



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 14 March 2000

location: Council Chambers

time: 7.30pm

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Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 14 March 1999, commencing at 7.30pm.

PRESENT: Councillor R P Stubbs, Mayor and Councillor L Allan, B J Calvert, K F Conolly, P F Davies, D Finch, G J Gilling, C A Paine, P R Rasmussen, L C Sheather, L A Williams, and C J Woods.

Reverend Laurie Thomspon from the Richmond Uniting Church representing the Hawkesbury Ministers Association gave the opening prayer at the commencement of the meeting.

SECTION 1 - CONFIRMATION OF MINUTES

- 370 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather that the Minutes of the Ordinary Meeting of Council held on 8 February, 2000, which have been circulated amongst members of Council be confirmed.

Mayoral Minutes

1. Australia Day Awards - Citizen of the Year (GC030/003)

- 371 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheather

That the Citizen of the Year be chosen from the twelve Citizen of the Month recipients and the nomination process be promoted throughout the year.

2. Council Meetings (GC280/003)

- 372 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Allan

That the Council's Code of Meeting Practice be amended to:

1. Have the General Purpose Committee Meetings commence at 9.00am.

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2. Where a Councillor discloses a pecuniary interest, they be required to vacate their Chair and leave the Council Meeting Table, however, may remain within the public gallery or adjacent foyer area.

An Amendment was moved by Councillor Sheather seconded by Councillor Gilling

That the Council's Code of Meeting Practice be amended to:

1. Have the General Purpose Committee Meetings commence at 9.00am.
2. Where a Councillor discloses a pecuniary interest, they be required to vacate their Chair and leave the Council Chamber however, may remain within the adjacent foyer area.

The amendment was lost.

The motion was put and carried

SECTION 2 - NOTICES OF MOTION

Notices of Motion

Councillors P Rasmussen and G Gilling

A motion was moved by Councillor Rasmussen seconded by Councillor Gilling

That Council sponsor the conduct of the "Tourism Training for Councillors" module, which is currently being offered by LGSA Learning, in the Hawkesbury, and that Councillors and Directors of Hawkesbury Chamber of Commerce, Local Economic Development Advisory Board, and Tourism Hawkesbury be invited to attend at no cost.

An amendment was moved by Councillor Allan seconded by Councillor Paine

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That Council fully support the conduct of the "Tourism Training for Councillors" module, which is currently being offered by LGSA Learning, in the Hawkesbury, and that Councillors and Directors of Hawkesbury Chamber of Commerce, Local Economic Development Advisory Board, and Tourism Hawkesbury. Further that the four organisations be requested to contribute \$350 each towards the conduct of this course.

The amendment was lost.

- 373 A FORESHADOWED AMENDMENT moved by Councillor Paine seconded by Councillor Allan

A report be brought back to Council on the running of a seminar on tourism and input from Hawkesbury Chamber of Commerce, Local Economic Development Advisory Board, and Tourism Hawkesbury be sought as to their interest in attending and funding such a seminar.

The foreshadowed amendment was carried.

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

Councillor C Paine

- 374 RESOLVED on the motion of Councillor Paine seconded by Councillor Sheather

That Council participate with the Rotary Club of Richmond in securing and distributing 500 (five hundred) Paralympic tickets at a cost of \$4,000 (four thousand dollars) for the senior citizens in the Hawkesbury.

Notices of Motion of Rescission

Councillors G Gilling, K Conolly and P Rasmussen

- 375 RESOLVED on the motion of Councillor Conolly seconded by Councillor Rasmussen

That the Motion carried at the meeting of 8 February 2000 (Ordinary Meeting of Council - Item No. 135 GT180/001) and being:

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"That Council declare the City of Hawkesbury to be a nuclear free zone."

be rescinded.

SECTION 3 - REPORT OF GENERAL PURPOSE COMMITTEE

Environment

67: Four (4) Lot Subdivision, No 111 Bells Line of Road and Redbank Road, North Richmond, Lot 2 DP870269, Lot 2, DP 546149 (M1940/99/EVD/ENB29NAX.V15)

376 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

- A. That the application for a four (4) lot subdivision be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by North Western Surveys Pty Ltd dated 20/08/99) submitted with Development Application No. M1940/99 dated 8/12/99 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The subdivision is to be connected to a reticulated sewer system provided by Sydney Water Corporation Limited. Documentary evidence is to be provided in relation to this.

Prior to Issue of Construction Certificate

5. The submission of design plans and calculations for all works required by this consent.

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6. A design checking and inspection fee of \$400.00 must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 30 June 2000.

Prior to Commencement of Work

7. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.
8. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
9. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

Prior to Issue of Subdivision Certificate

10. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

(a)	Open Space and Recreation	(\$3,388)
(b)	Community Facilities	(\$4,761)

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

Contributions are to be paid prior to issue of the construction certificate.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

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11. 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
 12. Submission of a Certificate from Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
 13. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the subdivision certificate.
 14. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
 15. Payment of a linen release fee of \$300.00. This amount is valid until 30 June 2000.
 16. Construction of a 3.5m wide compacted crushed rock pavement and any necessary drainage along the right of carriageway and across the footway to Lots 11, 12, 13. The construction of the right of carriageway is to be located to minimise the removal of substantial trees. The right of carriageway is to be of a bitumen seal which extends a minimum of 10m from Bells Line of Road.
 17. A creation of a restriction on the use of the land pursuant to Section 88B of the Conveyancing Act including:
 - That future dwellings and the right of carriage way are restricted to areas nominated on the plan unless located in areas that require no tree removal.
- B.** A note be placed on the 149 Certificate in relation to activities on adjoining properties.

68: Proposed Rodeo, Macquarie Park, Lot 1 DP 606535, 1 Wilberforce Road, Windsor (MA1996/99//ENB29NAX.V20)

377 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch

That approval be granted to conduct one (1) rodeo at Macquarie Park with the matter to be reported back to Council after the event. Approval is granted subject to the following conditions:

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General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (marked A and B) submitted with Development Application No. MA1996/99 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. The organisers/operators of the rodeo are to hold Public Liability Insurance with a minimum indemnity of cover of \$10,000,000
4. A Structural Engineer's Certificate certifying the holding yards, rodeo arena and any other temporary structure as erected shall be submitted to Council prior to the event.
5. Prior to the event the use of the Park and the payment of any bonds/fees is to be arranged with Council's Parks and Recreation Branch.

Use of the Site

6. Set up of the holding yard, rodeo arena, PA system and traffic management signs is to occur on the day of the event and are to be removed within 12 hours after the completion of the event.
7. Temporary fencing is to be erected to prevent cars and animals entering adjoining bushland and sand areas.
8. All litter and solid animal waste is to be removed from the site.
9. No glass bottles are to be taken into the area to be used for the rodeo and associated parking area.
10. The area to be used for the approved development being limited to the area shown on the submitted plans.
11. No signs shall be displayed on the footpaths, pedestrian ways, roadways or in the vicinity.

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12. NSW Police Service point duty in the vicinity of the entrance off Wilberforce Road is required both prior to and at the conclusion of an event to ensure satisfactory traffic management with vehicles entering and leaving the site during event periods.
13. Internal “One Way / Keep Left” signposting of roads within Macquarie Park are to be provided to assist with internal traffic circulation. Internal 2 way traffic signs are to be provided to advise drivers when on a 2 - way section of internal road. Marshalling personnel are to be provided internally from the entrance and at strategic locations towards the car parking area to ensure cars are directed efficiently towards the parking area in order to minimise the possibility of vehicles queuing back out onto Wilberforce Road. Marshalling personnel are to be provided within the car parking area to ensure patrons make the maximum use of the parking area and that vehicles are parked in an orderly manner.
14. Sufficient off-street parking is to be provided to be able to accommodate the maximum number of vehicles likely to use the site at any one time.
15. Clear access is to be made available for emergency vehicles at all times during an event.
16. Temporary “No Stopping” signs are to be provided on event days on both sides of Wilberforce Road from the bridge covering the site entrance and then for a site distance of approximately 100m.
17. All driveways should be clearly signposted “Entry/Exit” as appropriate and controlled by staff in order to direct traffic movements to and from the site.
18. The loading / unloading of livestock from trailers should take place on-site within a designated area which is well clear of public patrons at all times.
19. A constant supply of toilet paper, soap, and hand drying facilities is to be maintained in all toilets throughout the event, at all times.
20. Provision of four (4) portable toilets in close proximity to the arena. Additional toilets are to be provided at the rate of one toilet per 70 expected people exceeding 900 persons.
21. Effluent from the portable toilets is to be removed off the site and disposed of at a licensed depot.

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22. Garbage bins, with the capacity to hold 240 Litres are to be located every fifty (50) metres around the main arena. Six 240 Litre bins are to be located around each food and drinks stall. Bins should also be provided between the existing shop and the toilet block; and the toilet block and the arena.
23. Garbage is to be stored, collected, and disposed of to the satisfaction of the Manager Environment and Waste.
24. The site is to be remediated to its original state following the event. All sand or fill brought onto the site should be removed where practicable without damaging grass coverage.
25. All activities as a result of the development are not to encroach on the boundaries of the plans attached to the application, the public toilet facilities, and the Macquarie Park Riverside Function Centre.
26. All barbeque facilities, temporary food stalls, food warming facilities and canteens are to comply with Councils' "Information for food stall holders" attached.
27. Noise levels are not to exceed 70dB(LA10) at any residential boundary as a result of the event.
28. Public Address speakers should be directed away from any residential properties and in accordance with the plans submitted. Where speakers are to be mounted on poles, they are to be angled downwards at approximately forty-five (45) degrees from the horizontal.
29. A sound limiting circuit should be included in the PA system to control the signal amplitude to a fixed level regardless of the loudness of the operator's voice, or the volume control on the amplifier. This level should achieve the limitations set of 70dB(A) at nearest residential boundary.

**69: Proposed Shed - Lot 1 DP 209551, Jordan Avenue, Glossodia
(MA2001/99/EVD/ENB29NAX.V25)**

378 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Davies

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That the application for the erection of a shed on Lot 1 DP 209551, 61 Jordan Avenue, for the purpose of a car repair station - mobile mechanic be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (numbered S99/92, S99/93, Drawing 3 and 4 dated 7 June 1999 and undated) submitted with Development Application No. MA2001/99 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. No excavation or site works shall be commenced prior to the issue of the construction certificate.

Prior to Issue of Construction Certificate

5. Submission of a detailed landscaping plan providing screening to adjoining properties, to the satisfaction of the Director Development and Environment.
6. Submission of a detailed plan showing all works associated with the cleaning out of the dam and filling of the depression at the front of the property. These plans are to include finished levels and are to be to the satisfaction of the Director of Development and Environment.
7. Details are to be provided regarding the waste water and all collection pits to be installed.

Prior to Commencement of Works

8. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation

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9. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
10. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

11. All building work must be carried out in accordance with provisions of the Building Code of Australia.
12. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) piers;
 - (b) steel reinforcement;
 - (c) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (d) external drainage lines, prior to backfilling; and
 - (e) on completion of the structure.
13. The filled area, including batters, shall be grassed immediately after filling takes place.
14. All fill to be adequately compacted by track rolling or similar.
15. To avoid any unnecessary site disturbance, the excavated and filled areas shall not exceed 900mm (nine hundred) in depth and are to be graded and drained in a manner that will not be detrimental to adjoining properties or the environment.
16. All necessary works to be carried out to ensure that “any water” flow from adjoining properties is not impeded.
17. The floor in the shed is to be concrete and drainage lines are to be placed in the floor to enable waste liquids to be collected.

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18. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00 am and 6.00 pm on Mondays to Fridays and between 8.00 am and 4.00 pm on Saturdays.
19. No burning of demolition or construction material being carried out on the site.
20. No spoil, excavated or demolition material from the site being deposited on any public road, footpath, public place or Council owned property without the approval of this office.
21. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.
22. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.

Prior to Issue of Occupation Certificate

23. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
24. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.
25. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupation certificate will not be granted on the application until the landscaping is complete.
26. A maintenance schedule is to be provided for waste disposal pits detailing cleaning method and regularity of disposal.

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The Use of the Site

27. The repair of vehicles on-site is restricted to registerable vehicles with a carrying capacity not exceeding 8 tonnes.
28. The manufacture of parts onsite is prohibited
29. Vehicles and parts to be washed in a Council approved wash bay area.
30. Dust control measures, eg, water shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
31. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect to noise, vibration, odour, dust, wastewater, waste products or otherwise.
32. The development shall be conducted in such a manner that noise levels measured at any residential boundary so not exceed 5dB(A) above background noise levels.
33. All activities conducted on this site in relation to this approval are to be carried out inside the shed.
34.
 - (a) Any contaminated parts (eg, used oil filters) are to be stored inside or in a covered, sealed and banded area, even after they have been drained, to prevent residual oil from escaping.
 - (b) All waste oil, lubricant, coolant and hydraulic fluid shall be collected and disposed of at an authorised waste depot
35. All waste materials to be stored under cover and appropriately banded to avoid the escape of contaminated water. Waste is to be disposed of at regular intervals to prevent the waste overflowing and emanating odour from the receptacle.
36. Oil, lubricant, coolant, and hydraulic fluid spills or stains shall be removed by an approved absorbent material and disposed of at an authorised waste depot. The absorbent material shall be kept in good supply at all times.
37. In order to protect the amenity of the neighbourhood and the development, all work or the storage of goods or vehicles shall be confined within the building or approved areas. Separate development approval is required for external storage.

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38. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
39. Operating hours shall be limited to 7.30 am to 5.00 pm Mondays to Fridays and 8.00 am to 12.00 noon Saturdays.
40. 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.
41. No signs shall be displayed on the footpaths, pedestrian ways, roadways or in the vicinity.

70: Mobile Phone Telecommunications Facility - 81 Railway Road North, Mulgrave (MA31/00/ENB29NAX.V21)

Councillor Davies declared an interest as he has represented one of the objectors in relation to the telecommunications facility at Oakville.

379 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the application for a mobile phone base station and associated equipment hut be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Connell Wagner numbered S1273-P09B Rev 0 dated 1 February 2000, S1273-P09 Rev 1 dated 2 February 2000, S1273-P09A Rev 1 dated 21 December 1999) submitted with Development Application No. MA31/00 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.

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4. The applicant is advised to consult with:

- (a) Natural Gas Company

regarding the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

Prior to Issue of Construction Certificate

5. Separate details of the proposed roof water and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
6. Construction and engineering plans and specifications are to be submitted to the Principal Certifying Authority.
7. In accordance with Clause 47 of the Environmental Planning and Assessment Regulation 1994, Development Application MA847/99, being for a mobile phone base station at 171 Old Stock Route Road, Oakville, is to be withdrawn.
8. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
- (a) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

Separate documentary evidence from Integral Energy shall be provided stating that the requirements of that Authority have been met with regard to the nearby high voltage transmission line.

Prior to Commencement of Works

9. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited; and

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- (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 10. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation
- 11. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
- 12. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
- 13. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environment Planning and Assessment Act.

During Construction

- 14. All building work must be carried out in accordance with provisions of the Building Code of Australia.
- 15. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) steel reinforcement;
 - (d) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (e) external drainage lines, prior to backfilling; and
 - (f) on completion of the structure.

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16. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
17. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
18. All sound producing plant, equipment, machinery, fittings, and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises to within the limits prescribed by the Noise Control guidelines.
19. The proposed access track is to be constructed of compacted crushed rock or suitable alternative. Construction of the access track and any necessary drainage is not to commence until three (3) copies of the plans and specifications are submitted to and approved by the Principle Certifying Authority.
20. The base station shall be set out by a Registered Surveyor and Survey Certificate of the base station shall be lodged with the Principle Certifying Authority upon completion of the footings for the tower.

Prior to Issue of Occupation Certificate

21. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.

Use of the Site

22. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.

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**71: Proposed Rezoning at 234 Richmond Road, Clarendon - Lot 1 DP 827148
(P1829/845/EVD/ENB29NAX.V24)**

Councillor Davies declared an interest as he has acted on behalf of the Hawkesbury Raceclub.

380 RESOLVED on the motion of Councillor Allan seconded by Councillor Finch

That:

- 1 The proposed rezoning application not be supported.
- 2 Any future rezoning application for the subject land incorporate a detailed study of the surrounding recreational uses and a Development Control Plan prepared for the locality.

**72: Appeal Against Refusal of Development Application for the Establishment of a Brothel at 15A Walker Street, South Windsor. Lot 281 DP827184
(M1614/99/EVD/ENB29NAX.V14)**

381 RESOLVED on the motion of Councillor Conolly seconded by Councillor Sheather

That:

- 1 Council instruct its solicitors to defend the merits appeal.
- 2 Council review Hawkesbury Development Control Plan - Brothels.

An amendment was moved by Councillor Rasmussen seconded by Councillor Woods

That:

- 1 Council instruct its solicitors to defend the merits appeal.
- 2 Council repeal Hawkesbury Development Control Plan - Brothels.

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The amendment was lost.

The motion was put and carried.

73: Proposed Open Area Test Site for Electromagnetic Interference Energy, Lot 2 DP 751632, 714 Upper Colo Road, Upper Colo (DA90/98 PT 02/EVD/ENB29NAX.V23)

382 RESOLVED on the motion of Councillor Williams seconded by Councillor Calvert

That the application be refused for the following reasons:

1. The proposal is inconsistent with the objectives of the Environmental Protection (Scenic) 7(d) zone.
2. The proposed is not in keeping with the character of the surrounding area or surrounding landuses.
3. The test site will detract from the scenic quality of the area.
4. The testing of devices, including spark ignited engine driven devices, has the potential to generate noise emissions which will significantly impact upon surrounding residents and the amenity of the area.
5. The application has not provided sufficient justification as to the need for the facility on the subject property and has not adequately considered joint use of an existing facility at 1247 Upper Colo Road, Upper Colo.
6. The proposal is not in the public interest.

An amendment was moved by Councillor Sheather seconded by Councillor Allan

That a further report be brought to the General Purpose Committee meeting.

The amendment was lost.

The motion was put and carried.

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74: Horse Training and Coaching Facility, No 371 Spinks Road, Glossodia, Lot 8 DP251248 (M823/99/EVD/ENB29NAX.V13)

This matter was dealt with in conjunction with Item 154 of the supplementary business paper.

A motion was moved by Councillor Rasmussen seconded by Councillor Paine

That the application for riding arena and stable complex for the purposes of training and coaching be approved subject to the following conditions:-

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by J W Building Systems numbered AR01, AR02 dated March 1999 and McKinlay Morgan & Associates Pty Ltd numbered 89978:D:2 dated 12 February 1999) submitted with Development Application No. M823/99, as amended in red, and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. To ensure the external appearance of the development is not intrusive or offensive, and does not degrade the visual quality of the surrounding area, the building shall be clad in Colorbond 'Mist Green'.
4. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
5. The applicant is advised to consult with:
 - (a) Integral Energyregarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).
6. No excavation or site works shall be commenced prior to the issue of the construction certificate.

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7. Access to the development shall be from new gate established 50m south of the current wire gates on Spinks Road. This entrance is to serve both this facility and the existing horse jumping arena. The most southern gate is to be used only for farm access purposes.

Prior to Issue of Construction Certificate

8. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
9. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
 - (a) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
10. A septic drainage system shall be provided. A separate application shall be lodged with Council for approval of the septic tank installation. This system is to be designed to receive the water from the horse wash down area. The effluent from the septic tank installation will be used to irrigate the landscaped area around the horse arena and car park.
11. A landscape plan is required to be submitted for approval. This plan needs to introduce more mature trees, shrubs and ground covers, planting of native shrubs along the western wall, the southern wall and the southern area of the car park.
12. A plan is to be submitted to the Principle Certifying Authority showing the western elevation being open. The plans are to also include the provision for two (2) toilet facilities. The development is to be constructed in accordance with this plan.

Prior to Issue of Construction Certificate

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

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13. Details of the amount and origin of top dressing for the arena being imported to the site for the construction of the arena. Payment to Council at a rate of 3 cents per tonne per kilometre transported on local roads within the Hawkesbury City Council boundaries will be charged pursuant to Section 94 of the Environmental Planning and Assessment Act 1979.

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

Prior to Commencement of Works

13. To ensure that site works do not cause soil erosion, site works involving construction of batters, embankments, cuts, mounds, and the like, shall incorporate measures for their restraint and stabilisation, with the use of physical barriers and planting of suitable vegetative cover.
14. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation
15. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- (a) must be a standard flushing toilet; and
- (b) must be connected to a sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

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16. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
17. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building; or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
18. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
19. Engineering details on all structural steel and concrete shall be provided to the Principal certifying Authority prior to work commencing.
20. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.

During Construction

21. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) piers;
 - (b) the second storey floor joists, prior to the fixing of any flooring material;
 - © framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (d) wet area flashing, after the installation any bath and shower fixtures;
 - (e) internal drainage lines prior to covering;

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- (f) external drainage lines, prior to backfilling; and
 - (g) on completion of the structure.
22. All fill to be adequately compacted by track rolling or similar.
23. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
24. The construction of the building, including the roof, shall be in materials of a low reflective quality and be of colour Colorbond 'Mist Green'.
25. No excavated material, including soil, shall be removed from the site.
26. The fill shall be battered at a slope not exceeding 1 (one) vertical to 4 (four) horizontal.
27. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
28. All building work must be carried out in accordance with provisions of the Building Code of Australia.
29. The filled area, including batters, shall be grassed immediately after filling takes place.
30. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
31. The construction of a 3m wide bitumen seal access from the existing edge of Spinks Road to the proposed car park. The car park area is to be constructed of an all weather surface in accordance with Council's specifications if however this surface fails to withstand usage after a period of 24 months it will be sealed with bitumen seal.

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Prior to Issue of Occupation Certificate

- 32. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.
- 33. Submission of Form 15 Certificate certifying that all the required essential services have been initiated in accordance with relevant standards.
- 34. A 20m vegetation buffer as requested by the Department of Land and Water Conservation along Currency Creek is to be planted. The vegetation barrier is to be of native tree species.

Use of the Site

- 35. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
- 36. 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.
- 37. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
- 38. The development shall be conducted in such a manner that noise levels measured at any boundary do not exceed 5dB(A) above background noise levels.
- 39. The riding arena and stable complex is not be used for residential purposes.
- 40. Lighting can be installed in the riding arena providing it only operates between the hours of 7.00am and 6.00pm until such time as the landscaping is sufficiently advanced to mask the building at which time the hours of operation can be reviewed by the Director of Environment and Development.
- 41. The place shall not be used as a place for public entertainment (eg Carnivals and the like).

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42. 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, odour, dust, waste water, waste products or otherwise.
43. The hours of operation are to be from 7.00am to 6.00pm seven (7) days per week. All lighting to be extinguished by 7.00pm. Hours of operation can be reviewed once the landscaping has reached sufficient maturity to mask the building.
44. At any time no more than 30 (thirty) people per day, not being employees of the site, be allowed on the site. Up to 4 (four) times a year special events may be held where a larger number of people can visit the site provided the neighbours are given prior notification and the applicant contacts the Director of Environment and Development.

383 An AMENDMENT was moved by Councillor Calvert seconded by Councillor Sheather

That the application for riding arena and stable complex for the purposes of training and coaching be approved subject to the following conditions:-

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by J W Building Systems numbered AR01, AR02 dated March 1999 and McKinlay Morgan & Associates Pty Ltd numbered 89978:D:2 dated 12 February 1999) submitted with Development Application No. M823/99, as amended in red, and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. To ensure the external appearance of the development is not intrusive or offensive, and does not degrade the visual quality of the surrounding area, the building shall be clad in Colorbond 'Mist Green'.
4. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
5. The applicant is advised to consult with:

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(a) Integral Energy

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

6. No excavation or site works shall be commenced prior to the issue of the construction certificate.
7. Access to the development shall be from the existing southern access point on the property, no new access point from Spinks Road is to be constructed.

Prior to Issue of Construction Certificate

8. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
9. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
 - (a) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
10. A septic drainage system shall be provided. A separate application shall be lodged with Council for approval of the septic tank installation. This system is to be designed to receive the water from the horse wash down area. The effluent from the septic tank installation will be used to irrigate the landscaped area around the horse arena and car park.
11. A landscape plan is required to be submitted for approval. This plan needs to introduce more mature trees, shrubs and ground covers, planting of native shrubs along the western wall, the southern wall and the southern area of the car park.
12. A plan is to be submitted to the Principle Certifying Authority showing the western elevation being open. The plans are to also include the provision for two (2) toilet facilities. The development is to be constructed in accordance with this plan.

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Prior to Issue of Construction Certificate

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

13. Details of the amount and origin of top dressing for the arena being imported to the site for the construction of the arena. Payment to Council at a rate of 3 cents per tonne per kilometre transported on local roads within the Hawkesbury City Council boundaries will be charged pursuant to Section 94 of the Environmental Planning and Assessment Act 1979.

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

Prior to Commencement of Works

13. To ensure that site works do not cause soil erosion, site works involving construction of batters, embankments, cuts, mounds, and the like, shall incorporate measures for their restraint and stabilisation, with the use of physical barriers and planting of suitable vegetative cover.
14. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation

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15. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- (a) must be a standard flushing toilet; and
- (b) must be connected to a sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

16. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.

17. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited; and
- (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building; or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

18. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

19. Engineering details on all structural steel and concrete shall be provided to the Principal certifying Authority prior to work commencing.

20. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.

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During Construction

21. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) piers;
 - (b) the second storey floor joists, prior to the fixing of any flooring material;
 - (c) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (d) wet area flashing, after the installation any bath and shower fixtures;
 - (e) internal drainage lines prior to covering;
 - (f) external drainage lines, prior to backfilling; and
 - (g) on completion of the structure.
22. All fill to be adequately compacted by track rolling or similar.
23. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
24. The construction of the building, including the roof, shall be in materials of a low reflective quality and be of colour Colorbond 'Mist Green'.
25. No excavated material, including soil, shall be removed from the site.
26. The fill shall be battered at a slope not exceeding 1 (one) vertical to 4 (four) horizontal.
27. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
28. All building work must be carried out in accordance with provisions of the Building Code of Australia.
29. The filled area, including batters, shall be grassed immediately after filling takes place.

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30. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
31. The construction of a 3m wide bitumen seal access from the existing edge of Spinks Road to the proposed car park. The car park area is to be constructed of an all weather surface in accordance with Council's specifications if however this surface fails to withstand usage after a period of 24 months it will be sealed with bitumen seal.

Prior to Issue of Occupation Certificate

32. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.
33. Submission of Form 15 Certificate certifying that all the required essential services have been initiated in accordance with relevant standards.
34. A 20m vegetation buffer as requested by the Department of Land and Water Conservation along Currency Creek is to be planted. The vegetation barrier is to be of native tree species.

Use of the Site

35. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
36. 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.
37. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
38. The development shall be conducted in such a manner that noise levels measured at any boundary do not exceed 5dB(A) above background noise levels.
39. The riding arena and stable complex is not be used for residential purposes.

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40. Lighting can be installed in the interior riding arena providing it only operates between the hours of 7.00am and 6.00pm until such time as the landscaping is sufficiently advanced to mask the building at which time the hours of operation can be reviewed by the Director of Environment and Development.
41. The place shall not be used as a place for public entertainment (eg Carnivals and the like).
42. 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, odour, dust, waste water, waste products or otherwise.
43. The hours of operation are to be from 7.00am to 6.00pm seven (7) days per week. All lighting to be extinguished by 7.00pm. Hours of operation can be reviewed once the landscaping has reached sufficient maturity to mask the building.
44. At any time no more than 30 (thirty) people per day, not being employees of the site, be allowed on the site. Up to 4 (four) times a year special events may be held where a larger number of people can visit the site provided the neighbours are given prior notification and the applicant contacts the Director of Environment and Development.

The amendment was carried.

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

**75: Heritage Funding Allocation in Forthcoming Budget (GH020/041
PT04/EVD/ENB29NAX.V26)**

384 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen

That:

1. The heritage funding requests be considered in the preparation of the forthcoming budget.
2. The additional information be received.

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76: Collection of Domestic Sullage (GC270/094/EVD/ENB29NBX.V02)

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

That:

1. Council adopt as policy, that the maximum volume of sullage collected from a residential property each fortnight, be 6,000 litres as part of the annual charge system.
2. Volumes in excess of 6,000 litres collected from residential premises, will be collected if requested by the owner of the property in writing, and be charged at the commercial rate per 1,000 litres which is current at that time.

77: Lachlan Court - Lot 3 DP858002 No. 25 Macquarie Street, Windsor - Two Storey Retail Centre containing 14 shops and 62 car parking spaces (53 in basement car park) (BA869/97, DA63/96/EVD/ENB29NBX.V10)

386 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the information be received.

78: Removal of scrap metal, motor vehicles, drums - Lot 423 DP751665 No. 38 Vollers Lane, Freemans Reach (P2204/20/EVD/ENB29NBX.V09)

387 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen

That the information be received.

An amendment was moved by Councillor Gilling seconded by Councillor Sheather

That Council do not proceed with this action against Mr Douglas.

The amendment was lost.

The motion was put and carried.

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79: Accumulation of Waste Timber - Lot 103 DP 615135 No 34 Woodlands Road, Wilberforce (P2319/88/EVD/ENB29NBX.V11)

388 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the owner be directed to carry out the following:

- 1 To remove all stockpiles of wood chip, mulch, timber residue, pallets and timber from the property.
- 2 To carry out and complete the works within a period of 42 (forty two) days and prior to 15 April, 2000.
- 3 The owner be advised that failure to carry out the works in the specified period will lead to Council causing the works to be conducted by a private contractor and any expense incurred will be sought from him.
- 4 Tenders be called for the removal of the stockpiles of timber if the material is not removed from the land in the required period.
- 5 A tender be accepted and the works undertaken by a private contractor.

80: Excavation of Wetlands and Wheeny Creek - Lot 1 DP834193, No. 181 Upper Colo Road, Colo (P2408/422/EVD/ENB29NBX.V08)

389 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the information be received.

81: Sewage Management Facility (Septic Tank) - Draft Development Control Plan for Sewage Management Facilities (GS080/008/EVD/ENB29NBX.V12)

390 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the Sewage Management Facility draft Development Control Plan be placed on public exhibition for twenty-eight days in accordance with the requirements of the Environment Planning and Assessment Act.

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82: State Environmental Planning Policy No. 10 - Retention of Low Cost Rental Accommodation (GT190/032/EVD/ENB29NBX.V19)

391 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the information be received.

83: Two Storey Duplex - Cnr Lot 1, DP662568No. 32 Cox Street, Windsor (M1766/99/EVD/ENB29NBX.V17)

The Committee exercising its delegation as full Council

368 RESOLVED on the motion of Councillor Sheather seconded by Councillor Conolly

That:

- A.** Approval be granted for a single storey duplex at 32 Cox Street, Windsor, Cnr Lot 1, DP662568, subject to the following conditions:

General

- 1 To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by RE & PA Collis Design numbered 56299/2 (3 sheets) dated 17/2/99) submitted with Development Application No. M 1766/99 dated 8 November, 1999 and any supportive documentation, except as otherwise provided by the conditions of this consent.
- 2 This consent covers the removal of trees and other vegetation from the site of approved buildings, structures, permanent accessways and car parks. This consent also covers the removal or lopping of trees within 6m (six) of approved buildings. No other trees or vegetation shall be removed or lopped except with prior written approval of the this office.
- 3 Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
- 4 Prior to construction of the approved development it is necessary to obtain a Construction Certificate.

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5 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) a local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

6 No excavation or site works shall be commenced prior to the issue of the construction certificate.

Prior to Issue of Construction Certificate

7 A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

- | | | |
|-----|---------------------------|-----------|
| (a) | Open Space and Recreation | (\$1,023) |
| (b) | Community Facilities | (\$1,115) |

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

Contributions are to be paid prior to issue of the construction certificate.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

8 The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.

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- 9 The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
- (a) A Section 73 Certificate issued by the Sydney Water Corporation Limited or other evidence of Sydney Water's non-objection to the commencement of work on the basis of service availability.
 - (b) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
- 10 A schedule of external finishes are to be submitted to Council for assessment.
- 11 Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
- 12 A detailed diagram shall be submitted indicating existing ground levels, proposed cut and fill levels and proposed floor level (levels to datum or AHD).
- (a) Payment of a sewer headworks contribution to Council of \$4,820 (four thousand eight hundred and twenty dollars). This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Further, that additional information be provided at the Ordinary meeting in relation to this item.
 - (b) The number of sewer headwork connections be investigated and if necessary payment adjusted.
- 13 Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application.

Prior to Commencing Works

- 14 Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be commenced unless the principal certifying authority for the development to which the work relates:
- (a) in the case of work to be done by a licensee under that Act:

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- (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
- (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this condition sufficient evidence that the person has complied with the requirements of that Part.

- 15 Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- (a) must be a standard flushing toilet; and
- (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer to some other sewage management facility approved by the Council.

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The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- 16 A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 17 Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation
- 18 The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
- 19 The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

- 20 All building work must be carried out in accordance with provisions of the Building Code of Australia.
- 21 Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
- (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) steel reinforcement;
 - (d) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (e) wet area flashing, after the installation any bath and shower fixtures;
 - (f) internal drainage lines prior to covering;

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- (g) external drainage lines, prior to backfilling; and
 - (h) on completion of the structure.
- 22 All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
- 23 No burning of demolition or construction material being carried out on the site.
- 24 The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
- 25 The development is to be constructed in accordance with the noise report prepared by Murphy Pastoral and Technical Company Pty Ltd dated 4th December 1999.
- 26 The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the Principal Certifying Authority upon completion of the footings and prior to the external wall construction proceeding above floor level.
- 27 Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site.
- 28 Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.

Prior to Issue of Occupation Certificate

- 29 An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.
- 30 Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupational certificate will not be granted on the application until the landscaping is complete.

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- 31 In order to enhance the amenity of the development, new boundary fences shall be provided, at the applicant's expense with the agreement of the adjoining owners. Such fencing behind the building line shall be to a height of 1.8m and at least lapped and capped. (D264).
- 32 In order to enhance the amenity of the area, all fencing fronting the street shall be a feature fence incorporating masonry piers with decorative infill panels.

The Use of the Site

- 33 All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.

392 RESOLVED on the motion of Councillor Sheather seconded by Councillor Paine

That the information be received.

84: Hawkesbury Local Environmental Plan 1989 Boundary Adjustment Clauses
(GT160/002 PT2, GT160/001 PT2/EVD/ENB29NBX.V16)

393 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the information be received.

85: Proposal - Establishment of Yarramundi Park
Applicant P S Graham & Associates (DA0144/93 PT4; P825/530;
P825/515/EVD/ENB29NBX.V22)

Councillor Rasmussen advised that he is an adjoining land owner.

394 RESOLVED on the motion of Councillor Sheather seconded by Councillor Davies

That:

1. Council support this proposal in principle.

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2. Council contact the Department of Land & Water Conservation to determine whether or not they as the owner of this land would support the proposal as outlined by Tilmunda Pastoral Company;
3. The Hawkesbury Nepean Catchment Management Trust be approached to determine their position on the proposal; and
4. If the above two organisations are supportive of the proposal in principle Council then approach the Department of Urban Affairs and Planning for their opinion on this proposal.

**86: Hawkesbury City Waste Management Facility - South Windsor
(P2018/55/EVD/ENB29NBX.V18)**

395 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the information be received.

**87: Lot 12 DP736138 and Lot 4 DP610341 Mulgrave Road, Mulgrave (Elf
Mushrooms) (P1362/445/EVD/ENB29NBX.V07)**

Councillor Paine declared an interest as her son-in-law is an employee of Elf Mushrooms

Councillor Sheather advised that his sister-in-law is an employee of one of the Tolson group.

Councillor Gilling advised that Mr David Tolson was her running partner in the recent elections.

A motion was moved by Councillor Williams seconded by Councillor Woods

That:

1. Council immediately take action to enforce all conditions of consent at the Elf Mushroom, Mulgrave site in particular conditions relating to:
 - i. Hours of operation
 - ii Tonnage

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- iii. Noise
- iv. Odour

2. The EPA be advised of Council's resolution.

396 An AMENDMENT was moved by Councillor Rasmussen seconded by Councillor Conolly

That:

1. Council immediately take action to enforce all conditions of consent at the Elf Mushroom, Mulgrave site in particular conditions relating to:

- i. Hours of operation
- ii Tonnage
- iii. Noise
- iv. Odour

2. The EPA be advised of Council's resolution.

3. Council re-exhibit Draft Local Environmental Plan 9/94 to rezone Lot 4 DP610341 and Lot 12 DP DP736138 Mulgrave Road, Mulgrave from Rural 1(c) to Light Industrial 4(b).

The amendment was carried.

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

88: Lot 1 DP862897 No. 78 Greens Road, Lower Portland - Hawkesbury Country Club: Application to amend approval to operate Caravan Park (P717/440/EVD/ENB29NBX.V28)

Councillor Gilling declared an interest as she is the property owner.

397 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That Council provide the operators of the caravan park with a detailed list of all matters in relation to problems of non-compliance with conditions of consent and that this be reported to the next General Purpose Committee.

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- 89: Proposed Shed - Lot 1 DP 209551, Jordan Avenue, Glossodia
(MA2001/99/EVD/ENB29LBX.V30)**

This matter was dealt with in conjunction with Item 69 of the Environment Section of the Agenda.

- 90: Lot 1 DP862897 No. 78 Greens Road, Lower Portland - Hawkesbury Country Club: Application to amend approval to operate Caravan Park
(P717/440/EVD/ENB29LBX.V28)**

Councillor Gilling declared an interest as she is the property owner.

This matter was dealt with in conjunction with Item 88 of the Environment Section of the Agenda.

- 91: Proposed Construction and Use of a Pasteurising Room, Setback Room, Spawn Room, Addition to an Existing Shed for Storage and Sale of spent Mushroom Compost by Way of a Roadside Stall (M1565/99/EVD/ENB29LAX.V27)**

398 RESOLVED on the motion of Councillor Sheather seconded by Councillor Paine

That:

- A. A Deferred Commencement Approval be granted for a pasteurising room, setback room, spawn room, additions to an existing shed for the storage of spent mushroom compost, sale of spent compost at Lot 1 DP 28331 subject to the following conditions:
- (I) Upon compliance with the conditions appearing in Schedule 1, and with the issue of confirmation to the effect in writing from Council, this “Deferred Commencement” consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
 - (II) The Deferred Commencement consent will lapse in twelve months from the date of this consent unless the condition appearing in Schedule 1 has been complied with.

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Schedule 1

1. A landscape design plan showing a schedule of all species to be planted including maturity height of each is to be submitted to Council for approval. All landscaping required under Building Application B 600/97 is to be incorporated into this plan.
2. All landscaping works approved on the plan referred to in 1 above are to be completed to the satisfaction of the Director of Development and Environment. Semi advanced species are to be used.

Schedule 2

Advisory / General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Apted Plan Service numbered 199/417 dated November 1999) submitted with Development Application No. M1565/99 dated 7 October 1999 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
4. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
5. Provision shall be made for access to the buildings with adequate aids provided for those with disabilities (i.e. mobility, hearing, site impaired) in accordance with the Discrimination Against People with Disabilities Act (DDA), Building Code of Australia and Council's Access Policy.

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Prior to Issue of Construction Certificate

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

6. Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
7. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
8. Parking shall be provided 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. Full details of works shall be submitted for approval with the building application.
9. Manufacturers specifications of the colorbond clad sandwich panel are to be submitted to the Principle Certifying Authority for approval.
10. Details demonstrating that the proposed building comply with the requirements of the Building Code of Australia (BCA) are to be submitted to the principle Certifying Authority for approval. Note: details should include the following;
 - Location of emergency lighting
 - Location of portable fire extinguishers
 - A racking and machinery layout showing the paths of travel
11. Details of all drainage works are to be submitted to Council for approval.

Prior to Commencement of Works

12. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and

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- (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building; or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
13. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.
 14. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
 15. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
 16. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environment Planning and Assessment Act.

During Construction

17. All building work must be carried out in accordance with provisions of the Building Code of Australia.
18. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) steel reinforcement;

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- (d) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (e) internal drainage lines prior to covering;
 - (f) external drainage lines, prior to backfilling;
 - (g) on completion of the structure.
19. The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the Principal Certifying Authority upon completion of the footings and prior to the external wall construction proceeding above floor level.
20. The eastern side of the storage and amenities awning is to be clad in green colourbond.
21. The land between the existing growing sheds and the western boundary is to be adequately drained to the existing dam.
22. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.

Prior to Issue of Occupation Certificate

23. Occupation of any buildings and the use of the site for the proposed development should not take place until all landscaping is completed, all car parking spaces are constructed and designated and all the conditions of approval have been satisfied.
24. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.
25. A Form 15 Fire Safety Certificate is to be submitted to Council.

Use of the Site

26. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.

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27. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property.
28. In order to protect the amenity of the neighbourhood and the development, all work or the storage of goods or materials shall be confined within the building or approved areas. Separate development approval is required for external storage.
29. 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.
30. All sound producing plant, equipment, machinery, fittings, and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises to within the limits prescribed by the Noise Control guidelines.
31. The sale of all spent compost is to be conducted from Unit 1 (storage shed)
32. No pallets or bags of compost be displayed or sold from the front entrance of the property at any time.
33. A separate parking space is to be provided adjacent to the storage shed (unit 1) for customer parking.
34. All vehicles are to enter and leave the property in a forward direction.
35. The delivery of compost to the site is only permitted to be delivered between the hours of 6:00am and 6:00pm Monday to Friday.
36. Effluent from the Aerated Wastewater Treatment System is to be disposed of on all landscaped areas in accordance with the Environment and Health Protection Guidelines "On-site Sewage Management for Single Households".
37. Appropriate colour conditions be incorporated in the consent with this to be reported to back Council.

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Infrastructure

28: Feasibility and Cost of Providing a “bus only” Road Link between Windsor Downs and Bligh Park (1967/R Pt3, 1833/R Pt4, 0248/R Pt2/ENG/INB29NBX.E01)

399 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

On the basis of cost versus benefit the provision of a “bus only” road link between Windsor Downs and Bligh Park not proceed.

29: South Windsor Sewage Treatment Plant Stage III Augmentation (GS045/006 Pt3/ENG/INB29NBX.E04)

400 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

- 1 The design of Stage III Augmentation of the South Windsor Treatment Plant be commissioned and when completed tenders be called for the construction of phase 1 of Stage III Augmentation.
- 2 The aeration tank proposed as an interim measure to maintain discharge licence limits be constructed.

30: McQuade Park Oval Proposed Picket Fence - Rotary Club of Windsor (PK/203 Pt14/ENG/INB29NBX.E05)

401 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the Rotary Club of Windsor be supported in the proposal to provide a picket fence for McQuade Park Oval.

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31: The Richmond Committee, Mainstreet Program - Car Parks, Richmond Commercial Centre - Extension of Time Restriction (GT230/019 PT04/ENG/INB29NBX.E06)

402 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

1. Further unrestricted parking not be allocated within Woodhills car park;
2. In relation to Coles Car Park, that the 21 spaces bounded by Francis Street/the access ramp/row of kerb logs nearest to Francis Street, be dedicated as unrestricted parking; and
3. In relation to Woodhills car park the unrestricted parking remain the same with the present 2 hour parking being trialed as 4 hour parking for a twelve month then reassessed.

32: Governor Phillip Reserve - Upper Hawkesbury Power Boat Club (PK/205/ENG/INB29NBX.E03)

403 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That approval be granted to the UHPBC for exclusive corporate use of Governor Phillip Reserve on 6-7 May 2000, subject to the following conditions:

- 1 The applicant obtaining appropriate licences from the Waterways Authority regarding the conduct of this event.
- 2 The applicant is to obtain appropriate licences from the Licensing Branch of the NSW Police Service, for the sale of alcoholic beverages at the proposed event.
- 3 The applicant obtaining necessary approvals with regard to the sale of hot food.
- 4 The applicant paying the corporate use contribution rate being \$1,000.00 (one thousand dollars) or \$1.00 per person/per day whichever is the greater.

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- 5 The reserve being left clean and tidy with the applicant being responsible for collection and disposal of all waste. The applicant paying to Council a refundable bond of \$750.00 less any costs incurred by Council, administrative or otherwise to clean/restore the area.
- 6 A letter drop be undertaken to all affected residents in proximity to the event by the applicant, with that letter advising full details of the event.
- 7 The applicant submitting a public liability policy for \$10,000,000 (ten million dollars) with the interest of Hawkesbury City Council noted on the policy.
- 8 The applicant is to obtain all necessary permits/approvals in relation to amusement rides/devices.
9. There is no undue interference with the Canoe Club's mini marathon to be held on 6 May, 2000.

That the matter of ferry closures be addressed with the application by the two groups for the races. Further, that they be advised to submit to the Waterways Authority advice regarding ferry closures.

33: Request for Support from Council as Adjoining Land Owner for Application to Use Hawkesbury River (GR030/020 PK/205/ENG/INB29LBX.E07)

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

That:

- 1 The application by the NSW Water Ski Show Division for use of the Hawkesbury River between Rickabys Creek and the Windsor Bridge not be supported.
- 2 Support be given for the application by the NSW Water Ski Show Division for use of the Hawkesbury River between South Creek and the Windsor Bridge subject to the following conditions.
 - i. The applicant obtaining appropriate licences from the Waterways Authority to conduct this event.

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- ii. A letter drop be undertaken to all affected residents in proximity to the activity advising full details of the activity.
 - iii. The applicant attending the Governor Phillip Park User Group Meeting on Tuesday 7 March 2000 at 7.30pm. This Meeting is held at the UHPBC club house at Governor Phillip Reserve.
 - iv. Co-operation and compliance with other users of the park with regard to the dates that the activity is undertaken.
 - v. The Applicant submitting to Council a public liability policy for \$10,000,000 (ten million dollars) with the interest of Hawkesbury City Council noted on the policy.
 - vi. The Upper Hawkesbury Power Boat Club be advised of this decision and encouraged to work with and accommodate the NSW Water Ski Show Division.
 - vii. This approval be given for a period of 12 (twelve) months.
3. The following hours of operation in Governor Phillip Park are to apply:
- | | |
|----------------|----------------------------|
| 10.00am - Noon | - Set up and land practice |
| Noon - 4.00pm | - Water Activity |

Organisation and Resources

52: Monthly Financial Report - January 2000 (GF011/005/FNC/OGB29NAX.F08)

405 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen
That the information be received.

53: Approval for Interstate Travel (GP025/015/GMA/OGB29NAX.G13)

406 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

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Council approve the attendance of five Councillors and one staff member at the Institute of Municipal Management National Congress in Melbourne in May 2000.

**54: Community Consultation - Development Applications and Planning Procedures
(GC280/004 PT3/GMA/OGB29NAX.G12)**

407 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

- 1 The information be received.
- 2 A report be prepared indicating how the various consultation methods can effectively be matched to the type of development / issue being considered.

55: Upgrade of Windsor Road (2342/R/CSV/OGB29NBX.C03)

The Committee exercising its delegation as full Council.

369 RESOLVED on the motion of Councillor Allan seconded by Councillor Conolly

That Council endorse the decision of Hawkesbury Economic Development Advisory Board to provide up to \$2,500 (two thousand five hundred dollars) in funding for the signage campaign for the upgrade of Windsor Road.

**56: University of Western Sydney Hawkesbury Scholarship (GU001/005
PT02/CSV/OGB29NBX.C04)**

408 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

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- 1 Council continue to provide scholarships for three local students attending the University of Western Sydney, Hawkesbury by providing a HECS subsidy totalling \$7,000 (seven thousand dollars).
- 2 A further report come back to Council on ways of providing equity in the allocation of scholarships through the University of Western Sydney.

57: Grose Vale Scouts (GC283/099 PT2/CSV/OGB29NBX.C11)

409 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That Grose Vale Scout Association be advised that Council would be prepared to support the sale or lease on a long term basis of 14 Cabbage Tree Road, Grose Vale under current commercial/market values. Further, if this is not acceptable to the Association that assistance be offered in re-locating to a more appropriate site within the area for long term lease or acquisition.

58: Nepean Migrant Access Inc. (GF008/001 PT21/CSV/OGB29NBX.C02)

410 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That Council contribute \$1,000 (one thousand dollars) to Nepean Migrant Access Inc. towards the cost of purchasing a notebook computer for the purpose of improving residents of NESB access to employment opportunities.

59: Hutchison and Vodafone Mobile Telephone Communications Network (GC283/149 PT02/CSV/OGB29NBX.C07)

411 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

- 1 Council support the co-location of telecommunications facilities on the existing communications tower and lease land at the Operations Depot, Old Sackville Road, Wilberforce to Hutchison Telecommunications Australia and Vodafone Network Pty

This is Page of the Minutes of the ORDINARY No 7 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 14 March 2000.

General Manager

Mayor

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Ltd in accordance with the principle terms and conditions outlined in the report.

- 2 The Seal of Council be affixed to all necessary documents.

60: Proposed Road Closure and Transfer off Jordan Avenue, Glossodia (GR080/066 PT01/CSV/OGB29NBX.C09)

412 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

- 1 Council support the closure of the unformed road off Jordan Avenue, adjoining Lot 1 in Deposited Plan 617415, Glossodia being an area of approximately 6435 square metres.
2. Council as the Roads Authority make application to the Department of Land and Water Conservation for the closure of the unformed road to be vested in the Crown and transferred to the Guide Dog Association and by agreement to the adjoining owners, Mr and Mrs Hall and Mrs Blundell.
3. That the Department of Land and Water Conservation be requested to ensure by way of a condition in the transfer documents that the applicant and the adjoining owners consolidate the closed road area with their existing lots.
4. The applicants are to meet all costs associated with the application, including application fees, survey fees, lodgement and registration fees, legal costs.
5. All necessary documents be executed under the Common Seal of Council.

61: Hawkesbury Economic Development Advisory Board (GM001/021 PT11/CSV/OGB29NBX.C01)

413 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

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That the responses outlined in this report in relation to the correspondence tabled at the December meeting of Council, be received and noted. Further, that Council support the Board's proposal to unincorporate and re-establish as an objective and independent advisory committee of Council with an agreed Terms of Reference and clear lines of communication for reporting to Council.

SECTION 4 - REPORTS FOR DETERMINATION

138: Review of Hawkesbury Community Transport Service
(GC200/002/CSV/ORC14NBX.C13)

414 RESOLVED on the motion of Councillor Allan seconded by Councillor Sheather

That:

- 1 The *Final Report: Review of the Hawkesbury Community Transport Service* be received.
- 2 The 25 recommendations outlined in the Final Report be endorsed for implementation.

139: Documents for Execution Under Seal (GC283/002 PT03, GC283/0013 PT03, GC050/009 PT04/CSV/ORC14NBX.C10)

415 RESOLVED on the motion of Councillor Paine seconded by Councillor Davies

That the Seal of Council be affixed to the following documents:

1. Transfer of Retail Lease for Shop 2 Glossodia Shopping Centre from Ms Pauline Munro to Mr Trevor Barber and Ms Tammy Harris (T&T Automotive & Financial Services Pty Ltd).
2. Retail Lease for Shop 1, McGraths Hill Shopping Centre to Parmjit Singh and Sukhvinder Kaur trading as Pablo-Neha Pty Ltd.

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3. Department of Family & Community Services Grant for Minor Capital Upgrade Program for upgrading North Richmond Child Care Centre.

140: Proposed Sale of 128 Francis Street, Richmond
(GC283/162/CSV/ORC14NBX.C03)

Councillor Allan declared an interest as she is currently negotiating the purchase of property with Bennett's Real Estate.

- 416 RESOLVED on the motion of Councillor Paine seconded by Councillor Sheather

That Council sell No. 128 Francis Street, Richmond by public auction, with Bennett Real Estate appointed to market and auction the property on Council's behalf. Further, that the Mayor and General Manager be given authority to set the reserve price based on valuation advice prior to the auction date.

141: Section 94 Contributions Plan (GT200/001/FNC/ORC14NBX.F02)

- 417 RESOLVED on the motion of Councillor Sheather seconded by Councillor Paine

That:

1. Council's "Section 94 Development Contribution Plan", as revised, be placed on public exhibition for comment for a period of not less than 28 days.
2. Page 15 be amended under the heading of Project - Hawkesbury Park to read "multi-purpose hard court / skate park".

142: Rural Fire Service - Estimates 2000/2001 (GF10/44,
GF004/001/FNC/ORC14NBX.F14)

- 418 RESOLVED on the motion of Councillor Sheather seconded by Councillor Allan

That it is recommended that Council approve the Rural Fire Estimates for the year 2000/2001.

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**143: Naming Proposal - Named Laneway, South Windsor (GR120/003
PT03/ENG/ORC14NBX.E06)**

419 RESOLVED on the motion of Councillor Sheather seconded by Councillor Finch

That:

The laneway running generally from the vicinity of Windsor Railway Station to Ham Street and being between Macquarie and George Streets be named as Dickson Lane; and,

The names "Mitchell" and/or "Moore" be borne in mind for allocation in future road naming.

144: Construction of Kurrajong Heights Rural Fire Station - Stanley Street, Kurrajong Heights (GT020/337 PT01/ENG/ORC14NBX.E17)

420 RESOLVED on the motion of Councillor Paine seconded by Councillor Calvert

The Tender of Denning Constructions Pty Ltd for the construction of Kurrajong Heights Rural Fire Station Stanley Street Kurrajong Heights Stage One only in the sum of \$107,700.00 (one hundred and seven thousand seven hundred, be accepted and the necessary documents be executed under Seal of Council.

**145: Naming Proposal - Un-named Public Road, Glossodia (GR120/003
PT03/ENG/ORC14NBX.E09)**

421 RESOLVED on the motion of Councillor Sheather seconded by Councillor Paine

That the presently un-named public road running in a northerly direction from Creek Ridge Road, Glossodia for a distance of approximately 90 (ninety) metres and located approximately 100 (one hundred) metres west of Geakes Road, be named Wenban Road.

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146: Blue Mountains Cycle Classic (GR030/007 PT03/ENG/ORC14NBX.E07)

422 RESOLVED on the motion of Councillor Conolly seconded by Councillor Finch

That approval be granted to Mr J Smith (Promoter), Blue Mountains Cycle Classic, subject to the following conditions:

- 1 The Association submitting to Council a copy of its public liability policy in an amount not less than \$10,000,000 (ten million dollars) and indemnifying Council in respect of that event.
- 2 The Association obtaining approval from the NSW Police Service to conduct the event and complying with all the conditions imposed by the Service in granting any approval.
- 3 The Association obtaining approval from the Roads and Traffic Authority as the Putty Road is a classified main road.
- 4 All routes and marshalling points are to be kept clean and tidy with all directional signs being removed immediately upon completion of the event.

147: 2000 Floodplain Management Authorities Conference (GR060/062 PT4/ENG/ORC14NBX.E08)

423 RESOLVED on the motion of Councillor Gilling seconded by Councillor Sheather

That three (3) delegates be nominated to attend the conference.

That Councillors Sheather and Gilling were nominated to attend the conference.

148: Lump Sum Tenders for Contract No. 0032000 - McGraths Hill Wetlands and Effluent Reuse Scheme - Civil Works for Chemical Phosphorous Reduction (GT020/352/ENG/ORC14NBX.E12)

424 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

That:

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- 1 The tender submitted by Abergeldie Contractors Pty Ltd in the amount of \$293,073.00 (two hundred ninety three thousand, and seventy three dollars) for the installation of the McGraths Hill Wetlands and Effluent Reuse Scheme - Civil Works for Chemical Phosphorous Reduction be accepted.
- 2 The Common Seal of Council be affixed to the necessary documentation.

149: Accreditation/Approval of Sewage Treatment Plant
(GE020/073/EVD/ORC14NBX.V05)

425 RESOLVED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That:

- 1 Council write to the Minister for the Environment and the Minister for Local Government, voicing its strongest objections to this change in the legislation that will place an unreasonable burden on Local Government, by requiring them to be the accrediting/approval authority for sewage treatment plants with a capacity of between eleven (11) EP and two thousand five hundred (2,500) EP.
- 2 In the correspondence to the Ministers, they be requested to carry out an urgent review of the legislation and either return the responsibility to the EPA, or negotiate with Sydney Water Corp. to be the accrediting/approval authority for these systems.
- 3 The State Members for Macquarie and Londonderry be informed to gain their support.

SECTION 5 - REPORTS FOR INFORMATION

150: Reports requested by Council - Status as at 14 March, 2000 (GC280/005
PT03/CSV/ORC14NCX.C01)

426 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen

That the information be received.

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151: Proposed Community Centre - Yarramundi (SA156/96/CSV/ORC14NCX.C16)

- 427 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen
That the information be received.

152: Water Reforms (DCP001/96, GM001/021 PT11/CSV/ORC14NCX.C04)

- 428 RESOLVED on the motion of Councillor Williams seconded by Councillor Calvert
That this matter be deferred to the next General Purpose Committee meeting with a member from the Hawkesbury Nepean Catchment Management Trust and the Department of Land and Water Conservation to be invited to address the meeting.

**153: "The Grove" - Lot 32 DP753828 No. 718 Webbs Creek Road, Wisemans Ferry -
Appeal Against Refusal of Development Application (M
439/98/EVD/ORC14NCX.V11)**

- 429 RESOLVED on the motion of Councillor Allan by Councillor Paine
That the information be received.

An amendment was moved by Councillor Williams seconded by Councillor Gilling
That a further report be brought back to the General Purpose Committee meeting.

The amendment was lost.

The motion was put and carried.

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SECTION 6 - REPORTS OF COMMITTEES

Tourism Hawkesbury - 27 January 2000

- 430 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Rasmussen that the Minutes of the Tourism Hawkesbury meeting held on 27 January 2000 as recorded on Pages 101 to 106 be received.

Hawkesbury Economic Development Advisory Board - 4 February 2000

- 431 RESOLVED on the motion of Councillor Allan seconded by Councillor Paine that the Minutes of the Hawkesbury Economic Development Advisory Board meeting held on 4 February 2000 as recorded on Pages 107 to 110 be received.

Heritage Advisory Committee - 10 February 2000

- 432 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch that the Minutes of the Heritage Advisory Committee meeting held on 10 February 2000 as recorded on Pages 111 to 114 be received.

Local Traffic Committee - 18 February 2000

- 433 RESOLVED on the motion of Councillor Gilling seconded by Councillor Sheather that the Minutes of the Local Traffic Committee meeting held on 18 February 2000 as recorded on Pages 115 to 126 be adopted.

SUPPLEMENTARY REPORTS

154: Additional Information - Horse Training and Coaching Facility, No. 371 Spinks Road, Glossodia, Lot 8 DP251248 (M823/99/EVD/ORC14LBX.V19)

This matter was dealt with in conjunction with Item 74 of the Environment section of the Report of the General Purpose Committee.

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QUESTIONS WITHOUT NOTICE

1. Councillor Gilling requested that pot holes on Packer Road be repaired.

The Mayor advised that this would be done.

2. Councillor Gilling enquired when the Councillor workshops which were discussed at the Corporate Planning weekend were to start.

The General Manager advised that he would provide a proposed program before the next General Purpose Committee meeting at which time Councillors could discuss the order or priority.

The Mayor reminded Councillors that it had been proposed to set aside the Tuesday evening between the General Purpose Committee and Ordinary meeting on a monthly basis.

3. Councillor Gilling advised that she had not received a full listing of DA's.

The General Manager advised that this would be provided.

4. Councillor Gilling advised that she had sent correspondence to the General Manager relating to Half Moon Farm. She enquired what was happening with this matter.

The General Manager advised that the Parks Manager had provided a response and that he would advise her of the outcome.

5. Councillor Gilling enquired what was happening with the Mayor's Committee for the Windsor area.

The Mayor advised that there had been discussions with the Windsor Mainstreet Committee who are currently liaising with their members. He advised that once this had occurred they would respond and that matters will be underway shortly.

6. Councillor Gilling referred to correspondence sent out by Council relating to applications. She advised that this particular letter had been sent to all properties within a 10km radius. She enquired if this normal.

The General Manager advised that this was a letter from the Council in April 1997 to a Mr Greg Seymour of Australian Mushroom Growers Association advising about a Draft LEP being prepared. In the letter it said that Ms G Whitmont of the Gloucester

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Reach Environmental Group requested a list indicating names and addresses of property owners within a 10km radius of the site. This was provided to the Australian Mushroom Growers as it involved mushroom composting.

The General Manager advised that he recalled the incident and that the group had alleged that the impact of the proposal would be within a 10km radius, however, the Council staff had indicated that they would not advise people within 10km. He further advised that the list had been given to the industries and persons involved.

7. Councillor Finch enquired if the list from the Bowen Mountain Association was being addressed.

The Acting Director of Asset Services & Recreation advised that the matters were in hand and the items would be carried out if not already addressed.

8. Councillor Finch referred to Hawkesbury Community Transport. She enquired if there was a priority order for usage and if the frail and elderly were given first choice if it was not pre-booked. She further advised that Hawkesbury Legacy were having problems accessing the service.

The Director of Community & Corporate Services advised that he would investigate this matter and advise.

9. Councillor Calvert referred to correspondence from Keryn Miller of 49 Mileham Street, Windsor in relation to a construction being erected in Brabyn Street. He requested that this be reported to the next General Purpose Committee meeting.

The Mayor advised that this would be done.

10. Councillor Calvert referred to the ADI site at St Marys. He advised that he had requested the General Manager for an update of the Council's position which had been provided, however the last item was dated 9 July, 1996. Councillor Calvert advised that a lot had happened since then and requested that a report be provided on the status of the ADI site, the State Government's proposal and also an indication of how the drainage from the ADI site would effect South Creek and the Hawkesbury City. Further, that the report include any costs that may be incurred because of the extra water and flooding.

The Mayor advised that this could be done.

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11. Councillor Conolly referred to two previously raised matters. The first being a motion moved in relation to railway station parking and the second being the rectification of the problem at the round-a-bout at Richmond and Blacktown Road.

The General Manager advised that the Mayor had taken up the matter of commuter parking with the Deputy Premier.

The General Manager further advised that a response had been received from the RTA in relation to the round-a-bout and that he would provide a copy.

12. Councillor Rasmussen enquired if Council had sent a letter of support to the Department of NSW Agriculture supporting the statement by their Windsor Manager, David Mason in relation to a forum in relation to Rural Industries and Agricultural Zones.

The General Manager advised that unless there had been a resolution of Council to do so no letter would have been sent.

The Mayor advised that this could be dealt with as a matter of great urgency or reported to the next General Purpose Committee meeting.

13. Councillor Rasmussen enquired if Council were intending to respond to an article in the Gazette on the 5 March, 2000 where it gives a position on our rural livelihood and Mr Mason states his case suggesting that a planning framework be put in place allowing these issues to be discussed and informed before coming to a decision.

The General Manager advised that a response would not be written unless the Council resolved to do so.

Councillor Rasmussen requested that this matter be included in the above report to the General Purpose Committee.

The Mayor advised that this could be done.

14. Councillor Rasmussen referred to a memo circulated by the Mayor highlighting a meeting held with Deputy Premier Refshauge. He advised that the issue of water access did not appear to be on the agenda and that he would have liked the Mayor to address this as well.

The Mayor advised that this matter would be aggressively pursued with the State Government.

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Councillor Rasmussen enquired what the further progress at the RAAF base may be.

The Mayor advised that he was waiting for feedback from the Deputy Premier's office. He advised that the Deputy Premier had indicated that he is prepared to pursue this matter with the Office of Regional Development.

15. Councillor Rasmussen referred to a report by the Federal Minister for Communications titled "E-Commerce Beyond 2000". He enquired if a statement or report outlining the importance of this report to this City be provided.

The Mayor advised that this would be done.

16. Councillor Rasmussen referred to correspondence from the Director of Asset Services & Recreation relating to Richmond Road opposite the Richmond Public School. He advised that the RTA were programming mill and re-sheeting of this road in the near future. He enquired if we were aware when this might be.

The General Manager advised that this type of work would normally be undertaken during warmer weather and that he would investigate the matter.

Matter of Great Urgency

- 434 RESOLVED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That the matter of donating \$2,000 towards the Richmond Mainstreet program to clean the pavers and streets prior the Fiddle Fest be dealt with as a matter of great urgency.

- 435 RESOLVED on the motion of Councillor Sheather seconded by Councillor Finch

That Council support the amount of \$2,000 (two thousand dollars) for the purpose of street cleaning as proposed by the Main Street Program as a one off contribution.

15. Councillor Sheather tabled documents from bus companies in relation to overhanging trees. He requested that this be dealt with.

The Mayor advised that this would be done.

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16. Councillor Sheather referred to comments made in relation to Greens Road and requested that this be looked into.

The Mayor advised that this would be done.

17. Councillor Sheather advised that there were flag poles in North Richmond for banners. He requested a report looking at the feasibility, including costing and location, for flag poles that would carry standardised banners in appropriate locations.

The Mayor advised that this would be done.

18. Councillor Sheather referred to the issue in relation to brothels. He requested that we investigate thoroughly councils that have had issues, both for and against in relation to the keeping of brothels in local government areas.

The Mayor advised that this would be done.

19. Councillor Sheather enquired if a timetable had been set up for a tour of Council's infrastructure. He requested that dates for inspections be provided before the next Ordinary meeting.

The General Manager advised that he could provide these dates.

20. Councillor Sheather enquired what promotion had been organised in relation to the parade to be held on Saturday congratulating our defence forces for their recent overseas efforts.

The Mayor advised that it would be in this week's papers.

Councillor Sheather requested that appropriate staff ring the local radio stations and promote this event.

The Mayor further advised that the City media were being contacted.

21. Councillor Williams referred to a report on boundary adjustments. He enquired if this report would be coming to the next General Purpose Committee meeting.

The Director of Environment and Development advised that it would be coming to the April General Purpose Committee meeting.

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22. Councillor Williams enquired what Council's current policy was on distribution of business papers. He asked if they were available to the public on the Friday before the meeting.

The General Manager advised that individual items could be provided and that the business paper was available on the Internet on Friday, however, the paper copies were not available until the Monday.

23. Councillor Davies referred to a previous QWN in relation to noxious weeds on the southern side of North Richmond Bridge and enquired what the current status was.

The General Manager advised that the County Council had been written to and that he would further investigate this matter.

24. Councillor Davies referred to the public meeting to be held in the Phillip Room on the 20th March. He enquired if this had been advertised in the Gazette.

The General Manager advised that this was being organised by consultants who were to send out invitations.

Councillor Davies advised that the Chairman of the Local Traffic Committee had not been invited yet and requested that this be done.

The Mayor advised that this would be done.

25. Councillor Davies referred to the "Institute of Basic Life Principles" using Council Chambers for a seminar to be hosted by the Mayor. Councillor Davies enquired if the Mayor was entitled to use the Council facilities, staff and money to run functions, or should matters such as this come through the Council.

The Mayor advised that a request had been made for the venue to be made available. He advised that the cost of conducting the seminar was not being borne by Council. He further advised that a number of Mayors and Councillors from adjoining councils will be attending and that the program had been faxed to Councillors.

26. Councillor Davies referred to the lengthy debate which had been undertaken at this meeting. He enquired if it were possible within Council's Code of Meeting Practice to allow business which the gallery had attended to hear to be dealt with earlier, with personal matters, such as Notices of Motion, to be dealt with later on.

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The Mayor advised that this matter could be investigated. He further advised that a number of changes had been made to the Local Government Act which were yet to be incorporated within the Code of Meeting Practice which would need to be dealt with by Council.

27. Councillor Paine enquired if it was feasible to request a report on the nuclear activities at the RAAF base and if there was any nuclear activity.

The Mayor and General Manager advised that they were unaware of any activity.

28. Councillor Paine referred to the bin problem in the Baker Street Franklins car park. She advised that it was still there and requested it be removed.

The Director of Environment & Development advised that this would be done.

29. Councillor Paine referred to a letter from Edgeland Planning who are doing an objection to a proposal for a restoration of a cottage at Lot 1 Bowen Mountain Road, Grose Vale. She requested that this be reported to Council.

The Mayor advised that this would be done.

30. Councillor Paine referred to the Western Sydney Industry Awards. She enquired if Council would be represented at these awards.

The Mayor advised that a Council table was being arranged.

31. Councillor Paine tabled correspondence from Mrs Colvin regarding problems in Evans Road, Wilberforce and requested a response.

The Mayor advised that this would be done.

The meeting terminated at 1.10am.

Submitted to and confirmed at the meeting of Council on 11 April, 2000.

.....Mayor