



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 27 February 2018
location: council chambers
time: 6:30 p.m.

ORDINARY MEETING

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 27 February 2018, commencing at 6:33pm.

Welcome

The General Manager addressed the Council meeting, mentioning:

- Acknowledgement of Indigenous Heritage
- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones.

ATTENDANCE

PRESENT: Councillor M Lyons-Buckett, Mayor, Councillor B Calvert, Deputy Mayor and Councillors P Conolly, E-J Garrow, A Kotlash, P Rasmussen, P Reynolds, S Richards, J Ross, D Wheeler and N Zamprogno.

ALSO PRESENT: General Manager - Peter Conroy, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Development Services Manager - Cristie Evenhuis, Manager Corporate Communication - Suzanne Stuart, Manager Corporate Services and Governance - Michael Wearne and Acting Administrative Support Coordinator - Jodie Tillinghast.

APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Tree.

RESOLUTION:

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

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

DECLARATIONS OF INTEREST

Councillor Garrow declared an interest on Item 061.

Councillor Lyons-Buckett declared an interest on Item 043.

Councillor Richards declared an interest on Item 052.

Acknowledgement of Official Visitors to the Council

There were no official visitors to the Council.

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SECTION 1 - Confirmation of Minutes

55 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Kotlash that the Minutes of the Ordinary Meeting held on the Tuesday, 13 February 2018, be confirmed.

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SECTION 2 – Mayoral Minutes

Item: 036 MM1 - Sydney West Planning Panel (SWPP) Appointment

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

Refer to RESOLUTION

56 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

That Council:

1. Appoint the General Manager in place of the Mayor on the Sydney West Planning Panel (SWPP).
2. Authorise the General Manager to nominate an appropriate alternate member of the Panel, if necessary.

Item: 037 MM2 - Truck and Trailer Parking

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

Refer to RESOLUTION

57 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

That Council investigate and report back on issues associated with heavy vehicles and truck and trailer parking including road rules, safety, amenity and commercial and operational needs of transport operators.

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Item: 038

MM3 - Heavy Vehicle Movement Increase in the Hawkesbury LGA

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

Refer to RESOLUTION

58 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett.

1. Subsequent to the receipt of the soon to be received traffic study, Council officers investigate the potential costs associated with road maintenance for local roads being used as thoroughfares, particularly by heavy vehicles
2. Upon completion of their investigations, Council Officers report their findings to the Infrastructure Committee.

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SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 039 **CP - DA0697/17 - 63 Douglas Street, North Richmond - Lot 17 DP 744230 - Tourist and Visitor Accommodation - Construction of Five Cabins, Filling of Existing Water Storage Facility and Associated Car Parking Area (95498, 142972, 16809, 13057)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

59 RESOLUTION:

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

That development application DA0697/17 at Lot 17 DP 744230, 63 Douglas Street North Richmond for tourist and visitor accommodation, comprising of the construction of five cabins, filling of existing water storage facility and associated car parking area be approved subject to the following conditions:

General Conditions

1. Integrated Development - General Terms of Approval

The general terms of approval from the following Authorities, as referred to in Section 93 of the *Environmental Planning and Assessment Act 1979*, and referenced below, are attached and form part of the consent conditions for this approval:

- a) NSW Rural Fire Service - The General Terms of Approval, Reference No. DA17122811028 CC and dated 14 January 2018 are attached and form part of this consent.

2. Approved Plans and Supporting Documentation

The development must be carried out generally in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended in red on the plans and/or amended by other conditions of consent:

- a) Plans Reference:

Drawing Number/Name	Prepared by	Issue No.	Date
Site Plan, Drawing No. 02 A	Daniel Cowley Designs	A	29/10/2017
Floor Plan, Drawing No. 03 A	Daniel Cowley Designs	A	29/01/2017
North & South Elevation, Drawing No. 04 A	Daniel Cowley Designs	A	29/10/2017
East & West Elevation, Drawing No. 05 A	Daniel Cowley Designs	A	29/10/2017

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Drawing Number/Name	Prepared by	Issue No.	Date
Cabin Floor Plan, Drawing No. 06 A	Daniel Cowley Designs	A	29/10/2017
Cabin Elevation, Drawing No. 07 A	Daniel Cowley Designs	A	29/10/2017
Cabin Section, Drawing No. 08 A	Daniel Cowley Designs	A	29/10/2017

b) Document Reference:

Document	Reference	Prepared By	Date
Preliminary Geotechnical Investigation	Ref No. REP - 17-5143-A	Envirotech Pty Ltd	21/09/2017
Management Plan for Tourist & Visitor Accommodation	-	Daniel Cowley Designs	6/02/2018
External Finishes Schedule	-	Daniel Cowley Designs	-
BASIX, Certificate No. 875568M	-	Certified Energy	21/11/2017

No works, other than those approved (including raising or lowering of ground levels on the site, or construction of retaining walls on any property boundary) are permitted by this consent.

Note: Details of the development shown in the approved plans and documents referenced are altered in the manner indicated by:

- (i) any amendments made by Council on the approved plans or documents;
- (ii) any notes, markings, or stamps on approved plans or documents; and
- (iii) any conditions contained in this consent.

3. Appointment of a Principal Certifying Authority

No work shall commence until:

a) A Building Construction Certificate is issued by:

- (i) Council; or
- (ii) An Accredited Certifier;

b) A Principal Certifying Authority is appointed for the building/engineering works and the following details relating to the carrying out of the works have been provided:

- (i) name and licence number of the builder undertaking the construction works; or
- (ii) name and permit number of the owner-builder (if relevant);

c) The Principal Certifying Authority has:

- (i) provided a copy of the notice of its determination to the consent authority, and to Council (within two days after the date of the determination);
- (ii) notified the person having benefit of the consent of any critical stage inspections and other inspections that it requires to be carried out in relation to the approved work;
- (iii) notified Council of its appointment (not less than two days before commencement of building work);

d) The person having benefit of the consent (if not carrying out work as an owner-builder) has:

- (i) appointed a principal contractor who must hold a 'contractor licence' if any residential building work is involved;
- (ii) notified the Principal Certifying Authority of the appointment of the principal contractor;

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- (iii) notified the principal contractor of any critical stage inspections or any other inspections that are required to be carried out in relation to the approved work;
- e) At least two days' notice are to be provided to Council of the date on which it is proposed to commence work associated with this development consent.

4. Part 4A Certificates Required

The accredited certifier shall provide copies of all Part 4A certificates issued under the *Environmental Planning and Assessment Act 1979* relevant to this development to Council within seven days of issuing the certificate.

Note: A registration fee applies.

5. Occupation Certificate Required Prior to The Use of The Building

The building/structure shall not be occupied or used prior to the issuing of an Interim or Final Occupation Certificate by the Principal Certifying Authority. Where an Interim Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

A copy of the Occupation Certificate shall be submitted to Council within two days of its issue.

6. Civil Works Specification Compliance

All civil construction works required by this consent shall be undertaken in accordance with *Hawkesbury Development Control Plan Appendix E Civil Works Specification*. Inspections shall be carried out and compliance certificates issued by Council or an Accredited Certifier.

7. Sewer Authority - Hawkesbury City Council

This development falls within the Sewerage Scheme controlled by Council. Therefore Council is the approving authority for all sewer works.

8. Works on Public Land - Not Permitted Without Approval

No work can be undertaken within adjoining public lands (i.e. Parks, Reserves, Roads etc.) without the prior written consent of Council or other relevant authority. In this regard the person having benefit of the consent is to contact Council prior to the commencement of any design works or preparation of a Construction and Traffic Management Plan.

The developer must bear the cost of all works associated with the development that occurs on public land, including the restoration of damaged areas.

9. Prescribed Conditions - Compliance with National Construction Code

All building works must be carried out in accordance with the requirements of the National Construction Code (Building Code of Australia).

Prior to the Issue of Construction Certificate

10. Long Service Levy Payment

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986* is required. Evidence that the levy has been paid, is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

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Note: All building works valued at \$25,000 or above are subject to the payment of a Long Service Levy at the rate of 0.35%. Payments can be made at Long Service Payments Corporation offices or most Councils.

11. Access for Persons with a Disability

Details demonstrating compliance with Australian Standard AS 1428.1 - 'Design for Access and Mobility and Disability (Access to Premises - Buildings) Standards 2010' in relation to the development are to be submitted to the Certifying Authority prior to issue of a Construction Certificate.

12. Section 94A (Monetary) Contributions

A contribution under Section 94A of the *Environmental Planning and Assessment Act 1979* must be paid in accordance with the following:

a) Contribution Required

In accordance with Council's Section 94A Contributions Plan 2015, a monetary contribution (indexed at the time of payment) must be paid to Council for the amount specified below.

b) Amount of Contribution

The amount of the contribution is \$750.00.

This fee is based on the supplied value-of-works of \$150,000.00.

The contribution amount detailed in (b) will be indexed at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics (Table 6401.0).

Contributions must be receipted by Council and evidence of payment submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Please present a copy of this condition when paying the contribution at Council's Customer Service Centre so that it can be recalculated.

Note: In the event that the estimated value of works increases in association with the Construction Certificate the Section 94A contribution payable is to be based on the revised value of works.

13. Overland Flow

The development shall not create adverse impacts to neighbouring properties in relation to overland flow and must meet the following requirements:

- a) water flowing from the property must not be redirected or concentrated to adjoining properties;
- b) water flowing into the property from adjoining lots shall not be impeded or diverted; and
- c) water flow shall follow the natural flow directions without increasing velocity.

Details demonstrating compliance with the above shall be provided to the Certifying Authority prior to the issue of a Construction Certificate.

14. Basic Drainage Plan

A basic drainage plan of the site must be submitted to and approved by the Certifying Authority prior to the release of the Construction Certificate. The plan must:

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- a) drain in a fashion that does not adversely affect neighbouring lots;
- b) be to the satisfaction of the Certifying Authority; and
- c) comply with the Hawkesbury Development Control Plan 2002 - Appendix E and Australian Standard AS 3500 - 'Plumbing and Drainage' unless a variation is specifically noted and approved by the Development Application concept drainage plan.

15. Erosion and Sediment Control Plan

Prior to the issue of the Construction Certificate, the applicant must submit to and obtain the Certifying Authority approval of an Erosion and Sediment Control Plan (ESCP). The ESCP must show the location of site boundaries, adjoining roads, approximate grades, vegetation, site access, impervious areas, existing and proposed site drainage and a north point.

The ESCP must take into account the requirements of Landcom's publication 'Managing Urban Stormwater - Soils and Construction' (2004). The plan should show the following:

- a) timing of works;
- b) nature and extent of earthworks, including the amount of any cut and fill;
- c) where applicable the diversion of runoff from upslope lands around the disturbed areas;
- d) location of all soil and other material stockpiles including topsoil storage;
- e) location and type of proposed erosion and sediment control measures;
- f) site rehabilitation proposals; and
- g) frequency and nature of maintenance program.

16. Building Sustainability Index (BASIX) Certificate

The BASIX Certificate approved in conjunction with this development shall be submitted to the Certifying Authority with the Construction Certificate application. All commitments in the BASIX Certificate must be shown on the plans accompanying the application for the Construction Certificate prior to the issue of any Construction Certificate.

The commitments identified in the BASIX Certificate and on the plans or specifications are to be fulfilled.

Where changes are proposed to the BASIX commitments, the applicant must submit a new BASIX Certificate to the Certifying Authority.

Prior to the issue of an Interim or Final Occupation Certificate, whichever occurs first, certification of compliance with the BASIX Certificate shall be provided to the Principal Certifying Authority.

Note: If any proposed changes in the BASIX commitments are inconsistent with the development consent the applicant will be required to submit a modification to the development consent to Council under Section 96 of the *Environmental Planning and Assessment Act 1979*.

17. Structural Engineers Design - Concrete and Structural Steel

A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Certifying Authority prior to issue of Construction Certificate.

18. Structural Engineers Design - Retaining Walls

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Any retaining walls having a height exceeding 600mm proposed in conjunction with the development are required to be designed by a practicing structural engineer.

Details demonstrating compliance with this requirement must be submitted to the Certifying Authority prior to issue of the Construction Certificate.

19. Council Sewer Authority - Inspection Fees

Council is the sewer authority for this development. As this development involves connection to the existing sewer system or works in connection to an on-site waste management facility, payment of the prescribed inspection fee is required to be made prior to the issue of a construction certificate. Evidence of this payment must be provided to the Certifying Authority prior to the issue of the Construction Certificate.

20. On-site Sewage Management - Approval Required

A Sewer Management Facility System application shall be submitted to Hawkesbury City Council for the new tourist cabins and an amended application for the existing system (to reflect the location and size of the proposed irrigation area). The applications shall be submitted to Council together with the design details, site assessment report and payment of the prescribed fee. Evidence of the approval of both the applications must be submitted to the Principle Certifying Authority prior to the issue of a Construction Certificate.

Following installation and prior to use of the approved on-site sewage management system an Application to Operate the system shall be submitted to and approved by Council.

21. Geotechnical Investigation

Prior to the issue of a Construction Certificate, the recommendations under Section 5 of the 'Preliminary Geotechnical Investigation' report prepared by Envirotech Pty Ltd, Reference: REP - 17-5143-A dated 21/09/2017 shall be considered and incorporated into the Construction Certificate documentation and Schedule of Works where required.

22. Car Parking - Space Dimensions

Non-disabled parking spaces must be in accordance with AS 2890.1. All disabled parking spaces are to be in accordance with AS 2890.6. Details to this effect are to be included on plans prior to issue of a Construction Certificate.

23. Quantity and Extents of Fill

The quantity of fill to be imported to the site must be restrained to the filling of the dam and minor batter adjustments in order to make the development functional on the site. Additional fill for the purpose of raising levels outside the extents of the proposed tourist cabins and visitor car park are not permitted.

24. A detail landscape plan is to be prepared by a suitably qualified landscaped architect for the proposed development and submitted to Principal Certifier for approval prior to issue of Construction Certificate. The landscape plan shall screen and soften the development to minimise any visual impact from the neighbouring properties.

The landscape plan shall consist of a mixture of native trees, shrubs and groundcover species of local provenance.

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Prior to Any Works Commencing on Site

25. Principal Certifying Authority - Details

The applicant shall advise Council of the name, address and contact number of the Principal certifier, in accordance with Section 81A 2(b) of the *Environmental Planning and Assessment Act 1979*.

26. Toilet Facilities

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- a) be a standard flushing toilet connected to a public sewer;
- b) be attached to an approved on-site effluent disposal system;
- c) be a temporary chemical closet that is regularly maintained; and
- d) appropriate facilities for the disposal of sanitary items are to be provided within the toilet.

27. Notice of Commencement

No work shall commence until a notice of commencement has been provided to Council. This notice is to be provided not less than two days from the date on which it is proposed to commence work associated with this Development Consent. The notice must also contain:

- a) details of the appointment of a Principal Certifying Authority (PCA) providing name, address and telephone number; and
- b) details of the name, address and licence details of the Builder.

28. Prescribed Conditions - Residential Building Work

- a) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- b) Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information.
 - (i) In the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of that Act.
 - (ii) In the case of work to be done by an owner-builder:
 - the name of the owner-builder; and
 - if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

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If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under (b) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

29. Principal Certifying Authority (PCA) Site Sign

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the Principal Certifying Authority for the work;
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

30. Safety Fencing

The site is to be secured by a fence, in accordance with NSW WorkCover requirements, to prevent unauthorised access during the period of all works.

31. Erosion and Sediment Control for Minor Development

Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with Landcom's publication 'Managing Urban Stormwater - Soils and Construction (2004)'.

32. Construction Hours

Clearing of land, running of machinery, excavation, and/or earthworks, building works and the delivery of building materials shall be carried out between the following hours:

- a) between 7am and 6pm, Mondays to Fridays inclusive;
- b) between 8am and 4pm, Saturdays;
- c) no work on Sundays and public holidays; and
- d) works may be undertaken outside these hours where:
 - (i) the delivery of vehicles, plant or materials is required outside these hours by the Police or other authorities;
 - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
 - (iii) a variation is approved in advance in writing by Council.

33. Site Management During Construction

- a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

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- c) Copies of receipts stating the following must be given to the principal certifying authority:
 - (i) the place to which waste materials were transported;
 - (ii) the name of the contractor transporting the materials; and
 - (iii) the quantity of materials transported off-site and recycled or disposed of.
- d) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- e) During construction:
 - (i) all vehicles entering or leaving the site must have their loads covered;
 - (ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads; and
 - (iii) any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to the public.
- f) At the completion of the works, the work site must be left clear of waste and debris.

Note: In the event it is not possible to keep the footpath or road reserve clear during construction works written approval from Council shall be obtained prior to any closing of the road reserve or footpath area. The closure shall take place in accordance with Council's written approval. The area shall be signposted and such signposting be maintained in a way that ensures public safety at all times.

34. Inspections by Certifying Authority

Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan 2002 - Appendix E Civil Works Specifications, Part II, Table 1.1.

35. Critical Stage Inspections

Prior to the commencement of building work and at nominated stages during the construction of the building, a minimum of 48 hours' notice is required to be provided to allow the Principal Certifying Authority to ensure that the critical stage inspections are undertaken.

Note: Critical stage inspections are required to be carried out in accordance with Clause 162A of the *Environmental Planning & Assessment Regulation 2000*.

36. Termite Treatment

The development shall be treated for termites in accordance with the National Construction Code and Australian Standard AS 3660.1 - 2014 - 'Termite Management - New Building Work' by a suitably qualified, licenced person.

A Certificate of Compliance is to be provided to the Principal Certifying Authority and a Notice of Treatment is to be provided to the metre box.

37. Smoke Detection and Alarm System

An automatic fire detection and alarm system shall be installed in the building in accordance with the National Construction Code (Building Code of Australia) for Class 1a structures. Alarms and detectors shall be installed by a licenced electrician and multiple alarms shall be interconnected.

A Certificate of Compliance shall be provided to the Principal Certifying Authority prior to the occupation of the development.

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38. Inspection and Compliance certificates for sewer works

Inspection and Compliance Certificates for sewer works can only be conducted and issued by Council.

In the case of internal and external (house service connection) drainage, the inspection must be conducted by Council's Development Services Branch, please phone (02) 4560 4444 to arrange inspections and payment of required fees;

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

39. Management of Overland Flows

The works associated with the development shall ensure that:

- a) all natural water flow from adjoining properties is not impeded or diverted; and
- b) surface and subsurface water flows are not redirected or concentrated onto adjoining properties.

40. Earthworks - General Requirements

All earthworks on site must comply with the following:

- a) topsoil shall be stripped only from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping;
- b) once the topsoil has been removed the natural batter should be suitably stepped, scarified or roughened to prevent slipping and the fill is to be keyed in to hold the toe of the fill batter in place;
- c) filling shall comprise either uncontaminated Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM). Contamination certificates for all source material shall be provided to the Principal Certifying Authority prior to placing any fill on site;
- d) a ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination;
- e) where batters exceed a ratio of three horizontal to one vertical, retaining walls, stoneflagging or terracing shall be constructed;
- f) all fill within the site shall be placed in layers not exceeding 300mm thickness and compacted to achieve a minimum dry density ratio of 98% when tested in accordance with Australian Standard AS 1289 - 'Methods of testing soils for engineering purposes unless otherwise specified'; and
- g) all disturbed areas are to be stabilised/revegetated, using a minimum 300mm surface layer of topsoil, as soon as practicable after the completion of filling works.

Note: ENM is defined by the Excavated Natural Material Exemption - NSW Environment Protection Authority.

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41. Earthworks - Removal, Management and Transportation of Fill

All excavated fill material that is to be removed from the site shall only be sent to:

- a) a NSW Office of Environment and Heritage licensed waste disposal facility. A copy of the receipts from the waste disposal facility shall be kept and shall be provided to the Principal Certifying Authority prior to the issue of an Interim or Final Occupation Certificate, whichever occurs first, or authorised officer of Council upon request; or
- b) a site which has a current development consent for the importation of fill material. A copy of the current development consent for the site to which the material is proposed to be distributed must be provided to the Principal Certifying Authority prior to the issue of an Interim or Final Occupation Certificate, whichever occurs first, or authorised officer upon request.

All removed excavated material shall be transported and disposed of in accordance with the NSW Office of Environment and Heritage guidelines applicable at the time of removal.

42. Placing of Fill

All fill shall be placed in accordance with the standards specified in Table 5.1 of Australian Standard AS 3798 - 'Guidelines on Earthworks for Commercial and Residential Developments'.

43. Compaction - Landfill

All fill; including existing fill must be compacted in accordance with a compaction ratio of 98% as specified in Table 5.1 of Australian Standard AS 3798 - 'Guidelines on Earthworks for Commercial and Residential Developments'.

44. Heritage - Archaeological Discovery During Works

Should any Aboriginal relics or European historical relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the following agencies are to be informed of the discovery:

- a) Council;
- b) the Heritage Council of NSW in accordance with Section 146 of the *Heritage Act 197*; and/or
- c) the National Parks and Wildlife Service is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*.

Prior to Issue of Occupation Certificate

- 45.** All landscaping works as shown on the approved landscape plan are to be completed prior to the issue of a Final Occupation Certificate.

46. Suitability of Glazing - Windows and Doors

Glazing materials (e.g. windows, doors, footlights, balustrades and shower screens) are to be installed within the building in accordance with Australian Standards AS 1288 - 'Glass in Buildings - Selection and Installation' and AS 2047 - 'Windows and external glazed doors in buildings'.

A Certificate of Compliance is required to be provided to the Principal Certifying Authority prior to the issue of an Interim Occupation Certificate.

Note: The certificate is required to be signed by the manufacturer and the installer.

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47. Suitability of External Use of Timber

Evidence of the type of timber installed indicating both species and durability as required by Australian Standard AS 1684 - 'Residential Timber-Framed Construction' is required to be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Note: This is required for bushfire construction purposes as well as use of timber in decks and balustrades in particular.

48. Certification of Smoke Detection and Alarm System

An automatic smoke detection and alarm system shall be installed in residential development by a licensed electrician. Smoke alarms must comply with Australian Standard AS 3786 - 'Smoke Alarms' and be connected to the consumer mains power where supplied to the building.

A Certificate from a licenced electrician shall be provided to the Principal Certifying Authority prior to the issue of an Interim Occupation Certificate.

49. BASIX Commitments

Suitable evidence that the commitments identified in the BASIX Certificate and on the plans or specifications have been fulfilled shall be provided to the Principal Certifying Authority prior to the issue of an Interim Occupation Certificate.

50. Termite Protection - Certificate of Treatment

The type and method of termite treatment (complying with Australian Standard AS 3660.1 - 2014 - 'Termite Management - New Building Work') provided to walls and floors, pipe penetrations, jointing of new work to existing and slab perimeters. A copy of the termite treatment and materials used shall also be securely fixed inside the meter box for future reference.

51. Termite Protection - Notice

A Termite Protection Notice, in accordance with Australian Standard AS 3660.1 - 'Termite Management - New building work', printed on durable material, shall be affixed at the entrance to a crawl space or in the case of slab on ground construction, in the meter box prior to a Final Inspection being carried out. The notice shall include information on the form of termite protection employed and the expected service life of the barrier before maintenance is required.

52. Construction Compliance Certificate Required

A Part 4A Construction Compliance Certificate for works approved under the Part 4A Design Compliance Certificate is required prior to the Issue of an Occupation Certificate.

53. On-site Sewage Management - Approval to Operate

An Approval to Operate the on-site sewage management system shall be obtained prior to the issue of any Occupation Certificate.

54. Energy Provider Certificate

Documentary evidence from an Energy Provider confirming that satisfactory arrangements have been made to serve the proposed development shall be provided to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

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55. Compliance Certificate - Connection to On-Site Waste Facility

A written clearance from Council (as the local sewer authority) that the development is suitably connected to the on-site sewerage management system is required to be submitted to the Principal Certifying Authority prior to the issue of an Interim Occupation Certificate.

56. Swimming Pool Inspection

Prior to the issue of an Occupation Certificate authorising the occupation of the tourist cabins, the NSW Swimming Pools register is to be updated to indicate the property contains Tourist and Visitor Accommodation. The property will then be subject to additional swimming pool inspection requirements.

57. Engineers Certification - Retaining Walls

Any retaining walls over 600mm high are to be certified on completion by a suitably qualified and experienced Structural Engineer. Details are to be provided to the Principal Certifying Authority prior to the issue of the occupation certificate.

58. Tourist and Visitor Accommodation - Period of Stay

The tourist and visitor accommodation must not be used for permanent occupation as a residence and shall only be used for short term tourist accommodation for tourists visiting the locality. The buildings shall not to be made available for long term accommodation. In this regard any continuous length of stay is to be restricted to no more than four weeks.

59. Tourist and Visitor Accommodation - Guest Register

A copy of the guest register is to be kept from the date of the issue of an Occupation Certificate. This register is to be kept onsite and a copy shall be provided to Council on an annual basis.

60. Tourist and Visitor Accommodation - Potable Water

Potable water shall be provided to the development in accordance with the NSW Health Private Water Supply Guidelines. A Quality Assurance Plan covering water supply to residential accommodation amenities, commercial food preparation and drinking water supply associated with the proposed use is to be developed and implemented in accordance with this Guideline. A copy of the Quality Assurance Plan shall be provided to Council.

61. Tourist and Visitor Accommodation - Private Water Supplier

The Tourist and Visitor Accommodation business is to be registered with Council as a private water supplier.

62. Waste Generation

- a) The development is to be maintained in a clean and tidy manner. All waste materials to be regularly removed from the property. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
- b) A waste data file to be maintained for audit purposes during demolition and construction phase of the development works.
- c) A waste removal service to be commenced and maintained for the duration of the ongoing approved use.

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63. Pollution Controls

- a) Noise generated from the proposed development is not to give rise to the generation of offensive noise, as defined within the *Protection of the Environment Operations Act 1997*.
- b) Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
- c) In accordance with the requirements of Part 5.7 *Protection of the Environment Operations Act 1997*, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

Advisory Notes

(i) **Approval Authority**

This development falls within the Sewerage Scheme controlled by Council, therefore Council is the approval authority for all sewer works.

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

(ii) **Equitable Access**

The applicant shall make themselves aware of the *Discrimination Against People with Disabilities Act (DDA)* and assess their responsibilities and liabilities with regards to the provision of access for all people.

(iii) **Acid Sulfate Soils - Monitoring of Excavation During Works**

All excavations are to be monitored to ensure that acid sulphur soils are not encountered during works. Signs that may indicate the presence of acid sulphur soils include:

- a) change in colour of the soil into grey and green tones;
- b) effervescence;
- c) the release of sulphur smelling gases such as sulphur dioxide or hydrogen sulphide; and
- d) lowering of the soil Ph by at least one unit.

Should any of the above indicators be present excavation work on the site is to stop and Council is to be notified to determine what action is required to be taken before work may commence.

(iv) **Site Contamination Discovered During Demolition or Construction**

Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about contamination, then the applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with Council.

(v) **Dial Before You Dig**

Prior to commencement of work, the free national community service 'Dial Before You Dig' shall be contacted on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

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(vi) Requirements of 88B Instrument

The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

(vii) Utilities and Services

Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the proposed development shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the developer.

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

Councillor Tree was absent from the meeting

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Item: 040 **CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - Lot 21 DP 806993, 6 Speedwell Place, South Windsor - (95498, 124414)**

Previous Item: 2, Ordinary, (3 February 2015)
75, Ordinary, (26 May 2015)
144, Ordinary, (29 August 2017)

Directorate: City Planning

Mr Joe Vinci and Mr Simon Spyrdz, speaking against the recommendation, addressed Council.

MOTION:

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

Refer to RESOLUTION

60 RESOLUTION:

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

That Council:

1. Not proceed with the making of the plan in accordance with Section 59 2(b) of the Environmental Planning and Assessment Act 1979 to amend the *Hawkesbury Local Environmental Plan 2012* to rezone part of the subject site from RU1 Primary Production to IN1 General Industrial under the Hawkesbury Local Environmental Plan 2012 to allow development of the subject site for general industrial purposes.
2. Advise the applicant and the Department of Planning and Environment that the plan has not been made.

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

For the Motion	Against the Motion
Councillor Calvert	NIL
Councillor Conolly	
Councillor Garrow	
Councillor Kotlash	
Councillor Lyons-Buckett	
Councillor Rasmussen	
Councillor Reynolds	
Councillor Richards	
Councillor Ross	
Councillor Wheeler	
Councillor Zamprogno	

Councillor Tree was absent from the meeting.

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Item: 041 **CP - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - Lot 2 DP 1177011, 377 Bells Line of Road, Kurmond - (124414, 95498)**

Previous Item: 205, Ordinary (28 October 2014)

Directorate: City Planning

Mr Ian Henry and Mr Glenn Falson addressed Council speaking for the recommendation.

Mr Michael Want addressed Council speaking against the recommendation.

MOTION:

A MOTION was moved by Councillor Conolly, seconded by Councillor Richards.

That Council:

1. Proceed with the making of a plan to amend the *Hawkesbury Local Environmental Plan 2012* in order to permit the subdivision of Lot 2 DP 1177011, 377 Bells Line of Road, Kurmond into not more than seven large rural residential lots with a minimum lot size of not less than 4,000m² and one community title lot with a minimum lot size of not less than 2ha as detailed in this report.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the *Environmental Planning and Assessment Act, 1979*.
3. Adopt and make the draft local environmental plan, under the authorisation for Council to exercise delegation issued by the Gateway determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Following the making of the Plan, advise the Department of Planning and Environment that the Plan has been made and request to notify the Plan on the NSW Legislation website.
5. Publically exhibit the Draft Voluntary Planning Agreement attached to this report for a minimum of 28 days and the Draft Voluntary Planning Agreement be reported back to Council following public exhibition prior to finalisation.
6. Any future development application over the subject site consider the potential for a pedestrian/cycle connection through the subject site linking Bells Line of Road with Bells Lane.

AMENDMENT:

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

That further consideration of the matter be deferred pending the receipt of the further studies in relation to the Kurmond/Kurrajong investigation area.

The amendment was carried.

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For the Motion	Against the Motion
Councillor Garrow	Councillor Calvert
Councillor Lyons-Buckett	Councillor Conolly
Councillor Rasmussen	Councillor Kotlash
Councillor Reynolds	Councillor Richards
Councillor Ross	Councillor Zamprogno
Councillor Wheeler	

Councillor Tree was absent from the meeting.

The amendment then became the motion which was put and carried.

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

Refer to RESOLUTION

61 RESOLUTION:

That further consideration of the matter be deferred pending the receipt of the further studies in relation to the Kurmond/Kurrajong investigation area.

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

For the Motion	Against the Motion
Councillor Garrow	Councillor Calvert
Councillor Lyons-Buckett	Councillor Conolly
Councillor Rasmussen	Councillor Kotlash
Councillor Reynolds	Councillor Richards
Councillor Ross	Councillor Zamprogno
Councillor Wheeler	

Councillor Tree was absent from the meeting.

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GENERAL MANAGER

Item: 042 **GM - Digital Communication Strategy - (79351, 79356)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

62 RESOLUTION:

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

That Council endorse the Hawkesbury Digital Communication Strategy, January 2018, attached as Attachment 1 to the report.

63 RESOLUTION:

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

That the meeting continue past 11:00pm to allow the Business Paper to be completed.

Item: 043 **GM - Application for Sponsorship - Australian Orchid Council Conference and Show (79351, 84730)**

Directorate: General Manager

Councillor Lyons-Buckett declared a less than significant non-pecuniary conflict of interest in this matter as she is a patron of the Hawkesbury Orchid Society and no further action is required.

Ms Helen Mason addressed Council speaking for the recommendation.

MOTION:

A MOTION was moved by Councillor Zamprogno, seconded by Councillor Reynolds.

That:

1. Council approve sponsorship funding to the Orchid Society of NSW in regard to the holding of the 21st Australian Orchid Council and Show, to the total value of \$2,000, comprising of financial assistance of \$1,000 and in-kind services to the value of \$1,000, as outlined in the report.
2. Council enter into the standard Sponsorship Agreement with the Orchid Society of NSW for the 21st Australian Orchid Council and Show.

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3. Council write to YMCA NSW and request that they consider a reduction in the Hawkesbury Indoor Stadium hire charges for this event or any other in-kind support.

AMENDMENT:

An AMENDMENT was moved by Councillor Ross, seconded by Councillor Reynolds.

That:

1. Council approve sponsorship funding to the Orchid Society of NSW in regard to the holding of the 21st Australian Orchid Council and Show, to the total value of \$2,000, comprising of financial assistance of \$1,000 and in-kind services to the value of \$1,000, as outlined in the report.
2. Council enter into the standard Sponsorship Agreement with the Orchid Society of NSW for the 21st Australian Orchid Council and Show.
3. Council write to YMCA NSW and request they consider a reduction in the Hawkesbury Indoor Stadium hire charges for this event or any other in-kind support.
4. Council write to the Local Member for Hawkesbury – The Honourable. Dominic Perrottet, MP, confirming the significance of the event to the Hawkesbury area and seeking financial support for this event from his Hawkesbury Tourism Working Group fund, or any other funding source available.

The amendment was carried.

The amendment then became the motion which was put and carried.

RESOLVED on the motion of Councillor Ross, seconded by Councillor Reynolds.

Refer to RESOLUTION

64 RESOLUTION:

RESOLVED on the motion of Councillor Ross, seconded by Councillor Reynolds.

That:

1. Council approve sponsorship funding to the Orchid Society of NSW in regard to the holding of the 21st Australian Orchid Council and Show, to the total value of \$2,000, comprising of financial assistance of \$1,000 and in-kind services to the value of \$1,000, as outlined in the report.
2. Council enter into the standard Sponsorship Agreement with the Orchid Society of NSW for the 21st Australian Orchid Council and Show.
3. Council write to YMCA NSW and request they consider a reduction in the Hawkesbury Indoor Stadium hire charges for this event or any other in-kind support.
4. Council write to the Local Member for Hawkesbury – The Honourable. Dominic Perrottet, MP, confirming the significance of the event to the Hawkesbury area and seeking financial support for this event from his Hawkesbury Tourism Working Group fund, or any other funding source available.

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Item: 044 **GM - Smart Cities Conference/Master Class - (79351)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

65 RESOLUTION:

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

That:

1. Attendance of two nominated Councillors and staff as considered appropriate by the General Manager, at the Smart Cities Conference/Master Class, at an approximate cost of \$800 plus travel expenses per delegate, be approved.
2. Where relevant, after returning from the Conference, delegates are requested to provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and /or the local community.

66 RESOLUTION:

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

That Councillors Rasmussen and Zamprogno, as Council's nominated representatives, attend the Smart Cities Conference/Master Class.

Item: 045 **GM - The Climate Leadership Conference - (79351)**

Directorate: General Manager

MOTION:

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

Refer to RESOLUTION

67 RESOLUTION:

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

That:

1. Attendance of two nominated Councillors and staff as considered appropriate by the General Manager, at the Climate Leadership Conference, at an approximate cost of \$1,395 plus travel expenses per delegate, be approved.

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2. Where relevant, after returning from the Conference, delegates are requested to provide a written report to the General Manager detailing the proceedings and findings, as well as any other aspects of the Conference relevant to Council business and /or the local community.

68 RESOLUTION:

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

That Councillors Kotlash and Wheeler, as Council's nominated representatives, attend the Climate Leadership Conference.

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CITY PLANNING

Item: 046 **CP - Modification of Restriction as to User - 227 Bull Ridge Road, East Kurrajong - (95498, 124414)**

Directorate: City Planning

MOTION:

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

Refer to RESOLUTION

69 RESOLUTION:

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

That Council endorse the modification of the restrictions prepared for Lot 223 in DP 623304, known as 227 Bull Ridge Road, East Kurrajong, and authority be given for the Section 88E 'Variation or Modification of Restriction on the Use of Land' to be executed by an authorised officer on behalf of Council.

Item: 047 **CP - Potential Heritage Value of Former Dwelling at 452 Greggs Road, Kurrajong - (95498, 124414)**

Previous Item: 225, Ordinary (12 December 2017)
 96, Ordinary (31 May 2016)

Directorate: City Planning

Mr Glenn Falson addressed Council speaking for the recommendation.

MOTION:

RESOLVED on the motion of Councillor Richards, seconded by Councillor Zamprogno.

Refer to RESOLUTION

70 RESOLUTION:

RESOLVED on the motion of Councillor Richards, seconded by Councillor Zamprogno.

That the:

1. Information be received and noted.
2. Two buildings (former dwelling and shed) on Lot E DP 373372, 452 Greggs Road, Kurrajong be included for further consideration as part of a Hawkesbury wide Heritage Study.

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Item: 048 **CP - Sustainable Energy Strategy - (95498, 124414, 126363)**

Previous Item: 231, Ordinary (12 December 2017)
 219, Ordinary (28 November 2017)
 NM1, Ordinary (29 August 2017)
 MM2, Ordinary (30 May 2017)
 NM3, Ordinary (13 December 2016)

Directorate: City Planning

Mr William Sneddon addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

71 RESOLUTION:

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

That the:

1. Information be received and noted.
2. Matter be referred to the Environmental Sustainability Advisory Committee to provide advice on implementation of an approach relating to the provision of solar on nominated Council buildings and facilities.
3. Council consider the recommendations of the Environmental Sustainability Advisory Committee as a top priority in terms of timing and funding.

Item: 049 **CP - Submission on State Significant Development Application for Hurlstone Agricultural High School (Hawkesbury) at the Western Sydney University site 2 College Street, Richmond - (95498, 124414)**

Directorate: City Planning

Mr William Sneddon addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

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72 RESOLUTION:

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

That Council:

1. Endorse Council Officers comments that were outlined in the report, and provided to the Department of Planning and Environment for consideration in the assessment of State Significant Development Application SSD 17_8614 for Hurlstone Agricultural High School (Hawkesbury) at 2 College Street, Richmond.
2. Write to the relevant government authority expressing its strong desire to have the Hawkesbury name and branding incorporated into the proposed new high school.

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SUPPORT SERVICES

Item: 050 **SS - December 2017 Quarterly Budget Review Statement - (95496, 96332)**

Previous Item: 100, Extraordinary (13 June 2017)

Directorate: Support Service

MOTION:

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

Refer to RESOLUTION

73 RESOLUTION:

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

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – December 2017 be adopted.

Item: 051 **SS - Monthly Investments Report - January 2018 - (95496, 96332)**

Previous Item: 97, Ordinary (30 May 2018)

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

74 RESOLUTION:

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

That the Monthly Investments Report for January 2018 be received and noted.

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Item: 052 **SS - Community Sponsorship Program - 2017/2018 - Round 2 - (96596, 96328)**

Previous Item: 131, Ordinary (25 July 2017)
 262, Ordinary (29 November 2016)

Directorate: Support Services

Councillor Richards declared a significant non-pecuniary conflict of interest in this matter as she is connected to Applicant 1 being a relative and Applicant 3 as she is the Secretary of Torch Bearers for Legacy. She left the Chamber and did not take part in voting or discussion on the matter.

Mr Peter Ryan addressed Council speaking for the recommendation.

MOTION:

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

Refer to RESOLUTION

75 RESOLUTION:

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

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations and individuals listed, and at the level recommended in Table 1 of this report.
2. Approve the execution of Council's standard Sponsorship Agreement for the applications 1, 8, 12, 13 and 16 identified in Table 1 of this report.
3. Approve the allocation of an additional amount of \$10,562 for the 2017/2018 Community Sponsorship Program and for these funds to be covered through a budget variation in the March 2018 Quarterly Budget Review.
4. Authorise staff to advise applicants that any further applications under the Community Sponsorship Program for 2017/2018 will be carried forward for determination under Round 1 of the 2018/2019 Program following the adoption of the 2018/2019 Operational Plan.

The meeting was adjourned at 9:26pm.

The meeting resumed at 9:37pm.

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Item: 053 **SS - Outcome of Consultations with LGBTQI Community on the Promotion of Inclusion and the Recognition of Relationship Diversity - (95496, 96328)**

Previous Item: 72, Ordinary (28 February 2017)

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Garrow.

Refer to RESOLUTION

76 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Garrow.

That Council pilot the design and installation of gender neutral toilet signs as outlined in this report at the four locations identified.

Councillors Conolly and Richards requested that their names be recorded as having voted against the Motion.

77 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Garrow.

That a further report be prepared for Council following the pilot program to provide feedback from LGBTQI groups on the impact of the installation of the gender neutral signage together with any comments or complaints which may be received from members of the community to determine the need and suitability for the further roll out of gender neutral toilet signage.

Councillors Conolly and Richards requested that their names be recorded as having voted against the Motion.

78 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Garrow.

That Council subscribe to the ACON Health Limited 'Pride in Diversity' employer support program to assist Council in the design and implementation of a LGBTQI awareness and inclusion program.

Councillors Conolly and Richards requested that their names be recorded as having voted against the Motion.

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79 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Garrow.
That Council promote the International Day Against Homophobia, Transphobia and Biphobia (IDAHOBIT) Day event to be held at McMahon Park Kurrajong on Thursday, 17 May through its media channels including Facebook, events calendar, and Mayoral Column.

Councillors Conolly and Richards requested that their names be recorded as having voted against the Motion.

Item: 054 **SS - Submission to the Office of Local Government - Draft Councillor Induction and Professional Development Guidelines - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

80 RESOLUTION:

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

That the Councillor Induction and Professional Development Guidelines Consultation - Hawkesbury City Council submission, as attached as Attachment 2 to this report, be forwarded to the Office of Local Government.

Item: 055 **SS - Submission to the Office of Local Government - Draft Model Code of Meeting Practice - (95496)**

Directorate: Support Services

MOTION:

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

Refer to RESOLUTION

81 RESOLUTION:

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

That the Model Meeting Code Consultation - Hawkesbury City Council submission, as attached as Attachment 2 to this report, be forwarded to the Office of Local Government.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Minutes: 27 February 2018

SECTION 4 – Reports of Committees

Item: 056 **ROC - Local Traffic Committee - 12 February 2018 - (80245)**

Directorate: Infrastructure Services

82 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 12 February 2018 be received and the recommendations therein be adopted and noted.

ORDINARY MEETING
Questions for Next Meeting
Minutes: 27 February 2018

QUESTIONS FOR NEXT MEETING

Item: 057 Councillor Questions from Previous Meetings and Responses - (79351)

Raised at the Ordinary Meeting held on 13 February 2018

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

ORDINARY MEETING
Questions for Next Meeting
Minutes: 27 February 2018

Questions – 27 February 2018

#	Councillor	Question	Response
1	Ross	Referred to the Oasis Aquatic and Leisure Centre and asked if the outdoor pool will be open until the end of June.	Director Support Services
2	Ross	Could the use of Flood lights at the sports fields in the Richmond Lowlands be investigated.	Director Infrastructure Services
3	Ross	Enquired if the polo matches staged over the last three weekends at the Richmond Lowlands were compliant.	Director City Planning
4	Ross	Requested an update in relation to the progress made concerning the placement of soil adjacent to the river in the Richmond Lowlands, near the Sunnybrook Barn.	Director City Planning
5	Rasmussen	Referred to the Scout Hall building at Campbell Street, North Richmond and enquired if it was in a suitable condition to be used as emergency evacuation accommodation in times of disaster.	Director Infrastructure Services
6	Garrow	Requested if the lack of maintenance on the fields and the cracks appearing on the field at Colonial Reserve, Bligh Park could be investigated.	Director Infrastructure Services
7	Reynolds	Enquired if a secondary aerated treatment system at 64 Grandview Lane, Bowen Mountain has been installed in accordance with the development consent.	Director City Planning
8	Wheeler	Requested that Council receive an urgent briefing on the progress at Bushells Lagoon relating to additional information regarding the trapping of Turtles and illegal earthworks and irrigation.	Director City Planning
9	Wheeler	Referred to residents picking up rubbish in Pitt Town and the residents being targeted by drivers who are throwing glass bottles at them and requested that Council make representation to the Police to investigate the matter.	General Manager
10	Calvert	Requested if Council could make representations to the local shopping centres in Windsor and Richmond requesting that they make more seating available to the public.	General Manager
11	Kotlash	Requested advice in regard to the number of wheelchair bound children in the Hawkesbury LGA.	Director Support Services

ORDINARY MEETING
Questions for Next Meeting
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#	Councillor	Question	Response
12	Connolly	Requested the cost of Council's in-kind support for the IDAHOBIT event at McMahons Park, Kurrajong, and enquired why this wasn't reported to Council as per the standard practice when Council supports events.	Director Support Services
13	Richards	Requested an update on the replacement of the dead plane and jacaranda trees on Windsor Road, between McGraths Hill and Windsor.	Director Infrastructure Services
14	Lyons-Buckett	Requested the Hawkesbury Sports Council, the Hawkesbury District Agricultural Association and the Hawkesbury Showjumping Association to provide Council with a calendar of major events that are being held in the Hawkesbury LGA.	General Manager / Director Infrastructure Services

CONFIDENTIAL REPORTS

83 RESOLUTION:

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

That:

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

Item: 58 GM - Western Sydney City Deal - (79351, 140984)

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

Councillors are also advised that in addition to the application of the confidentiality provisions of the Local Government Act, the City Deal process remains subject to a Cabinet-in-Confidence process. If Cabinet in Confidence information is revealed, that action may bring the relevant Council into disrepute if it is subsequently found that that action has breached other legislation and in doing so also becomes a breach of the Code of Conduct.

Item: 59 CP - Replacement of Community Representative on the Environmental Sustainability Advisory Committee - (124414, 126363)

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

Item: 60 CP - Hawkesbury Independent Hearing and Assessment Panel - (95498)

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

Item: 61 SS – Property Matter – Legal Advice – Hawkesbury House Pty Ltd – (95496, 112106, 131726)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and 10A(2)(g) of the Local Government Act, 1993. Specifically, the matter is to be dealt with pursuant to Sections 10A(2)(c) and 10A(2)(g) 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 also, as it relates to legal advice concerning a commercial lease and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

ORDINARY MEETING
Confidential Reports
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The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the Press and the public left the Council Chambers.

84 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Conolly that open meeting be resumed.

Item: 058 **GM - Western Sydney City Deal - (79351, 140984)**

Directorate: General Manager

MOTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

Refer to RESOLUTION

85 RESOLUTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

That Council:

1. Delegates authority to the Mayor to sign the Western Sydney City Deal on behalf of their Council if they are satisfied with the response from the other levels of government and;
2. Notes that the Council is not legally bound at this point should the Mayor decide to sign the City Deal document and;
3. Notes that a further report will be brought back to Council prior to any binding commitments being made.

ORDINARY MEETING

Confidential Reports

Minutes: 27 February 2018

Item: 059 **CP - Replacement of Community Representative on the Environmental Sustainability Advisory Committee - (124414, 126363))**

Previous Item: 275, Ordinary (13 December 2016)

Directorate: City Planning

MOTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

Refer to RESOLUTION

86 RESOLUTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

That Council appoint Eric Brocken as a community representative to the Environmental Sustainability Advisory Committee.

ORDINARY MEETING
Confidential Reports
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Item: 060 **CP - Hawkesbury Independent Hearing and Assessment Panel - (95498)**

Previous Item: 034, Ordinary (13 February 2018)

Directorate: City Planning

MOTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Wheeler.

Refer to RESOLUTION

87 RESOLUTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Wheeler.

That:

1. Council select the following expert representatives to add to the pool of expert members of the Hawkesbury Independent Hearing and Assessment Panel (IHAP):
 - David Broyd
 - Juliet Grant

2. Should any of the two representatives outlined in part 1. of the resolution be unable to accept one or more of membership of the Hawkesbury Independent Hearing and Assessment Panel (IHAP), then the following expert representatives be added to the pool of expert members of the Hawkesbury Independent Hearing and Assessment Panel (IHAP):
 - Jane Fielding
 - Helen Mulcahy
 - Deborah Sutherland

3. Advise the Department of Planning of the additional expert membership for the Hawkesbury Independent Hearing and Assessment Panel (IHAP);

ORDINARY MEETING
Confidential Reports
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Item: 061 **SS - Legal Advice - Hawkesbury House Pty Ltd - (95496, 112106, 131726)**

Previous Item: 196, Ordinary (31 October 2017)

Directorate: Support Services

Councillor Garrow declared a pecuniary interest in this matter as she is an employee of one of the tenants. She left the Chamber and did not take part in voting or discussion on the matter.

MOTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Calvert.

Refer to RESOLUTION

88 RESOLUTION:

The Director Support Services advised, that whilst in Closed Session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Calvert.

That:

1. Council continue to pursue the outstanding debt owed by Hawkesbury House Pty Ltd and instruct its Solicitors, Marsdens Law Group, to undertake the public examination process as outlined in this report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council, where applicable.

Councillor Conolly requested that his name be recorded as having voted against the Motion.

The meeting terminated at 12:13am on Wednesday, 28 February 2018.

Submitted to and confirmed at the Ordinary meeting held on 13 March 2018.

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Mayor