



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 08 August 2017

location: council chambers

time: 6:30 p.m.



mission statement

***Hawkesbury City Council
leading and working
with our community
to create a healthy
and resilient future.***

How Council Operates

Hawkesbury City Council supports and encourages the involvement and participation of local residents in issues that affect the City.

The 12 Councillors who represent Hawkesbury City Council are elected at Local Government elections, held every four years. Voting at these elections is compulsory for residents who are aged 18 years and over and who reside permanently in the City.

Ordinary Meetings of Council are generally held on the second Tuesday of each month (except January), and the last Tuesday of each month (except December), meeting dates are listed on Council's website. The meetings start at 6:30pm and are scheduled to conclude by 11pm. These meetings are open to the public.

When an Extraordinary Meeting of Council is held, it will usually also be held on a Tuesday and start at 6:30pm. These meetings are also open to the public.

Meeting Procedure

The Mayor is Chairperson of the meeting.

The business paper contains the agenda and information on the items to be dealt with at the meeting. Matters before the Council will be dealt with by an exception process. This involves Councillors advising the General Manager by 3pm on the day of the meeting, of those items they wish to discuss. A list of items for discussion will be displayed at the meeting for the public to view.

At the appropriate stage of the meeting, the Chairperson will move for all those items which have not been listed for discussion (or have registered speakers from the public) to be adopted on block. The meeting then will proceed to deal with each item listed for discussion and decision.

Public Participation

Members of the public may address Council on any items in the business paper other than the Confirmation of Minutes; Responses to Questions from Previous Meeting; Mayoral Elections; Deputy Mayoral Elections and Committee Elections.

To register, please lodge an application form with Council prior to 3pm on the day of the meeting. The application form is available on Council's website, from the Customer Service Branch or by contacting the Corporate Services and Governance Manager on (02) 4560 4444 or by email at council@hawkesbury.nsw.gov.au

The Chairperson will invite registered persons to address Council when the relevant item is being considered. Speakers have a maximum of five minutes to present their views. The Code of Meeting Practice allows for three speakers 'for' a recommendation (i.e. in support), and three speakers 'against' a recommendation (i.e. in opposition).

All speakers must state their name, organisation if applicable (after producing written authorisation from that organisation) and their interest in the matter before speaking.

Voting

The motion for each item listed for discussion will be displayed for Councillors and public viewing, if it is different to the recommendation in the business paper. The Chairperson will then ask the Councillors to vote, generally by a show of hands or voices. Depending on the vote, a motion will be 'Carried' (passed) or 'Lost'.

Planning Decision

Under Section 375A of the Local Government Act 1993, voting for all Planning Decisions must be recorded individually. Hence, the Chairperson will ask Councillors to vote with their electronic controls on planning items and the result will be displayed on a board located above the Minute Secretary.

This will enable the names of those Councillors voting 'for' or 'against' the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

Business Papers

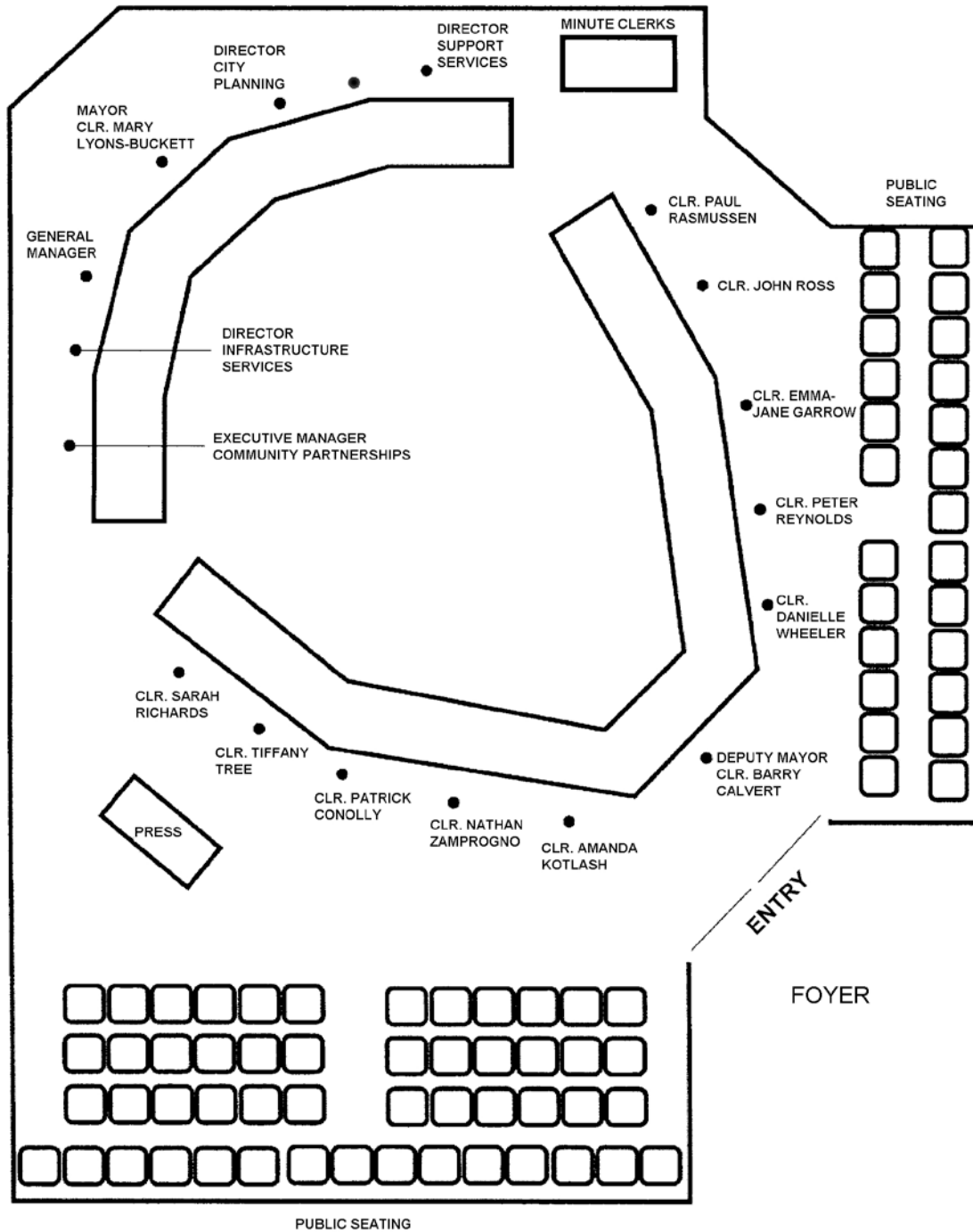
Business papers can be viewed online from 12pm on the Friday before the meeting on Council's website <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12pm on the Friday before the meeting. The business paper can also be viewed on the public computers in the foyer of Council's Administration Building.

Further Information

A guide to Council Meetings is available on the Council's website. If you require further information about meetings of Council, please contact the Corporate Services and Governance Manager on (02) 4560 4444.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 137 CP - DA0123/17 - 179 Windsor Street, Richmond - Lot 40 DP1040134 - Boarding House - Demolition of carport and outbuilding and construction of a boarding house - (95498, 140405, 77238, 77239)

Development Information

File Number: DA0123/17
Property Address: 179 Windsor Street, Richmond
Applicant: Mr WR Pomeroy
Owner: Mr GJ and Mrs JK Whitehouse
Proposal Details: Boarding House - Demolition of carport and outbuilding and construction of a boarding house
Estimated Cost: \$1,650,000
Zone: B2 Local Centre
Date Received: 8 March 2017
Advertising: 23 March to 6 April 2017

Key Issues:

- ◆ Categorisation and Permissibility
- ◆ Parking
- ◆ Heritage

Recommendation: Refusal

REPORT:

Executive Summary

This application seeks the consent of Council for a boarding house at 179 Windsor Street, Richmond.

The proposal involves the demolition of an existing carport and outbuilding and the construction of a three-storey detached boarding house that is to comprise 17 boarding rooms and a common room. Each room is to be provided with a private kitchen and bathroom with one of the rooms designed as an adaptable unit. Each room is proposed to accommodate up to two lodgers resulting in a maximum of 34 lodgers. A Strata subdivision is also proposed in the application.

The existing heritage building on the site is to be used as a manager's residence to manage and oversee the operation of the Boarding House.

The boarding house is to be operated by a private entity as opposed to a not-for-profit or community housing group. The supplied documentation does not indicate that particular groups or demographics will be targeted for accommodation within the boarding house.

A Class 1 Appeal against Council's 'deemed refusal' of this application was filed in the Land and Environment (L&E) Court on 28 June 2017. The proceedings are listed for a Section 34 Conciliation Conference on 11 September 2017.

Council has adopted an Affordable Housing Policy which aims to increase the supply of affordable housing in appropriate and well-serviced areas. Whilst the development may contribute towards the achievement of Council's broad affordable housing objectives, the proposal fails to provide satisfactory amenity for future residents and does not comply with the minimum provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Rental Housing SEPP) in relation to room size, communal open space and car and bicycle parking. The subdivision of a Boarding House is also prohibited in the SEPP.

Based on the extent of insufficient information provided with respect to heritage, archaeology, legal access, stormwater as well as the numerical parking non-compliance it is recommended that Council refuse this application.

The application is being reported to Council for determination at the request of Councillors Lyons-Buckett and Wheeler.

Development Description

Pursuant to Section 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's approval for a boarding house at the subject property. The property is listed as a local heritage item and contains a two-storey late Victorian/early Federation former dwelling house.

The proposal specifically involves:

- the demolition of an existing carport and outbuilding
- the construction of a three-storey detached boarding house that is to comprise of 17 boarding rooms and a common room. Each of the boarding rooms is to be provided with private kitchens and bathrooms. One of the boarding rooms, Room No.1, has been designed as an adaptable unit
- alterations to and the use of the existing building as a manager's residence in association with the boarding house
- the provision of landscaping and communal facilities such as an external courtyard, clothes drying area and garbage storage area
- a two lot strata subdivision of the property
- the operation of a boarding house accommodating an onsite manager and a maximum of 34 lodgers.

The Plan of Management prepared in support of the application indicates that up to two lodgers may reside within each room; resulting in a maximum of 34 lodgers accommodated by the development. A manager will reside within the existing building to oversee and manage the boarding house.

The application acknowledges that the boarding house component of the development fails to provide parking in accordance with the Affordable Rental Housing SEPP. The application argues that this non-compliance is acceptable on the basis that Council is able to show discretion with respect to numerical parking controls. The documentation further argues that the property is located in close proximity to public transport and the land is constrained so as to be unable to provide onsite parking. These matters are discussed further in later sections of this report.

Legislation, Policies, Procedures and Codes to which the matter relates

- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)
- State Environmental Planning Policy (Affordable Rental Housing) 2007 (Affordable Rental Housing SEPP)
- Hawkesbury Local Environmental Plan (LEP) 2012
- Hawkesbury Development Control Plan (DCP) 2002
- Council's Affordable Housing Policy

Section 79C Matters for Consideration

The development has been considered against the heads of consideration listed under Section 79C(1) of the EP&A Act.

(a)(i) Environmental Planning Instruments:

Sydney Regional Environmental Planning Policy 20 – Hawkesbury – Nepean River

The subject land falls within the boundary of SREP No. 20. This Policy aims "to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context". SREP No. 20 requires Council to assess development applications with regard to the general and specific considerations, policies and strategies set out in the Policy.

SREP No. 20 does not outline specific controls or strategies for boarding houses.

The property is located within an established commercial area. The proposal involves the adaption and re-use of an existing building and the development is not expected to significantly impact upon the environment of the Hawkesbury-Nepean River.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1) of SEPP No. 55 outlines a consent authority "must not consent to the carrying out of any development on land unless:

- a) it has considered whether the land is contaminated, and
- b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Council's records indicate that the property has historically been used for residential purposes, with the ground floor of the building also being used for commercial purposes over the last 30 years. There is no evidence to suggest that the land is contaminated.

The land is considered suitable for a boarding house use having regard to the provisions of SEPP No. 55.

State Environmental Planning Policy (Affordable Rental Housing) 2007

Section 3 of the Affordable Rental Housing SEPP outlines the following aims for this Policy:

- a) *to provide a consistent planning regime for the provision of affordable rental housing,*
- b) *to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,*
- c) *to facilitate the retention and mitigate the loss of existing affordable rental housing,*
- d) *to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,*
- e) *to facilitate an expanded role for not-for-profit-providers of affordable rental housing,*
- f) *to support local business centres by providing affordable rental housing for workers close to places of work,*
- g) *to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.*

The Affordable Rental Housing SEPP applies to commercial zones and permits boarding houses within the B2 Local Centre zone.

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Division 3 of the Affordable Rental Housing SEPP outlines specific controls for boarding houses. A compliance table detailing the proposal's level of compliance with this Policy is included below:

Affordable Rental Housing SEPP				
Section 26 – Land to which Division applies				
	SEPP Control	Requirement	Proposal	Compliance
Zoning	Section 26	The land must be within specific zones (primarily residential or commercial).	The site is zoned B2 Local Centre and the boarding house component of the development is permissible within this zone.	Complies. The proposal is permitted under the Affordable Rental Housing SEPP and the Hawkesbury LEP 2012.
Section 27 – Development to which Division applies				
	SEPP Control	Requirement	Proposal	Compliance
	Clause 27(2)	The Policy does not apply to land zoned R2 Low Density Residential (or equivalent) unless the land is within an 'accessible area'.	The site is zoned B2 Local Centre and the provisions of this clause do not apply to the development.	Not applicable.
Section 29 – Standards that cannot be used to refuse consent				
	SEPP Control	Requirement	Proposal	Compliance
Density and scale (FSR)	Clause 29(1)	The development is not to exceed the maximum floor space ratio (FSR) permitted for development within the zone.	Council does not have a maximum FSR for development within the zone.	Not applicable.

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Affordable Rental Housing SEPP				
Building height	Clause 29(2)(a)	The building height is not to be more than the maximum permitted for any building on the land. Clause 4.3 of the Hawkesbury LEP 2012 establishes a 12m height limit for the land.	The proposed boarding house addition has a height of approximately 9.4m at its highest point.	Complies. The proposal satisfies the maximum 12m height limit for the land.
Minimum landscaped area	Clause 29(2)(b)	The landscape treatment of the front setback must be compatible with the surrounding area.	The property is located within an established commercial precinct and the front yard is currently paved. On this basis the landscaping treatment adjoining Windsor Street is considered appropriate.	Complies.
Solar access	Clause 29(2)(c)	A communal room shall receive a minimum of three hours direct sunlight between 9am and 3pm during midwinter.	The ground floor common room have north facing windows and will receive a minimum of three hours sunlight.	Complies.
Private open space (Lodgers – Communal Space)	Clause 29(2)(d)(i)	An area of at least 20m ² , with minimum dimension of 3m, is to be provided.	The central common open space area has an area of approximately 18.4m ² and a minimum width of 3m.	Does not comply. The common open space area does not satisfy the minimum open space control.

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Affordable Rental Housing SEPP				
Private open space (Manager)	Clause 29(2)(d)(ii)	An area of at least 8m ² , with minimum dimension of 2.5m, is to be provided for the onsite manager.	The manager's residence (dwelling house) is to be serviced by a courtyard and rear yard within an area of approximately 36m ² and a minimum dimension of 2.5m.	Complies.
Parking	Clauses 29(2)(e)(i) and (iii)	Within an accessible area at least 0.2 parking spaces are to be provided for each boarding room, plus no more than one space for the onsite manager.	The property is located within an accessible area and based on 17 rooms and an onsite manager the boarding house component of the development requires the provision of five onsite parking spaces.	Does not comply. No onsite parking spaces are proposed to service the development.
Accommodation size (Single room)	Clause 29(2)(f)(i)	A single boarding room is to have a minimum area of 12m ² , exclusive of kitchen or bathroom facilities.	The submitted documentation indicates that all rooms may cater for up to two lodgers. The boarding rooms (Types 1 and 2) are to have minimum areas of 14.9m ² and 16.2m ² , exclusive of kitchens or bathrooms.	Complies. The area of each boarding room is sufficient to cater for single lodgers.
Accommodation size (Double room)	Clause 29(2)(f)(ii)	A double boarding room is to have a minimum area of 16m ² , exclusive of kitchen or bathroom facilities.	The submitted documentation indicates that all rooms may cater for up to two lodgers. The boarding rooms (Types 1 and 2) are to have minimum areas of 14.9m ² and 16.2m ² , exclusive of kitchens or bathrooms.	Does not comply. The area of the Type 2 boarding rooms is insufficient to cater for two lodgers.

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Affordable Rental Housing SEPP				
Kitchen and bathroom facilities	Clause 29(3)	Boarding rooms may have private kitchen or bathroom facilities.	Each of the boarding rooms has private kitchens and bathrooms.	Complies.
Section 30 – Standards for boarding houses				
	SEPP Control	Requirement	Proposal	Compliance
Communal living room	Clause 30(1)(a)	A communal living room shall be provided if there are five or more boarding rooms.	A ground floor common room is to be provided.	Complies.
Maximum room size	Clause 30(1)(b)	No boarding room is to have an area greater than 25m ² , exclusive of kitchen or bathroom facilities.	None of the boarding rooms have an area exceeding 25m ² , exclusive of kitchen and bathroom facilities.	Complies.
Occupancy	Clause 30(1)(c)	No more than two lodgers are to occupy a boarding room	The submitted documentation indicates that all rooms may cater for up to two lodgers.	Complies. However, as previously identified the area of the Type 2 boarding rooms is insufficient to cater for two lodgers.
Bathroom and kitchen facilities	Clause 30(1)(d)	Adequate bathroom and kitchen facilities are to be provided for each lodger.	As permitted by Clause 29(3) of the Policy, each of the boarding rooms is to be provided with their own kitchen and bathroom.	Complies.

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Affordable Rental Housing SEPP				
Room for onsite manager	Clause 30(1)(e)	A room is to be provided for an onsite manager if there are 20 or more lodgers onsite.	An onsite manager will manage and oversee the boarding house. The existing dwelling is to be converted and used as a manager's residence.	Complies.
Commercial uses	Clause 30(1)(g)	Where the site is zoned primarily for commercial purposes, no part of the ground floor of the boarding house is to be used for residential purposes, unless otherwise permissible under another planning instrument.	The subject site is zoned for commercial purposes and a boarding house use is proposed for the ground floor. The property contains a dwelling house and is currently used for residential purposes.	Complies. Boarding houses are permissible within the B2 Local Centre zone under the Hawkesbury LEP 2012. Accordingly the boarding house use is allowed at ground level.
Bicycle and motorcycle parking	Clause 30(1)(h)	One bicycle space is to be provided for every five rooms, plus one motorcycle space for every five rooms. Based on the number of rooms, four bicycle and four motorcycle spaces must be provided.	Space for the parking of four motorcycles is available. The area for the parking of bicycles has not been identified.	Complies – Motorcycle parking. Does not comply – Bicycle parking.

As detailed in the above table, the proposed development satisfies the height, facility, solar access and motorcycle controls of the Affordable Rental Housing SEPP. The provision of an onsite manager is required based on the number of residents within the boarding house.

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The proposal fails to comply with the room size, communal open space and parking controls of the Policy. The strata subdivision of the property is also prohibited under Clause 52 of the Affordable Rental Housing SEPP.

The Application Form and Plan of Management provide conflicting information with respect to the number of rooms within the boarding house however the most recent plans show a total of 17 boarding rooms (two Room No. 5 are shown on the plans).

The proposed boarding house is to occupy the majority of the site with minimal separation provided between boarding rooms and neighbouring properties. As a result it is considered that residents will be provided with unacceptable levels of amenity.

The Plan of Management indicates that all the boarding rooms may cater for up to two lodgers. The Type 2 boarding rooms are to have an area of 14.9m², exclusive of private kitchen and bathroom facilities, and fail to achieve the minimum 16m² required for double occupancy rooms under Clause 29(2)(f)(ii) of the Affordable Rental Housing SEPP.

The communal open space area to be located centrally within the site has an area of approximately 18.4m² and fails to achieve the minimum 20m² required under Clause 29(2)(d)(i) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

The subject property is located within an 'accessible area' on account of it having a walking distance of approximately 150m to Richmond Train Station. Based on the number of rooms and a manager's residence the boarding house requires the provision of five onsite parking spaces under Clauses 29(2)(e)(i) and (iii) of the Affordable Rental Housing SEPP. It should also be noted that the two covered parking spaces currently serving the property would be lost with the development of the site.

Documentation supplied in support of the application argues that this numerical parking non-compliance is acceptable on the basis that the Affordable Rental Housing SEPP's controls are "*merely standards that cannot be used to refuse consent*" and that Council has the discretion to approve such non-compliances. Whilst there is discretion for Council to vary parking provisions, the application has not provided sufficient justification for this variation.

A Traffic and Parking Report has not been provided in support of the application, nor have any details regarding the age or background of intended lodgers been supplied. The documentation simply suggests that the property is located in close proximity to public transport and is too narrow to provide parking. No justification for the absence of a disabled parking space has been provided.

The application's main argument that public transport is available is not supported on the basis that the Affordable Rental Housing SEPP provides an already reduced parking rate for areas serviced by public transport such as Richmond. The proposal's disregard for the Policy's parking controls is seen to be unacceptable given that Richmond is located on the outskirts of Sydney and typically has a heavy reliance on motor vehicles. This is supported by the recently released figures from the 2016 Census that motor vehicle ownership (two or more cars per household) in the Hawkesbury has increased at a greater proportion than greater Sydney. This is likely to be due to the generally poor public transport services.

Public parking areas such as the Woodhills Car Park at 11 East Market Street contain timed parking and are therefore unsuitable for long-term residential parking. In any event, the existing parking area is supplied for town centre commercial parking for customers and should not be consumed by residential parking that cannot be provided on development sites.

The boarding house is to be run by a private entity as opposed to a community housing association and no details have been provided with respect to the age, background, status or financial position of potential lodgers. On this basis it is considered that lodgers within this boarding house are likely to have a higher rate of car ownership than boarding houses operated by community housing groups.

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The argument that the narrow width of the property prevents the provision of parking is seen to be evidence of the unsuitability of the land for a development of this size and scale. The reference to size and scale of the development does not refer to the “density and scale” (floor space ratio) referred to in Clause 29(1) of the SEPP. The size and scale of the development seems to be too great for the property size as it has created the need for multiple variations to standards or other compromises in order to “fit” the development on the site. In this regard it may be considered as an overdevelopment of the site.

The proposal therefore fails to comply with the provisions of the Affordable Rental Housing SEPP.

Hawkesbury Local Environmental Plan 2012

The subject property is zoned B2 Local Centre under the Hawkesbury LEP 2012.

The Hawkesbury LEP 2012's Dictionary provides the following definitions for a ‘boarding house’:

boarding house means a building that:

- a) is wholly or partly let in lodgings, and
- b) provides lodgers with a principal place of residence for 3 months or more, and
- c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,
- e) but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

The supplied document indicates that the proposed development will provide long-term residential accommodation for up to 34 lodgers. The boarding rooms will be provided with private bathroom, kitchen and laundry facilities. Whilst minimal information has been supplied with respect to the boarding house operator or the lodgers to be accommodated, the proposal satisfies the above definition of a boarding house.

The Plan of Management does not indicate that alcohol or drug treatment/rehabilitation will be undertaken from the premises.

Boarding houses are a permissible form of development within the B2 Local Centre zone.

The objectives of the B2 Local Centre are:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To promote the development and expansion of business activities to meet the optimum employment and social needs of Hawkesbury.*

The subject building was originally constructed as a dwelling house and its residential appearance has been maintained over the years on account of its heritage listing and character. The operation of a non-commercial use at ground floor level is not seen to be a determinative issue based on the heritage listing of the property and its existing residential character.

The development is appropriately located within a town centre that is serviced by shops, commercial, community and medical facilities as well as public transport. However, the proposal fails to satisfy Council's parking controls and as a result is seen to be contrary to the zoning objective relating to the development and expansion of business activities. The approval of the development as submitted would place a greater burden on public streets and car parks, further exacerbating parking issues within the Richmond Town Centre.

The property is listed as a heritage item under Schedule 5 of the Hawkesbury LEP 2012. Clause 5.10(5) of the LEP may require an assessment of a development's impact on the heritage significance of an item. Given the current application is proposing to change the use of this heritage item to incorporate into part of the Boarding House use as a managers residence, a heritage management document is considered to be required prior to the granting of any consent to change the building's use.

The Statement of Environment Effects outlines that restoration and refurbishment works are to be undertaken to the existing building. However, no details of this work have been provided to satisfy Clause 5.10(5) of the Hawkesbury LEP 2012. The application also fails to address the issue of archaeology even though the Richmond Archaeological Management Plan indicates that the property may possess historical or archaeological significance.

Therefore, whilst the development is permissible within the B2 Local Centre zone, the non-compliances with the relevant parking and heritage controls is such that the application is seen to be contrary to the provisions of the Hawkesbury LEP 2012.

(a)(ii) Draft Environmental Planning Instruments

There are no draft environmental planning instruments that apply to the subject land.

(a)(iii) Development Control Plans

Hawkesbury Development Control Plan 2002

Part A Chapter 3 – Notification

The proposal was notified and signposted in accordance with Part A Chapter 3 of the Hawkesbury DCP 2002. Two submissions were received and are discussed later in this report.

Part C Chapter 2 – Car Parking and Access

Table 2.5.1 of Part C Chapter 2 of the Hawkesbury DCP 2002 establishes a parking rate of one space per five beds for boarding houses and two spaces for the manager's residence. Under the Hawkesbury DCP the development would require a total of six onsite parking spaces.

The proposal fails to satisfy the numerical requirements of the Hawkesbury DCP 2002 however these controls are superseded by the parking provisions contained within the Affordable Rental Housing SEPP. The SEPP parking requirements have been discussed previously in this report.

(a)(iiia) Planning Agreements

There are no planning agreements applicable to the proposed development.

(a)(iv) Matters Prescribed by the Regulations

The EP&A Regulation 2000 requires compliance with the Building Code of Australia (BCA) and Disability (Access to Premises – Buildings) Standards 2010.

Should the application be approved conditions would be imposed requiring the adaptable boarding room to be designed in accordance with AS4299:1995 'Adaptable Housing'.

(a)(v) Coastal Zone Management Plan

The proposal is generally consistent with the Upper Hawkesbury River Estuary Coastal Zone Management Plan. Should the application be approved conditions would be imposed requiring the preparation and implementation of sedimentation and erosions controls plans during construction.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality

As identified previously in this report, the proposed boarding house fails to satisfy a number of standards contained within the Affordable Rental Housing SEPP. The following amenity and design concerns have also been identified with the proposal:

- The Type 2 boarding rooms are of an insufficient size to accommodate two lodgers under Clause 29(2)(f)(ii) of the Affordable Rental Housing SEPP. On this basis residents of these boarding rooms will be provided with an insufficient level of amenity.
- Overall the boarding rooms will be provided with poor solar access, cross ventilation and outlooks.
- The communal open space area fails to meet the minimum area controls of the Affordable Rental Housing SEPP.
- The communal clothes drying area is provided with poor solar access, requiring the provision of washing and drying facilities within each of the boarding rooms.
- The rear ground floor boarding rooms, Room No's 4 and 5, adjoin the motorcycle parking area and would be subject to significant vehicle noise and poor amenity.
- The garbage storage area is of an insufficient size and design to cater for the development and address amenity impacts.
- A concept landscaping plan has not been provided for the development.
- The area for the parking of bicycles has not been identified as required under Clause 30(1)(h) of the Affordable Rental Housing SEPP.
- Insufficient details have been provided in relation to the management of stormwater from the site.

Along with the parking non-compliance, these amenity concerns are seen to be representative of an overdevelopment of the site.

The proposed boarding house relies on the Woodhills Car Park at 11 East Market Street for vehicular access. This Council-owned car park is Operational Land and is not categorised as a public road and the consent of Council is required but has not been provided for the use of the Woodhills Car Park to access the subject property. The development's reliance on the use of the Woodhills Car Park will restrict the potential development of this Council owned land.

(c) Suitability of the site for the development

There has been a steady decline in the availability of housing that is affordable to families and individuals on low to medium incomes. House prices and private rentals are rapidly increasing both in the Hawkesbury and across Greater Western Sydney.

The continuing decline of affordable housing will negatively impact upon low to middle income brackets and lead to greater housing stress and homelessness for an increasing number of families and individuals. Council has adopted an Affordable Housing Policy which aims to develop appropriate strategies to increase the supply of affordable housing, advocates for increased affordable housing in suitable locations and seeks to create partnerships with key stakeholders and agencies to increase affordable housing options.

Council's Community Services Department has advised that there is a shortage of social and affordable housing dwellings within the Hawkesbury which contributes to the risk of insecure housing and homelessness. Council is currently working in partnership with Wentworth Community Housing (WCH) and other stakeholders to implement the Hawkesbury Homelessness Action Plan and is in the process of exploring a partnership with WCH and other community housing providers to increase the supply of affordable and social housing dwellings within the Hawkesbury. To this end, Council is currently exploring the potential use of some of Council's community land holdings which would be most suitable for community housing developments.

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The proposed facility is to be operated by a private entity on a commercial basis. No details regarding the operator or any facilities they currently operate have been provided. Furthermore no information has been supplied to suggest that rents will be controlled at a certain level below market rental rates (e.g. at least 15% below market rates) to cater for those on low incomes and/or at risk of homelessness. In this regard, whilst the development is for a Boarding House there is no guarantee that the development will be "Affordable Housing" in accordance with the Policy.

The Plan of Management prepared for the boarding house also contains a number of errors and inconsistencies with the relevant policies:

- The Plan of Management contains conflicting information regarding the number of rooms within the boarding house. The Plan of Management refers to the provision of 16 rooms within the boarding house however the plans show a total of 17 rooms.
- The Plan of Management does not outline a minimum length of stay for lodgers within the boarding house. A minimum three month length of stay for lodgers is required to satisfy the definition of a boarding house under the Dictionary of the Hawkesbury LEP 2012.
- The Plan of Management indicates that all boarding rooms may accommodate two lodgers however the Type 2 rooms are of an insufficient size to cater for two lodgers.

Whilst Council's Affordable Housing Policy attempts to encourage the increase of supply of affordable housing in the Hawkesbury, this aim should not be at any cost as the future residents are entitled to be provided with adequate services and amenity. The above assessment of the current application indicates that the overall development, due to the proposed relaxation of multiple, already reduced, development standards, may be an overdevelopment of the site at the expense of the future residents.

(d) Submissions

The application was publicly exhibited in accordance with Part A Chapter 3 of the Hawkesbury DCP 2002 between 23 March and 6 April 2017. A total of two submissions were received in response to the notification of this application. The matters raised in these submissions are detailed below in italics, followed by a response by the assessing officer:

<u>Submission</u>	The prepared documentation suggests that no known archaeology is present onsite however the Richmond Archaeological Management Plan indicates that the property has archaeological potential.
Officer's comment	The Inventory Sheet for the property within the Richmond Archaeological Management Plan indicates that the property possesses historical or archaeological significance on the basis it may reveal evidence relating to the late 19th century development of Richmond. An archaeological investigation and assessment of the proposal should be required under Clause 5.10 of the Hawkesbury LEP 2012 and Section 6.1 of the Richmond Archaeological Management Plan.
<u>Submission</u>	The boarding house is overpowering in bulk and scale and will detract from the significance of the heritage-listed dwelling house.
Officer's comment	The proposal satisfies the building height controls of the Hawkesbury LEP 2012 and a FSR does not apply to the site. The heritage-significant building is to be retained and separated from the boarding house addition and Council's Heritage Advisor has not objected to this aspect of the proposal.
<u>Submission</u>	The proposal is an overdevelopment of the site.
Officer's comment	The proposal's inability to provide an appropriate number of spaces – designed and located in a practical manner – is seen to be symptomatic of an overdevelopment of the site.

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<u>Submission</u>	Inadequate parking is to be provided for the development.
Officer's comment	The issue of parking has been discussed previously in this report.
<u>Submission</u>	The development will generate unreasonable overshadowing impacts for adjoining properties.
Officer comment	<p>The shadows generated by the development will primarily impact upon the neighbouring property at 173 Windsor Street which comprises commercial development and wholly occupies its site.</p> <p>The overshadowing of the boarding house's clothes drying area and the poor solar access to the rooms are seen to be more significant issue.</p>
<u>Submission</u>	The development would be incompatible with the character of the local area.
Officer's comment	The proposal retains the heritage-listed building and is generally supported by Council's Heritage Advisor. It is considered that a boarding house use is compatible with the commercial character and appearance of the locality.

(e) The Public Interest

It is recognised that boarding houses play a key role in providing affordable accommodation and addressing social needs within a locality. However, in this instance the application seeks to develop the majority of the land without providing any vehicular parking for residents or the onsite manager.

The Affordable Rental Housing SEPP provides an already reduced parking rate for accessible areas and the proposal's disregard for the applicable parking controls is seen to be unacceptable given the property's location and the nature of the boarding house. Lodgers within this boarding house are expected to likely have a higher rate of car ownership than other proposals that have been considered by Council recently.

Based on the extent of the numerical parking non-compliance, as well the insufficient information provided, it is considered that the approval of the application would not be in the public interest.

Land and Environment Court

A Class 1 Appeal against Council's deemed refusal of this application has been filed in the L&E Court. Councillors were advised of this appeal via memo on 17 July 2017. The matter has since been listed for a Section 34 Conciliation Conference on 11 September 2017.

The purpose of conciliation conferences is to resolve or narrow any issues in dispute. The Directions of the L&E Court outline that the "the parties are to participate, in good faith, in the conciliation conference, including preparing to be able to fully and meaningfully participate, having authority or the ready means of obtaining authority to reach agreement and genuinely endeavouring to reach agreement at the conciliation conference".

The purpose of this report is to obtain Council's position on this application so that this position can be pursued in the Court dealings.

As required by the Court, Council must provide 'without prejudice' conditions of consent by 4 September 2017.

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Financial Implications

Based on the supplied estimated value-of-works of \$1,650,000 a Section 94A Development Contribution of \$16,500 would be payable should the application be approved.

It is noted that Clause 25J(3)(b) of the EP&A Regulation provides exemptions for affordable housing. However, the subject boarding house is to be operated by a private entity on a commercial basis. No documentation has been supplied that the boarding house will be operated by a community housing group or in association with the Department of Housing or other government group. On these grounds Section 94A Contributions apply to the development.

Planning Decision

As this matter is covered by the definition of a 'planning decision' under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

RECOMMENDATION:

That Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 (as amended) refuse Development Application No. DA0123/17 for a boarding house on Lot 40 in DP 1040134, known as 179 Windsor Street, Richmond, for the following reasons:

1. The strata subdivision of the development is prohibited under Clause 52 of State Environmental Planning Policy (Affordable Rental Housing) 2009.
2. Insufficient communal open space is to be provided for the development.

Particular:

The central common open space area has an area of approximately 18.4m² and fails to achieve the minimum 20m² required under Clause 29(2)(d)(i) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

3. The Type 2 boarding rooms fail to satisfy the minimum area controls for double occupancy rooms.

Particular:

- a) The Plan of Management indicates that all the boarding rooms will cater for up to two lodgers. The Type 2 boarding rooms are to have an area of 14.9m², exclusive of private kitchen and bathroom facilities, and fail to achieve the minimum 16m² required for double occupancy rooms under Clause 29(2)(f)(ii) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

4. The proposal provides insufficient onsite parking and fails to comply with the numerical parking controls of State Environmental Planning Policy (Affordable Rental Housing) 2009. No onsite parking spaces are proposed for the development.

Particular:

- a) The subject property is located within an 'accessible area' and based on the number of rooms and a manager's residence the boarding house requires the provision of five onsite parking spaces under Clauses 29(2)(e)(i) and (iii) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

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5. The area for the parking of bicycles has not been identified as required under Clause 30(1)(h) of State Environmental Planning Policy (Affordable Rental Housing) 2009.
6. The development site is not provided with an accessible parking space that complies with the requirements of Australian Standard AS2980.6:2009.
7. The proposal is inconsistent with the Hawkesbury Local Environmental Plan 2012 and Richmond Archaeological Management Plan in that insufficient information has been provided to demonstrate that the development will not adversely impact upon the archaeological significance of the property.

Particular:

- a) The applicable Inventory Sheet within the Richmond Archaeological Management Plan indicates that the property possesses historical or archaeological significance on the basis it may reveal evidence relating to the late 19th century development of Richmond. An archaeological investigation and assessment of the proposal is required under Clause 5.10 of the Hawkesbury Local Environmental Plan 2012 and Section 6.1 of the Richmond Archaeological Management Plan.
8. Insufficient information has been provided to demonstrate that the development will not adversely impact upon the significance of the heritage item.

Particular

- a) The Statement of Environment Effects outlines that restoration and refurbishment works are to be undertaken to the existing heritage-listed building. However, no details of this work have been provided to satisfy Clause 5.10(5) of the Hawkesbury Local Environmental Plan 2012.
9. Residents of the boarding house will be provided with unacceptable levels of amenity.
10. The property is not provided with legal access from the Woodhills Car Park at 11 East Market Street.

Particulars:

- a) The development relies on the Woodhills Car Park at 11 East Market Street for vehicular access. This Council-owned car park is not categorised as a public road and the consent of Council has not been provided for the use of the Woodhills Car Park to access the subject property.
- b) The development's reliance on the use of the Woodhills Car Park at 11 East Market Street is an inappropriate use of these public parking spaces and will restrict the potential uses of this publically owned land.
11. Insufficient details have been provided in relation to the management of stormwater from the site. A stormwater drainage plan must be prepared which clearly demonstrates that stormwater will be collected and discharged in accordance with the Hawkesbury Development Control Plan 2002 – Appendix E – Civil Works Specification

Particulars:

- a) Onsite detention (OSD) will be required at this location to limit flows to pre-development levels. Details and calculations must be provided to demonstrate that the OSD system has sufficient volume to limit flows to pre-development levels during a 100 year Average Recurrence Interval (ARI) storm event and the land has adequate fall to discharge to Council's drainage infrastructure.
- b) The stormwater drainage plan must clearly demonstrate how overland flow will be directed to the street without adversely affecting neighbours. Flow paths and a typical cross section of any overland drainage channels must be provided.

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12. The garbage storage area is of an insufficient size and design to cater for the development and address amenity impacts.

Particulars:

- a) The garbage storage area has been designed to cater for a maximum of six 240L bins. This area is inadequate as the submitted Waste Management Plan estimates that nine (six general waste and three recycling) 240L bins will be required for the development, whilst the sharing of bins between three boarding rooms would necessitate the provision of 12 (six general waste and six recycling) 240L bins.
- b) The open design of the garbage storage area is likely to result in amenity impacts for residents and neighbours.

13. The proposal represents an overdevelopment of the site.

14. Inadequate and conflicting information has been provided in support of the application.

Particulars:

- a) The application form and Plan of Management refer to the provision of 16 boarding rooms within the boarding house however the plans show a total of 17 boarding rooms.
- b) The Plan of Management contains conflicting information regarding the number of boarding rooms within the boarding house.
- c) Two of the boarding rooms within the boarding house are identified on the plans as Room 5.
- d) The Plan of Management must outline a minimum three month length of stay for lodgers to satisfy the definition of a boarding house under the Dictionary of the Hawkesbury Local Environmental Plan 2012.
- e) The Plan of Management indicates that all boarding rooms may accommodate two lodgers however the Type 2 rooms are of an insufficient size to cater for two lodgers.
- f) Details and plans of the proposed front fence and gate have not been provided.
- g) A concept landscaping plan has not been provided for the development.
- h) The strata subdivision of the boarding house serves no purpose should the heritage-listed dwelling house be converted to operate as a manager's residence.

ATTACHMENTS:

AT - 1 Locality Plan

AT - 2 Aerial Photograph

AT - 3 Plans of the Proposal

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AT - 1 Locality Plan



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AT - 2 Aerial Photograph



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GENERAL MANAGER

Item: 138

GM - Representative to the Mutual Management Services Limited (79351, 79426, 106190)

REPORT:

Executive Summary

Council has been a foundation member of the Westpool Insurance Pool (now CivicRisk West) for almost 30 years. Historically, administrative support was provided by a small team employed by CivicRisk West. Recent advice states that CivicRisk West cannot legally employ staff. The solution identified has been to set up a company limited by guarantee, to carry out the various administrative functions.

Mutual Management Services Limited was therefore created in July 2015 to provide administrative support to the Pools. Over time it also has the capacity to facilitate the promotion of pooling through new products, services and members.

The Board of Mutual Management Services Limited recently approved the admission of CivicRisk West member councils, as members of Mutual Management Services Limited. Council are therefore being requested to nominate a representative to attend the Mutual Management Services Limited Annual General Meeting.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

Council has been a foundation member of the Westpool, for almost 30 years. Westpool was formed to provide insurance cover for the operations of all of member Councils. Recently Westpool was renamed to become CivicRisk West.

Historically, the administrative support was provided by a small team employed and funded by CivicRisk West. However, recent advice states that CivicRisk Mutual cannot legally employ staff. The preferred solution identified was to set up a company limited by guarantee.

In response, Mutual Management Services Limited was created to service the Pools. It was set up in July 2015 as a service team to support the Pools and facilitate promotion of pooling through new products, services and members.

The Board of Mutual Management Services Limited recently approved the admission of CivicRisk West member councils, as members of Mutual Management Services Limited. Council are therefore being requested to nominate a representative to attend the Mutual Management Services Limited Annual General Meeting.

It is most likely that meetings of Mutual Management Services Limited will be held immediately following the CivicRisk Annual General Meeting, scheduled to be in late November in 2017. Council's CivicRisk West representatives will be available to attend the meeting of Mutual Management Services Limited. Therefore, for continuity and in terms of practicality, it is recommended that Council appoint a representative from the two Board members already appointed to CivicRisk West, being Councillor Paul Rasmussen and the General Manager.

Although Mutual Management Services is seeking advice from each Council of their member representative, an alternative can be appointed at any time. There is no problem with two representatives attending Members meetings, however each Council only has one vote.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area/s, Direction/s and Strategies within the CSP.

Our Leadership

- 1.1 Local Leadership and effective governance - Provide representative, responsive and accountable governance.
 - 1.1.1 Council's elected leaders will actively connect and collaborate with the community.
- 1.4 Reinforcing and establishing effective strategic partnerships - Build strong relationships and shared responsibilities.
 - 1.4.1 Foster positive relationships with all tiers of government and peak bodies to ensure a thorough understanding of the challenges and local requirements of the Hawkesbury.

Financial Implications

There are no financial implications arising from this report for the 2017-2018 Operational Plan.

RECOMMENDATION:

That Council appoint its two CivicRisk West Board members being Councillor Rasmussen and the General Manager to attend Mutual Management Services Limited members meetings, noting that Council will have one vote.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 139 **CP - Application S0083/16 - Onsite Wastewater Treatment System - 421 Tennyson Road, Tennyson - (95498, 96330)**

Previous Item: 78, Ordinary (9 May 2017)
 90 Ordinary (31 May 2016)

REPORT:

Executive Summary

At the Council meeting of 31 May 2016 Council resolved to approve DA0284/15 for a duck processing facility at 421 Tennyson Road, Tennyson. Part B of that resolution stated the following:

"The sewer management facility application be reported to Council for determination."

Council considered this matter at the meeting of 9 May 2017 where it was resolved to defer the matter to receive a Councillor Briefing and undertake a site inspection. The Councillor Briefing was held on 23 May 2017 and the site inspection was held on 6 June 2017.

The purpose of this report is to satisfy the above 31 May 2016 resolution. The recommendation of this report is to approve, subject to conditions, the onsite sewage management application.

In a separate matter Council staff are addressing the construction work at this site has also been approved and earthworks and construction is substantially completed. Some of those works are yet to be completed in accordance with the development and construction approvals but those works do not affect the operation of the waste water system. These compliance matters are being addressed separately to this current application.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. The assessments of onsite sewage management system applications are generally a technical assessment only as this application is ancillary to the development under DA0284/15 as approved by Council on 31 May 2016.

Background

This matter was considered by Council at the meeting of 9 May 2017 where the following was resolved:

"That:

- 1. A Councillor Briefing Session be held.*
- 2. Following the Councillor Briefing Session, an inspection be undertaken of the subject site."*

The application was the subject of a briefing to Councillors on Tuesday, 23 May 2017. A Councillor site inspection was held on Tuesday, 6 June 2017. The site inspection was attended by the Mayor, Councillor Lyons-Buckett and Councillors Reynolds, Wheeler and Garrow. Council staff, being Director City Planning, Development Services Manager and Manager Environment and Regulatory Services also attended.

The property at 421 Tennyson Road, Tennyson is a 12.15 hectare rural property. DA0284/15 was approved by Council on 31 May 2016, which consents to the operation of a poultry processing facility, a hatchery and approval for associated building works. There will be approximately 15 employees with a

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lunchroom and a change room provided for employee use. The existing processing plant is currently located at Kellyville and that site has recently been re-zoned for residential development.

The onsite sewage management application (the subject of this report) has been lodged for an onsite wastewater treatment system for the approved duck processing plant (Tinder Creek Ducks), at 421 Tennyson Road, Tennyson. The plant construction works are substantially completed in accordance with the relevant approvals, with areas of non-compliance being addressed via separate compliance action that will not affect the operation of the facility or the waste water system.

The report 'Proposed Onsite Wastewater Treatment and Irrigation Management Plans by Aquadynamic Consultancy Services', dated February 2015 was submitted by the applicant with the current application (S0083/16) to install an onsite sewage management facility.

The application proposed the installation of a series of effluent ponds to treat the wastewater from the duck processing plant and then use spray irrigation to dispose of the treated waste water on the subject property.

A number of submissions for the Development Application (DA0284/15) raised concerns regarding the potential environmental impacts of the proposed wastewater treatment system.

The assessment of the application documentation by Council staff identified the need for some additional clarification of the proposal and for some additional information to be submitted. Due to the applicants questioning of the preliminary assessment; the Council staff request for additional information; and the community interest and concerns that arose with the original development application, Council staff engaged independent external consultants to assess the documentation that accompanied the application and of the staff request for additional information. This was undertaken by Whitehead and Associates.

The assessment comprised an analysis of the submitted documentation and also the Council staff assessment for additional information. The Review supported the Council staff assessment of the original report and the staff request for additional information in relation to inconsistencies in the original documentation and also the lack of detail in relation to certain aspects of the operation that would impact the waste water facility. Whitehead and Associates also stated that if the requested detail had been supplied with the original application, the proposed system, as assessed and recommended for approval in this report, would be generally acceptable.

The subject application (S0083/16) proposes a similar, but much larger, system to the existing, successfully operating, system that is installed at the applicant's current processing facility at Kellyville. In this regard, the ponds proposed in the subject application for the Tennyson site are much larger to deal with concerns raised in the development application assessment about weather storage and proximity to waterways. The system will consist of an Anaerobic Dam, followed by an Aerated Pond and a final Maturation/Irrigation Pond.

Council assessing officers undertook a site visit of the existing processing plant at Kellyville and found the system was not causing any odour issues at the time of inspection. It should be noted that the inspection was undertaken during summer and the temperatures had been very high prior to that visit. If the system had potential to cause odour problems it would have been prevalent at the site visit. At the site visit, Council staff discussed with the applicant the concerns previously raised, and also supported in the peer review. In response to that discussion the owner submitted the required additional information to clarify the issues raised, included as Attachment 1 to this report.

The processing capacity and overall operating times are controlled via the development consent conditions for DA0284/15, as approved by Council on 31 May 2016. The applicant clarified that the processing operations (that generate the bulk of the waste water) would normally be around eight hours per week. This information was missing in the original information submitted for the on-site sewage management system application. The new processing plant will also be employing new technologies to help reduce the amount of water used on a daily basis.

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The wastewater from the staff amenities will be treated separately to the wastewater from the processing plant and will be directed to a septic tank and absorption trench that is located on the opposite side of the property to the effluent ponds and irrigation area. This staff amenities waste water system will be licenced to operate by Council separately to the processing facility waste water system.

The property is currently a rural property approximately 12.15 hectares in size. It is surrounded by other rural and rural residential properties. It currently has a dwelling (with a septic tank and trench), a large shed and a large dam and the property's rear boundary is Howes Creek. It is a sloping block (6% to 30%) with rocky outcrops, particularly down the right hand side of the property where the proposed effluent ponds and irrigation are to be located. These rocky outcrops have been covered with fill (under the approval for DA0284/15) to create the effluent treatment ponds and these ponds will be lined with HDPE liners. It is not proposed or recommended that the ponds to be covered as additional disinfection will occur as a result of UV exposure from sunlight.

The limiting factor for sizing of the irrigation area is determined primarily by the hydraulic load (water quantity), rather than nutrients (water quality). The irrigation area required, according to the wastewater report by Aquadynamic Consultancy Services, and supported by the staff and peer review, is 14,300m² (1.43ha). The total area that has/will be dedicated for irrigation is 25,000m² (2.5ha) which is 57% more than required and is considered to be adequate for the disposal area. The wall of the existing dam is to be bunded to prevent irrigation run-off from entering the dam. The effluent ponds have also been designed to have 28 days of wet weather storage.

There will be a buffer distance of approximately 100 metres between the edge of the proposed irrigation area to Howes Creek which is considered adequate for the type and design of the waste water system.

In particular:

- the size of the irrigation area is in excess of that required
- the capacity of the storage system has been designed to accommodate 28 days of wet weather storage.
- a further 100 metre separation is provided between the dam/irrigation area and Howes Creek.
- the majority of the buffer comprises remnant bushland.

The irrigation areas are also considered to provide adequate buffer distances from neighbouring properties to avoid irrigated wastewater from leaving the property.

The water used in the incubators at the proposed new hatchery controls humidity and all the water is evaporated, thereby not adding to the hydraulic load of the new on-site sewage management system.

The processing plant will be required to comply with the conditions of approval as recommended in this report. These include an annual Prevention Notice issued by Council under Section 96 of the Protection of the Environment Operations Act 1997 which will stipulate particular recording and monitoring requirements (Proposed Condition 13). The recommended conditions attached to this report also include the need for regular water quality testing of the irrigation dam and Howes Creek in order to monitor for any potential impact the operation may have on the Creek - (Refer to the table attached to condition 13(VI))

At the site inspection the attending Councillors discussed the requirements for monitoring of the effluent disposal area and subsequent reporting of that monitoring, retention of the run-off within the irrigation area and wet weather storage.

As mentioned above, the monitoring and reporting is addressed via proposed condition 13 which requires all testing and reporting to be undertaken by a NATA registered laboratory and the reports to be submitted to Council. There is also provision for Council to undertake audits of this reporting and monitoring on a yearly basis.

The area for disposal of effluent is restricted by the proposed conditions particularly via proposed condition 3.

The design and sizing of the effluent dams, as mentioned previously in this report, are sufficient to cater for 28 days of wet weather storage.

Ongoing Compliance Issues

In a separate matter Council staff are addressing the construction work at this site has also been approved and earthworks and construction is substantially completed. Some of those works are yet to be completed in accordance with the development and construction approvals but those works do not affect the operation of the waste water system. These compliance matters are being addressed separately to this current application.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategy within the CSP.

Our Environment

3.1 The natural environment is protected and enhanced.

3.1.4 Use a range of compliance measures to protect the natural environment.

Financial Implications

There are no financial implications applicable to this report.

RECOMMENDATION:

That application No.S0083/16 for an onsite wastewater treatment system at 421 Tennyson Road, Tennyson be approved subject to the following conditions:

General Conditions of Approval

1. All drainage and sanitary plumbing shall be carried out in accordance with the requirements of Australian Standard AS 3500 - 'National Plumbing and Drainage Code', the Plumbing Code of Australia 2012 and be inspected and approved by Council prior to covering.
2. Any source of water supply used for drinking or domestic purposes or for stock is not to be polluted or rendered unwholesome by the land application of effluent from the proposed onsite wastewater treatment system.
3. All effluent from the proposed onsite wastewater management facility shall be disposed of within the confines of the premises. There shall be no run-off from the designated effluent application area to adjoining premises, public places or reserves. The discharge of any such effluent across any boundary which is likely to pollute a natural watercourse will be considered as an offence under Part 5.3, Section 120 of the Protection of the Environment Operations Act 1997.
4. All plumbing and drainage work shall be carried out by a licensed plumber and drainer.
5. The facility's drainage to the onsite wastewater treatment system shall be protected by an overflow gully.
6. The installation shall be carried out in accordance with the approved plans and specifications.
7. Oil/petroleum wastes from the premises, must not be discharged into the onsite wastewater treatment system.

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8. New installations of disposal areas shall comply with the recommended buffer distances outlined in Appendix R, Recommended Setback Distances for Land Application Systems, Australian Standard AS 1547:2012 - On-site domestic wastewater management.
9. The effluent application area shall comprise of a suitable number of sprays that will evenly distribute the effluent within the application area. Sprinklers used in the application areas shall be located so as to throw wastewater within the effluent application area only and not direct any effluent beyond the confines of the designated effluent application area. The effluent application area may be divided into two or more areas.
10. Sprinklers used shall produce a coarse droplet spray with no misting or aerosol, and shall have a maximum plume height in the order of 800mm above finished ground level. Sprinklers shall be durable, long wearing and installed in such a manner as to ensure that they are not easily damaged during maintenance of the effluent application area.
11. Should more than one disposal area be used a valve system shall be designed to ensure that at least one irrigation area is available for use at all times.
12. Within the effluent irrigation area there must be at least two warning signs that comply with Australian Standard AS 1319 - Safety signs for the occupational environment and have:
 - a) a green background
 - b) 20mm high capital lettering in black or white
 - c) the words "RECLAIMED EFFLUENT – NOT FOR DRINKING – AVOID CONTACT".
13. Compliance with the annual Prevention Notice issued by Council under Section 96 of the Protection of the Environment Operations Act 1997 which will stipulate particular recording and monitoring requirements as per below:
 - a) **Operating Activities must be carried out in a competent manner**

This includes:

 - (i) the processing, handling, movement and storage of materials and substances used to carry out the activity;
 - (ii) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity;
 - (iii) an operation manual for the Wastewater and Sewage Management Facilities are to be reviewed annually, updated and circulated to all contractors and Council as required; and
 - (iv) provide an emergency response plan in the event of a power failure.
 - b) **Maintenance of plant and equipment**

All plant and equipment installed or used in or on the premises:

 - (i) must be maintained in a proper and efficient condition;
 - (ii) must be operated in a proper and efficient manner in accordance with the manufactures specifications;
 - (iii) the infrastructure for the Wastewater and Sewage Management Facilities are to be adequately locked and secured to prevent public access and/or tampering. The occupier must take all practicable steps to control unauthorised entry to the premises;
 - (iv) access is to be made available upon request from authorised Council staff;
 - (v) analysis and maintenance reports are to be sent to:

Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756
Attention: Environment and Regulatory Services;
 - (vi) details of two nominated contact persons are to be provided in writing who are authorised to discuss issues pertaining to this Notice on behalf of the company. Details

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- must include, name, address and a 24 hour contact telephone number;
- (vii) provide access to the top of any plant more than 2m above ground level by means of a stairway or step-type ladder in accordance with Australian Standard AS 1967 - 'Code for Fixed Platforms, Walkways, Stairs and Ladders';
- (viii) store chemicals in accordance with the requirements for Dangerous Goods; and
- (ix) provide a level, all weather road access for heavy vehicles to within pumping distance of the plant or other necessary maintenance points for emergency purposes.

c) Management of Surface Waters

- (i) Surface waters must be diverted away from the irrigation areas.

d) Reclaimed Sewage and Irrigation System

- (i) Treated wastewater pipelines and fittings must be clearly identified. Standard water taps, hoses and cocks must not be fitted to irrigation pipelines, and the irrigation system must not be connected to other pipelines.
- (ii) Lockable valves or removable handles must be used where there is public access to the irrigation area.
- (iii) Adequate notices, warnings to the public "RECLAIMED EFFLUENT USED IN THIS AREA, AVOID CONTACT -DO NOT DRINK", must be erected on the site. These notices must be in legible English and in any other languages as may be necessary and must indicate at least the water is "RECLAIMED SEWAGE- UNFIT FOR DRINKING".
- (iv) The wastewater treatment system must be maintained and serviced such that the final effluent at the outlet of the plant meets the limits as outlined in the NSW Guidelines for Urban and Residential Use of Reclaimed Water.
- (v) Filter on the irrigation pumps to be cleaned and reinstalled as required.
- (vi) No water supply or any source of water supply used for drinking or domestic purposes or for stock is likely to be polluted or rendered unwholesome by the land application of effluent from the proposed sewage management facility.
- (vii) All effluent from the sewage management facility shall be disposed of within the confines of the premises. There shall be no run-off from the designated effluent application area to adjoining premises, public places or reserves. The discharge of any such effluent across any boundary in such a manner as to pollute a natural watercourse will be considered as an offence under Part 5.3, Section 120 of the Protection of the Environment Operations Act 1997.

e) Monitoring and recording

All records required to be kept by the operator must be:

- (i) In a legible form, or in a form that can readily be reduced to a legible form.
- (ii) Kept for at least six years after the monitoring or event to which they relate took place.
- (iii) Produced in a legible form and forwarded to Council, Regulatory Services, Attention: The Manager, within 30 days from the date of analysis.
- (iv) All field tests should be recorded with the flow and/or applied loading rates, and any alterations to the plant or operational procedures should be noted at the appropriate time.
- (v) The following records must be kept in respect of any samples required to be collected for the purposes of the Notice:

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- the date(s) on which the sample was taken
 - the time(s) at which the sample was collected
 - the point at which the sample was taken
 - the name of the person who collected the sample
 - the parameters to be tested
 - the name and address of the NATA registered laboratory undertaking the analysis
 - the results of the testing.
- (vi) Water monitoring must be undertaken in the irrigation dam and at two points on Howes Creek, being at the western (upstream) and eastern (downstream) property boundary. For each monitoring point the operator must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified below. The operator must use the sampling method, units of measure, and sample frequency as specified below.

Parameters	Frequency
Biochemical Oxygen Demand	Six Monthly
Suspended Solids	Six Monthly
Total Nitrogen	Six Monthly
Total Phosphorus	Six Monthly
<i>E.coli</i> bacteria	Six Monthly
Faecal Coliforms	Six Monthly
pH	Six Monthly
Total residual chlorine (if used)	Six Monthly

These test results and monitoring reports may be audited by Council on a yearly basis or as required.

- (vii) The operator must keep a legible record of all complaints made to the operator or any employee or agent of the operator in relation to pollution arising from any activity to which this Notice applies.

ATTACHMENTS:

AT - 1 Copy of Statement of facts regarding the operation of the processing plant from applicant

AT - 1 Amended copy of Statement of facts regarding the operation from the applicant

Re: On Site Sewerage Management System for 421 Tennyson road, Tennyson.

I refer to our site meetings held at Tennyson and at Kellyville last week concerning our application for a new on site sewerage management system to support our new Duck meat processing facility. You have now seen how I can operate the system on a site that is a fraction of the size of the new facility at Tennyson. You have asked a number of questions that I can provide the following additional advice to assist you.

1. Hours of operation.

The hours of operation per week vary according to the orders for proceed duck meat we receive. The total hours per week are around 8 hours as we process an average live weight of 12000 kg per week. That does not take a lot of time. We have on average 15 people for the eight hours although not all are there at the same time. This is because some assist in the slaughtering as distinct from others who assist with cleaning. As you saw at your visit to Kellyville on Thursday, we started at 10.00am and it was all finished for the day by 2p.m. I can assure Council that this operation is really boutique and is of a very small scale when compared to many other abattoirs that process birds. Further, we only process our own birds unlike many other operations that have multiple contracts.

The hatchery has no employees other than me. As you can appreciate, the facility incubates the fertilised eggs and once hatched, the ducklings are transported to the Tinder Creek farm to be raised. The incubators need to be on site as they are sensitive to power outages that mean someone has to live nearby who can quickly respond to a problem that might arise without warning.

2. Weekly processing and water use.

The north Kellyville operation uses about 200KL of water per week. That water is used in the hatchery, the dwelling houses and the processing facility itself. The biggest user of the water is the processing facility. With the new plant and new technology, I anticipate we will reduce our water consumption considerably. Not only is reducing water good for the environment, it saves the business a lot of money and considerable thought has gone into ways to minimise water use including;

- The new spin chillers will operate by recycling water.
- The new equipment will be easier to clean through better design which is where the majority of the water goes.
- We will be using water from the 4th dam to use for crate washing.

The hatchery uses water in the incubators to control humidity and all water is evaporated. Humidity must be maintained at 86%. The incubators are plumbed into the tap water but it is used in a fine mist that does not result in any wastewater. I estimate the water use would be less than 1000 litres a week.

In the longer term we will be looking at the option of installing a reverse osmosis system that again will allow us to re-use our wastewater. Given the size of the system and the relatively low weekly flows, it'll be some years before the system has the capacity to benefit from reverse osmosis and that is why it's not considered yet.

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The consultant considers the DAF system is not required having regard to the nature of the wastewater generated. The wastewater contains essentially blood and water meaning there are no suspended solids or oils that would require removal by way of dissolving air into the wastewater. The system as proposed is considered to deal appropriately with the nature and volume of wastewater generated through with no unacceptable nuisance or interference with the environment. The operation of the system over many years at Kellyville is testimony to the adequacy of the system and we will be monitoring its performance regularly to ensure efficient operation. It is not in our interest for the system to generate odours or perform badly.

I wish to assure you that the Onsite Wastewater Treatment and disposal system has been designed appropriately and our consultant has many years' experience including dealing with operations that have failed and dealing with regulatory matters. The site is capable of storing, treating and disposing of wastewater effluent on site over the long term and as I have said, I have had 25 years' experience at managing this kind of technology and system without complaint or incident. Remember, the system is effectively dealing with wash down water and blood. All other solids are removed and disposed of off-site.

A full assessment of the sites geological and climatic characteristics has been undertaken. The site is suitable for onsite waste treatment and disposal over the long term. There are sufficient buffers available to existing boundaries and Howes Creek at the rear of the property. The entire system and the irrigation area has also been designed to deal with the long term accumulation of nutrients. Nutrients are the determinative factor in arriving at the design of this system and it's the nutrient balance that has warranted an oversize of the system. The system has also been designed with a lot of redundancy including 28 day wet weather storage. I can assure you the system is not a "Trojan horse" to increase the operating capacity of the plant.

I trust the above information satisfies your enquiry and I contend that the application as submitted meets with relevant standards and meets Council's requirements including the conditions of Consent. I would ask that you proceed to determine the application on its merits as any further delays will cause harm to my business. Should you wish to discuss this matter please do not hesitate to contact me.

Yours faithfully,

.

Greg Jones.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 8 August 2017

SUPPORT SERVICES

Item: 140 **SS - Podcasting of Council Meetings and Code of Meeting Practice - (95496, 96333, 79351, 79352)**

Previous Item: Item 53, Ordinary (14 March 2017)
Item 13, Ordinary (31 January 2017)
NM1, Ordinary (31 January 2017)

REPORT:

Executive Summary

At its Ordinary meeting on 14 March 2017, Council considered a report in respect to the feasibility of and associated requirements to enable the webcasting and/or podcasting of all future Council Ordinary Meetings. At that meeting, Council resolved to proceed with the implementation of podcasting and that the appropriate amendments be made to Council's policy documents to enable this change to proceed.

This report responds to that requirement and recommends that the attached draft Code of Meeting Practice incorporating the required changes to facilitate podcasting at Council Meetings be placed on public exhibition.

Consultation

The proposed amendments to Council's Code of Meeting Practice must be placed on public exhibition for a period of not less than 28 days; with a period of not less than 42 days after the date on which the draft Code was exhibited, during which submissions may be made to Council.

Council must then consider any submissions received prior to adopting any proposed amendments.

Background

Council, at its meeting on 31 January 2017, considered a Notice of Motion on the feasibility of webcasting Council Meetings and resolved to receive a report in respect to the feasibility of and associated requirements to enable the webcasting and/or podcasting of all future Council Meetings.

Accordingly, a report was considered at the Council Meeting on 14 March 2017. At that meeting, Council resolved as follows:

"That:

- 1. Council proceed with the necessary processes associated with the implementation of podcasting of Council meetings, with a view to commence podcasting of Council meetings from the 2017/2018 Financial Year.*
- 2. The necessary funding to implement podcasting on the basis as detailed in the report be included in the 2017/2018 Draft Operational Plan.*
- 3. The necessary amendments be made to Council's Code of Meeting Practice and Council's Code of Conduct, with the changes to be reported to Council prior to public exhibition."*

Subsequently, software and an appropriate licence were purchased to enable the podcasting of Council Meetings. Pilot meetings have been set up as samples to test and demonstrate the technology.

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Prior to implementing the podcasting of Council Meetings, Council must amend its Code of Meeting Practice. Accordingly, Council's Code of Meeting Practice has been reviewed and the following adjustments made:

Removal of current Clause 6.3.1 – 'Minutes of Meetings' and replaced with the following:

"Clause 6.3.1 Minutes, Recordings and Podcasting of Council Meetings"

1. *For the purpose of compiling the minutes of a meeting of Council, each meeting, except those "Confidential Matters" referred to in Section 10A(2) of the Act, will be recorded. The recordings will be destroyed after the adoption of the minutes by Council or one year after they were created (whichever is the later).*
2. *Council will podcast all meetings of Council except those "Confidential Matters" referred to in Section 10A(2) of the Act. Podcasts of Council meetings will be kept for one year and will be made available via Council's website.*
3. *All Business Papers for meetings of the Council will state that the meeting is being recorded and will be podcasted as soon as practically possible after the meeting. Appropriate signs will be displayed in the Council Chambers and at the entry of the Chambers.*
4. *The Chairperson will inform the public that the meeting is being audio recorded for administrative purposes.*
5. *The Chairperson will inform the public that the recording will also be used to upload a podcast of the meeting as soon as practically possible after the meeting.*
6. *Council accepts no liability for any defamatory or offensive statements. In this regard, all meeting attendees are required to abide by the standards of conduct outlined in this Code.*
7. *The recordings or podcasts are protected by copyright and owned by Hawkesbury City Council. No part may be copied or recorded or made available to others without the prior written consent of the Council's General Manager.*
8. *The recording or podcast is not, and shall not, be taken to be an official record of Hawkesbury City Council or of any meeting or discussion depicted therein. Only the official minutes may be relied upon as an official record of the meeting.*
9. *The signed official minutes of meetings can be viewed by the public under supervision of an employee designated by the General Manager. Adopted minutes will be displayed on Council's website."*

In addition to the above changes, the review of the Code of Meeting Practice presented an opportunity to further clarify the process for the consideration of late supplementary reports by Council. The following amendments are recommended:

Update of Clause 2.3.7 – 'Late Reports' to fix minor typographical errors and to ensure compliance of legislative requirements:

"Clause 2.3.7 Late Reports"

As circumstances necessitate, reports not listed for consideration on a business paper may be tabled at an Ordinary Meeting. In such circumstances, prior to discussion or determination of the matter, a period of time (to be determined by the chairperson) shall be allowed for Councillors to read the report. The aforementioned late reports are to be forwarded to Councillors via email.

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If due notice of the late report has not been given in accordance with Section 367 of the Act, Council must:

- a) *pass a motion to have the business transacted at the meeting*
- b) *have the business proposed to be brought forward ruled by the chairperson to be of great urgency."*

These amendments are shown as 'track changes' in the copy of Council's draft Code of Meeting Practice, attached as Attachment 1 to this report. To meet legislative requirements, the amended version will need to be placed on public exhibition for a period of 28 days, whilst enabling a total of 42 days to receive any submissions on the matter.

It is noted that the Office of Local Government (OLG) is currently reviewing the way Council's conduct their meetings and the prescription of a new Model Code of Meeting Practice (Model Code). This review process has been ongoing since November 2016 and OLG have advised that the new Model Code provisions will most likely be legislated by mid-September 2017. Therefore, Council may have to place an amended Code of Meeting Practice on public exhibition twice in a matter of months.

Council staff have been advised that there will likely be provisions and clauses in the new Model Code covering webcasting/podcasting and/or recordings of Council meetings. Notwithstanding the above, it is recommended that Council place the draft Code of Meeting Practice on public exhibition to proceed with the implementation of podcasting of Council Meetings.

In reference to Council's Code of Conduct, no further amendments are required to facilitate the podcasting of Council Meetings.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategy within the CSP.

Our Leadership

- 1.1 Local Leadership and effective governance - Provide representative, responsive and accountable governance.

1.1.1 Council's elected leaders will actively connect and collaborate with the community.

Financial Implications

There are no significant financial implications arising from this report. The software and an appropriate licence to enable podcasting have been purchased.

RECOMMENDATION:

That:

- 1. Council adopt the Draft Code of Meeting Practice, attached as Attachment 1 to this report, to be placed on public exhibition for a period of not less than 28 days, with submissions to be received up to 42 days from the date the Draft Code is publicly exhibited.
- 2. The outcome of the public exhibition period be further reported to Council.

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ATTACHMENTS:

AT - 1 Council's Draft Code of Meeting Practice for Public Exhibition - (*Distributed under separate cover*)

oooO END OF REPORT Oooo

ORDINARY MEETING
Meeting Date: 8 August 2017

Item: 141 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

REPORT:

Executive Summary

The Local Government Act, 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This report provides information regarding a Return recently lodged with the General Manager by a Designated Person. It is recommended that Council note that the Disclosure of Pecuniary Interests and Other Matters Return, lodged with the General Manager, has been tabled.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

Section 450A of the Local Government Act, 1993 relates to the register of Pecuniary Interest Returns and the tabling of these Returns, which have been lodged by Councillors and Designated Persons. Section 450A of the Act is as follows:

- "1. *The General Manager must keep a register of returns required to be lodged with the General Manager under section 449.*
2. *Returns required to be lodged with the General Manager under section 449 must be tabled at a meeting of the council, being:*
 - (a) *In the case of a return lodged in accordance with section 449 (1)—the first meeting held after the last day for lodgement under that subsection, or*
 - (b) *In the case of a return lodged in accordance with section 449 (3)—the first meeting held after the last day for lodgement under that subsection, or*
 - (c) *In the case of a return otherwise lodged with the general manager—the first meeting after lodgement."*

With regard to Section 450A(1), a register of all Returns lodged by Councillors and Designated Persons, in accordance with Section 449 of the Act, is currently kept by Council as required by this part of the Act.

With regard to Section 450A(2), all Returns lodged by Councillors and Designated Persons, under Section 449 of the Act, must be tabled at a Council Meeting as outlined in subsections (a), (b) and (c).

With regard to Section 450(2)(a), the following Section 449(1) Return has been lodged:

Position	Return Date	Date Lodged
General Manager	1 May 2017	1 May 2017

The above Designated Person has lodged their Section 449(1) Return prior to the due date (being three months after the Return Date), as required by the Act for the receipt of the Return.

The above details are now tabled in accordance with Section 450A(2)(a) of the Act, and the abovementioned Return is available for inspection if requested.

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Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategy within the CSP.

Our Leadership

- 1.5 Regulation and Compliance - Encourage a shared responsibility for effective local compliance.
 - 1.5.2 Best practice, sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 8 August 2017

ordinary

section 5

notices of motion

ORDINARY MEETING

Notices of Motion

ORDINARY MEETING

Notices of Motion

SECTION 5 - Notices of Motion

NM1

Council Rating Structure - (79351, 105109, 138879)

Submitted by: Councillor Richards

NOTICE OF MOTION:

That:

1. Council acknowledges that the recent restructure of the rating system has played a role in the rates of some Hawkesbury residents significantly increasing from last year.
2. Council support amending the current base rate of 30% across all rates categories to 50% across all rates categories starting in the financial year 2018/2019.
3. Council supports the calls of residents in areas affected by substantial land valuation changes to ask the Valuer-General to comment on their land valuation determinations.
4. Council acknowledges that many recent revaluations in semi-rural residential areas fail to reflect likely land use or development potential for some time.

BACKGROUND:

In June 2017 as part of the 2017/2018 Council budget, a majority of Councillors voted to change the rating structure for how rates are calculated in the Hawkesbury. This saw the elimination of the category Rural Residential and an adjustment to the formula for how rates are calculated, which placed a larger emphasis on the ad valorem rate (based on land value) and a base rate that was not proportionate enough across all categories. A higher base rate would be the first step to a fairer and more equitable system.

While appreciating external factors, such as an increase in land values is also a relevant consideration, there is no doubt that the rating restructure has had a significant impact on some Hawkesbury residents. In some cases, rates have more than doubled from last year. It should be recognised that these resident's income have not increased in the same proportion, and few have any desire to capitalise on this windfall in land value because they value their semi-rural lifestyle.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM2

Recording of Telephone Calls - (79351, 105109, 138879)

Submitted by: Councillor Richards

NOTICE OF MOTION:

That:

1. A report be brought back to Council in relation to recording all phone calls that take place between Council staff and third parties, including residents.
2. The report detail the feasibility of this, including how much this will cost to set up, the ongoing costs, where in the budget this could be paid for, how it will work, where the recordings will be stored and for how long, the legal requirements for a third party to access a recording and any other requirements.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meeting and Responses - (79351)

REPORT:

Questions - 25 July 2017

#	Councillor	Question	Response
1	Wheeler	Requested clarification on Council's recently adopted Circus Policy, specifically if this Policy applies to the Hawkesbury Showground, the management of the Showground Trust, if the Policy also covers agistment and what existing arrangements the Showground Trust has over the summer period.	<p>The General Manager advised that subsequent to the Hawkesbury Show and Council's adoption of its Circus Policy, the General Manager met with representatives of the Hawkesbury District Agricultural Association to discuss:</p> <ul style="list-style-type: none"> • The role of the Hawkesbury Show in the Local Community. • The Agricultural Association's plans and aspirations for the Showgrounds Precinct. • The position in relation to the Aboriginal Land Claim. • The status of the draft lease between Council and the Agricultural Association. • Waste Collection and Recycling outcomes and trends in relation to the Annual Show. • Council's recently adopted Circus Policy. <p>The General Manager is now in the process of finalising a follow up meeting with the Agricultural Association to further the discussions in relation to the matters covered at the earlier meeting and report the outcomes to Council. At this stage it is anticipated the results will be reported to a Council meeting in September 2017.</p>
2	Wheeler	Enquired as to when the additional waste drop off station at the Waste Management Facility will be available to the public.	The Director Infrastructure Services advised that it is anticipated that the Community Recycling Centre will be completed by December 2017.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
3	Wheeler	Requested that Mullingers Lane, South Windsor be cleaned up, including removing abandoned shopping trolleys and repairing damaged road surface.	The Director Infrastructure Services advised that instructions had been given for the clean up and removal of rubbish and road repairs as required.
4	Calvert	Requested information relating to completion of works at the duck processing facility as trucks are continuing to use Crooked Lane, North Richmond.	The Director City Planning advised that the importation of fill at the duck processing facility has been completed and staff are working with that facility in relation to the fill at the site. Staff will investigate the destination of trucks using Crooked Lane and take any appropriate action if required.
5	Kotlash	Enquired if there has been a two year review of the 2014 Upper Hawkesbury River Estuary Coastal Zone Management Plan, as indicated within the Plan as being necessary. If so, can a copy be provided or, can staff provide a status of the 39 actions.	The Director City Planning advised that the review of the Upper Hawkesbury River Coastal Zone Management Plan has not yet been undertaken due to workload and staff resourcing issues. A progress report will be required as part of that review and this will be prepared and brought to Council in the near future. Information about the status of the 39 actions has been reported to Council in the Community Indicators Report.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
6	Zamprogno	Requested information relating to the post-Hawkesbury Show meeting that was held to discuss improvements to recycling, if minutes of this meeting are available for distribution and what outcomes resulted from the meeting.	<p>The General Manager advised that subsequent to the Hawkesbury Show and Council's adoption of its Circus Policy, the General Manager met with representatives of the Hawkesbury District Agricultural Association to discuss:</p> <ul style="list-style-type: none">• The role of the Hawkesbury Show in the Local Community.• The Agricultural Association's plans and aspirations for the Showgrounds Precinct.• The position in relation to the Aboriginal Land Claim.• The status of the draft lease between Council and the Agricultural Association.• Waste Collection and Recycling outcomes and trends in relation to the Annual Show.• Council's recently adopted Circus Policy. <p>The General Manager is now in the process of finalising a follow up meeting with the Agricultural Association to further the discussions in relation to the matters covered at the earlier meeting and report the outcomes to Council. At this stage it is anticipated the results will be reported to a Council meeting in September 2017.</p>
7	Zamprogno	Requested that Council review the car park between Richmond Oval and the Richmond School of Arts as tree roots are lifting the bitumen surface.	The Director Infrastructure Services advised that the required repairs to the car park are programmed.
8	Tree	Requested information relating to illegal drug use in the vicinity at the Richmond Out of School Hours Care and associated rubbish discarded in the Richmond Oval grandstand.	The Director Infrastructure Services advised that Council staff remove rubbish from this area on a daily basis. Advice will be forwarded to NSW Police in regard to issues associated with any illegal activities.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
9	Richards	Requested information relating to the number of complaints Council has received since the recent rates notice was distributed, regarding an increase in rates.	The Director Support Services advised that over the two weeks following the issuing of the 2017/2018 rate notices, eight written complaints and approximately 42 verbal (telephone and counter) complaints, an average of five complaints a day, were received in relation to rate increases for 2017/2018.

oooO END OF REPORT Oooo

ORDINARY MEETING
CONFIDENTIAL REPORTS

CONFIDENTIAL REPORTS

Item: 142 **SS - Property Matter - Lease of Shops 7 and 8 Glossodia Shopping Village - (112106, 95496, 33836, 118210) CONFIDENTIAL**

Reason for Confidentiality

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act 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.

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 this matter are to be withheld from the press and public.

ORDINARY MEETING
CONFIDENTIAL REPORTS



ordinary
meeting

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