



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 13 February 2001

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 13 February 2001, 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.

Sue McQuiggin from the Salvation Army representing the Hawkesbury Ministers Association gave the opening prayer at the commencement of the meeting.

SECTION 1 - CONFIRMATION OF MINUTES

- 1 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen the Minutes of the Ordinary meeting of 12 December, 2000 which have been circulated amongst members of Council be confirmed.

Mayoral Minutes

Amendment to The Constitution of The Local Government Association - GL040/001 Pt6

- 2 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Finch

That Council not support the proposed amendment to the Constitution of the Local Government Association of NSW.

Access for Councils in Western NSW

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

That Hawkesbury City Council support the Central West Regional Organisation of Councils in their position that improved access is needed for their communities and their produce to Sydney and its facilities and in this regard, the State and Federal Governments should assist by providing funding, initially for a proper assessment of what access can be provided and at what cost and then for its construction.

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SECTION 2 - NOTICES OF MOTION

Notices of Motion

Councillor Conolly

- 4 **RESOLVED** on the motion of Councillor Conolly seconded by Councillor Sheather

That Council staff prepare a Development Control Plan for poultry farm developments which incorporates the following locational criteria and that this be reported to Council prior to exhibition.

Locational Criteria	
Zoning	Permissible on 1 (a) or 1 (b) zoned land
Setback distances	
From the nearest point of any proposed poultry shed to:	Property boundary with public road 145 metres
	Property boundary with adjoining lot 150 metres
	A dwelling on the subject property 50 metres
	Any dwelling on another property 150 metres
	The nearest boundary of any residential zoned lot . 500 metres
	The nearest boundary of any other poultry farm .. 500 metres
From the boundary of the subject lot to	The nearest boundary of any school or child care centre property 500 metres
	The nearest point of any other existing or approved poultry shed 500 metres

This is Page of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 13 February 2001.

General Manager

Mayor

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Councillor L Williams:

Urban Development on ADI Site At Penrith

- 5 RESOLVED on the motion of Councillor Williams seconded by Councillor Paine

That this matter be deferred to allow the Mayors of Penrith and Blacktown City Councils to address the General Purpose Committee. Further, that as previously resolved by Council the Department of Urban Affairs and Planning be requested to address Council in relation to housing requirements in the next 15-20 years for the whole of Western Sydney.

SECTION 3 - GENERAL PURPOSE COMMITTEE

Environment

- 1: Alterations and Additions to Existing Mushroom Compost Facility - Lot 12 DP736138 and Lot 4 DP610341 84 and 112 Mulgrave Road, Mulgrave (M1538/00/EVD/ENA30NAX.V13)**

Councillor Paine declared an interest as her son-in-law is the manager of this facility.

Councillor Gilling advised that Mr David Tolson was her running partner in the Local Government Elections.

- 6 RESOLVED on the motion of Councillor Gilling seconded by Councillor Allan

That Council separate the issues relating to the development application and the Notice of Intention to Serve an Order and deal with them separately.

A motion was moved by Councillor Gilling seconded by Councillor Sheather

That the application for alterations and additions to an existing mushroom compost facility be approved 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,B,C and D submitted with Development Application No. M1538/00 and any supportive documentation, except as otherwise provided by the conditions of this consent.

Note: modifications to the approved plans will require the lodgement and consideration by this organisation of a separate application pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979. MA1538/00)

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.

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.**

4. The submission of engineering designs and calculations covering all works required by this consent.
5. A detailed landscaping plan of the area to be provided with additional boundary planting is to be submitted to Council for approval. The landscaping should be consistent with the existing boundary landscaping in its selection of species, density and height of vegetation.

Prior to Commencement of Works

6. 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.

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7. 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.
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
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
 - (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.
10. 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.
11. A photographic record of the cottage, including external elevations and internal spaces is to be submitted to Council. The photographs are to be labelled and cross-referenced to a suitable drawn to scale base plan.

During Construction

12. All building work must be carried out in accordance with provisions of the Building Code of Australia.
13. 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;

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- (b) piers;
 - (c) steel reinforcement;
 - (d) on completion of the structure;
 - (e) landscaping.
14. All fill to be compacted by truck rolling or similar to a standard suitable for the end use.
15. The modification of any site drainage made necessary by the filling is to be carried out to the satisfaction of Council. Flows from the site are not to be re-directed onto adjoining properties.
16. No excavated material, including soil, shall be removed from the site.
17. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
18. The topsoil shall be stripped and stockpiled and used to cover the landfill.
19. The filled area, including batters, shall be grassed immediately after filling takes place.
20. The landfill site shall be secured to prevent the depositing of any unauthorised material.
21. The fill shall be battered at a slope not exceeding 1 (one) vertical to 5 horizontal.
22. 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.
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. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.

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25. The septic collection facility associated with the cottage is to be de-sludged and then filled with approved landfill material. Appropriate documentation demonstrating that these works have been carried out are to be submitted to Council prior to covering.
26. All material to be used for the purposes of landfilling is to be free of any contaminants or toxic material and is to consist only of virgin excavated natural material.
27. Analytical reports are to be submitted to Council for all material imported to the site for the purposes of landfill. Such reports are to contain full details of the material's origin, soil and chemical composition, and quantity. Appropriate documentation is to be submitted to Council prior to importation of the material.
28. The material gained from the demolition of the cottage and associated outbuildings is to be removed from the property and transported to a landfill site approved for such material. Appropriate documentation is to be submitted to Council within 30 days of demolition.
29. Vegetation removed from the landfill area may be mulched on site for the purposes of erosion control and revegetation of the landfill area or it may be removed from the site to an approved location. Appropriate documentation is to be submitted to Council within 30 days of vegetation removal.
30. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.
31. The proposed filling and revegetation of the filled area is to be completed within 12 months of commencement.
32. No burning of demolition or construction material being carried out on the site.
33. 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.
34. 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;

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- (b) person/company carrying out site works and phone number;
- (c) consent number and date of approval; and
- (d) approval duration of site works.

35. Details of the amount, origin and distance of filling material travelled on local roads is to be submitted to Council in accordance with Council's Section 94 Contribution Plan. Payment at a rate of 3 cents per tonne per kilometre of fill transported on local roads to the site will be required. A copy of the Contributions Plan may be inspected at Council Offices. Final payment is to be made to Council with 30 days of the finalisation of filling.

The Use of the Site

36. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
37. The proposed chimneys are to be installed and operational by 31 March 2001.

The motion was lost

- 7 RESOLVED on the motion of Councillor Conolly seconded by Councillor Finch

That the application for alterations and additions to an existing mushroom compost facility 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 marked A,B,C and D submitted with Development Application No. M1538/00 and any supportive documentation, except as otherwise provided by the conditions of this consent.

Note: modifications to the approved plans will require the lodgement and consideration by this organisation of a separate application pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979. MA1538/00)

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.

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3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.

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.**

4. The submission of engineering designs and calculations covering all works required by this consent.
5. A detailed landscaping plan of the area to be provided with additional boundary planting is to be submitted to Council for approval. The landscaping should be consistent with the existing boundary landscaping in its selection of species, density and height of vegetation.

Prior to Commencement of Works

6. 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.
7. 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.
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
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.

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.
- 10. 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.
 - 11. A photographic record of the cottage, including external elevations and internal spaces is to be submitted to Council. The photographs are to be labelled and cross-referenced to a suitable drawn to scale base plan.

During Construction

- 12. All building work must be carried out in accordance with provisions of the Building Code of Australia.
- 13. 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) on completion of the structure;
 - (e) landscaping.
- 14. All fill to be compacted by truck rolling or similar to a standard suitable for the end use.
- 15. The modification of any site drainage made necessary by the filling is to be carried out to the satisfaction of Council. Flows from the site are not to be re-directed onto adjoining properties.
- 16. No excavated material, including soil, shall be removed from the site.

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17. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
18. The topsoil shall be stripped and stockpiled and used to cover the landfill.
19. The filled area, including batters, shall be grassed immediately after filling takes place.
20. The landfill site shall be secured to prevent the depositing of any unauthorised material.
21. The fill shall be battered at a slope not exceeding 1 (one) vertical to 5 horizontal.
22. 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.
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. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
25. The septic collection facility associated with the cottage is to be de-sludged and then filled with approved landfill material. Appropriate documentation demonstrating that these works have been carried out are to be submitted to Council prior to covering.
26. All material to be used for the purposes of landfilling is to be free of any contaminants or toxic material and is to consist only of virgin excavated natural material.
27. Analytical reports are to be submitted to Council for all material imported to the site for the purposes of landfill. Such reports are to contain full details of the material's origin, soil and chemical composition, and quantity. Appropriate documentation is to be submitted to Council prior to importation of the material.

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28. The material gained from the demolition of the cottage and associated outbuildings is to be removed from the property and transported to a landfill site approved for such material. Appropriate documentation is to be submitted to Council within 30 days of demolition.
29. Vegetation removed from the landfill area may be mulched on site for the purposes of erosion control and revegetation of the landfill area or it may be removed from the site to an approved location. Appropriate documentation is to be submitted to Council within 30 days of vegetation removal.
30. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.
31. The proposed filling and revegetation of the filled area is to be completed within 12 months of commencement.
32. No burning of demolition or construction material being carried out on the site.
33. 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.
34. 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.
35. Details of the amount, origin and distance of filling material travelled on local roads is to be submitted to Council in accordance with Council's Section 94 Contribution Plan. Payment at a rate of 3 cents per tonne per kilometre of fill transported on local roads to the site will be required. A copy of the Contributions Plan may be inspected at Council Offices. Final payment is to be made to Council with 30 days of the finalisation of filling.

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The Use of the Site

- 36. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
- 37. Council employ a diary system to monitor the effects of the chimney.

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

That Council issue a modified Order under Section 121 of the Environmental Planning and Assessment Act 1979 on Mr R N and Mrs N R Tolson as follows:

- 1. Not to use or make use of the rick composting process at any time from the date of this Order.
- 2. To manufacture compost material within the confines of an enclosed building only and at all times. This applies to the high temperature stage of manufacture immediately. The pre-wet and other stages of manufacture shall be carried out only within the confines of an enclosed building as from 1 January 2002.
- 3. Not to store, treat or deal with manure used in the process of the manufacture of compost in any manner other than in the confines of an enclosed building as from 1 January 2002.
- 4. Not to store compost other than in the confines of an enclosed building, except for a maximum period of 12 hours pending delivery.
- 5. To place an operational odour filter/scrubber control device on each tunnel used in the manufacture of compost or on the chimneys used for the dispersion of emissions. The filter/scrubber is to be designed, installed and operated in a manner so as to control odour emissions from the facility in accordance with the licensing requirements issued by the Environment Protection Authority. The filter/scrubber device is to be installed by 1 January, 2002.
- 6. To make development application and gain approval of Council prior to conducting any alteration, additions or additional activity on the land,

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7. Not to conduct the development in any manner that interferes with the amenity of the neighbourhood with respect to hours of operation, noise, odour, dust, waste water, waste products or in a manner that emits any noise, odour, dust, waste water, waste product that is unacceptable or offensive to normal living standards.

Note: An appropriate monitoring regime be implemented including the use of diaries for neighbours who are prepared to assist in this process.

**2: Single Storey Medium Density Housing Development (3 Units) at Lot 26
DP218641 - 7 Ignatius Avenue, North Richmond
(M1409/00/EVD/ENA30NAX.V11)**

- 9 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Allan

That the application be approved for 3 villa units 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 RE & PA Collis Design numbered 61900 dated 23 September) submitted with Development Application No. M1409/00 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.
4. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

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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). Sydney Water Corporation Limited may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made of the Corporation's requirements for the eventual operation of the approved use.

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

Prior to Issue of Construction Certificate

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

7. 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 | (\$2043.99) |
| (b) | Community Facilities | (\$3127.28) |

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

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Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

8. 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. On-site detention shall be provided to maintain all stormwater discharges up to the 1 : 100 year storm at predevelopment levels unless calculations are provided to indicate that the downstream pipe system is adequate to carry the additional flows.
9. Submission of design plans and calculations for all drainage and pavement works required by this consent. These design plans shall incorporate the sealing of the visitor's car space.
10. All impervious areas of the site to be drained to the drainage system in Ignatius Avenue. NB No approval is given to the concept design drawn by GS Brackenreg dated 19/01/02.
11. 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.
12. Submission of photographs of all elevations of the existing dwelling to be demolished to be provided to Council prior to the issue of the Construction Certificate.
13. Submission of details for the demolition of the existing dwelling. Details shall include noise attenuation, dust control, safety of the public, disconnection of services, reuse/recycling of materials and disposal of any residual materials.

Prior to Commencement of Works

14. 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

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- (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other 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.

- 15. 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.
- 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. 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.
- 18. 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.

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19. The approved and stamped plans shall be submitted to Sydney Water for Approval. Failure to submit the plans may render the owner liable to a penalty and may result in the demolition of the work at the expense of the owner or builder. Sydney Water has a number of business offices, including Blacktown, Katoomba, Parramatta and Penrith.
20. Details of the proposed buildings demonstrating compliance with the Building Code of Australia are to be submitted to the Principle Certifying Authority for approval.

During Construction

21. All building work must be carried out in accordance with provisions of the Building Code of Australia.
22. 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;
 - (g) external drainage lines, prior to backfilling;
 - (h) on completion of the structure;
 - (i) smoke detectors; and
 - (j) landscaping.
23. The building site is to be adequately protected and drainage controlled to ensure that erosion and sediment movement is restricted to the site. The applicant will be responsible for restoration of any erosion and removal of sediment from the stormwater drainage system.
24. 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.
25. No burning of demolition or construction material being carried out on the site.

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26. 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.
27. 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.
28. 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.
29. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site.
30. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and are to be constructed with a sealed pavement, drained and marked.
31. Should a relic be disturbed or uncovered during construction of this development, all works should cease and the NSW Heritage Office consulted.

Prior to Issue of Construction Certificate

32. 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.
33. 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.
34. The Submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
35. The following documentary evidence is to be obtained prior to the issue of any Occupation Certificate, whether by Council or an accredited certifier:

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- (a) A Section 73 Certificate issued by the Sydney Water Corporation Limited.
 - (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.
36. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense. Such fencing behind the building line shall be to a height of 1.8m and at least lapped and capped..
37. In order to provide adequate facilities for the development, a clothes drying area is to be provided. The area is to be effectively screened from public roads and reserves. Materials are to be complimentary in both colour and finish with the building on the site as marked on the plans in red.
38. To ensure the external appearance of the development is not intrusive or offensive, and does not degrade the visual quality of the surrounding area, screen walls or fences are to be complimentary in both colour and finish with the building on the site.

Use of the Site

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

3: Mobile Phone Towers (GT001/007 PT 2/GMA/ENA30NCX.G01)

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

That the information be received.

4: Request for Review of Determination - Proposed 2 Lot Subdivision - Lot 15 DP 788232 30 O'Dea Place, North Richmond (M1150/00 PT1/EVD/ENA30NBX.V04)

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

A motion was moved by Councillor Conolly seconded by Councillor Gilling

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Council approve this application upon review of the original conditions, being:

Advisory

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 titled 'Proposed Subdivision of Lot 15 DP 788232, H/No 30 O'Dea Place, North Richmond) submitted with Development Application No. MA1155/00 dated 8/8/00 and any supportive documentation, except as otherwise provided by the conditions of this consent.

Note: Modifications to the approved plans will require the lodgement and consideration by this organisation of a separate application pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979.

2. This consent covers the removal of trees and other vegetation necessary to allow the construction of works covered by any Construction Certificate issued for the development. No other trees or vegetation are to be removed without prior approval.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979.

Department of Land and Water Conservation General Terms of Approval

5. If, in the opinion of a DLWC officer, any work is being carried out in such a manner that it may damage or detrimentally affect the stream, or damage or interfere in any way with any work, the operation on that section of the stream shall cease immediately upon oral or written direction of such officer.
6. If the permit conditions have been breached, the permit holder shall restore the site to the satisfaction of DLWC. If the necessary works are not completed then the permit holder shall pay a fee prescribed by DLWC for the initial breach inspection and all subsequent breach inspections.
7. Operations shall be conducted in such a manner as not to cause damage or increase the erosion of adjacent stream banks. The permit holder shall carry out any instructions given by DLWC with a view to preventing damage to the banks.

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8. Any vegetation or other material removed from the area of operations shall be disposed of to an appropriate site where the debris cannot be swept back into the river during a flood.
9. No works are to be done in the current undisturbed area of Redbank Creek, diagrammatically shown in the DA Plan as the fenceline labelled "Restriction as to Use".
10. Soil and erosion control measures for both the construction and maintenance phases of the works are to be in accordance with best management practices as outlined in the Department of Housing's publication, "*Managing Urban Stormwater, Soils and Construction (1998)*" (The Blue Book).
11. The rehabilitation of the area to the satisfaction of DLWC is the responsibility of the permit holder and the owner or occupier of the land.
12. The permit holder and the owner or occupier of the land are responsible for any excavation or soil removal undertaken by any other person or company at this site.
13. Any Part 3A permit granted is not transferable to any other person or company and does not allow operations at any other site.
14. Any Part 3A permit granted does not give the holder the right to occupy any land without the consent from the owner(s), nor does it relieve the permit holder of any obligation which may exist to also obtain permission from local government and other authorities who may have some form of control over the site of the work and/or the activities you proposes to undertake.
15. These general terms of approval are issued with the proviso that operations shall be carried out on freehold land. Should operations be on Crown Land, this permit is rendered null and void and the occupier of Crown Land should contact DLWC.
16. Should any of the above conditions not be complied with, DLWC may issue a Stop Order on 3A permit related operations at the site until the condition(s) has(have) been complied with.

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

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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.**

17. Submit plans of civil works including road, drainage, access, or sewer works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Asset Services and Recreation or an accredited certifier.
18. Payment of a design checking and inspection fee of \$275.00 when submitting Engineering plans for approval. This amount is valid until 30 June 2001. Fees required if an accredited certifier is used will be provided upon request.
19. The submission of engineering designs and calculations covering all works required by this consent.
20. 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 (\$2,852.00)
 - (b) Community Facilities (\$1,864.00)

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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Prior to Commencement of Works

21. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.

Note: Measures may include the installation of geofabric fencing, staked straw bale walls located on the contour down-slope of the construction, sediment detention basins, earthen contour banks and the like. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.

22. 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.
23. 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

24. All work must be carried out in accordance with the provisions of Council's Subdivision Construction Specification.

Prior to Issue of Subdivision Certificate

25. Construction of a centrally located concrete driveway a minimum of 2.5 metres wide and 150mm thick reinforced with F82 mesh over the full length of the access handle to Lot 15 (2) together with the construction of Council's standard residential crossing also 150mm thick reinforced with F82 mesh. All services or suitable conduits are to be placed prior to the placing of concrete.
26. All debris (including felled trees) resulting from the approved clearing of the site for construction is to be removed from the property unless alternative arrangements are agreed to in writing with this office.
27. The provision of inter-allotment drainage and the creation of necessary easements free of cost to Council along the common boundary with Lot 14 to the existing drainage outlet location.

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28. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

An application form is available from Council or Sydney Water (call 13 20 93). Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please contact Sydney Water early, since building of water/sewer extensions can be time consuming and impact on other services and building, driveway or landscape design.

29. 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.
30. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
31. The submission of a plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal, where applicable, and the correction of any encroachments or defects to the requirements of the Director Environment and Development.
32. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
33. The creation of a restriction on use of land requiring that all development on the lot 15 (2) be confined to that part of the plan marked "future building platform"
34. Payment of a linen release fee of \$250. This amount is valid until 30 June 2001.
35. The creation of a reciprocal right of carriageway over the shared vehicle access area.

The motion was lost.

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

That Council reaffirm its previous position on this matter and refuse this application for the following reasons as resolved at the Ordinary meeting of Council held on 7 November, 2000 Item 167:

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1. The proposed development is inconsistent with the established character of the locality.
2. The proposed development is likely to have a detrimental effect on the adjacent bushland corridor.
3. Approval of the development would not be in the public interest.

5: Nature of Fill at 412 Stannix Park Road, Ebenezer - Additions to Existing Poultry Farm Lot 1 DP 564277, 412 Stannix Park Road, Ebenezer (MA0906/99/EVD/ENA30NBX.V09)

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

- A.** That approval of this application be deferred until issues that have been developed on the site have been resolved by Council.
- B.** That Council commence action under the Environmental Planning and Assessment Act to cease the activity. This would involve issuing a Notice of Intention to Serve an Order and then proceeding with the serving of an Order.

6: Amendments to State Environmental Planning Policy 5 - Housing for Older People and People with a Disability (GT190/003/EVD/ENA30NBX.V06)

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

That the information be received.

7: Clothing Collection Bins (GW010/027PT 02/EVD/ENA30NBX.V08)

Councillor Woods declared an interest as she is a member of the Board of Hawkesbury Care.

14 RESOLVED on the motion of Councillor Paine seconded by Councillor Finch

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That registered charities with shopfront outlets in the City for used clothing and places of employment for the disabled, only be permitted to place used clothing collection bins in Council's carparks and community centres, subject to the following:

1. The charity holding a public risk insurance policy for a minimum amount of \$20 million (twenty million dollars) which indemnifies Council against any loss or damage.
2. Each charity be permitted only 1 (one) bin in any carpark, providing suitable space is available.
3. A maximum of 2 (two) charities being permitted to place a bin in any 1 (one) carpark.
4. Bins be emptied on a twice a week.
5. "Should general rubbish accumulate around the charity clothing bins on Council controlled sites and not be removed and maintained in a tidy state, then the bin will be removed with the rubbish and impounded awaiting collection by the owner and payment of the impounding fee. Should this impounding occur on more than two occasions at a site, permission will be withdrawn to the charity to use the site for locating its clothing bin.
6. The location of each bin be approved by relevant Council Manager.
7. The receptacle be of sturdy construction, painted and illustrating the charity it represents along with a phone number.
8. Unauthorised bins be impounded and all costs claimed from the supplier.
9. Council Reserves and places of family entertainment, cricket grounds, boat ramps or the like to remain free of receptacles.
10. Placement of clothing bins be restricted to the following Council maintained and controlled carparks and Community Centres:
 - Orange Grove Mall Car Park
 - Woodhills Car Park
 - Paulls Car Park
 - Terrace and Kable Car Park
 - Hollands Paddock Car Park

This is Page of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 13 February 2001.

General Manager

Mayor

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- Wilberforce Shopping Centre
- Glossodia Shopping Centre
- McGraths Hill Shopping Centre
- North Richmond Shopping Centre
- Bligh Park Community Centre

11. No fees apply to the locating of a recognised charity's bin on Council controlled land, subject to compliance with all conditions adopted by Council for siting charity clothing collection bins within Hawkesbury City Council.
12. The current donation system to assist the recognised charities with waste disposal costs be maintained.
13. Appropriate Council staff to hold meetings with the bin owners to discuss the continuing and on-going maintenance of the bin areas.

8: Boral Owned Land - Yarramundi (P825/145 PT02, P825/105 PT02/EVD/ENA30NBX.V12)

Councillor Rasmussen declared an interest as he is an adjoining property owner.

- 15 RESOLVED on the motion of Councillor Davies by Councillor Allan

That the information be received.

9: Proposed Windsor Conservation Area (GH020/003 PT7/EVD/ENA30NCX.V07)

- 16 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Allan

That the information be received.

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Infrastructure

1: Bells Line of Road - Proposed Upgrading (0243/R/GMA/INA30NAX.G05)

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

That:

1. The information be received

2: Department of Sport and Recreation 2000/2001 Capital Assistance Program (GG021/172/ENG/INA30NBX.E04)

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

That the Department of Sport and Recreation 2000/2001 Capital Assistance Grants be accepted.

3: Richmond Park User Policy (PK/202 PT9/ENG/INA30NBX.E02)

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

That the Richmond Park User Policy be advertised and further reported for consideration with amendments discussed to be further reported to the Ordinary meeting.

4: Argyle Reach Road - Proposed Road Closure (0102/R PT2/ENG/INA30NBX.E06)

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

That:

- 1 The original road reservation of Argyle Reach Road contained within pt lot 80 DP751665 be closed and amalgamated pt lot 80 DP751665.

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- 2 The original road reservation of Argyle Reach Road fronting lot 79 DP751665 be closed and incorporated within lot 79 of DP751665.
- 3 Lot 3 of DP785839 be transferred to Mr C Saliba and consolidated into lot 79 DP751665.
- 4 On the basis that the landowner takes responsibility for the timber bridge on the section of road that will be closed, the road closure and transfer of land be undertaken at no cost to the landowner with Council bearing the survey and legal costs.

**5: Road Closure - Link Road, Pt Fairey Road, South Windsor Acquisition of Unreserved Crown Land - Lots 7 & 8 DP821396
(GR080/056/ENG/INA30NBX.E03)**

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

That:

1. The incorporation of Lot 7 DP821396 into the treatment works site not be pursued.
2. Advice be forwarded to the NSW National Parks and Wildlife Service indicating that Council would be prepared to support the addition of lots 7 & 8 (DP821396) to the Windsor Downs Nature Reserve.
3. The proposed closure of the link road connecting Rifle Range Road, Bligh Park to Sanctuary Drive Windsor Downs be formalised and an easement for services be created over what was previously the road reserve.

**6: Bicycle Network Variation 2000/2001 Cycleway Construction Program
(GR030/007/EVD/INA30NBX.V01)**

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

That the revised 2000/2001 Cycleway Construction Program be adopted.

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Organisation and Resources

1: Monthly Financial Report - November 2000 (GF011/005/FNC/OGA30NAX.F13)

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

That the information be received.

2: Monthly Financial Report - December 2000 (GF011/005/FNC/OGA30NAX.F12)

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

That the information be received.

3: Local Government Amendment Bill 2000 (GC070/005
PT19/GMA/OGA30NCX.G01)

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

That the information be received.

4: Hawkesbury National Fiddle Festival (GR030/003 PT2,
PK/202/CSV/OGA30NBX.C05)

Councillor Finch declared an interest as she is a patron of the Fiddle Festival.

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

That:

1. Sponsorship of the Mass Fiddle Rally in the Park, in the amount of \$4,000 (four thousand dollars), be provided. This amount is available from existing funds within the current cultural budget.

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2. Permission be given to the Richmond Main Street Committee to undertake the activities of the National Fiddle Festival in Richmond Park and footpaths within Richmond, subject to the following conditions:
 - a. No undue interference to other patrons of the park.
 - b. Pedestrian access along footpaths and the pathway within the park must be maintained at all times.
 - c. The applicant to obtain approval from the owners of other proposed venues for activities related to the event.
 - d. 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.
 - e. The reserve being left clean and tidy with the applicant being responsible for collection and disposal of all waste. The applicant is required to pay a refundable bond of \$750.00 (seven hundred and fifty dollars) less any cost incurred by Council to clean or restore the area.
 - f. No amplified noise above 5dB(A) above ambient level.
 - g. As Richmond Oval is under the care and control of Hawkesbury Sports Council, the applicant is to contact them with regard to its use.

5: Richmond Club - Main Street Proposal (CDSE Scheme)
(GT070/024//OGA30NBX.C03)

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

That:

1. The Richmond Club be advised that Council supports, in principle, the Richmond Street Scape Improvement Project and that the Project will be referred to the Community Development Support Expenditure Scheme Local Committee for consideration as a priority project to be included in the recommended list of projects to be funded under the CDSE Scheme.
2. Consideration be given to allocating matching funding for the program in the 2001/2002 Estimates.

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6: Hawkesbury-Nepean Floodplain Management Strategy - FloodSafe Communication Program (GR060/062/CSV/OGA30NBX.C08)

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

That:

1. The project name FloodSafe be accepted.
2. The implementation of the program be accepted in principle.
3. The use of Council logo on FloodSafe material be approved at the discrepancy of the Manager of Policy & Corporate Communications.

7: Kurrajong Tourist Booklet (GC130/032/CSV/OGA30NBX.C04)

Councillor Finch declared an interest as she is a financial member of the Kurrajong Community Forum.

A motion was moved by Councillor Rasmussen by Councillor Calvert

That Council sponsor the proposal from the Kurrajong Business and Community Forum with \$3,000 (three thousand dollars) towards their brochure

The motion was lost.

29 RESOLVED on the motion of Councillor Allan seconded by Councillor Conolly.

That this request be referred to Tourism Hawkesbury, the Chamber of Commerce and the Hawkesbury Harvest, for support of this venture and Kurrajong Business and Community Forum be advised accordingly. Further, that should this not be successful that the Kurrajong Business and Community Forum be advised to submit for funding under the provisions and criteria for economic development funding in the 2001/2002 financial year.

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**8: Rotary Club of Richmond - Request for Reimbursement
(M29/01/CSV/OGA30NBX.C07)**

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

That a donation of \$497.00 (four hundred and ninety seven dollars) be made to the Rotary Club of Richmond to reimburse funds for the Development Application lodged to erect a Collection Booth and Shelter at Gate Four at the Hawkesbury Showground with funds to be provided from the donations budget.

**9: Donation of Healthy Heart Awards Funds to Hawkesbury Food Program
(GP070/026, GP070/024/CSV/OGA30NBX.C06)**

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

That the \$2000.00 (two thousand dollars) received from the Healthy Heart Awards 2000 for the Hawkesbury Food Program be donated to the Hawkesbury Food.

**10: Request for Donation - Student Exchange Through Sister City Association
(GP092/004/CSV/OGA30NBX.C09)**

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

That:

1. Hawkesbury Sister City Association be reimbursed for the donation of \$500.00 (five hundred dollars) to each of the 6 (six) students for their December trip to Temple City, USA. The total amount being \$3,000.00 (three thousand dollars).
2. In addition, support of \$3,000.00 (three thousand) be provided to students travelling to Tamba, Japan in this financial year, as per the previous arrangement for the exchange program.
3. A review be undertaken regarding the total amount given each financial year for student exchanges to both Hawkesbury Sister Cities of Tamba, Japan and Temple City, USA.

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**11: Review of Forgotten Valley Community Transport Program
(GC200/004/CSV/OGA30NBX.C02)**

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

That:

1. The Final Report: Review of the Forgotten Valley Community Transport Program be received.
2. The 27 recommendations outlined in the Final Report be endorsed for implementation.
3. Frustrations which may cause the service to falter be reported to Council.

SECTION 4 - REPORTS FOR DETERMINATION

**1: Waterways Authority - Use of Premises (GR060/011
PT6/GMA/ORB13NAX.G22)**

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

That space at the Governor Phillip Clubhouse for boat storage and interview space at the Council's offices be made available for a period of 12 months to the Waterways Authority at no cost, with the matter being reviewed at that time. The position rest on correspondence.

2: Organisational Structure (GM001/003 PT2/GMA/ORB13NAX.G18)

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

That the Council's Organisational Structure be amended by the creation of Waste Water Branch.

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3: Hawkesbury Community Survey (Hawkesbury Social Plan)
(GC130/036/CSV/ORB13NBX.C23)

- 36 RESOLVED on the motion of Councillor Allan seconded by Councillor Sheather
That the Hawkesbury Community Survey be received.

4: Documents for Execution Under Seal (GC283/036, GC283/142,
GC283/027/CSV/ORB13NBX.C07)

- 37 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen
That the Seal of Council be affixed to the following documents:

1. Residential Lease for Ms Sharon Shute in respect of Flat 2, 157 Windsor Street (Toxana House), Richmond.
2. Assignment of Lease for Bottle Shop at Shop 3 Wilberforce Neighbourhood Shopping Centre from McCarthy Bennett Pty Ltd to Laundry (Exhibition) Pty Ltd.
3. Renewal of Lease to Pizza Hut for further five (5) year period.

5: Review of Investment Policy - December 2000 (GF012/014
PT12/FNC/ORB13NBX.F20)

- 38 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Allan
That Council adopt the attached Investment Policy.

6: Quarterly Review as at 31 December 2000 (GF004/003
PT01/FNC/ORB13NBX.F17)

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

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That the quarterly review of the 2000/2001 Management Plan and Financial Statement for the period to 31 December, 2000 be adopted.

7: 2001 New South Wales Floodplain Management Authorities Annual Conference
(GR060/032 PT05/ENG/ORB13NBX.E08)

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

That delegates be nominated to attend the conference.

Councillor Sheather was nominated as Council's delegate

8: McGraths Hill Wetlands and Effluent Reuse Scheme - Chemical Phosphorous Reduction - Process Equipment Contract - No 0142000 (GT020/395 PT1/ENG/ORB13NBX.E12)

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

That:

1. The tender submitted by John Young (Kelvinhaugh) P/L in the amount of \$114,218.50 (one hundred fourteen thousand, two hundred and eighteen dollars and fifty cents) for the installation of the McGraths Hill Wetlands and Effluent Reuse Scheme – Process Equipment for Chemical Phosphorous Reduction be accepted.
2. The Common Seal of Council be affixed to the necessary documentation.

9: Contracts for Caretaking and Operation of Webbs Creek & Sackville Ferries - omission of goods and services tax on some items in original tender (GT240/017 Pt/ENG/ORB13NBX.E14)

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

That subject the concurrence of the Roads & Traffic Authority:

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1. The variation of the lump sum tender price inclusive of GST on all items not previously quoted for the caretaking and operation of Webbs Creek Ferry Service, in the amount of \$775,975.10 (seven hundred and seventy five thousand nine hundred and seventy five dollars and ten cents) be accepted;
2. The variation of the lump sum tender price inclusive of GST on all items not previously quoted for the caretaking and operation of Sackville Ferry Service, in the amount of \$762,894.30 (seven hundred and sixty two thousand eight hundred and ninety four dollars and thirty cents) be accepted; and
3. The necessary contract documents be completed under the Common Seal of Council.

10: Construction of Roadworks and Traffic Signals at the Intersection of George Street and Rifle Range Road, Bligh Park - Tender Number 012000 (GT020/397 PT1/ENG/ORB13NBX.E02)

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

That the tender submitted by Kingston Civil Constructions in the amount of \$321,598.00 (three hundred and twenty one thousand five hundred and ninety eight dollars) for the construction of roadworks and traffic signals at the intersection of George Street and Rifle Range Road, Bligh Park be accepted and be executed under the Seal of Council.

**11: Court of Appeal - 420 Old Stock Route Road, Pitt Town
(M609/98/EVD/ORB13NBX.V21)**

- 44 RESOLVED on the motion of Councillor Conolly seconded by Councillor Paine

That Council move into closed Committee of the Whole.

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

That open Council be resumed.

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The General Manager advised that whilst in Committee of the Whole Council considered the matter of the Court of Appeal - 420 Old Stock Route Road, Pitt Town and recommended as follows:

That Council instruct its solicitors to proceed with the Appeal.

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

That the recommendation of the Committee of the Whole be adopted.

**12: Proposed Amendment to DCP for Public Notification of Development Proposals
(DCP2/99/EVD/ORB13NBX.V13)**

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

That:

1. Council's Public Notification of Development Proposals Development Control Plan be amended by inserting the following clause:

"7.4 Requests for review of determination pursuant to Section 82A of the Environmental Planning & Assessment 1979 which are to be determined by Council rather than a delegate shall be notified as follows:

- i) All persons who lodged a written statement of support or objection to the Development Application will be notified in writing of the time and date of the General Purpose Committee Meeting and invited to address the Committee.*
- ii) All persons who were notified of the original Development Application be notified in writing of the time and date of the General Purpose Committee Meeting and invited to address the Committee."*

2. If no submissions are received following advertising of this amendment to the Development Control Plan, the Control Plan be amended in accordance with Part 1 under delegation. Further, that this policy be placed on public exhibition once amended.

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13: Residential Development (LEP1/01/EVD/ORB13NBX.V24)

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

That:

1. The draft local environmental plan be amended to introduce a Multi Unit Housing Zone include 500m from a central point in the Commercial 3(a) Zone in Bligh Park.
2. Interested persons continue to be advised of the draft local environmental plan for a Multi Unit Housing Zone.
3. Upon exhibition of the draft plan, applicants be required to address the provisions of the plan in detail and applications be assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

14: Unhealthy Condition of Residential Premises Situated at Lot 94 DP219848 No.6 Carmen Place, Freemans Reach (P303/110/EVD/ORB13NBX.V06)

49 RESOLVED on the motion of Councillor Woods seconded by Councillor Davies

That:

1. The owners be advised that should the works not be carried out as required in the Order within 30 (thirty) days of the notification, Council will cause the land to be entered and the works carried out.
2. Section 678 of the Local Government Act be implemented and the works carried out by Council.
3. The owners be advised that any costs incurred in carrying out the works will be directed to them for payment.

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**15: Court of Appeal - Elf Farm Supplies, 1334 Singleton Road, Blaxlands Ridge
(DA0170/98/EVD/ORB13NBX.V28)**

Councillor Paine declared an interest as her son-in-law is an employee of Elf Farm Supplies.

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

That Council move into closed Committee of the Whole.

51 RESOLVED on the motion of Councillor Conolly by Councillor Williams

That open Council be resumed.

The General Manager advised that whilst in Committee of the Whole Council considered the matter of the Court of Appeal - Elf Farm Supplies, 1334 Singleton Road, Blaxlands Ridge and recommended as follows:

That a decision on this matter be deferred until Council and the Colo River Catchment Action Group's application to the Supreme Court to have the appeal dismissed and is heard on 26 February, 2001.

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

That the recommendation of the Committee of the Whole be adopted.

SECTION 5 - REPORTS FOR INFORMATION

16: Local Government Elections (GE001/002 PT8/GMA/ORB13NCX.G04)

53 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

That the information be received.

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**17: Commonwealth Biodiversity and Heritage Legislation (PK/140
PT2/GMA/ORB13NCX.G03)**

54 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

That the information be received.

18: On-Street Parking Function (GC070/004 PT47/GMA/ORB13NCX.G19)

55 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

That the information be received.

19: Windsor Function Centre (GC283/045/CSV/ORB13NCX.C10)

56 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

That the information be received.

**20: Proposed Extension of McMahon's Park, Kurrajong (PK007
PT4/CSV/ORB13NCX.C09)**

Councillor Allan declared an interest as her husband is the President of Colo Soccer Club.

57 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Conolly

That the information be received.

**21: Reports requested by Council - Status as at 13 February, 2001 (GC280/005
PT03/CSV/ORB13NCX.C11)**

58 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

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That the information be received.

22: Payment of External Organisations (GC210/014 PT3, GC155/001 PT3, GM001/021 PT14/FNC/ORB13NCX.F30)

59 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

That the information be received.

23: Unauthorised Rodeo - 698 George Street, South Windsor
(M1388/00/EVD/ORB13NCX.V15)

60 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

That the information be received.

24: Teen Challenge - 326 West Portland Road, Lower Portland
(P2309/578/EVD/ORB13NCX.V26)

Councillor Williams declared an interest as he is a neighbouring property owner and member of the Committee opposing this development.

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

That:

1. The information be received.
2. A further report be brought to Council outlining the validity of previous consents.

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25: Outcome of Appeal Against Refusal of Development Application for a Detached Dual Occupancy Development and Two Lot Subdivision at No. 76 Pecks Road, North Richmond (M523/00/EVD/ORB13NCX.V27)

62 RESOLVED on the motion of Councillor Finch seconded by Councillor Davies

That the information be received

SECTION 6 - REPORTS OF COMMITTEES

Bicycle Steering Committee - 15 November 2000

63 RESOLVED on the motion of Councillor Woods seconded by Councillor Allan that the Minutes of the Bicycle Steering Committee meeting held on 15 November 2000 as recorded on Pages 110 to 112 be received.

Tourism Hawkesbury Inc - 16 November 2000

64 RESOLVED on the motion of Councillor Finch seconded by Councillor Allan that the Minutes of the Tourism Hawkesbury Inc meeting held on 16 November 2000 as recorded on Pages 113 to 116 be received.

Australia Day Awards Committee - 6 December 2000

65 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen that the Minutes of the Australia Day Awards Committee meeting held on 6 December 2000 as recorded on Pages 117 to 118 be received.

Friends of the Hawkesbury Art Collection Inc - 7 December 2000

66 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Calvert that the Minutes of the Friends of the Hawkesbury Art Collection Inc meeting held on 7 December 2000 as recorded on Pages 119 to 121 be received.

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Heritage Advisory Committee - 7 December 2000

- 67 RESOLVED on the motion of Councillor Finch seconded by Councillor Rasmussen that the Minutes of the Heritage Advisory Committee meeting held on 7 December 2000 as recorded on Pages 122 to 124 be received.

Hawkesbury Sports Council Management Committee - 8 December 2000

- 68 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert that the Minutes of the Hawkesbury Sports Council Management Committee meeting held on 8 December 2000 as recorded on Pages 125 to 127 be received.

Local Traffic Committee - 19 January 2001

Councillor Conolly advised that in relation to Item 3.4 he is an office bearer for the 2001 Hawkesbury History Committee and Item 3.6 Chisholm Catholic Primary School is an arm of his employer.

A motion was moved by Councillor Conolly seconded by Councillor Rasmussen that the Minutes of the Local Traffic Committee Item 3.6 be amended as follows:

That consideration be given to kerb, guttering and footpath for this stretch of road in the 2001/2002 budget process.

- 69 An AMENDMENT was moved by Councillor Sheather Seconded by Councillor Gilling that Item 3.6 of the Local Traffic Committee Minutes be amended as follows:

That this be further investigated by the Local Traffic Committee in relation to the overall view of traffic and foot management between Rifle Range Road and Woods Road on Collith Avenue.

The amendment was carried

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

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- 70 RESOLVED on the motion of Councillor Davies Seconded by Councillor Calvert that the Minutes of the Local Traffic Committee meeting held on 19 January 2001 as recorded on Pages 128 to 134 be adopted with the above amendment to Item 3.6.

SUPPLEMENTARY REPORTS - REPORTS FOR INFORMATION

26: Development Control Legal Expenses (GF004/003/FNC/ORB13LCX.F25)

- 71 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Sheather
That the information be received.

SUPPLEMENTARY REPORTS - REPORTS FOR DETERMINATION

**27: CONFIDENTIAL (It is recommended that this matter be Confidential under provisions of the Local Government Act, 1993, as it relates to information the disclosure of which would prejudice the maintenance of the law)
(GC281/067Pt05/EVD/ORB13LBX.V32)**

This matter was also dealt with whilst in closed Committee of the Whole.

The General Manager advised that whilst in Committee of the Whole Council considered the matter of the Acquisition of Land - The Driftway and recommended as follows:

The General Manager advised that whilst in Committee of the Whole Council resolved:

That

1. Council offer to purchase the property from Mr & Mrs Vella at Lot 24 The Driftway, Londonderry in accordance with Council's legal advice.
2. Council instruct its Solicitors to draw up the appropriate agreement in accordance with advice from Counsel.
3. The Seal of Council be affixed to all associated documents.

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72 RESOLVED on the motion of Councillor Paine Councillor Sheather

That recommendation of the Committee of the Whole be adopted.

QUESTIONS WITHOUT NOTICE

1. Councillor Gilling requested an update on the status of the Ponderosa Caravan Park at Lower Portland.

The Director of Environment & Development advised that this matter was currently with the Department of Urban Affairs of Planning.

2. Councillor Gilling advised that there was graffiti at the lookout at Sackville and requested that this be cleaned off.

The Mayor advised that this would be done.

3. Councillor Gilling enquired if Council had dealt with a previous question without notice in relation to a swimming pool and two septic tanks on the banks of the Colo River.

The Director of Environment & Development advised that the property was inspected and that the article is an in ground fibreglass pool which has been stored there by the owner and that the septic tanks are also being stored and are not connected. He further advised that the septic tanks were to be installed higher on the property when the building application is approved.

Councillor Gilling enquired how long they were to remain there.

The Director of Environment & Development advised that the building application was currently with Council and would be dealt with shortly.

4. Councillor Sheather referred to the sale of land at Ebenezer to a Mr Sullivan. He advised that there were outstanding issues with the change of ownership and requested that this matter be investigated.

The Mayor advised that this would be done.

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5. Councillor Calvert advised that he had received a telephone call from a resident of Kurrajong Hills who is concerned that the Council is not providing garbage services to this area. He requested that a report be provided in the near future.

The General Manager advised that a garbage service would be provided however it would not be up into the estate due to the danger associated with driving garbage trucks in an area with such an extreme gradient and that land owners have been advised to bring their garbage to the public road.

Councillor Calvert advised that this was unknown to the resident and enquired if this would have been on the original covenant when purchasing the land.

The General Manager advised that he was unaware if this was in the covenant but that this was a private community title road.

6. Councillor Rasmussen enquired if Council had received an update on the RAAF Impact Study.

The General Manager advised that discussions had been held with consultants and that it is expected that a final report will be available in the near future. He further advised that the consultants were awaiting information from the Air Force in order to finalise this report.

Councillor Rasmussen enquired if Council had received any draft or interim reports.

The General Manager advised that he had been requested to comment on a draft document.

7. Councillor Rasmussen advised that he has received correspondence from the Colo River Valley Tourism Association in relation to the Colo War Memorial and the location of the toilets. He advised that there were three organisations that wished to have these amenities moved and tabled this correspondence for inclusion on the records.

The General Manager advised that the RSL has written congratulating the Council on the amenities provided.

The Mayor also advised that correspondence supporting the amenities has also been received from the Windsor Sub-Branch.

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8. Councillor Williams enquired what the status was in relation to the report on genetically engineered food.

The Director of Environment & Development advised that this would be reported to the next General Purpose Committee meeting.

9. Councillor Williams advised that he has received several complaints in relation to the Hawkesbury River County Council spraying weeds. He enquired if it was possible to implement other methods of clearing weeds as spraying of chemicals may be harmful to the environment.

The General Manager advised Councillor Williams that he could take up his concerns with Council's representatives on the Hawkesbury River County Council. He further advised that Council used spraying extensively as cutting back was not expensive and required continuous maintenance.

Councillor Sheather advised that the sprays being used by the Hawkesbury River County Council were approved by the EPA and that concerns within the community in relation to spraying were being dealt with.

10. Councillor Williams enquired if beautification/landscaping works could be undertaken at Wilberforce Shopping Centre.

The General Manager advised that this would be investigated.

11. Councillor Williams advised that there was a dangerous corner on West Portland Road near Laws Farm Road which was inappropriately sign posted. He requested that this be investigated and appropriately sign posted.

The Mayor advised that this would be investigated.

12. Councillor Woods enquired if there was a speed limit in the mall as it was being used by numerous vehicles which were travelling at excessive speed given the pedestrian usage of the mall.

The Mayor advised that a report was to be provided outlining the possible installation of removable bollards to stop vehicles from accessing the mall.

13. Councillor Paine tabled correspondence from Sydney Show Jumping Club and requested that this be addressed.

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The Mayor advised that this would be done.

14. Councillor Paine tabled photographs of Crooked Lane and requested that this be graded.

The Mayor advised that this would be investigated.

15. Councillor Paine advised that Councillors were being inundated with correspondence from Mr Ken Pullen in relation to his property and requested that this matter be dealt with as a Council and a site inspection be carried out.

The Mayor advised that a report could be provided.

16. Councillor Paine referred to Whalan Road, East Kurrajong and enquired why this road has been sealed.

The Director of Asset Services & Recreation advised that this road had been sealed as part of a subdivision and had been resealed as it had become badly oxidised.

17. Councillor Finch enquired if it was possible to clean up weeds on the cycle way and walk way near Richmond Bridge.

The Mayor advised that this would be done.

18. Councillor Sheather referred to discussions in relation to the Wilberforce School of Arts. He advised that the urn in the hall had a 14 cup capacity which was inadequate and enquired if it was possible to provide a bigger urn.

The Mayor advised that this would be investigated.

The meeting terminated at 2.00am.

Submitted to and confirmed at the meeting of Council on 10 March, 2001.

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Mayor

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General Manager

Mayor