



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 12 February 2002

location: Council Chambers

time: 7.30pm

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Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 12 February 2002, commencing at 7.30pm.

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

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

SECTION 1 - CONFIRMATION OF MINUTES

- 6 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather that the Minutes of the Ordinary Meeting of Council held on 11 December 2001 which have been circulated amongst members of the Council be confirmed.

Mayoral Minutes

Natural Disasters - November 2001 to January 2002

- 7 RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Allan

On behalf of Council I have thanked all who were there when they were needed and who made the difference during the recent natural disasters.

Hawkesbury Museum - Offer of Grant - GG021/212 Pt1

- 8 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Rasmussen

That Council accept the offer and thank the Government for the opportunity of developing a regional museum in the Hawkesbury.

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SECTION 2 - NOTICES OF MOTION

Notices of Motion

Councillors L Allan, D Finch, J Woods, L Sheather and K Conolly

Volunteers and Fire Fighters

- 9 RESOLVED on the motion of Councillor Paine seconded by Councillor Finch

That given the need for more Rural Fire Fighting resources, Council write to the Minister for Emergency Services, Mr Bob Debus, and ask that the Hawkesbury Rural Fire Service be given priority funding in the next allocation of financial resources from the State Government.

Notices of Motion of Rescission

Councillors L Williams, B Calvert and L Sheather

A motion was moved by Councillor Williams seconded by Councillor Sheather

That the matter of the rescission motion relating to Hawkesbury Heritage Farm, Item 2, Special Meeting 11 February 2002 be deferred to the next Ordinary Meeting.

The motion was lost

A motion was moved by Councillor Calvert seconded by Councillor Williams

That Council rescind the resolution of 11 February 2002 in relation to Item 2, Hawkesbury Heritage Farm GC283/107PT7/FNC/ORB11SBX.FO1.

The motion was lost.

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SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Environment

- 1: Hawkesbury Nepean River System - Statement of Joint Intent for Integrated Environmental Management (GR060/079 PT2 folio 29/GMA/ENA29NAX.G01)**

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

That:

1. The information be received.
2. This matter be placed on the agenda for the Strategic Planning Program to be held in February 2002.

- 2: Proposed Housing for Older Persons or People with a disability - 34 Beaumont Avenue, North Richmond (M1185/EVD/ENA29NAX.V07)**

Councillor Woods declared an interest as her husband's employer has a business dealing with Mr Jock Mathie

A motion was moved by Councillor Conolly seconded by Councillor Finch

That Council defer consideration of this application until legal advice has been sought confirming its legality.

The motion was lost.

11 RESOLVED on the foreshadowed motion of Councillor Allan seconded by Councillor Paine

That:

- A.** The application for proposed housing for older persons or people with a disability be approved subject to the following conditions:

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General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans and any supportive documentation, except as otherwise provided by the conditions of this consent.

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

2. 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 Construction Certificate.
4. The proposed pathway through Lot 113 DP793863 and Heritage Park is not approved.
5. The 30 (thirty) space carpark behind the community hall is to be amended such that the dimensions of the car spaces are not less than 6m long by 3.2m wide with an aisle width of not less than 5.7m.
6. The stairs to the mezzanine meeting rooms in the community hall are to be fitted with a travelator suitable for wheelchairs.

Prior to Issue of Construction Certificate

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

7. Creation of the right of carriageway over Lot 1 DP 833495 for the western driveway.
8. Details, and where necessary amended plans, demonstrating that the proposed works comply with the Building Code of Australia; Clause 13A of State Environmental Planning Policy No. 5; and the findings and recommendations of *Noise Assessment for Proposed*

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Retirement Village Development 16 Beaumont Ave, North Richmond, prepared by RSA Acoustics dated August 2000 and *Traffic Impact Assessment of Proposed Retirement Village, 16 Beaumont Avenue, North Richmond*, prepared by Christopher Hallam & Associates Pty Ltd dated September 2001, except where modified by conditions of consent, are to be submitted to the Principle Certifying Authority for approval.

9. The submission of engineering designs and calculations covering all works required by this consent.
10. 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)".
11. Submission of proof of the payment of the Building Industry Long Service Levy.
12. A detailed landscaping plan is to be submitted to the Principle Certifying Authority for approval.
13. Details of the proposed front fencing are to be submitted to the Principle Certifying Authority for approval. In this regard fencing is to consist of masonry piers with decorative infill panels. Pre-painted solid metal fencing and/or pool fencing is not appropriate for the infill.
14. Details of the proposed colour scheme are to be submitted to the Principle Certifying Authority for approval.

Prior to Commencement of Works

15. 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.
16. 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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17. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building; or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
18. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
19. 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.

During Construction

20. All building work must be carried out in accordance with provisions of the Building Code of Australia.
21. 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.

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22. 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.
23. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
24. Construction of Council's standard heavy duty footways and layback vehicular crossings to suit the access to the site with a minimum width of 6m.
25. Construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. On-site detention shall be provided to maintain all stormwater discharges up to the 1:100 year storm at predevelopment levels. The permissible site discharge to Beaumont Ave is to be restricted to that which would be generated by the development if that part of the site contained within catchment 6 as defined in Council Section 94 plan.
26. The surcharge path towards Heritage Park to be directed into the existing swale drain along the toe of the batter to the south of the property. Suitable scour protection is to be provided down the embankment and for any areas not already shaped and grasses.
27. The batter to the east of the eastern most access is to be cleared and shaped, under the supervision of Council, to provide adequate site distances.
28. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
29. All demolition, construction and associated work necessary for filling and construction being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.
30. No burning of demolition or construction material being carried out on the site.
31. 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.

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32. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
- (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.

Prior to Issue of Occupation Certificate

33. 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.
34. Submission of a Fire Safety Certificate in accordance with the Environmental Planning and Assessment Regulations 2000.
35. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
36. 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.

37. The following documentary evidence is to be obtained:
- (a) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

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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.

38. The construction of a concrete path paving of 1.2m wide along the southern footway of Beaumont Avenue and the eastern footway of Terrace Road
39. The depth of the pool shall be prominently indicated at the deep and shallow ends by permanently fixed markers above the water line or, in the case of above-ground pools, on the outside of the pool.
40. A warning notice (incorporating resuscitation techniques) complying with the requirements of Section 17(1) and Regulation 8 of the Swimming Pools Act, 1992, shall be provided and maintained in a prominent position in the immediate vicinity of the pool.
41. Payment of Section 94 contributions as determined by the Minister of Planning.

The Use of the Site

42. Should "public entertainment" be proposed to be conducted upon the premises a separate application shall be lodged with Council for consideration under the requirements of the Local Government Act, 1993. Written approval shall be obtained from Council prior to the conduct of any public entertainment.
43. A bus service is to be provided for the use of the residents of the development in accordance with the provisions of Clause 12 (2) (b) of State Environmental Planning Policy No. 5.
44. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
45. The pool must comply with Department of Health NSW Public Swimming Pool and Spa Pool Guidelines, June 1996.
46. The pool is to be fenced in accordance with Swimming Pool Act 1992.

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47. The kitchen in the Community Hall is to be registered with Council and have inspections conducted by Council Officers as required. The premises are to comply with the Food Safety Standards 2000 and Council's Code for the Construction and Fitting out of Food Premises (1993).
 48. Any cooling tower is to be registered with Council and installed and maintained in accordance with the Public Health (Microbial Control) Regulation 2000.
 49. All clinical waste generated by the development is to be disposed of at an appropriate licensed facility.
 50. Submission of an annual Fire Safety Certificate in accordance with the provisions of the Environmental Planning and Assessment Regulations 2000.
 51. The residents of the development are to be restricted to those permitted by State Environmental Planning Policy No. 5.
 52. An acoustic barrier 2.4m high to be erected along the western boundary with the adjoining industrial land with presentation of this to be made to the satisfaction of the Director of Environment and Development.
- B.** Council write to the local bus operators and the Minister for Transport requesting that they "provide a more frequent service in this locality and to consider providing wheelchair accessible buses on all routes".
- C.** Council make submissions to the Minister of Planning for the levying of Section 94 contributions on this development in accordance with Council's Section 94 contributions Plan Review September 2001.
- D.** Council, as a policy, advise that it does not favour the use of SEPP 5 for development of industrial land and seek a report from Department of Planning on how this can be enacted by amendments to the Local Environmental Plan.
- E.** Council actively lobby and write to WSROC, DUAP and the Greater Western Sydney Development Board in relation to SEPP 5.

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An amendment was moved by Councillor Calvert seconded by Councillor Paine

That:

- A.** The application for proposed housing for older persons or people with a disability 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 and any supportive documentation, except as otherwise provided by the conditions of this consent.

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

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
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5. The 30 (thirty) space carpark behind the community hall is to be amended such that the dimensions of the car spaces are not less than 6m long by 3.2m wide with an aisle width of not less than 5.7m.
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included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.

7. Creation of the right of carriageway over Lot 1 DP 833495 for the western driveway.
8. Details, and where necessary amended plans, demonstrating that the proposed works comply with the Building Code of Australia; Clause 13A of State Environmental Planning Policy No. 5; and the findings and recommendations of *Noise Assessment for Proposed Retirement Village Development 16 Beaumont Ave, North Richmond*, prepared by RSA Acoustics dated August 2000 and *Traffic Impact Assessment of Proposed Retirement Village, 16 Beaumont Avenue, North Richmond*, prepared by Christopher Hallam & Associates Pty Ltd dated September 2001, except where modified by conditions of consent, are to be submitted to the Principle Certifying Authority for approval.
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Prior to Commencement of Works

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

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29. All demolition, construction and associated work necessary for filling and construction being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.
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31. 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.
32. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
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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.

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39. The depth of the pool shall be prominently indicated at the deep and shallow ends by permanently fixed markers above the water line or, in the case of above-ground pools, on the outside of the pool.
40. A warning notice (incorporating resuscitation techniques) complying with the requirements of Section 17(1) and Regulation 8 of the Swimming Pools Act, 1992, shall be provided and maintained in a prominent position in the immediate vicinity of the pool.
41. Payment of Section 94 contributions as determined by the Minister of Planning.

The Use of the Site

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43. A bus service is to be provided for the use of the residents of the development in accordance with the provisions of Clause 12 (2) (b) of State Environmental Planning Policy No. 5.
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45. The pool must comply with Department of Health NSW Public Swimming Pool and Spa Pool Guidelines, June 1996.

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46. The pool is to be fenced in accordance with Swimming Pool Act 1992.
47. The kitchen in the Community Hall is to be registered with Council and have inspections conducted by Council Officers as required. The premises are to comply with the Food Safety Standards 2000 and Council's Code for the Construction and Fitting out of Food Premises (1993).
48. Any cooling tower is to be registered with Council and installed and maintained in accordance with the Public Health (Microbial Control) Regulation 2000.
49. All clinical waste generated by the development is to be disposed of at an appropriate licensed facility.
50. Submission of an annual Fire Safety Certificate in accordance with the provisions of the Environmental Planning and Assessment Regulations 2000.
51. The residents of the development are to be restricted to those permitted by State Environmental Planning Policy No. 5.
52. An acoustic barrier 2.4m high to be erected along the western boundary with the adjoining industrial land with presentation of this to be made to the satisfaction of the Director of Environment and Development.
- B.** Council write to the local bus operators and the Minister for Transport requesting that they "provide a more frequent service in this locality and to consider providing wheelchair accessible buses on all routes".
- C.** Council make submissions to the Minister of Planning for the levying of Section 94 contributions on this development in accordance with Council's Section 94 contributions Plan Review September 2001.
- D.** Council, as a policy, will not allow the use of SEPP 5 for development of industrial land and seek a report from DUAP on how this can be enacted by amendments to the Local Environmental Plan.
- E.** Council actively lobby and write to WSROC, DUAP and the Greater Western Sydney Development Board in relation to SEPP 5.

This is Page of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 February 2002.

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The amendment was lost

The foreshadowed motion was put and carried.

3: Alterations and Additions to Existing Mushroom Compost Facility Lot 12 DP736138 and Lot 4 DP610341 84 and 112 Mulgrave Road, Mulgrave (M923/01/EVD/ENA29NAX.V05)

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

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

That the application for alterations and additions to an existing mushroom compost facility at 84-112 Mulgrave Road, Mulgrave be approved as a deferred commencement consent subject to the following conditions:

- A.** Upon compliance with the condition appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this “Deferred Commencement” consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
- B.** The “Deferred Commencement” consent will lapse in 6 (six) months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

Schedule 1

Submission of documentary evidence from the Environment Protection Authority indicating their approval of the proposed odour control system and noise attenuation measures.

Schedule 2

General

- 1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans Drawing Number 10/SD116B(2) Sheets 1 and 4, 10/SD116B Sheets 2, 3 and 5 and to 5, DNC-FL01 Issue 5, DNC-XC01 Issue 3, DNC-WT01 Issue 3 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 Construction Certificate.

Prior to Issue of Construction Certificate

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

4. The submission of engineering designs and calculations covering all works required by this consent.
5. Details demonstrating that the proposed works comply with the Building Code of Australia are to be submitted.
6. Submission of an Environmental Management Plan for approval by Council. The EMP shall be prepared in accordance with the provisions of the *EIS Guideline Composting , Department of Urban Affairs and Plan, September 1996* and any relevant EPA guidelines.
7. Submission of final details of the proposed chimney and bio-scrubber and associated odour modelling demonstrating that the proposed system will comply with EPA criteria.
8. Submission of details demonstrating that the final design and operation of the facility will comply with EPA noise criteria.

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Prior to Commencement of Works

9. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
10. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
11. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.
12. 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.
13. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
14. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994.

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15. All building work must be carried out in accordance with provisions of the Building Code of Australia.
16. All fill to be compacted by truck rolling or similar to a standard suitable for the end use.
17. The modification of any site drainage made necessary by the filling is to be carried out to the satisfaction of Council. Flows from the site are not to be re-directed onto adjoining properties.
18. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
19. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
20. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
21. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
22. All material to be used for the purposes of landfilling is to be free of any contaminants or toxic material and is to consist only of virgin excavated natural material.
23. Analytical reports are to be submitted to Council for all material imported to the site for the purposes of landfill. Such reports are to contain full details of the material's origin, soil and chemical composition, and quantity. Appropriate documentation is to be submitted to Council prior to importation of the material.
24. All demolition, construction and associated work necessary for filling and construction being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.
25. No burning of demolition or construction material being carried out on the site.

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26. 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.
27. 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.
28. Details of the amount, origin and distance of filling material travelled on local roads is to be submitted to Council in accordance with Council's Section 94 Contribution Plan. Payment at a rate of 3 cents per tonne per kilometre of fill transported on local roads to the site will be required. A copy of the Contributions Plan may be inspected at Council Offices. Final payment is to be made to Council within 30 days of the finalisation of filling.

The Use of the Site

29. All sound producing plant, equipment, machinery, fittings, and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises to within the limits prescribed by the Noise Control guidelines.
30. The top of the chimney shall not be greater than 30m above finished ground level.
31. The facility is to operated in such a manner as to comply with EPA criteria for the emission of noise and odour.
32. The facility to is be operated in such a manner as to not interfere with the amenity of the neighbourhood, in respect of noise, vibration, smell, dust, waste or waste products, or otherwise.
33. The 24 hour operation as described in the Schedule of Operations submitted with the application is for a trial period of 12 (twelve) months from the start of the said operations. This period may not commence until the enclosure works are completed to the satisfaction of the Director of Environment and Development. During and at the end of the 12 (twelve) month period Council will examine the performance of the facility with respect to compliance with EPA noise criteria and the predictions made in the noise planning assessment submitted with the application. The operator of the site is advised that

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additional noise monitoring/modelling may be required to be submitted in order to demonstrate such compliance.

An amendment was moved by Councillor Williams seconded by Councillor Woods

That the application for alterations and additions to an existing mushroom compost facility at 84-112 Mulgrave Road, Mulgrave be approved as a deferred commencement consent subject to the following conditions:

- A.** Upon compliance with the condition appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this “Deferred Commencement” consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
- B.** The “Deferred Commencement” consent will lapse in 6 (six) months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

Schedule 1

Submission of documentary evidence from the Environment Protection Authority indicating their approval of the proposed odour control system and noise attenuation measures.

Schedule 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans Drawing Number 10/SD116B(2) Sheets 1 and 4, 10/SD116B Sheets 2, 3 and 5 and to 5, DNC-FL01 Issue 5, DNC-XC01 Issue 3, DNC-WT01 Issue 3 and any supportive documentation, except as otherwise provided by the conditions of this consent.

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

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

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

Prior to Issue of Construction Certificate

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

4. The submission of engineering designs and calculations covering all works required by this consent.
5. Details demonstrating that the proposed works comply with the Building Code of Australia are to be submitted.
6. Submission of an Environmental Management Plan for approval by Council. The EMP shall be prepared in accordance with the provisions of the *EIS Guideline Composting , Department of Urban Affairs and Plan, September 1996* and any relevant EPA guidelines.
7. Submission of final details of the proposed chimney and bio-scrubber and associated odour modelling demonstrating that the proposed system will comply with EPA criteria.
8. Submission of details demonstrating that the final design and operation of the facility will comply with EPA noise criteria.

Prior to Commencement of Works

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

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10. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
11. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.
12. 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.
13. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
14. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994.

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15. All building work must be carried out in accordance with provisions of the Building Code of Australia.
16. All fill to be compacted by truck rolling or similar to a standard suitable for the end use.

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17. The modification of any site drainage made necessary by the filling is to be carried out to the satisfaction of Council. Flows from the site are not to be re-directed onto adjoining properties.
18. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
19. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
20. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
21. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
22. All material to be used for the purposes of landfilling is to be free of any contaminants or toxic material and is to consist only of virgin excavated natural material.
23. Analytical reports are to be submitted to Council for all material imported to the site for the purposes of landfill. Such reports are to contain full details of the material's origin, soil and chemical composition, and quantity. Appropriate documentation is to be submitted to Council prior to importation of the material.
24. All demolition, construction and associated work necessary for filling and construction being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.
25. No burning of demolition or construction material being carried out on the site.
26. 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.
27. 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;

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- (c) consent number and date of approval; and
- (d) approval duration of site works.

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

The Use of the Site

29. All sound producing plant, equipment, machinery, fittings, and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises to within the limits prescribed by the Noise Control guidelines.
30. The top of the chimney shall not be greater than 30m above finished ground level.
31. The facility is to operated in such a manner as to comply with EPA criteria for the emission of noise and odour.
32. The facility to is be operated in such a manner as to not interfere with the amenity of the neighbourhood, in respect of noise, vibration, smell, dust, waste or waste products, or otherwise.
33. The 24 hour operation as described in the Schedule of Operations submitted with the application is for a trial period of 12 (twelve) months only to be allowed to commence after a 3 (three) month period of operation with normal hours which proves satisfactory with respect to noise and odour. This 12 (twelve) month period may not commence until the enclosure works are completed to the satisfaction of the Director of Environment and Development. During and at the end of the 12 (twelve) month period Council will examine the performance of the facility with respect to compliance with EPA noise criteria and the predictions made in the noise planning assessment submitted with the application. The operator of the site is advised that additional noise monitoring/modelling may be required to be submitted in order to demonstrate such compliance.

The amendment was lost

The motion was put and carried.

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4: Request to Modify Development Consent - Lot 12 DP 834771, No. 99 Gadds Lane, Kurmond (DA154/95/EVD/ENA29NAX.V10)

13 RESOLVED on the motion of Councillor Calvert seconded by Councillor Conolly

That the request to modify consent at No. 99 Gadds Lane, Kurmond be approved subject to the following conditions:

1. The approval is for Fridays, Saturdays and Public Holidays 12noon to 10.30pm, Sunday to Thursday, during daylight saving time 12noon to 8.00pm and outside of daylight saving time, 12noon to 5.00pm.
2. The applicant is to comply with condition 7. of DA154/95.
3. The applicant is to comply with condition 2. of DA154/95.
4. The applicant is to comply with condition 17. of DA154/95.
5. Condition 16. of DA154/95 be omitted.
6. An additional condition of consent be added as follows:
 18. *Prior to the function hall being used for extended hours, a waste water feasibility study prepared by a suitably qualified consultant shall be submitted to Council for approval. The study is to specifically examine the capacity of the existing system and land to cater for the on site disposal of waste water generated by the development and any augmentation works. Any augmentation works will require separate approval from Council. All augmentation works are to be completed prior to the function hall being used for the extended hours.*
7. The existing winery sign at the entry into Gadds Lane be modified to indicate either hours of operation or open/close status, with appropriate wording to be determined by Council staff.

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**5: Application to Modify Designated Development Consent for an Existing Waste Management Facility at 723 -729 George Street, South Windsor
(DA194/96/EVD/ENA29NAX.V11)**

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

That the application to modify the consent be approved and the consent be modified by deleting Part A and Conditions 1. to 40. and deleting Part B, and inserting the following conditions:

1. The development being carried out in accordance with Drawing No. 25842P/CO4 Amendment A, dated July 1996, Environmental Impact Statement dated August 1996, additional information dated 7 March 1997, Drawing No. 25842P/CO5 Amendment C dated 29 August 1997, Drawing 25842P/C6 dated November 2000 and noted "Clean compactable clay from cells top soiled and seeded", additional information March 1998 and referenced 25842Q/1-A, additional information dated 1 June 1998, Statement of Environment Effects prepared by Berzins Environmental Planning Pty Ltd dated June 2001, letter from Berzins Environmental Planning Pty Ltd dated 1 November 2001 and plan referenced Job No. 2001122/4 Sheets 1 of 2 dated 2 November 2001 and 2 of 2 dated 29 October 2001 except where altered by conditions of consent.
2. The area to be filled being limited to the area identified as Stage 1 and Stage 2. The filling of the cells in Stage 2 is not to exceed 2.5 metres deep. The floor of the cells shall be compacted and graded to drain toward a sump which is located at the south west or north west corner of the cell. In each case, the sumps are to be located at the outside edge of the site so as not to interfere with operations. The sump shall be 50cm deeper than the nearby floor and filled with crushed drainage aggregate. The riser from this sump shall be constructed such that it has an inner pipe for sampling and if need be, pumping out and an outside pipe with the space in between filled with coarse drainage materials. The top of this drainage material shall be sealed with a clay cap and the central bore capped with a cover plate. The digging of the cell and the construction of the sump and riser shall be a hold point on the operation and shall be inspected by a Council Officer prior to any filling of the cell commencing.
3. All works for Stage 2 being completed within 10 (ten) years of the date of this approval. Where filling of this cell is completed sooner, rehabilitation shall commence immediately on completion of filling and be finalised within 6 (six) months.
4. Erosion and sedimentation control devices including sedimentation pond and runoff control drain shall be maintained during construction and ongoing operations.

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5. A modified licence being obtained from the Environment Protection Authority prior to any work commencing upon Stage 2.
6. All necessary works being carried out to ensure that stormwater flow from adjoining properties is not impeded.
7. All trucks arriving or leaving the site shall have their loads/trays suitably covered to prevent spillage from the truck onto the road.
8. Council reserves the right to impose a condition to have a mechanism installed whereby wheels of trucks leaving the site are washed to minimise dust and debris being deposited on roads, however, it shall monitor the operation for 3 (three) months without such a facility to ascertain whether such is required.
9. Dust control measures, eg vegetable cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas. Dust control measures shall also be applied to the existing fill on No. 729 George Street, South Windsor.
10. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, casement or natural watercourse.
11. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
12. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
13. A qualified Bush Regenerator shall be engaged to specify and supervise all revegetation works.
14. All general stormwater shall be diverted around the work site other than any controlled inflow to maintain water levels within the work site.

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15. All water falling on or contained within the work site shall be retained within the work site and not permitted to leave the site otherwise in accordance with a license issued by the EPA.
16. The erection of truck warning signs with distance plates located 200m on approved sites to the access to the development.
17. The payment of a bond or bank guarantee of \$10,000.00 (ten thousand dollars) for rehabilitation and restoration of the landfill operation in Stage 1 of the development. Should the plan of rehabilitation not be carried out in accordance with the plan, this money will be used for such work. The performance bond for rehabilitation of the site will be reviewed annually with a review of the conditions of consent.
18. The payment of a bond or bank guarantee of \$20,000.00 (twenty thousand dollars) for rehabilitation and restoration of the landfill operation for Stage 2 of the development. This bond shall be available for Council to call upon to undertake reasonable works that it considers that the operator has not undertaken. Should the amount of the bond be reduced by expenditure the operator shall, within 30 (thirty) days of being advised, provide additional funds to bring the bond back to its original \$20,000.00 (twenty thousand dollars). NB: The bond monies in above Conditions 16. and 17. shall be released back to applicant, upon satisfactory completion of all rehabilitation works, as verified in final environmental impact prediction verification report.
19. The burying of tyres is prohibited.
20. The landfill operation is to be undertaken in only one cell at any one time with each cell being covered and rehabilitated once filled.
21. Approval is not granted for the stockpiling and/or shredding of green waste.
22. Only inert waste to be used to fill the cells.
23. Submission of an annual environmental management report outlining the environmental performances of the proposal to be prepared by an appropriately qualified consultant.
24. Batter slopes of the landfill are not to exceed 1 in 6.
25. All fill to be adequately compacted by track rolling or similar.

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26. The landfill site shall be secured to prevent the depositing of any unauthorised material.
27. Dewatering of the landfill and satisfactory disposal of any leachate found to be accumulating in the cells.
28. Measures to control use of fertiliser within 50 (fifty) metres of the creek and to prevent seepage of nutrients into the creek.
29. No top soil, clay or natural earth substances are to be removed from the site.
30. Operating hours shall be limited to 6am to 4.30pm Mondays to Fridays and 8am to 1pm on Saturdays.
31. The site shall be filled to a level no greater than the existing fill on the adjacent property, No. 729 George Street, Windsor. Upon completion of the landfill, a surveyor's certificate shall be submitted confirming the height of the fill.
32. An environmental impact prediction verification report prepared by an independent consultant shall be submitted to the Council, the EPA and, upon request, to any other relevant government agency at 12 (twelve) months after commencement and at the end of each year of the life of the project and 6 (six) months after completion of rehabilitation works. The report shall be prepared at the proponent's expense and shall assess the key impact predictions made in the EIS and any supplementary studies and detail the extent to which actual impacts reflect the predictions. Suitability of implemented mitigation measures and safeguards shall also be assessed. It shall also assess compliance with any Environmental Management Plan. The report shall also discuss results of consultation with the local community in terms of feedback on the project and on any of the issues of concern raised. The proponent shall comply with all reasonable requirements of the Council or any relevant authority with respect to any measure arising from, or recommends of, the report.
33. Submission of a landfill environmental management plan (LEMP) for the Stage 2 landfill and recycling operation shall be submitted prior to commencement of filling and material screening. The LEMP is to be prepared in accordance with the provisions of *EIS Guidelines Landfilling, Department of Urban Affairs and Planning, September 1996*.

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6: Guidelines for the clearing of noxious weeds, environmental weeds and vegetation not included within Council's Tree Preservation Order (P243/1295/EVD/ENA29NBX.V01)

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

That:

- A.**
- (i) The approvals process and guidelines for the removal of noxious weeds, environmental weeds and vegetation specified as not listed within Council's Tree Preservation Order be introduced and operate under the process outlined within this report.
 - (ii) The new approvals process and guidelines be advertised through the local media to local residents and in particular to local contractors involved in the removal of vegetation.
- B.** Discussions take place with Hawkesbury County Council as to the proposed guidelines and processes and those discussions to be reported back to Council.

7: Windsor Leagues Club Rodeo Test Event - 15 December 2001 - Lot 1, DP879466, No. 698 George Street, South Windsor (MA1470/01/EVD/ENA29NBX.V08)

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

That Council's Solicitors be instructed to prosecute Windsor Leagues Club for non-compliance with Conditions of Development Approval MA1470/01 for a Rodeo Test Event.

8: Proposed Amendment to Hawkesbury LEP 1989 - Lot 2, DP1015308 Chapel Street, Richmond (Hawkesbury Village) (LEP002/01/EVD/ENA29NBX.V09)

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

That Council endorse the draft Local Environmental Plan as exhibited and all appropriate steps now proceed for gazettal of the draft Plan.

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**9: Lot 8 DP1011475, No. 36 Bosworth Street, Richmond
(MA174/01/EVD/ENA29NCX.V06)**

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

That the information be received.

Infrastructure

**1: Closure of Laneway Off Sirius Road (1954/R Pt2,
GR080/069/ENG/INA29NBX.E02)**

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

That formal procedures be commenced to close the laneway between Lots 81 and 82 (DP709025).

**2: Chaseling Road, Leets Vale - Renaming Proposal (0327/R
Pt2/ENG/INA29NBX.E01)**

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

That:

1. The southern section of Chaseling Road running from Bicentenary Road to the northern end of DP216152 continue to bear that name; and
2. Public comment be sought regarding naming of the northern section of Chaseling Road running from Webbs Creek Road to "Del Rio", as Ireland Road.

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Organisation and Resources

1: Monthly Financial Report - November and December 2001
(GF011/005/FNC/OGA29NAX.F08)

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

That the information be received.

2: December 2001/January 2002 Emergencies (GG021/34
Pt3/GMA/OGA29NAX.G04)

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

That the information be received.

3: Hawkesbury Museum (P2021/40 Pt2/GMA/OGA29NAX.G02)

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

That the report be received.

4: Alfresco Dining - Thompson Square, Windsor (GC283/134 PT3//OGA29NBX.C01)

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

That:

1. The Alfresco Dining License Agreements be renewed with Bridge Cafe, Windsor Seafoods, Dalala and Roderick Storie Solicitor, providing an allocation of space on the decking consistent with building alignments.

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2. The Alfresco Dining License Agreements for the decking area in front of Shops 74 and 80 be approved and the seal of Council affixed.
3. The additional decking 1m wide and the extension 1.2m to the south be provided.

5: Community Cultural Grants (G021/218/CSV/OGA29NBX.C05)

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

That:

1. The Hawkesbury Fiddle Festival be encouraged to reapply with a scaled-down event.
2. The Scheyville Video Project be directed towards other sources of support.
3. A grant of \$1,000.00 (one thousand dollars) be made to the Hawkesbury City Pipe Band.

**6: Councillor Representation on Board of Peppercorn Services Inc.
(GC150/019/CSV/OGA29NBX.C07)**

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

That:

1. The information be received.
2. Council nominate a Councillor delegate to sit on the Board of Peppercorn Services Inc.
3. The nomination of a Councillor delegate be deferred to the next Ordinary meeting.

Councillor Paine was nominated as a delegate and elected to the position.

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7: Acquisition for Road Purposes - Lot 82 in Deposited Plan 751656 being 1009 East Kurrajong Road, East Kurrajong (GC281/080/CSV/OGA29NBX.C06)

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

That:

1. An area of approximately 928sqm be acquired from 1009 East Kurrajong Road, East Kurrajong (Lot 82 in DP 751656) for road purposes for the sum of \$1,500.00 (one 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.

**8: Aboriginal Community Development Program - Update
(GA010/001/CSV/OGA29NCX.C03)**

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

That the information be received.

Supplementary Reports

9: Aquatic Festival Australia (GF008/001 PT26/CSV/OGA29LCX.C09)

Councillor Rasmussen declared an interest as Director of Hawkesbury Radio.

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

That Council support the Aquatic Festival by waiving the exclusive use fee for this years event.

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SECTION 4 - REPORTS FOR DETERMINATION

3: Quarterly Review as at 31 December 2001 (GF003/004
PT1/FNC/ORB12NBX.F09)

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

That the quarterly review of the 2001/2002 Management Plan and Financial Statement for the period ending 31 December 2001 be adopted.

4: Homelessness (GC130/001/GMA/ORB12NAX.G01)

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

That:

1. The information be received.
2. The issue of homelessness to be placed on the agenda for the Strategic Planning Weekend.

5: Documents for Execution Under Seal (GC283/031, GC283/152
PT1/CSV/ORB12NBX.C02)

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

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

1. Licence Agreement for Juleves Cafe, 22 Fitzgerald Street, Windsor to Mr Peter Reginald and Mrs Kerrie Anne Graham.
2. Retail Lease for Shop 6, Glossodia Shopping Centre to Mr and Mrs Betteridge.
3. Intervention Support Program - Offer of Acceptance 2002 from the Department of Education for funding assistance to Forgotten Valley Pre-School.

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4. Retail Lease for Shop 7, Hobartville Shopping Centre to Miss Maree Watterson.
5. Easement for electricity at the South Windsor sewage treatment facility to Inegral Energy.

6: Tenders for the Construction of a Flood Evacuation Route Along a Section of Old Stock Route Road (GT20/423/ENG/ORB12NBX.E10)

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

That:

1. The tender in the amount of \$443,350.33 (four hundred and forty three thousand three hundred and fifty dollars and thirty three cents) submitted by J K Williams Contracting Pty Ltd for the construction of a Flood Evacuation Route along a section of Old Stock Route Road, between Pitt Town Dural Road and Old Pitt Town Road, Scheyville, be accepted.
2. The seal of Council be affixed to any contract documentation.

7: Construction of Kerb and Gutter in Boomerang Drive, Glossodia - Tender Number 012002 (GT020/421/ENG/ORB12NBX.E08)

Councillor Williams advised that his brother works for Hawkesbury Excavations

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

That the tender submitted by Hawkesbury Excavations Pty Ltd in the amount of \$189,255.50 (one hundred and eighty nine thousand two hundred and fifty five dollars and fifty cents) for the construction of kerb and gutter in Boomerang Drive, Glossodia be accepted and be executed under Seal of Council.

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SECTION 5 - REPORTS FOR INFORMATION

8: Reports Requested by Council - Status as at 11 December 2001 (GC280/005 PT03/CSV/ORB12NCX.C03)

35 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the information be received.

9: Land Adjoining McMahons Park, Kurrajong (PK007 PT5/CSV/ORB12NCX.F04)

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

That the information be received.

10: Letter from Companion Animals Advisory Board (GE020/002 PT8/EVD/ORB12NCX.V06)

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

That the information be received.

SECTION 6 - REPORTS OF COMMITTEES

Hawkesbury Economic Development Advisory Committee - 6 December 2001

38 RESOLVED on the motion of Councillor Allan and seconded by Councillor Gilling that the Minutes of the Hawkesbury Economic Development Advisory Committee meeting held on 6 December 2001 as recorded on Pages 59 to 61 be received.

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Hawkesbury City Awards Committee - 12 December 2001

- 39 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury City Awards Committee meeting held on 12 December 2001 as recorded on Pages 62 to 63 be received.

Heritage Advisory Committee - 13 December 2001

- 40 RESOLVED on the motion of Councillor Finch and seconded by Councillor Rasmussen that the Minutes of the Heritage Advisory Committee meeting held on 13 December 2001 as recorded on Pages 64 to 66 be received.

Hawkesbury Healthy Cities - 13 December 2001

- 41 RESOLVED on the motion of Councillor Woods and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury Healthy Cities meeting held on 13 December 2001 as recorded on Pages 67 to 69 be received.

Local Traffic Committee - 18 January 2002

- 42 RESOLVED on the motion of Councillor Davies and seconded by Councillor Rasmussen that the Minutes of the Local Traffic Committee meeting held on 18 January 2002 as recorded on Pages 70 to 74 be adopted.

QUESTIONS WITHOUT NOTICE

1. Councillor Finch referred to the dumping of rubbish in the Lowlands in Richmond and requested that an inspection be carried out as it had been reported to her that residents were dumping rubbish such as grass clippings on the side of the road.

The Director of Environment and Development advised that the area would be inspected.

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2. Councillor Paine requested an inspection of Crooked Lane, North Richmond as it has been reported to her that it is in a bad state of repair.

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

3. Councillor Paine requested an update relative to the matter of approximately fifty garbage bins in a row at St Albans and enquired if arrangements had been made to have them placed outside the appropriate residence.

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

4. Councillor Paine referred to a letter received from Mr Robinson in relation to St Albans Road and asked that a copy of the reply be circulated to all Councillors.

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

5. Councillor Paine requested an update on the Old Hospital site.

The General Manager advised that a tender had been put out for the restoration of the main building which would be reported in March 2002 for Council's approval and the architect is working on the designs for the new building. He also advised that there was strong interest in the Johnston Wing and interest in the old building. The General Manager pointed out that the museum will be an entirely new project and he understood from discussions with the Ministry of the Arts that it would be the first contemporary purpose built museum in the State of New South Wales.

6. Councillor Paine requested a report on costing and the feasibility of opening the Mall between Baker Street and Kable Street, Windsor.

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

7. Councillor Allan referred to the parking under Kable Street, Medical Centre and enquired when increased parking would be provided.

The Director of Asset Services and Recreation advised that he would follow up this matter.

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8. Councillor Allan referred to the Hollands Carpark meeting which was scheduled for Tuesday 19 February 2002 and requested clarification as to the format of the meeting, whether it was a public meeting and if members of the public were able to address Council. She also asked if there would be a facilitator in attendance and what methods of advertisement had been used.

The Mayor advised that it was a public meeting with an opportunity for the applicant to explain his proposal and for the residents to provide feedback and make comments. He further advised that he would chair the meeting. The Director of Environment and Development confirmed that the meeting had been advertised in the paper and approximately 380 individual letters were sent out to land owners surrounding Hollands Paddock.

9. Councillor Williams asked for clarification that no part of Buttsworth Lane, Wilberforce is part of the land which is to be sold at Hawkesbury Heritage Farm.

The General Manager advised that it was not possible to sell a public road unless a separate decision was made. He could not confirm that the land did not encroach on the road or that the road did not encroach on the land as he was unaware of the situation.

10. Councillor Williams referred to correspondence received from DLWC asking for permission to display the new Hawkesbury Nepean Catchment Blueprint in the Council Foyer.

The Director of Environment and Development advised that the correspondence had been received by Council and dealt with.

11. Councillor Conolly asked for an update relative to water testing in South Creek, indicating that an allocation had been put aside two budgets ago for the purposes of testing and Council had been subsequently informed that it was not necessary as testing was being carried out by the EPA.

The Director of Environment and Development advised that a request had been sent to the Department of Land and Water Conservation regarding Council testing South Creek and the advice from DLWC was that it was not necessary as sufficient testing had been carried out by DLWC, EPA, Sydney Water, Blacktown Council and other councils. He advised that the results of the tests are available on the DLWC website which also includes results of tests carried out by multiple agencies. He also advised that the testing extends the full length of South Creek and includes the testing that Council carries out in the river in front

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of South Creek and the compilation of that information demonstrates that South Creek is of very poor quality and the primary source appears to extend beyond Council boundaries into neighbouring areas.

Councillor Conolly requested a report summarising the information.

The Director of Environment and Development advised this would be provided. The General Manager referred to the Statement of Joint Intent issued by the Government as a result of the Healthy Rivers Commission Inquiry and explained that it is an attempt to co-ordinate the water quality issue plus a number of other issues in the Hawkesbury Nepean River System.

12. Councillor Rasmussen referred to the Yarramundi Bridge and the undertaking by the Director of Asset Services and Recreation to follow up with noise reductions measures and the connection of cable power rather than diesel power to run the lights at the Bridge.

The Director of Asset Services and Recreation advised that he was having difficulty with the RTA and was in the process of formalising the request in a letter to the RTA.

13. Councillor Rasmussen enquired as to the results of the survey conducted by the RTA on relative to options for the new Yarramundi Bridge and asked if they were available for the public.

The Director of Asset Services and Recreation advised that he had not seen the results and he believed there was a funding assessment taking place and answers would then be forthcoming.

14. Councillor Rasmussen referred to the cabled area at Yarramundi and advised that the cable had been broken for approximately a week and a half and, as a result of which, there was a build up of dumped rubbish such as fridges and televisions etc. He enquired if the cable was to be repaired and if there was a more substantial non-destructive fencing option.

The Director of Asset Services and Recreation advised that the cable would be fixed and that trenches had been placed behind the cable in an attempt to reinforce the desire to keep people out. He advised that the matter of the dumping of rubbish would be referred to the RID Squad.

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15. Councillor Rasmussen requested an update on the RAAF Economic Impact Study.

The General Manager advised that the consultants were coming here some time this week.

16. Councillor Rasmussen enquired if a date had been set for the fire debriefing.

The General Manager advised that there had been a number of debriefs, one of which was taking place tonight, 12 February 2002 and the District Committee debrief was on Thursday 14 February 2002 and he was unaware of any other dates.

17. Councillor Rasmussen enquired about the property in Macquarie Street, Windsor, owned by Mr Yannakouros, becoming available for Council to acquire and enquired if there was a decision not to purchase it as it was not a strategic block and if that was the case, had the decision been made by the Hospital Steering Committee.

The General Manager advised that the Hospital Steering Committee is a project management team of staff and the matter of purchasing that property will be reported to Council. The Mayor advised that the property that Council did resolve to purchase was looked at as an investment property which has long term leases and was returning an extremely good rate of return and the same analysis would need to be made on other properties.

18. Councillor Rasmussen enquired about the new museum building and whether it would impact the carparking at the rear of Thompson Square.

The General Manager indicated that it may have an impact, however, overall there would not be a loss of parking. The Mayor advised that there is a proposal to create additional parking towards the river on the other side of the building.

19. Councillor Rasmussen enquired when the plans for the new museum may be ready and if Council was intending to hold a competitive process for the design of the museum.

The General Manager advised that discussions had recently taken place with National Conservation Service who were putting together a presentation of a contemporary museum and there had also been discussions with the architect with plans likely to be ready in two to three months after which a Development Application would need to be lodged. He advised that in relation to the design process, the current architect's brief was to be extended.

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20. Councillor Rasmussen sought confirmation that the grant from the State Government for the new museum is a dollar for dollar grant and enquired if there had been an increase in the amount that Council had planned to put into the museum.

The Mayor advised that it was a dollar for dollar grant and that there had been no increase in the amount.

21. Councillor Rasmussen referred to a flood mitigation meeting which was to take place at Penrith on Friday 15 February 2002 and enquired if Council were to attend the meeting.

The General Manager advised that he believed that meeting was for the media and the SES would attend Council at the next General Purpose Committee meeting to provide the same briefing.

22. Councillor Rasmussen enquired about a meeting comprising the Vineyard residents, the Council, the Local Member and others relating to the scheduled lands at Vineyard and enquired if Hawkesbury City Council would be attending. If so, he requested that a report be provided.

The Director of Environment and Development advised he was unaware of the details. The General Manager advised that the scheduled land was part of Blacktown Council. The Director of Environment and Development advised that the Vineyard Action Group were to contact Council when they wished to have a meeting after Blacktown Council had exhibited their plan for scheduled lands. The General Manager advised that he recalled Mr Kevin Rozzoli had enquired recently if Council would attend such a meeting, to which he indicated Council would attend.

23. Councillor Davies requested a written update relative to the van parked on the corner of Bosworth Street, Richmond.

The General Manager advised that a report would be provided.

24. Councillor Davies requested an update relative to alternative sites for tanker filling points in Kurrajong.

The Director of Asset Services and Recreation advised that there was nothing to report at this stage, although discussions had taken place with Allan Bringwood from Sydney Water and they were reliant on Council to find the site then a costing would be provided to extend the main to suit that site.

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25. Councillor Calvert reported that he had been informed that shopkeepers at South Windsor had approached Council staff to have the footpaths cleaned and were advised that there were no funds available for such cleaning. He enquired if there had been a misunderstanding as it was a one-off guernsey of the footpath that had been requested.

The Director of Asset Services and Recreation advised that this issue was discussed at the Mainstreet meeting the previous Monday wherein he indicated that Council supported Richmond Mainstreet last year to carry out cleaning and when asked about its condition now it was reported to be in a similar condition to that of prior to the cleaning. He advised that on the basis of the number of footpaths in main streets that would require cleaning, if it was done on a regular basis, there would not be sufficient funds available in the street cleaning budget to do that.

26. Councillor Calvert referred to the state of disrepair of Kurrajong Heights Lookout indicating it had been that way for some time as the concept was that the National Parks building may be erected on that site and the matter was put on hold until that decision was made. He requested that a report be provided outlining a proposal to upgrade the Lookout given that the National Parks building was to be erected on an alternate site.

The General Manager advised that the National Parks building was to be erected at the truckstop just west of Kurrajong Heights and that a report would be provided.

27. Councillor Calvert enquired if a date had been set for the opening of the Kurrajong Heights Bushfire Shed.

The General Manager advised that a date had not been set and the Minister had advised that he would be happy to attend an opening at any convenient time. He also advised that he would follow up this matter with the Fire Control Officer.

28. Councillor Sheather referred to the street program and asked that the section the full length of the shops at South Windsor be included to be assessed, as the road surface was in a bad condition.

The Director of Asset Services and Recreation advised that it would be included for consideration in next years reconstruction program.

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29. Councillor Sheather referred to correspondence from Graham & Associates and enquired if they could be considered among the consultants to prepare the plan of management for Yarramundi Reserve.

The Director of Asset Services and Recreation advised that Mr Graham had been sent the information required to make a submission and submissions close this Friday, 15 February 2002.

30. Councillor Gilling referred to the access from the Terrace into Hollands Paddock and enquired about Council's liability if this was illegal.

The General Manager advised that he was not aware that it was illegal, but a question about whether it could be used as access for a commercial development without the Council changing classification to a commercial development

31. Councillor Gilling enquired if the signs had been moved by the RTA in the George Street, New Street, Suffolk Street area.

The Director of Asset Services and Recreation believed they had been moved however would investigate the matter.

32. Councillor Gilling requested a copy of the Agreement for the Windsor markets.

The General Manager advised that a copy would be provided.

33. Councillor Gilling referred to a property at 358 Kurmond Road, Kurmond on the corner of Creek Ridge Road, at a T intersection, and advised that the fence is continually being knocked down and, over the last three and a half years, had been repaired five times and asked for the Traffic Committee to look at ways of remedying the situation.

The Director of Asset Services and Recreation advised that he would look into this matter.

34. Councillor Gilling referred to a recent conversation with the General Manager relative to lucerne at McGraths Hill and requested an update.

The Director of Asset Services and Recreation advised that a contractor undertakes the total management with the exception of pricing of the final product and that it was managed as well as it could be, given the weather conditions.

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35. Councillor Paine referred to the Local Government conference in Broken Hill and asked to be provided with the date and details of any bookings arranged.

The General Manager advised that the information would be provided.

36. Councillor Rasmussen enquired if Council had executed the contract for the lease of Hollands Paddock Park advising that the Public Liability insurance had not been produced to the owners.

The General Manager advised that correspondence had been forwarded some time ago stating that the Public Liability insurance had never lapsed. The Director of Environment and Development advised that the Certificate of Insurance was forwarded in December and a response had not been received to the letter requesting the Contract be forwarded to Council. He advised that he had received verbal advice that day that a letter was being sent to Council.

The meeting terminated at 12.29am.

Submitted to and confirmed at the meeting of Council on 12 March 2002.

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Mayor