



# Hawkesbury City Council

## ordinary meeting business paper minutes

date of meeting: 12 August 1997

location: Council Chambers

time: 7.30pm

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

Page 2

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 12 August 1997, commencing at 7.30pm.

**PRESENT:** Councillor R P Stubbs, Mayor and Councillor L Allan, A W Baczynskyj, H JM Books, R G Calvert, M E Lawson, W J Mackay, C A Paine, R Sahasrabuddhe, R D Searle, and L C Sheather.

Councillor Paine left the meeting at 10.21pm.

Pastor Carl Moses, Hawkesbury Christian Centre, representing the Hawkesbury Ministers Association gave the opening prayer at the commencement of the meeting.

An apology for absence was received from Councillor P J Minturn.

- 1 RESOLVED on the motion of Councillor Calvert and seconded by Councillor Allan that the apology be accepted.
- 2 RESOLVED on the motion of Councillor Allan seconded by Councillor Searle that Standing Orders be suspended to allow the following presentations to be made :
  1. An Award for Excellence presented to Councillor Allan on behalf of Council by the Australian Resuscitation Council for community awareness for CPR.
  2. Councillor Sheather introduced Mrs Jean Peare, Chairperson of the Hawkesbury Sister City Association who in turn, introduced the six Tamba and six Hawkesbury students who are currently participating in the Student Exchange Program, and gave a brief report on the Hawkesbury Sister City Association's activities throughout the year.

The Mayor presented each of the students with a Certificate.

- 3 RESOLVED on the motion of Councillor Searle seconded by Councillor Sahasrabuddhe that Standing Orders be resumed.

**SECTION 1 - CONFIRMATION OF MINUTES**

- 4 RESOLVED on the motion of Councillor Allan seconded by Councillor Sahasrabuddhe that the Minutes of the Ordinary Meeting of Council held on 8 July 1997 having been circulated amongst the members of Council, be confirmed.

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

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General Manager

Mayor

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 3**

- 5      RESOLVED on the motion of Councillor Allan seconded by Councillor Sheather that the Minutes of the Special Meeting of Council held on 15 July 1997 having been circulated amongst the members of Council, be confirmed.

**Mayoral Minutes**

**1. Thredbo Disaster GC180/002 PT02**

- 6      RESOLVED on the motion of Councillor Stubbs seconded by Councillor Allan that Council commend those involved in the Thredbo Rescue on their outstanding efforts.

**Notices of Motion**

Nil

**Notices of Motion of Rescission**

Nil

**SECTION 3 - GENERAL PURPOSE COMMITTEE**

**Environment**

- 1:      Draft Richmond Archaeological Management Plan (GG021/184  
PT01/EVD/ENG29NAX.V19)**

Moved on the motion of Councillor Calvert seconded by Councillor Mackay that the information be received.

The motion was lost.

- 7      RESOLVED on the motion of Councillor Sheather seconded by Councillor Lawson :

THAT:

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

---

General Manager

Mayor

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 4**

1. The Richmond Archaeological Plan be adopted as a reference guide and a stand alone study.
  2. A draft local environmental plan to amend Hawkesbury Local Environmental Plan 1989 be prepared to incorporate definitions for archaeological sites and potential archaeological sites.
  3. A draft local environmental plan be prepared to amend Hawkesbury Local Environmental Plan 1989 generally as shown attached.
  4. A draft local environmental plan be prepared to map approximately 205 (two hundred and five) archaeological and potential archaeological sites as a new schedule to HLEP 1989.
- 2: Community Title Subdivision Proposal Creating 4 Development Lots and Common Property - Lot 2 DP565168 & Lot 1 DP614232 Nos. 1165 & 1177 Bells Line of Road, Kurrajong Heights (SA14/97 & DA334/94/EVD/ENG29NAX.V04)**

Moved on the motion of Councillor Books seconded by Councillor Allan

- A. THE SEPP1 objection be supported.
- B. The application be referred to DUAP for concurrence.
- C. Upon receipt of concurrence from DUAP the application to subdivide be approved subject to:-
  1. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.
  2. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
  3. Submission of a Certificate from Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
  4. The submitted Community Management Statement being amended as follows:-

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 5**

- i. development of the site to be carried out in accordance with the conditions of Development Consent 334/94 with this section of the Statement not able to be changed without the consent of Council;
  - ii. By-Law 1 to be modified to provide that only one person or family may permanently reside on the site other than the dwelling on Lot 5; and
  - iii. parking on Lot 3 to be made available to Lot 2.
5. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
6. Payment of a linen release fee of \$300 (three hundred). This amount is valid until 30 June 1998.
7. The subdivision shall be in general accordance with the plans and documentation submitted on 3 July 1997, for community title subdivision.

The motion was lost.

- 8 RESOLVED on the motion of Councillor Calvert seconded by Councillor Searle that Council not support this proposal.

**3: Proposed Brothel - 245 George Street, Windsor  
(DA141/97/EVD/ENG29NAX.V08)**

Councillor Sheather tabled a petition with 250 signatures.

Moved on the motion of Councillor Sheather seconded by Councillor Searle that the application not be supported for the following reasons :

- 1. Incompatibility with adjoining land use.
- 2. Unsatisfactory means of access.
- 3. The site is located near a Church and places frequented by children in recreational activities.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 6**

4. Approval would result in a cluster of like development in the area and would cause a disturbance to the neighbourhood.
5. Activity is not in the public interest.

The motion was lost.

9 RESOLVED on the motion of Councillor Lawson seconded by Councillor Paine

THAT Council issue development consent, subject to the following conditions:

**Approved Plans**

1. To conform and clarify the terms of this approval, the development shall take place in accordance with the plans and information submitted with the application accepting as modified by these further conditions.

**Term of Approval**

2. In order to monitor and re-evaluate the operation of the development, this consent is valid for a period of two (2) years from the date of the issue of the consent. A further development application will be required to be submitted and approved in order to operate beyond this period.

**Signage**

3. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser. You are advised that Council will not approve any signs which display words or images, which are in the opinion of the Council, sexually explicit, rude or offensive, or sexually suggestive.
4. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity of the site.
5. No sex workers are to display themselves in windows or doorways of the subject premises.

**Security and Access**

6. The applicant will be required to provide security lighting into the rear car park.

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

---

General Manager

Mayor

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

Page 7

**Building Application**

7. Submission of a building application, plans and specifications complying with the building code of Australia for any structural alterations.
8. Structural engineering details regarding any proposed spa baths are to accompany the building application.
9. The premises are to be fitted with the necessary services and facilities which are required for Class 5 buildings under the Building Code of Australia.

**Waste Management**

10. Prior to the commencement of the development, a waste management plan will be submitted to and approved by Council detailing the arrangements to contain, collect and dispose of waste arising from the use of the premises. A waste management plan will also include details of the authorised waste collector/transporter and the final destination of any contaminated waste.
11. Contaminated waste shall not be disposed of through the domestic waste collection system.

**Amenity**

12. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, waste products or otherwise.

**Health Requirements**

13. The applicant is to register the spa with Council and pay an appropriate registration/inspection fees and comply with the NSW Health Department's code for semi public pools and spas. Prior to occupation, the applicant is to notify the public health unit (north west) that the premises is operating within its area.

**External Appearance**

14. All external windows are to be covered with blinds or curtains at all times.

**Operation of Brothel**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 8**

15. No alcohol is to be sold from the premises without prior approval of Council.
16. Only four (4) rooms are to be used for prostitution. Details are to be provided with the Building Application.

**Police Requirements**

17. The name, address and telephone number of the key holder of the premises is to be notified to the patrol commander, Windsor Police, prior to commencing operations and as changes occur to personnel.
18. That sufficient security precautions are taken to ensure safe keeping of any money kept on the premises.
19. No minors are to be employed in the conduct of the business (ie under 18 years of age).
20. Sufficient security precautions are to be taken to ensure the safety of employees and patrons on the premises.

**Car Parking**

21. Parking shall be provided for four (4) vehicles in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Details are to be provided with the Building Application. Alternatively, a payment of an amount of \$39,200 (thirty nine thousand two hundred) to Council be a contribution towards the parking in the area based on \$9,800 (nine thousand eight hundred) per space. This contribution will remain fixed for a period of three (3) months after which time it will be recalculated at the rate applicable at the time of payment. In the event of a contribution being paid, it shall be in the form of a bank guarantee which will be returned in the event that Council refuses to provide an extension to the two (2) year approval.

**Advices**

The development should be carried out in accordance with NSW public health units health and safety code of practice for brothels.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

Page **9**

**4: Lot 5 DP McGraths Road, Vineyard - Landfill and Construction of Single Dwelling (DA 127/97/EVD/ENG29NAX.V09)**

Moved on the motion of Councillor Books seconded by Councillor Sheather that the application be approved with conditions to be determined under delegated authority.

The motion was lost.

- 10 RESOLVED on the motion of Councillor Baczynskyj seconded by Councillor Sahasrabuddhe that

THE application not be supported for the following reasons :-

1. The application does not comply with the requirements of Clause 25 of Hawkesbury Local Environmental Plan 1989 in that the level of the land is more than 3 (three) metres below the floor height standard and the level of the habitable floor is more than 3 (three) metres above the existing ground level.
2. Approval of the application would establish an undesirable precedent for the filling of land and the approval of other dwellings on land subject to higher frequencies of flooding.
3. Not in the public interest.

**5: Removal of Caravan Park and Replacement with 30 "Weekender" Cottages and Ancillary Facilities - 78 Greens Road, Lower Portland (DA109/97/EVD/ENG29NAX.V16)**

- 11 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

THAT the item be deferred.

**6: Existing Unauthorised Fill and Development Application to fill land Part Lot 2 DP 215134 Bandon Road, Vineyard. (DA0165/97/EVD/ENG29NAX.V18)**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 10**

12      RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

        THAT the item be deferred.

**7:      Erection of a Dwelling House - Lot 27 DP211780 No. 141 Coromandel Road, Ebenezer (DA155/97/EVD/ENG29NAX.V20)**

13      RESOLVED on the motion of Councillor Allan seconded by Councillor Paine

        That the application not be approved with conditions for refusal.

**8:      New South Wales Agriculture - Draft Strategic Plan for Sustainable Agriculture in the Sydney Region (GT150/015Pt06/EVD/ENG29NBX.V05)**

14      RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

        THAT New South Wales Agriculture be advised in terms of the above report as a response to their Draft Strategic Plan for Sustainable Agriculture in the Sydney Region.

**9:      Wilberforce Abattoir (P1102/560 PT06; DA0052/94 PT02/EVD/ENG29NBX.V01)**

15      RESOLVED on the motion of Councillor Books seconded by Councillor Sheather :

A.      THE ABATTOIR operators be invited to surrender all existing development consents with a modified consolidated consent to be issued under delegated authority subject to Conditions Nos 1 - 20 as stated in Item 23 of the General Purpose Committee Meeting's report of 22 August, 1995.

B.      In the event that the abattoir operators do not surrender the existing consents to be replaced by the modified consolidated consent, Council take action to enforce compliance with the existing conditions of consent and, if necessary, take legal action to achieve this.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 11**

**10: Rezoning Proposal - Establishment of a "Boutique" Wine Estate, Lot 2 DP736516 & Lot 12 DP834771 Gadds Lane, Kurmond. Applicant: Falson & Associates (P701.15/EVD/ENG29NBX.V10)**

16 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

THAT the item be deferred to the next General Purpose Committee, and that the property owners be permitted to address the Committee.

**11: Optus Mobile Phone Base Station Proposal - Lot 2 DP230943 James Street, Glossodia (P1001/60/EVD/ENG29NBX.V03)**

17 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

THAT Connell Wagner Pty Ltd be advised that Council acknowledges the intention to erect a digital mobile phone base station at Lot 2 DP 230943, James Street, Glossodia as detailed in their Prescribed Activity Proposal dated May 1997.

**12: Brothels DCP & LEP (DCP2/97/EVD/ENG29NBX.V13)**

18 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

THAT Council resolve to prepare and exhibit a draft Hawkesbury Brothels Development Control Plan.

**13: Investigations into a Trial Fortnightly 240 Litre Waste and 240 Recycling Collection Service (GW010/022/EVD/ENG29NBX.V02)**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 12**

Item 38 of the Supplementary Report was dealt with in conjunction with Item 13 above.

19      RESOLVED on the motion of Councillor Sheather seconded by Councillor Allan :

1.      THAT the information be received on Item 13.
2.      That Council proceed with the fortnightly 240 (two hundred and forty) litre waste and 240 (two hundred and forty) litre recycling service in the Wilberforce urban area for a period of 18 (eighteen) weeks (9 [nine] collections) in accordance with the arrangements outlined in the report.

**14:      Request to allow the installation of Manufactured Homes - Hawkesbury Retreat, Paradise Point, Lower Portland.**  
(DA0026/97Pt01/EVD/ENG29NBX.V14)

Item 41 of the Supplementary Report was dealt with in conjunction with Item 14 above.

20      RESOLVED on the motion of Councillor Sheather seconded by Councillor Searle:

THAT the information concerning the status of legal advice regarding the request to allow the installation of manufactured homes at the Hawkesbury Retreat, Paradise Point, Lower Portland and the notice of appeal to the Land & Environment Court by Ms Gilling be received.

**15:      Development Control Plan/Local Approvals Policy - Bed and Breakfast Accommodation** (DCP 003/96/EVD/ENG29NBX.V12)

21      RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

THAT a Development Control Plan for all forms of Bed and Breakfast Accommodation be completed, incorporating the Local Approvals Policy and placed on public exhibition in accordance with the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

### **Questions From the Gallery**

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 13**

The Mayor then invited Questions from the Gallery.

**Infrastructure**

**1: South Windsor Park - Management Plan (PK226/Pt1/ENG/ING29NBX.E05)**

22 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

- a) THE concept plan for the development of South Windsor Park as shown on plan number 1950-33 as amended be adopted.
- b) Funding be provided in the 1998/99 budget for the relocation of the stadium driveway at an estimated cost of \$102,120 (one hundred and two thousand, one hundred and twenty).
- c) Prior to the relocation of the driveway, and not after, residents in Stewart Street who are affected by the existing driveway, upon request be offered shutters or some similar device for their front windows.
- d) Further works identified on the concept plan be considered in future programs as required.

**2: Windsor Downs Nature Reserve (0606/R Pt2; PK 257 Pt2/ENG/ING29NBX.E06)**

23 RESOLVED on the motion of Councillor Sheather seconded by Councillor Searle

- a) THE Minister for the Environment be advised that the Council supports the extension of the Windsor Downs Nature Reserve to the south-western boundary of the current road reserve, however, does not support inclusion of Lot 7 DP821396 and
- b) Removal of the road reserve be supported.
- c) Further that the land be amalgamated with adjoining Crown Land under the care, control of Council.

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 14**

**Organisation and Resources**

**1: Councillor P J Minturn - Leave of Absence (GA030/014/GMA/OGG29NAX.G01)**

- 24 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson  
THAT leave of absence be granted to Councillor Minturn.

**2: Monthly Financial Report - June 1997 (FO11/005 PT04/FNC/OGG29NAX.F08)**

- 25 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson :  
THAT the information be received.

**3: Lease of Macquarie Park House to Mr Frank Taranto (GC283/064  
PT06/CSV/OGG29NBX.C04)**

- 26 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson  
THAT the information concerning the subleasing of Macquarie Park House, Windsor, be received and the rental payable by Mr Taranto to Council be reviewed to an amount of \$150 (one hundred and fifty) per week on the basis outlined in the report.

**4: Hawkesbury Heritage Farm - Lease to Mr Wells. (GC283/107  
PT6/CSV/OGG29NBX.C03)**

- 27 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson  
THAT the information be received.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 15**

**5:     Donation - Macdonald Valley Distance Education (GF008/001  
PT15/CSV/OGG29NBX.C02)**

28     RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

THAT Council donate \$500 (five hundred dollars) towards the Macdonald Valley Distance Education Centre.

**6:     Community Kitchen Donation Report (GF008/001/CSV/OGG29NBX.C06)**

29     RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

A DONATION of \$2,000 (two thousand dollars) be forwarded to Hawkesbury Community Kitchen Inc to assist with works associated with fire safety and access to the Community Kitchen premises (Macquarie Street, Windsor).

**7:     Street Parade - Temporary Road Closure (GE030/002  
Pt3/CSV/OGG29NBX.C07)**

30     RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

THAT the following temporary road closures be permitted on Saturday 6 September, 1997:

1.     Windsor Street, Richmond, between Chapel Street and East Market Street between 10am and 12noon on the 6 September.
2.     The area bounded by Chapel, Francis, Windsor Streets and Smith Park from 9.30am to 11.30am and Chapel Street from Windsor Street to Bells Line of Road for the same period.
3.     Approval is subject to compliance with the following standard conditions:
  - a.     all marshalling points including routes being left clean and tidy, including

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 16**

collection of animal manure;

- b. The Hawkesbury Sports Council being advised of the proposed activity;
- c. Advertising of proposed road closures; and
- d. Each organisation involved submitting to Council a copy of its public liability policy in an amount not less than \$5,000,000 (five million) and indemnifying Council in respect of that street parade.

**8: Greenhills Child Care Centre - Improvements (GC050/007  
Pt2/FNC/OGG29NBX.F09)**

- 31 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson  
THAT the information be received and the building works be adopted.

**SECTION 4 - REPORTS FOR DETERMINATION**

**1: Legal Costs - Requests for Assistance (GL001/005/GMA/ORH12NAX.G17)**

- 32 RESOLVED on the motion of Councillor Sheather seconded by Councillor Lawson  
THAT Council contribute \$2002 (two thousand and two dollars) to Tenterfield Shire Council's litigation for compensation in the matter of the State Government appropriation of assets.

**2: WSROC - Proposed Review of Structure (GM001/007  
PT10/GMA/ORH12NAX.G37)**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 17**

- 33      **RESOLVED** on the motion of Councillor Lawson seconded by Councillor Sheather

THAT WSROC be advised that the Council does not see any benefit in a review of the organisation being undertaken at this time.

**3:      Oakville Bush Fire Brigade (P251/510 PT02/GMA/ORH12NAX.G33)**

- 34      **RESOLVED** on the motion of Councillor Sheather seconded by Councillor Lawson

THAT Council purchase an area of approximately 1,400 sq. m. adjoining the current Oakville Bush Fire Station land at a purchase price of \$30,000 (thirty thousand dollars), with this being funded by \$20,000 (twenty thousand dollars) from the brigade and an interest free loan over 2 (two) years of \$10,000 (ten thousand dollars). Further, that funds in the order of \$5,000 (five thousand dollars) be voted for the supply and construction of a colourbond fence, provision of trees and legal, survey and application fees.

**4:      Senior Staff - Appointment (GO040/006/GMA/ORH12NAX.G18)**

- 35      **MOVED** on the motion of Councillor Books seconded by Councillor Calvert :

That the consultation process for the appointment of the position of Director of Community and Corporate Services be a panel of 7 (seven) Councillors including the Mayor and those members being nominated at this meeting with Councillors Calvert, Books, Paine, Searle, Allan and Lawson being nominated.

An amendment was moved by Councillor Allan seconded by Councillor Lawson that the consultation process for the appointment of the position of Director of Community and Corporate Services be a panel of the Mayor plus 4 (four) Councillors and those members being nominated at this meeting.

The amendment was lost.

The motion was then put and carried.

**5:      Glossodia, Freemans Reach, Wilberforce Sewerage**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 18**

(GS047/003/GMA/ORH12NAX.G23)

- 36      RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

        THAT Council assist the SAFE Committee in becoming incorporated and advance them the sum of \$2,000 (two thousand dollars) for expenses.

**6:      Insurance Quotations 1997/98 (GI001/004/CSV/ORH12NBX.C03)**

- 37      RESOLVED on the motion of Councillor Books seconded by Councillor Calvert

        THAT Council renew the specific categories of insurance as detailed in this report amounting to \$87,344.19 (eighty seven thousand three hundred and forty four dollars and nineteen cents) for the period 20 August 1997 to 20 August 1998.

**7:      Workers' Compensation - Self-Insurer Licence Renewal  
(GI055/007/CSV/ORH12NBX.C07)**

- 38      RESOLVED on the motion of Councillor Calvert seconded by Councillor Mackay

        AN application be submitted to the WorkCover Authority to renew Council's licence for Workers' Compensation.

**8:      Road Leasing Proposal - Bells Line of Road, Kurmond (GC283/078  
PT2/CSV/ORH12NBX.C25)**

- 39      RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather

        THAT:-

1.      Council lease to Mr J and Mrs J Gollan an area of 449.5 (four hundred and forty nine point five) square metres of road widening contained in DP 448215 adjoining their property at 501 Bells Line of Road, Kurmond (identified as Lot 100 in DP 826233).

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

---

General Manager

Mayor

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 19**

2. Provision be made in the lease agreement between Council and Mr and Mrs Gollan for Mr and Mrs Gollan's lease to BP Australia Limited and occupation of the property by the franchisee Ketj Pty Limited.
3. The term of the lease agreement is to be for a maximum period of 5 (five) years, with the expiry date coinciding with expiry date of the Mr and Mrs Gollan's lease to BP Australia Limited on 31 July 2002.
4. The rental for the first year of the new term is to be \$2,000 (two thousand dollars). Rental is to be reviewed annually in accordance with the Consumer Price Index for Sydney.
5. The lessees are required to provide \$10 million (ten million dollars) public liability insurance, with the interests of Hawkesbury City Council noted in the policy.
6. All costs associated with the leasing proposal are to be met by the lessees.
7. The Council Seal be affixed to the lease agreement and any other associated documents.

**9: Donation - Camp Quality Caper (GF008/001 PT15/CSV/ORH12NBX.C08)**

Councillors Mackay and Calvert declared an interest in this matter because of their involvement in the Camp Quality Caper. Councillor Mackay elected to speak as he did not have a financial interest in the matter.

40 RESOLVED on the motion of Councillor Paine seconded by Councillor Books

THAT a donation of \$1,000 (one thousand dollars) be extended to Camp Quality Caper for 1997.

**10: Donation - Lions Club of Hawkesbury Bells Line Inc (GF008/001 PT15/CSV/ORH12NBX.C32)**

41 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

THAT a donation of \$300 (three hundred dollars) be made to the Lions Club of Hawkesbury

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 20**

Bells Line Inc to facilitate the attendance of Hawkesbury children to the Lions fundraising event for disadvantaged, terminally ill and disabled children in October 1997.

**11: Contracts and Documents for Execution Under Seal of Council (GC283/002 PT02/CSV/ORH12NBX.C38)**

- 42 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sahasrabuddhe  
THAT the Seal of Council be affixed to the document as itemised.

**12: Quarterly Review as at 30 June 1997 (GF4/3 PT1/FNC/ORH12NBX.F20)**

- 43 RESOLVED on the motion of Councillor Sheather seconded by Councillor Sahasrabuddhe  
THAT the quarterly review of the 1996/97 Management Plan and Financial Statement for period to 30 June 1997, be adopted.

**13: Annual Statements of Accounts 1996/1997 (GF001/001 PT3, GF001/007 PT1/FNC/ORH12NBX.F21)**

- 44 RESOLVED on the motion of Councillor Sheather seconded by Councillor Sahasrabuddhe  
THAT the Statement in the approved form on the Financial Reports for the period ended 30 June 1997, be endorsed in accordance with Section 413 of the Local Government Act.

**14: McGraths Hill Wetland and Effluent Reuse Scheme "The Supply and Installation of an Automatic Irrigation System" Lump Sum Tenders - Contract No. 00597 (GT020/345 PT01/ENG/ORH12NBX.E04)**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 21**

45      RESOLVED on the motion of Councillor Calvert seconded by Councillor Mackay

THAT:-

1.      The tender submitted by Richmond Irrigation and Plumbing Supplies in the amount of \$151,400 (one hundred and fifty one thousand and four hundred dollars) for the supply and installation of an automatic irrigation system, McGraths Hill be accepted.
2.      The Common Seal of Council be affixed to the necessary documentation.

**15:      Howe Park, Windsor - Enhancement Application**  
(GG021/127/ENG/ORH12NBX.E28)

46      RESOLVED on the motion of Councillor Sheather seconded by Councillor Lawson

THAT the Grant of \$20,000 (twenty thousand dollars) from the Department of Urban Affairs and Planning for Howe Park, Windsor, enhancement works be accepted.

**16:      Temporary Road Closure - Windsor Street, Richmond (2343/R**  
PT4/ENG/ORH12NBX.E31)

47      RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

THAT approval be granted to the application by Richmond Main Street Committee for:

1.      Temporary closure of Windsor Street, Richmond between East Market Street and Bosworth Street on Saturday 29 November 1997 from 11am to 9pm subject to:
  - a)      arrangements being made with the NSW Police Service/Ambulance/Fire Brigade regarding emergency access;
  - b)      a copy of a public liability policy for \$10,000,000 (ten million dollars) and indemnifying Hawkesbury City Council, is to be submitted prior to the event;
  - c)      advertising of the proposed road closure is to be undertaken by the Richmond Town Main Street Committee, at least 4 (four) weeks prior to the event, such

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 22**

advertising giving all details of the proposed event;

- d) the Richmond Town Main Street Committee is to liaise with each business affected by the closure to ensure support of the proposed Road Closure and days activities;
  - e) the committee obtaining all necessary permits/approvals in relation to hot foods and amusement devices/rides; and
  - f) the committee liaising with Integral Energy regarding the supply of power to amusement devices/rides and their proximity to power supply lines.
2. Use of Richmond Park (not oval) on Saturday 29 November 1997 subject to the following standard conditions:-
- a) noise levels are kept to a reasonable level; and
  - b) the park is left clean and tidy upon completion of that activity.

**17: Webbs Creek Ferry Service - Contract Operation (GT020/344  
PT1/ENG/ORH12NBX.E26)**

48 RESOLVED on the motion of Councillor Sheather seconded by Councillor Searle

- 1 THAT the tender of O'Connor Ferry Services Pty Ltd in the amount \$580,000 (five hundred and eighty thousand dollars) for the 3 (three) year period be recommended to the Roads & Traffic Authority for acceptance.
- 2 Subject to the acceptance of the Roads & Traffic Authority to the tender of O'Connor Ferry Services Pty Ltd, the necessary contract documents be completed under the Common Seal of Council.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 23**

**18:     Uniting Church, Richmond - Car Parking** (BA02289/95; P2338/305  
PT2/ENG/ORH12NBX.E34)

49     RESOLVED on the motion of Councillor Searle seconded by Councillor Mackay

THAT:-

1.     Council lease the access to the car park and the 5 (five) car parking spaces on the western side of the Uniting Church car park off Orange Grove Mall, Richmond, at a peppercorn rental of \$1 (one dollar) per year from the Church.
2.     Appropriate signage be erected within the car park to restrict parking on a similar basis to that in the Orange Grove Mall.

**19:     Sackville Ferry Service - Contract Operation** (GT020/344  
PT2/ENG/ORH12NBX.E27)

50     RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert

- 1     THAT the tender of O'Connor Ferry Services Pty Ltd in the amount of \$550,000 (five hundred and fifty thousand dollars) for the 3 (three) year period be recommended to the Roads & Traffic Authority for acceptance.
- 2     Subject to the acceptance of the Roads & Traffic Authority to the tender of O'Connor Ferry Services Pty Ltd, the necessary contract documents be completed under the Common Seal of Council.

**20:     1997 Aquatic Festival - Governor Phillip Reserve, Windsor** (PK205  
Pt4/ENG/ORH12NBX.E19)

Councillor Books tabled a letter from Mr Graham Murphy.

Councillor Paine left the meeting at 10.21pm.

51     RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather

1.     THAT approval be granted to the application by the Hawkesbury Aquatic Festival Organising Committee for use of Governor Phillip Reserve, Windsor on Saturday 16

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 24**

August 1997 and Sunday 17 August 1997 subject to compliance with the following conditions:-

- a) With regard to non-exclusive use on Saturday 16 August 1997, the Committees activity must not unduly interfere with other patrons use of the reserve and its facilities.
- b) The Reserve to be left clean and tidy with the applicants being responsible for the disposal of all waste left in the area with the applicant paying to Council a refundable bond of \$750.00 (seven hundred and fifty dollars) which will be used to cover costs incurred by Council, administrative or otherwise to clean the area if necessary.
- c) A copy of a public liability policy for \$10,000,000, and indemnifying Hawkesbury City Council, is to be submitted prior to the event by the applicant.
- d) A letter to be dropped to all affected residents in proximity to the event by the applicant, with that letter advising all details of the function.
- e) The applicant obtaining appropriate licence from the Licensing Branch of the NSW Police Service, for the sale of alcoholic beverages at the proposed function.
- f) The applicant paying the contribution rate applying to the 1997 event, and any additional administrative costs incurred by Council, in pursuit of such payments.
- g) The applicant obtaining all necessary permits relating to preparation/sale of hot foods/beverages.

2. Sponsorship of the events not be supported.

**21: NSW Licensing Laws - A Guide for Local Consent Authorities - New South Wales Department of Gaming and Racing (GP110/005 PT16/EVD/ORH12NBX.V01)**

52 RESOLVED on the motion of Councillor Allan seconded by Councillor Mackay

THAT the information concerning the publication by the NSW Department of Gaming and

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 25**

Racing "The NSW Liquor Licensing Laws - A Guide for Local Consent Authorities" be received and the Department be thanked for forwarding a copy.

**22: South Windsor Waste Depot - Environmental Monitoring Tender (P2018/55 PT09/EVD/ORH12NBX.V10)**

53 **RESOLVED** on the motion of Councillor Books seconded by Councillor Calvert

**THAT:-**

1. AWT EnSight Consultancy Services be invited to enter into a contract with Hawkesbury City Council to carry out the Environmental Monitoring Program at the South Windsor Waste Depot for the 3 (three) year term with a probationary 12 (twelve) month period.
2. Council's Seal be attached to any relevant documents.

**23: Draft Regional Waste Plan for the Western Sydney Region (GW010/022 PT04/EVD/ORH12NBX.V02)**

54 **RESOLVED** on the motion of Councillor Lawson seconded by Councillor Calvert

**THAT** this item be deferred until the next General Purpose Committee Meeting.

**24: Telecommunications Facilities Policy - Telecommunications Act 1997 (GT001/007/EVD/ORH12NBX.V15)**

55 **RESOLVED** on the motion of Councillor Sheather seconded by Councillor Sahasrabuddhe

**THAT:**

1. Council advertise the draft Telecommunications Facilities Development Control Plan and seek public comment for a period of 28 (twenty eight) days.
2. Following close of exhibition the draft Policy will be referred to Council for

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

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General Manager

Mayor

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 26**

endorsement.

**25: Status of Lease of South Windsor Waste Depot Site and Purchase of Properties  
(GC281/067 PT03/EVD/ORH12NBX.V30)**

56 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather

THE information be received and the matter be further reported to Council on 26 August 1997.

**26: Hawkesbury-Nepean Flood Management Advisory Committee - Submission  
Seeking Funding for Flood Mitigation Works and Ongoing Flood Awareness  
Education (GC180/006 PT04; LEP0011/96 PT01/EVD/ORH12NBX.V16)**

57 RESOLVED on the motion of Councillor Books seconded by Councillor Sheather

THAT Council make a submission to the Hawkesbury-Nepean Flood Management Advisory Committee requesting that the Committee seek government funding to provide for the following:

- . Raising George Street and the junction at Richmond Road to delay the evacuation decision time until a Windsor Bridge flood level of 11.5 metres (eleven point five).
- . Connecting Bligh Park to Richmond Road across high ground to the South to provide an alternate access and reduce conflicts with the Windsor traffic.
- . Raising the low point along Londonderry Road and the Northern Road to delay the evacuation decision time until a Windsor Bridge flood level of 12.5 metres (twelve point five).
- . Raising the low points on Windsor Road to optimise the available evacuation time.
- . Raising the low points to 14 (fourteen) metres will delay the evacuation time until a Windsor Bridge flood level of 11.5 metres (eleven point five).

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 27**

- . Raising the low point along Airstrip Road at Pitt Town to 15 (fifteen) metres to delay an evacuation decision time for Pitt Town until a flood level of 13 (thirteen) metres at Windsor Bridge. Alternatively re-establishment of the Old Stock Route Road would eliminate the need for any filling.
- . The provision of funding for an unobtrusive but visible banding of power poles and/or street lighting standards to denote the 1867 flood peak in affected areas.
- . In general accordance with the State Emergency Service recommendations.
- . The provision of funding to enable the State Emergency Service to undertake flood awareness seminars at least once every two years including the publication and distribution of leaflets to affected households
- . The proposal for the by-pass of The Driftway to North Richmond.

**SECTION 5 - REPORTS FOR INFORMATION**

**27: Reports Requested by Council - Status as at 12 August 1997** (GC280/005 PT03/GMA/ORH12NCX.G05)

58 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay  
THAT the information be received.

**28: Independent Commission Against Corruption Report on Byron Council**  
(GL001/006 PT05/GMA/ORH12NCX.G22)

59 RESOLVED on the motion of Councillor Calvert seconded by Councillor Lawson  
THAT the information be received.

**29: Roads & Traffic Authority - Repair Program 1997/98** (GG021/114 PT4; 1901/R/ENG/ORH12NCX.E29)

60 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 28**

THAT the information be received.

**30: Air Quality (GE020/016 PT06/EVD/ORH12NCX.V12)**

61 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

THAT the information be received.

**31: Tinda Creek Spiritual and Environment Centre - V - Hawkesbury City Council  
and Birdon Contracting Pty Ltd - Outcome of Appeal - Property: Lot 2  
DP628806 No. 6102 Singleton Road, Colo Heights  
(DA134/95/EVD/ORH12NCX.V13)**

62 RESOLVED on the motion of Councillor Books seconded by Councillor Searle:

THAT the information be received.

**32: Update of Building and Development Matters  
(GT090/002/EVD/ORH12NCX.V09)**

63 RESOLVED on the motion of Councillor Calvert seconded by Councillor Mackay

THAT the information be received.

**33: Greater Western Sydney Public Transport Strategy Release - Strategy for  
Improving Public Transport (GM001/005/EVD/ORH12NCX.V14)**

64 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

THAT the information be received.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

Page **29**

**34: Appeal to Court Outcome - Nightingale - V - Hawkesbury City Council - 264 East Kurrajong Road, East Kurrajong - Subdivision Application (SA139/96/EVD/ORH12NCX.V36)**

65 RESOLVED on the motion of Councillor Calvert seconded by Councillor Mackay

THAT the information concerning the Appeal, Nightingale - V - Hawkesbury City Council be received.

**35: Second Sydney Airport Proposal - Information Session - Penrith City Council (GA020/004 PT04/EVD/ORH12NCX.V35)**

66 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

THAT the information be received.

## **SECTION 6 - REPORTS OF COMMITTEES**

### **Tourism Hawkesbury Inc Board Meeting - 19 June 1997**

67 RESOLVED on the motion of Councillor Sheather seconded by Councillor Searle that the Minutes of the Tourism Hawkesbury Inc Board Meeting held on 19 June 1997 as recored on Pages 99 to 103 be received.

### **The Friends of the Hawkesbury Art Collection - 3 July 1997**

68 RESOLVED on the motion of Councillor Calvert and seconded by Councillor Mackay that the Minutes of the The Friends of the Hawkesbury Art Collection meeting held on 3 July 1997 as recorded on Pages 104 to 106 be received.

### **Hawkesbury Local Economic Development Board - Friday 4 July 1997**

69 RESOLVED on the motion of Councillor Lawson and seconded by Councillor Mackay that the Minutes of the Hawkesbury Local Economic Development Board meeting held on

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 30**

Friday 4 July 1997 as recorded on Pages 107 to 110 be received.

**Heritage Advisory Committee - 16 July 1997**

- 70 RESOLVED on the motion of Councillor Lawson and seconded by Councillor Mackay that the Minutes of the Heritage Advisory Committee meeting held on 16 July 1997 as recorded on Pages 111 to 113 be received.

**Local Traffic Committee - 18 July 1997**

- 71 RESOLVED on the motion of Councillor Mackay and seconded by Councillor Sheather that the Minutes of the Local Traffic Committee meeting held on 18 July 1997 as recorded on Pages 114 to 119 be adopted.

**Hawkesbury Local Economic Development Board - Friday 1 August 1997**

- 72 RESOLVED on the motion of Councillor Allan and seconded by Councillor Sheather that the Minutes of the Hawkesbury Local Economic Development Board meeting held on Friday 1 August 1997 as recorded on Pages 120 to 123 be received.

**SUPPLEMENTARY REPORTS**

**36: Stimulus - Request for Donation (P1950/215 Pt02/GMA/ORH12LAX.G40)**

- 73 RESOLVED on the motion of Councillor Allan and seconded by Councillor Sheather

THAT a donation of \$500 (five hundred dollars) be made to the Stimulus Early Intervention Group.

**37: Thompson Square Proposed Use - Public Auction - Hawkesbury Life Education Committee (2021/R PT02/CSV/ORH12LBX.C41)**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 31**

74      RESOLVED on the motion of Councillor Sheather and seconded by Councillor Mackay

THAT:-

1.      No objection be raised to the proposed use of an area within the Public Reserve located in Thompson Square by the Hawkesbury Life Education Committee on 23 November 1997 for the purpose of conducting a public auction sale.
2.      This approval is subject to the following conditions:-
  - a.      the Council being indemnified against any claim that may arise as a result of this activity in an amount of no less than \$5,000,000 (five million dollars);
  - b.      there being no interference with vehicular traffic movement in the area; and
  - c.      the area to be left in a clean and tidy condition at the conclusion of the event.

**38:      Investigations into a Trial Fortnightly 240 Litre Waste and 240 Recycling Collection Service (GW010/022/Pt04EVD/ORH12LBX.V42)**

See Item 13 - Environment.

**39:      Richmond Marketplace - Request for an Increase in the Lettable Tenancies from 48 to 49 (DA56/93 PT05/EVD/ORH12LBX.V44)**

Councillor Allan declared an interest in this matter as she has a business in the main street of Richmond and because there are 58 vacant shops in the main street of Richmond.

75      RESOLVED on the motion of Councillor Lawson seconded by Councillor Calvert

THAT this not be approved.

**40:      Lower Portland Ferry - Review Committee (GT240/010 PT02/GMA/ORH12LCX.G43)**

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 32**

- 76      RESOLVED on the motion of Councillor Sheather and seconded by Councillor Mackay  
THAT the information be received.

**41:      Request to Allow the Installation of Manufactured Homes - Hawkesbury  
Retreat, Paradise Point, Lower Portland (DA26/97 PT01/EVD/ORH12LCX.V45)**

See Item 14 - Environment.

**QUESTIONS WITHOUT NOTICE**

1.      Councillor Mackay referred to a letter received from the Hawkesbury Race Club regarding the sealing of Racecourse Road and sought comment in this regard.

The Mayor advised that Brian Fletcher, Secretary/Manager of the Club, has been away for the past week and that arrangements will be made for a meeting to take place on his return.

2.      Councillor Mackay referred to a letter he had received from the Hawkesbury District Eisteddfod Society regarding the piano at the Windsor Function Centre and asked what is happening there.

The Mayor stated that there has been some tuning undertaken prior to the Eisteddfod. There is a report coming back to Council on works that will need to be undertaken, which he understands are of a relatively minor nature.

3.      Councillor Sheather advised that he had been approached by Mr Galea and asked what is happening in this regard.

The Director Environment & Development advised that Mr Galea is essentially seeking in addition to the value of the work, the interest that he has paid on providing the sewer line across the Torrens Engineering property. The Director advised him that he could not see how Council could legally require this, however he would give him a written statement indicating that Council will endeavour to recoup the cost of the work from Torrens, if and when they develop the property.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 33**

4. Councillor Sheather referred to the sale of the property at the North Richmond Sporting Club and stated that it was a condition of the extension that there would be 40 added carparks that were to be provided in the land that was sold. He asked what is happening in relation to those carparking spaces.

The Director Environment & Development stated that he did not think that anything can be done about it now. The land has been sold unencumbered. There is no restriction on the title. A letter had been forwarded to the agents selling the land advising them of various constraints on the development of the land and that the option should be on a conditional basis upon subdivision approval.

The General Manager advised that Council, if it so wished, could prosecute the Club or the owner for not providing the parking that was required on the development consent. The Club would then either have to provide it or pay the Council's parking contribution.

Councillor Sheather suggested that some discussion take place before that happens to see whether or not they are prepared to do that.

5. Councillor Sheather referred to information received in the mail from Tourism Hawkesbury and the agenda for travelling around three or four Local Government areas. On the very top in relation to Hawkesbury it has Mt Tomah, which is outside our City. He stated that across McGraths Flats there is a sign that promotes Penrith and other areas. He asked if Penrith has similar signs that promote Windsor or the Hawkesbury.

The General Manager stated that they are not Council signs, they are the responsibility of the RTA.

6. Councillor Books advised that he had received a phone call to-day from Louise Prince, who is a member of the Rose Family, to advise that Roy Rose had passed away to-day. His brother, George, passed away on the 5th July this year. He asked if the Mayor could forward a sympathy card to Louise Prince.

The Mayor advised that this would be done.

7. Councillor Books stated that there is a depression in Grose River Road, Grose Vale. It looks like a pipeline has gone across the road and has sunk. He asked if the

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 34**

Engineer could have this investigated.

8. Councillor Allan asked if Council has a streetscape plan, in colour, for the main street of Richmond.

The General Manager advised that there was a plan prepared by an Architect, Tim Shellshear, some years ago with suggestions that could take place to the historic buildings, and indicates some colours the buildings could be painted. There is one copy held at the Council, which is available for perusal. Also a copy has been given to the Chamber.

9. Councillor Allan advised that the bins in the main street of Richmond are getting very tacky, and some are missing. She asked if these could be replaced.
10. Councillor Allan stated that apparently there has been a lot of washing away of the roadworks on Terrace Road and needs some maintenance work.
11. Councillor Allan asked if it would be possible to get a copy of the Oasis budgetary Profit & Loss Sheet and a general report to Council on how the Centre is going.
12. Councillor Lawson asked if the Councillors are going to get a linkup on their notebooks so that they can keep up with motions and amendments.

The General Manager stated that there is an opportunity for the Council to put the business paper on the Worldwide Web and loading it down through that which means that Council will connect the Councillors to the Internet, which will give access to lots of other information which will be very useful for elected members. It is a matter on which all will need to agree.

The Mayor advised that this will be discussed at the informal meeting which will be coming up soon. There are two matters which are coming up with the Rural Lands Study Report and the Housing Strategy. The matter of linkup to the notebooks can be discussed at the same time.

13. Councillor Sahasrabuddhe asking if the staffing of the Oasis could be reviewed again. He asked if the Councillors could have a report on this if possible.
14. Councillor Baczynsky referred to Council's current 1997 Community Report and asked a) about a typing error in the Mayoral Message which reads "whist" instead of "whilst"; b) do we have a time limit on photographs that are used. He stated that on one of the pages there is a picture on a library photo and there is a teenager in Year

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 35**

11 who is quite concerned that it was him and he is not even 11 years in the photo and it appears twice in the Community Report for this year. c) he has received a lot of complaints from elderly people who say that it is impossible to read.

The Mayor stated that he would be happy to look into this.

15. Councillor Baczynskyj expressed concern, and he is not sure whether it is in George Street or somewhere in Windsor, that the trees have been cut to shin height and asked if this could be followed up.
16. Councillor Searle asked if the General Manager has had any progress with discussions with Mr Peel on the BMX track at Redbank Creek. He stated that there is a problem that we have closed down a BMX track down the back of North Richmond. We went through a process of community consultation and came up with a proposal for a BMX track at the bottom end of the Reserve at Redbank Creek, which was acceptable to everyone. He asked if the General Manager could look into this matter.
17. Councillor Searle advised that he attended the Bowen Mountain Association AGM last Sunday and several issues were discussed. Cllr Searle stated that he has asked for a copy of the Youth Strategic Program to be forwarded to the Association and if a copy of the item on the recycling trial in the business paper could also be forwarded.
18. Councillor Calvert referred to the condition of road and access to the water standpipe at North Richmond. He stated that apparently the holes are quite deep and also the valve that is used to turn off the tap is an old wind down valve. It has been asked if it could be changed to a ball type valve that can be easily shut on and off. He asked if the whole situation could be looked at and some maintenance work carried out.

The Director Asset Services & Recreation stated that there are constant problems with the standpipes and it might be possible to do something with them all.

19. Councillor Mackay referred to a letter from the Colo Heights Bushfire Brigade relating to the radio network. He asked what is being done and whether this is still in progress.

The General Manager advised that an application has been prepared but will not be presented to the next General Purpose Committee because it will not be available in time to have the consultation as required. It will by necessity come to the September

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

**Page 36**

Committee Meeting or a Special Meeting of Council may be necessary. There has been an undertaking given to the local community that when it is prepared enough time would be given to them for the consultation process.

20. Councillor Baczynskyj asked during the debate over the service station at Woolworths, was it indicated that it would be an inhouse structure.

The Mayor stated that his recollection was that it would only be accessed from the inside and it would not be visible from the street.

The Director Environment & Development stated that plans were presented with a pitched awning, screening around the service station and as indicated, access from the carpark but there was also provision for access from the street as well.

21. Councillor Searle referred back to the question regarding the Colo Heights Bushfire Brigade and stated that there is some talk that with the two new stations that are being put in, one at Popong and the other at Putty, the GRN is now capable of picking up communications. He asked if the General Manager has been able to proceed with this matter.

The General Manager advised that he had asked the Fire Control Officer for some technical advice and was waiting to find this out. Councillor Minturn has indicated that the SES has no problem for the complete length of the Singleton Road accessing the GRN. Because the Bushfire District extends far off the Singleton Road and includes all the National Park and the requirement of the Department of Bush Fire Services standard operating procedure is 90% coverage 90% of the time, he has had the Bushfire Staff do a similar check to what the SES are doing along the Singleton Road and they have far different results which coincides with what the Colo Heights Brigade are showing.

The meeting terminated at 11.35pm.

**ORDINARY  
Meeting Minutes**

**Meeting Date:** 12 August 1997

Page **37**

Submitted to and confirmed at the meeting of Council on 9 September 1997.

.....Mayor

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This is Page      of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 August 1997.

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General Manager

Mayor