



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 7 May 2002

location: Council Chambers

time: 7:00pm

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Meeting Minutes**

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Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 7 May 2002, commencing at 7.00pm.

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

Pastor Joan Woods, representing Hawkesbury Ministers Association gave the opening prayer at the commencement of the meeting.

Councillor B J Calvert arrived at the meeting at 7.11pm
Councillor B J Calvert left the meeting at 9.35pm

An apology for absence was received from Councillor Gilling.

147 RESOLVED on the motion of Councillor Paine and seconded by Councillor Allan that the apology be accepted.

148 RESOLVED on the motion of Councillor Sheather seconded by Councillor Rasmussen that standing orders be suspended.

The Mayor of Temple City, Councillor Ken Gillanders, representing Sister City Association, addressed the meeting.

149 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather that standing orders be resumed.

SECTION 1 - CONFIRMATION OF MINUTES

150 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Sheather that the Minutes of the Ordinary Meeting of Council held on 9 April 2002 which have been circulated amongst members of the Council, be confirmed.

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Mayoral Minutes

Mayoral Ball (GP091/001)

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

That Council support the 2002 Mayoral Debutante Ball with the donation of \$3,000.00 (three thousand dollars) being made towards expenses incurred. Funding is to be provided from the 2002/2003 Budget.

SECTION 2 - NOTICES OF MOTION

Notices of Motion

Councillor L Sheather

- 152 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Rasmussen

That Council require any land that is proposed to be owned by Council arising either from subdivision, dedication, or transfer from the State Government, be inspected and certified free of noxious weeds prior to the transfer taking place.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Environment

**31: Request for Review of Determination, Lot 5 DP59816, McGraths Road, Vineyard
- Construction of Single Dwelling (MA1527/01/EVD/END23NAX.V05)**

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

That:

1. The objection to Clause 25 of HLEP 1989 under SEPP No. 1 be supported.

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2. The application be approved as a "Deferred Commencement", subject to the following conditions:
 - A. Upon compliance with the conditions 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 1 pursuant to Section 80(3) of the Act.
 - B. The "Deferred Commencement" consent will lapse in 12 months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

Schedule 1

1. Submission of detailed plans of the proposed dwelling for the site.

Schedule 2

General

2. To confirm and clarify the terms of this approval, the development shall take place in accordance with the plans submitted with the application.
3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
4. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
5. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

regarding their requirements for the provision of services to the development.

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6. To ensure compliance with Council's Tree Preservation Order and to preserve the natural site features, trees outside a radius of 6 (six) metres from the building shall be preserved unless:
 - (a) the trees are in the area of a driveway which has been designated on the approved plans; or
 - (b) approval in writing for the removal or lopping is obtained from the Council beforehand; or
 - (c) approval for their removal is not required under the terms of Council's Tree Preservation Order.
7. No excavation or site works shall be commenced prior to the issue of the construction certificate.
8. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.

Prior to Issue of Construction Certificate

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

9. Submission and approval of engineering plans for the proposed road construction works along the southern side of McGraths Road between Andrew Thompson Drive and Windsor Road. The plans are to comply with the requirements of Draft Hawkesbury Development Control Plan.
10. Submission of details to Council indicating where fill is to be obtained. In this regard, the source of the filling material is to come from land that is flood liable and within the Hawkesbury City Council area. The fill material is to be certified by a suitably qualified person as Virgin Excavated Natural Material (VENM).

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11. A septic drainage system shall be provided and a separate application shall be submitted to and approved by Hawkesbury City Council (being the Sewer Authority for the development) **prior** to the issue of the Construction Certificate (all necessary Water Balance Reports and absorption results, if required by Subdivision Conditions, should be included with the application).

Prior to Works Commencing

12. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the Principle Certifying Authority prior to commencement of works.
13. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
14. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.
15. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to commencement of work.
16. To prevent stormwater from the development causing a nuisance to downstream properties, sediment control measures shall be installed in accordance with Council's development control plan titled "Soil Erosion Sediment Control" prior to the commencement of site works.

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.

17. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environment Planning and Assessment Act.

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During Construction

18. All building work must be carried out in accordance with provisions of the Building Code of Australia.
19. Inspections for Compliance Certificate to be requested from the Sewer Authority (Hawkesbury City Council) for internal and external sewer drainage **prior** to covering any pipe (24 hours notice for inspection is required, the fee is \$68.15 per inspection to be paid prior to requesting the inspection.)
20. The accredited certifier is to provide copies of compliance certificates to Hawkesbury City Council (ref MA1527/01) within 7 days of issuing such certificates. The registration fee is \$15.50 per certificate.
21. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
22. All necessary works being carried out to ensure that "any water" flow from adjoining properties is not impeded.
23. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
24. The filled area, including batters, shall be grassed immediately after filling takes place.
25. All fill to be adequately compacted by track rolling or similar.
26. The landfill site shall be secured to prevent the depositing of any unauthorised material.
27. The fill shall be battered at a slope not exceeding 1 (one) vertical to 1:3 horizontal.
28. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
29. The area of the building platform shall be filled to a maximum of RL 14.3m AHD. Surveyor's Certificate shall be submitted confirming the height of the fill prior to construction of any building.

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30. 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.
31. No spoil, excavated or demolition material from the site being deposited on any public road, footpath, public place or Council owned property without the approval of this office.
32. Glazing materials used in the building shall be selected and installed in accordance with the relevant provisions of AS 1288, "Glass in Buildings - Selection and Installation".
33. The storm water (including over flow from the water storage vessel/s) shall be drained to an absorption trench complete with 600mm plastic high dome void former, minimum length 1.8m plus 1m per 10m of guttering. The high dome to be covered with minimum 100mm of aggregate. Such trenches shall be located a minimum of 4m clear of any building/vessel/allotment boundary.
34. A Registered Surveyor's certificate indicating that the level of the top of the floor joists of the lowest habitable floor is at or above 17.3m metres Australian Height Datum shall be obtained prior to construction proceeding above this floor level, or alternatively, a defined bench mark AHD level shall be identified by survey report on a fixed location immediately adjacent to the building (eg. top of concrete strip footing, top of poured concrete pier).
35. A Termite Protection Notice, in accordance with AS3660, printed on durable material shall be affixed at the entrance to a crawl space or in the case of slab on ground construction, in the meter box prior to a "Final Inspection" being carried out. The notice shall include information on the form of termite protection employed and the expected service life of the barrier before maintenance is required.
36. The sub-slab or sub-floor ground area, all walls and structures, poles etc., shall be treated for termites in accordance with the Building Code of Australia and AS3660.1 by a recognised pest controller and proof of treatment shall be securely affixed to the formwork or steel reinforcement at the slab steel inspection stage. A formal certificate of treatment shall be lodged with the Principle Certifier prior to requesting a final inspection of the building (hand sprayed systems shall also incorporate a physical barrier to penetrations, control joints and footings/slab joints).

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32: Modify Development Consent DA854/88 - Medical Centre, 2 Kable Street, Windsor (DA854/88/EVD/END23NAX.V04)

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

That the information be received.

33: 6 (six) lot community subdivision with lot 1 being community property, Lot 119 DP 751658, 74 McMahons Road, Kurrajong (DA1599/01/EVD/END23NAX.V01)

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

- A. That the SEPP No. 1 objection to vary Clause 11 (2)(d)(i) be supported.
- B. That the application for subdivision of the land into six lots under community title be approved, subject to the following conditions:

General

- 1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by McKinlay Morgan and Associates numbered 88573:DA:3 dated 19 December 2001) submitted with the application and any supportive documentation, except as otherwise provided by the conditions of this consent.
- 2. This consent covers the removal of trees and other vegetation necessary to allow the construction of works covered by any Construction Certificate issued for the development. No other trees or vegetation are to be removed without prior approval.
- 3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979.
- 4. No excavation or site works shall be commenced prior to the issue of the Construction Certificate.

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5. All works must be carried out in accordance with the Hawkesbury Development Control Plan, Civil Works Specification, Part 1 Design Specification and Part 2 Construction Specification.

Prior to Issue of Construction Certificate

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

6. The submission of design plans and calculations for all civil work required by this consent. These plans are to include details of grades, proposed cut and fill, curve radii and design of creek crossing.
7. 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.
8. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
9. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.
10. A formal application for a Construction Certificate and a Compliance Certificate is required for the engineering works. The current fees are \$1,438.80 for a Construction Certificate and \$2,937.00 for a Compliance Certificate should Council be nominated as the Principal Certifier. These fees are valid until 30 June 2002.
11. Submission of a copy of the Part 3A permit issued by the Department of Land and Water Conservation.
12. Access roads are to comply with "Planning for Bushfire Protection" 2001 -4.3.2 a & b.

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Prior to Commencement of Works

13. 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.

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

During Construction

16. All work must be carried out in accordance with the provisions of Council's Subdivision Construction Specification.
17. 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.
18. Surface runoff from the sealed accessway is to be treated by nutrient control ponds to prevent impact on potential habitat of the red crowned toadlet.

Prior to Issue of Subdivision Certificate

19. Construction of a minimum 4 metres wide sealed pavement and any necessary drainage for the full length of the private accessway and across the footway. The maximum grade shall be 1 in 6. The construction shall generally be in accordance with the Department of Bush

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Fire Services "Planning for Bush Fire Protection" and Hawkesbury Development Control Plan, Civil Works Specification and is to include:

- (a) Minimum 1.2 metre shoulders beyond the seal.
 - (b) Provision of 14m x 3m wide passing bays approximately every 100 metres and near blind bends.
 - (c) Minimum curve radii on the inside of all bends of 12 metres.
 - (d) The pavement and all structures are to be designed for a 28 tonne truck with minimum 8 tonnes per axle.
 - (e) Minimum clearance from ground to any overhead obstruction of 4.0 metres.
20. The private accessway shall meet McMahons Road at a right angle.
21. 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.
22. Payment of a linen release fee of \$413.20. This amount is valid until 30 June 2002.
23. The location of the house site, disposal and buffer areas are to be defined on the final plan of subdivision.
24. A weed management plan is to be prepared for the community lot and is to be submitted to Council for approval.
25. A plan of bushfire management is to be prepared for the community lot being Lot 1 and submitted to Council.
26. The creation of a restriction on the use of land under section 88b of the Conveyancing Act, requiring:
- (a) The establishment of Principal Development Areas showing suitable envelopes for house and effluent disposal areas are to be sited as per plans prepared by Toby Fiander & Associates. Clearance of 20m from the edge of forest to edge of effluent disposal area and buildings shall require the provision of diversion berms and transient wetlands from nutrient control;
 - (b) Surface diversion of stormwater runoff from Principal Development Areas is to be achieved by means of swales, berms or similar, and the stormwater is to be discharged into designated points of water quality enhancement ponds, watercourses or dams as appropriate;
 - (c) No fences are to be constructed within sensitive vegetation units;

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- (d) Watercourses and areas of natural vegetation are to be fenced off with a five metre buffer zone, excluding livestock from watercourses and natural vegetation fringing watercourses;
 - (e) No fences are to be constructed within sensitive vegetation units;
 - (f) Watercourses and areas of natural vegetation are to be fenced off with a five metre buffer zone, excluding livestock from watercourses and natural vegetation fringing watercourses;
 - (g) Dwellings to be constructed on the land are to comply with the requirements of the Department of Bush Fire Services "Planning for Bush Fire Protection" in respect to fire protection zones, and to comply with Australian Standard AS3959 "Construction in Bush Fire Prone Areas". A site management plan is to be submitted with any future application to erect a dwelling house on the subject allotments indicating the recommended Fire Protection zones and the trees to be retained and any landscaping;
 - (h) No removal of rock and vegetation on any escarpment or area of natural vegetation.
 - (i) The weed management plan attached to the Management Statement is to be implemented by the community association to ensure that there is suitable long term management of the vegetation for the gully.
 - (j) Parts of the track not used for access are to be closed and allowed to revegetate by natural means in order to prevent and stabilise erosion and facilitate the regeneration of native species.
 - (k) The plan of bushfire management attached to the Management Statement is to be implemented by the community association who is responsible for the initiation, ongoing maintenance and monitoring of this plan.
27. The existing septic tank and absorption trench system in use at the existing dwelling house being upgraded in accordance with the recommendations of the Fiander report, with as minimum the absorption trench at the existing dwelling being reinstalled to minimise the risk of pollution of the drainage line located below the existing trench.
28. A positive covenant be created over Lots 2-6 so as to comply with the requirements of the Department of Bush Fire Service/Rural Fire Service "Planning for Bush Fire Protection in respect to Fire Protection Zones. Areas of sandstone/shale transition forest are not to be used for internal bushfire protection unless consistent with any regional bushfire management plan. Burn offs of native vegetation areas are to be avoided.

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Lot Number	Inner Protection Area	Outer Protection Area	Asset Protection Zone
2	30 metres	40 metres	70 metres
3	30 metres	40 metres	70 metres
4 NE aspect	20 metres	20 metres	40 metres
4 S aspect	30 metres	40 metres	70 metres
5 SW aspect	25 metres	20 metres	45 metres
5 NE aspect	20 metres	15 metres	35 metres
6 SW aspect	25 metres	20 metres	45 metres
6 NE aspect	20 metres	15 metres	35 metres

29. Perimeter access for fire fighting vehicles be established and maintained within the Fire Protection zone and linked to the property access. The perimeter access to be maintained to the requirements of HCC.
30. Remove category W1-W4 weeds as identified in schedule 2 of the Flora & Fauna Report prepared by Danny Wotherspoon dated 11 August 2000.
31. 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.
32. 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.
33. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:
- | | | |
|-----|---------------------------|-------------|
| (a) | Open Space and Recreation | \$8,207.00 |
| (b) | Community Facilities | \$11,607.00 |

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

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

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34. A Management Statement complying with Schedule III of the Community Land Development Act, 1989, shall be lodged with and approved by Council. This statement is to include a provision that Lot 1 is not to be used for the purpose of erecting a dwelling or any other building structure.
35. A Development Contract complying with Schedule II of the Community Land Development Act, 1989, shall be lodged with and approved by Council prior to issue of the final plan of subdivision.
36. The neighbourhood Management Statement shall include a provision that no dwelling shall be erected on the "neighbourhood lot".
37. As recommended by Blue Mountains Wilderness Trust, 27 November 2001, parts of track not used be closed and allowed to revegetate by natural means.
38. A Weed Management Plan be prepared and included in the Community Title and By-Law documentation, to ensure suitable long term management of the vegetation for the gully by the community association.

General Terms of Approval - River and Foreshores Improvement Act 1948 Part 3A

39. In accordance with Division 5 of the Environmental Planning and Assessment Act 1979 for integrated development, the application has been referred to the Department of Land and Water Conservation in respect to the issue of a permit under Part 3A.
40. The Department proposes to grant an approval and has provided general terms of approval. These do not constitute a Part 3A permit under the River and Foreshore Improvement Act 1948. The applicant must obtain and complete to the satisfaction of the Department an application for a Part 3A Permit.
41. Irrespective of the granting of this consent or approval by any other Authority, work is not to commence in, or within, a horizontal distance of 40m from the top of the bank of the watercourse/foreshore, without the prior issue of a Part 3A permit by DLWC.
42. Prior to the issue of the Part 3A permit, the applicant must provide DLWC with the following:
 - (a) A copy of Council's development consent including all conditions of approval;

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- (b) Plans and/or other documentation (3 copies) that satisfy the DLWC's General Terms of Approval and recommendations which are included in the consent conditions; and
 - (c) The appropriate permit fee paid to DLWC.
- 43. Work is to be carried out in accordance with drawings and any management plans required by these conditions and approved by DLWC that will accompany the 3A permit.
- 44. Any Part 3A permit issued is to be renewed on an annual basis until all works and all rehabilitation, including maintenance provisions, have been satisfactorily completed in accordance with the permit conditions. Any application for renewal will be lodged at least 1 month prior to the permit expiry date.
- 45. Works shall not cause damage to, or increase erosion of, the stream bed or banks. The permit holder shall carry out any instructions given by DLWC with a view to preventing degradation of the stream bed or banks.
- 46. Any vegetation or other material removed from the area of works shall be disposed of so that the material cannot be swept back into the stream during a flood.
- 47. All works proposed must be designed, constructed and operated so they do not cause erosion or sedimentation and do minimise adverse impacts on aquatic and riparian environments.
- 48. No plastic netting is to be used for any purpose, in the stream or within the riparian zone, unless such netting is of a rapidly biodegradable variety.
- 49. Erosion and sediment control measures are required to be implemented prior to any works commencing, and must be maintained for as long as necessary after the completion of works, to prevent sediment and dirty water entering the river system. These measures are to be in accordance with Council's requirements and follow best management practices as outlined in the NSW Department of Housing's "Managing Urban Stormwater: Soils and Construction" (1988) manual (the "Blue Book").
- 50. The excavation of soil/spoil and its removal is the responsibility of the permit holder and the owner or occupier of the land.
- 51. The approval of NSW Fisheries is required for all proposed designs of in-stream works prior to the issue of the Part 3A permit.

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52. These conditions are issued with the proviso that operations shall be carried out on freehold land. Should operations be on Crown Land, these conditions are rendered null and void and the occupier of Crown Land should contact DLWC's Crown Lands section.
53. Work is to be carried out in accordance with any conditions imposed by other government agencies, provided such conditions do not conflict with these conditions or the conditions on the Part 3A permit.
54. The permit holder and the owner or occupier of the land is responsible for any works undertaken by any other person or company on this site.
55. The rehabilitation of the area in accordance with the Part 3A permit conditions is the responsibility of the permit holder and the owner or occupier of the land.
56. Any Part 3A permit granted is not transferable to any other person or company without the written approval of DLWC and does not authorise works at any other site.
57. Any Part 3A permit granted does not give the holder the right to occupy any land without the owner(s) consent nor does it relieve the holder of any obligation which may exist to also obtain permission from local government and other authorities who may have some form of control over the site and/or the activities proposed.
58. Works as executed survey plans of a professional standard shall be provided to DLWC upon request.
59. If, in the opinion of a DLWC officer, any activity is being carried out in such a manner that it may degrade the riparian zone, stream, lake or foreshore environment, all work shall cease immediately upon oral or written direction of such an officer.
60. If the permit conditions have been breached, the permit holder shall restore the site in accordance with the permit conditions and/or as directed by DLWC. If any breach of the permit conditions requires a special site inspection by DLWC, then the permit holder shall pay a fee prescribed by DLWC for this inspection and all subsequent breach inspections.
61. If works are to cease prior to completion, DLWC must be notified in writing one month in advance of the cessation of the operation.

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Conditions Specific to DA

62. Only one new access road across the watercourse shall be created as part of the subdivision. This new access is to be located as indicated on Plan No. 88573:DA:2 last amendment dated 19 December 2001 by McKinlay Morgan & Associates Pty Ltd, which accompanies the application.
63. The crossing design must be sensitive to the ecology, wildlife corridor and geomorphic functions of the stream by providing adequate light levels, protection for migrating fauna and minimising erosion. To achieve this the design is to consist of a full span bridge with piered approaches or a structure with equivalent corridor functions. The road width is to be as narrow as possible and the bank full creek flows and floodplain flows are not be inhibited in any way. The crossing is not to cause scour or erosion to the stream bed or banks in any storm events. The stream crossing design is to be prepared and implemented by suitably qualified persons, in consultation with, and with the approval of, DLWC **prior to the issue of the Part 3A Permit.**
64. A report may be required **prior to the issue of the Part 3A Permit**, giving details of hydraulic conditions before and after the proposed *stream crossing* over the watercourse for bank full discharge and 5, 20 and 100 year storm events.
- To be included in the report should be:
- (a) Hydraulic conditions such as discharge, velocities in the channel and along the banks and shear stresses on the bed and banks (both up and downstream of proposed crossing);
 - (b) Impacts of any consequential flow constriction (area and duration of flow back up); and
 - (c) Details any negative impacts that may result from the work and any required scour protection.
65. A *Soil and Water Management Plan* (S&WMP) for all site works is to be prepared by a suitably qualified person(s) with knowledge and experience in the preparation of such plans, in consultation with, and with the approval of, DLWC **prior to the issue of the Part 3A Permit.** The S&WMP is to cover all aspects of soil and water management requirements for the site that could impact on the stream and must include details of

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staging, monitoring, management responsibilities, maintenance and decommissioning requirements. The S&WMP must meet the requirements outlined in the NSW Department of Housing's "Managing Urban Stormwater: Soils and Construction: (1998) manual (the "Blue Book").

66. A *Rehabilitation Plan* is to be prepared by suitably qualified persons, with knowledge and experience in the preparation of such plans, in consultation with, and with the approval of, DLWC **prior to the issue of the Part 3A Permit**. The plan is to be in accordance with, but not limited to, the "Draft Guidelines for the preparation of a Vegetation Management Plan" located in **Attachment A**.
67. The *Rehabilitation Plan* must detail necessary stabilisation works and how the existing vegetation in the watercourse and within 20m, measured horizontally from the top of the banks, will be protected and rehabilitated following any disturbance due to the approved works. Rehabilitation shall include native tree, shrub and ground cover planting using species local to the area and bush regeneration works extending a minimum of 10 metres either side of the area disturbed during construction.
68. The area covered by the *Rehabilitation Plan* must be maintained and monitored for a period of two years following final planting and primary bush regeneration works to ensure successful native vegetation establishment. Maintenance must include any watering, weed control, replacement of plant losses, disease and insect control, mulching etc, necessary for successful plant establishment.

34: Richmond Lowlands (GT170/004 PT4/GMA/END23NAX.G07)

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

That:

1. NSW Planning be advised that the Council considers the Richmond Lowlands to have regional, national, heritage, scenic and environmental values as well as being an important source of agricultural production in the Sydney region that outweighs the one-off possible extractive value of the underlying sand and gravel and accordingly opposes any possible extraction.

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2. Council seek letters of support from appropriate Members of Parliament and any other influential State bodies and forward these to NSW Planning.
3. A task force of Councillors, staff and expert residents be established for the purpose of discussing strategies and further advancing the issues of the significance of the Richmond Lowlands.

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

That the following Councillors be nominated to form a Richmond Lowlands task force:

Councillor Stubbs
Councillor Davies
Councillor Finch
Councillor Paine
Councillor Rasmussen
Councillor Sheather

35: Cities for Climate Protection (GE020/061 PT3/EVD/END23NBX.V03)

158 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. Council adopt the goal of reducing Corporate greenhouse gas emissions from 2000-2001 levels by 20% (twenty percent) by 2010.
2. Council adopt the goal of reducing Community greenhouse gas emissions from 1996 levels by 20% (twenty percent) by 2010.

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36: Draft Local Environmental Plan 5/01 (Amendment 135) - General Amendments to Hawkesbury Local Environmental Plan 1989 (LEP5/01/EVD/END23NBX.V02)

159 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. Council proceed with the draft local environmental plan to incorporate:
 - the correction of a mapping error for 308, 310 and 320 George Street (former Hawkesbury Hospital Site).
 - The deletion of 57 East Market Street from Schedule 1 (Items of Environmental Heritage) of HLEP 1989.
 - The inclusion of 205 Macquarie Street Windsor on Schedule 1 (Items of environmental heritage) of HLEP 1989.
2. Council exercise its delegation in respect of the section 69 report to the Minister.
3. Council forward the draft local environmental plan to the Department of Planning for finalisation and gazettal.

37: State Environmental Planning Policy 5 - Housing for Older People or People with a Disability (GT190/003/EVD/END23NBX.V13)

160 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. The information be received.
2. A further report be prepared upon receipt of the regional floodrisk management study from the Department of Land and Water Conservation.
3. Discussions continue with NSW Planning and WSROC in relation to the use of Industrial land for SEPP5 development.

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**38: Exhibition of draft local environmental plan - Riverstone Release Area
(GT160/004/EVD/END23NBX.V08)**

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

That:

1. A submission be prepared and forwarded to the Department of Transport requesting that the North West Rail Line be extended through Riverstone and that the rail corridor be set aside immediately through the Riverstone Release Area.
2. A submission be prepared and forwarded to Planning NSW requesting that Vineyard be included within the Riverstone Release Area.
3. A submission be prepared and forwarded to Blacktown City Council outlining 1 and 2 above; requesting consultation be undertaken with adjoining residents in Vineyard and Council; and the consideration of the impact of drainage on the Killarney Chain of Ponds.

**39: Review of Determination for 9 lot Community Title Subdivision of Lot 13
DP872372, 83 Willow Glen Road and Lot 1 DP558418, 24A Westbury Road,
Kurrajong (MA1380/01/EVD/END23NBX.V10)**

Councillor Sheather declared an interest as he has quoted to perform work on the property

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

That the request for re-determination be declined.

**40: Truck Depot - Lot 492 DP751665, 42 Browns Road, Wilberforce
(MA1066/01/EVD/END23NBX.V12)**

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

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Councillor Paine declared an interest as the applicant has performed work for her

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

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. This consent only approves the storage of 1 (one) table top truck and 1 (one) concrete pump truck which are to be parked within the nominated shed and adjoining area.

Use of the Site

4. 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.
5. Loading and unloading of formwork, materials and machinery shall take place only between the hours of 7am and 6pm Monday to Saturday.
6. All items ancillary to the operation of the truck depot are to be stored within the shed or directly adjacent to the shed.
7. 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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8. 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.
9. 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.
10. Trucks are to enter the property from the right and to exit the property to the left only via Cobcroft Road and Browns Road.
11. 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.
12. 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.
13. Storage of chemicals and petrochemicals such as cleaners and oil shall be contained in an area using an approved bunding material at all times.
14. All internal access roads are to be constructed of an all weather surface and maintained at all times so as to minimise dust nuisance and tracking of mud off the property to Council's satisfaction.
15. All materials except for peg bins are to be stored under cover.
16. 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.
17. The truck depot should not be used for storage of raw materials at any time.
18. 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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19. 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. In this regard, the bobcat is to be stored at the truck depot.
20. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
21. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
22. 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).
23. This consent is limited to 6 (six) months only to enable Council to monitor the truck depot activity and impacts on the surrounding areas. At the end of this period, a new Development Application is to be submitted for the truck depot. The operator is to advise Council of the date when the activity commences onsite.

41: North West Rail Corridor (GT240/016/EVD/END23NBX.V06)

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

That:

1. The Committee exercise its delegation as Committee of the Whole.
2. The information be received.
3. A letter be forwarded to NSW Transport and Planning NSW requesting that:
 - a) the rail corridor be set aside immediately for the proposed North West Rail Line;
 - b) the line be extended through the Riverstone Release Area to the Richmond Line;
 - c) the rail line be extended to fully integrate the Richmond and Penrith Lines; and
 - d) Council be consulted at all stages of the planning process for the North West Rail Link.

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**42: Draft Hawkesbury Lower Nepean Catchment Blueprint
(GR060/075Pt05/EVD/END23NBX.V11)**

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

That:

1. The Committee exercise its delegation as Committee of the Whole.
2. The issues raised within the report be forwarded to the Minister for Land and Water Conservation for his consideration in review of the Draft Hawkesbury Lower Nepean Catchment Blueprint.
3. The comments contained within a letter tabled by Councillor Rasmussen, be incorporated within Council's submission to the Minister for Land and Water Conservation.

Infrastructure

18: South Creek - Proposed Dual Naming (GR060/006 PT7/GMA/IND23NAX.G01)

164 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That the information from the Geographical Names Board about the possible dual naming of "South Creek" be received.

19: Skateboard Facilities - Windsor (GR030/011 Pt4/ENG/IND23NBX.E04)

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

That:

1. The Bell Street/George Street and Cox Streets sites be progressed through a Development Application process with a final decision regarding the preferred site being determined as part of that process.

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2. The 2002/2003 Capital Works Program be reprioritised to provide \$37,000.00 (thirty seven thousand dollars) towards the development of a skate park in the South Windsor/Bligh Park area.

20: Conservation Management Plan - Richmond and other Macquarie Town Parks
(PK/021 PT2, PK/202 PT10, PK/203 PT16, GH020/105 PT2/ENG/IND23NBX.E03)

166 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That the preparation of a Conservation Management Plan for the three Macquarie Town Parks within the City area, namely, Richmond Park, McQuade Park and Wilberforce Park be considered in the formulation of the 2002/2003 budget.

21: Capital Assistance Programme 2001/2002 - NSW Department of Sport and Recreation
(GG021/172/ENG/IND23NBX.E05)

167 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That the 2001/2002 Capital Assistance Grants be accepted.

22: Australian Plants Society (PK/284/ENG/IND23LBX.E06)

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

That:

1. The Committee exercise its delegation as Committee of the Whole.
2. Hawkesbury City Council donate \$2,400 (two thousand four hundred dollars) to the Australian Plants Society in consideration of the years of voluntary work carried out at Hawkesbury Park.

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Organisation and Resources

29: Monthly Financial Report - March 2002 (GF011/005/FNC/OGD23NAX.F16)

168 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That the information be received.

30: Richmond Golf Club (GC283/070/GMA/OGD23NAX.G13)

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

That Council provide longer term security to Richmond Golf Club by offering a new 20 year lease on terms consistent with the current lease with a rent based on the existing market valuation.

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

That Council provide longer term security to Richmond Golf Club by offering a new 20 year lease on terms consistent with the current lease or Council's support be offered in an approach to the Minister for Land and Water Conservation for a lease in excess of 21 years at a rent based on the market valuation.

The amendment was lost

The motion was put and carried.

31: Windsor Pre-School - Licence Agreement (P353/332/CSV/OGD23NBX.C02)

170 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. A licence agreement be granted to Windsor Pre-School Association Incorporated for the use of Reserve 89601, Church Street, Windsor for a term of 20 (twenty) years. The rental will be \$70.00 (seventy dollars) per annum with the Incorporation responsible for

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water rates and usage, electricity and general maintenance of the building. They are to provide \$10 million public liability insurance. Council is to be responsible for Council rates and structural maintenance.

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

32: Proposal to Establish an Alcohol Free Zone (GP070/001/CSV/OGD23NBX.C04)

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

That:

1. In accordance with the provisions of the Local Government Act, 1993, the consumption of alcohol in area of George Street (from the corner of Bridge Street to the corner of Arndell Street), Windsor be prohibited for the period 1 July 2002 to 31 December 2003.
2. Public notification (including erection of signage and an advertisement in the Hawkesbury Gazette) be given of the prohibition.

33: Homelessness in the Hawkesbury - Update (GC130/001/CSV/OGD23NBX.C06)

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

That:

1. The information be received.
2. Council adopt the Local Government & Shires Association (LGSA) *Local Government Model Policy on Homelessness*.
3. Council continue to work in partnership with the Hawkesbury Housing Forum to prioritise and implement strategies as detailed in the *Local Government Model Policy on Homelessness*.

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34: National Aboriginal and Islander Day of Celebration (NAIDOC) 14 July 2002 - Request for funding and in-kind support (GF008/001/CSV/OGD23NBX.C08)

173 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. The information be received.
2. Hawkesbury City Council allocate \$2,850.00 (two thousand eight hundred and fifty dollars) as a contribution to the cost of staging NAIDOC Week Celebrations for 2002.
3. Hawkesbury City Council provide in-kind support to facilitate the staging of NAIDOC Day Concert (as requested by the NAIDOC Day Planning Committee).
4. The Aboriginal and Torres Strait Islander flags be flown at Council Chambers, Friendship Park Clarendon and the Richmond Park Cenotaph during NAIDOC week.

35: Women in Local Government (GP021/001 PT6/CSV/OGD23NBX.C09)

174 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. The Statement of Commitment Goals and Objectives be endorsed and that Council continue to develop and implement strategies to enhance the level of participation of women in Local Government.
2. To create Councils and communities where women feel able to fully participate and share their skills, knowledge and experience.
3. To work towards harassment-free, participative Councils where opinions and differences are respected.
4. To develop a climate of understanding among Councillors, CEOs/General Managers and senior staff of the need for the initiatives in this framework and to enlist their support.

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5. Where women choose women-only training and networking, to gain acceptance and support of their participation in these activities.
6. The above items to be included in Council's Access and Equity Policy.

**36: Tourist Railway Association Kurrajong (TRAK) (GT050/005
PT12/CSV/OGD23NBX.C07)**

175 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. It is recommended that the information be received and that support, in principal, be provided to the Tourist Railway Association Kurrajong to continue exploration of Option 2 identified in this report.
2. Council, in conjunction with TRAK and the Sports Council, prepare a plan of Management for Peel Park, Kemsley Downs to allow a starting point for the rail line to commence.

**37: Auspice Arrangements - Children's Services funded by the Department of
Community Services. (GC120/006//OGD23NBX.C11)**

176 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That:

1. Hawkesbury City Council prepare written correspondence to the Department of Community Services confirming its willingness to relinquish its auspice of the nine childrens services funded by the Department, which are currently managed by Incorporated Associations.

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2. Council staff to draft a 'service partnership agreement' with the nine affected services to formalise the relationship between Council and these services to ensure that the nine services will continue to receive the same level of Council support currently afforded to them.

38: Hawkesbury Community Transport Service - auspice arrangements
(GC200/02/CSV/OGD23NBX.C05)

Councillor Allan declared an interest as her father is the president of the Hawkesbury Community Transport Service Committee

177 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That Hawkesbury City Council provide written advice to the Department of Transport confirming its willingness to auspice the funded programs operated by the Hawkesbury Community Transport Service on a permanent basis as from 1 July 2002.

39: Proposed Reclassification of Council Land (GL010/006/CSV/OGD23NBX.C15)

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

That:

1. A draft local environmental plan be prepared in accordance with the Department of Urban Affairs and Planning Best Practice Guidelines to reclassify the following lots from Community to Operational land.
 - Lot 22 in DP 829589 being 496 Wilberforce Road, Wilberforce.
 - Lot 3 in Deposited Plan 816809 being 2 Stewart Street, South Windsor.
 - Lot 4 in Deposited Plan 816809 being 16 Stewart Street, South Windsor.

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- Part of the Former Reserve 68540, being that which is occupied by the Richmond Tennis Courts, associated buildings, parking areas and the Hawkesbury Visitors Centre.
- Lot X and Y in DP 163621 being 292 - 296 George Street, Windsor.
- Lot X in Deposited Plan 161237 being that part of Governor Phillip Park, Windsor occupied by the Club House.
- Lot 2 in Deposited Plan 202288 at 71 East Market Street, Richmond being the Richmond Pool site.
- Lot 18, 19, 20, 21, 22 and 24 in Deposited Plan 25020, and Lot 1 in Deposited Plan 25981 being residential properties on the Driftway and Reynolds Road, Londonderry.
- Lot 11 in Deposited Plan 861071 being 14 Havelock Street, McGraths Hill, Sewer Pump Station.

2. A local environmental study not be prepared.
3. Council exercise its delegation in respect of Sections 65 and 69 of the Environmental Planning and Assessment Act 1979.
4. A public hearing under section 68 of the Environmental Planning and Assessment Act 1979 in respect of the proposed reclassification in the draft local environmental plan be advertised and arranged.
5. Appropriate action to bring the Former Reserve 68540 under Torrens Title and to identify the areas to be leased be taken.
6. All necessary documents be executed under the Common Seal of Council.

178 RESOLVED on the AMENDMENT of Councillor Williams seconded by Councillor Sheather

That:

1. A draft local environmental plan be prepared in accordance with the Department of Urban

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General Manager

Mayor

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Affairs and Planning Best Practice Guidelines to reclassify the following lots from Community to Operational land.

- Lot 3 in Deposited Plan 816809 being 2 Stewart Street, South Windsor.
 - Lot 4 in Deposited Plan 816809 being 16 Stewart Street, South Windsor.
 - Part of the Former Reserve 68540, being that which is occupied by the Richmond Tennis Courts, associated buildings, parking areas and the Hawkesbury Visitors Centre.
 - Lot X and Y in DP 163621 being 292 - 296 George Street, Windsor.
 - Lot X in Deposited Plan 161237 being that part of Governor Phillip Park, Windsor occupied by the Club House.
 - Lot 2 in Deposited Plan 202288 at 71 East Market Street, Richmond being the Richmond Pool site.
 - Lot 18, 19, 20, 21, 22 and 24 in Deposited Plan 25020, and Lot 1 in Deposited Plan 25981 being residential properties on the Driftway and Reynolds Road, Londonderry.
 - Lot 11 in Deposited Plan 861071 being 14 Havelock Street, McGraths Hill, Sewer Pump Station.
2. A local environmental study not be prepared.
 3. Council exercise its delegation in respect of Sections 65 and 69 of the Environmental Planning and Assessment Act 1979.
 4. A public hearing under section 68 of the Environmental Planning and Assessment Act 1979 in respect of the proposed reclassification in the draft local environmental plan be advertised and arranged.
 5. Appropriate action to bring the Former Reserve 68540 under Torrens Title and to identify the areas to be leased be taken.
 6. All necessary documents be executed under the Common Seal of Council.

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General Manager

Mayor

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The amendment was carried

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

40: Youth Week 2002 - The 'Big Thing' (GG012/079//OGD23NCX.C10)

179 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That the information be noted.

**41: Enhancement of Library Services - Forgotten Valley Mobile Resource Unit
(GC200/004/CSV/OGD23NCX.C14)**

180 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That the information be received.

42: Approval for Interstate Travel (GP027/001/GMA/OGD23LAX.G17)

181 RESOLVED on the motion of Councillor Finch seconded by Councillor Woods

That Council approve the attendance of Councillors Paul Rasmussen, Dianne Finch and Glenys Gilling at The Property Council of Australia “Reclaiming Urban Australia.....NO MORE ACCIDENTAL CITIES” Summit 2002 in Brisbane, Queensland, from 23-24 May 2002.

**43: Bellbird Hill Lookout (GC316/015 Pt5, P243/5425 Pt1, LEP005/98 Pt1, PK140
Pt2/CSV/OGD23LBX.C12)**

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

That:

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1. Council call for expressions of interest from the community to develop a small scale environmental tourism facility.
2. Council undertake discussions with National Parks and Wildlife Service to use the lookout as an adjunct to the new tourist facility at truck stop.
3. The public notification of the request for expressions of interest advise that any proposal may require the reclassification of the land and inform how this occurs, and that it may result in any proposal proceeding or not.

SECTION 4 - REPORTS FOR DETERMINATION

30: Quarterly Review as at 31 March 2002 (GF003/004 PT1/FNC/ORE07NBX.F07)

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

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

31: Review of Determination - MA 1085/01 - Resubdivision of Lot 5 DP 603915, Lot 42 DP 632322 and Lot 31 DP 751649 Burrell Road, Kurrajong Heights (MA1085/01/EVD/ORE07NBX.V06)

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

That having reviewed the determination, Council resolve that Condition 17 of Development Consent MA1085/01, be retained.

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32: 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/ORE07NBX.V11)

185 RESOLVED on the motion of Councillor Paine seconded by Councillor Williams

That the application be refused with appropriate reasons for refusal to be provided by staff.

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

That Council not support the proposed location of the structures and a report be brought to the next General Purpose Committee meeting.

The amendment was lost

The motion was put and carried.

33: Documents for Execution Under Seal (GC283/165, GC283/014, GC283/018/CSV/ORE07NBX.C04)

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

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

1. Signage Agreement between Hawkesbury City Council and Coles Myer for the erection of two signs within the Richmond Mall.
2. Retail Lease for Shop 2, McGraths Hill Shopping Centre to Mr Min Phi Tran.
3. Retail Lease for Shop 6, Wilberforce Shopping Centre to Diana Lydia McAuliffe.

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**34: Pound Paddock, Cnr Blacktown Road and Bourke Street, Richmond
(P258/435/CSV/ORE07NBX.C03)**

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

That:

1. Application be made to have Reserve 81494, known as Pound Paddock, located on the corner of Blacktown Road and Bourke Street, Richmond converted to Torrens Title and have the title issued in Council's name.
2. All necessary documents be executed under the Common Seal of Council.

**35: Proposed Purchase of Johnston Wing, Christie Street, Windsor (GC283/163
PT3/FNC/ORE07NBX.F05)**

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

That:

1. A draft local Environmental Plan be prepared in accordance with the Best Practice Guidelines to reclassify Lot 50, DP1035291 George Street (former Hawkesbury Hospital site) to operational land.
2. A local environmental study not be prepared.
3. Council exercises delegation in respect of Section 65 and 69 of the Environmental Planning and Assessment Act 1979.
4. A public hearing under Section 68 of the Environmental Planning and Assessment Act 1979 in respect of the proposed re-classification in the draft Local Environmental Plan be advertised and arranged.
5. If the building is to be sold, it be in accordance with Council's policy on land sale.
6. The offer of a lease be discussed and negotiated with Mr Jonathon Stack of Action Insurance Brokers.

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36: Local Heritage Assistance Fund (GH020/041 PT06/EVD/ORE07NBX.V08)

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

That Council approve the grants identified in this report and the applicants be advised accordingly.

SECTION 5 - REPORTS FOR INFORMATION

**37: Reports Requested by Council - Status as at 9 April 2002 (GC280/005
PT04/CSV/ORE07NCX.C01)**

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

That the information be received.

**38: University of Western Sydney Hawkesbury Scholarships
(GU001/005/CSV/ORE07NCX.C02)**

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

That the information be received.

39: Ferry Interruption Report - April 2002 (GT240/017/ENG/ORE07NCX.E10)

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

That the information be received.

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SECTION 6 - REPORTS OF COMMITTEES

Local Traffic Committee - 19 April 2002

- 193 RESOLVED on the motion of Councillor Davies and seconded by Councillor Rasmussen that the Minutes of the Local Traffic Committee meeting held on 19 April 2002 as recorded on Pages 83 to 100 be adopted.

Heritage Advisory Committee - 11 April 2002

- 194 RESOLVED on the motion of Councillor Finch and seconded by Councillor Rasmussen that the Minutes of the Heritage Advisory Committee meeting held on 11 April 2002 as recorded on Pages 101 to 105 be received.

Hawkesbury Economic Development Advisory Committee - 11 April 2002

- 195 RESOLVED on the motion of Councillor Allan and seconded by Councillor Woods that the Minutes of the Hawkesbury Economic Development Advisory Committee meeting held on 11 April 2002 as recorded on Pages 106 to 109 be received.

SUPPLEMENTARY REPORTS

42: Legal Costs - Request for Assistance (GL001/005 Pt3/GMA/ORE07LAX.G13)

- 196 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Woods

That Council contribute \$4,646 (four thousand six hundred and forty six dollars) to the Local Government Association as its contribution to the mounting of a High Court Appeal in the matter of the charges made under the Local Government Act against the telecommunication carriers Telstra and Optus.

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43: Governor Phillip Reserve, Windsor - Upper Hawkesbury Power Boat Club - Amendments to 2002 Racing Calendar (PK/205 PT8/ENG/ORE07LBX.E12)

197 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Sheather

That approval be granted to the above amendments, subject to compliance with standard conditions imposed at Council's Ordinary Meeting held on 11 December 2001.

Proposed Shopping Centre at Holland's Car Park (P1408/0095)

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

A **motion** was moved by Councillor Conolly seconded by Councillor Allan

That Council adopts the recommendation of the Hawkesbury Economic Development Advisory Committee of 11 April 2002 as follows:

1. Fully supports in town and integrated development.
2. Requested that discussions continue between the proponent and Council to determine the best outcome for this development.
3. The Traffic study agreed to at Council's Ordinary Meeting, held on 12 March 2001, be enhanced to include all alternative options and the impact on residential amenity.
4. An Economic Development strategy agreed to at Council's Ordinary Meeting, held on 12 March 2001, be carried out within this financial year and be confined to:
 - a supply and demand study including the impact and opportunity of the North West sector on Windsor Town Centre;
 - escape expenditure; and
 - displacement issues.

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198 RESOLVED on the AMENDMENT of Councillor Paine seconded by Councillor Rasmussen

That the information be received.

The amendment was carried.

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

QUESTIONS WITHOUT NOTICE

1. Councillor Sheather referred to Heritage Grants and enquired what opportunities there were for Council to obtain grants for items Council were responsible for.

The General Manager advised that Council does receive grants, the most recent one being \$300,000.00 for the former hospital building and, had in the past received a number of grants.

2. Councillor Sheather referred to the Heritage Farm at Wilberforce and an amount of \$28,000.00 that had been written off and enquired if action was being taken to recover the money.

The General Manager advised that action was being taken to recover the amount.

3. Councillor Sheather referred to the coach and other significant items at the Heritage Farm and enquired as to protecting them from their condition deteriorating further. He also enquired if the coach was being stored undercover.

The General Manager advised that an inspection had been carried out and a request has been made for repairs to be carried out. He was unaware as to whether the coach was being stored undercover.

4. Councillor Davies referred to correspondence from Grose View Public School Parents and Citizens Association relative to a complaint as to the condition of the road and long grass on the road verge.

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5. Councillor Davies referred to the Development Application for 148 Francis Street, Richmond and enquired if the application had been completed under delegated authority.

The Director of Environment and Development advised that the notification period was almost complete and if there were objections, the matter would be reported to Council.

6. Councillor Rasmussen referred to a request from a member of the gallery that Councillors and staff speak into their microphones when providing replies.

The Mayor advised this would be done.

7. Councillor Conolly referred to the process of adopting Minutes of Council Committees and enquired if the recommendations within those Minutes were also adopted.

The Mayor advised that with the exception of the Local Traffic Committee, in which recommendations are adopted, the Council Committee Minutes were received and a separate motion would be required in order to adopt recommendations from Committees other than Local Traffic Committee.

8. Councillor Williams referred to the Kent Reach area of West Portland Road and enquired if the matter of returning the area to a 60kmh zone could be brought before the Local Traffic Committee.

9. Councillor Williams referred to the Hawkesbury Heritage Farm and advised that a comment had been made to him that it was improper to have resolved to sell both lots, which comprise the property.

The General Manager advised that Council resolved to offer separately to sell Lot 22 for \$500,000.00 and the adjoining property, described as Lot 3, for \$250,000.00. He also advised that it was Mr Kelly's decision as to whether he wished to proceed or not.

10. Councillor Williams referred to the Hawkesbury Heritage Farm and requested documentary evidence that the smaller parcel of land is operational land.

The General Manager advised that a letter would be provided.

11. Councillor Paine tabled correspondence from residents of Francis Street, Richmond relative to the Development Application for 148 Francis Street, Richmond and requested a copy of the response.

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12. Councillor Paine tabled correspondence from Mr Brian McCurran, Principal of Windsor Public School, which contained concerns regarding Christie Street and requested that a meeting take place on 8 May 2002 to discuss those concerns.

13. Councillor Finch referred to the Civic Arcade Richmond and asked that investigations be carried out as the bins had been stolen and there was a large amount of rubbish.

The General Manager advised that the matter would be investigated however, it is private property.

14. Councillor Rasmussen advised that some articles appeared to be missing from his drawer in the Council Chambers and enquired if articles were removed periodically.

The meeting terminated at 11.00pm.

Submitted to and confirmed at the meeting of Council on 11 June 2002.

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Mayor