



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 30 June 2015

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

Minutes: 30 June 2015

MINUTES

– **WELCOME**

Prayer

Acknowledgement of Indigenous Heritage

– **APOLOGIES AND LEAVE OF ABSENCE**

– **DECLARATION OF INTERESTS**

– **SECTION 1 - Confirmation of Minutes**

– **ACKNOWLEDGEMENT OF OFFICIAL VISITORS TO THE COUNCIL**

– **SECTION 2 - Mayoral Minutes**

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

– **SECTION 3 - Reports for Determination**

Planning Decisions

General Manager

City Planning

Infrastructure Services

Support Services

– **SECTION 4 - Reports of Committees**

– **SECTION 5 - Notices of Motion**

– **QUESTIONS FOR NEXT MEETING**

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

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 30 June 2015, commencing at 6:33pm.

Pastor Glen Clark of the Hawkesbury Community Church, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Development Services Manager - Cristie Evenhuis, Strategic Planning Manager - Shari Hussein, Chief Financial Officer - Emma Galea, Deputy Chief Financial Advisor - Vanessa Browning, Manager Design & Mapping - Chris Amit, Manager Corporate Services and Governance - Abbey Rouse and Administrative Support Coordinator - Natasha Martin.

APOLOGIES

Apologies for absence were received from Councillors Conolly and Williams.

142 RESOLUTION:

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

Councillor Mackay arrived at the meeting at 6:48pm.

Councillor Tree left the meeting at 9:40pm.

Councillor Lyons-Buckett left Chambers at 9:45pm and returned at 9:49pm.

Councillor Mackay left Chambers at 9:46pm and returned at 10:08pm.

SECTION 1: Confirmation of Minutes

143 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the Minutes of the Ordinary Meeting held on the 26 May 2015, be confirmed.

144 RESOLUTION:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Calvert that the Minutes of the Extraordinary Meeting held on the 23 June 2015, be confirmed.

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145 RESOLUTION:

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

That Standing Orders be suspended in order to consider the Rescission Motion as the first item of business.

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RM Rescission Motion - Draft Fit for the Future Proposal - (79351, 95496, 105109, 120428, 125611, 111629)

MOTION:

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

Refer to RESOLUTION

146 RESOLUTION:

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

That Council's resolution from the Extra Ordinary meeting of 23 June 2015 in relation to item 85 concerning Council's Draft Fit for the Future submission be rescinded.

The Motion was carried.

MOTION:

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

Refer to RESOLUTION

147 RESOLUTION:

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

That:

1. Council approve the submission to IPART of an amended Fit for the Future proposal submitted to the Extra Ordinary meeting of 23 June 2015 on the basis that it provides for a possible special rate variation being considered in 2017-2018 and, then, only following extensive community consultation and engagement.
2. A process be developed to enable the activities within Council's Fit for the Future proposal and any other initiatives subsequently identified by councillors or the community to be appropriately analysed and assessed and subjected to community consultation as necessary.

Councillors Lyons-Buckett, Paine and Rasmussen requested that their names be recorded as having voted against the motion.

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SECTION 2 - Mayoral Minutes

MM **Bells Line of Road Corridor Upgrade - (79353)**

MOTION:

RESOLVED on the motion of Councillor Ford.

Refer to RESOLUTION

148 RESOLUTION:

RESOLVED on the motion of Councillor Ford.

That Council make formal representations to the Minister for Roads to take any necessary steps to immediately implement parking restrictions during peak travel periods for westbound traffic on Bells Line of Road between Pitt Lane and Grose Vale Road.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 86 CP - DA0142/15 - Lot A DP 416762 - 64 Grandview Lane, Bowen Mountain - Structure ancillary to a dwelling - (95498, 120744)

Mr Phillip Suvakov addressed Council, speaking for the item.
Mr Greg Hall and Ms Dale Raper addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

149 RESOLUTION:

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

That a site inspection be carried out.

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

Councillors Conolly and Williams were absent from the meeting.

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Minutes: 30 June 2015

Item: 87 **CP - DA0156/15 - Lot 25 DP 663770 - 1 Powells Lane, Richmond Lowlands - Temporary use of the existing building for the holding of functions - (95498, 102260, 78522)**

Previous Item: 67, Ordinary (12 May 2015)

Councillor Ford declared a pecuniary interest in this matter as he is negotiating a sale of an unrelated property to the owner of the subject property. He left the Chamber and did not take part in voting or discussion on the matter.

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

Mr Andrew Doyle, Mr Peter Higgins and Mr Robert Montgomery addressed Council, speaking for the item. Mr Ron Knott, Mr Stan Kondilios and Mr Marcel Van Gestal addressed Council, speaking against the item.

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

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 refuse development application No. DA0156/15 for the temporary use of the land for functions on Lot 25 DP 663770, known as 1 Powells Lane, Richmond Lowlands, for the following reasons:

1. There is insufficient noise control/mitigation measures to the existing buildings to control the noise from the proposed use to a satisfactory level that will not create an adverse impact on adjoining and surrounding residents.
2. The existing road system in the Lowlands is inadequate to cater for the proposed traffic generated from the proposed temporary uses.
3. The proposed temporary uses in this locality are not in the public interest.

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 Lyons-Buckett	Councillor Calvert
Councillor Mackay	Councillor Creed
Councillor Paine	Councillor Rasmussen
Councillor Porter	Councillor Reardon
	Councillor Tree

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

Councillors Conolly and Williams were absent from the meeting.

The Motion was lost.

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

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 approve Development Application No. DA0156/15 for the temporary use of the land for functions on Lot 25 DP 663770, known as 1 Powells Lane, Richmond Lowlands, subject to the following conditions:

General Conditions

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. This consent is limited in time and shall expire on 30 June 2018.
3. The building shall not be used for functions prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the National Construction Code/ Building Code of Australia.
5. Potable water shall be provided to the development in accordance with the NSW Health Private Water Supply Guidelines.
6. Noise assessments are to be conducted for each of the first 10 events/functions held at the premises. The noise assessment must be conducted by a suitably qualified acoustic consultant who is a member of the Association of Australian Acoustic Consultants (ACCC), and in accordance with Council directions. Upon completion of each noise assessment for each event, the assessment is to be submitted to Council for review, and demonstrate compliance with noise condition No. 36. Each noise assessment carried out is to be completed at the owners' expense. For any non-compliances that occur during any of the noise assessments, the acoustic consultant is to make recommendations within the assessment and submit these recommendations for review by Council, prior to the next function. Following Council endorsing these recommendations, any changes are to be implemented prior to the next function.
7. A 149D Building Certificate application for the unapproved works within the existing building shall be submitted to Hawkesbury City Council. The building certificate must be issued prior to the issue of any occupation certificate. The following information must be submitted with the application:
 - a) A report, prepared by a suitably qualified person, demonstrating compliance or otherwise with the National Construction Code/Building Code of Australia. Where any non-compliances exist, the report must make recommendations to address the non-compliances. Particular attention shall be given to egress from the building in the event of an emergency and fire safety measures.
 - b) A structural engineer's certificate certifying the existing structure is capable of withstanding the loads likely to be imposed on it, including resistance to the impact of floodwater in respect to debris and buoyancy forces.
 - c) A statutory declaration or certificate of compliance and a drainage diagram from a licensed plumber is to be provided in relation to sanitary plumbing.
 - d) A termite treatment certificate from a licensed contractor certifying that the structure complies with Australian Standard AS 3660.
 - e) A certificate for wet area waterproofing.

Prior to Commencement of Works

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

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9. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
10. 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.
11. 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.
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. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan Appendix E Civil Works Specification.
15. Forty car parking spaces to service the development, together with access driveways and turning areas, shall be constructed with an all-weather seal, signposted and maintained. The car park is to comply with AS2890.1 2004, as a minimum standard.
16. Vehicle entrances and exits shall be clearly signposted, including street number, and visible from both the street and site at all times.
17. Disabled parking shall be provided in accordance with AS2890.6 - 2009.
18. A servicing area with a minimum all-weather surface is to be provided in a suitable location adjacent to the development. The dimensions of the service area are to comply with the requirements of AS2890.2, 2002, for the largest vehicle required to regularly service the site.
19. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
20. 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.
21. 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.

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Prior to Issue of the Final Occupation Certificate

22. The applicant shall prepare a flood emergency evacuation and management plan for the development. The plan shall advise occupants of flood evacuation procedures and emergency telephone numbers. The applicant shall contact Council and the NSW State Emergency Services for advice in the preparation of the plan. The evacuation procedures shall be permanently fixed to the building on a prominent location and maintained at all times.
23. The applicant shall submit a report from a suitably qualified Engineer which verifies the following:
 - a) Any damage to the proposed structure sustained in a flood will not generate debris capable of causing damage to downstream buildings or property.
 - b) Any part of the structure at or below the 1 in 100 year flood level will be able to withstand the force of floodwaters (including buoyancy forces) and the impact of debris.
 - c) All finishes, plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of floodwaters.
24. The 149D Building Certificate required by Condition 7 of this Consent must be issued prior to the issue of any occupation certificate.
25. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
26. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
27. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
28. A works as executed plan shall be submitted to Council on completion of the car park construction works. The plan shall demonstrate that the car parking and servicing areas have been provided in accordance with the conditions of consent.
29. All premises offering food, packaged or otherwise, are to be registered with Council and have inspections conducted by Council's officers as necessary/required. These premises are required to comply with the Food Act 2003, associated Regulations, and the Food Safety Standards 3.2.2 and 3.2.3. These are available on line at www.foodstandards.gov.au. A plan showing the food preparation/serving area and details demonstrating compliance with the Food Act, 2003 and associated regulations and standards must be submitted with the registration form
30. A patron management plan for the use of the land for functions shall be submitted to and approved by Hawkesbury City Council. The Plan shall address, but not be limited to:
 - a) noise generated from patrons entering or leaving the premises, from within car parking areas and outdoor areas;
 - b) monitoring/management of noise generated from music and PA systems;
 - c) antisocial behaviour,
 - d) the responsible service of alcohol; and
 - e) responsibility for the management of events. For example, and in addition to the items above, who ensures that music ceases and patrons have left the site by the nominated times.

The Plan must detail any likely impacts generated by the use of the premises and propose suitable measures to mitigate these impacts.

Use of the Development

31. The operator shall keep a register detailing the date and times of when the premises is being used for a function and the number of guests attending. This register must be made available to Council officers on request.

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32. No more than 28 days within a 12 month period shall be used for the holding of functions on the land.
33. No more than 200 guests are permitted at any function at any given time.
34. A copy of this Development Consent shall be kept on the premises at all times and be made available to Council, Police or other authorised persons upon request.
35. Operating hours shall be limited to:
 - Sunday – Thursday: 2pm to 11pm
All music must cease by 10:30pm
All patrons must leave the premises by 11pm.
 - Friday – Saturday: 2pm to 12 midnight
All music must cease by 11:30pm
All patrons must leave the premises by 12 midnight.
36. The noise emitted from the development must not exceed more than 5 dB(A) above background noise levels in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) prior to midnight at the boundary of any affected residence. The noise from the development shall not be audible within any habitable room in any residential premises after midnight.
37. All music, entertainment and speeches (Amplified or otherwise) must only be conducted within the 'Polo Barn' building.
38. All doors to the Polo Barn are to remain closed at all times during a function or event to minimise and reduce noise levels. Entry to and exit from the building during an event shall be via the front/southern side of the building.
39. Farewells to the bride and groom for functions at the Polo Barn must occur inside the barn or on the southern front side of the Polo Barn.
40. All amplification of music, including music from live bands must utilise an in-house sound system with a noise limiter to restrict the level to 98 dB(A) inside the barn when assessed as an average maximum sound level.
41. Signs must be placed in clearly visible positions within the building and in the car park areas requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
42. Service deliveries to and from the site shall be limited to 7am to 5pm Monday to Sunday.
43. The activity shall be carried out in accordance with the Patron Management Plan.
44. Portable toilets are to be provided to service each function. Amenities are required to be provided for a maximum number of people attending and at the following rates:
 - a) Male facilities are to be provided at a rate of 3 water closets, 8 urinals and 2 hand basins per 500 people attending.
 - b) Female facilities are to be provided at a rate of 13 water closets and 2 hand basins per 500 people attending.
 - c) Hand washing facilities are required at a rate of one hand wash facility per 125 people attending.
45. All Portable toilets and amenities are to be removed from the site within 24 hours of the completion of each function.

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46. 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.
47. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
48. The lighting from the development is to be directed away from surrounding properties, at an angle of 45 degrees towards the ground and shielded if needed to prevent any light spillage onto adjoining properties.
49. All work and the storage of goods, materials and waste shall be confined within the building or approved storage areas at all times.
50. All waste materials are to be stored in covered waste storage bins and regularly removed from the property. Waste is to be separated where appropriate for re-use and recycling purposes. Waste is to be contained in such a manner to prevent it from being blown, moved or located around the property or surrounding properties.

Advisory Notes

- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- *** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- *** 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.
- *** Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- *** In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

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An AMENDMENT was moved by Councillor Lyons-Buckett, seconded by Councillor Paine.

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 approve Development Application No. DA0156/15 for the temporary use of the land for functions on Lot 25 DP 663770, known as 1 Powells Lane, Richmond Lowlands, subject to the following conditions:

General Conditions

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. This consent is limited in time and shall expire on 31 December 2016.
3. The building shall not be used for functions prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the National Construction Code/ Building Code of Australia.
5. Potable water supply shall be from an on-site tank suitable for drinking water.
6. Noise assessments are to be conducted for each of the first 10 events/functions held at the premises. The noise assessments must be conducted by a suitably qualified acoustic consultant who is a member of the Association of Australian Acoustic Consultants (ACCC), and in accordance with Council directions. Upon completion of each noise assessment for each event, the assessment is to be submitted to Council for review and demonstrate compliance with noise condition No. 36. All noise assessments are to be made publicly available. Each noise assessment carried out is to be completed at the owners' expense. For any non-compliances that occur during any of the noise assessments, the acoustic consultant is to make recommendations within the assessment and submit these recommendations for review by Council, prior to the next function. Following Council endorsing these recommendations, any changes are to be implemented prior to the next function.
7. A 149D Building Certificate application for the unapproved works within the existing building shall be submitted to Hawkesbury City Council. The building certificate must be issued prior to the issue of any occupation certificate. The following information must be submitted with the application:
 - a) A report, prepared by a suitably qualified person, demonstrating compliance or otherwise with the National Construction Code/Building Code of Australia. Where any non-compliances exist, the report must make recommendations to address the non-compliances. Particular attention shall be given to egress from the building in the event of an emergency and fire safety measures.
 - b) A structural engineer's certificate certifying the existing structure is capable of withstanding the loads likely to be imposed on it, including resistance to the impact of floodwater in respect to debris and buoyancy forces.
 - c) A statutory declaration or certificate of compliance and a drainage diagram from a licensed plumber is to be provided in relation to sanitary plumbing.
 - d) A termite treatment certificate from a licensed contractor certifying that the structure complies with Australian Standard AS 3660.
 - e) A certificate for wet area waterproofing.

Prior to Commencement of Works

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

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9. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
10. 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.
11. 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.
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. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan Appendix E Civil Works Specification.
15. Forty car parking spaces to service the development, together with access driveways and turning areas, shall be constructed with an all-weather seal, signposted and maintained. The car park is to comply with AS2890.1 2004, as a minimum standard.
16. Vehicle entrances and exits shall be clearly signposted, including street number, and visible from both the street and site at all times.
17. Disabled parking shall be provided in accordance with AS2890.6 - 2009.
18. A servicing area with a minimum all-weather surface is to be provided in a suitable location adjacent to the development. The dimensions of the service area are to comply with the requirements of AS2890.2, 2002, for the largest vehicle required to regularly service the site.
19. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
20. 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.
21. 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.

ORDINARY MEETING

Minutes: 30 June 2015

Prior to Issue of the Final Occupation Certificate

22. The applicant shall prepare a flood emergency evacuation and management plan for the development. The plan shall advise occupants of flood evacuation procedures and emergency telephone numbers. The applicant shall contact Council and the NSW State Emergency Services for advice in the preparation of the plan. The evacuation procedures shall be permanently fixed to the building on a prominent location and maintained at all times.
23. The applicant shall submit a report from a suitably qualified Engineer which verifies the following:
 - a) Any damage to the proposed structure sustained in a flood will not generate debris capable of causing damage to downstream buildings or property.
 - b) Any part of the structure at or below the 1 in 100 year flood level will be able to withstand the force of floodwaters (including buoyancy forces) and the impact of debris.
 - c) All finishes, plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of floodwaters.
24. The 149D Building Certificate required by Condition 7 of this Consent must be issued prior to the issue of any occupation certificate.
25. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
26. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
27. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
28. A works as executed plan shall be submitted to Council on completion of the car park construction works. The plan shall demonstrate that the car parking and servicing areas have been provided in accordance with the conditions of consent.
29. All premises offering food, packaged or otherwise, are to be registered with Council and have inspections conducted by Council's officers as necessary/required. These premises are required to comply with the Food Act 2003, associated Regulations, and the Food Safety Standards 3.2.2 and 3.2.3. These are available on line at www.foodstandards.gov.au. A plan showing the food preparation/serving area and details demonstrating compliance with the Food Act, 2003 and associated regulations and standards must be submitted with the registration form
30. A patron management plan for the use of the land for functions shall be submitted to and approved by Hawkesbury City Council. The Plan shall address, but not be limited to:
 - a) noise generated from patrons entering or leaving the premises, from within car parking areas and outdoor areas;
 - b) monitoring/management of noise generated from music and PA systems;
 - c) antisocial behaviour,
 - d) the responsible service of alcohol; and
 - e) responsibility for the management of events. For example, and in addition to the items above, who ensures that music ceases and patrons have left the site by the nominated times.

The Plan must detail any likely impacts generated by the use of the premises and propose suitable measures to mitigate these impacts.

Use of the Development

31. The operator shall keep a register detailing the date and times of when the premises is being used for a function and the number of guests attending. This register must be submitted weekly to Council.

ORDINARY MEETING

Minutes: 30 June 2015

32. No more than 28 days within a 12 month period shall be used for the holding of functions on the land.
33. No more than 200 guests are permitted at any function at any given time.
34. A copy of this Development Consent shall be kept on the premises at all times and be made available to Council, Police or other authorised persons upon request.
35. Operating hours shall be limited to:
 - Sunday – Thursday: 2pm to 10pm
All music must cease by 9:30pm
All patrons must leave the premises by 10pm.
 - Friday – Saturday: 2pm to 11pm
All music must cease by 10:30pm
All patrons must leave the premises by 11pm.
36. The noise emitted from the development must not exceed more than 5 dB(A) above background noise levels in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) prior to midnight at the boundary of any affected residence. The noise from the development shall not be audible within any habitable room in any residential premises after midnight.
37. All music, entertainment and speeches (Amplified or otherwise) must only be conducted within the 'Polo Barn' building.
38. All doors to the Polo Barn are to remain closed at all times during a function or event to minimise and reduce noise levels. Entry to and exit from the building during an event shall be via the front/southern side of the building.
39. Farewells to the bride and groom for functions at the Polo Barn must occur inside the barn or on the southern front side of the Polo Barn.
40. All amplification of music, including music from live bands must utilise an in-house sound system with a noise limiter to restrict the level to 98 dB(A) inside the barn when assessed as an average maximum sound level.
41. Signs must be placed in clearly visible positions within the building and in the car park areas requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
42. Service deliveries to and from the site shall be limited to 7am to 5pm Monday to Sunday.
43. The activity shall be carried out in accordance with the Patron Management Plan.
44. Portable toilets are to be provided to service each function. Amenities are required to be provided for a maximum number of people attending and at the following rates:
 - a) Male facilities are to be provided at a rate of 2 water closets, 4 urinals, 2 hand basins per 200 people attending.
 - b) Female facilities are to be provided at a rate of 6 water closets and 2 hand basins per 200 people attending.
 - c) Hand washing facilities are required at a rate of one hand wash facility per 125 people attending.
45. All Portable toilets and amenities are to be removed from the site within 24 hours of the completion of each function.

ORDINARY MEETING

Minutes: 30 June 2015

46. 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.
47. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
48. The lighting from the development is to be directed away from surrounding properties, at an angle of 45 degrees towards the ground and shielded if needed to prevent any light spillage onto adjoining properties.
49. All work and the storage of goods, materials and waste shall be confined within the building or approved storage areas at all times.
50. All waste materials are to be stored in covered waste storage bins and regularly removed from the property. Waste is to be separated where appropriate for re-use and recycling purposes. Waste is to be contained in such a manner to prevent it from being blown, moved or located around the property or surrounding properties.

Advisory Notes

- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- *** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- *** 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.
- *** Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- *** In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

ORDINARY MEETING

Minutes: 30 June 2015

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 Calvert	Councillor Creed
Councillor Lyons-Buckett	Councillor Rasmussen
Councillor Mackay	Councillor Reardon
Councillor Paine	Councillor Tree
Councillor Porter	

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

Councillors Conolly and Williams were absent from the meeting.

The Amendment became the Motion.

MOTION:

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

Refer to RESOLUTION

150 RESOLUTION:

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

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 approve Development Application No. DA0156/15 for the temporary use of the land for functions on Lot 25 DP 663770, known as 1 Powells Lane, Richmond Lowlands, subject to the following conditions:

General Conditions

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. This consent is limited in time and shall expire on 31 December 2016.
3. The building shall not be used for functions prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the National Construction Code/ Building Code of Australia.
5. Potable water supply shall be from an on-site tank suitable for drinking water.

ORDINARY MEETING

Minutes: 30 June 2015

6. Noise assessments are to be conducted for each of the first 10 events/functions held at the premises. The noise assessments must be conducted by a suitably qualified acoustic consultant who is a member of the Association of Australian Acoustic Consultants (ACCC), and in accordance with Council directions. Upon completion of each noise assessment for each event, the assessment is to be submitted to Council for review and demonstrate compliance with noise condition No. 36. All noise assessments are to be made publicly available. Each noise assessment carried out is to be completed at the owners' expense. For any non-compliances that occur during any of the noise assessments, the acoustic consultant is to make recommendations within the assessment and submit these recommendations for review by Council, prior to the next function. Following Council endorsing these recommendations, any changes are to be implemented prior to the next function.
7. A 149D Building Certificate application for the unapproved works within the existing building shall be submitted to Hawkesbury City Council. The building certificate must be issued prior to the issue of any occupation certificate. The following information must be submitted with the application:
 - a) A report, prepared by a suitably qualified person, demonstrating compliance or otherwise with the National Construction Code/Building Code of Australia. Where any non-compliances exist, the report must make recommendations to address the non-compliances. Particular attention shall be given to egress from the building in the event of an emergency and fire safety measures.
 - b) A structural engineer's certificate certifying the existing structure is capable of withstanding the loads likely to be imposed on it, including resistance to the impact of floodwater in respect to debris and buoyancy forces.
 - c) A statutory declaration or certificate of compliance and a drainage diagram from a licensed plumber is to be provided in relation to sanitary plumbing.
 - d) A termite treatment certificate from a licensed contractor certifying that the structure complies with Australian Standard AS 3660.
 - e) A certificate for wet area waterproofing.

Prior to Commencement of Works

8. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
9. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
10. 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.
11. 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.
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.

ORDINARY MEETING

Minutes: 30 June 2015

During Construction

14. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan Appendix E Civil Works Specification.
15. Forty car parking spaces to service the development, together with access driveways and turning areas, shall be constructed with an all-weather seal, signposted and maintained. The car park is to comply with AS2890.1 2004, as a minimum standard.
16. Vehicle entrances and exits shall be clearly signposted, including street number, and visible from both the street and site at all times.
17. Disabled parking shall be provided in accordance with AS2890.6 - 2009.
18. A servicing area with a minimum all-weather surface is to be provided in a suitable location adjacent to the development. The dimensions of the service area are to comply with the requirements of AS2890.2, 2002, for the largest vehicle required to regularly service the site.
19. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
20. 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.
21. 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.

Prior to Issue of the Final Occupation Certificate

22. The applicant shall prepare a flood emergency evacuation and management plan for the development. The plan shall advise occupants of flood evacuation procedures and emergency telephone numbers. The applicant shall contact Council and the NSW State Emergency Services for advice in the preparation of the plan. The evacuation procedures shall be permanently fixed to the building on a prominent location and maintained at all times.
23. The applicant shall submit a report from a suitably qualified Engineer which verifies the following:
 - a) Any damage to the proposed structure sustained in a flood will not generate debris capable of causing damage to downstream buildings or property.
 - b) Any part of the structure at or below the 1 in 100 year flood level will be able to withstand the force of floodwaters (including buoyancy forces) and the impact of debris.
 - c) All finishes, plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of floodwaters.
24. The 149D Building Certificate required by Condition 7 of this Consent must be issued prior to the issue of any occupation certificate.
25. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
26. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
27. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.

ORDINARY MEETING

Minutes: 30 June 2015

28. A works as executed plan shall be submitted to Council on completion of the car park construction works. The plan shall demonstrate that the car parking and servicing areas have been provided in accordance with the conditions of consent.
29. All premises offering food, packaged or otherwise, are to be registered with Council and have inspections conducted by Council's officers as necessary/required. These premises are required to comply with the Food Act 2003, associated Regulations, and the Food Safety Standards 3.2.2 and 3.2.3. These are available on line at www.foodstandards.gov.au. A plan showing the food preparation/serving area and details demonstrating compliance with the Food Act, 2003 and associated regulations and standards must be submitted with the registration form
30. A patron management plan for the use of the land for functions shall be submitted to and approved by Hawkesbury City Council. The Plan shall address, but not be limited to:
 - a) noise generated from patrons entering or leaving the premises, from within car parking areas and outdoor areas;
 - b) monitoring/management of noise generated from music and PA systems;
 - c) antisocial behaviour,
 - d) the responsible service of alcohol; and
 - e) responsibility for the management of events. For example, and in addition to the items above, who ensures that music ceases and patrons have left the site by the nominated times.

The Plan must detail any likely impacts generated by the use of the premises and propose suitable measures to mitigate these impacts.

Use of the Development

31. The operator shall keep a register detailing the date and times of when the premises is being used for a function and the number of guests attending. This register must be submitted weekly to Council.
32. No more than 28 days within a 12 month period shall be used for the holding of functions on the land.
33. No more than 200 guests are permitted at any function at any given time.
34. A copy of this Development Consent shall be kept on the premises at all times and be made available to Council, Police or other authorised persons upon request.
35. Operating hours shall be limited to:
 - Sunday – Thursday: 2pm to 10pm
All music must cease by 9:30pm
All patrons must leave the premises by 10pm.
 - Friday – Saturday: 2pm to 11pm
All music must cease by 10:30pm
All patrons must leave the premises by 11pm.
36. The noise emitted from the development must not exceed more than 5 dB(A) above background noise levels in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) prior to midnight at the boundary of any affected residence. The noise from the development shall not be audible within any habitable room in any residential premises after midnight.
37. All music, entertainment and speeches (Amplified or otherwise) must only be conducted within the 'Polo Barn' building.

ORDINARY MEETING

Minutes: 30 June 2015

38. All doors to the Polo Barn are to remain closed at all times during a function or event to minimise and reduce noise levels. Entry to and exit from the building during an event shall be via the front/southern side of the building.
39. Farewells to the bride and groom for functions at the Polo Barn must occur inside the barn or on the southern front side of the Polo Barn.
40. All amplification of music, including music from live bands must utilise an in-house sound system with a noise limiter to restrict the level to 98 dB(A) inside the barn when assessed as an average maximum sound level.
41. Signs must be placed in clearly visible positions within the building and in the car park areas requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
42. Service deliveries to and from the site shall be limited to 7am to 5pm Monday to Sunday.
43. The activity shall be carried out in accordance with the Patron Management Plan.
44. Portable toilets are to be provided to service each function. Amenities are required to be provided for a maximum number of people attending and at the following rates:
 - a) Male facilities are to be provided at a rate of 2 water closets, 4 urinals, 2 hand basins per 200 people attending.
 - b) Female facilities are to be provided at a rate of 6 water closets and 2 hand basins per 200 people attending.
 - c) Hand washing facilities are required at a rate of one hand wash facility per 125 people attending.
45. All Portable toilets and amenities are to be removed from the site within 24 hours of the completion of each function.
46. 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.
47. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
48. The lighting from the development is to be directed away from surrounding properties, at an angle of 45 degrees towards the ground and shielded if needed to prevent any light spillage onto adjoining properties.
49. All work and the storage of goods, materials and waste shall be confined within the building or approved storage areas at all times.
50. All waste materials are to be stored in covered waste storage bins and regularly removed from the property. Waste is to be separated where appropriate for re-use and recycling purposes. Waste is to be contained in such a manner to prevent it from being blown, moved or located around the property or surrounding properties.

ORDINARY MEETING

Minutes: 30 June 2015

Advisory Notes

- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- *** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- *** 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.
- *** Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- *** In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

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

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

Councillors Conolly and Williams were absent from the meeting.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 88 **CP - DA0157/15 - Lot 27 DP 566434 - 106 Ridges Lane, Richmond Lowlands - Temporary use of an existing building - (95498, 102260, 78522)**

Previous Item: 4, Ordinary (3 February 2015)

Councillor Ford declared a pecuniary interest in this matter as he is negotiating a sale of an unrelated property to the owner of the subject property. He left the Chamber and did not take part in voting or discussion on the matter.

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

Mr Andrew Doyle, Mr Peter Higgins and Mr Robert Montgomery addressed Council, speaking for the item. Mr Ron Knott, Mr Stan Kondilios and Mr Marcel Van Gestal addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

151 RESOLUTION:

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

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 approve Development Application No. DA0157/15 for the temporary use of the land for functions on Lot 27 DP 566434 and Lot 1 DP 797310, known as 106 Ridges Lane, Richmond Lowlands, subject to the following conditions:

General Conditions

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. This consent is limited in time and shall expire on 30 June 2017.
3. The building shall not be used for functions or occupied prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the National Construction Code/ Building Code of Australia. In this regard, adequate provision shall be made for egress from the building in the event of an emergency.
5. Potable water supply shall be from an on-site tank suitable for drinking water.

ORDINARY MEETING

Minutes: 30 June 2015

6. Noise assessments are to be conducted for each of the first 10 events/functions held at the premises. The noise assessments must be conducted by a suitably qualified acoustic consultant who is a member of the Association of Australian Acoustic Consultants (ACCC), and in accordance with Council directions. Upon completion of each noise assessment for each event, the assessment is to be submitted to Council for review and demonstrate compliance with noise condition No. 36. All noise assessments are to be made publicly available. Each noise assessment carried out is to be completed at the owners' expense. For any non-compliances that occur during any of the noise assessments, the acoustic consultant is to make recommendations within the assessment and submit these recommendations for review by Council, prior to the next function. Following Council endorsing these recommendations, any changes are to be implemented prior to the next function.
7. A 149D Building Certificate application for the unapproved works within the existing building shall be submitted to Hawkesbury City Council. The building certificate must be issued prior to the issue of any occupation certificate. The following information must be submitted with the application:
 - a) A report, prepared by a suitably qualified person, demonstrating compliance or otherwise with the National Construction Code/Building Code of Australia. Where any non-compliances exist, the report must make recommendations to address the non-compliances. Particular attention must be paid to egress from the building in the event of an emergency.
 - b) A structural engineer's certificate certifying the existing structure is capable of withstanding the loads likely to be imposed on it, including resistance to the impact of floodwater in respect to debris and buoyancy forces.
 - c) A statutory declaration or certificate of compliance and a drainage diagram from a licensed plumber is to be provided in relation to sanitary plumbing.
 - d) A termite treatment certificate from a licensed contractor certifying that the structure complies with Australian Standard AS 3660.
 - e) A certificate for wet area waterproofing.

Prior to Commencement of Works

8. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
9. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
10. 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.
11. 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.
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.

ORDINARY MEETING

Minutes: 30 June 2015

During Construction

14. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan Appendix E Civil Works Specification.
15. Forty car parking spaces to service the development, together with access driveways and turning areas, shall be constructed with an all-weather seal, signposted and maintained. The adjacent driveway is to be widened as required to achieve a minimum aisle width for manoeuvring of 5.8m. The car park is to comply with AS2890.1 2004, as a minimum standard.
16. Vehicle entrances and exits shall be clearly signposted, including street number, and visible from both the street and site at all times.
17. Disabled parking shall be provided in accordance with AS2890.6 - 2009.
18. A servicing area with a minimum all-weather surface is to be provided in a suitable location adjacent to the development. The dimensions of the service area are to comply with the requirements of AS2890.2, 2002, for the largest vehicle required to regularly service the site.
19. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
20. 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.
21. 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.

Prior to Issue of the Final Occupation Certificate

22. The applicant shall prepare a flood emergency evacuation and management plan for the development. The plan shall advise occupants of flood evacuation procedures and emergency telephone numbers. The applicant shall contact Council and the NSW State Emergency Services for advice in the preparation of the plan. The evacuation procedures shall be permanently fixed to the building on a prominent location and maintained at all times.
23. The applicant shall submit a report from a suitably qualified Engineer which verifies the following:
 - a) Any damage to the proposed structure sustained in a flood will not generate debris capable of causing damage to downstream buildings or property.
 - b) Any part of the structure at or below the 1 in 100 year flood level will be able to withstand the force or floodwaters (including buoyancy forces) and the impact of debris.
 - c) All finishes, plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of floodwaters.
24. The 149D Building Certificate required by Condition 7 of this Consent must be issued prior to the issue of any occupation certificate.
25. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
26. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.
27. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.

ORDINARY MEETING

Minutes: 30 June 2015

28. A works as executed plan shall be submitted to Council on completion of the car park construction works. The plan shall demonstrate that the car parking and servicing areas have been provided in accordance with the conditions of consent.
29. All premises offering food, packaged or otherwise, are to be registered with Council and have inspections conducted by Council's officers as necessary/required. These premises are required to comply with the Food Act 2003, associated Regulations, and the Food Safety Standards 3.2.2 and 3.2.3. These are available on line at www.foodstandards.gov.au. A plan showing the food preparation/serving area and details demonstrating compliance with the Food Act, 2003 and associated regulations and standards must be submitted with the registration form
30. A patron management plan for the use of the land for functions shall be submitted to and approved by Hawkesbury City Council. The Plan shall address, but not be limited to:
 - a) noise generated from patrons entering or leaving the premises, from within car parking areas and outdoor areas;
 - b) monitoring/management of noise generated from music and PA systems;
 - c) antisocial behaviour,
 - d) the responsible service of alcohol; and
 - e) responsibility for the management of events. For example, and in addition to the items above, who ensures that music ceases and patrons have left the site by the nominated times.

The Plan must detail any likely impacts generated by the use of the premises and propose suitable measures to mitigate these impacts.

Use of the Development

31. The operator shall keep a register detailing the date and times of when the premises is being used for a function and the number of guests attending. This register must be submitted weekly to Council.
32. No more than 28 days within a 12 month period shall be used for the holding of functions on the land.
33. No more than 200 guests are permitted at any function at any given time.
34. A copy of this Development Consent shall be kept on the premises at all times and be made available to Council, Police or other authorised persons upon request.
35. Operating hours shall be limited to:
 - Sunday – Thursday: 2pm to 10pm
All music must cease by 9:30pm
All patrons must leave the premises by 10pm.
 - Friday – Saturday: 2pm to 11pm
All music must cease by 10:30pm
All patrons must leave the premises by 11pm.
36. The noise emitted from the development must not exceed more than 5 dB(A) above background noise levels in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) prior to midnight at the boundary of any affected residence. The noise from the development shall not be audible within any habitable room in any residential premises after midnight.
37. All music, entertainment and speeches must only be conducted within the 'Sunnybrook Barn' building.

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38. All doors to the Sunnybrook Barn are to remain closed at all times during a function or event to minimise and reduce noise levels. Entry to and exit from the building during an event shall be via the eastern side of the building.
39. Farewells to the bride and groom for functions at the Sunnybrook Barn must occur inside the building or on the eastern side of the building.
40. All amplification of music, including music from live bands must utilise an in-house sound system with a noise limiter to restrict the level to 80 dB(A) inside the building when assessed as an average maximum sound level.
41. Signs must be placed in clearly visible positions within the building and in the car park areas requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
42. Service deliveries to and from the site shall be limited to 7am to 5pm Monday to Sunday.
43. The activity shall be carried out in accordance with the Patron Management Plan.
44. Portable toilets are to be provided to service each function. Amenities are required to be provided for a maximum number of people attending and at the following rates:
 - a) Male facilities are to be provided at a rate of 2 water closets, 4 urinals, 2 hand basins per 200 people attending.
 - b) Female facilities are to be provided at a rate of 6 water closets and 2 hand basins per 200 people attending.
 - c) Hand washing facilities are required at a rate of one hand wash facility per 125 people attending.
45. All Portable toilets and amenities are to be removed from the site within 24 hours of the completion of each functions.
46. 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.
47. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
48. The lighting from the development is to be directed away from surrounding properties, at an angle of 45 degrees towards the ground and shielded if needed to prevent any light spillage onto adjoining properties.
49. All work and the storage of goods, materials and waste shall be confined within the building or approved storage areas at all times.
50. All waste materials are to be stored in covered waste storage bins and regularly removed from the property. Waste is to be separated where appropriate for re-use and recycling purposes. Waste is to be contained in such a manner to prevent it from being blown, moved or located around the property or surrounding properties.

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Advisory Notes

- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- *** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- *** 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.
- *** Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- *** In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

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 Creed	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	

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

Councillors Conolly and Williams were absent from the meeting.

ORDINARY MEETING

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Item: 89 **CP - LEP001/15 - Amendment to Resolution - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 219 Bells Line of Road, North Richmond - (95498, 124414)**

Previous Item: 76, Ordinary (26 May 2015)

Mr Glen Falson addressed Council, speaking for the item.

MOTION:

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

Refer to RESOLUTION

152 RESOLUTION:

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

That Council:

1. Amend the minimum allotment size quoted in part one of the resolution in relation to Item 76 of the meeting of 26 May 2015 to 4.0ha so that the amended part one of that resolution reads as follows:
 1. *Council support the preparation of a planning proposal for Lot 87 DP 1040092, 219 Bells Line of Road, North Richmond to amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012 to permit minimum lot size of not less than 4ha on the land as shown in Attachment 1.*
2. Advise the Department of Planning and Environment of the amended resolution.

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

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

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

Councillors Conolly and Williams were absent from the meeting.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 90 **CP - LEP003/13 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 1026 Grose Vale Road, Kurrajong - (95498, 124414, 74563, 103315, 103316)**

Previous Item: 76, Ordinary (29 April 2014)

Mr Glen Falson addressed Council, speaking for the item.

MOTION:

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

Refer to RESOLUTION

153 RESOLUTION:

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

That Council:

1. Proceed with the making of the plan to:
 - a) Amend the Land Zoning Map of Local Environmental Plan 2012 to change the current RU1 Primary Production zoning of Lot 2 DP 617404, 1026 Grose Vale Road, Kurrajong to RU4 Primary Production Small Lots
 - b) Amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012 to change the minimum lot size applying to the land to 4ha to allow the subdivision of the land into two lots with a minimum lot size of not less than 4ha.
2. Council exercise its delegation to make the plan as authorised by the Gateway determination for this matter.

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 Creed	Councillor Calvert
Councillor Ford	Councillor Paine
Councillor Mackay	Councillor Rasmussen
Councillor Porter	
Councillor Reardon	

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

Councillors Conolly and Williams were absent from the meeting.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 91 **CP - LEP008/13 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - Lot 5 DP 237575, 35 Chapel Street, Richmond - (95498, 124414)**

Previous Item: 1, Ordinary (3 February 2015)

Mr Max Fragar and Mr Phil Smith addressed Council, speaking against the item.

MOTION:

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

Refer to RESOLUTION

154 RESOLUTION:

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

That

1. Council support the planning proposal seeking to rezone land being Lot 5 DP 237575, 35 Chapel Street, Richmond for residential purposes, being the R2 Zone.
2. Council does not endorse any proposed subdivision layout/plan submitted with the planning proposal as this will need to be subject to a development application should the planning proposal result in making the plan.
3. The planning proposal be forwarded to the Department of Planning and Environment for a 'Gateway' determination.
4. The Department of Planning and Environment be advised that Council wishes to request a Written Authorisation to Exercise Delegation to make the Plan.

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

Councillors Mackay and Tree were not in the Chamber when the vote was taken.

Councillors Conolly and Williams were absent from the meeting.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 92 **CP - Proposed Amendments to Hawkesbury Development Control Plan 2002 - Draft Part D Chapter 8 Farm Buildings & Outbuildings and Part A Chapter 1 General Information - (95498, 124414)**

Previous Item: 42, Ordinary (31 March 2015)

MOTION:

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

Refer to RESOLUTION

155 RESOLUTION:

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

That the amended draft DCP chapter for Farm Buildings and Outbuildings as attached to this report be adopted to become effective as at the date of publishing a notice in a public newspaper.

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

Councillors Mackay and Tree were not in the Chamber when the vote was taken.

Councillors Conolly and Williams were absent from the meeting.

ORDINARY MEETING

Minutes: 30 June 2015

GENERAL MANAGER

Item: 93 **GM - Local Government NSW 2015 Annual Conference (79351, 79633)**

MOTION:

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

Refer to RESOLUTION

156 RESOLUTION:

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

That:

1. Attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2015 Local Government NSW Annual Conference at an approximate cost of \$2,400 per delegate be approved.
2. Councillors Creed, Calvert, Lyons-Buckett and Paine attend the 2015 Local Government NSW Annual Conference as Council's voting delegates.

Item: 94 **GM - Local Government NSW 2015 Water Management Conference (79351, 79633)**

MOTION:

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

Refer to RESOLUTION

157 RESOLUTION:

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

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Local Government NSW 2015 Water Management Conference at an approximate cost of \$1,200 plus travel expenses per delegate be approved and that Councillors Ford, Mackay, Porter and Reardon attend the Conference.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 95 **GM - Outcomes of Contribution towards various Christmas Lights Events in 2014 (79351, 111215)**

MOTION:

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

Refer to RESOLUTION

158 RESOLUTION:

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

That:

1. The information be noted.
2. As suggested within the report, the Christmas Lights for business groups program be reviewed in conjunction with a report on the proposed Christmas Events Program.

ORDINARY MEETING

Minutes: 30 June 2015

INFRASTRUCTURE SERVICES

Item: 96 **IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Water Ski Classic Event - (95495, 79354, 74204)**

MOTION:

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

Refer to RESOLUTION

159 RESOLUTION:

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

That:

1. Approval be granted to the NSW Water Ski Federation for "exclusive use" of Governor Phillip Reserve for the 2015 Bridge to Bridge Water Ski Classic to be held on 20, 21 and 22 November 2015.
2. The approval be subject to the following conditions/documents:
 - a) Council's general park conditions.
 - b) Council's fees and charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) The Governor Phillip Exclusive Use Policy.
 - e) The Governor Phillip Noise Policy.
 - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
3. As the applicant has not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

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Item: 97 **IS - Governor Phillip Reserve Camp Stopover for Charity Cycling Event - The Ride to Conquer Cancer - (95495, 79354, 131297)**

MOTION:

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

Refer to RESOLUTION

160 RESOLUTION:

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

That:

1. The Chris O'Brien Lifehouse charity be given approval for use of part of Governor Phillip Reserve on 10 and 11 October 2015 for camping and activities associated with "The Ride to Conquer Cancer" event.
2. The approval be subject to the following:
 - a) Council's general park conditions.
 - b) Council's fees and charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) A Traffic Management Plan as part of the Special Event Application.
3. As the applicant has not advised alternative dates, the General Manager be given authority to negotiate an alternate date, if required by the applicant.

Item: 98 **IS - Webers Circus - Application for McQuade Park - (95495, 79354, 123404)**

MOTION:

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

Refer to RESOLUTION

161 RESOLUTION:

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

That:

1. Community notification of the Webers Circus to be held in McQuade Park, between 23 May 2016 and 13 June 2016 be carried out in accordance with the Local Government Act 1993.
2. Following the closure of the notification period, the matter with any submissions, be reported back to Council.

ORDINARY MEETING

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SUPPORT SERVICES

Item: 99 SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)

MOTION:

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

Refer to RESOLUTION

162 RESOLUTION:

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

That the information be received and noted.

Item: 100 SS - 2015/2016 Remuneration for Councillors and Mayor - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

163 RESOLUTION:

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

That:

1. The annual fee for Councillors for 2015/2016 be set at \$18,380.
2. The additional annual fee for the Mayor be set at \$40,090, and the Deputy Mayor's additional annual fee be set at \$6,013.50, to be deducted from the Mayor's annual fee.

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Item: 101 SS - Monthly Investments Report - May 2015 - (96332, 95496)

MOTION:

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

Refer to RESOLUTION

164 RESOLUTION:

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

The report regarding the monthly investments for May 2015 be received and noted.

**Item: 102 SS - Review of Council's Draft Investment Policy and Appointment of
Investment Advisor - (96332, 95496)**

Previous Item: 94, Ordinary (27 May 2014)

MOTION:

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

Refer to RESOLUTION

165 RESOLUTION:

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

That Council:

1. Adopt the Investment Policy attached as Attachment 1 to the report.
2. Appoint Spectra Financial Services Pty Ltd as its Independent Investment Advisor for the financial year ending 30 June 2016.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 103 **SS - Execution of Lease Documentation - North West Disability Services, 46 Bourke Street, Richmond (Pound Paddock) - (95496, 96328)**

Previous Item: 32, Ordinary (26 February 2013)
 99, Ordinary (22 May 2013)

MOTION:

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

Refer to RESOLUTION

166 RESOLUTION:

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

That Council approve the execution of lease documentation, under Seal of Council, to grant North West Disability Services Inc. access to and use of a portion of Pound Paddock, 46 Bourke Street, Richmond, in accordance with the conditions outlined in this report.

ORDINARY MEETING

Minutes: 30 June 2015

SECTION 4 - Reports of Committees

ROC

Local Traffic Committee - 15 June 2015 - (80245)

167 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 15 June 2015 as recorded on pages 183 to 205 of the Ordinary Business Paper be adopted.

ORDINARY MEETING

Minutes: 30 June 2015

SECTION 5 - Notices of Motion

RM **Rescission Motion - Draft Fit for the Future Proposal - (79351, 95496, 105109, 120428, 125611, 11629)**

Note: The Rescission Motion was dealt with earlier in the meeting. Refer to resolution number 146.

NM1 **Cogeneration plant at Deerubbin Centre - (79351, 105109, 125612)**

MOTION:

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

Refer to RESOLUTION

168 RESOLUTION:

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

That Council prepare a report on the options of what to do with the cogeneration plant at the Deerubbin Centre.

NM2 **Anti-domestic violence signage - (79351, 105109, 125612)**

MOTION:

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

Refer to RESOLUTION

169 RESOLUTION:

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

That Council take the necessary steps to install signage on the 'Welcome to the Hawkesbury' signs, with wording such as "We say NO to domestic violence".

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Minutes: 30 June 2015

NM3

Windsor and Richmond Parking - (79351, 105109, 80105)

MOTION:

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

Refer to RESOLUTION

170 RESOLUTION:

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

That Council carry out investigations to improve the availability of parking in Windsor and Richmond CBDs including the following:

1. Use of line marking of parking spaces (such as that opposite the Macquarie Arms in George Street, Windsor from The Bridge Cafe to Baker Street).
2. Survey the CBD areas for unused laybacks where driveways are no longer used and the street can be line marked for additional parking.
3. Survey both towns for possible additional parking spaces, such as laybacks wider than required (e.g. Macquarie Arms car park entrance and exit in Baker Street) and line mark to allow sufficient width only for safe ingress and egress.
4. Use landscaping or islands to increase numbers of parking spaces (similar to Kable Street at the Mall).

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NM4 Financial Assistance Grants freeze - (79351, 105109, 80106)

Councillor Creed declared a less than significant non-pecuniary conflict of interest in this matter as he is employed by Senator Marise Payne, Minister for Human Resources who is not a member of Cabinet and has no influence on budgetary outcomes regarding Local Government and no further action is required.

MOTION:

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

Refer to RESOLUTION

171 RESOLUTION:

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

That Council:

1. Call on the Federal Government to restore Financial Assistance Grants to their funding level prior to the 2014/2015 Federal Budget cuts.
2. Produce a report documenting the direct impacts that cuts in the Financial Assistance Grants have had, and will continue to have, on the operations of Council, its capacity to serve its community and to develop options to become financially sustainable.

NM5 Rural Lands Study - (79351, 105109, 125612)

MOTION:

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

Refer to RESOLUTION

172 RESOLUTION:

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

That Council raise to the highest level of priority, the completion of the Rural Lands Study and review of the HRLS.

ORDINARY MEETING

Minutes: 30 June 2015

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meeting and Responses - (79351)

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

ORDINARY MEETING

Minutes: 30 June 2015

Questions for Next Meeting

#	Councillor	Question	Response
1	Calvert	Requested information regarding the progress of the question raised at the Ordinary Meeting on 3 February 2015 regarding resolution 357 of the Ordinary meeting on 28 October 2014, which related to a proposed submission to the RMS.	Director Infrastructure Services
2	Paine	Requested an update on the Jolly Frog Hotel.	Director City Planning
3	Paine	Enquired when works on the footpaths in developed area of Pitt Town will begin.	Director City Planning
4	Paine	Requested that the shoulders of Bathurst Street, Pitt Town be reviewed and, if required, repaired.	Director Infrastructure Services
5	Lyons-Buckett	Requested a review of the number of disabled parking spaces at the North Richmond shopping centre car park.	Director Infrastructure Services
6	Lyons-Buckett	Requested an update on the report from Sydney Water regarding the provision of water and sewage in Kurrajong and Kurmond.	Director City Planning
7	Mackay	Requested an update on the development of the road on Punt Road, Pitt Town.	Director City Planning
8	Mackay	Requested an explanation for the height of house pads on in the 11 lot subdivision in Hall Street, Pitt Town.	Director City Planning
9	Reardon	Requested that the side of the road along Grose Vale Road, near, the water tank, be repaired.	Director Infrastructure Services
10	Creed	Enquired if Council has investigated reports of illegal events that were held in the Richmond Lowlands and, if so, what were the ramifications of these investigations.	Director City Planning

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#	Councillor	Question	Response
11	Creed	Requested that an item be brought to a Councillor Briefing Session detailing the services and community support the Library provides as well as borrowing and member numbers.	Director Support Services

ORDINARY MEETING

Minutes: 30 June 2015

CONFIDENTIAL REPORTS

173 RESOLUTION:

RESOLVED on the motion of Councillor Porter, 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: 104 IS - Tender No. 00954 - Environmental Monitoring and Professional Services for Hawkesbury City Waste Management Facility - (95495, 112179)

*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 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: 105 IS - Tender No. 00957 - Tender for the Hire of Plant and Trucks - (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, 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: 106 IS - Tender No. 00959 - Pool Maintenance Services - Oasis Aquatic and Leisure Centre - (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 that the release of the information 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: 107 IS - Tender No. 00963 - CCTV and Lighting Works - (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 that the release of the information 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: 108 SS - Property Matter - Lease to Melissa Kingcott - Shop 9, Wilberforce Shopping Centre - (95496, 112106, 103841, 96728)

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

ORDINARY MEETING

Minutes: 30 June 2015

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.

174 RESOLUTION:

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

ORDINARY MEETING

Minutes: 30 June 2015

Item: 104 **IS - Tender No. 00954 - Environmental Monitoring and Professional Services for Hawkesbury City Waste Management Facility - (95495, 112179)**

MOTION:

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

Refer to RESOLUTION

175 RESOLUTION:

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

That:

1. The tender submitted by Environmental Earth Sciences in the sum of \$177,377.00 (GST exclusive) for a three year period with two one-year extension options be accepted.
2. Any required documentation be executed under the Seal of Council.

Item: 105 **IS - Tender No. 00957 - Tender for the Hire of Plant and Trucks - (95495, 79344)**

MOTION:

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

Refer to RESOLUTION

176 RESOLUTION:

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

That the scheduled list for the hire of plant and trucks for a two year period commencing 1 July 2015 be accepted.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 106 **IS - Tender No. 00959 - Pool Maintenance Services - Oasis Aquatic and Leisure Centre - (95495, 79340)**

MOTION:

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

Refer to RESOLUTION

177 RESOLUTION:

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

That:

1. The tender of Southern Aquatic Services in the amount of \$118,390.00 fixed for a five year period (excluding GST) including the tendered schedule of rates for intermittent works for the provision of pool services maintenance for the Oasis Aquatic and Leisure Centre, Church Street, South Windsor be accepted.
2. Any required documentation be executed under the Seal of Council.

Item: 107 **IS - Tender No. 00963 - CCTV and Lighting Works - (95495, 79340)**

MOTION:

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

Refer to RESOLUTION

178 RESOLUTION:

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

That:

1. The tender of HIX Group Pty Ltd for \$442,046.53 (GST exclusive) for the supply of Richmond Park CCTV and Lighting and CCTV for the Hawkesbury Regional Museum and the Deerubbin Centre including extended warranties and data storage options be accepted.
2. Any required documentation be executed under the Seal of Council.

ORDINARY MEETING

Minutes: 30 June 2015

Item: 108 SS - Property Matter - Lease to Melissa Kingcott - Shop 9, Wilberforce Shopping Centre - (95496, 112106, 103841, 96728)

MOTION:

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

Refer to RESOLUTION

179 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Melissa Kingcott in regard to Shop 9, Wilberforce Shopping Centre, in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 10:45pm.

Submitted to and confirmed at the Ordinary Meeting held on 14 July 2015.

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Mayor