



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 9 April 2002

location: Council Chambers

time: 7.00pm

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Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 9 April 2002, commencing at 7.00pm.

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 Helen Anderson, Minister Windsor Uniting Church, representing the Hawkesbury Ministers Association, gave the opening prayer at the commencement of the meeting.

- 86 RESOLVED on the motion of Councillor Gilling seconded by Councillor Rasmussen that standing orders be suspended.

Councillor Gilling, speaking on behalf of Hawkesbury Harvest, acknowledged awards which were presented to local businesses at the Greater Western Sydney Business Awards. Mr David Mason presented Council with a Harvest Certificate.

- 87 RESOLVED on the motion of Councillor Gilling seconded by Councillor Sheather that standing orders be resumed.

- 88 RESOLVED on the motion of Councillor Allan seconded by Councillor Paine

That:

1. The meeting finish at 12.30am with the remaining business to be carried over to tomorrow evening, at a mutually convenient time.
2. Further, that should the close of business be imminent at that time, the meeting continue until completion.

SECTION 1 - CONFIRMATION OF MINUTES

- 89 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch that the Minutes of the Ordinary Meeting of Council held on 12 March 2002 which have been circulated amongst members of the Council be confirmed.

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Awards for Excellence

- 90 RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Rasmussen

That the information be received.

RAAF Base Impact Study

- 91 RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Rasmussen

That the information be received.

SECTION 2 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Environment

- 19: Application to demolish existing dwelling and construct detached dual occupancy and two (2) lot Torrens title subdivision at Lot 8, DP1011475, No. 36 Bosworth Street, Richmond (DA0075/02/EVD/ENC26NAX.V01)**

- 92 RESOLVED on the motion of Councillor Allan seconded by Councillor Paine

- A.** That the SEPP No. 1 objection to vary Clause 12(1)(a) be supported.
- B.** That the application for demolition of the existing dwelling house and construction of detached dual occupancy dwellings and two lot Torrens title 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 Architectural Aspects Pty Ltd numbered 0114, sheets 1 to 3, dated 14 February 2001). and any supportive documentation, except as otherwise provided by the conditions of this consent.

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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. 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 bricks removed from the dwelling are to be reused within the new buildings on the site.
5. The demolition of the dwelling is to be carried out in accordance with AS2601.

Prior to Issue of Construction Certificate

6. Demolition of the dwelling should be undertaken carefully to ensure the recovery of all intact re-useable fabric including weatherboards, windows, frames, columns and decorations. These materials are to be delivered to an approved building recycler and documentary evidence of this delivery is to be provided.
7. Prior to the demolition of the dwelling an archival recording of the building is to be undertaken by a suitably qualified person and is to be submitted to Council. This recording is to be carried out in accordance with the Heritage Office guidelines.
8. The submission of engineering designs and calculations covering all works required by this consent.
9. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
10. 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.
11. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021, and road traffic noise mitigation in accordance with the Environment Protection Authority criteria (The Environmental Criteria for Road Traffic

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Noise). Details shall be prepared by an acoustical consultant with recommendations incorporated in the design of the building and details shall be submitted to Council and/or the Principal Certifying Authority prior to the issue of a construction certificate.

12. Submission of a detailed landscaping plan showing proposed planting (including details of species, specifications for planter bed preparation) and including proposed boundary fencing, and details of driveway paving. The plan shall also provide for the retention of the smaller of two trees at the front of the existing cottage or planting of a tree of similar characteristics.
13. To ensure compliance with environmental planning instruments, codes and policies which relate to the subject land, the design and layout of the development shall be modified in the following manner:
 - (a) Driveway paving in accordance with the recommendations of the Statement of Heritage Impact dated August 2001 prepared by Archnex Designs, with details to be submitted with the landscape plan.
14. 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 (\$941.00)
 - (b) Community Facilities (\$1597.00)

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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15. The colonial style windows and doors are to be deleted and substituted with windows selected from an approved supplier (preferably Western Red Cedar). The style of windows and doors are to be approved by Council.

Prior to Commencement of Works

16. The site is to be appropriately photographically recorded to the levels specified by the Department of Urban Affairs and Planning in their publication; "How to Prepare Archival Records of Heritage Items". The record is to be lodged with the Council's Library.
17. 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 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.

18. 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

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- (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.
- 19. 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. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.
- 20. 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.
- 21. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.
- 22. 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.
- 23. The approved plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the approved plans will be appropriately stamped.

Sydney Water has a number of business offices, including Blacktown, Katoomba, Parramatta and Penrith.

During Construction

- 24. All building work must be carried out in accordance with provisions of the Building Code of Australia.
- 25. 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) 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) external drainage lines, prior to backfilling;
 - (g) on completion of the structure;
26. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site.
27. 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 to Bosworth Street up to the 1 : 100 year storm at predevelopment levels.
28. The provision of vehicular access to the land shall be at the applicant's expense and to the satisfaction of the Director of Asset Services and Recreation. It is a requirement of Integral Energy that constructed driveways are located a minimum 1m off the side boundary (any enquiries regarding this requirement should be directed to Integral Energy).
29. 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.
30. 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.
31. 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.
32. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).

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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. Should any relic or archaeological remains be disturbed or uncovered during construction of the development work shall cease and Council and the NSW Heritage Office shall be consulted. Any person who knowingly destroys a relic is liable to prosecution under the Heritage Act. An appropriately qualified person is to be present during early site works to maintain a 'watching brief' to monitor the site for the discovery of relics.
36. Natural earth tone colours are to be used in external finishes in accordance with the recommendations of the Statement of Heritage Impact prepared by Archnex designs

Prior to Issue of Occupation Certificate

37. 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.
38. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of underground electrical reticulation to each of the resultant lots of the subdivision.
39. 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 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

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Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water\sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

- (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.

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.

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

Prior to Issue of Subdivision Certificate

- 41. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Architectural Aspects numbered 0114 Issue "C" 1/3 dated 14 February 2002) submitted with the application and any supportive documentation, except as otherwise provided by the conditions of this consent.
- 42. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979.
- 43. A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

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Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

- 44. 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.
- 45. 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.
- 46. 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 Divisional Manager Environment and Development.
- 47. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
- 48. Payment of a linen release fee of \$206.60. This amount is valid until 30 June 2002.
- C. That the additional information be received.

**20: 9 (nine) Lot Community Title Subdivision of Lot 13 DP872372, 83 Willow Glen Road and Lot 1 DP558418, 24A Westbury Road, Kurrajong
(MA1380/01/EVD/ENC26NAX.V08)**

This item was dealt with in conjunction with Item 29, Supplementary Agenda.

Councillor Sheather declared an interest as he has quoted to perform works on this property.

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

That:

- A.** Council support the applicant's objection under State Environmental Planning Policy No.1 to the provisions of Clause 11 (2) (b) (i).
- B.** The application 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 McKinlay Morgan & Associates Pty Ltd, titled "Constraints Plan of Proposed Subdivision of Lot 13 DP 872372 and Lot 1 DP554418 at Kurrajong", dated 19 March 2002; letters from McKinlay Morgan & Associates Pty Ltd dated 2 April 2002 and accompanying plans numbered 88554 & 88554:LL:8 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.
- 3. No excavation or site works shall be commenced prior to the issue of the 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. Construction of civil works including road, drainage or access works are not to commence until 3 (three) 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.

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5. Payment of a design checking and inspection fee of \$8,525.00 (eight thousand five hundred and twenty five dollars) when submitting Engineering plans for approval. This amount is valid until 30 June 2002. Fees required if an accredited certifier is used will be provided upon request.
6. The submission of engineering designs and calculations covering all works required by this consent.
7. The submission of a satisfactory soil and water management plan (SWMP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
8. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
9. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.
10. The submission of any necessary approvals from Department of Land and Water Conservation and NSW Fisheries.
11. Separate details of the proposed surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
- 11a. Submission of detailed landscaping plan for the proposed landscaping zone shown on Plan No. 88554:LL:8 for Council approval. The landscaping plan is to be prepared by a suitably qualified landscape architect and is to consist of species endemic to the area and to include provisions for establishment, planting and maintenance of the landscaping zone.

Prior to Commencement of Works

12. 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.

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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.

13. 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.
14. 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

15. All work must be carried out in accordance with the provisions of Council's Subdivision Construction Specification.
16. Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
17. 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, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.

Prior to Issue of Subdivision Certificate

18. A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

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Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

19. 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.
20. 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.
21. 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	\$12,200.00
(b)	Community Facilities	\$17,255.00

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.

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.

22. 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 Divisional Manager Environment and Development.
23. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

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24. Payment of a linen release fee of \$568.15. This amount is valid until 30 June 2002.
25. The completion of the development including all civil works in accordance with Council approval covered by this consent.
26. The submission of all necessary restriction as to users, covenants and community management plan for approval of Hawkesbury City Council covering the constraints plan and recommendations contained in flora and fauna reports, effluent disposal reports, letter from McKinlay Morgan & Associates Pty Ltd dated 2 April 2002, Plan No. 88554:LL:8, management of the landscape zone and other documentation submitted with the application.
27. The construction of the road, passing bays, shoulders and drainage works as shown on Plan No. 88554. All areas shown as being "upgraded gravelled formation" are to be provided with a sealed pavement in accordance with the Hawkesbury Development Control Plan.
28. The dedication and construction of the westerly extension of Willow Glen Road for vehicle manoeuvring purposes. The turning area shall allow for the satisfactory manoeuvre of a standard Austroads design service vehicle 8.5m long. Alternatively an appropriate (for the site) hammer head turning facility may be provided.
29. Upgrading/reconstruction of the existing steel/timber bridge on Willow Glen Road to RTA specifications in accordance with the recommendations covered in the bridge evaluation report prepared by G J McDonald and Associates Pty Ltd dated October 2001. Bridge upgrading is to be carried out in accordance with a Certified Structural Engineers design and specification.
30. A temporary by pass arrangement is to be established during the course of the bridge upgrade works to avoid disruption to normal traffic flows.
31. Construction of a half width sealed pavement (minimum 3.5m seal width), shoulders, table drains and any necessary drainage over the frontage of Lots 2, 3, 4, 8 and 9 together with any works necessary to make this construction effective. Works are to extend to and are to make a smooth connection with the existing concrete manoeuvring area at the western end of the proposed access. Localised widening transitioning to a safe passing width of 6 metres at the bend between straights is to be provided.

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32. The construction of vehicular access, free of cost to Council, to each lot in this subdivision. The maximum grade shall not exceed 1 : 6.
33. Construction of a 3.5m wide compacted crushed rock pavement and any necessary drainage along the access strip and across the footway to Lots 2, 5 and 7 together with any necessary drainage. The maximum grade is to be 1 in 6. The maximum grade may be increased to 1 in 5 if the pavement is finished with a 2 (two) coat hot bitumen seal on 1 in 4 if constructed with 150mm thick reinforced concrete.
34. The construction of Council's standard layback vehicular crossing to Lot 9 in accordance with Council's standard plan.
35. All works required for the fencing of the Forest and Red Gum Woodland, as shown on the Constraints Plan dated 19 March 2002, are to be completed.
36. A Management Statement complying with Schedule III of the Community Land Development Act, 1989, shall be lodged with and approved by Council. This statement is to include a provision that Lot 1 is not to be used for the purpose of erecting a dwelling or any other building structure.
37. All landscaping required by the landscaping plan required by condition 11a is to be completed.

An **amendment** was moved by Councillor Gilling seconded by Councillor Allan

That:

- A.** Council support the applicant's objection under State Environmental Planning Policy No.1 to the provisions of Clause 11 (2) (b) (i).
- B.** The application 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 McKinlay Morgan & Associates Pty Ltd, titled "Constraints Plan of Proposed Subdivision of Lot 13 DP 872372 and Lot 1 DP554418 at Kurrajong", dated 19 March 2002; letters from

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McKinlay Morgan & Associates Pty Ltd dated 2 April 2002 and accompanying plans numbered 88554 & 88554:LL:8 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.
3. No excavation or site works shall be commenced prior to the issue of the 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. Construction of civil works including road, drainage or access works are not to commence until 3 (three) 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.
5. Payment of a design checking and inspection fee of \$8,525.00 (eight thousand five hundred and twenty five dollars) when submitting Engineering plans for approval. This amount is valid until 30 June 2002. Fees required if an accredited certifier is used will be provided upon request.
6. The submission of engineering designs and calculations covering all works required by this consent.
7. The submission of a satisfactory soil and water management plan (SWMP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
8. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".

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9. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.
10. The submission of any necessary approvals from Department of Land and Water Conservation and NSW Fisheries.
11. Separate details of the proposed surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
- 11a. Submission of detailed landscaping plan for the proposed landscaping zone shown on Plan No. 88554:LL:8 for Council approval. The landscaping plan is to be prepared by a suitably qualified landscape architect and is to consist of species endemic to the area and to include provisions for establishment, planting and maintenance of the landscaping zone.

Prior to Commencement of Works

12. 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.

13. 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.
14. 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.

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During Construction

15. All work must be carried out in accordance with the provisions of Council's Subdivision Construction Specification.
16. Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
17. 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, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.

Prior to Issue of Subdivision Certificate

18. A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

19. 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.
20. 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.

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21. 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	\$12,200.00
(b)	Community Facilities	\$17,255.00

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.

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.

22. 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 Divisional Manager Environment and Development.
23. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
24. Payment of a linen release fee of \$568.15. This amount is valid until 30 June 2002.
25. The completion of the development including all civil works in accordance with Council approval covered by this consent.
26. The submission of all necessary restriction as to users, covenants and community management plan for approval of Hawkesbury City Council covering the constraints plan and recommendations contained in flora and fauna reports, effluent disposal reports, letter from McKinlay Morgan & Associates Pty Ltd dated 2 April 2002, Plan No. 88554:LL:8, management of the landscape zone and other documentation submitted with the application.
27. The construction of the road, passing bays, shoulders and drainage works as shown on Plan No. 88554.

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28. The dedication and construction of the westerly extension of Willow Glen Road for vehicle manoeuvring purposes. The turning area shall allow for the satisfactory manoeuvre of a standard Austroads design service vehicle 8.5m long. Alternatively an appropriate (for the site) hammer head turning facility may be provided.
29. Upgrading/reconstruction of the existing steel/timber bridge on Willow Glen Road to RTA specifications in accordance with the recommendations covered in the bridge evaluation report prepared by G J McDonald and Associates Pty Ltd dated October 2001. Bridge upgrading is to be carried out in accordance with a Certified Structural Engineers design and specification.
30. A temporary by pass arrangement is to be established during the course of the bridge upgrade works to avoid disruption to normal traffic flows.
31. Construction of a half width sealed pavement (minimum 3.5m seal width), shoulders, table drains and any necessary drainage over the frontage of Lots 2, 3, 4, 8 and 9 together with any works necessary to make this construction effective. Works are to extend to and are to make a smooth connection with the existing concrete manoeuvring area at the western end of the proposed access. Localised widening transitioning to a safe passing width of 6 metres at the bend between straights is to be provided.
32. The construction of vehicular access, free of cost to Council, to each lot in this subdivision. The maximum grade shall not exceed 1 : 6.
33. Construction of a 3.5m wide compacted crushed rock pavement and any necessary drainage along the access strip and across the footway to Lots 2, 5 and 7 together with any necessary drainage. The maximum grade is to be 1 in 6. The maximum grade may be increased to 1 in 5 if the pavement is finished with a 2 (two) coat hot bitumen seal on 1 in 4 if constructed with 150mm thick reinforced concrete.
34. The construction of Council's standard layback vehicular crossing to Lot 9 in accordance with Council's standard plan.
35. All works required for the fencing of the Forest and Red Gum Woodland, as shown on the Constraints Plan dated 19 March 2002, are to be completed.

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36. A Management Statement complying with Schedule III of the Community Land Development Act, 1989, shall be lodged with and approved by Council. This statement is to include a provision that Lot 1 is not to be used for the purpose of erecting a dwelling or any other building structure.
37. All landscaping required by the landscaping plan required by condition 11a is to be completed.

The amendment was lost

A **foreshadowed amendment** was moved by Councillor Paine seconded by Councillor Allan

That this matter be deferred until the next General Purpose Committee meeting to allow all further information to be provided in relation to road width and further issues, of which the Mayor is aware.

The foreshadowed amendment was lost.

The motion was put and carried.

- 21: Modify development consent MA1979/99 - subdivision and multi-unit housing, Lot 7 DP243630, 51 Elizabeth Street, North Richmond (MA1979/99/EVD/ENC26NAX.V06)**

- 94 RESOLVED on the motion of Councillor Paine seconded by Councillor Davies

That:

A. A penalty notice be issued for non compliance with conditions of consent.

B. The modification be approved subject to the following changes:

1. Amend Condition 1 to read:

“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

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John Baiada, dated March 2002 (three sheets)] submitted with Development Application No. M1979/99 and any supportive documentation, except as otherwise provided by the conditions of this consent.”

2. Delete Condition 18 and replace with:

“34A. The construction of the building is to be assessed by a suitably qualified person to verify compliance with AS2021. Documentary evidence is to be submitted to Council.”

3. Amend condition 34 to read:

“34. 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.”

22: Community Title Subdivision of Lot 1 DP553099, Lot 2 DP235988, Lot 8 DP224561, Lot 1 DP441814 and Lot 9 DP221443, Greggs Road and Patterson Lane, Kurrajong (MA1001/00/EVD/ENC26NAX.V09)

95 RESOLVED on the motion of Councillor Gilling seconded by Councillor Conolly

That:

- A.** Council support the applicant's objection under State Environmental Planning Policy No.1 to the provisions of Clause 11 (2) (b) (i).
- B.** The application 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 McKinlay Morgan & Associates Pty Ltd, titled "Plan of Constraints over Proposed Subdivision of Lot 1 DP 553099, Lot 1 DP 441814, Lot 2 DP 235988, Lot 8 DP 22461 and Lot 9 DP 2214432" dated 2 April 2002 and "Plan of Proposed Subdivision" dated 27 March 2002) submitted with the application and any supportive documentation, except as otherwise provided by

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the conditions of this consent. This consent also includes approval for the proposed land swap by way of boundary adjustment between Lot 1 DP 553099 and 129 Bells Road, Grose Vale and any necessary minor amendments to Lots 6 to 15 to make this effective. This consent does not approve the proposed gate at the entry of Pt Lot 1 located at the eastern end of Pattersons Lane. The proposed access roads serving Lots 6-15 needs to be dedicated as a public road.

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979.
3. No excavation or site works shall be commenced prior to the issue of the Construction Certificate.
4. Compliance with Department of Land and Water Conservation's General Terms of Approval dated 8 November 2001 and NSW Fisheries letter dated 15 November 2001.

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.**

5. Payment of a design checking and inspection fee of \$6,643.00 when submitting Engineering plans for approval. This amount is valid until 30 June 2002. Fees required if an accredited certifier is used will be provided upon request.
6. The submission of engineering designs and calculations covering all works required by this consent.
7. The submission of a satisfactory soil and water management plan (SWMP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
8. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.00.

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Prior to Commencement of Works

9. 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.

10. 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.
11. 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

12. All work must be carried out in accordance with the provisions of Council's Subdivision Construction Specification.
13. Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
14. 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, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.

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Prior to Issue of Subdivision Certificate

15. A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

16. 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.
17. 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.
18. 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	\$18,246.00
(b)	Community Facilities	\$25,805.00

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.

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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19. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
20. Payment of a linen release fee of \$878.05. This amount is valid until 30 June 2002.
21. A subdivision certificate for the boundary adjustment as proposed in letter dated 26 July 2000 and plan prepared by Robert and Natalie Smith is to be released prior to or concurrently with the Subdivision Certificate covering this application.
22. The submission of all necessary restriction as to users, covenants and community management plan for approval of Hawkesbury City Council covering the constraints plan and recommendations contained in flora and fauna reports, effluent disposal reports and other documentation submitted with the application.
23. The completion of all intersection improvement works as proposed in Traffic Impact Assessment of Proposed Subdivision, Greggs Road and Pattersons Lane, Kurrajong, dated December 2000 prepared by Christopher Hallam & Associates Pty Ltd and works within Patterson Lane identified in letter from McKinlay Morgan & Associates Pty Ltd dated 2 April 2002.
24. The required fire protection zones and fire trails are to be established. For every 200metres fire trails are to be provided with a passing bay measuring 20 metres long by 7 metres wide.
25. The construction of a compacted crushed rock pavement a minimum of 3.5 metres wide within the community lot to provided access to a building area on Lot 16. The access is to be located to minimise impact on existing vegetation and terrain.
26. The full construction of the new road and accesses, including pathways and the drainage thereof, in accordance with the DCP.
27. A Management Statement complying with Schedule III of the Community Land Development Act, 1989, shall be lodged with and approved by Council. This statement is to include a provision that Lot 1 is not to be used for the purpose of erecting a dwelling or any other building structure.
28. All works identified in the advices from Blue Mountains Wilderness Trust and the management plans for the fencing of vegetation and watercourses, and the removal of weed species are to be completed.

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**23: Lot 5, DP959816, McGraths Road, Vineyard - Construction of Single Dwelling
(MA1527/01 PT1/EVD/ENC26NAX.V05)**

A **motion** was moved by Councillor Davies seconded by Councillor Gilling

That the construction of a single dwelling be approved, subject to conditions to be determined by Council staff.

The motion was lost.

96 RESOLVED on the motion of Councillor Allan seconded by Councillor Williams

That:

A. The SEPP No. 1 objection of Clause 25 of HLEP 1989 not be supported.

B. The application be refused for the following reasons:

1. The development does not comply with the provisions contained in Clause 25 of Hawkesbury Local Environmental Plan 1989.
2. The site is not suitable for the development due to the influence of flooding.
3. The development is inconsistent with the objects contained in the EPA Action 1979.
4. Approval of the application would establish an undesirable precedent for filling of land and approval of other dwellings on similar land in the city area.
5. Approval would not be in the public interest.

24: A 2 (two) lot torrens title subdivision of Lot 11 DP243630, 59 Elizabeth Street North Richmond; the construction of a dual occupancy on the resulting vacant rear lot (proposed lot 112) and the 2 (two) lot torrens title subdivision of the dual occupancy (MA1260/00/EVD/ENC26NAX.V10)

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

- A.** That the objection under State Environmental Planning Policy be supported; and
- B.** That the application for a two lot torrens title subdivision of the subject land, the development of the resulting vacant land for dual occupancy and the torrens title subdivision of the dual occupancy dwellings be approved subject to the following conditions:

Department of Land and Water Conservation

General Terms of Approval

- 1. These General Terms of Approval are only applicable for the works granted on this site, in this consent and are to be carried out in accordance with the plans presented to the Department of Land and Water Conservation (DLWC).
- 2. These General Terms of Approval are granted for a period equivalent to the consent. If the works are incomplete after this period, a renewal application needs to be made no less than one month in advance of the expiry date.
- 3. The proposed Lot 22 dwelling is not to be any closer to Redbank Creek than as shown on Drawing Ref. 99318, Plan of Proposed Stage 2 Subdivision Showing Redbank Creek, by Greg Monaghan & Associates Pty Ltd, dated 6 November 2001.
- 4. Any landscape planting undertaken within 10m of the top of the bank, measured horizontally and at right angles to the flow, must consist of a diverse range of native species local to the area (local provenance).
- 5. All works proposed including stormwater outlets must be designed, constructed and operated so they minimise sedimentation, erosion and scour of the banks or bed of the watercourse and do minimise adverse impacts on aquatic and riparian environments.
- 6. Erosion and sediment control measures are required to be implemented prior to any works commencing, and maintained for as long as necessary after the completion of works, to prevent sediment and dirty water entering the river system. These measures are to be in accordance with the consent authority's requirements and best management practices as outlined in the NSW Department of Housing's (Managing Urban Stormwater: Soils and Construction" (1998) manual (the "Blue Book").

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7. These General Terms of Approval & Part 3A permit are issued with the proviso that operations shall be carried out on freehold land. Should operations be on Crown Land, these General Terms of Approval are rendered null and void and the occupier of Crown Land should contact DLWC's Crown Lands section.
8. The rehabilitation of the area in accordance with the General Terms of Approval or any direction from DLWC is the responsibility of the permit holder and the owner or occupier of the land.
9. Works as executed survey plans of a professional standard shall be provided to DLWC upon request.
10. If, in the opinion of a DLWC officer, any activity is being carried out in such a manner that it may damage or detrimentally affect the stream or foreshore environment, all works shall cease immediately upon oral or written direction of such an officer.
11. If these General Terms of Approval are breached, the permit holder shall restore the site in accordance with the General Terms of Approval and undertake any other necessary remedial actions as directed by DLWC. If any breach of the General Terms of Approval requires a site inspection by DLWC, then the permit holder shall pay a fee prescribed by DLWC for this inspection and all subsequent breach inspections.

Stage 1 - Two lot torrens title subdivision - proposed Lots 111 and 112

General

12. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by G J Monaghan & Associates Pty Ltd numbered 99318-2 dated 9 August 2000 as amended) submitted with Development Application No. MA1260/00 and any supportive documentation, except as otherwise provided by the conditions of this consent.

Prior to Issue of Subdivision Certificate

13. A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

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Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water\sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

14. 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.
15. 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.
16. 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	\$2,032.00
(b)	Community Facilities	\$2,876.00

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.

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.

17. 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 Divisional Manager Environment and Development.

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18. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
19. The submission of a Surveyor's Certificate stating that all buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks.
20. Payment of a linen release fee of \$206.60. This amount is valid until 30 June 2002.

Stage 2 - Dual occupancy dwellings and subdivision of dual occupancy dwellings

General

21. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by G C Moore & Associates numbered 2087-1, 2087-2, 2087-3, 2087-4, 2087-5 dated 20 July 2000 as amended and Plan 99318-5 prepared by GJ Monaghan & Associates) submitted with Development Application No. MA1260/00 and any supportive documentation, except as otherwise provided by the conditions of this consent.
22. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
23. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
24. 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). The relevant sewer authority (Hawkesbury City Council or Sydney Water) may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to the relevant authority for their requirements for the eventual operation of the approved use.

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25. No excavation or site works shall be commenced prior to the issue of the construction certificate.
26. 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.**

27. To ensure compliance with environmental planning instruments, codes and policies which relate to the subject land, the design and layout of the development shall be modified in the following manner:
 - (a) Footings/foundations for proposed unit 1 are to be designed in accordance with the recommendations of the Tree Report and Management Plan prepared by Mark Hartley dated May 2001 and being piered and suspended structure, piers with upturned beams at or above grade or waffle pad on grade;
 - (b) Lattice screening, approximately 1m in height is to be provided to top side of side boundary fencing, along southern side boundary;
 - (c) Appropriate boundary fencing is to be continued to the front boundary;with details to be submitted for approval with the construction certificate.
28. Submission of amended landscape plan and details for Council approval to provide for additional screen planting, including suitable replacement trees, at the frontage of the existing dwelling house, to replace trees to be removed. The landscape shall be prepared by a suitably qualified person and shall specify the number and species of plants, their mature heights and shall include a mixture of trees, shrubs and perennials.
29. A monetary contribution is to be paid to Council, pursuant to Section 94 of the

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Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

- (a) Open Space and Recreation (\$987.00)
- (b) Community Facilities (\$1,397.00)

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.

- 30. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021. Details prepared by an accredited acoustical consultant submitted with the construction certificate.
- 31. Submission of design calculations for all drainage and internal pavement works required by this consent.
- 32. Registration of the plan of subdivision creating Lot 112.

Prior to Commencement of Works

- 33. 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:
 - (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

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- (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.

- 34. 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.
- 35. 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.
- 36. 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. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.

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37. 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.
38. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

39. All building work must be carried out in accordance with provisions of the Building Code of Australia.
40. In order to protect the roots of the tree on the adjoining property, no service trenches or grade changes should occur on the side of proposed Unit 1. Any work in the vicinity of these tree roots is to be carried out in compliance with the recommendations of arborist report prepared by Mark Hartley and the work to be carried out under their supervision.
41. Doors to WCs are to open out or be provided with cavity slider or lift off type hinges to comply with the BCA.
42. 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. All roofwater and impervious area runoff to be directed to the existing drainage pit in Elizabeth Street.
43. Construction of Council's standard residential layback vehicular crossing to suit the access to the site.
44. 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) foundations;
 - (d) steel reinforcement;
 - (e) the second storey floor joists, prior to the fixing of any flooring material;

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- (f) 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;
 - (g) wet area flashing, after the installation any bath and shower fixtures;
 - (h) internal drainage lines prior to covering;
 - (i) external drainage lines, prior to backfilling;
 - (j) on completion of the structure;
 - (k) landscaping.
45. 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.
46. 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.
47. 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.
48. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).
49. 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

50. 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.
51. 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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52. 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 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92. Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

- (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.

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.

53. 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 with lattice screening of approximately 1m height to top side of southern side boundary fencing.
54. 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 driveway is to be finished in dark earth tone colours.

Prior to Issue of Subdivision Certificate

55. A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

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Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water\sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

- 56. 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.
- 57. 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.
- 58. 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 Divisional Manager Environment and Development.
- 59. Payment of a linen release fee of \$260.60. This amount is valid until 30 June 2002.
- 60. The completion of the development including all civil works in accordance with Council approval covered by this consent.
- 61. The installation of skylights for Unit 1 to increase sunlight access to the living areas.
- 62. Provision of mail boxes in convenient location.

25: Review of Determination - MA 1085/01 - Resubdivision of Lot 5 DP603915, Lot 42 DP632322 and Lot 31 DP751649 Burralow Road, Kurrajong Heights (MA1085/01/EVD/ENC26NBX.V07)

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

That this matter be deferred pending receipt of further information.

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26: Request to Modify Development Consent - Lot 12 DP834771, No. 99 Gadds Lane, Kurmond (DA154/95/EVD/ENC26NBX.V04)

This item was dealt with in conjunction with Item 28, Supplementary Agenda.

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

A. That the Request to Modify Development Consent under Section 96(2) of the Environmental Planning and Assessment Act 1979 be refused for the following reasons:

1. The development proposed is not substantially the same as that which was previously approved.
2. The development may have adverse impacts including effluent disposal, traffic impacts and noise levels. These should be assessed as part of the normal development application process.

B. A Notice of Intention to Serve an Order be issued to comply with all outstanding Conditions of Consent within 60 (sixty) days, subject to Condition 17. being referred to the Local Traffic Committee.

C. The applicant be invited to reapply, with the application fee to be waived.

27: Proposed Shopping Centre at Hollands Carpark and Outcome of Public Meeting (P1408/0095/EVD/ENC26NBX.V11)

Councillor Davies declared an interest as he acts on behalf of shop owners in George Street, Windsor

100 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Calvert

That:

1. Council proceed with the traffic study for Windsor, as soon as possible, in the current financial year.

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2. Negotiations continue with the proponent on how a suitable commercial development can be progressed within the bounds of the commercially zoned land.
3. A Plan of Management be prepared for the park incorporating the short and long term management of the park.
4. An Economic/Retail Feasibility Study be reviewed and updated for the Windsor Business District, subject to allocation of funding.

An **amendment** was moved by Councillor Conolly seconded by Councillor Sheather

A. That:

1. Council proceed with the traffic study for Windsor, as soon as possible, in the current financial year.
2. Negotiations be undertaken with the proponent regarding Amended Plan No. 3, received in March 2002, proposing widening of Johnston Street and the relocation of the Girl Guides Hall.

B. That a Plan of Management be prepared for the park ensuring the short and long term management of the park.

The amendment was lost

The motion was put and carried.

**28: 420 Old Stock Route Road, Pitt Town - Hawkesbury City Council ats Sammut
(MA0609/98 PT4/EVD/ENC26NCX.V03)**

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

That the information be received.

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29: Hawkesbury Lower Nepean Catchment Blueprint (GR060/075 PT5/EVD/ENC26NCX.V02)

A **motion** was moved by Councillor Williams seconded by Councillor Paine

That:

1. The information be received.
2. Hawkesbury City Council calls on the State Government to implement the findings of the Upper House General Purpose Committee No. 5 Inquiry into the sacking of the Hawkesbury-Nepean Catchment Management Trust, including the re-establishment of the Trust as a statutory body.
3. Hawkesbury City Council inform the Premier and Minister by letter, of this decision.

102 RESOLVED on the amendment of Councillor Sheather seconded by Councillor Allan

That the information be received.

The amendment was carried

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

Supplementary

30: Regional Illegal Dumping (RID) Squad Future Commitment and Funding by Council (GW010/033/EVD/ENC26LBX.V15)

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

That:

1. Council commit to fund the RID Squad for a period of 3 (three) years commencing 1 July 2002.

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2. Council commits a total of \$90,000.00 (ninety thousand dollars) over the 3 (three) year period to fund the RID Squad.
3. Council review its commitment to the RID Squad before July 2004 for a further 3 (three) year commitment.

Infrastructure

- 5: Closure of Laneway Off Sirius Road, Bligh Park** (1954/R Pt 2, GR080/069/CSV/INC26NBX.C05)

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

That the laneway between Lots 81 and 82, DP 709025 remain open to the public.

- 6: Enhancement of Memorial Park, Kurrajong** (PK/008 Pt3/ENG/INC26NBX.E07)

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

That the draft stage and landscape design for Memorial Park, Kurrajong as amended be adopted and implementation be considered as funds become available.

- 7: Official Naming of Kemsley Downs Reserve/Redbank Creek Reserve** (PK/251/ENG/INC26NBX.E02)

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

That an application be submitted to the Geographical Names Board supporting the area at 92(a) Pecks Road, North Richmond, being named "Peel Park" with the oval within the park being named "John Wellington Oval".

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8: The Richmond Mainstreet Program - Woodhills Car Park, Richmond - Extension of Time Restriction (GT230/019 PT04/ENG/INC26NBX.E03)

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

That the current 4 (four) hour parking restriction applying to Woodhills Car Park, Richmond be retained.

9: Baker Street Carpark - Lighting (0272/R Pt2/ENG/INC26NBX.E13)

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

That a centrally located light pole be provided within the Council carpark in Baker Street, Windsor at an estimated cost of \$10,700.00 (ten thousand seven hundred dollars), GST exclusive, with funds for this purpose being provided from the street lighting budget.

10: Proposed Drainage within Lot 15 (DP39350) No 14 Manns Road, Wilberforce (1304/R Pt2 P1304/40/ENG/INC26NBX.E09)

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

That:

1. a) Council accept Mr and Mrs Gardner's offer to dedicate a part of their land for drainage purposes; and,
b) normal formal proceedings be commenced for the creation of a three (3) metre wide easement for drainage along the western boundary of Lot 15 (DP39350) in favour of Hawkesbury City council at no cost to the landholder.
2. The landholders offer to construct stormwater drainage within the dedicated easement at no cost to Council be accepted.

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3. The top end, final stage construction of the proposed drainage system (within Manns Road) estimated to cost \$28,000.00 (twenty eight thousand dollars) be considered for inclusion in the 2002/2003 Operations Program.

11: Un-named Quarter Sessions Road, Colo - Naming Proposal (GR120/003 Pt3/ENG/INC26NBX.E08)

A **motion** was moved by Councillor Rasmussen seconded by Councillor Gilling

That the presently un-named Quarter Sessions Road situated approximately 1.4 kilometres north of Colo River Bridge and extending from Putty Road to the southern boundary of Lot 3 DP83506, be named Whatley's Creek Road.

The motion was lost.

- 110 RESOLVED on the motion of Councillor Conolly seconded by Councillor Allan

That the presently un-named Quarter Sessions Road situated approximately 1.4 kilometres north of Colo River Bridge and extending from Putty Road to the southern boundary of Lot 3 DP83506, be named McDougall Drive.

12: Yarramundi Bridge (GR070/010 Pt2/ENG/INC26NCX.E01)

- 111 RESOLVED on the motion of Councillor Paine seconded by Councillor Davies

That the information be received.

13: Windsor Mall (GR120/016 Pt5/ENG/INC26NCX.E11)

- 112 RESOLVED on the motion of Councillor Paine seconded by Councillor Davies

That the information be received.

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14: Bellbird Hill Lookout (P243/5425/ENG/INC26NCX.E10)

113 RESOLVED on the motion of Councillor Calvert seconded by Councillor Rasmussen

That:

1. Council support, in principle, the call for expressions of interest to develop a suitable small scale tourist operation at the Bellbird Hill lookout, with appropriate wording to be reported to Council prior to advertisement.
2. Any proposed development should address traffic issues, maintaining the views and protecting the forest wilderness.

An **amendment** was moved by Councillor Sheather seconded by Councillor Gilling

That the information be received.

The amendment was lost

The motion was put and carried.

15: Proposed Kerb & Gutter adjacent to Freemans Reach Primary School (2312/R Pt7/ENG/INC26NCX.E06)

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

That the information be received.

16: Waterways Authority Noise Limits (PK/205/ENG/INC26NCX.E12)

This item was dealt with in conjunction with Supplementary Item 17, Infrastructure section.

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

That the information be received.

17: Waterways Authority Noise Limits (PK/205/ENG/INC26LCX.E14)

This item was dealt with in conjunction with Item 16, Infrastructure section.

Organisation and Resources

19: Monthly Financial Report - February 2002 (GF011/005//OGC26NAX.F10)

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

That the information be received.

**20: Planning Workshop - Outcomes and Actions (GA030/014
Pt6/GMA/OGC26NAX.G01)**

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

That:

1. The Hollands Paddock proposed commercial development be further reported.
2. The remaining outcomes of the Planning Workshop be adopted.

21: Community Donations Program Round 2 (GF008/001/CSV/OGC26NBX.C02)

The Mayor declared an interest as he is President of Friends of Hawkesbury Art Collection

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Councillor Woods declared an interest as a work colleague is a member of Hawkesbury Care

Mayor Stubbs vacated the chair and Deputy Mayor Conolly took the chair

118 **RESOLVED** on the motion of Councillor Allan seconded by Councillor Gilling

That:

1. A total of \$2,250.00 (two thousand two hundred and fifty dollars) as detailed in the report for Hawkesbury Early Childhood Advisory Service, North Richmond Community Bank Steering Committee, Life Education NSW and Kurrajong/North Richmond Rotary Club, be allocated as donations under the Community Donations Program Round 2 2001/2002.
2. \$1,000.00 (one thousand dollars) from 2002/2003 donations budget be allocated for in-kind support through printing for the MacDonald Valley Association.
3. \$500.00 (five hundred dollars) as detailed in the report for 1st North Richmond Scout Group be allocated as donations and taken from Sister City Council functions budget.
4. \$500.00 (five hundred dollars) as detailed in the report for Macquarie Towns Orchestra be allocated as a cultural grant and taken from that appropriate budget.

An **amendment** was moved by Councillor Rasmussen seconded by Councillor Davies

That:

1. A total of \$2,250.00 (two thousand two hundred and fifty dollars) as detailed in the report for Hawkesbury Early Childhood Advisory Service, North Richmond Community Bank Steering Committee, Life Education NSW and Kurrajong/North Richmond Rotary Club, be allocated as donations under the Community Donations Program Round 2 2001/2002.
2. \$1,000.00 (one thousand dollars) from 2002/2003 donations budget be allocated for in-kind support through printing for the MacDonald Valley Association.
3. \$500.00 (five hundred dollars) as detailed in the report for 1st North Richmond Scout Group be allocated as donations and taken from Sister City Council functions budget.

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4. \$500.00 (five hundred dollars) as detailed in the report for Macquarie Towns Orchestra be allocated as a cultural grant and taken from that appropriate budget.
5. \$241.10 (two hundred and forty one dollars and ten cents) for Reference Library Resources be allocated to Friends of the Hawkesbury Art Collection.

The amendment was lost

The motion was put and carried.

Deputy Mayor Conolly vacated the chair and Mayor Stubbs resumed the chair.

22: Community Cultural Grants (GO21/218, GF008/001/CSV/OGC26NBX.C07)

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

That:

1. \$1,000 (one thousand dollars) each be allocated to the Kurrajong Small Business and Community Forum towards costs for musical presentations; to the Hawkesbury Waratah Festival towards promotional costs; and to the Macquarie Towns Orchestra for the employment of a professional music director.
2. \$750 (seven hundred and fifty dollars) be allocated to the 1st Glossodia Scout Group towards costs of the production of a mural.
3. \$250 (two hundred and fifty dollars) be allocated to the Community Quilting Project for room hire costs.
4. \$5,000 (five thousand dollars) be allocated to the Hawkesbury Jazz Club to support the third Hawkesbury Jazz Festival from the 2002-2003 Cultural Grants program.
5. Hawkesbury residents wishing to attend the Residential Strings and Wind workshop be advised to apply for sponsorship, and be considered for funding, under the Minor Assistance Program.
6. The Community Cultural Grants Committee meet to determine future grant submissions.

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23: Hawkesbury Seniors' Week 2002 (GC100/004/CSV/OGC26NCX.C05)

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

That the information be received.

24: Hawkesbury Social Plan 2001-2002 (GC130/036/CSV/OGC26NCX.C03)

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

That:

1. Page 41 of the Hawkesbury Social Plan 2001-2002 be amended by adding a reference to "*physical and mental health*".
2. The *Hawkesbury Social Plan 2001-2002* be received.

25: Community Needs Report 2002/2003 (GC130/036/CSV/OGC26NCX.C04)

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

That the Community Needs Report 2002-2003 be received.

**26: Tourist Railway Association Kurrajong (TRAK) (GT050/005
PT12/CSV/OGC26NBX.C09)**

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

That this matter be deferred.

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27: Sale of 1 Suffolk Street, Windsor and 95 Macquarie Street, Windsor (P1951/10 PT2, P1341/265 PT2/CSV/OGC26NBX.F06)

A **motion** was moved by Councillor Gilling seconded by Councillor Paine

That Council negotiate for the acquisition of the properties known as 1 Suffolk Street, Windsor and 95 Macquarie Street, Windsor.

The motion was lost.

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

That Havelock Real Estate be advised that Council does not wish to pursue the acquisition of the properties known as 1 Suffolk Street, Windsor and 95 Macquarie Street, Windsor.

28: Alcohol Free Zone Within the Windsor Mall (GC305/041, GP070/001 PT7/FNC/OGC26NCX.F08)

125 RESOLVED on the motion of Councillor Gilling seconded by Councillor Paine

That the information be received.

SECTION 4 - REPORTS FOR DETERMINATION

22: Documents for Execution Under Seal (GC283/170, GC283/172, GC283/175/CSV/ORD09NBX.C01)

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

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

1. Residential Tenancy Agreement for 1/292 George Street, Windsor to Mr Justin Livingstone.

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2. Residential Tenancy Agreement for 3/292 George Street, Windsor to Mr Peter Ryan.
3. Residential Tenancy Agreement for 1-17 Reynolds Road, Londonderry to Mr Ben Andrews.

23: Acquisition for Road Purposes - Part Lot 528 in DP 751665 (372 Creek Ridge Road, Glossodia) (P0321/465/CSV/ORD09NBX.C04)

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

That:

1. An area of approximately 123sqm be acquired from 372 Creek Ridge Road, Glossodia (part lot 528 in DP 751665) for road purposes for the sum of \$2,500.00 (two thousand five hundred dollars), with Council to be responsible for all survey and reasonable legal costs associated with the acquisition.
2. All documents be executed under the Common Seal of Council.

SECTION 5 - REPORTS FOR INFORMATION

**24: LINC (Living in Communities) Volunteer Scheme - Update
(GC120/013/CSV/ORD09NCX.C03)**

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

That the information be received.

**25: Reports Requested by Council - Status as at 9 April 2002 (GC280/005
PT04/CSV/ORD09NCX.C02)**

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

That the information be received.

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26: Ferry Interruption Report - March 2002 (GT240/017 Pt2/ENG/ORD09NCX.E05)

- 130 RESOLVED on the motion of Councillor Paine seconded by Councillor Woods

That the information be received.

SECTION 6 - REPORTS OF COMMITTEES

Hawkesbury Healthy Cities Steering Committee - 14 February 2002

- 131 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Finch that the Minutes of the Hawkesbury Healthy Cities Steering Committee meeting held on 14 February 2002 as recorded on Pages 53 to 56 be received.

Heritage Advisory Committee - 14 February 2002

- 132 RESOLVED on the motion of Councillor Finch and seconded by Councillor Rasmussen that the Minutes of the Heritage Advisory Committee meeting held on 14 February 2002 as recorded on Pages 57 to 60 be received.

Hawkesbury Equity and Access Planning Committee - 20 February 2002

- 133 RESOLVED on the motion of Councillor Paine and seconded by Councillor Finch that the Minutes of the Hawkesbury Equity and Access Planning Committee meeting held on 20 February 2002 as recorded on Pages 61 to 65 be received.

Sandstone Quarry - 13 March 2002

- 134 RESOLVED on the motion of Councillor Williams and seconded by Councillor Rasmussen that the Minutes of the Sandstone Quarry meeting held on 13 March 2002 as recorded on Pages 66 to 67 be received.

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Heritage Advisory Committee - 14 March 2002

- 135 RESOLVED on the motion of Councillor Finch and seconded by Councillor Rasmussen that the Minutes of the Heritage Advisory Committee meeting held on 14 March 2002 as recorded on Pages 68 to 69 be received.

Hawkesbury Economic Development Advisory Committee - 14 March 2002

- 136 RESOLVED on the motion of Councillor Allan and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury Economic Development Advisory Committee meeting held on 14 March 2002 as recorded on Pages 70 to 75 be received.

Local Traffic Committee - 15 March 2002

Councillor Conolly advised that he is employed by the Catholic Education Department

- 137 RESOLVED on the motion of Councillor Davies and seconded by Councillor Rasmussen that the Minutes of the Local Traffic Committee meeting held on 15 March 2002 as recorded on Pages 76 to 95 be adopted.

SUPPLEMENTARY REPORTS

SECTION 4 - REPORTS FOR DETERMINATION

**27: Representation on Hawkesbury Leisure Centres Inc. Board
(GM001/023/CSV/ORD09LBX.C08)**

- 138 RESOLVED on the motion of Councillor Allan and seconded by Councillor Paine

That:

1. Council approve the nominations of Mr Clerke and Mr Lowe to the Hawkesbury Leisure Centres Inc. Board.

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2. A letter of appreciation be forwarded to Mr Lipczynski and Mrs Tait for their contribution and service to Hawkesbury Leisure Centres Inc.

SECTION 5 - REPORTS FOR INFORMATION

28: Request to Modify Development Consent - Lot 12 DP834771, No. 99 Gadds Lane, Kurmond (DA154/95/EVD/ORD09LCX.V07)

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

That the information be received.

29: 9 (nine) Lot Community Title Subdivision of Lot 13 DP872372, 83 Willow Glen Road and Lot 1 DP558418, 24A Westbury Road, Kurrajong (MA1380/01/EVD/ORD09LCX.V09)

This item was dealt with in conjunction with Item 20, Report of the General Purpose Committee

SECTION 6 - REPORTS OF COMMITTEES

Legal Consultative Committee - 2 April 2002

- 140 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Rasmussen that the Minutes of the Legal Consultative Committee meeting held on 2 April 2002 as recorded on Pages 19 to 20 be received.

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QUESTIONS WITHOUT NOTICE

1. Councillor Gilling referred to the Councillor Newsletter dated 28 March 2002 and an article relating to Draft Environmental Composting Guidelines and enquired if the Mushroom Growers were associated with this item.

The General Manager advised it was a matter for the EPA and he was aware that the Mushroom Growers and other associations had been consulted.

2. Councillor Gilling referred to bushcare groups working on Crown Land and enquired if supervision was required.

The Director of Asset Services and Recreation advised that it was an Occupational Health and Safety issue to ensure that the groups were only undertaking the work that they can legally undertake.

3. Councillor Gilling referred to the verge on the grass at Greens Road heading towards the bridge on the eastern side and advised that the grass cutting job was very cursory.

The Director of Asset Services and Recreation advised that the matter would be looked into.

4. Councillor Gilling advised that the signs on George Street across Suffolk Street had not been moved.

The Director of Asset Services and Recreation advised that, as far as he was aware, the sign had been moved.

5. Councillor Gilling referred to the Patterson Lane DA 1001/00 that had been passed earlier and enquired if the approved road was a public road or private road.

The General Manager advised that it was approved as a public road.

6. Councillor Calvert requested an update on the work being carried out at the North Richmond intersection of Grose Vale Road and Bells Line of Road.

The Director of Asset Services and Recreation advised that the RTA designers had taken into account representations by the community and were to redesign and present the proposal to community representatives again.

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7. Councillor Davies requested an update in relation to the van advertisement on the corner of Bosworth and March Street.

The Director of Environment and Development advised that the Judge, who had part heard the matter, was on leave and the matter had been re-scheduled for August 2002.

8. Councillor Rasmussen enquired if he would be provided with a copy of the submission, when available, in relation to the Hawkesbury-Nepean Catchment Blueprint.

The General Manager advised that, as advised by the Director of Environment and Development earlier, the matter would be reported to the next General Purpose Committee meeting.

9. Councillor Rasmussen referred to the Aldi development in Richmond and commented that the roof alignment appeared to encroach the footpath and enquired if the building was approved to protrude over the footpath.

The Director of Environment and Development advised that it was the verandah over the footpath as per the approved plans.

10. Councillor Conolly referred to the fees for stallholders in Windsor Mall on Sundays and enquired how long the fees had been set at the current level and enquired about the process for implementing an increase.

The Director of Corporate and Community Services advised that the fee had not changed for many years and that the stallholders were proposing, voluntarily, to increase the fee from \$20.00 to \$30.00, of which Council currently receives \$10.00. He suggested that negotiations take place for the fee to be increased to \$40.00 and council receive \$20.00. He further advised that the process to increase the fee would be through the Revenue Pricing Policy, after negotiations have taken place.

Councillor Conolly asked that the negotiations with stallholders commence.

The Director of Corporate and Community Services advised this would be done.

11. Councillor Paine tabled correspondence and photographs from Mr Keith Sumner relative to the condition of the Richmond Lawn Cemetery, requesting more regular maintenance to be undertaken by Council. Councillor Paine requested a copy of the reply to Mr Sumner.

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The Director of Asset Services and Recreations advised this would be done.

12. Councillor Paine requested an update on the issue of rubbish collection throughout the Hawkesbury area.

The Mayor advised that Council was undertaking a survey, the wording of which is currently being finalised. The General Manager advised that the survey may be out in the next week and advised that discussions had taken place with operators about methods of collection i.e. skip bins or hand collection. He advised that much work and research had been undertaken to date and the matter was progressing.

13. Councillor Paine advised that, after receiving advice from a resident, she had visited the North Richmond Shops and found the area to be unkempt and untidy. She further advised that she had spoken with shop owners who had found the managing agent to be unresponsive and unhelpful. Councillor Paine enquired if Council could take any action to have the area cleaned up.

The General Manager advised that he had written to Bi-Lo and investigations would be carried out with the possibility that action could be taken. The Director of Asset Services and Recreation advised that Polly Wheen, Hawkesbury Mainstreet Committee, had also been negotiating with the managing agent in an attempt to have the area cleaned up.

14. Councillor Paine referred to the carpark at Coles Richmond and advised that it was also in an unclean state and enquired if Council could take action to have the area cleaned up.

The General Manager advised that he had written to Coles and received a phone call from the Regional Manager and that he would follow up the matter and advise.

15. Councillor Finch referred to the sign at the Hawkesbury Tourism carpark which was damaged in the storm last November and asked that it be removed or repaired.

The General Manager advised that approval had been received from the insurers of the sign and the repair would be attended to.

16. Councillor Finch advised that there were, at times, many cars for sale positioned on the side of Bells Line of Road, Kurmond.

The Director of Environment and Development advised that investigations would be carried out.

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17. Councillor Finch referred to the carpark at North Richmond and a conversation with the Director of Asset Services and Recreation approximately 6 months ago. She advised that a resident from Kurrajong Heights had contacted her to say she was happy with the work Council had done.

The General Manager acknowledged this information.

18. Councillor Davies referred to shelters at the Tennis Centre at Clarendon and the damage sustained from recent storms.

The General Manager advised that it was the responsibility of the Tennis Association and they were possibly awaiting insurance advice or approval.

19. Councillor Gilling advised that she was aware that rubbish was being dumped on a vacant block of land near the Richmond Coles carpark by people using the carpark.

The Director of Asset Services and Recreation advised that investigations would be carried out.

The meeting terminated at 12.30pm.

Submitted to and confirmed at the meeting of Council on 7 May 2002.

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Mayor