



Hawkesbury City Council

ordinary  
meeting  
minutes

date of meeting: 29 October 2013  
location: council chambers  
time: 6:30 p.m.



**ORDINARY MEETING**

**Minutes: 29 October 2013.**

**MINUTES**

– **WELCOME**

**Prayer  
Acknowledgement of Indigenous Heritage**

– **APOLOGIES AND LEAVE OF ABSENCE**

– **DECLARATION OF INTERESTS**

– **SECTION 1 - Confirmation of Minutes**

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

– **SECTION 2 - Mayoral Minutes**

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

– **SECTION 3 - Reports for Determination**

**Planning Decisions**

**General Manager**

**City Planning**

**Infrastructure Services**

**Support Services**

– **SECTION 4 - Reports of Committees**

– **SECTION 5 - Notices of Motion**

– **QUESTIONS FOR NEXT MEETING**

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

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## ORDINARY MEETING

Minutes: 29 October 2013.

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 29 October 2013, commencing at 6:30pm.

Reverend Wayne Tildsley of St Peter's Anglican Church, Richmond, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

### ATTENDANCE

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

**ALSO PRESENT:** General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Jeff Organ, Director Support Services - Laurie Mifsud, Executive Manager - Community Partnerships - Joseph Litwin, Manager Corporate Services and Governance - Nicole Cooney, Manager Development Services - Shari Hussein and Administrative Support Team Leader - Natasha Martin.

### APOLOGIES

Apologies for absence were received from Councillors Porter and Reardon.

### 338 RESOLUTION:

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

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

### SECTION 1: Confirmation of Minutes

### 339 RESOLUTION:

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Creed that the Minutes of the Ordinary Meeting held on the 24 September 2013, be confirmed.

**ORDINARY MEETING**

**Minutes:** 29 October 2013.

**SECTION 2 - Mayoral Minutes**

**MM1 - Representation on the ANZAC Centenary Committee - (79351, 120428, 79956)**

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**MOTION:**

RESOLVED on the motion of Councillor Ford, Mayor.

*Refer to RESOLUTION*

**340 RESOLUTION:**

RESOLVED on the motion of Councillor Ford, Mayor.

That Council nominate a representative to the local ANZAC Centenary Committee established by the Federal Member for Macquarie.

**341 RESOLUTION:**

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

That Councillor Reardon be appointed as Council's representative to attend the local ANZAC Centenary Committee.

**MM2 - October 2013 Bushfires - Provision of Financial Support - (79351, 120428, 73835)**

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**MOTION:**

RESOLVED on the motion of Councillor Ford, Mayor.

*Refer to RESOLUTION*

**342 RESOLUTION:**

RESOLVED on the motion of Councillor Ford, Mayor.

That Council:

1. Place on record its sincere and deepest regrets in respect of the tragic NSW Bushfires and the devastation that has occurred and express its sympathy to all those affected by the bushfires, particularly for those who have lost or suffered damage to their homes and possessions.
2. Make a donation of \$5,000 to the Salvation Army October 2013 Bush Fire Appeal in support of those affected by the bushfires.



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**SECTION 3 - Reports for Determination**

**PLANNING DECISIONS**

**Item: 204**                    **CP - DA0092/13 - Lot 133 DP 204686 - 91 Walmsley Road, Lower Macdonald - (95498, 119388)**

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**MOTION:**

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

*Refer to RESOLUTION*

**343 RESOLUTION:**

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

That:

- A. The variation of clause 3 of the Development of Flood Liable Land Policy be supported;
- B. Development Application No. DA0092/13 for the construction of a two storey dwelling on Lot 133 DP: 204686, known as 91 Walmsley Road, Lower MacDonald, be approved subject to the conditions as follows:

**Deferred Commencement**

**Schedule 1**

- 1. An acid sulfate soils management plan is to be prepared, specifically in accordance with the Acid Sulfate Soils Manual, and provided to Council for review and approval by the Director of City Planning.

**General Conditions**

- 1. The development shall take place generally in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions or in red on the plans.

Plans are listed as follows:

- Site Plan – Project No 1563, Dated 1 Dec 12, No 01/07
- Ground Floor Plan – Project No 1563, Dated Dec 12, No 02/07
- First Floor Plan – Project No 1563, Dated Dec 12, No 03/07
- Elevations – Project No 1563, Dated Dec 12, No 04/07
- Elevations – Project No 1563, Dated Dec 12, No 054/07

BASIX Certificate 462193S issued 16 January 2013

- 2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.

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3. The development shall comply with the provisions of the National Construction Code / Building Code of Australia at all times.
4. The approved use shall not commence until all conditions of this Development Consent have been complied with.
5. The dwelling shall not be used or occupied prior to the issue of an Occupation Certificate.
6. All vegetative debris (including felled trees) resulting from the approved clearing of the site for construction, is to be chipped or mulched. Tree trunks are to be recovered for posts, firewood or other appropriate use. No vegetative material is to be disposed of by burning.
7. The external finishes are colours and materials are to have a low reflective quality similar to the surrounding development.

### ***Prior to Construction Certificate Issue***

8. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$2,120 shall be paid to Hawkesbury City Council.
  - a) The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time).
  - b) The contribution is to be paid prior to the commencement of works and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the certifying authority.
9. The applicant shall submit a report from a suitably qualified engineer which verifies the following:
  - a) Any damage to the proposed structure sustained in a flood will not generate debris capable of causing damage to downstream buildings or property.
  - b) Any part of the structure at or below the 1 in 100 year flood level will be able to withstand the forces of flood waters (including buoyancy forces) and the impact of debris.
  - c) All finishes, Plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of floodwaters.

### ***Prior to Commencement of Works***

10. An 'Application to Install a Sewage Management Facility' must be submitted and approved for the new dwelling with Hawkesbury City Council prior to any works being commenced in relation to the sewage management facility.
11. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
12. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
13. 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.
14. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.

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15. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
  - a) Unauthorised access to the site is prohibited.
  - b) The owner of the site.
  - c) The person/company carrying out the site works and telephone number (including 24 hour, seven days emergency numbers).
  - d) The name and contact number of the Principal Certifying Authority.
16. Qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.

### ***During Construction***

17. The dwelling shall be provided with on-site water storage vessels of minimum 100,000L capacity, which incorporates the following:
  - A draw off line with a 65mm Storz fitting and non-return foot valve which extends to the base of the water tank for Rural Fire Service access.
  - The domestic line shall terminate so as to retain a minimum of 10,000L permanently in the tank. If an emergency sprinkler system is installed a minimum of 22,000L will be required.
  - All tanks shall have an access hatch, minimum 800mm in diameter, to gain entry directly through the lid.
  - In recognition that no reticulated water supply exists, a 3kw (5hp) petrol or diesel powered pump shall be installed and maintained.
18. Any water tanks, outbuildings or other ancillary structures shall be finished in colours and materials of earth tones of low reflective quality to blend in with the bushland.
19. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
20. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am - 6pm and on Saturdays between 8am - 4pm.
21. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
  - a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
  - b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
  - c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
22. Compliance certificates (known as Part 4A Certificates) are to be issued for Critical stage inspections as detailed in the Environmental Planning and Assessment Regulation 2000 as required

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by section 109E (3) (d) of the Environmental Planning and Assessment Act 1979 by the nominated Principal Certifying Authority .

23. No trees are to be removed without the prior approval of Council.
24. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
25. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am - 6pm and on Saturdays between 8am - 4pm.

### ***Prior To Issue Of Occupation Certificate***

26. The following certificates are to be provided, stating the name of person or company carrying out the installation, type of material and the relevant Australian Standard to which installed:
  - a) The type and method of termite treatment (complying with AS 3660) 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.
  - b) Glazing materials installed in the building in accordance with AS1288 and AS2047 - Glass in Buildings - Selection and Installation, e.g. windows, doors, footlights and showers.
  - c) The type of timber installed indicating both species and durability as required by AS 1684.
  - d) An automatic smoke detection system installed in residential development by a licensed electrician. Smoke alarms must comply with AS 3786 and be connected to the consumer mains power where supplied to the building.
  - e) A statement or other suitable evidence shall be submitted to the Principal Certifying Authority, certifying that all commitments made on the BASIX certificate have been implemented and installed as approved
27. The on-site sewage management system shall be installed and commissioned in accordance with the design in On-site Wastewater Management Assessment and Design for Lot 133 DP 204686 No.91 Walmsley Road, Lower McDonald NSW by Kerry Flanagan Wastewater On-site Wastewater Management, dated 27 May 2013.
28. The installed system will be the subject of an approval to operate a system of sewage management in accordance with the provisions of Subdivision 6 and 7 of Division 4 of Part 2 of the Local Government (General) Regulation 2005 and for this purpose will be subject to inspection at annual frequency by Council's Environmental Health Officer or at such other frequency as may be determined according to the future operation or risk of the system.
29. The sewage management facility must be operated in accordance with the relevant operating specifications and procedures for the component facilities, and so as to allow disposal of treated sewage in an environmentally safe and sanitary manner (Local Government [General] Regulation 2005).

### ***Advisory***

- \*\*\*\* 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.

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

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	NIL
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Rasmussen	
Councillor Tree	
Councillor Williams	

Councillors Porter and Reardon were absent from the meeting.

**Item: 205**                    **CP - DA0267/13 - Lot 6 DP 873934 - 47 Pine Place, Grose Vale - Tourist and Visitor Accommodation - (95498, 126104)**

**Previous Item:**        194, Ordinary (24 September 2013)

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**MOTION:**

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

***Refer to RESOLUTION***

**344 RESOLUTION:**

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

That development application DA0267/13 at Lot 6 DP 873934, 47 Pine Place, Grose Vale for Tourist and Visitor Accommodation be deferred.

**ORDINARY MEETING**

**Meeting Date:** 29 October 2013

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:

<b>For the Motion</b>	<b>Against the Motion</b>
Councillor Calvert	NIL
Councillor Conolly	
Councillor Creed	
Councillor Ford	
Councillor Lyons-Buckett	
Councillor Mackay	
Councillor Paine	
Councillor Rasmussen	
Councillor Tree	
Councillor Williams	

Councillors Porter and Reardon were absent from the meeting.

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**Meeting Date: 29 October 2013**

**GENERAL MANAGER**

**Item: 206                      GM - Australasian Waste and Recycling Expo - (79351)**

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**MOTION:**

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

*Refer to RESOLUTION*

**345 RESOLUTION:**

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

That the attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Australasian Waste and Recycling Expo at an approximate cost of \$2,000 per delegate be approved.

**346 RESOLUTION:**

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

That Councillors Paine, Tree and Williams as Council's nominated representatives attend the Australasian Waste and Recycling Expo.

**Item: 207                      GM - Classification of Council's Membership of Local Government NSW - (79351)**

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**MOTION:**

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

*Refer to RESOLUTION*

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**Meeting Date:** 29 October 2013

**347 RESOLUTION:**

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

That Council:

1. Make representations to Local Government NSW for the Rules of the association to be amended to include Hawkesbury City Council as a "Metropolitan/Urban council" and identified as such in Schedule A attached to the Rules as distinct from the current situation where Council is encompassed by the definition as a "Rural/Regional council".
2. Advise Wollondilly Shire Council of this Council's actions and as Wollondilly Shire Council is in a similar position seek its support of Council's approach to Local Government NSW by that Council also seeking inclusion as a "Metropolitan/Urban council" member of the association.

**Item: 208      GM - Hawkesbury Sister City Committee - Council Delegates - (79351, 73610)**

**Previous Item:**      191, Extra-Ordinary (17 September 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**348 RESOLUTION:**

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

That Councillors Calvert and Creed be appointed as Council's representatives to attend the Hawkesbury Sister City Committee.



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**Item: 209**                      **GM - Possible relocation of staff to rear section of former Library Building - (79351)**

---

**MOTION:**

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

*Refer to RESOLUTION*

**349 RESOLUTION:**

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

That Council endorse the proposal outlined in the report for the relocation of staff to office accommodation available at the rear of the former Library building and that the costs involved in such relocation be met from the Contingency Reserve.

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**INFRASTRUCTURE SERVICES**

**Item: 210**                    **IS - Governor Phillip Reserve - World Championship Powerboat Racing Event - (79354, 95495)**

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**MOTION:**

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

*Refer to RESOLUTION*

**350 RESOLUTION:**

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

That:

1. Approval be granted to Fastwater Promotions for 'Exclusive Use' of Governor Phillip Reserve for World Championship Power Boat Racing Event on 17-18 May 2014.
2. The amendment to the noise limits for this event, as outlined within the report, be adopted.
3. Exclusive fees and charges be waived in this instance.
4. The approval be subject to the following conditions/documents:
  - a) Council's general park conditions.
  - b) Council's Fees and Charges.
  - c) The Windsor Foreshore Plan of Management.
  - d) Governor Phillip Reserve Noise Policy.
  - e) A Traffic Management Plan which has been approved as part of the Special Event Application.
5. As the applicants have not advised alternative dates in the event of inclement weather, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicants.

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**Item: 211**                      **IS - Hawkesbury International Sand Sculpting Championship 2014 - (95495, 128023)**

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Councillor Rasmussen declared a less than significant non-pecuniary conflict of interest in this matter as chairman of Hawkesbury Radio and Hawkesbury Radio runs advertising for this event and no further action is required.

**MOTION:**

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

***Refer to RESOLUTION***

**351 RESOLUTION:**

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

That:

- A. Exclusive use be granted for the area within McQuade Park between the lake and the car park adjacent to the Windsor Bowling club for an annual event, for a five year period, with the fees and charges for exclusive use not being charged for the event on this occasion, however, such fee and charges would be applicable for the second and subsequent years. In view of the fees and charges being waived by Council for this year, the applicant is to identify Council as a major sponsor of the event in all publications and advertising.
- B. Approval be granted to the Sandstorm Events Pty Ltd /Heart of the Hawkesbury to run the 'Hawkesbury International Sand Sculpting Competition and Festival' within McQuade Park between 26 December 2013 to 27 January 2014 subject to the following conditions:
  - 1. The reserve is to be left clean and tidy with the organisation being responsible for collection and disposal of all waste (including sand from the sand sculptures and the area being restored to its original condition); the applicant is to lodge with Council a damage bond of \$20,000, (cash or bank guarantee) which is refundable less any costs incurred by Council, administrative or otherwise, to clean or restore the area.
  - 2. The applicant is to remove all materials and repair any damage within a two week period of the events completion on each occasion. Failure to do this would result in Council staff undertaking the repairs, recouping the expense from the bond.
  - 3. The applicant and any hire companies/vendors submitting to Council a Public Liability Policy for \$20,000,000, covering all parties utilising the site with Council's interest noted on that Policy.
  - 4. If required, the applicant is to obtain all necessary permits/approvals in relation to amusement devices/rides and liaise with Integral Energy regarding the supply of power and the proximity to power supply lines.
  - 5. The sale and consumption of alcoholic beverages is not approved for the event.
  - 6. The event manager/applicant must undertake a Risk Assessment of the proposed event including pre-event preparations. The assessment must identify potential hazards and the procedures that need to be implemented to eliminate or control those hazards. The event manager/applicant is responsible for ensuring that procedures are followed and that they comply with the requirements of the Work Health and Safety Regulations 2011.

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7. Only vehicles engaged in essential work or operations are to access the park. Those vehicles are not to travel more than 10km per hour, can travel no closer than 10m to the pond area and must give way to pedestrians.
8. In the event that traffic control is required at the access points to McQuade Park and the surrounding road network, the event organiser is to submit a Road Occupancy Application (ROA) to Council which will include a Traffic Control Plan (TCP) and associated Traffic Management Plan (TMP)
9. The 'Hawkesbury International Sand Sculpting Competition and Festival' are to be consistent with Council's Sustainable Events Management Policy, with both rubbish bins and recycling bins to be provided.
10. Any generators provided should be constructed, maintained and managed so that the  $LA_{eq, (15min)}$  noise levels, measured at any point in accordance with the New South Wales Environment Protection Authority Industrial Noise Source Policy 2000, do not exceed 5dB  $LA_{eq, (15min)}$  above background levels with respect to noise amenity of residential dwellings and associated outdoor areas.
11. Public address speakers/music speakers should be directed away from residential properties. Where speakers are mounted on poles, they are to be inclined downwards at an angle of approximately 45 degrees from the horizontal.
12. A sound limiting circuit or similar monitoring system is to be included for the PA/sound system to control the signal amplitude to a fixed level regardless of the loudness of the operator's voice, or the volume control of the amplifier.
13. Provide a noise complaints hotline by the festival organisers to be made available to the surrounding area in case noise nuisance occurs. Provide a manager onsite at all opening times in case the noise level is required to be reduced. The manager if so required by an authorised officer, the acoustic consultant or the NSW Police Force, must have the authority to order the reduction of noise level produced.
14. Where noise complaints are received, the acoustic consultant/ organisers are to arrange noise monitoring to be conducted at the affected property using  $LA_{eq, (15min)}$ . When the noise level exceeds the noise level requirements set by Hawkesbury City Council, reduction strategies are to be implemented to reduce the noise level to the requirement set by Hawkesbury City Council. Numbers, locations and noise monitoring readings from complaints received are to be included in an acoustic compliance report. Such report is to be submitted to Council within 14 days of the completion of the event.
15. According to the guidelines for concerts, events and organised gatherings and considering that within the management plan patronage has been proposed to be a maximum of 500 at any one time with a maximum 4,000 participants per day. Amenities are required to be provided for a minimum of 500 people. Three portable toilets are to be provided and approval is granted to use the Memorial Park (part of McQuade Park) toilets subject to organisers being responsible for restocking and cleaning them at least three times a day or more frequently as required. Liquid soap and paper towels are also to be provided. The cleaning contractor's details, insurance and risk assessment need to be provided prior to the event.
16. Toilet locations must be well-marked and well-lit.
17. Portable toilets are required to be pumped out at least every 24 hours or more frequently if required.
18. Ensure that the effluent from the portable toilets is removed off the site to an appropriate facility to accept such waste. The waste shall be transported and disposed of by appropriately licensed facilities.

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19. All portable gas cylinders used throughout the subject sites must be secured both top and bottom, by ropes or chains to a structural post, wall, or similar anchor point.
20. An adequate supply of potable water must be supplied with respect to toilet, shower and refreshment facilities (non-potable water should not be used without prior approval).
21. No pyrotechnical display of any kind is to occur without prior approval from WorkCover and independent consent from Hawkesbury City Council.
22. Dust suppression and minimisation strategies must be employed to manage potential dust nuisances within the sites. This is to apply to parking areas, access roads and within the festival site.
23. Mosquito repellent is required to be made available to prevent possible cases of mosquito borne diseases.
24. Sunscreen is required to be made available to prevent potential adverse sun exposure.
25. Strategies must be adopted to prevent any light spillage from the festival onto any surrounding residential property boundaries.
26. All food vendors are to be registered with Hawkesbury City Council and notified with the NSW Food Authority prior to the event.
27. All food vendors are to notify Council and the Food Authority of their Food Safety Supervisors details prior to the event. Should any of the food stalls / operators not have a Food Safety Supervisor, one should be made available per food stall / operator prior to the commencement of the event.
28. A registration certificate through Hawkesbury City Council must be obtained and displayed for all food premises, stalls or food vending vehicles.
29. Food premises, stalls or food vending vehicles must comply with the appropriate food standards including but not limited to the Food Safety Standards, Hawkesbury City Council's Temporary Food Code and Food Act 2003. Inspections may be conducted by Council's Environmental Health Officers prior or during the event.
30. Food premises, stalls or food vending vehicles must obtain a copy of and abide by the NSW Food Authority's Food Handling Guidelines for Temporary Events and Hawkesbury City Council's Food Safety Guidelines for Charities and Community Organisations.
31. Food premises, stalls or food vending vehicles must have an adequate supply of potable water. Provision of a supply of potable water for sinks and hand basins is essential. Non-potable water is not permitted to be used within the subject sites.
32. Food premises, stalls or food vending vehicles must have hand washing facilities supplied with warm water, with liquid soap and paper towel. Potable water must be used for hand washing.
33. Food premises, stalls or food vending vehicles must have a temperature measuring device onsite that is capable of measuring to +/-1°C.
34. Food products are required to be stored in vermin and insect proof storage areas. All foods are to be protected and covered.
35. All liquid waste (including hand washing) is to be collected, stored appropriately and disposed of at a waste facility licensed to accept such waste.

**ORDINARY MEETING**

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36. Solid waste products are to be stored in sealed bins or containers and disposed of as required/necessary. The waste shall be transported and disposed of by appropriately licensed facilities.
37. Fats and oils generated from the caterers should be collected in appropriate storage containers and transported and disposed of at an appropriate facility to accept such waste. The waste shall be transported and disposed of by appropriately licensed facilities.
38. All waste generation is required to be transported to an appropriate waste facility to accept such waste (no waste generated from this event is to be transported to Hawkesbury City Council's waste facility). The waste shall be transported and disposed of by appropriately licensed facilities.
39. 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 where material harm to the environment is caused or threatened that which occurs in the course of carrying out the approved activity.
40. 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.
41. 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.

**ORDINARY MEETING**

**Meeting Date:** 29 October 2013

**SUPPORT SERVICES**

**Item: 212**                    **SS - Monthly Investments Report - September 2013 - (96332, 95496)**

**Previous Item:**        144, Ordinary (29 June 2010)

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**MOTION:**

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

*Refer to RESOLUTION*

**352 RESOLUTION:**

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

The report regarding the monthly investments for September 2013 be received and noted.

**Item: 213**                    **SS - 2013/2014 Cycleway Funding - Ministerial Representations - (95496, 96328)**

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**MOTION:**

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

*Refer to RESOLUTION*

**353 RESOLUTION:**

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

That the information be received and noted pending further discussions and advice from Transport for NSW.

**Item: 214**                    **SS - Administration of all Hawkesbury Local Government Elections - (95496)**

**Previous Item:**        25, Ordinary (26 February 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**ORDINARY MEETING**

**Meeting Date:** 29 October 2013

**354 RESOLUTION:**

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

That the Hawkesbury City Council ("the Council") resolves:

1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s.296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

**Item: 215**                    **SS - Code of Conduct Complaints Statistics Report - 1 September 2012 to 31 August 2013 - (95496)**

**Previous Item:**        3, Ordinary (5 February 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**355 RESOLUTION:**

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

That the report under Clause 12.1 of the Council's Procedures for the Administration of the Code of Conduct, in respect of the Code of Conduct complaints statistics for the period from 1 September 2012 to 31 August 2013, be noted.

**Item: 216**                    **SS - Execution of Variation to Service Agreement - Family and Community Services - (95496, 96328)**

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**MOTION:**

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

*Refer to RESOLUTION*

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**ORDINARY MEETING**

**Meeting Date:** 29 October 2013

**356 RESOLUTION:**

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

That the authority be given to execute, under the Seal of Council, a variation to the Service Agreement with Family and Community Services, NSW Government to accept funds for the 2013/2014 financial year as outlined in this report.

**Item: 217**                    **SS - Pecuniary Interest Returns - Councillors and Designated Persons - (95496, 79337)**

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**MOTION:**

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

*Refer to RESOLUTION*

**357 RESOLUTION:**

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

That the information be received and noted.

**Item: 218**                    **SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - Review - (95496)**

**Previous Item:**        175, Ordinary (27 August 2013)

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**MOTION:**

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

*Refer to RESOLUTION*

**ORDINARY MEETING**

**Meeting Date:** 29 October 2013

**358 RESOLUTION:**

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

That:

1. The Policy for Payment of Expenses and Provision of Facilities for Councillors, attached as Attachment 1 to the report, be adopted.
2. As required by Section 253(4) of the Local Government Act, 1993, a copy of the adopted Policy be forwarded to the NSW Division of Local Government within the Department of Premier and Cabinet, together with a copy of the public notice placing the draft Policy on public exhibition, and advice that during the required exhibition period, the Council received no submissions in respect of the draft Policy.

**Item: 219                      SS - Redevelopment of Community Facilities Update - (95496, 96328)**

**Previous Item:**        265, Ordinary (29 November 2011)  
                              247, Ordinary (8 November 2011)  
                              205, Ordinary (13 September 2011)  
                              108, Ordinary (31 May 2011)  
                              197, Ordinary (31 August 2010)

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**MOTION:**

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

***Refer to RESOLUTION***

**359 RESOLUTION:**

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

That the information be received.

**Item: 220                      SS - Update: Homeless People in Public Places - (95496, 96328)**

**Previous Item:**        148, Ordinary (30 July 2013)  
                              NM1, Ordinary (13 July 2010)

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**MOTION:**

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

***Refer to RESOLUTION***

**ORDINARY MEETING**

**Meeting Date:** 29 October 2013

**360 RESOLUTION:**

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

That:

1. The information be received.
2. Council establish a roundtable with State and Federal representatives and agencies in the Hawkesbury to give input into the development of a strategy.
3. Council continue to implement its strategic plan to facilitate affordable housing
4. Council make representations to the NSW Minister for Family and Community Services, to express its support of the Project 40 Program, and to advocate for its retention post June 2014 and seek the support of the local State Member of Parliament in respect of these representations.

**ORDINARY MEETING**  
**Reports of Committees**

**SECTION 4 - Reports of Committees**

**ROC - Floodplain Risk Management Advisory Committee - 3 October 2013 - (86589)**

**361 RESOLUTION:**

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

That the minutes of the Floodplain Risk Management Advisory Committee held on 3 October 2013 as recorded on pages 111 to 116 of the Ordinary Business Paper be received.

**ROC - Waste Management Advisory Committee - 9 October 2013 - (95249)**

**362 RESOLUTION:**

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

That the minutes of the Waste Management Advisory Committee held on 9 October 2013 as recorded on pages 117 to 121 of the Ordinary Business Paper be received.

**ORDINARY MEETING**

Notices of Motion

**SECTION 5 - Notices of Motion**

**NM - Fire mitigation for Bowen Mountain and Bowen Mountain Road - (79351, 80105, 82191)**

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**MOTION:**

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

*Refer to RESOLUTION*

**363 RESOLUTION:**

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

That:

1. Council acknowledges the concern of the Bowen Mountain Association with regard to serious bush fire threats to the Bowen Mountain village and the lack of safe ingress/egress to Bowen Mountain;
2. A report be brought to Council identifying possible actions in the short and longer term, with estimates of costs, to mitigate the bush fire threat to the village to improve means of emergency evacuation from Bowen Mountain. Such report to cover matters such as the creation of an additional evacuation route from the village and improvements to the safety of Bowen Mountain Road such as the creation of lay-bys at various intervals and widening of the road verge to allow a breakdown lane on each side of the road from the village to Carters Road and additional fire mitigation works that could be adopted.

**ORDINARY MEETING**

Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

**Councillor Questions from Previous Meeting and Responses - (79351)**

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

**ORDINARY MEETING**

## Questions for Next Meeting

**QUESTIONS FOR NEXT MEETING**

#	Councillor	Question	Response
1	Rasmussen	Requested a time frame to restore the River Rock sign at the Yarramundi Reserve that has fallen over in a previous flood.	Director Infrastructure Services
2	Rasmussen	Requested clarification regarding the return of the Redbank Planning Proposal to the Gateway Panel.	Director City Planning
3	Calvert	Requested clarification as to the requirement to have a Bushfire Management Committee or if there is a current structure in place	Director Infrastructure Services
4	Paine	Requested consideration of provision of a shelter for the barbeques in Howe Park and also advice on the time frame for having electricity supply provided to the barbeques.	Director Infrastructure Services
5	Paine	Requested clarification of how long Richmond Village Technology and Performing Arts Centre has been referred to by this name.	Director Support Services
6	Paine	Requested a report outlining costs for an ongoing program to clean the business areas of towns and villages, in particular the cleaning of the footpaths of the main street areas.	General Manager
7	Williams	Requested that the bus shelter opposite the Wilberforce service station be reinstalled.	Director Infrastructure Services
8	Mackay	Requested that Wheelbarrow Ridge Road, Colo Heights (five kilometres from the Putty Road intersection) and Dickson Lane, South Windsor be repaired.	Director Infrastructure Services
9	Creed	Requested a report to Council on the economic and social benefits of events and festivals to the Hawkesbury and what measures Council can take to support these activities.	General Manager

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**CONFIDENTIAL REPORTS**

**364 RESOLUTION:**

RESOLVED on the motion of Councillor Mackay, 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: 221 Business Paper - Ordinary Meeting MASTER - 29 October 2013IS - Tender No. 00931 - Low Pressure Sewer Connections Various Sites Wilberforce (79340) CONFIDENTIAL**

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

**Item: 222 SS - Property Matter - Lease to Optus Networks Pty Limited - Part of Stan Stevens Studio, Ground Floor, Deerubbin Centre - 300 George Street, Windsor - (95496, 112106, 121806) CONFIDENTIAL**

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

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

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.

**365 RESOLUTION:**

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



**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**Item: 221**                    **IS - Tender No. 00931 - Low Pressure Sewer Connections Various Sites  
Wilberforce - (79340)    CONFIDENTIAL**

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**MOTION:**

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

*Refer to RESOLUTION*

**366 RESOLUTION:**

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

That the:

1. Tender of Beech Plumbing Pty Ltd for the Low Pressure Sewer Connections to Various Sites at Wilberforce for the sum of \$221,467 excluding GST be accepted.
2. Seal of Council be affixed to any contract documentation.

**Item: 222**                    **SS - Property Matter - Lease to Optus Networks Pty Limited - Part of Stan  
Stevens Studio, Ground Floor, Deerubbin Centre - 300 George Street, Windsor  
- (95496, 112106, 121806)    CONFIDENTIAL**

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**MOTION:**

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

*Refer to RESOLUTION*

**ORDINARY MEETING**  
**CONFIDENTIAL REPORTS**

**367 RESOLUTION:**

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

That:

1. Council agree to enter into a lease with Optus Networks Pty Limited of the existing storeroom in the Stan Stevens Studio, Ground Floor of the Deerubbin Centre, 300 George Street, Windsor , in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed Lessee together with the advice that Council is not, and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

The meeting terminated at 7:35pm.

Submitted to and confirmed at the Ordinary meeting held on 12 November 2013.

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Mayor

