



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 27 September 2011

location: council chambers

time: 6:30 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 27 September 2011, commencing at 6:30pm.

Father Arthur Cook of St Matthews Catholic Church, Windsor, 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 Bassett, B Calvert, K Conolly, W Mackay, B Porter, P Rasmussen, J Reardon, W Whelan and L Williams.

ALSO PRESENT: General Manager - Peter Jackson, Acting Director City Planning - Shari Hussein, Director Infrastructure Services - Chris Daley, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Abbey Rouse, Executive Manager - Community Partnerships - Joseph Litwin, Chief Financial Officer - Emma Galea and Administrative Support Team Leader - Kylie Wade-Ferrell.

APOLOGIES

An apology for absence was received from Councillor C Paine.

347 RESOLUTION:

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

Councillor Mackay arrived at the meeting at 6:58pm.

SECTION 1: Confirmation of Minutes

348 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Tree that the Minutes of the Ordinary Meeting held on the 13 September 2011, be confirmed.

349 RESOLUTION:

RESOLVED on the motion of Councillor Tree and seconded by Councillor Reardon that the Minutes of the Extraordinary Meeting held on the 20 September 2011, be confirmed.

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 217 **GM - Hills, Hawkesbury & Riverlands Tourism - Request for Contribution Towards "Famil" - (79351)**

Previous Item: 127, Ordinary (28 June 2011)
 45, Ordinary (10 March 2009)
 101, Ordinary (27 May 2008)

MOTION:

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

Refer to RESOLUTION

350 RESOLUTION:

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

That Council agree to contribute an amount of \$2,000.00 as requested by the Destination Hawkesbury Committee on behalf of Hills, Hawkesbury & Riverlands Tourism towards the cost of the proposed Hills Hawkesbury Tour Operator Famil.

Item: 218 **GM - Destination 2036 Workshop Conducted by NSW Division of Local Government - (79351)**

MOTION:

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

Refer to RESOLUTION

351 RESOLUTION:

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

That the information regarding the Destination 2036 Workshop conducted by NSW Division of Local Government on 17 and 18 August 2011 be received and noted.

CITY PLANNING

Item: 219 **CP - Development Application - Alterations and Additions to Existing Rural Shed, Lot 1 DP 836565 - 138a Comleroy Road, Kurrajong - (95498, 35048, 35047, DA0262/11**

Mr Robert Coote, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

352 RESOLUTION:

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

That Development Application DA0262/11 at Lot 1 DP 836565, 138A Comleroy Road, Kurrajong for a rural shed be approved subject to the following conditions:

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. Materials and colours of the proposed work are to match the materials and colours of the existing shed structure on-site.
3. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.
4. The development shall comply with the provisions of the Building Code of Australia at all times.
5. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.
6. 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.

Prior to Commencement of Works

7. 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.
8. 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.
9. 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.

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10. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
11. 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.
12. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.
13. A 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

14. 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.
15. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
16. 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.
17. 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.
18. The footings shall be piered or shall penetrate through any fill or unstable foundation material to bear upon a structurally adequate foundation material of a uniform load-bearing value.
19. The roofwater shall be drained to the existing roofwater drains.

Use of the Development

20. No internal or external alterations shall be carried out without prior approval of Council.
21. The Shed shall not be occupied for human habitation/residential, industrial or commercial purposes.
22. A final occupation certificate shall not be issued until the existing container is removed.

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

For the Motion	Against the Motion
Councillor Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Ford	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillors Mackay and Paine were absent from the meeting.

Item: 220 **CP - Development Application - Deferred Commencement - Dwelling Additions and Rural Shed - 30 Chapman Road, Vineyard - (102260, 116177, DA0737/09)**

Previous Item: 3, Ordinary - (1 February 2011)

MOTION:

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

Refer to RESOLUTION

353 RESOLUTION:

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

That Development Application DA0737/09 at Lot 4 DP 224860, 30 Chapman Road Vineyard for dwelling additions and rural shed be approved as a deferred Commencement Consent subject to the following conditions:

1. Upon compliance with the conditions appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
2. The "Deferred Commencement" consent will lapse in twelve months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

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Schedule 1

1. A preliminary contamination report shall be prepared for the subject site and shall demonstrate that the site is suitable for its intended ancillary residential use. However if the land is contaminated, demonstrate that the land is suitable in its contaminated state or will be suitable after remediation.

Should remediation works be required a separate development application may be required to be lodged and approved by Council. Remediation works will be required to be completed and certified prior to the issue of any construction certificate for the works.

2. A Section 149A Building Certificate Application would be required to be lodged and approved for the deck which has been constructed.

A structural engineer is required to provide a report certifying that any remaining works as constructed are suitable for their intended loading.

The applicant should submit a specification of proposed materials to be used in the construction of the deck which demonstrates compliance with AS 3959-2009. Any work that does not meet the requirements for the nominated Bushfire Attack Level (BAL) 40 will be required to be removed and replaced with compliant materials.

Schedule 2

1. The development is to be carried out in compliance with the stamped plans, specifications and accompanying documentation submitted with the application except where amended by other conditions of consent.
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.
3. The buildings shall not be used or occupied prior to the issue of an Occupation Certificate.
4. The approved use shall not commence until all conditions of this Development Consent have been complied with.
5. The development shall comply with the provisions of the Building Code of Australia.

Prior to Issue of Construction Certificate

6. The Construction Certificate will not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the Approval has been provided to Council.
7. The dwelling additions shall comply with the requirements of "Planning for Bush Fire Protection" prepared by Planning NSW and AS 3959 - 2009 Construction of Buildings in Bush Fire Prone Areas, Bushfire Attack Level (BAL) 40.

A written specification of the proposed materials to be used, demonstrating compliance with AS 3959-2009 shall be provided to the Principle Certifying Authority prior to the issue of a construction certificate.

8. A qualified Structural Engineer's design for all reinforced concrete and structural steel for the shed slab shall be provided to the Principle Certifying Authority.

Prior to Commencement of Works

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

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10. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
11. 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.
12. A waste management plan for the development shall be submitted to and checked by the Principal Certifying Authority. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
13. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.

During Construction

14. 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.
15. At all times during demolition, a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
 - (a) Adjoining owners are given 24 (twenty four) hours notice, in writing, prior to commencing demolition.
 - (b) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed before any demolition commences.
 - (c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
 - (d) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
 - (e) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes.
 - (f) The structure and all components shall be maintained in a stable and safe condition at all stages of the demolition work.
 - (g) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings
 - (h) Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
 - (i) All work shall be carried out in accordance with AS2601 and the Work Plan submitted with the development application.

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- (j) Unless otherwise permitted by Council, the structure is to be demolished in reverse order of construction, being progressive and having regard to the type of construction, to enable the maximum separation and recycling of demolished materials to take place.
 - (k) No material is to be burnt on site.
16. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or docket, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
 17. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
 18. 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.
 19. No excavated material, including soil, shall be removed from the site.
 20. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
 21. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
 22. The site shall be secured to prevent the depositing of any unauthorised material.
 23. Landscaping shall be completed in accordance of the approved landscaping plan. Planting shall consist of a combination of trees, shrubs and ground species of local provenance.
 24. All materials used in the construction below the level of 17.3 metres AHD shall be capable of withstanding prolonged immersion in water without swelling or deteriorating.
 25. All roof water shall be drained to appropriate water storage vessel/s. Any overflows are to be designed so as to disperse flows so as to minimise erosion and scouring.
 26. The rural shed shall be coloured to match with either the natural environment *or* the existing dwelling.

Use of the Development

27. No internal or external alterations shall be carried out without prior approval of Council.
28. The rural shed shall not be occupied for human habitation/residential, industrial or commercial purposes.
29. The shed shall be only used for the storage of goods associated with the rural residential use of the property.

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30. The development shall be limited to the area shown on the submitted plans.
31. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
32. All vehicles shall enter and exit the site in a forward direction.
33. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties.

New South Wales Office of Water General Terms of Approval

34. These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to 4/224860 and provided by Council:

- (i) Site plan, map and/or surveys

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.

35. Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material within 40 metres of the top of the bank or shore of the river identified.
36. The consent holder must prepare or commission the preparation of
 - (i) Erosion and Sediment Control Plan
37. All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water guidelines located at www.dwe.nsw.gov.au/water_trade/rights_controlled.shtml
 - (i) Outlet structures
38. The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.
39. The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
40. The consent holder must establish all erosion and sediment control works and water diversion.

Advisory Notes

- Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

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- 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.

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 Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Ford	
Councillor Mackay	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Paine was absent from the meeting.

Item: 221 CP - Development Application - Construction of Rural Shed at Lot 3 DP 521263, 187 Oakville Road, Oakville - (95498, 85782, 118345, 118344 , DA0090/11

Mr Brad Merriman, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

354 RESOLUTION:

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

That Development Application DA0090/11 at Lot 3 DP521263, 187 Oakville Road, Oakville for a rural shed be approved subject to the following conditions:

General

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

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conditions and where amendments made in red to the approved plans, specifications or documentation submitted.

- Site Plan, Drawing No 202/1756/1/3
 - Elevation Plan, Drawing No 202/1756/2/3
 - Internal layout & cross section, Drawing No 202/1756/3/3
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.
 3. The approved use shall not commence until all conditions of this Development Consent have been complied with.
 4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
 5. The development shall comply with the provisions of the National Construction Code at all times.
 6. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.

Prior to Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. **The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.**

7. The external colours and finishes are to be amended to 'bushland' tones, approval for the external colours and finishes are to be obtained prior to the issue of the Construction Certificate from the Director of City Planning, Hawkesbury City Council.

Prior to Commencement of Works

8. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
9. The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls under construction and in compliance with the approved plans shall be lodged with the principal certifying authority. Any easements must be shown on the Survey Certificate.
10. 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.
11. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
12. 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.
13. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.

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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.
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 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.
16. A 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. Site works are to be limited to the area in the immediate surrounds of shed location.
18. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7:00am - 6:00pm and on Saturdays between 8am - 4pm.
19. 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.
20. All roofwater shall be drained to the water storage vessel/s.
21. Filling to the site is to be wholly within the confines of the external walls and to be retained by dropped edge beams. The natural ground level at adjacent boundaries is to be unaffected by the development.
22. To prevent disturbance to the existing vegetation on the site, only the area immediately surrounding the proposed shed is to be disturbed during construction. During construction suitable barriers are to be erected to prevent vehicle or pedestrian access; stockpiles or other disturbance occurring to the vegetated areas.

The Use of the Site

23. A final occupation certificate shall not be issued until the five (5) existing sheds (as shown on the submitted plans) are demolished.
24. The rural shed shall not be occupied for human habitation/residential, industrial or commercial purposes.

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25. The existing vegetation shall not be removed or adversely affected by the use of the site as a rural shed.

The reasons for the imposition of these conditions are those matters in 79(c)(1) of the Environmental Planning and Assessment Act, 1979 as are relevant to the subject development.

Notes:

- i. This consent operates from the *consent date* shown on the top of this notice and will lapse unless the development, is commenced, within five (5) years from the date endorsed on this consent.
- ii. Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing on Council's Application Form (refer to Council's website or customer service centre) within 12 months after receipt of this Notice of Determination, together with payment of the appropriate fees. It is recommended that the applicant discuss any request for a review of determination with Council staff before lodging such a request.

NOTE: This clause does not relate to Designated, Integrated, Crown or applications determined by the Joint Regional Planning Panel or applications previously considered under Section 82A of the Environmental Planning and Assessment Act 1979.

- iii. If you are dissatisfied with this decision Section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.
- iv. Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.

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 Bassett	Nil
Councillor Calvert	
Councillor Conolly	
Councillor Ford	
Councillor Mackay	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Paine was absent from the meeting.

ORDINARY MEETING

MINUTES: 27 September 2011

Item: 222 CP - Establishment of Police and Community Youth Club - Expression of Interest - (95498)

MOTION:

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

Refer to RESOLUTION

355 RESOLUTION:

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

That:

1. Council lodge an Expression of Interest with the NSW Government to seek a \$250,000 capital allocation to refurbish the Tiningi Community Centre as a PCYC venue.
2. Council advise Bligh Park Community Services Inc. of its intention to lodge an EOI and commence discussions with the management committee to facilitate the refurbishment of the Tiningi Community Centre as a PCYC venue. Council staff to also consult with the management committee regarding the future management and usage of the Centre to minimise disruption to existing user groups should the EOI be successful.

ORDINARY MEETING

MINUTES: 27 September 2011

INFRASTRUCTURE SERVICES

Item: 223 IS - 22 Clergy Road, Wilberforce (DA 0352/11) - (95495, 95498, 121979)

MOTION:

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

Refer to RESOLUTION

356 RESOLUTION:

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

That the transfer of the benefit of the easement from Council to Lot 7, DP 249290 be endorsed and the Seal of Council be affixed to the necessary documentation required to vary the 88B instrument for a drainage easement benefitting Lot 7, DP 249290 (22 Clergy Road, Wilberforce) over Lot 6, DP 249290 (24 Clergy Road, Wilberforce).

SUPPORT SERVICES

Item: 224 **SS - Monthly Investments Report - August 2011 - (96332, 95496)**

Previous Item: 144, Ordinary (28 June 2011)

MOTION:

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

Refer to RESOLUTION

357 RESOLUTION:

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

The report regarding the monthly investments for August 2011 be received and noted.

Item: 225 **SS - Potential Financial Impact of Carbon Price Mechanism on Council's Operations - (95496, 107)**

MOTION:

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

Refer to RESOLUTION

358 RESOLUTION:

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

That the information concerning the potential financial impact of the proposed Carbon Price Mechanism on Council's operations be received.

Councillor Calvert requested that his name be recorded as having voted against the motion.

ORDINARY MEETING
MINUTES: 27 September 2011

Item: 226 **SS - Internal Reporting Policy (Public Interest Disclosures Act) - (79337, 95496, 107)**

Previous Item: 326, Ordinary (1 November 2005)

MOTION:

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

Refer to RESOLUTION

359 RESOLUTION:

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

That the Internal Reporting Policy (Public Interest Disclosures Act), attached as Attachment 1 to the report, be adopted.

ORDINARY MEETING

MINUTES: 27 September 2011

CONFIDENTIAL REPORTS

360 RESOLUTION:

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

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

The General Manager advised that he had a late staff matter he needed to bring to the attention of Council and sought the leave of Council to raise the matter under Clause 2.2.3(3) of the Council's Code of Meeting Practice.

361 RESOLUTION:

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

That Council agree to consider a late staff matter at this meeting as provided for under Clause 2.2.3(3)(a) of the Council's Code of Meeting Practice in Confidential Session.

As required under Clause 2.2.3(3)(b) of the Council's Code of Meeting Practice the Mayor determined the matter to be urgent.

362 RESOLUTION:

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

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: 227 CP - Tender No. 00611 - Asset Management Information System - (95498)

*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: 228 GM - Late Staff Matter - (79351)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) and (g) of the Local Government Act, 1993 as it relates to personnel matters concerning particular individuals (other than councillors) 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 and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

ORDINARY MEETING

MINUTES: 27 September 2011

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.

363 RESOLUTION:

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

Item: 227 CP - Tender No. 00611 - Asset Management Information System - (95498)

Previous Item: 153, Ordinary (12 July 2011)
62, Ordinary (29 March 2011)

MOTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reardon.

Refer to RESOLUTION

364 RESOLUTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Reardon.

That:

1. Council accept the negotiated final proposal from TechnologyOne Pty Ltd and Assetic Pty Ltd, including a two year phased payment option for the software system, to deliver and implement an integrated corporate Asset Management System for a total project estimated cost of \$423,968 exclusive of GST.
2. Authority be given for any documentation in association with the matter to be executed under the Seal of Council.

ORDINARY MEETING

MINUTES: 27 September 2011

Item: 228 GM - Late Staff Matter - (79351)

The General Manager advised Council of issues that had arisen on 22 and 23 September 2011 in relation to a member of staff and actions that occurred on and subsequent to those dates.

MOTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Williams, seconded by Councillor Calvert.

Refer to RESOLUTION

365 RESOLUTION:

The General Manager advised that whilst in Closed Session, Council RESOLVED on the motion of Councillor Williams, seconded by Councillor Calvert.

That the information be received and noted and the action taken to date be endorsed.

SECTION 5 - Reports of Committees

ROC - Audit Committee Minutes - 24 August 2011 - (95496, 91369)

366 RESOLUTION:

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

That the minutes of the Audit Committee held on 24 August 2011 as recorded on pages 95 to 102 of the Ordinary Business Paper be received.

ROC - Waste Management Advisory Committee Minutes - 7 September 2011 - (95249)

367 RESOLUTION:

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

That the minutes of the Waste Management Advisory Committee held on 7 September 2011 as recorded on pages 103 to 107 of the Ordinary Business Paper be received.

ORDINARY MEETING

MINUTES: 27 September 2011

QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

There were no responses to the question in relation to previous Questions for Next Meeting.

ORDINARY MEETING
MINUTES: 27 September 2011

Questions - 27 September 2011

#	Councillor	Question	Response
1	Calvert	Enquired as to the progress of the proposed Dog Off Leash area.	Director Infrastructure Services

The meeting terminated at 8:20pm.

Submitted to and confirmed at the Ordinary meeting held on 11 October 2011.

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Mayor