



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 12 November 2002

location: Council Chambers

time: 7.00pm

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 2

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 12 November 2002, commencing at 7.00pm.

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

Pastor Roger Brewer, from the Bridgewater Baptist Church at North Richmond, representing Hawkesbury Ministers Association, gave the opening prayer at the commencement of the meeting.

An apology for absence was received from Councillors P R Rasmussen.

465 RESOLVED on the motion of Councillor Davies and seconded by Councillor Finch that the apology be accepted.

466 RESOLVED on the motion of Councillor Finch seconded by Councillor Allan that standing orders be suspended.

Councillor Finch presented Council with a Certificate of Appreciation and offered thanks in relation to the Laurie Laurence "Do the Five Saves Lives" program

467 RESOLVED on the motion of Councillor Allan seconded by Councillor Sheather that standing orders be resumed.

SECTION 1 - CONFIRMATION OF MINUTES

468 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Finch that the Minutes of the Ordinary Meeting held 8 October 2002 which have been circulated amongst members of the Council, be confirmed.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 3

Mayoral Minutes

Chairman - Hawkesbury River County Council

469 RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Gilling

That Councillor Sheather be congratulated on his election as Chairman of the Hawkesbury River County Council.

SECTION 2 - NOTICES OF MOTION

Councillor Christine Paine

Drought Relief

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

- A. That Council provide all of the next crop from its McGraths Hill Farm to the area in and around Glen Innes which has been badly affected by drought and bushfires as "Drought Aid". Volunteers from many western New South Wales areas aided the Hawkesbury community during the December/January fires 2001/2002 and it would be most appropriate that the Council provide some assistance, where possible.
- B. That further investigations occur as to how Council can maximise its contribution in relation to the dollar for dollar offer of Councillor Frank Sartor, Lord Mayor, Sydney City Council.

Councillor Christine Paine and Councillor Leigh Williams:

Traditional Landowners

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

That:

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 4

1. Council adopt as part of the standard opening meeting procedures, recognition of the traditional indigenous landowners.
2. Recognition of the traditional owners be incorporated in all official functions of Council.
3. The Mayor and General Manager meet with traditional landowners to seek the appropriate wording and be referred to a Tuesday evening workshop and reported to the next Ordinary Meeting.

An **amendment** was moved by Councillor Conolly and seconded by Councillor Woods

That this matter be referred to a Tuesday evening workshop.

The amendment was lost

The motion was put and carried.

Councillor Joan Woods

Buttsworth Creek Bridge - Pedestrian/Cycleway facilities

472 RESOLVED on the motion of Councillor Woods seconded by Councillor Williams

That the Roads and Traffic Authority be requested to provide adequate pedestrian/cycleway facilities on both sides of Buttsworth Creek Bridge to ensure that both cyclists and pedestrians are able to cross with safety. Further that, the support of both State members and the Federal Member be sought in this regard.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Environment

**95: Rural Shed - Lot 1 DP 733243, 457 East Kurrajong Road, East Kurrajong
(MA1305/01/EVD/ENJ22NAX.V04)**

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 5

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

That the amended application for a rural shed on 457 East Kurrajong Road, East Kurrajong be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall take place in accordance with the amended plans submitted with the application excepting as modified by these further conditions.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. No excavation or site works shall be commenced prior to the issue of the construction certificate.
5. The construction of the building, including the roof, shall be in materials of a low reflective quality or similarly treated materials.
6. The shed to be set back from the rear boundary of 453 East Kurrajong Road, as close as possible to the dam without affecting the structural stability of the dam, provided that it is a minimum of 18 metres.

Prior to Issue of Construction Certificate

7. Submission and approval of a landscaping plan. Such plan shall include a mixture of trees, shrubs and plants, varying in maturity, and endemic to the locality. Trees shall include species that at maturity have a height above the ridgeline of the shed. Shrub mass shall provide adequate screening. The landscaping plan shall detail the species, number, mature heights and location of plants. The landscaping is to provide suitable screening of the shed when viewed from properties to the northwest and southeast.
8. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 6

Prior to Commencement of Works

9. 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.
10. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.
11. 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.
12. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

13. All building work must be carried out in accordance with provisions of the Building Code of Australia.
14. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. The registration fee is \$16.00 per certificate.
15. 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.
16. 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.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 7

17. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
18. Roof water from the shed shall be piped to the existing dam.

Use of Site

19. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
20. The shed shall not be used or adapted for use for human habitation, or for commercial or industrial purposes, without the approval of Council.

473 RESOLVED on the AMENDMENT of Councillor Finch and seconded by Councillor Calvert

That the amended application for a rural shed on 457 East Kurrajong Road, East Kurrajong be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall take place in accordance with the amended plans submitted with the application excepting as modified by these further conditions.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. No excavation or site works shall be commenced prior to the issue of the construction certificate.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 8

5. The construction of the building, including the roof, shall be in materials of a low reflective quality or similarly treated materials.
6. The shed to be set back from the rear boundary of 453 East Kurrajong Road, as close as possible to the dam without affecting the structural stability of the dam.

Prior to Issue of Construction Certificate

7. Submission and approval of a landscaping plan. Such plan shall include a mixture of trees, shrubs and plants, varying in maturity, and endemic to the locality. Trees shall include species that at maturity have a height above the ridgeline of the shed. Shrub mass shall provide adequate screening. The landscaping plan shall detail the species, number, mature heights and location of plants. The landscaping is to provide suitable screening of the shed when viewed from properties to the northwest and southeast.
8. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

Prior to Commencement of Works

9. 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.
10. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.
11. 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.
12. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 9

During Construction

13. All building work must be carried out in accordance with provisions of the Building Code of Australia.
14. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. The registration fee is \$16.00 per certificate.
15. 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.
16. 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.
17. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
18. Roof water from the shed shall be piped to the existing dam.

Use of Site

19. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
20. The shed shall not be used or adapted for use for human habitation, or for commercial or industrial purposes, without the approval of Council.

The amendment was carried.

The amendment became the motion.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 10

A **foreshadowed amendment** was moved by Councillor Sheather seconded by Councillor Gilling

That the amended application for a rural shed on 457 East Kurrajong Road, East Kurrajong be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall take place in accordance with the amended plans submitted with the application excepting as modified by these further conditions.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. No excavation or site works shall be commenced prior to the issue of the construction certificate.
5. The construction of the building, including the roof, shall be in materials of a low reflective quality or similarly treated materials.

Prior to Issue of Construction Certificate

6. Submission and approval of a landscaping plan. Such plan shall include a mixture of trees, shrubs and plants, varying in maturity, and endemic to the locality. Trees shall include species that at maturity have a height above the ridgeline of the shed. Shrub mass shall provide adequate screening. The landscaping plan shall detail the species, number, mature heights and location of plants. The landscaping is to provide suitable screening of the shed when viewed from properties to the northwest and southeast.
7. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 11

Prior to Commencement of Works

8. 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.
9. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.
10. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
11. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

12. All building work must be carried out in accordance with provisions of the Building Code of Australia.
13. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. The registration fee is \$16.00 per certificate.
14. 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.
15. 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.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 12

16. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
- (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
17. Roof water from the shed shall be piped to the existing dam.

Use of Site

18. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
19. The shed shall not be used or adapted for use for human habitation, or for commercial or industrial purposes, without the approval of Council.

The foreshadowed amendment was lost.

The motion was put and carried.

**96: Construction of 11 Villa Units and Demolition of Part of the Existing Cottage, Lot 2 DP 844715, 35 Elizabeth Street, North Richmond
(DA0374/02/EVD/ENJ22NAX.V06)**

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

That the application for construction of 11 villa units be approved as a Deferred Commencement Consent subject to the following conditions:

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

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 13

Schedule 1

A landscaping plan, prepared by a suitably qualified person, is to be submitted to and approved by Council.

The schedule of colours of external materials of the dwelling, as well as driveways, paving and fences are to be submitted to and approved by Council.

Schedule 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans submitted with Development Application No. DA0374/02 and any supportive documentation, except as otherwise provided by the conditions of this consent.

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

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 14

5. No excavation or site works shall be commenced prior to the issue of the construction certificate.
6. An occupation certificate is to be obtained on completion of all works. The occupation certificate will not be issued if any conditions of this consent are outstanding.
7. All design and construction works are to be carried out strictly in accordance with the requirements of Hawkesbury Development Control Plan.
8. An archaeologist is to be engaged and to be in attendance during the demolition works and the excavation/site works for the development.
9. Non-hazardous demolition material is to be disposed of in such a manner that it can be reused or recycled.
10. All hazardous materials are to be removed and disposed in accordance with WorkCover requirements.

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.

11. 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 | (\$14,950.00) |
| (b) | Community Facilities | (\$21,143.00) |

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.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 15

Contributions are to be paid prior to issue of the construction certificate.

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

12. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021. Details prepared by an accredited acoustical consultant submitted with the construction certificate.
13. Detailed plans demonstrating compliance with the Building Code of Australia (Housing Provisions) shall be provided to the Principle Certifying Authority for separate approval.
14. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
15. All footings adjacent to the existing easement are to be pierced below the invert of the culverts.
16. On site stormwater detention is to be provided to restrict the flows from the development to the predevelopment level for all storms up to and including the 1% AEP. Plans and calculations are to be prepared by a suitably qualified engineer. On completion of the system, works as executed plans are to be submitted to the principle certifying authority (PCA), with a copy provided to Council, should Council not be the PCA.
17. Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate. The site drainage shall be directed to Elizabeth Street. Any other proposals are to submitted to Council for consideration.
18. An overland flow path is to be provided within the existing easement to cater for surcharge of the culverts. The flow path is to cater for flows up to and including the 1% AEP storm. Calculations and cross sections are to be submitted with the construction certificate. Suitable flow areas beneath the fences is to be provided within the overland flow path.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 16

19. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

Prior to Commencement of Works

20. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be commenced unless the principal certifying authority for the development to which the work relates:
- (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
 - (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part.

21. 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.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 17

22. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
23. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.
24. 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.
25. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.
26. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
27. The approved plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the approved plans will be appropriately stamped.
Sydney Water has a number of business offices, including Blacktown, Katoomba, Parramatta and Penrith.

During Construction

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

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 18

29. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. The registration fee is \$16.00 per certificate.
30. All demolition, construction and associated work necessary for the carrying out of the development is restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
31. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).
32. 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.
33. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
34. The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the principal certifying authority upon completion of the footings and prior to the external wall construction proceeding above floor level.
35. Barriers to prevent movement between internal roof spaces of adjoining dwelling are required.
36. Each unit is to provide a hot water system with a minimum energy rating of 3.5 stars.
37. Each unit is to provide an energy rating as indicated on the NatHERs assessment submitted with the application.
38. Engineer's details demonstrating that the proposed building will comply with Part 8 of Council's standard specification for construction and testing of sewer mains, revised March 1999, are to be submitted to Hawkesbury City Council's Asset Services & Recreation Department for separate approval.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 19

Prior to Issue of Occupation Certificate

39. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
40. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupational certificate will not be granted on the application until the landscaping is complete.
41. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
42. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site
www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

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

The Section 73 Certificate must be submitted to the principal certifying authority prior to release of the linen plan/occupation of development.

43. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
 - (a) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

Separate documentary evidence from Integral Energy shall be provided stating that the requirements of that Authority have been met with regard to the nearby high voltage transmission line.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 20

- 44. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense. Such fencing behind the building line shall be to a height of 1.8 m and provide full privacy to adjoining residences. The owners of adjoining properties are to be consulted regarding suitable fencing.
- 45. Illumination of public spaces including pedestrian paths, shared areas, parking areas and building entries are to be provided in accordance with the relevant Australian Standard.
- 46. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of m.
- 47. Removal of the any layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.

Use of the Site

- 48. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan. This includes landscaping of the private courtyard areas.

474 RESOLVED on the AMENDMENT of Councillor Davies seconded by Councillor Finch

That the application for construction of 11 villa units be approved as a Deferred Commencement Consent subject to the following conditions:

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

Schedule 1

A landscaping plan, prepared by a suitably qualified person, is to be submitted to and approved by Council.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 21

The schedule of colours of external materials of the dwelling, as well as driveways, paving and fences are to be submitted to and approved by Council.

Schedule 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans submitted with Development Application No. DA0374/02 and any supportive documentation, except as otherwise provided by the conditions of this consent.

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

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

5. No excavation or site works shall be commenced prior to the issue of the construction certificate.
6. An occupation certificate is to be obtained on completion of all works. The occupation certificate will not be issued if any conditions of this consent are outstanding.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 22

7. All design and construction works are to be carried out strictly in accordance with the requirements of Hawkesbury Development Control Plan.
8. An archaeologist is to be engaged and to be in attendance during the demolition works and the excavation/site works for the development.
9. Non-hazardous demolition material is to be disposed of in such a manner that it can be reused or recycled.
10. All hazardous materials are to be removed and disposed in accordance with WorkCover requirements.

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.

11. 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	(\$14,950.00)
(b) Community Facilities	(\$21,143.00)

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

Contributions are to be paid prior to issue of the construction certificate.

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

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 23

12. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021. Details prepared by an accredited acoustical consultant submitted with the construction certificate.
13. Detailed plans demonstrating compliance with the Building Code of Australia (Housing Provisions) shall be provided to the Principle Certifying Authority for separate approval.
14. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
15. All footings adjacent to the existing easement are to be pierced below the invert of the culverts.
16. On site stormwater detention is to be provided to restrict the flows from the development to the predevelopment level for all storms up to and including the 1% AEP. Plans and calculations are to be prepared by a suitably qualified engineer. On completion of the system, works as executed plans are to be submitted to the principle certifying authority (PCA), with a copy provided to Council, should Council not be the PCA.
17. Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate. The site drainage shall be directed to Elizabeth Street. Any other proposals are to submitted to Council for consideration.
18. An overland flow path is to be provided within the existing easement to cater for surcharge of the culverts. The flow path is to cater for flows up to and including the 1% AEP storm. Calculations and cross sections are to be submitted with the construction certificate. Suitable flow areas beneath the fences is to be provided within the overland flow path.
19. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

Prior to Commencement of Works

20. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be commenced unless the principal certifying authority for the development to which the work relates:
 - (a) in the case of work to be done by a licensee under that Act:

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 24

- (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
- (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part.

- 21. 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.
- 22. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 25

23. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.
24. 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.
25. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.
26. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
27. The approved plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the approved plans will be appropriately stamped.
Sydney Water has a number of business offices, including Blacktown, Katoomba, Parramatta and Penrith.

During Construction

28. All building work must be carried out in accordance with provisions of the Building Code of Australia.
29. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. The registration fee is \$16.00 per certificate.
30. All demolition, construction and associated work necessary for the carrying out of the development is restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 26

31. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).
32. 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.
33. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
34. The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the principal certifying authority upon completion of the footings and prior to the external wall construction proceeding above floor level.
35. Barriers to prevent movement between internal roof spaces of adjoining dwelling are required.
36. Each unit is to provide a hot water system with a minimum energy rating of 3.5 stars.
37. Each unit is to provide an energy rating as indicated on the NatHERs assessment submitted with the application.
38. Engineer's details demonstrating that the proposed building will comply with Part 8 of Council's standard specification for construction and testing of sewer mains, revised March 1999, are to be submitted to Hawkesbury City Council's Asset Services & Recreation Department for separate approval.

Prior to Issue of Occupation Certificate

39. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 27

40. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupational certificate will not be granted on the application until the landscaping is complete.
41. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
42. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

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

The Section 73 Certificate must be submitted to the principal certifying authority prior to release of the linen plan/occupation of development.

43. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
 - (a) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

Separate documentary evidence from Integral Energy shall be provided stating that the requirements of that Authority have been met with regard to the nearby high voltage transmission line.

44. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense. Such fencing behind the building line shall be to a height of 1.8 m and provide full privacy to adjoining residences. The owners of adjoining properties are to be consulted regarding suitable fencing.
45. Illumination of public spaces including pedestrian paths, shared areas, parking areas and building entries are to be provided in accordance with the relevant Australian Standard.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 28

46. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of m.
47. Removal of the any layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.

Use of the Site

48. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan. This includes landscaping of the private courtyard areas.
- C. That the owner be prosecuted for offences including the demolition of buildings and removal of 30 (thirty) trees.

The amendment was carried

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

**97: Management of Environmental Community Disputes
(GC280/004/EVD/ENJ22NBX.V08)**

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

That Council adopt the attached Conflict Management Policy.

**98: Draft Local Environmental Plan 6/01 (Amendment 136) - Subdivision and Erection
of Dwellings on flood affected land (LEP6/01/EVD/ENJ22NBX.V01)**

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

That:

1. Council proceed with the draft local environmental plan.

This is Page of the Minutes of the ORDINARY No 10 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 November 2002.

General Manager

Mayor

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 29

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.

**99: Draft Local Environmental Plan (Amendment No 125) - Farm Gate Sales
(LEP005/00/EVD/ENJ22NBX.V03)**

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

That:

1. Council proceed with the Draft Local Environmental Plan, as exhibited.
2. Council exercise its delegation in respect to the Section 69 Report to the Minister.
3. Council forward the Draft Local Environmental Plan to the Department of Planning for finalisation and gazettal.
4. The additional information be received.

**100: Draft Local Environmental Plan (Amendment 141) - Acid Sulphate Soils and
General Amendments (LEP004/02/EVD/ENJ22NBX.V02)**

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

That

1. Council proceed with the Draft Local Environmental Plan.
2. Council exercise this delegation in respect to the Section 69 Report to the Minister.
3. Council forward the Draft Local Environmental Plan to the Department of Planning for finalisation and gazettal.

This is Page of the Minutes of the ORDINARY No 10 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 November 2002.

General Manager

Mayor

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 30

101: Proposed modifications to Development Consent and Development Application for Shed 481 Creek Ridge Road, Glossodia (MA1375/99, MA1471/01/EVD/ENJ22NCX.V09)

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

That the information be received.

102: Draft Local Environmental Plan 8/98 - Draft Amendment 108 (LEP8/89/EVD/ENJ22NCX.V05)

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

That the information be received

103: Cities for Climate Protection - Milestone 3 (GE020/061 PT3/EVD/ENJ22LBX.V11)

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

That Council adopt the Green Energy Strategy as attached.

Infrastructure

49: Regional Road Block Grant (GG021/035/ENG/INJ22NBX.E06)

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

That funding for the programs outlined be accepted.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 31

50: Richmond Park - Lion's market dates (PK/202/ENG/INJ22NBX.E03)

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

That this matter be deferred until the November General Purpose Committee Meeting.

**51: Proposed Kerb and Guttering - Bathurst Street, Pitt Town
(237/R/ENG/INJ22NBX.E05)**

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

That the funding in the amount of \$28,000 (twenty eight thousand dollars) for the construction of kerb and guttering on the southern side of Bathurst Street, between Eldon and Buckingham Streets be re-allocated to the construction of new kerb & guttering on the northern side of Bathurst Street, between Eldon and Buckingham Streets including the full frontage of No. 98 Bathurst Street.

**52: Governor Phillip Reserve - Exclusive Use - NSW Water Ski Association (PK/205
Pt9/ENG/INJ22NBX.E01)**

463 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Woods seconded by Councillor Finch

That:

1. Council Grant approval to the NSW Water Ski Association for exclusive use of Governor Phillip Reserve on Saturday 23 and Sunday 24 November 2002 subject to compliance with the following conditions:
 - (a) the applicant undertaking a letter drop to all affected residents in proximity to the event, with that letter advising full details of the event;

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 32

- (b) the applicant paying the exclusive use contribution rate applying to the 2002 event being \$1171.50 (one thousand one hundred and seventy one dollars and fifty cents), or \$1.19 (one dollar and nineteen cents) per person GST inclusive, whichever is the greater, plus the toilet cleaning charge for exclusive use events of \$50.00 (fifty dollars) for Sunday 24 November 2002;
 - (c) the applicant submitting a copy of a Public Liability Policy for \$10,000,000 and indemnifying Hawkesbury City Council prior to the event;
 - (d) the reserve being left clean and tidy with the applicant being responsible for the disposal of all waste from the reserve;
 - (e) the applicant obtaining appropriate licences from the Waterways Authority regarding conduct of this event;
 - (f) if required, the applicant to obtain appropriate licence from the Licensing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event;
 - (g) the applicant obtaining all necessary permits/approvals in relation to amusement devices/rides;
 - (h) the applicant contacting Council's Environment Health Officer with regard to the sale of hot foods;
 - (i) the applicant to liaise with Integral Energy regarding the supply of power to devices/rides and their proximity to power supply lines;
 - (j) that the applicant lodge a damage bond of \$750.00;
2. In relation to noise levels, that the noise level of 100dB(A) with a tolerance of 3dB(A) be supported.
3. With regard to road closures/restrictions applying to the roads scheduled below and including suspension of ferry services, that:
- (a) under "Traffic Management For Special Events" guidelines issued by the Roads & Traffic Authority that:

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 33

- (i) the event be designated as Category 3;
 - (ii) the applicant lodge Schedule 1, Summary Offences Act with the NSW Police Service, Windsor Police Station and comply with any approvals granted; and,
 - (iii) the applicant lodge a Traffic Management Plan and Traffic Control Plan to the Planned Incident Unit, Transport Management Centre, Roads & Traffic Authority and comply with any approvals granted; and,
- (b) the applicant making appropriate arrangements regarding access by affected residents and their visitors, as well as emergency vehicles.

Schedule of Roads/Ferries

George Street, Windsor between Bridge and Palmer Streets
Arndell Street
North Street between Arndell and Palmer Streets
Palmer Street between Pitt and George Streets
Wisemans Ferry
Webbs Creek Ferry
Sackville Ferry
Lower Portland Ferry

4. Ferry services be suspended for the following periods:

Wisemans Ferry	11.15am-11.45am
Webbs Creek Ferry	11.15am-11.45am
Lower Portland	8.30am-1.00pm
Sackville Ferry	8.30am-1.00pm

and subject to:

- (a) advertising of the proposed suspension of service being undertaken at the expense of the NSW Water Ski Association in newspapers circulating in the areas of the services two (2) weeks prior to the event, such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one eighth) page size;

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 34

- (b) that signs be erected at the Association's cost in locations as required by the Director Asset Services & Recreation and at a size indicated by him, on all roads leading to the ferries, as well as on each ferry, for at least two (2) weeks prior to the event;
- (c) safety precautions as previously established are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and ferry vessel, such procedures are to be implemented to the satisfaction of the Waterways Authority and the Director Asset Services & Recreation; and
- (d) that delegated authority be granted to the Director Asset Services & Recreation to alter ferry suspension times if necessary upon receipt of required advice from the applicant.

53: Bells Line of Road, North Richmond - Proposed Acquisition of Part Lot 1002 DP 1042592 for Public Road (GR030/007/ENG/INJ22NBX.E04)

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

That:

1. Council accept the transfer of part Lot 1002 DP1042592 from Mr and Mrs Johnston at no cost to Council.
2. Council meet all survey and legal costs in relation to the transfer and provides fencing on the new alignment.
3. All necessary legal documents be executed under the Common Seal of Council.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 35

Organisation and Resources

91: Monthly Financial Report - September 2002 (GF011/005/FNC/OGJ22NAX.F08)

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

That the information be received.

**92: Disposal of Council Property - Land off Greenway Crescent, Windsor
(GA030/014 Pt 6/CSV/OGJ22NBX.C07)**

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

- A. That the land off Greenway Crescent, Windsor be offered for lease to St Matthews Anglican Church for \$1.00 for a period of four years. All outgoings and maintenance to be met by St Matthews Anglican Church including water rates and land rates, etc.
- B. That should the lease arrangements not be finalised by 31 January 2003 or the Church decides not to continue with the lease, the following to take place:
 - 1. The land off Greenway Crescent, Windsor be offered for Public auction in line with Council's current policy.
 - 2. A reserve be set on a property of the current valuation determined by K D Wood Valuations.
 - 3. Three local real estate agents be contacted to submit a proposal to market Council's property for the purpose of public auctioning.
 - 4. Any necessary documentation be executed under common seal of Council.
 - 5. An 88b instrument be prepared incorporating the Building Envelope and Heritage Office guidelines.
- C. That any necessary documentation be executed under common seal of Council.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 36

**93: Proposed New Lease - Shop 5, Glossodia Shopping Centre
(GC283/151/CSV/OGJ22NBX.C01)**

464 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Allan seconded by Councillor Davies

That:

1. A new lease be granted to Mr Andrew Ball in accordance with the above terms and conditions.
2. The appropriate documents be executed under the Common Seal of Council.

**94: Delegate Expenses and Interstate Travel - 10th Australasian Congress on
Genealogy (GL020/031/CSV/OGJ22NBX.C02)**

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

That Council approve attendance by Michele Nichols at the 10th Australasian Congress on Genealogy in Melbourne from 23 to 27 April 2003.

**95: Property Development Strategy - Proposed Sale of Council Properties
(GC285/002, P2343/405, P740/15, P382/1230/CSV/OGJ22NBX.C09)**

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

That:

1. Toxana House, 147 Windsor Street, Richmond be offered for sale by Public Auction in line with Council's current policy.
2. Action be taken to subdivide the site at the corner of Colonial Drive and Rifle Range Rd, Bligh Park (Lot 1249 in DP 800323) to separate the Neighbourhood Centre from the proposed sale site. Upon subdivision approval being granted, the residue property be offered for sale by public auction in line with Council's current policy.

This is Page of the Minutes of the ORDINARY No 10 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 November 2002.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 37

3. A reserve be set on Toxana House and the property located on the corner of Colonial Drive and Rifle Range Road, Bligh Park at the current market valuation determined by K D Wood Valuations.
4. Three local real estate agents be requested to submit a marketing proposal for public auction for the properties.
5. Any necessary legal documents be executed under the Common Seal of Council.

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

That a report be prepared for the November General Purpose Committee Meeting relative to the funding of the Hospital Site, Museum and Library, with the properties that have been identified.

96: Exemption from Rating - Fitzgerald Memorial Hostel Inc. 47 Richmond Road, Windsor (P1829/0075/FNC/OGJ22NBX.F05)

Councillor Finch declared an interest as she is on the Board of Fitzgerald Memorial Hostel

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

A. That:

1. Fitzgerald Memorial Hostel Incorporated be granted exemption from rating for the property known as 47 Richmond Road, Windsor from 1 July 2002.
2. The amount of \$5,017.84 (five thousand and seventeen dollars and eighty four cents) be written off in respect of the rates for the period 1 July 2002 to 30 June 2003.

B. That Mrs Margaret Elder be advised that it would be appropriate for her to provide a written apology to Council staff for the inaccurate claims made by her at the General Purpose Committee meeting of 22 October 2002.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page **38**

97: Evaluation of Outcomes of Community Needs Report 2001-2002
(GC130/036/CSV/OGJ22NCX.C03)

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

That the information be received.

98: Re-allocation of Funding for Economic Development Projects - Hawkesbury Harvest (GF008/001, GM001/020 Pt15/CSV/OGJ22LBX.C10)

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

That Council approve the revised program put forward by Hawkesbury Harvest to utilise the total additional allocated funds of \$11,745.00 (eleven thousand seven hundred and forty five dollars) from the 2001/2002 financial year to allow Hawkesbury Harvest the flexibility to meet the challenge of managing the dynamic nature of its development.

99: Topoclimate Pilot Scheme Funding (GM001/021 Pt15, GP070/028 Pt2/CSV/OGJ22LBX.C11)

This item was dealt with in conjunction with Item 120, Reports for Determination and Item 133, Supplementary Reports for Information

SECTION 4 - REPORTS FOR DETERMINATION

118: General Purpose Financial Report and Special Purpose Financial Report for 2001/2002 (GF001/001 PT3, GF001/007 PT1/FNC/ORK12NBX.F11)

494 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert

That the Statement in the approved form on the General Purpose Financial Report and the Special Purpose Financial Report for the period ended 30 June 2002 be endorsed in accordance with Section 413 of the Local Government Act and the Local Government Code of Accounting Practice and Financial Reporting.

This is Page of the Minutes of the ORDINARY No 10 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 November 2002.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 39

119: Quarterly Review as at 30 September 2002 (FNC/ORK12NBX.F06)

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

That the Quarterly Review of the 2002/2003 Management Plan and Financial Statement for the period ending 30 September 2002 be adopted.

120: Topoclimate Project (GM001/021Pt15,GP070/028Pt2/GMA/ORK12NAX.G12)

This item was dealt with in conjunction with Item 99, Report of the General Purpose Committee, Environment section and Item 133, Supplementary Reports for Information

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

- A. That the Council maintains its support for a demonstration topoclimate project in rural areas of the Local Government Area and seeks expressions of interest from land owners based on the principles outlined within this report. The Council further seeks advice/possibility of implementing a special rate in 2003/2004.
- B.
 - 1. The Bilpin land owners being advised that Council supports the topoclimate principle and their inclusion in the project,
 - 2. Advertise the possibility of the project proceeding and seek expressions of interest from other interested land owners,
 - 3. Invite an expert from NSW Agriculture and from the School of Horticulture at the University of Western Sydney, Topoclimate Services Pty Limited, hawkesbury farmers, Friends of the Wollemi, Tourism Hawkesbury, Hawkesbury Harvest and a Council staff member to form a selection committee to advise on those properties that would be suitable as a demonstration project, given the likely funds to be available.
 - 4. Advise land owners of the possibility of a special rate to cover their contribution and seek their advice if they would wish to be included.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 40

5. Seek advice from the Department of Local Government of the possibility of approval of such a special rate and the availability and timing of loan funds.
6. Seek the support of GROW, the Greater Western Sydney Economic Development Board and NSW Agriculture to the project and advice as to the likelihood and timing of any financial contribution. In doing so, advise that the Council would be prepared to coordinate the project and contribute \$30,000 (thirty thousand dollars).

496 RESOLVED on the AMENDMENT of Councillor Allan seconded by Councillor Gilling

That the Council maintains its support for a demonstration topoclimate project in rural areas of the Local Government Area and seeks expressions of interest from land owners based on the principles outlined within this report. The Council further seeks advice/possibility of implementing a special rate in 2003/2004.

The amendment was carried

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

121: Outstanding Receivables - Arrears of Rates and Charges 2001/2002
(GF001/001/FNC/ORK12NAX.F16)

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

That:

1. The report on the outstanding receivables and arrears of Rates and Charges for 2001/2002 be received.
2. Rate and Charges totalling \$16,922.15 (sixteen thousand, nine hundred and twenty two dollars and fifteen cents) be abandoned against the 2001/2002 rating year in accordance with the Local Government Act, 1993.
3. The abandonment of other receivables totalling \$5,804.95 (five thousand, eight hundred and four dollars and ninety five cents) under delegated authority to the Responsible Accounting Officer be noted.

This is Page of the Minutes of the ORDINARY No 10 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 November 2002.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 41

4. Other receivables totalling \$10,774.78 (ten thousand, seven hundred and seventy four dollars and seventy eight cents) requiring a resolution of Council be written off in accordance with the *Local Government (Financial Management) Regulation, 1993*.

122: Documents for Execution Under Seal (GC283/133, GC283/028 Pt3, GC283/023/CSV/ORK12NBX.C04)

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

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

1. Residential Tenancy Agreement between Council and Jennifer Whittingham, Paul and David Hewett for 7 Yarrawonga Street, South Windsor.
2. Retail lease for 139 March Street, Richmond to Rainbow Home and Respite Services Pty Ltd.
3. Retail lease for Shop 9, Wilberforce Shopping Centre to Lisa King.

123: Road Leasing Proposal - Bells Line of Road, Kurmond
(GC283/078/CSV/ORK12NBX.C03)

499 RESOLVED on the motion of Councillor Allan seconded by Councillor Davies

That:

1. Council lease to Mr J and Mrs J Gollan an area of 449.5 square metres of road widening, contained within DP448215, adjoining their property at 501 Bells Line of Road, Kurmond (identified as Lot 100, DP826233).
2. Provision be made in the lease agreement between Council and Mr and Mrs Gollan for Mr and Mrs Gollan's lease to BP Australia Ltd, and occupation of the property by the franchisee Ketu Pty Ltd.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 42

3. The term of the lease agreement for a maximum period of 5 (five) years, with the expiry date coinciding with the expiry date of Mr and Mrs Gollan's lease to BP Australia Ltd on 31 July 2007.
4. The rental for the first year of the new term is to be \$2,200.00 (two thousand, two hundred dollars). Rental is to be renewed annually in accordance with the CPI for Sydney.
5. The lessees are required to provide \$10,000,000 (ten million dollars) public liability insurance, with the interests of Hawkesbury City Council noted in the policy.
6. All costs associated with the leasing proposal are to be met by the lessees.
7. The Common Seal of Council be affixed to the lease agreement and any other associated documents.

124: New Library/Art Gallery - Expressions of Interest (GT020/431 Pt 1/ENG/ORK12NBX.E17)

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

That, subject to finalisation of the funding strategy, A W Edwards Pty Ltd, Austin Australia Pty Ltd, Belmadar Constructions Pty Ltd, Gledhill Constructions Pty Ltd, Grant Constructions Pty Ltd, and Waller Constructions be invited to tender for the Construction of the Library/Art Gallery project.

SECTION 5 - REPORTS FOR INFORMATION

125: Reports Requested by Council - Status as at 12 November 2002 (GC280/005 Pt4/GMA/ORK12NCX.G01)

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

That the information be received.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 43

126: Rainwater Tanks (GMA/ORK12NCX.G13)

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

That:

1. The information be received.
2. A further report be provided on how, as part of the DA process, the installation of rainwater tanks can be incorporated.

502 RESOLVED on the amendment of Councillor Williams seconded by Councillor Paine

That:

1. The information be received.
2. Council call on the State Government to make the \$500.00 (five hundred dollars) rebate available to people who are not on reticulated water.
3. A further report be provided on how, as part of the DA process, the installation of rainwater tanks can be incorporated.

The amendment was carried

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

127: Hawkesbury Social Plan 2002-2003 (GC130/036/CSV/ORK12NCX.C15)

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

That the Hawkesbury Social Plan 2002-2003 be received.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 44

128: Yarramundi Bridge (GR070/010/ENG/ORK12NCX.E07)

504 RESOLVED on the motion of Councillor Sheather seconded by Councillor Woods

That the information be received.

129: Ferry Interruption Report - October 2002 (GT240/017/ENG/ORK12NCX.E08)

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

That the information be received.

130: Outcome of Class 4 Proceedings - Unauthorised Advertising Sign at 39 Bosworth Street, Richmond (P255/166/EVD/ORK12NCX.V09)

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

That the information be received

131: Restoration of land - 1211A Bells Line of Road, Kurrajong Heights. (P243/1295, MA1105/01/EVD/ORK12NCX.V10)

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

That the information be received.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 45

SECTION 6 - REPORTS OF COMMITTEES

Hawkesbury's Healthy City - 8 August 2002

- 508 RESOLVED on the motion of Councillor Allan and seconded by Councillor Woods that the Minutes of the Hawkesbury's Healthy City meeting held on 8 August 2002 as recorded on Pages 67 to 69 be received.

Hawkesbury's Healthy City - 12 September 2002

- 509 RESOLVED on the motion of Councillor Allan and seconded by Councillor Woods that the Minutes of the Hawkesbury's Healthy City meeting held on 12 September 2002 as recorded on Pages 70 to 73 be received.

Hawkesbury Economic Development Advisory Committee - 10 October 2002

- 510 RESOLVED on the motion of Councillor Allan and seconded by Councillor Conolly that the Minutes of the Hawkesbury Economic Development Advisory Committee meeting held on 10 October 2002 as recorded on Pages 74 to 79 be received.

Heritage Advisory Committee - 10 October 2002

- 511 RESOLVED on the motion of Councillor Finch and seconded by Councillor Allan that the Minutes of the Heritage Advisory Committee meeting held on 10 October 2002 as recorded on Pages 80 to 82 be received.

Local Traffic Committee - 25 October 2002

- 512 RESOLVED on the motion of Councillor Davies and seconded by Councillor Allan that the Minutes of the Local Traffic Committee meeting held on 25 October 2002 as recorded on Pages 83 to 98 be adopted.

This is Page of the Minutes of the ORDINARY No 10 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 12 November 2002.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 46

SUPPLEMENTARY REPORTS

132: Hawkesbury Nepean Catchment Management Board (/GMA/ORK12LCX.G19)

513 RESOLVED on the motion of Councillor Calvert and seconded by Councillor Gilling

That Councillor Sheather be nominated as a representative in the Local Government Category.

133: Topoclimate Project (GM001/021 Pt15, GP070/028 Pt2/GMA/ORK12LCX.G18)

This item was dealt with in conjunction with Item 99, Report of the General Purpose Committee, Environment section and Item 120, Reports for Determination

134: Council Property - 7 Yarrawonga Street, South Windsor, DP23924 Lot 29 (GC283/133 Pt1/CSV/ORK12LCX.C20)

514 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Gilling

That:

1. The property be offered for sale by public auction.
2. Three local real estate agents be requested to submit a marketing proposal for public auction for the property.
3. A reserve be set on the property at the current market value determined by K D Wood Valuations.
4. Any necessary legal documents be executed under the Common Seal of Council.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 47

QUESTIONS WITHOUT NOTICE

1. Councillor Finch tabled correspondence from Mrs Judith Rawlings, to which Council had replied, and requested further action be taken in relation to the matter, indicating that the response had taken three months to be forwarded.

The General Manager advised the matter would be investigated.

2. Councillor Finch advised that she had received advice that a lady walking along the shared walkway/cycleway at Ham Common had been knocked over by a cyclist, and enquired as to the possibility of requesting cyclists to sound warning bells when approaching pedestrians.

Councillor Woods advised that cyclists should be giving way to pedestrians.

The General Manager advised the matter would be investigated.

3. Councillor Paine referred to parking at the Doctors' surgery in Kable Street, Windsor and advised that, as a result of a meeting on site with Mr Alan Aldrich and a Council staff member, it was impossible for someone with disabilities to get in and out of the carparking spaces underneath the surgery. Councillor Paine advised that it had also been reported to her that drug deals had been witnessed taking place in the carpark and acts of vandalism had taken place with fire hydrants being taken off the wall and sprayed on cars. Councillor Paine requested a report detailing suggestions to improve the parking area for people with disabilities and addressing the issues raised above.

The General Manager advised that the carpark was open as a result of conditions of consent and that, as requested, a report would be provided.

4. Councillor Paine referred to the pre-treatment facility at South Windsor and requested an update.

The Director of Environment and Development advised that the Environmental Impact Statement was under preparation by Thiess to contract the operators and the operators were negotiating a lease between Council and them to use the site. He advised that he had not been advised as to the date the DA would be submitted.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 48

5. Councillor Paine advised that the motion Hawkesbury City Council took to the Local Government National Assembly at Alice Springs was put on Wednesday 6 November 2002 and was unanimously supported.

6. Councillor Williams requested that Packer Road be graded.

The Mayor advised that it was on the program for next week.

7. Councillor Conolly referred to McCloud Park at South Windsor and advised that an unsealed lane which runs down the side of the park provides easy access for parents in cars to drive almost into the playground area and enquired if the area could be fenced off to provide a clear indication of the delineation of the playground to protect the children from vehicles.

The General Manager advised the matter would be investigated.

8. Councillor Conolly referred to the new skate park at Clarendon and raised concerns that users of the park were involved in dangerous activities such as skating across the road in front of oncoming trains and requested that an attempt be made to separate the skate park from road and rail traffic.

The General Manager advised the matter would be investigated.

9. Councillor Calvert referred to emails he had received relative to information given to new residents of the City and requested a report containing details of a package that was produced by the Chamber of Commerce and suggestions for Council providing a package relative to what is available in the City and what service the Council offers.

The General Manager advised that, in the past, a package had been prepared by Council in conjunction with The Independent which ceased production last year however, the package was in the process of being revamped. He advised that the University and the RAAF Base had also been asked to provide information to include in the kit. He further advised that the kit would be ready in approximately six weeks.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 49

10. Councillor Calvert referred to the state of Bells Line of Road between Wheeney Creek and the Kurrajong turn off on the eastern side coming from Kurrajong Heights eastwards advising that there was a large rut along the left hand side which is approximately 1foot deep and runs virtually the whole length of the hill. Councillor Calvert requested that the RTA look into repairing the road.

The General Manager advised this would be done.

11. Councillor Sheather enquired as to the difference between Vineyard Retirement Village and Fitzgerald Hostel.

The General Manager advised that Vineyard Retirement Village is housing for over 55's and Fitzgerald Hostel is hostel accommodation.

12. Councillor Sheather advised that he had received correspondence from Vineyard Retirement Village which expressed that they felt the \$40.00 levy was excessive.

The Mayor advised that issue was being addressed.

13. Councillor Sheather requested an update in relation the Elf Mushrooms court action.

The General Manager advised that the Affidavits are currently being finalised.

14. Councillor Sheather advised that he had received advice that many residents were prepared to swear Affidavits.

The General Manager advised that the Barrister had requested only five Affidavits.

15. Councillor Sheather advised that he would provide Councillors with a copy of the Motions and Resolutions from the Local Government Conference, for their information.

16. Councillor Sheather advised that Bells Line of Road was closed at Cut Rock for some time and, after the rock was cut, the road was left in a damaged state. He enquired if the road was to be resealed.

The General Manager advised that the matter would be investigated.

**ORDINARY
Meeting Minutes**

Meeting Date: 12 November 2002

Page 50

17. Councillor Woods referred to the skatepark facility at Clarendon and requested that bins be placed in a more appropriate area to avoid the build up of rubbish which had been witnessed at the site.

The Director of Asset Services and Recreation advised that there were two bins which had now been moved closer to the facility. He advised that, despite the bins being moved closer to the facility, rubbish was still being thrown on the ground and Parks staff were now picking up rubbish on a daily basis.

18. Councillor Woods referred to the skatepark facility at Clarendon and enquired as to the possibility of seating being installed for the use of parents and spectators.

The Director of Asset Services and Recreation advised that it was his recollection that there were seats, however the matter would be investigated.

19. Councillor Williams enquired if a sign outlining rules had been placed at the skatepark.

The Director of Asset Services and Recreation advised that the sign had been approved and he would confirm that it had been erected at the site.

20. Councillor Woods requested an update as to the progress of the skatepark management committee.

The General Manager advised that he would make enquiries.

The meeting terminated at 11.47pm.

Submitted to and confirmed at the meeting of Council on 10 December 2002.

.....
Mayor