

Ordinary Meeting Of Council



Wollondilly Shire Council

Minutes

Monday 20 June 2016

The meeting commenced at 6.34pm and was held in the Council Chamber 62-64 Menangle Street, Picton NSW 2571.

WOLLONDILLY SHIRE COUNCIL

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RECORDING OF MEETINGS

The Mayor stated that in accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting and the use of electronic media during the proceedings is not permitted. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

PRESENT

Councillors: Landow (Mayor), B Banasik, Law, Terry, Amato, M Banasik, Hannan, Gibbs and Mitchell.

ALSO PRESENT WERE

General Manager, Executive Director Community Services and Corporate Support, Director Planning, Director Infrastructure and Environment, Manager Executive Services, and two Governance/Administration Officer.

NATIONAL ANTHEM

The Mayor requested that everyone stand for the Australian National Anthem.

ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional Custodians of the Land:

I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present.

APOLOGIES AND LEAVE OF ABSENCE REQUESTS

TRIM 88-11

There were no apologies noted for this meeting.

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DECLARATION OF INTEREST

TRIM 528-7

Cr Law declared a Non-Pecuniary Conflict of Interest in Item PE2 as before becoming a Councillor, Ray and his wife made a submission regarding the development at 90 Railside Avenue, Bargo. Cr Law advised that he will bring an impartial mind to the debate and that he will remain in the meeting to take part in discussion and to vote on the matter.

Cr M Banasik declared a Non-Pecuniary Conflict of Interest in Items EN1, GO9 and the Mayoral Minute as he rents a shop in Picton. Cr M Banasik advised he will remain in the meeting to take part in the discussions and vote on these matters.

Cr Mitchell declared a Non-Pecuniary Conflict of Interest in Item EN1 as his daughter runs a business in Argyle Street. Cr Mitchell advised he will remain in the meeting to take part in the discussions and vote on the matter.

Cr Landow declared a Non-Pecuniary Conflict of Interest in Item EN1 as a family member owns a shop in Picton. Cr Landow advised he will remain in the meeting to take part in the discussion and vote on the matter.

CONFIRMATION OF MINUTES

TRIM 88-11

99/2016 **Resolved on the motion of Crs Amato and Hannan:**

That the Minutes of the Ordinary Meeting held on Monday 16 May 2016, as circulated, be adopted as true and correct.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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MAYORAL MINUTE

TRIM 531

During the past month the following events were attended by either myself or as indicated by other Councillors with details provided on the following pages:

Tuesday 17 May 2016 Wollondilly Business & Industry Networking Event.

Saturday 21 May 2016 Mayors Carp Fishing Competition.

Monday 23 May 2016 Wollondilly Walkers – Picton Group.

Tuesday 24 May 2016 Meeting with Minister for Corrections, Emergency Services and Veterans Affairs David Elliott.

Tuesday 24 May 2016 Menangle Fire Brigade Annual General Meeting.

Friday 26 May 2016 Fatality Free Friday.

Monday 30 May 2016 MACROC Breakfast.

Monday 1 June 2016 Handing out of IlluminArte Certificates.

Thursday 2 June 2016 Together Arts Exhibition Launch.

Saturday 4 June 2016 Public Memorial Dedication for Maurice Blackwood.

Saturday 4 June 2016 Kids of Macarthur Annual Ball.

Wednesday 15 June 2016 Camden Wollondilly Local Business Awards.

During June 2016 Council received one (1) application for Sponsorship:

- Request for \$500 from the Buxton Public School P&C Association towards the inaugural Buxton Country Markets to be held on 14 August 2016.

This request has been assessed against the program criteria and deemed eligible to receive funding through the Donation Program as per the criteria for individuals and organisations.

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I am very happy to advise that Mr Bob Love has received an Order of Australia in the General Division for services to Local Government in NSW. I have passed on congratulations from Council for this prestigious award.

Mr Love's impressive Local Government employment began in 1938 and continued to 1994. Mr Love was Shire Clerk – Wollondilly Shire Council between 1959-1985.

Following the storm event experienced on Sunday 5 June 2016 I would like to acknowledge appreciation to the many volunteers, over 500 in total and too many to name individually, also to the businesses and organisations and council staff who have made a huge impact assisting in the clean-up following the aftermath of the devastation which occurred in our Shire. I would also like to note a special thanks to Council Staff who assisted over the long weekend. The assistance provided is a wonderful example of the resilience of Wollondilly and the wider Community coming together to help each other in a time of need, we are very grateful for this ongoing support. The Storm event recovery assistance from NSW State, Federal agencies and other not for profit organisations has been tremendous including the generous assistance from City of Sydney Council and Camden Council.

In addition to the recovery efforts, I would also like to thank the Community for their generous support of the 2016 Storm Event Appeal which has enabled us to make emergency relief payments totalling \$19,000 to those in immediate need. Council kicked off the appeal with an opening amount of almost \$7,000 and so far, over \$26,000 has been raised from donations from the Community. I would like to put forward a motion that Council donate a further \$3,000 in support of the Mayor's Relief Fund "2016 Storm Event Appeal" to allow further relief to be provided to those in need. Additionally, I would like to thank the many Council staff who have financially contributed to the Appeal.

I would now like to table the following pages of this document which provide more details in regard to events attended.

The General Manager acknowledged the work of Council staff who assisted immediately following the storm event and extended his appreciation to all.

Cr Amato acknowledged the work that Cr Landow has carried out as Mayor and thanked staff and community for their hard work.

Cr Law acknowledged the work of the Local RFS who were rescuing residents and assisting with emergency relief well into the night.

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On Tuesday 17 May 2016 the Picton Chamber of Commerce & Industry hosted the Wollondilly Business & Industry Networking Event at Vaby's Restaurant in Picton. Wollondilly businesses were invited to attend the event which provided them with an opportunity to meet and build connections with other businesses in the Shire. Governors Hill provided a presentation on planning and expectations for Wilton Town Centre. This event was also a farewell for special guest Phillip Costa who is moving away from the Shire.

I would like to thank Cr Judith Hannan, Cr Michael Banasik, General Manager, Luke Johnson and Tate Ryan for accompanying me to this event.



Photograph of Mayor Cr Simon Landow with Tim Bennett-Smith.

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On Saturday 21 May 2016 the Mayors Carp Fishing Competition was held at the Picton Botanical Gardens Duck Pond, Regreme Road, Picton.

The winner was Max (pictured below), 7 years old with his fish weighing 4.75kg and 60cm's long.



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On Monday 23 May 2016 I joined keen local walkers enjoying the Autumn sunshine in the Picton Botanic Gardens. The Wollondilly Walkers – Picton are a FREE Walking Group that has just started in partnership with Wollondilly Health Alliance and the Heart Foundation. Walking groups are a great way to meet new people as well as looking after your health.

The Walking Group meet at the Picton Botanic Gardens, (Regreme Rd entrance) on Mondays from 1pm to 2pm and Tuesdays from 9am to 10am. All levels of ability are welcome.



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On Friday 26 May 2016 Fatality Free Friday was held at Tahmoor Town Centre.



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On Monday 30 May 2016 I awarded IlluminArte Window Award First Prize Certificate to Dee Jay's Hair and Beauty.



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On Wednesday 15 June 2016 the 2016 Camden Wollondilly Local Business Awards were held at Bargo Sports Club. I would like to thank Cr Judith Hannan, Cr Michael Banasik and General Manager, Luke Johnson for accompanying me to this event.

I would like to congratulate the following business for winning their category award:

Collectables at Picton, JJ Performance Smash Repairs, Appin Bakery, Hall's Conveyancing, Bridge Street Sports Centre, Picton Dental, Jewellery on Argyle, Pharmacy4less, Bendigo Bank, Carpenter Partners Real Estate.

Business Person of the year awarded to Tahmoor Post Office.



Simon Landow
MAYOR
20 June 2016

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100/2016 Resolved on the motion of Crs Landow and Amato:

That the Mayoral Minute be accepted, this included the following:

- 1. During June 2016 Council received one (1) application for Sponsorship:
 - Request for \$500 from the Buxton Public School P&C Association towards the inaugural Buxton Country Markets to be held on 14 August 2016.This request has been assessed against the program criteria and deemed eligible to receive funding through the Donation Program as per the criteria for individuals and organisations.**

- 2. I would like to put forward a motion that Council donate a further \$3,000 in support of the Mayor’s Relief Fund “2016 Storm Event Appeal” to allow further relief to be provided to those in need. Additionally, I would like to thank the many Council staff who have financially contributed to the Appeal.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Planning and Economy

PLANNING AND ECONOMY

PE1 Development Application No. 010.2015.00000445.001 – Sixteen (16) Lot Torrens Title Subdivision and Demolition of Existing Garage
260774 DD010.2015.00000445.001

101/2016 Resolved on the motion of Crs Hannan and B Banasik:

That Development Application 010.2015.00000445.001 for the sixteen (16) lot Torrens title subdivision and the demolition of an existing garage of lot 9 DP 877774 at 67 Avon Dam Road, Bargo be approved subject to the following conditions:

1. COMPLIANCE

These conditions are imposed to ensure that the development is carried out in accordance with the conditions of consent and the approved plans to Council's satisfaction.

- (1) Development Consent is granted for a Sixteen (16) Lot Subdivision at lot 9 DP 877774, No. 67 Avon Dam Road, Bargo.
- (2) Development shall take place generally in accordance with the following plans:

Drawing Title/Description	Prepared by	Reference No.	Date
Site Plan	Abode Drafting	Project No. 8270, Issue A, Sheet 1	12/06/2015
Drainage Concept Plan	D & M Consulting Pty Ltd	Drawing No. 15304A	20/05/15

Submitted in respect of Development Application No. 010.2015.00000445.001, dated 18 June 2015, except where varied by the following conditions:

- (3) Unless permitted by another condition of this consent, there shall be no tree clearing unless the vegetation is:
 - (a) Within the footprint of an approved building, access driveway or other structure; or
 - (b) Within three (3) metres of the footprint of an approved building; or

Planning and Economy

- (c) Preventing the achievement of the minimum asset protection zone requirements under the relevant planning for bushfire protection guidelines.
- (4) In this condition Tree Clearing has meaning as described in Clause 5.9(3) of Wollondilly Local Environmental Plan, 2011.
- (5) Where any work associated with this consent has the potential to disturb neighbours through the generation of noise, dust, odour, vibration or through deliveries to the site the person with control over the works shall advise the occupants of all adjoining and potentially affected properties of the timing and duration of such works. The land owner has the ultimate responsibility for ensuring that anybody undertaking works under this development consent on their behalf is aware of this requirement and completes the task required by this condition.
- (6) A vehicular access point for Lots 4 and 11 shall be nominated for approval by Council or the nominated Accredited Certifier prior to the issue of the Construction Certificate.

2. DEMOLITION

The conditions have been imposed to ensure that the demolition of buildings is carried out with regard to public and environmental safety.

- (1) All demolition works that are proposed to demolish (or partially demolish) any building structure or installation that:
- Is over 15 metres in height
 - Is a chemical installation
 - Involves a tower crane on site
 - Involves a mobile crane with a rated capacity of more than 100 tonnes
 - Has structural components that are pre-tensioned or post-tensioned
 - Involves floor popping
 - Involves explosives
 - Is between four metres and fifteen metres in height involving mechanical demolition such as excavators, bulldozers or cranes
 - Is between 10 metres and 15 metres in height and affects its structural integrity and involved the use of load shifting machinery on suspended floors shall be undertaken by a licensed demolisher who is registered with Safe Work NSW. Details shall be submitted to Council or the nominated Accredited Certifier prior to the commencement of demolition works.

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- (2) Any Demolition works involving asbestos removal must comply with all legislative requirements including the How to Safely Remove Asbestos – Code of Practice (December 2011 – WorkCover NSW & Safe Work Australia), SafeWork NSW and NSW Environmental Protection Agency (EPA) requirements.
- (3) Any work involving lead paint removal must not cause lead contamination of air or ground.
- (4) All demolition material shall be disposed of in accordance with a waste management plan to be submitted and approved by Wollondilly Shire Council prior to the commencement of the demolition work.
- (5) Demolition works shall not create a general nuisance by reason of inadequate dust, noise or environmental controls.
- (6) All demolition works should be carried out in a way that ensures that waste is managed in a manner consistent with the “NSW Waste Avoidance and Resource Recovery Strategy 2014-21” (copies can be obtained from the EPA website at <http://www.epa.nsw.gov.au/warr/index.htm>).
- (7) Care should be taken when demolishing building structures likely to have been treated with pesticides to avoid contact with the top 10-20mm of soil. The top layer of soil should not be left exposed where children or other sensitive individuals may come into contact with it.
- (8) Demolition shall be carried out to Australian Standard AS2601-2001 – The Demolition of Structures and the WorkCover Authority of NSW publication “Demolition work code of practice July 2014” including provision for:
 - Appropriate security fence or builders hoarding shall be installed to prevent public access to demolition works
 - Induction training for onsite personnel
 - Management of asbestos, contamination and other hazardous materials
 - Dust control
 - Disconnection of gas and electrical supply
 - The demolition shall not hinder pedestrian or vehicle mobility in the locality
 - Control of water pollution and leachate, including the cleaning of vehicle tyres in accordance with the Protection of the Environment Operations Act 1997.

Planning and Economy

- (9) Fire fighting services onsite shall be maintained at all times during demolition works.
- (10) The demolition by induced collapse, the use of explosives or onsite burning is not permitted.
- (11) During demolition works all materials and equipment shall be kept entirely within the site and not on adjoining property, footpaths and roads.
- (12) All demolition work shall be restricted to between the hours of 7.00am and 6.00pm, Mondays to Fridays (inclusive), 8.00am to 1.00pm Saturdays, and prohibited on Sundays and Public Holidays.
- (13) Certification is to be provided by the Demolition Contractor that the demolition work has been carried out in accordance with the above conditions. Such certification is to be provided to Council or the nominated Accredited Certifier prior to the issue of any Construction Certificate.

3. CONSTRUCTION GENERAL

These conditions have been imposed to ensure that all construction work is undertaken to an approved standard and related approvals.

- (1) Construction shall not commence until a Construction Certificate has been obtained from Council or a nominated Accredited Certifier.
- (2) All construction and building work shall be restricted to between 7:00am and 6:00pm Mondays to Fridays (inclusive), 8.00am and 1.00pm Saturdays and prohibited on Sundays and Public Holidays unless written approval to vary the hours of work is granted by Council.
- (3) Any damage to the Council footway, road or other land shall be restored in accordance with Council's specifications prior to the issue of any Subdivision Certificate for the development.
- (4) Dust shall be controlled so that it will not leave the construction site.

Planning and Economy

4. ENGINEERING & CONSTRUCTION SPECIFICATIONS

These conditions have been imposed to ensure that developments within the Shire are of a standard which is both safe and acceptable to Council and members of the public:

- (1) All works are to be designed and carried out in accordance with Wollondilly Shire Council's adopted Design and Construction Specification.
- (2) Engineering design plans for the proposed roads, driveways, shared pathways, stormwater drainage, stormwater management measures and cut and fill shall be submitted to Council or the nominated Accredited Certifier. The plans must be approved prior to the issue of a Construction Certificate for any works associated with this development. All levels are to be reduced to Australian Height Datum. Road design parameters shall comply with the requirements of Council's Design Specifications.
- (3) Where Council's Construction Specification require that density tests, beam tests or CBR tests be undertaken, the results shall be forwarded to Council or the nominated Accredited Certifier within 7 days. A NATA registered laboratory shall carry out the tests. When testing for density, the Standard Compaction testing method is to be used.
- (4) Failure to submit test results may result in Council refusing to issue completion certificates and hence may result in additional works being required.
- (5) A defects liability period of twelve (12) months will apply from the date of issue of the Certificate of Practical Completion by Council and for Public Roads the twelve (12) months is dated from the date of registration of the road as public Road. A 10% maintenance bond, or a minimum of \$1,000, whichever is greater, is to be lodged in accordance with council's Construction Specification for all work that is to become the property of Council.
- (6) A certified "Works as Executed" plan from a Chartered Professional Engineer or Registered Surveyor is to be submitted electronically in a XML format, including CCTV recording for all road stormwater lines to the Principal Certifying Authority before the final inspection for the Certificate of Practical Completion. The "Works as Executed" details shall be shown on the approved plans and must certify that the works have been constructed in accordance with the approved drawings and to the levels specified.

Planning and Economy

- (7) A “Soil and Water Management Plan” (SWMP) that outlines the measures that will be taken to limit and contain sediment laden runoff during construction shall be submitted to Council or the nominated Accredited Certifier. The measures shall be in accordance with Council’s Construction specification and the Department of Housing’s “Blue Book”. The plan is to be approved by Council or the nominated Accredited Certifier with the Engineering Plans.
- (8) A “Traffic Management Plan” that details suitable safety measures that will be implemented whenever work is being undertaken in the public road reserve shall be submitted to Council or the nominated Accredited Certifier. The safety precautions are to be in accordance with the requirements of the RTA’s “Traffic Control at Work Sites” manual. The plan is to be prepared and endorsed by a person with current RTA certification and provided to Council or the nominated Accredited Certifier before the issue of a Construction Certificate for development.

5. DRAINAGE/STORMWATER

These conditions have been imposed to ensure drainage/stormwater is appropriately managed.

- (1) Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.
- (2) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 10% AEP. Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP.
- (3) Road drainage shall be provided for all new roads, new kerb and gutter and road widening works. Where drainage from a Public Road is to be discharged onto adjoining private property, written permission shall be provided to Council or a nominated Accredited Certifier, for the discharge of stormwater and creation of a drainage easement over such drainage, from the owner of the affected property prior to the issue of a Construction Certificate.
- (4) Drainage calculations shall be carried out for the existing drainage system to show that adequate capacity exists for the proposed drainage.

Planning and Economy

- (5) Any amplification of the existing drainage lines or the provision of on-site detention shall be provided at no cost to Council. Details shall be shown on the Engineering design plans for approval.**
- (6) An interallotment drainage system shall be provided for those lots not able to discharge stormwater by gravity flow to the road gutter or suitable Council drainage system. This system shall be located within a drainage easement not less than 1.5 metres wide which confers appropriate drainage rights.**
- (7) The person who has the benefit of this consent shall incorporate adequate dissolved pollutant, silt, grass and oil pollutant controls to the stormwater management system in accordance with Council's design Specifications. Details of the stormwater pollution control system shall be shown on the engineering plans for approval.**
- (8) The person who has the benefit of this consent shall incorporate adequate stormwater quantity control measures to ensure that post development flow rates from the site are not more than pre development site discharge at each discharge point for all rainfall events up to 1 in 100 year ARI. Details of the proposed Stormwater management measures shall be shown on the engineering design plans for approval.**
- (9) An appropriate Easement, Restriction on the Use of Land and Positive Covenant shall be registered on each lot affected to ensure the provision or protection of the stormwater management measures proposed for each lot. A Positive Covenant shall be placed on each lot to ensure the appropriate management and maintenance of such devices. Terms and Conditions can be obtained from Council.**
- (10) An Operational Management Plan shall be prepared for all stormwater management devices that details the purpose of the devices and provides a maintenance and inspection schedule for each device. The plan shall be referenced in the Terms and Conditions for each Restriction or Positive Covenant created on the lot and be made available with any land sale contract documents. The plan shall be submitted with the Engineering design plans for approval.**

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6. CARPARKING/LOADING/ACCESS

These conditions have been imposed to:

- (a) Ensure that adequate provision is made for off street parking, appropriate to the volume and turnover of traffic generated by the development.
- (b) Ensure that adequate manoeuvring space is provided for parking areas, loading bays and entry facilities.
- (1) Provision of vehicular access to proposed lots 15 and 16 through the construction of a coloured concrete driveway 4 metres wide along the handle access.
- (2) A 3.0 x 3.0 metre splay corner shall be taken from the north west corner of proposed lot 13 to facilitate vehicle access to the battle axe lot 16. Details to be shown on the Engineering design plans for approval.
- (3) Provision of vehicular access to the existing dwelling on proposed lot 3 through the construction of an appropriate driveway 3.0 metre wide in accordance with Council's design Specification. Details to be shown on the Engineering design plans for approval.

7. PUBLIC ROADS

These conditions have been imposed to ensure all public road works required by the development are provided to an adequate standard.

- (1) In accordance with Section 138 of the Roads Act a 138 Consent Certificate must be obtained from Council's Infrastructure Planning Section a minimum 7 days prior to commencement of any work within the site or public road. A fee is payable for issue of this Consent Certificate.
- (2) Provision of road access between Avon Dam Road and Hawthorne Road, through the construction of half carriageway width of the East-West Link road as generally shown on the concept plans by Abode Drafting, Project 8270, Issue A dated 12.06.15. Kerb alignment shall provide for a 10.0 metre full carriageway width. The road shall be constructed to Council's Design and Construction specifications prior to the issue of the Subdivision Certificate.

Planning and Economy

- (3) Where the construction of the full width carriageway for the East-West Link road is not carried out concurrently with the civil works for the adjoining development on lot 132 in DP851807, the minimum constructed carriageway width shall be 8.0 metres wide and 10.0 metres wide at the intersections with Avon Dam Road and Hawthorne Road. A registered Easement for Access, a minimum 9.0 metre wide, shall be created over the adjoining lot benefiting Council for the road access. Evidence of such easement being created and written acceptance from the adjoining land owners for the construction of part roadworks on the private property shall be provided to Council prior to issue of Construction Certificate.
- (4) The intersection of the East-West Link road with Avon Dam Road and Hawthorne Road shall make provision for turning movements for 12.5 metre Single Unit Truck in accordance with the Austroads turning templates.
- (5) The person having the benefit of this consent shall, at no cost to Council, dedicate as public road a minimum 9.0 m wide road reserve at the location of the East-West Link road and 10.0 metre by 10.0 metre splay corners at the intersections with Avon Dam Road and Hawthorne Road prior to the issue of the Subdivision Certificate.
- (6) Provision of kerb and gutter and asphalt surface road shoulder from the edge of the existing bitumen to the lip of the gutter shall be constructed along the full frontage of Hawthorne Road, including associated drainage works. Kerb alignment shall provide for a minimum 5.0 metre wide half carriageway width (to make provision for a future 10.0 metre full carriageway width). Details shall be included on the engineering plans for approval by the Principal Certifying Authority and Council, as the Road Authority.
- (7) Provision of kerb and gutter and asphalt surface road shoulder along the full frontage of Avon Dam Road shall be constructed, including associated drainage works. Road shoulder works shall include restoration of the existing sealed pavement for a minimum width of 1.0 metre from the edge of bitumen towards the road centreline. Kerb alignment shall provide for a minimum 13.0 metre full carriageway width. Details shall be included on the engineering plans for approval by the Principal Certifying Authority and Council, as the Road Authority.

Planning and Economy

- (8) **The applicant shall at no cost to Council, construct the following concrete shared pathways:**
- **2.0 metre shared path along the full frontage of Avon Dam Road, eastern side,**
 - **2.0 metre shared path along the full frontage of Hawthorne Road, western side,**
 - **1.5 metre pathway along the East-West Link road between Avon Dam Road and Hawthorne Road, north side, with pedestrian kerb ramps at intersections.**
- (9) **Pathways shall be constructed to driveway standard, 125mm thick reinforced concrete prior to the issue of the Subdivision Certificate. Kerb Ramps are to be provided at all intersections to provide a pedestrian link across the intersection. Shared path details shall be shown on the Engineering design plans for approval.**
- (10) **Provision of vehicular access to proposed lots 3, 15 and 16 through the construction of concrete footway crossings 4.0 metres wide in accordance with Council's Design and Construction Specification. Details to be provided on the Engineering design plans for approval.**
- (11) **Street lighting shall be provided using LED LIGHTING within the subdivision in accordance with the Australian Standard AS1158 – Lighting for roads and public spaces and shall be certified by an Endeavour Energy approved design consultant.**
- (12) **The person having the benefit of this Consent shall provide three street names to Council before the application for Subdivision Certificate for the approval of the name of the proposed East-West Link road which is to be dedicated to Council.**
- (13) **The person having the benefit of this consent shall undertake all reasonable efforts to protect the public road pavement from damage during the course of construction work. Restoration of any damaged road or footway shall be at the applicant's expense.**

Planning and Economy

8. STREET ADDRESSING

These conditions are imposed in order to ensure the development complies with the requirements of the New South Wales Address Policy as published by the Geographical Names Board of New South Wales.

- (1) Prior to the issue of a Construction Certificate for the subdivision an application to name all roads within the development (public and private) shall be submitted to Council in accordance with Section 5.3 of the NSW Address Policy.
- (2) Prior to the issue of a Construction Certificate for the subdivision an application for street addresses for all lots within the subdivision shall be submitted to Council in accordance with Section 5.2 of the NSW Address Policy.

9. EROSION AND SEDIMENT CONTROL

These conditions have been imposed to minimise the impact of the Development on the environment and on adjoining properties.

- (1) Erosion and sediment control devices are to be installed prior to any construction activity on the site. These devices are to be maintained for the full period of construction and beyond this period where necessary.
- (2) Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.
- (3) Topsoil stripped from the construction site is to be stockpiled and protected from erosion until re-used during landscaping.
- (4) All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
- (5) Kikuyu will not be permitted to be used for turfing of any disturbed area.

Planning and Economy

10. EARTH FILL

These conditions have been imposed to ensure the safe disposal of fill.

- (1) All filling on the site, including footpath areas, shall be compacted to not less than 95% Standard Compaction. A report on the site filling is to be submitted in accordance with Wollondilly Shire Council's Design & Construction Specifications by an appropriately qualified Geotechnical Engineer or Soil Scientist. Such a report shall be supported by a survey plan of the site indicating the areas filled and depth of fill in relation to the lot boundaries.
- (2) A Cut/Fill plan shall be prepared and supplied with the Engineering design plans, showing the exact extent and depth of cut and filling on each lot prior to the issue of the Construction Certificate.
- (3) Only fill characterised as VENM or ENM under the guidelines of the NSW Environmental Protection Authority may be used in this development. Copies of validation reports for all fill used shall be retained and presented to Council on request.

11. INSPECTIONS

These conditions have been imposed to ensure that construction works are undertaken to an approved standard.

- (1) The engineering works shall be inspected by the Principal Certifying Authority at the following stages of construction to ensure they comply with Council's Construction Specification and associated approvals:
 - Prior to commencement of any construction work on the site, after erosion and sediment control and traffic control measures are implemented
 - When drainage lines have been laid, jointed and bedded, prior to backfilling
 - Prior to pouring of the drainage pits, when the formwork and steel is in place
 - When road works have been excavated to subgrade, prior to placing of pavement
 - When subsoil drainage lines have been excavated and drainage pipe laid prior to placing filter material
 - During roller test, which is to be carried out using a tree point roller or approved equivalent
 - At sealing

Planning and Economy

- At completion of the preparation of all concrete layback gutter crossing subgrade
- Prior to pouring concrete for concrete footpath/cycleway, when formwork and steel is in place
- Prior to pouring concrete to driveway/car park slabs, when formwork and steel is in place
- At practical completion of works
- At final completion of works (minimum of 12 months after date of issue of practical completion certificate).

Note: It is the responsibility of the applicant or contractor to notify the Principal Certifying Authority when inspections are required. Failure to notify may lead to additional work being required prior to issue of inspection certificates. A minimum of 24 hours notice is required for inspections where Council is the Principal Certifying Authority.

12. SERVICES

These conditions have been imposed to ensure that an adequate level of services are provided for the development.

- (1) Electricity supply is to be made available to all lots in accordance with the requirements of Endeavour Energy. In this regard, written confirmation from Endeavour Energy that suitable arrangements have been made shall be submitted to the Principal Certifying Authority prior to the release of the Subdivision Certificate.
- (2) Provision is to be made for the supply of telephone services to all lots in accordance with the requirements of Telstra. In this regard, written confirmation from Telstra Australia that arrangements have been made shall be submitted to the Principal Certifying Authority prior to the release of the Subdivision Certificate.
- (3) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Co-ordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of any Subdivision Certificate for the development.

Planning and Economy

- (4) All power and services provided to the development within the site shall be underground.
- (5) The subdivision shall be connected to the reticulated sewage scheme prior to the issue of any Subdivision Certificate for the development.

13. WASTE MANAGEMENT

These conditions have been imposed to ensure that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and maintain clean and tidy premises.

- (1) A Waste Management Plan is to be submitted to Council or the nominated Accredited Certifier for approval prior to the issue of any Construction Certificate. The Waste Management Plan is to be in accordance with the provision of Council's Waste Minimisation and Management Guidelines and is to include the construction phases of the development.
- (2) Disposal of construction and building waste shall be undertaken in accordance with the Waste Management Plan approved by Council or the nominated Accredited Certifier in response to a condition of consent.

14. HERITAGE

These conditions have been imposed to ensure that development is carried out in a manner sensitive to the heritage values of the locality.

- (1) Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with Section 146 of the Heritage Act 1977.
- (2) Should any Aboriginal relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Office of Environment and Heritage should be informed in accordance with Section 91 of the National Parks and Wildlife Act 1974.

15. LANDSCAPING

These conditions have been imposed to reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance.

- (1) The development shall be undertaken in accordance with the provisions of Clause 5.9 of Wollondilly Local Environmental Plan 2011 (WLEP 2011) and Part 10 of Volume 1 of Wollondilly Development Control Plan 2016 (DCP 2016). Under these provisions a person shall not, except with the consent of Council, ringbark, cut down, top, lop or wilfully destroy any tree or vegetation without a permit unless it is exempted under WLEP 2011 or DCP 2016.
- (2) All trees that are to be retained are to be protected by fencing, firmly staked within the drip line/canopy of the tree and maintained during the duration of the works. The area within the fencing must not be used for stockpiling of any material, nor for vehicle or pedestrian convenience.
- (3) A Street Tree Planting and Management Plan shall be prepared by a suitably qualified person for the East-West link road, the eastern side of Avon Dam Road and the western side of Hawthorne Road to be approved by Council or the nominated Accredited Certifier prior to the issue of the Construction Certificate. This plan shall contain the following:
 - Nominate appropriate species from Table 5 of Part 11 – Landscaping of Volume 1 – General, Wollondilly Development Control Plan 2016
 - Provide a planting schedule and maintenance methods to be implemented for a minimum of one (1) year after planting to ensure street tree establishment.
- (4) Street tree planting shall be completed in accordance with Wollondilly Shire Council's Street Tree and Vegetation Risk Management Procedure. A copy of this document is attached for reference purposes.
- (5) Street tree planting recommendations from the Street Tree Planting and Management Plan shall be completed prior to the issue of the Subdivision Certificate.

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- (6) A detailed landscape plan for the access handle servicing lots 15 and 16, drawn to scale by a person with horticultural qualifications or similar (such qualifications must be endorsed on the plans) shall be submitted to and approved by Council or the nominated Accredited Certifier prior to the release of the Construction Certificate. This plan must include the following:
- (a) All existing and proposed site structures.
 - (b) All existing vegetation.
 - (c) Details of proposed earthworks including mounding, retaining walls and planter boxes.
 - (d) Location, number and type of proposed plant species.
 - (e) Details of planting procedure and maintenance.
 - (f) Details of drainage and watering systems.
 - (g) Provision of only native species that are endemic to the region.
 - (h) Details of compliance with the landscaping requirements of other conditions of this consent.

NOTE: By resolution of Council on 19 July 2010 all plants used in landscaping must be native species endemic to the area and the planting of conifers is not permitted.

- (7) The access handle landscaping plan shall also incorporate the following:
- (8) Detailed landscaping in the area between the driveway and the side boundaries of the access handle. This area is to be a mulched garden bed with permanent edging, contain an automatic watering system and planted with suitable species so as to 'soften' the appearance of the driveway and fencing.
- (9) Landscaping of the access handle is to be installed in accordance with the approved Plan prior to the release of the Subdivision Certificate. The landscaping must be maintained in accordance with the details provided on that Plan at all times and the Section 88B Instrument shall reflect this requirement for Lots 15 & 16.

16. FENCING

These conditions are imposed to ensure that any fencing has a minimal effect on the landscape/streetscape/environment of the locality.

- (1) All fencing is to be installed in accordance with the provisions of Council's Fencing Policy.

Planning and Economy

- (2) Fencing shall be constructed on the following property boundaries:
- The common boundaries of Lot 15 with Lots 1, 2, 3, 14 and 16 (excluding an access area at and within the Reciprocal Right of Way) and the length of the Reciprocal Right of Carriageway along the boundary of Lot 14. Such fencing is to be installed prior to the issue of any Occupation Certificate for a dwelling on Lot 15. An 88B Restriction shall be provided in this regard.
 - The common boundaries of Lot 16 with Lots 15, 3, 6, 7, 12, and 13 (excluding an access area to and within the Reciprocal Right of Way) and the length of the Reciprocal Right of Carriageway along the boundary of Lot 13. Such fencing is to be installed prior to the issue of any Occupation Certificate for a dwelling on Lot 16. An 88B Restriction shall be provided in this regard.

Such fencing shall have a height of 1.8 metres and be of timber lapped paling construction (or similar, ie pre-coloured metal panels). Such fencing shall also taper forward of the building line to a height of 1.2 metres at the street boundary.

17. SECTION 94 CONTRIBUTIONS

These conditions have been imposed to ensure the adequate provision of public facilities required as a result of the development.

- (1) Payment of a Contribution for fifteen (15) additional lots in accordance with the Wollondilly Development Contribution Plan 2011, the cost of which will be determined and payable at the time of the release of the Subdivision Certificate.

The current amount payable is:

Open Space, Sport & Recreation (Shire)	\$4,020
Open Space, Sport & Recreation (Precinct)	\$164,100
Library & Community Facilities (Shire)	\$18,945
Library & Community Facilities (Precinct)	\$24,435
Transport & Traffic (Roads & Intersections)	\$68,010
Transport & Traffic (Cycleways)	\$975
Bushfire Protection	\$480
Plan Administration	\$14,055
TOTAL	\$295,020

Planning and Economy

These figures are reviewed quarterly in accordance with the provisions of the Contributions Plan and an updated figure must be obtained from Council at the time of payment.

18. SUBDIVISION PLANS

These conditions have been imposed to ensure:

- (a) To outline the minimum development standards and provide design guidelines for the subdivision of land in the Shire.
- (b) To outline Council's requirements on work standards for the construction of land subdivision.
 - (1) A letter from a Registered Surveyor shall be submitted to Council certifying that no services of Public Utility or waste water disposal presently connected to existing buildings straddle proposed boundaries after subdivision.
 - (2) Submission to Council of the Linen Plan of Subdivision together with nine (9) copies suitable for certification by the General Manager and lodgement at the Lands Titles Office. A fee for the release of the Subdivision Certificate applies.
 - (3) The development shall be completed in accordance with the relevant plans and conditions of consent prior to the release of the Subdivision Certificate.
 - (4) A Section 88B Instrument shall be prepared which provides for the following Restrictions on the subject land:
 - A building envelope shall be established for Lots 4 and 11 which clearly identifies the primary and secondary setbacks.
 - All future dwellings constructed on all lots shall be constructed in accordance with the recommendations of the Acoustic Assessment prepared by Blackett Acoustics, reference no. BA150515, dated June 2015.
 - Landscaping for the right of carriageway servicing Lots 15 and 16 shall be maintained in accordance with the approved Landscape Plan at all times.
 - The restrictions shall also contain a provision that it may not be released, varied or modified without the consent of Council.
 - Fencing to Lots 15 and 16 (including the Reciprocal Right of Carriage Way in accordance with Condition 16(2)).

19. PRESCRIBED CONDITIONS

These conditions are imposed as they are mandatory under the Act.

(1) SIGNS TO BE ERECTED ON BUILDING, SUBDIVISION AND DEMOLITION SITES

- (a) In accordance with Section 80A (11) of the Environmental Planning & Assessment Act, 1979, 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:
 - (i) Showing the name, address and telephone number of the Principal Certifying Authority for the work; and
 - (ii) 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
 - (iii) Stating that unauthorised entry to the work site is prohibited.
- (b) 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.
- (c) This Clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

20. ADVICES

- (1) During the course of construction, care must be taken to prevent damage to any public utility or other service and the applicant will be held responsible for any damage caused by him or his agents, either directly or indirectly. Any mains, services, poles, surface fittings etc., which require alterations shall be altered at the applicants expense and to the satisfaction of Council and the authority concerned.
- (2) At all times work is being undertaken within the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.

Planning and Economy

- (3) The following service providers should be contacted before commencement of construction to establish their requirements:
- Dial before you dig (various services) 1100
 - Telstra (telephone) 1 800 810 443
 - Endeavour Energy (electricity) 131 081
 - AGL (gas) 131 245
 - Sydney Water (water & sewer) 132 092.
- (4) This Consent does not permit the commencement of construction unless a Construction Certificate has been issued. For details about obtaining a Construction Certificate contact Council's Building Services Section for building works or Council's Infrastructure Planning Section for subdivision works.
- (5) The developer and any contractor or sub-contractor used to carry out any work authorised by or out of this approval on Council owned or controlled land, is to carry the following insurance, copies of which are to be produced to Council upon request:
- Motor Vehicle Insurance (comprehensive or property damage) for all self-propelled plant, as well as valid registration or RMS permit (Including CTP insurance). Primary producer's registration is not registration for use on Public Road construction work.
 - Workers Compensation Insurance.
 - Twenty Million Dollar Public Liability Insurance.
- (6) The land is subject to the provisions of Clause 5.9 of Wollondilly Local Environmental Plan, 2011 and Part 10 of Volume 1 of Wollondilly Development Control Plan 2016 with regard to the preservation of trees and vegetation. Under these plans consent may be required for tree clearing beyond the limits set by this consent. If you intend to remove any vegetation you should make yourself familiar with the provisions of both plans. The plans may be viewed on Council's website at www.wollondilly.nsw.gov.au or at Council's offices at 62-64 Menangle St, Picton.
- (7) *That the developer be responsible for costs of internal footpaths and kerb & guttering.*
- (8) *That affectation by rail noise shall be included on the 149(5) Planning Certificate.*

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Should you require further information regarding the above matter, please contact Ms C Bell, Development Assessment Planner on phone (02) 46771100 or Fax (02) 4677 1831 in Council's Development Services Section Monday to Friday hours 8.00am - 4.00pm. Please quote File No. 010.2015.00000445.001.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Planning and Economy

PE2 Development Application No. 010.2011.00000039.004 – 90 Railside Avenue Bargo – S96(2) Modification to Amend Existing Car Park Ingress/Egress and Car Parking Numbers
1006 DA11\688P4

102/2016 Resolved on the motion of Crs Mitchell and Amato:

1. *That this matter be deferred pending liaison with the bus company regarding potential for an alternative bus interchange location.*
2. *That the accessible car park in the southern portion be reassessed in terms of its location and preference be made to move it to the northern location in the vicinity of E8 – E9.*
3. *That a further report come to Council within two months.*

On being put to the meeting the motion was declare CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Planning and Economy

PE3 Draft Planning Proposal – Bronzewing Street Car Parking TRIM 9030
1010

103/2016 Resolved on the motion of Crs Hannan and Gibbs:

1. That Council support the preparation of a Planning Proposal for land being Lot 110 DP 8982 (No. 110) Bronzewing Street, Tahmoor to amend Wollondilly Local Environmental Plan, 2011 as follows:
 - Amend the additional permitted uses maps that form part of Wollondilly Local Environmental Plan 2011 to include the subject land at No. 7 Bronzewing Street, Tahmoor;
 - Amend Schedule 1 of Wollondilly Local Environmental Plan 2011 to include an additional permitted use for ‘child care centre’, ‘medical centre’, ‘educational establishment’, ‘shops’, ‘food and drink premises’, or ‘office premises’ car parking on the site.
2. That the Planning Proposal be forwarded to the Minister for Planning and Environment for a Gateway Determination.
3. That Council request the Minister to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.
4. That the applicant and submitters be notified of Council’s Resolution.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Planning and Economy

PE4 Draft Planning Proposal – Lot Boundary Adjustments TRIM 9019
259421

104/2016 Resolved on the motion of Crs Hannan and Gibbs:

1. That Council support the preparation of a Planning Proposal to amend Part 4 of Wollondilly Local Environmental Plan 2011 by inserting a new clause to permit boundary adjustments with consent in all rural land use zones (RU1 Primary Production, RU2 Rural Landscape and RU4 Primary Production Small Lots), E4 Environmental Living and R5 Large Lot Residential.
2. That the Planning Proposal be forwarded to the Minister for Planning and Environment for a Gateway Determination.
3. That Council request the Minister to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Planning and Economy

PE5 Maximum Building Height: 600 West Parade Buxton TRIM 8757
265508

105/2016 Resolved on the motion of Crs Hannan and Gibbs:

1. That the West Parade, Buxton Planning Proposal also include a provision to amend the Wollondilly Local Environmental Plan 2011 by amending the Height of Buildings Map to include a height limit of 9 metres for proposed R5 Large Lot Residential land.
2. That the Height of Building provision be included into the Planning Proposal and forwarded to the Minister for Planning and Environment for a Gateway Determination.
3. That Council request the Minister to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment act, 1979.
4. That the applicant and submitters be notified of Council's Resolution.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Planning and Economy

PE6

Wilton New Town Project

272723

TRIM 6930-5

106/2016

Resolved on the motion of Crs Terry and B Banasik:

1. That Council re-affirms its support for the release of land for Wilton new town occurring as a master planned community which integrates, housing, employment, transport infrastructure and community facilities and that the appropriate planning mechanisms be put in place to ensure that any staging of sub-precincts does not compromise this fundamental goal.
2. That Council continue to lobby NSW State Government for improved passenger rail to the Wilton Priority Precinct.
3. That further investigation be undertaken into the strategic planning options for the Wilton Park Road Precinct including possible co-contribution funding arrangements. The finding of the investigation be detailed in a future report to Council.
4. That a further report be provided to a future Council Meeting regarding the town centre location and proposed thresholds linking housing to jobs supply and a planning mechanism to achieve these fundamentally important employment goals.
5. *That in relation to the proposed new town at Wilton Junction, Council pursue the establishment of integrated health care facilities to service expected population growth ahead of the construction of a new hospital and health services precinct by completion of the Wilton Junction Proposal as presented to the Community and Council. A business case, which identifies an appropriately sized site for a medical facility capable of servicing the staged population growth predictions, shall be forwarded to the NSW Department of Planning, Greater Sydney Commission and relevant Parliamentary Members for their consideration.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

The General Manager tabled a letter from the developer proponents dated 20 June 2016.

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Governance

GOVERNANCE

GO1 **Notice of Motion Status Report – June 2016**
264985

TRIM 5253-2

107/2016 **Resolved on the motion of Crs M Banasik and Gibbs:**

That Council note the June Notice of Motion Status Report.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B
 Banasik, and Hannan

WOLLONDILLY SHIRE COUNCIL

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Governance

GO3 **Write-off of Bad Debt** TRIM 139
28079

109/2016 **Resolved on the motion of Crs M Banasik and Gibbs:**

That the debt of \$12,154.33 be written-off and debtor account number 10338.03 be marked as written off in the ledger.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Governance

GO4 **Draft Interaction with Developers, Lobbyists and Submitters Policy**
62 TRIM 861

110/2016 **Resolved** on the motion of Crs Hannan and Law:

That the Interaction with Developers, Lobbyists and Submitters Policy be adopted with the following changes:

4.4 Staff should keep and maintain a written record of all exchanges of communication with a potential developer, lobbyist for a potential development or potential submitter. The written record should detail, as a minimum, the date and time of the exchange, the format of the exchange (i.e. face to face meeting, telephone call, exchange of emails or exchange of correspondence), a summary of the matters raised and a summary of the response.

4.5 *Removed from Policy.*

4.7 *Council Staff must keep a written record summarising the matters discussed at the meeting. This written record should detail, as a minimum, the date and time of the meeting, a summary of the matters raised with the Councillor and a summary of the Councillor's response. This response is to be provided to Council staff for filing as Council is required to keep and maintain appropriate records in accordance with the State Records Act and Council's Records/Information Management Policy.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Governance

G05 **Draft Conflict of Interests Policy** TRIM 861
270090

111/2016 **Resolved on the motion of Crs Hannan and Gibbs:**

That the Conflict of Interests Policy be adopted.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B
 Banasik, and Hannan

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Governance

GO6 **Community Forum Guidelines Review**
234777

TRIM 1422

Moved on the motion of Crs Hannan and Law:

That the Community Forum be retained as it stands at present.

Cr Landow and Mitchell moved an amendment that this matter be deferred for a workshop.

112/2016 **Resolved on the motion of Crs Landow and Mitchell:**

That this matter be deferred for a workshop.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B
 Banasik, and Hannan

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Governance

GO7 **Register of Disclosed Interests – 2015/16**
256 TRIM 2502-9

113/2016 **Resolved** on the motion of Crs M Banasik and Mitchell:

That the tabling of the Disclosure of Interests 449 Returns be received by the General Manager at this Council Meeting.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

The General Manager tabled the Disclosure of Interest Register.

Governance

GO8 Adoption of Operational Plan 2016/17

39

TRIM 5473-9

114/2016 Resolved on the motion of Crs B Banasik & Gibbs:

1. That the Wollondilly Operational Plan 2016/17 be adopted, incorporating the changes recommended in this report *with the following change noted on page 297:- That Council is introducing a minimum yearly rate.*
2. That the rates and charges for the period 1 July 2016 to 30 June 2017 as detailed in the exhibited draft Wollondilly Operational Plan 2016/17 be made.
3. That the exhibited draft Schedule of Fees & Charges 2016/17, as detailed in the exhibited draft 2016/17 Operational Plan be adopted with the amendments contained within this report.
4. That Council approve the budget as detailed in the exhibited draft 2016/17 Operational Plan including the amendments contained in this report and on that basis formally vote these funds for the 2016/17 financial year.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

115/2016 Resolved on the motion of Crs M Banasik and Hannan:

That Council suspend standing orders to deal with the Late Report GO9.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Late Report

LATE REPORT

GO9 Picton Storm Event and Recovery Initiatives
243371

TRIM 9193

Cr Law left the meeting at 7:43pm and returned at 7:45pm.

116/2016 Resolved on the motion of M Banasik and Amato:

1. That Council note the information regarding the Local Recovery Operations.
2. That Council approve the commencement of the *Revitalising Picton* project.
3. That an expenditure budget of \$100,000 be approved in the 2015/16 budget for the Local Recovery Operation clean-up works and urgent infrastructure repairs/replacement with funding provided from Council's internally restricted cash.
4. That an expenditure budget of \$100,000 for the Local Recovery Operation clean-up works and urgent infrastructure repairs/replacement be approved for 2016/17 in addition to the annual budget adopted in this meeting in report G08, with funding provided from Council's internally restricted cash.
5. That an expenditure budget of \$50,000 for the Revitalising Picton project be approved for 2016/17 in addition to the annual budget adopted in this meeting in report G08, with funding provided from Council's internally restricted cash.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

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Environment

ENVIRONMENT

EN1 Argyle Street – London Plane Trees
225

TRIM 260

117/2016 Resolved on the motion of Crs M Banasik and Hannan:

1. That \$5,500 be allocated from the existing 2016/17 budget to undertake initial tree maintenance works such as crown pruning.
2. That Council note that the additional cleaning along Argyle Street due to the plane trees results in the diversion of council staff from other duties in Picton with an equivalent value of approximately \$7,000 p.a.
3. That participants in the community consultation process that lodged their contact details be made aware of Council's decision.
4. *That the recommendation as set out in the above points be accepted for the time being but that the long term management be scoped as part of the Picton Town Centre redevelopment and revitalisation.*
5. *That Council review the Street Trees policy.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Environment

EN2 Stonequarry Creek Environmental Management Strategy and Interpretive Signage at the Argyle St Bridge, Picton and the Viaduct
660 TRIM 1040

118/2016 Resolved on the motion of Crs Hannan and M Banasik:

1. That the Revised Stonequarry Creek Vegetation Management Plan be adopted by Council.
2. That Council to investigate opportunities for external resources and partnerships to undertake the recommendations of the Revised Stonequarry Creek Vegetation Management Plan.
3. That Council consult with Crown Lands to gain access rights for any future works within the creek area.
4. *That this be considered with any long term strategic management plans as set out in the Picton Redevelopment and Revitalisation projects for a long term solution.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Notice of Motion

NOTICE OF MOTION

TRIM 6416-6

NOM1 Notice of Motion No. 1 submitted by Cr M Banasik on 30 May 2016 regarding Thirlmere Lakes

Cr Law left the meeting at 8:04pm.

Cr B Banasik left the meeting at 8:05pm and returned at 8:07pm.

120/2016 Resolved on the motion of Crs M Banasik and Mitchell:

1. **That Council write to the relevant Federal and State Ministers, the Federal and State local members, the Greater Blue Mountains World Heritage Area Advisory Committee and UNESCO demanding that action be taken to further investigate the causes of continued water loss from the World Heritage listed Thirlmere Lakes. That this action include the funding and support of rigorous and detailed research into:**
 - **The water loss patterns and trends in the past and over current times**
 - **Predictive modelling of the consequences to the Lakes biology and hydrology of continued or prolonged water loss**
 - **Targeted investigation into the suggested cause of the water loss in relation to the Tahmoor Mines operations in the past and future**
 - **The potential of engineered options to reinstate and maintain water levels to protect the biodiversity and hydrology of the Lakes.**

2. **That Council also consider opportunities to support the Community Group “Friends of Thirlmere Lakes” in their advocacy and actions to protect the conservation of the Lakes ecosystems.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Notice of Motion

TRIM 6416-6

NOM2 **Notice of Motion No. 2 submitted by Cr M Banasik on 30 May 2016 regarding Picton Lakes Village at Couridjah**

121/2016 **Resolved on the motion of Crs M Banasik and Hannan:**

- 1. That Council enters into discussions with NSW Health to advise that our community would like to see the proceeds from the sale of the Picton Lakes Village be reallocated within the area to support local health initiatives and services.**
- 2. That Council write to the NSW Office of Environment and Heritage for their assistance and guidance to protect the heritage buildings and contents in future development proposals.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Notice of Motion

TRIM 6416-6

NOM3 **Notice of Motion No. 3 submitted by Cr Judith Hannan on 7 June 2016 regarding the Emergency SMS System**

122/2016 **Resolved on the motion of Crs Hannan and Gibbs:**

That Council enquire as to whether Council would be able to utilise the Emergency SMS System.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Notice of Motion

TRIM 6416-6

NOM4 **Notice of Motion No. 4 submitted by Cr Judith Hannan on 17 June 2016 regarding Dam wall height alterations and likely impacts on Warragamba**

123/2016 **Resolved on the motion of Crs Hannan and Gibbs:**

That Council be given information relating to the dam wall height alterations and likely impacts on Warragamba.

On being put to the meeting the motion was declared CARREID.

Vote: Crs Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Notice of Motion

TRIM 6416-6

NOM5 **Notice of Motion No. 5 submitted by Cr Michael Banasik on 17 June 2016 regarding repairs to the bridge at Broughton Pass**

124/2016 **Resolved on the motion of Crs M Banasik and Terry:**

That Council makes the repairs to the bridge at Broughton Pass a High priority. Further Council seek urgent funding from the State and Federal Governments to fund this project.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Notice of Motion

TRIM 6416-6

NOM6 **Notice of Motion No. 6 submitted by Cr Michael Banasik on 17 June 2016 regarding concern about the continual number of power blackouts and outages within the Shire**

125/2016 **Resolved on the motion of Crs M Banasik and Hannan:**

That Wollondilly Council write to the State Minister for Energy to express our concern about the continual number of power blackouts and outages within the Shire and call for urgent upgrades to the grid connections.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Notice of Motion

TRIM 6416-6

NOM7 **Notice of Motion No. 7 submitted by Cr Kate Terry on 17 June 2016 regarding review of the flood planning levels in Wollondilly Shire Local Government area**

126/2016 **Resolved on the motion of Crs Terry and M Banasik:**

That Council investigate if any reviews are required for the flood planning levels in the Wollondilly Shire Local Government area.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Amato, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 20 June 2016, commencing at 6.34pm

Closing

CLOSING

There being no further business, the Mayor declared the Ordinary Meeting closed at 8:25 pm.

This and the preceding 59 pages are the Minutes of the Ordinary Meeting of Council held on 20 June 2016 and were confirmed in the subsequent meeting held on 18 July 2016.

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Mayor