, smoke, light overspill, waste water products and the like.
50. 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.

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 the date endorsed on this consent.
- The applicant shall make them self-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.
- 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.
- 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.

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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 Porter | |
| Councillor Rasmussen | |
| Councillor Reardon | |
| Councillor Tree | |
| Councillor Williams | |

INFRASTRUCTURE SERVICES

Item: 134 IS - Proposed Projects for Grant Application - (95495)

Councillor Conolly declared a significant non-pecuniary conflict of interest in this matter as his father is the Local Member for Riverstone. He left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

215 RESOLUTION:

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

That:

1. Grant applications be made under the 2013 Community Building Partnership Program for the following projects:
 - a. Wilberforce Cemetery - \$10,000 (*Hawkesbury Electorate*),
 - b. Bligh Park Community Precinct - \$40,000 (*Riverstone Electorate*),
 - c. Kurrajong Village - \$30,000 (*Londonderry Electorate*).
2. A grant application be made under the Regional Development Australia Fund Round 5 for funding for the Richmond Village Technology and Cultural Precinct project.

ORDINARY MEETING

MINUTES: 9 July 2013

SUPPORT SERVICES

Item: 135 SS - Pecuniary Interest Returns - Designated Persons - (79337, 95496)

MOTION:

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

Refer to RESOLUTION

216 RESOLUTION:

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

That the information be received and noted.

CONFIDENTIAL REPORTS

217 RESOLUTION:

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

That the Confidential Items be moved to the end of the business paper to be dealt with last.

218 RESOLUTION:

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

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: 136 IS - Tender No 00926 - Tender for the Selective Maintenance of Roads & Drainage - (79344)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) 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: 137 SS - Property Matter - Lease to Hawkesbury District Agricultural Association - 40 Racecourse Road, Clarendon (Lot 187 in Deposited Plan 45754) - (74207, 112106, 96596)

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

Item: 138 SS - Property Matter - Assignment of Lease from Jessica L'Estrange Pty Limited to Renee Michelle Keddie and Benedetto Anthony Blefari - Shop 6 Glossodia Shopping Centre - (126146, 126147, 124570, 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.

ORDINARY MEETING

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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.

219 RESOLUTION:

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

**Item: 136 IS - Tender No 00926 - Tender for the Selective Maintenance of Roads & Drainage
- (79344) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

220 RESOLUTION:

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

That:

1. In accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any tenders submitted for the Selective Maintenance of Roads and Drainage (Tender No.00926).
2. Council seek fresh tenders for the Selective Maintenance of Roads and Drainage in accordance with the provisions of Clause 178 (3)(b) of the Local Government (General) Regulation 2005.

ORDINARY MEETING

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Item: 137 SS - Property Matter - Lease to Hawkesbury District Agricultural Association - 40 Racecourse Road, Clarendon (Lot 187 in Deposited Plan 45754) - (74207, 112106, 96596) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

221 RESOLUTION:

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

That:

1. Council agree to enter into a new lease of 40 Racecourse Road, Clarendon (Lot 187 in Deposited Plan 45754) with Hawkesbury District Agricultural Association as outlined in the report, subject to the consent of the relevant Minister, as required, being obtained for the new Lease.
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 the consent of the relevant Minister has been obtained, and appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

Item: 138 SS - Property Matter - Assignment of Lease from Jessica L'Estrange Pty Limited to Renee Michelle Keddie and Benedetto Anthony Blefari - Shop 6 Glossodia Shopping Centre - (126146, 126147, 124570, 112106, 95496) CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

222 RESOLUTION:

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

1. Council agree to the assignment of the lease of Shop 6 Glossodia Shopping Centre from Jessica L'Estrange Pty Limited to Renee Michelle Keddie and Benedetto Anthony Blefari, 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 Assignor and Assignees, 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.

SECTION 5 - Reports of Committees

ROC - Audit Committee Minutes - 8 May 2013 (91369)

223 RESOLUTION:

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

That the minutes of the Audit Committee held on 8 May 2013 as recorded on pages 75 to 79 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 17 June 2013 - (80245)

224 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 17 June 2013 as recorded on pages 80 to 106 of the Ordinary Business Paper be adopted.

ORDINARY MEETING

MINUTES: 9 July 2013

QUESTIONS FOR NEXT MEETING

Councillors 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: 9 July 2013****Questions for Next Meeting**

| # | Councillor | Question | Response |
|---|---------------|--|----------------------------------|
| 1 | Rasmussen | Asked Council to arrange a bus for all Councillors to travel across the North Richmond Bridge during the morning and afternoon peak travel times. | Director Infrastructure Services |
| 2 | Porter | Asked that Councillors be advised if there is an appeal to the Land and Environment Court regarding DA0548/12 for a cemetery at 288 Packer Road, Blaxlands Ridge. | Director City Planning |
| 3 | Calvert | Requested a sign directing traffic to Blacktown be placed at the intersection of Bosworth and March Streets, Richmond so those travelling from North Richmond are aware of the turn off. | Director Infrastructure Services |
| 4 | Paine | Asked if residential parking stickers could be implemented for those living in the CBD areas. | Director Infrastructure Services |
| 5 | Lyons-Buckett | Advised that a makeshift motor-cross bike jump has been built on a property in Kurrajong and wondered if Council was investigating the matter. | Director City Planning |
| 6 | Tree | Asked when the policy for Second Dwellings will be reported to Council. | Director City Planning |
| 7 | Creed | Requested that the car spaces in front of North Richmond Shopping Village be made a clearway on a short term basis during 3pm and 7pm to allow traffic to use the second lane. | Director Infrastructure Services |

The meeting terminated at 9:55pm.

Submitted to and confirmed at the Ordinary meeting held on 30 July 2013.

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Mayor