



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 12 March 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 March 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 John Thompson, from the Christian Outreach Centre, representing Hawkesbury Ministers Association, gave the opening prayer at the commencement of the meeting.

- 43A RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen that standing orders be suspended.

Councillor Finch introduced representatives from Tourism Hawkesbury, Mr Pat Finn and Miss Karina Groth who presented Council with an Award which Tourism had received.

Councillor Conolly representing Combined Christian Churches presented an award to Council staff for their efforts during the recent bushfires.

Councillor Sheather introduced Mr Patterson, who presented an Award to Council for the Sackville One-Up Ski Race which had been presented by Mr Craig Anderson of waterways.

- 44A RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Gilling that standing orders be resumed.

SECTION 1 - CONFIRMATION OF MINUTES

- 45 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch that the Minutes of the Ordinary Meeting of Council held on 11 February 2002 which have been circulated amongst members of the Council be confirmed.
- 46 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch that the Minutes of the Ordinary Meeting of Council held on 12 February 2002 which have been circulated amongst members of the Council be confirmed.

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- 47 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Woods that the Minutes of the Ordinary Meeting of Council held on 25 February 2002 which have been circulated amongst members of the Council be confirmed.

Mayoral Minutes

Hawkesbury Success at the Western Sydney Tourism Awards

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

That congratulations be extended to local tourism operators and Tourism Hawkesbury staff and members for their ongoing success in promoting our district as an important tourism destination and for their contribution to the local and regional economy.

Recovery Assistance - Bushfire Victims

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

That Council authorise expenditure for the provision of disposal facilities to assist the Kurrajong Rotary Club for properties directly impacted by the December/January bushfires where a state of emergency was declared, to a maximum of \$15,000 (fifteen thousand dollars) with these being expended by the authority of the Mayor and the General Manager and recovery sought from the state of emergency funding.

SECTION 2 - NOTICES OF MOTION

Notices of Motion

Councillors L Williams, C Paine, P Davies and D Finch

Bushcare Officer

- 50 RESOLVED on the motion of Councillor Williams seconded by Councillor Finch

That the position of Bushcare Officer be included in Council's 2002/2003 estimates.

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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.

4. The creation of easements to drain water over the site of drainage discharge from roads 4m wide and 10m long free of cost to Council.
5. Payment of a linen release fee of \$206.60. This amount is valid until 30 June 2002.
6. 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.
7. 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.
8. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
9. The creation of a restriction on use of land requiring that all development on the lots be confined to:
 - The recommendations of the flora and fauna report, prepared by Jason and Katarina Anderson, dated July, 2001 are to be carried out in full.
 - The recommendations of the geotechnical and water balance report prepared by Geotechnique Pty Ltd dated 16 July, 2001 are to be carried out in full.
 - Future dwelling siting and construction shall comply with "*Planning for Bushfire Protection*" prepared by Planning NSW and AS3959-1999 "*Construction of Buildings in Bushfire Prone Areas*".

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- All access roads are to have the following:
 - Minimum trafficable width 4m with a 1m strip on each side kept clean of bushes and long grass.
- Capacity sufficient to carry fully loaded firefighting vehicle.
- Minimum clearance of 4m to any overhanging obstructions, including tree branches.

10. The location of the house site, disposal and buffer areas are to be defined on the final plan of subdivision.
11. Provision of a gate allowing access between the two lots and East Kurrajong Road. In this regard, the location of the gate is to be discussed with Rural Fire Services - Bushfire Mitigation Officer, prior to its construction.

11: Tourist Facility - Installation of 3 (three) prefabricated cabins and conversion of an existing shed to a manager's residence, 1389 St Albans Road, Central MacDonald (MA1474/01/EVD/ENB26NAX.V06)

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

That this matter be dealt with under delegated authority, subject to satisfactory agreement being reached between the objectors and the applicant.

12: Truck Depot - Lot 492 DP751665, 42 Browns Road, Wilberforce (MA1066/01/EVD/ENB26NAX.V02)

Councillor Sheather declared an interest as his business is in competition with the applicant's business.

Councillor Paine declared an interest as the applicant is undertaking work for her.

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A motion was moved by Councillor Williams by Councillor Finch

That this application not be supported.

The motion was lost.

53 **RESOLVED** on the foreshadowed motion of Councillor Conolly seconded by Councillor Allan

A. That the application for a truck depot at 42 Browns Road, Wilberforce 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 WD and BL Wilson numbered 1027 (two sheets) dated September 2001 and Plan A) submitted with Development Application No. MA1066/01 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. No excavation or site works shall be commenced prior to the issue of the Construction Certificate for the required roadworks on Browns Road.
4. This consent only approves the storage of 1 (one) table top truck and 1 (one) concrete pump truck which is to be parked within the nominated shed and adjoining area.

Prior to Issue of Construction Certificate

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5. Under the provisions of the Roads Act 1973, the following works are to be approved by Hawkesbury City Council;
- Construction of Browns Road from and across Cobcroft Road to and across the entrance driveway to the site, any necessary drainage and ancillary works to make this effective.

Formal application for an Engineering Construction and Compliance Certificate to Hawkesbury City Council is required. Applicable fees will be in accordance with Councils adopted fees and charges.

6. Construction of civil works including road, drainage, access or sewer works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Asset Services and Recreation or an accredited certifier.

During Construction

7. All work described in Condition 5 is to be completed prior to occupation of the site for use as the truck depot. This work is to be carried out in accordance with the provisions of Hawkesbury DCP, Appendix E, Civil Works Specification.

Use of the Site

8. Movement of vehicles associated with the truck depot, including employees vehicles, are to occur only between the hours of 6am and 6pm, Monday to Saturday. The running of the truck engines is only permitted for 10 (ten) minutes prior to leaving the property and 5 (five) minutes upon return.
9. Loading and unloading of formwork, materials and machinery shall take place only between the hours of 7am and 6pm Monday to Saturday.
10. All items ancillary to the operation of the truck depot are to be stored within the shed or directly adjacent to the shed.
11. No washing or servicing (other than checking water levels and tyre pressures, and changing/checking oil, lubricants, coolants) of vehicles associated with the truck depot is to occur on site.

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12. All lubricants, coolants, oils etc are to be stored in bunded areas within the shed. Waste liquids are to be collected and disposed of to the satisfaction of Council.
13. Oil, lubricants, coolants and hydraulic fluid spills or stains are to be removed by an approved absorbent material and disposed of at an authorized waste depot. The absorbent material is to be kept in good supply at all times.
14. Trucks are to enter the property from the right and to exit the property to the left only via Cobcroft Road and Browns Road.
15. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood with respect to noise, vibration, odour, dust, waste water, waste products or otherwise.
16. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the current NSW EPA's Industrial Noise Policy, do not exceed 5dB(A) (LAeq) above background noise levels with respect to noise amenity of residential dwellings and associated outdoor areas.
17. Storage of chemicals and petrochemicals such as cleaners and oil shall be contained in an area using an approved bunding material at all times.
18. All internal access roads are to be constructed of an all weather surface, being either bitumen or concrete, and maintained at all times so as to minimise dust nuisance and tracking of mud off the property to Councils' satisfaction.
19. All materials except for peg bins are to be stored under cover.
20. Where possible, the trucks are to enter the site free of dust, sand, concrete residuals which have potential to pollute the air and the waterways.
21. The truck depot should not be used for storage of raw materials at any time.
22. There shall be no mechanical repairs, panel repairs, painting or sanding of vehicles, or parts thereof, permitted at the premises. Washing of vehicles is not to be conducted at the site.

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23. No operation of the business associated with the truck depot is to be carried out in the shed adjacent to the dwelling at the north west of the property. The parking of a small utility for the resident's personal use is permitted. It is required that the bobcat is stored at the truck depot.
 24. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
 25. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
 26. The premises shall not be used in any manner which may create objectionable noise under the provisions of the Noise Control guidelines, (Noise Control Act).
 27. A six month trial of this consent be carried out and re-reported to Council at the end of this period.
- B.** Should the applicant seek a redetermination, the application fee be waived.

13: Proposed Rezoning at Lot 342 DP1012378 - No. 261 Tennyson Road, Tennyson (P2002/912/EVD/ENB26NAX.V04)

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

That the application to rezone lot 342 DP1012378 - No. 261 Tennyson Road, Tennyson to allow a nine lot subdivision not be supported.

14: Hawkesbury Development Control Plan (DCP1/99/EVD/ENB26NBX.V08)

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

That:

1. The following chapters be adopted:

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Part A 1. Purpose and Aims 2. General Information 3. Notification	Part D 1. Residential Development 2. Industrial Development 4. Brothels 6. Dam Construction 7. Landfill 8. Rural Sheds
Part B 1. Exempt Development 2. Complying Development	Part E 1. Kurrajong Heights Village 2. Macdonald Valley 3. Grose Wold
Part C 1. Landscaping 2. Car parking and Access 3. Signs 4. Soil Erosion & Sedimentation Control 5. Energy Efficiency	Appendices Engineering Specification

2. The Bushfire Mitigation Policy/Development Control Plan be repealed in accordance with the provisions of the Environmental Planning & Assessment Act 1979. The following chapter be inserted in the DCP and adopted by Council:

Bushfire Mitigation

All Development within Bushfire Risk areas must comply with the relevant provisions of the following:

- (a) *Building Code of Australia; and*
 - (b) *Australian Standard AS3959 - Construction of Buildings in Bush Fire Prone Areas;*
 - (c) *Planning for Bushfire Protection, A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners, Produced by the NSW Rural Fire Service, December 2001; and*
 - (d) *The Hawkesbury Risk Management Plan, July 2000.*
3. Part D Chapter 1 - Residential Development incorporate guidelines for rural dwellings, including setbacks, location of services, driveway, height and siting of dwellings and these be prepared and exhibited with the draft amendment 108.
4. The current DCP corresponding with the chapters listed in 1 above, other than 'Exempt and Complying', be repealed, in accordance with the provisions of the EPA Act 1979.
5. Notification in accordance with the provisions of the Act, given that this DCP, other than Part B, will be effective from the date the notice appears.

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6. Setback to revert to 7.5m in the Residential Developments Chapter.
7. In relation to the Carparking Chapter in zones other than commercial add the words “or one car space per three seats, whichever is the greater”.

15: Draft Policy - Temporary Food Stalls (GL079/001Pt02/EVD/ENB26NBX.V03)

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

That the Draft Policy for Temporary Food Stalls, as contained within the report, be adopted incorporating appropriate wording to indicate that this was not a tacit approval for temporary foodstalls.

16: Unauthorised Demolition of Building and Removal of Trees - 35 Elizabeth Street, North Richmond (P507/85/20/EVD/ENB26NBX.V05)

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

That:

1. The information be received.
2. The comments of Council’s Heritage Adviser be included in the determination of the submitted development application.
3. The development application be reported to Council.
4. The matter of prosecution be deferred pending satisfactory determination by Council.

An amendment was moved by Councillor Finch seconded Councillor Paine

That:

1. The site and structures should be recorded by an archeologist, in accordance with NSW

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heritage guidelines, to capture valuable information before it is destroyed by the proposed development works.

2. The design of the new development should incorporate the front section and roof form of the partially demolished cottage so that the Elizabeth Street presentation of the new development will conform to the traditional pattern. The front garden and fencing should be based on traditional designs of the area. This will have the advantage of greatly improving the streetscape and it will provide a suitable buffer for the intensive development proposed for the rest of the site.
3. The matter of prosecution be deferred pending satisfactory determination by Council.

The amendment was lost

The motion was put and carried.

17: Windsor Road Upgrade - Urban Design Guidelines
(GT225/021/EVD/ENB26NBX.V07)

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

That:

1. The information be received.
2. The Roads and Traffic Authority be advised that the framework and objectives of the Urban Design Framework are strongly supported.
3. The objectives and framework be used in the assessment development applications and the preparation of draft local environmental plans along the Windsor Road corridor.

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18: Brothel Task Force (DCP002/97/EVD/ENB26NCX.V09)

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

The information be received.

Infrastructure

**3: Un-named Quarter Sessions Road, Colo - Naming Proposal (GR120/003
PT03/ENG/INB26NBX.E01)**

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

That this matter be deferred to allow the Colo River Historical Society to meet as a group and submit comments.

4: McMahon Park (PK/007 PT5/ENG/INB26NBX.E02)

A motion was moved by Councillor Calvert seconded by Councillor Rasmussen

That Council support the McMahon Park Committee to undertake Stage 1 of its submitted plan and also approach the McMahon Park Committee with a view to becoming a user group.

61 RESOLVED on the AMENDMENT of Councillor Sheather seconded by Councillor Conolly

That Council approach the McMahon Park Committee with a view to becoming a user group.

The amendment was carried

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

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Organisation and Resources

10: Monthly Financial Report - December 2001 and January 2002
(GF011/005/FNC/OGB26NAX.F09)

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

That the information be received.

11: Richmond Golf Club (P258/355 Pt2/GMA/OGB26NAX.G05)

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

That:

1. Council offer to support Richmond Golf Club in an approach to the Minister for Land and Water Conservation relative to renegotiation of a lease of 20 (twenty) years duration.
2. A report be prepared for the next Ordinary Meeting addressing the issue of the current \$30,000.00 (thirty thousand dollars) annual rent.

64 RESOLVED on the motion of Councillor Rasmussen by Councillor Finch

That a report be prepared for a future meeting investigating the cultural heritage significance of the Richmond Golf Club in order to enable tenure to preserve the site as a golf club.

12: Floodsafe Program (GR060/062 Pt6/GMA/OGB26NAX.G04)

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

That the State Emergency Service be congratulated on the Floodsafe Community Awareness and Education Program and be advised that Council will continue its support.

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- 13: Payment of External Organisations** (GC210/014 PT3, GC155/001 PT3, GM001/021 PT14, GT070/018/FNC/OGB26NCX.F02)

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

That the information be received.

- 14: Review of Policies - Hawkesbury City Council Library Service**
(GL020/012/CSV/OGB26NBX.C01)

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

That the '*Provision of Library Services: Hawkesbury City Council Library Service Policies*' be received and adopted.

- 15: LINC'S (Living in Communities) Volunteer Scheme**
(GC120/013/CSV/OGB26NBX.C06)

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

That:

1. The information be received.
2. Council make written representations on behalf of the LINC'S Volunteer Scheme to the Minister for Community Services requesting that funds be made available to the Scheme to enable the Scheme to continue its important and valuable work in improving outcomes for children in the Hawkesbury.

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16: Windsor Mall Regulations Review (GC305/041, GR120/016
PT5/CSV/OGB26NBX.C08)

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

A. That the Draft Windsor Mall Regulations be adopted by Council as follows:

1. Permission is necessary for any activity in the Mall and permission should be sought in writing, with all details. Approval, if given, will also be in writing and 14 (fourteen) days is the minimum period for the submission of applications.
2. The Mall is a pedestrian area and no vehicles are to be parked in the Mall, except to load or unload at the premises with no rear access. Such vehicles are only permitted to be there for the absolute minimum time needed to transfer the goods being loaded or unloaded. Maximum time allowed for loading and unloading vehicles is 45 (forty five) minutes. Non-compliance will result in a fine/penalty of \$62.00 (sixty two dollars). Entrance to the Mall, emergency vehicle access and business premises must not be blocked at any time.
3. The use of any amplification is allowed only with permission of Council. Amplification must not exceed fifteen (15) decibels above background noise and each application will be assessed on an individual basis.
4. Any person or organisation using the Mall will be responsible for leaving the immediate area in a clean and tidy condition, or be responsible for a cleaning fee, as set out in the booking application form.
5. All entertainment and displays must be acceptable to the current community standards. Council reserves the right to refuse unsuitable applications of use of the Mall.
6. Busking is permitted on the following conditions:
 - Amplification is not used;
 - No obstruction is caused to pedestrians, laneways or doorways;
 - A collection container for donations is to remain stationary on the ground;
 - Busking must not interfere with any approved entertainment or activity;
 - Buskers must rotate/move from an area after 30 (thirty) minutes for a maximum period of 4 (four) hours per day.
 - Buskers may operate between the hours of 9.30am and 4.00pm.

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7. Fund raising and soliciting for donations is not to be carried out without permission. The stall outside the Westpac Bank is booked by community groups for fundraising with each group being able to book 2 (two) days per year. Stall holders are asked to contain their activities within the stall area. Goods may be displayed on the pavement in front of the stall - to the boundary of the eave overhanging only. The Rotunda is to be used for entertainment and community information and promotions, with priority given to such promotion as Heart Week, Law Week etc.
8. No pedestrian is to be harassed by advertising, religious, political or commercial messages - either written or spoken or electronic messages transmitted from television, radio or computer generated systems. Excluded from this are "A Frame" signs (sandwich boards) approved by Council.
9. Displays of a commercial nature will have a charge as set by Council in it's fees and charges levied.
10. No movable stalls, signs or other obstructions may be erected without permission and if permitted these must not obstruct doorways and laneways.
11. Riding of skateboards, scooters, roller blades and bicycles is not permitted.
12. Any food preparation activity will require permission. Use of materials such as fats and oils for barbecues and sausage sizzles is prohibited without non-permeable barrier to protect the malls paving/sandstone surface.
13. Commercial displays are to be retained inside the boundary line of the business concerned and are restricted to the frontage of the business premises.
14. Council permission must be sought for the placement of tables and chairs outside business premises.
15. The area adjacent to the waterwheel is to be kept clear for a width of 2 metres in all directions.
16. Any person using the Mall must take care not to damage any furniture, paving or gardens. The user is to meet the cost of the damage other than fair wear and tear. In the case of established trees, cost will be determined as of a tree of the same size. The dropping of any substances (i.e oils, wax etc) is prohibited and any cleaning costs will be charged accordingly.

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17. Anyone using the Mall for promotional or entertainment activities shall follow requests or direction of the Police or authorised Council Officers. Failure to do so, or other breaches of Mall Regulations, may result in legal proceedings being instituted.
18. Approval of all market activities within the Mall on a Sunday is to be sought from Windsor Craft Market on (02) 4572 7348. It should be noted that Council is not relinquishing its responsibility with all activities undertaken to be in accordance with Council regulations.
19. All dogs must be kept on leashes.
- B.** Additional signage is to be erected as follows:

Alcohol Free Zone

“Windsor Mall is a designated Alcohol Free Zone and precludes the consumption of alcohol within the Mall.”

- C.** The regulation relating to the designated Alcohol Free Zone be re-reported to Council.

17: Sullage Removal Service (GC270/122Pt01/EVD/OGB26NBX.V07)

70 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Woods

That the information be received.

**18: Draft Plan of Management - North Richmond Skatepark
(GR030/011/CSV/OGB26NCX.C03)**

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

That:

1. The information be received.

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2. The Draft Plan of Management for the proposed North Richmond Skatepark, in Hanna Park, North Richmond, be received.

SECTION 4 - REPORTS FOR DETERMINATION

- 11: Documents for Execution Under Seal** (GC283/001,GP010/016, GC283/152 Pt1, GC283/171, GC283/024 Pt4, GC283/017, GC283/020 Pt2/CSV/ORC12NBX.C02)

72 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Woods

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

1. Commercial Lease for Shop 1, Glossodia Shopping Centre to Jodale Pty Ltd.
2. Council Lease for Lot 31 DP841742 of Hanna Park from Rubber Latex Laboratories Pty Ltd.
3. Commercial Lease for 360 George Street, Windsor to The Business Development Partnership Pty Limited.
4. Residential Tenancy Agreement for 2/292 George Street, Windsor to Ms Fiona Nugent.
5. Commercial Lease for Shop 10, Wilberforce Shopping Centre to Mr Lao and Mr Tran.
6. Commercial Lease for Shop 2, Wilberforce Shopping Centre to Mr and Mrs Munro.
7. Commercial Lease for Shop 5, Wilberforce Shopping Centre to Mr Ron Ferguson.

- 12: Lodgement of Expression of Interest to Provide Early Intervention Services for Vulnerable Families Residing in the Hawkesbury Local Government Area** (GC150/002/CSV/ORC12NBX.C05)

Councillor Woods declared an interest as she is Director of the Family Care Unit of Hawkesbury Care

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

That Hawkesbury City Council to submit an Expression of Interest (on behalf of the Hawkesbury Family Worker Project Consortium) to the Department of Community Services to secure funding for an early intervention family worker project to be located at the Stewart Street Early Intervention Centre, South Windsor.

**13: Proposed Acquisition of Land for Road Widening - Windsor Road, Vineyard
(PK208/CSV/ORC12NBX.C01)**

74 RESOLVED on the motion of Councillor Finch seconded by Councillor Gilling

That:

1. Council's concurrence be granted to the compulsory acquisition of Lot 31 and 32 in Deposited Plan 220279, being part Vineyard Park for Widening Windsor Road.
2. The Common Seal of Council be affixed to any necessary documents.

**14: St Albans Reserve - Exclusive Use - St Albans Folk Festival Organising
Committee (PK/048/ENG/ORC12NBX.E08)**

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

That the application be approved, subject to compliance with the following conditions:

1. The applicant being allowed to erect a marquee on St Albans Reserve, subject to the following conditions:
 - a) the fire rating and smoke index of the marquee shall comply with the requirements of the Building Code of Australia;
 - b) adequate means of egress are to be provided, with illuminated exit signs evenly distributed throughout, in compliance with the Building Code of Australia; and
 - c) adequate portable extinguishers are to be provided adjacent to exits.

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2. The applicant being allowed use of the Council reserve next to the tennis courts and St Albans reserve for camping, subject to the following conditions:
 - a) a copy of a public liability policy for \$10,000,000 (ten million dollars) and indemnifying Hawkesbury City Council, is to be submitted prior to the event by the applicant;
 - b) the applicant ensuring no undue interference being occasioned to other patrons of the reserve; and
 - c) the applicant ensuring noise levels be kept to a reasonable level.
3. The applicant obtaining all necessary permits/approvals in relation to amusement devices/rides.
4. Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's *Information for Food Stall Holders* brochure. This information and any related food/public health information can be obtained by contacting the Environmental Health Officer on (02) 4560 4553.
5. The applicant undertaking a letter drop to all residents in proximity to the reserve, with that letter advising in full, details of the event.
6. If required, the applicant is to obtain the appropriate licence from the Licensing Branch of the NSW Police Service, for the sale of alcoholic beverages at the proposed event.
7. The reserve is to be left clean and tidy, with the applicant being responsible for the collection and placement of all waste into receptacles provided by Council. The applicant is to lodge with Council a bond of \$750.00 (seven hundred and fifty dollars) which is refundable, less any deductions as a result of costs incurred by Council, administrative or otherwise, to clean the area.
8. As part of Council's arts and cultural program, a contribution to the value of \$1,144.00 (one thousand one hundred and forty four dollars) is to be made to cover the costs of portable toilets and garbage disposal.

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**15: Governor Phillip Reserve - Drag Boat Racers of Australia - Exclusive Use
(PK205 Pt8/ENG/ORC12NBX.E04)**

A motion was moved by Councillor Paine seconded by Councillor Rasmussen

That this matter be deferred to the next General Purpose Committee meeting where it is to be dealt with as Committee of the Whole.

76 RESOLVED on the AMENDMENT of Councillor Sheather seconded by Councillor Woods

That approval be granted to the Drag Boat Racers of Australia for use of Governor Phillip Reserve on 25 May 2002 and 26 May 2002 to conduct the NSW State Drag Boat Championships and exclusive use be granted for Sunday 26 May 2002, subject to the following standard conditions:

1. A letter drop be undertaken to all affected residents in proximity to the event by the applicant, with that letter advising full details of the function.
2. The Reserve being left clean and tidy with the applicant being responsible for collection and disposal of all waste. For days of exclusive use the club is to lodge with Council a damage bond of \$750.00 (seven hundred and fifty dollars) which is refundable less any costs incurred by Council, administrative or otherwise, to clean or restore the area.
3. Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's "Information for Food Stall Holders" brochure. This information and any related food/public health information can be obtained by contacting Council's Environmental Health Officer, Chris Dan, on direct line 4560 4553.
4. If required, the applicant obtaining all necessary permit/approvals in relation to amusement devices/rides and liaising with Integral Energy regarding the supply of power and their proximity to power supply lines.
5. If required, the applicant to obtain appropriate licence for the Licensing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event.
6. The applicant obtaining appropriate licences from the Waterways Authority regarding the conduct of this event.
7. The applicant paying to Council such fee as may be applicable at the time for exclusive use of the Reserve.

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8. A copy of a Public Liability Policy for \$10,000,000 (ten million dollars) and indemnifying Hawkesbury City council is to be submitted 1 (one) week prior to the event.

The amendment was carried

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

**16: South Windsor Sewage Treatment Plant Augmentation - Expressions of Interest
(GC270/130/ENG/ORC12NBX.E09)**

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

That Abigroup Contractors Pty Ltd, Transfield MWH Joint Venture and United KG (Kilpatrick Green Pty Ltd) be invited to tender for the construction of the South Windsor Sewage Treatment Plant Stage III, Phase 1 upgrade.

**17: Restoration of the Main Building of the Old Hawkesbury Hospital Macquarie
Street Windsor (GT020/418 Pt1/ENG/ORC12NBX.E11)**

- 78 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch

That the Tender of Denning Constructions Pty. Ltd. 101 Goods Road Oakville for the restoration of the Main Building of the Old Hawkesbury Hospital Macquarie St Windsor for the sum of \$1,036,500 (one million, thirty six thousand, five hundred dollars) (excluding GST), be accepted and the necessary documents be executed under Seal of Council.

SECTION 5 - REPORTS FOR INFORMATION

**18: Reports Requested by Council - Status as at 12 March 2002 (GC280/005
PT04/CSV/ORC12NCX.C03)**

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

That the information be received.

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19: Ferry Interruption Report - February (GT240/017 Pt2/ENG/ORC12NCX.E10)

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

That the information be received.

SECTION 6 - REPORTS OF COMMITTEES

Bicycle steering committee - 13 February 2002

81 RESOLVED on the motion of Councillor Woods and seconded by Councillor Rasmussen that the Minutes of the Bicycle steering committee meeting held on 13 February 2002 as recorded on Pages 50 to 53 be received.

Hawkesbury Economic Development Advisory Committee - 14 February 2002

82 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 February 2002 as recorded on Pages 54 to 58 be received.

Local Traffic Committee - 15 February 2002

83 RESOLVED on the motion of Councillor Davies and seconded by Councillor Rasmussen that the Minutes of the Local Traffic Committee meeting held on 15 February 2002 as recorded on Pages 59 to 62 be adopted.

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SUPPLEMENTARY REPORTS

**20: 2002 NSW Floodplain Management Authorities Conference (GR060/062
Pt4/ENG/ORC12LBX.E12)**

84 RESOLVED on the motion of Councillor Gilling and seconded by Councillor Rasmussen

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

Councillor Sheather was nominated and accepted.

**21: Mushroom Substrate Production - 84 Mulgrave Road, Mulgrave (1362/445
Pt4/EVD/ORC12LCX.V13)**

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

85 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Williams

That the information be received.

QUESTIONS WITHOUT NOTICE

1. Councillor Rasmussen advised that multiple potholes had developed on The Driftway and requested that they be repaired.

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

2. Councillor Finch enquired if Council had received the last two sets of Tourism Minutes and also enquired why they had not been included in the Business Paper.

The General Manager advised that, as Tourism Hawkesbury are not a Committee of Council, they are distributed separately.

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3. Councillor Paine referred to correspondence from residents of Comleroy Road in relation to the non-waiving of tip fees for disposal of rubbish and complaints in relation to alleged illegal clearing taking place. She also enquired about a fee being charged by Council to inspect trees in that area.

The General Manager advised that the fee was being waived in bushfire areas and investigations would be carried out if that was not the case for those residents. He advised that Council have been monitoring the possibility of tree clearing.

4. Councillor Paine requested details of the IMM Conference which was usually held in May and enquired which Councillors may be attending.

The General Manager advised that it was his recollection that it was to be held in Sydney from Sunday 12 May to Wednesday 15 May. However, he had not seen the registration form and would make enquiries.

5. Councillor Paine asked for clarification as to the classification of The Heritage Farm.

The General Manager advised that it is possible that part of the land is community land in which case the Council has to reclassify it which could occur if resolved to do so. Reclassification would not change the zoning nor the Heritage Order.

Councillor Paine enquired if the prospective purchaser had any avenue of redress on Council due to the incorrect classification.

The Mayor advised that it was his recollection that it was raised as a possibility during debate and clarified by Councillor Davies that it could be included as a condition of purchase.

The General Manager advised that the prospective purchaser had been notified that part of the land may be community land and may have to be reclassified.

6. Councillor Williams referred to the two parcels of land at Hawkesbury Heritage Farm and sought clarification that one was classified community land and the other operational land.

The General Manager advised that there were two parcels of land and one may be community land but it has been leased previously for more than five years and, whether leased or sold the same provision applies in the Act about community and operational land.

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7. Councillor Allan referred to correspondence from the Director of Environment and Development relating to the Medical Centre carpark advising that the applicant wishes to delete the condition of consent relating to public parking under that building and enquired if the request would come before Council.

The General Manager advised that the matter would come before Council.

8. Councillor Allan referred to the classification of the Hawkesbury Heritage Farm and enquired if the reclassification would go to the Minister for his approval.

The Director of Environment and Development advised that as it would be an amendment to the Local Environment Plan it would need to be signed by the Minister for Planning.

9. Councillor Williams referred to users of the kiosk in the Mall and enquired if a system could be put in place where the users of the kiosk could have a sticker to put on their car for the day, issued by Council, in order to obtain extended parking in the Council parking area.

The General Manager advised that this process had been previously trialled and caused problems due to duplication of stickers and those stickers being displayed on multiple cars in the carpark. The General Manager advised that discussions would take place with the kiosk users to ascertain their difficulties in order to find an alternate solution.

10. Councillor Rasmussen requested an update relative to Question Without Notice Number 36. from the Ordinary Meeting of 12 February 2002 relative to Hollands Paddock, particularly whether the correspondence referred to had been received.

The General Manager advised that there was no official lease but an exchange of correspondence whereby Council indicated that it would undertake the insurances, which has taken place. The Director of Environment and Development advised that the correspondence, which had been referred to, had been received from solictiors acting on behalf of the owner, concerning insurances, and that matter has been referred to Council's solictiors for advice.

11. Councillor Rasmussen requested an update relative to the noise reduction methods for Yarramundi Bridge.

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The Director of Asset Services and Recreation advised that correspondence had been sent to the RTA and, by response, the Bridge Engineer was to forward an email outlining the difficulties associated with the request.

12. Councillor Rasmussen referred to the cabled area at Yarramundi Reserve, indicating that despite its recent repair, it was broken again and he had received information that rubbish dumping had again taken place.

The Director of Asset Services and Recreation advised that the fence would be repaired again.

13. Councillor Rasmussen requested an update relative to the Yarramundi Bridge survey.

The Director of Asset Services and Recreation advised that he had received a letter relative to Council's representation which did not contain a definitive answer however, he had not received the results.

14. Councillor Rasmussen requested an update relative to the RAAF Economic Impact Study.

The General Manager advised that other than the report of the Economic Development Advisory Committee, he had no other information to report.

15. Councillor Rasmusen enquired if the honorific title for former Mayors, of more than two year terms, was to be adopted by Council.

The General Manager advised that the term was three years and he had requested further information which would be reported upon receipt.

16. Councillor Calvert referred to signs in Pitt Town relative to development and enquired if those signs met Council regulations.

The General Manager advised that the signs make a political statement and Council were not proposing to take any action, unless it was resolved to do so. He also advised that the signs did not meet Council regulations.

17. Councillor Calvert referred to enquiries he had received from owners of Envirocycle operations relating to a \$45.00 fee which was imposed to obtain a licence, even though a certificate had already been issued by an accredited inspector. He enquired why it was not sufficient to produce the certificate to obtain a licence.

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The General Manager advised that the State Government required, by legislation, Council to inspect and licence all on-site systems. He also advised that Hawkesbury City Council had the lowest fee in the metropolitan area as most are charging over \$100.00. He further advised that it is not sufficient to only have that certificate and Council must inspect them, reporting that many are breaking down.

Councillor Calvert suggested that correspondence may, in future, clarify the situation that the fee is a one-off State Government fee.

18. Councillor Sheather referred to Hawkesbury Heritage Farm and advised that, after perusing the files, he felt the land was community land and the valuation in relation to the smaller property was inadequate having compared this property to others in the area and having had representations made to him by real estate agents.

The General Manager noted this comment.

19. Councillor Sheather referred to the recent storms and a conversation which had taken place with a resident of Kurrajong who had had 50 trees come down on his gully property. He advised that after representations to Council, the resident was informed he could not dispose of them at the tip.

The Director of Environment and Development advised that recent sporadic requests had been received and all have been allowed access to the tip if the property is storm damaged or fire damaged. He advised that in some cases they have been inspected and given a letter to allow them to take debris to the tip. The General Manager advised that Council were looking to approach the EPA seeking dispensation to allow property owners to burn off this winter.

20. Councillor Sheather tabled correspondence from Neville Diamond and referred to comments from him relative to Council's liability in relation to compensation for Council's inaction and action in some instances. He suggested that no response be provided.

The General Manager advised that a response would be provided which would address the issues raised in his correspondence.

21. Councillor Gilling referred to the bridge at Skeleton Rocks Reserve and advised that it had been rediscovered recently and reported that it appeared to be in good condition, despite being buried amongst mulga. She enquired if the Heritage Officer could be instructed to inspect the bridge.

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The Director of Environment and Development advised this would be done.

22. Councillor Gilling requested an update relative to the T-intersection at 358 Kurmond Road.

The Director of Asset Services and Recreation advised that an inspection had taken place however, there was no number 358.

Councillor Gilling advised that she would clarify the address.

23. Councillor Gilling referred to the hospital site carpark and requested clarification as to how many car parking spaces Council were short in comparison to Council guidelines.

The General Manager advised that there were twenty more than were required and it was proposed that a further twenty were to be provided.

The meeting terminated at 1.00am.

Submitted to and confirmed at the meeting of Council on 9 April 2002.

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Mayor