Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 8 April 2003

location: Council Chambers

time: 7.00pm

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 8 April 2003, 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 and L A Williams.

Reverend Laurie Thompson, Richmond Uniting Church, representing Hawkesbury Ministers Association, gave the opening prayer at the commencement of the meeting.

An apology for absence was received from Councillors C J Woods and G J Gilling.

129 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Finch that the apology be accepted.

SECTION 1 - CONFIRMATION OF MINUTES

130 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather that the Minutes of the Ordinary Meeting held on 11 March 2003, which have been circulated amongst members of the Council, be confirmed.

131 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch that the Minutes of the Extraordinary Special Meeting held on 1 April 2003, which have been circulated amongst members of the Council, be confirmed.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Environment

21: Community Title Subdivision of Lot 2 DP235988, Lot 9 DP221443, Lot 1 DP441814, Lot 8 DP224561, Lot 1 DP553099, and Lot 1 DP 945888, Greggs Road and Patterson Lane, Kurrajong (DA1168/02/EVD/ENC25NAX.V06)

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

That:

A. Council support the applicant's objection under State Environmental Planning Policy No.1 to the provisions of Clause 11 (2).

B. The application be approved subject to the following conditions:

General

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

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

3. No excavation or site works shall be commenced prior to the issue of the Construction Certificate.

4. Compliance with Department of Land and Water Conservation's General Terms of Approval dated 6 November 2002 and NSW Rural Fire Services letter dated 31 January 2003.

Prior to Issue of Construction Certificate

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

5. The submission of engineering designs and calculations covering all works required by this consent.

6. The submission of a satisfactory soil and water management plan (SWMP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".

7. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds $25,000.00.

8. Submission to and approval by Hawkesbury City Council of an "Application to Install a Sewage Management Facility" for the proposed sewage management facilities.

Prior to Commencement of Works

9. Submission to Hawkesbury City Council of any necessary approvals/authorities required by NSW Fisheries, Department of Land and Water Conservation and NSW Rural Fire Service

10. 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.

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 principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

13. All work must be carried out in accordance with the provisions of the Hawkesbury Development Control Plan - Appendix E.

14. 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.

15. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.

Prior to Issue of Subdivision Certificate for the Boundary Adjustment

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

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

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

17. 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.

18. 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.

19. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

20. Payment of a linen release fee of $206.60. This amount is valid until 30 June 2003.

Prior to Issue of Subdivision Certificate for the Community Title Subdivision

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

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

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

22. 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.

23. 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.

24. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

(a)	Open Space and Recreation	$18,893.00
(b)	Community Facilities	$26,720.00

    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.

25. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

26. Payment of a linen release fee of $878.05. This amount is valid until 30 June 2003.

27. The submission of all necessary restriction as to users, covenant and community management plan for approval of Hawkesbury City Council covering the constraints plan and recommendations contained in flora and fauna reports, effluent disposal reports and other documentation submitted with the application. The restriction as to users, covenants and community management plan are to alert owners that any development application for development which will generate more than 5 equivalent persons of waste water is to be accompanied by a feasibility study examining the capacity of the sewage management facilities to cater for the increased loading.

28. The dedication and full construction of the new roads including pathways and the drainage thereof in accordance with the Hawkesbury Development Control Plan.

29. 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.

30. The completion of all intersection works as proposed in Traffic Impact Assessment of Proposed Subdivision, Greggs Road and Pattersons Lane, Kurrajong, dated December 2000 prepared by Christopher Hallam & Associated Pty Ltd and works within Patterson Lane identified in letter from McKinlay Morgan & Associates Pty Ltd dated 2 April 2002, except as amended by works proposed in plan prepared by McKinlay Morgan & Associates Pty Ltd titled "Plan of Proposed Intersection Upgrade, Grose Vale Road and Patterson Lane", plan number 89617 E 10 dated 8 August 2002. Note the extension to Patterson Lane is to be dedicated as a public road and is not to be gated.

31. All works identified in the advices from Blue Mountains Wilderness Trust and the management plans for the fencing of Lot 1 are to be completed.

32. All works for the installation of the proposed sewage management systems are to be completed and a works as executed plan submitted to Hawkesbury City Council.

22: Modification to Proposed Library, Gallery, Commercial Premises and Cafe - 320 George Street, Windsor (1592/01//ENC25NAX.V01)

This item was dealt with in conjunction with Item 65 of the Reports for Determination section of the Supplementary Business Paper

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

A. That Development Consent 1592/01 be amended as follows:-

Condition 1 now to read:

"To confirm and clarify the forms of this approval, the development shall take place in accordance with the plans submitted and amended by the Section 96(1A) application and modified by these further conditions."

B. That a further report be provided in relation to parking in Christie Street, Windsor.

C. That the additional information be received.

23: Heritage Advisory Committee Meeting with Real Estate Agents to Discuss General Heritage Issues in Hawkesbury (GH020/003//ENC25NBX.V04)

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

That:

1. The information about the Heritage Advisory Committee meeting with real estate agents be received.

2. Council not proceed with sending the letter to the real estate agents as they will be targeted as part of the Heritage Communication Plan.

3. Real estate agents be advised of any new heritage items listed in the Hawkesbury Local Environment Plan.

24: Heritage Week 2003 - Program of Events (GH020/003/CSV/ENC25NCX.V03)

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

That the information regarding Heritage Week 2003 be received.

25: Community Engagement in the New South Wales Planning System (79326/EVD/ENC25NCX.V05)

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

That Council continues to develop its long term strategy on community consultation and that it seeks to adopt the Community Engagement principles as outlined in the PlanningNSW Community Engagement Handbook.

Organisation and Resources

21: Monthly Financial Report - February (GF011/005/FNC/OGC25NAX.F05)

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

That the information be received.

22: Lease of Shop 4 Hobartville Shopping Centre (GC283/003/CSV/OGC25NBX.C10)

124 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Allan seconded by Councillor Conolly

That:

1. The premises be leased to Ms Bulkeley for the reduced rental of $7,020.00 (seven thousand and twenty dollars) per annum.

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

23: Processing Time - Applications for Access to Documents under Local Government Act, Section 12(6) (107/CSV/OGC25NBX.C09)

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

That:

1. A. Mr Diamond be restricted to a 1 (one) hour interview with Council's Public Officer or representative per week with an appointment being made at a reasonable time prior to his arrival.

   B. Any such limitations cannot impede the statutory rights of the public to information (eg. under the Freedom of Information Act, the Local Government Act or the Environmental Planning and Assessment Act.)

2. That this determination is reviewable after 3 (three) months by the General Manager and, if refused, referred to Council.

24: Community Needs Report 2003/2004 (107/CSV/OGC25NBX.C06)

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

That:

1. The Community Needs Report 2003-2004 be received.

2. The 46 (forty six) recommendations in the Community Needs Report 2003-2004 be adopted by Council for inclusion in the 2003-2004 Hawkesbury Social Plan.

25: Proposed Sales of 20 and 22 Fitzgerald Street, Windsor (GC283/042, GC283/031/CSV/OGC25NBX.C08)

Mayor Stubbs declared an interest as he is chairman of Friends of the Hawkesbury Art Collection

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

A **motion** was moved on the motion of Councillor Allan seconded by Councillor Calvert

That a plan be developed for public toilets within the CBD of Windsor and the sale not go ahead.

An **amendment** was moved by Councillor Paine seconded by Councillor Williams

That this matter be further reported to the next General Purpose Committee meeting on proposed toilet facilities for the Windsor CBD.

The amendment was lost.

The motion was lost.

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

That:

1. The sale of 20 and 22 Fitzgerald Street, Windsor be deferred for a minimum period of 12 (twelve) months to allow time to find alternative premises for the Hawkesbury Creative Arts Centre.

2. Public toilet facilities be made available in the Windsor CBD prior to the sale of the property.

3. A local real estate agent be engaged to sell the property by Public Auction in accordance with Council's current policy.

4. The current tenants of both properties be advised of Council's intention to sell the properties on or around April/May 2004.

5. In relation to public toilet facilities a report be provided to Council in July 2003.

140 RESOLVED on the AMENDMENT of Councillor Calvert seconded by Councillor Paine

That:

1. The decision to sell 20 and 22 Fitzgerald Street, Windsor be deferred for a minimum period of 12 (twelve) months to allow time to find alternative premises for the Hawkesbury Creative Arts Centre.

2. Public toilet facilities be made available in the Windsor CBD prior to the sale of the property.

3. In relation to public toilet facilities a report be provided to Council in July 2003.

The amendment was carried.

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

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

26: Windsor Mall Craft Market Group Incorporated (76542/CSV/OGC25NBX.C04)

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

That:

1. Windsor Mall Craft Group Incorporated be advised that it will be recommended in Council's Draft Revenue Pricing Policy for the 2003/2004 period, that their fee payable to Council for each and every stall be reduced to $10.00 (ten dollars) per stall (GST exclusive) to enable the Windsor Mall Craft Group Incorporated to recommence its advertising program and entertainment features on the day of the markets.

2. The fee payable by Windsor Mall Craft Group Incorporated be re-assessed for the 2004/2005 Budget, taking into account the groups financial viability at that time.

27: Community Donations Program Round 2 - 2002/2003
(79356/CSV/OGC25NBX.C03)

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

That as part of Round 2 of Community Donations 2002/2003:

1. Hawkesbury City Share - n - Care Toy Library receive a donation of $2,600.00 (two thousand six hundred dollars) to be spent on allocation of toys. The donation be subject to condition that the group extend the membership drive to whole of Hawkesbury.

2. Australian Red Cross Blood Service receive $555.50 (five hundred and fifty dollars and fifty cents) in this round with $555.50 (five hundred and fifty dollars and fifty cents) to be considered as a donation in the 2003/2004 financial year.

3. Hawkesbury District Dance Festival Committee request of $3,966.60 (three thousand nine hundred and sixty six dollars and sixty cents) be considered in the 2003/2004 financial year.

4. Wentworth Area Health Complex Needs Day Centre request for $412.00 (four hundred and twelve dollars) to cover Windsor Function Centre hire for Senior Day Centre Christmas Function be considered in the 2003/2004 financial year.

5. Bligh Park Community Services receive $1,894.75 (one thousand eight hundred and ninety four dollars and seventy five cents) as an offer to match a dollar for dollar to the groups own fundraising.

6. Sydney Showjumping Club Inc. receive $2,401.00 (two thousand four hundred and one dollars) to reimburse the group for the cost of the building application paid to Council to build the administration facility at the Hawkesbury Equestrian Centre.

28: Western Sydney Area Assistance Scheme 2003 - Update
(107/CSV/OGC25NBX.C07)

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

That:

1. The information be received.

2. If Council's application to NSW Planning, on behalf of the Hawkesbury Aboriginal Community Support Group for the 'Jennibee Aboriginal Playgroup Project' is successful, then Council execute a funding agreement with NSW Planning to accept funding for this Project.

29: Second Round Illegal Dumpsite Clean Up and Deterrence Grant
(935/EVD/OGC25NBX.V02)

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

That the Acting General Manager be delegated to sign the grant agreement between Hawkesbury City Council and Resource NSW.

30: Presentation by Tourism Hawkesbury Inc. (73538/CSV/OGC25NCX.C11)

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

That:

1. A letter be sent to the Chairperson of Tourism Hawkesbury Inc. acknowledging the continued high achievements of Tourism Hawkesbury Inc through the efforts of its board, Ms Groth and staff.

2. The information be received.

31: Leave of Absence (80109/CSV/OGC25LBX.C12)

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

That leave of absence be granted to Councillor Joan Woods for the General Purpose Committee Meeting 25 March 2003.

SECTION 4 - REPORTS FOR DETERMINATION

45: Leave of Absence (80109/CSV/ORD08NBX.C02)

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

That leave of absence be granted to Councillor Joan Woods for the Ordinary Meeting 8 April 2003.

46: Legal Advice Re: Rescission Motion for Smith - Lot 4, DP843500, 66 Canoona Avenue, Windsor Downs, DA95/02 (77583/CSV/ORD08NAX.C18)

148 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Williams

That the Code of Meeting Practice be altered to include:

> "*Where a signatory from a Rescission Motion is removed, then a time period of an additional 24 hours, following the notification of all Councillors, be allowed as an extension to enable alternative signatories to be obtained.*"

47: Cultural Infrastructure Project (107/CSV/ORD08NAX.C11)

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

That:

1. The information be received.

2. The Library Working Party be re-activated and a Councillor nominated to participate in the Working Party.

3. A Councillor be nominated for a newly established Art Gallery Advisory Committee.

4. A Councillor be nominated for an expanded Museum Advisory Committee.

5. The linkages between cultural facilities - existing and proposed - be considered as part of the proposed Windsor Masterplan should funding be available in the 2003/ 2004 financial year.

6. MPI Consultants Pty Ltd be engaged to proceed with Expressions of Interest on Council's behalf for a 'Construct, Own and Operate' co-generation facility.

7. An allocation of $85,000 (eighty five thousand dollars) for the stabilisation of the mortuary be provided from the projects contingency allowance.

8. Pont, Williams + Leroy be engaged to proceed with detailed contract documentation for the Regional Museum at $82,600 (eighty two thousand six hundred dollars) excluding GST.

149 RESOLVED on the AMENDMENT of Councillor Sheather seconded by Councillor Rasmussen

That:

1. The information be received.

2. The Library Working Party be re-activated and a Councillor nominated to participate in the Working Party.

3. A Councillor be nominated for a newly established Art Gallery Advisory Committee.

4. A Councillor be nominated for an expanded Museum Advisory Committee.

5. The linkages between cultural facilities - existing and proposed - be considered as part of the proposed Windsor Masterplan should funding be available in the 2003/ 2004 financial year.

6. MPI Consultants Pty Ltd be engaged to proceed with Expressions of Interest on Council's behalf for a 'Construct, Own and Operate' co-generation facility.

7. An allocation of $85,000 (eighty five thousand dollars) for the stabilisation of the mortuary be provided from the projects contingency allowance.

8. Pont, Williams + Leroy be engaged to proceed with detailed contract documentation for the Regional Museum at $82,600 (eighty two thousand six hundred dollars) excluding GST.

9. A Councillor be nominated to the Cultural Infrastructure Project Committee.

The amendment was carried.

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

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

That:

1. Councillor Allan be nominated to the Library Working Party. Councillor Allan accepted the nomination.

2. Councillor Finch be nominated to the Art Gallery Advisory Committee. Councillor Finch accepted the nomination.

3. Councillor Paine be nominated to the Museum Advisory Committee. Councillor Paine accepted the nomination.

4. Councillor Sheather be nominated to the Cultural Infrastructure Project Committee. Councillor Sheather accepted the nomination.

48: Licence Agreement - Peppercorn Place (31516/CSV/ORD08NBX.C03)

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

That the Common Seal of Council be affixed to the licence agreements entered into between Hawkesbury City Council and each tenant of Peppercorn Place.

49: Documents for Execution Under Seal (GC283/095, GC283/019, GC283/015, GC283/081/CSV/ORD08NBX.C07)

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

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

1. Commercial Lease to Black Stump Char-Grill.
2. Retail Lease to Mr and Mrs Shepherd (Colematt Pty Ltd) for Shop 4 Wilberforce Shopping Centre.
3. Retail Lease to Mr and Mrs Shepherd (Colematt Pty Ltd) for Shop 3 McGraths Hills Shopping Centre.
4. Lease to the Upper Hawkesbury Power Boat Club for Governor Phillip Club House.

50: Living in Communities Scheme (LINCS) - Update (79771/CSV/ORD08NBX.C04)

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

That:

1. The information be received.

2. Council to endorse a proposal to be forwarded to the Department of Community Services (DoCS) for a pilot project which would secure an additional 18 months of funding amounting to $75,000 (seventy five thousand dollars) for the Living in Communities Scheme (LINCS).

3. Council to allocate $25,000 (twenty thousand dollars) as a contribution to the operating costs of LINCS to enable it to participate in the pilot project. These funds to be made up of $20,000 derived from unspent DoCS grant funds currently held by the Family Co-op. Council to also give consideration to allocating $5,000 (five thousand dollars) from the 2003/2004 budget for funds that have been requested to maintain Council's support of Child Protection Week.

4. Council to approve the use of unspent funds of $880.69 (eight hundred and eighty dollars sixty nine cents) from Council's 2002/2003 contribution of $5,000 (five thousand dollars) to the Hawkesbury Child Protection Interest Group for Child Protection Week 2002 to be used to support activities to be held in conjunction with Child Protection Week 2003 (to be staged in September 2003). These funds are currently held by the Hawkesbury Child Protection Interest Group.

5. Council to give consideration to allocating an additional amount of $880 from the 2003/2004 Community Services budget to be made available to the Hawkesbury Child Protection Interest Group as a further contribution to Child Protection Week 2003.

51: Community History Project (74272/CSV/ORD08NBX.C08)

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

That the offer of a $5,000.00 (five thousand dollars) grant from the NSW Ministry for the Arts for the community history project, be accepted.

52: Community Cultural Grants Program - March Round (79356/CSV/ORD08NBX.C17)

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

That:

1. A total of $2,150.00 (two thousand, one hundred and fifty dollars) as detailed in the report be allocated as grants under the Community Cultural Grants Program - March Round.

2. Funding be provided from the Community Cultural Grants Program.

3. $6,000.00 (six thousand dollars) and $750.00 (seven hundred and fifty dollars), requested by the Hawkesbury Jazz Club and Suitcase Stories Inc respectively, having been approved in principle by the committee, be considered by Council in the 2003 / 2004 financial year.

53: Richmond RSL Sub Branch - Anzac Day Service (79338/ENG/ORD08NBX.E16)

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

That no objection be held to the application, subject to the applicant:

1. Submitting a copy of its Public Liability Policy in an amount not less than $10,000,000 with the interests of both Hawkesbury City Council and the Roads and Traffic Authority noted thereon.

2. Undertaking advertising of the proposed road closures in the local press.

3. Undertaking a letter drop to affected residents/businesses advising of the proposed road closures/march.

4. The applicant advising CityRail, local taxi services and bus companies using the East Market Street interchange, of the proposed road closures.

5. Serving the following documentation on the nominated organisations:

   (a) NSW Police Service - Schedule 1, Summary Offences Act; and
   (b) Transport Management Centre, Roads and Traffic Authority:

      (i) Application for Road Occupancy; and
      (ii) Transport Management Plan, including Traffic Control Plan.

54: Richmond Park - Access for Disabled (107/ENG/ORD08NBX.E19)

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

That the steps accessing the concrete footpath from Windsor Street be altered to provide wheelchair access.

55: Hawkesbury Development Control Plan (DCP1/99/EVD/ORD08NBX.V15)

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

That the new chapters be prepared in accordance with the list contained in this report and its time frames.

56: Tender to Construct Cell No. 4 and Associated Works at Hawkesbury City Waste Management Facility (107/EVD/ORD08NBX.V06)

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

That:

1. The tender submission for Option 1 of tender no. 007/FY03 “Construction of landfill cell no. 4 and associated works” from D M H Civil Engineering Pty Ltd be accepted at a price of $725,516.00 (seven hundred and twenty five thousand, five hundred and sixteen dollars) which includes GST.

2. Council not accept any Option 2 submission made as part of the tender process, as the costs are considered excessive.

3. Negotiations which are to be undertaken with Mr Kerry Luscombe of Luscombe Contracting Pty Ltd, as a result of the adopted resolution of Council on 11 March 2003, be extended to incorporate the removal of 60% of the excavated material from the construction of cell no. 4.

4. The contract be signed under the seal of Council.

57: Corrections to Schedule 1 of Hawkesbury Local Environmental Plan 1989 (79339/EVD/ORD08NBX.V14)

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

That:

1. A draft local environmental plan be prepared in accordance with the Department of Urban Affairs and Planning Best Practice Guidelines to:

   - Delete 37 Lennox Street, Richmond from Schedule 1 of HLEP 1989.
   - Delete the reference to 333 George Street, Windsor from Schedule 1 of HLEP 1989.

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.

SECTION 5 - REPORTS FOR INFORMATION

58: Reports Requested by Council - Status as at 8 April 2003 (GC280/005 Pt4/GMA/ORD08NCX.G05)

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

That the information be received.

59: Second Event Planners Seminar 15 March 2003 (79341/CSV/ORD08NCX.C10)

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

That the information be received.

60: Ferry Interruption Report - March 2003 (GT240/017/ENG/ORD08NCX.E13)

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

That the information be received.

61: Section 44 Bushfire Emergency - Yarrowlumla Council - Reimbursement of Costs Incurred by Local Brigades (79338/ENG/ORD08NCX.E01)

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

That the information be received.

62: Prosecution - Windsor Leagues Club, 698 George Street, South Windsor (MA1470/01/EVD/ORD08NCX.V09)

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

The information be received.

63: Lot 25 DP 742749, 17 North Street, Windsor - Court Appeal (MA0266/01 Pt1/EVD/ORD08NCX.V12)

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

That the information be received.

SECTION 6 - REPORTS OF COMMITTEES

Sandstone Quarry Committee - 12 March 2003

167 RESOLVED on the motion of Councillor Williams and seconded by Councillor Rasmussen that the Minutes of the Sandstone Quarry Committee meeting held on 12 March 2003 as recorded on Page 66 to be received.

Hawkesbury Economic Development Advisory Committee - 13 March 2003

168 RESOLVED on the motion of Councillor Allan and seconded by Councillor Paine that the Minutes of the Hawkesbury Economic Development Advisory Committee meeting held on 13 March 2003 as recorded on Pages 67 to 70 be received.

Hawkesbury Equity and Access Planning Committee - 19 March 2003

169 RESOLVED on the motion of Councillor Paine and seconded by Councillor Allan that the Minutes of the Hawkesbury Equity and Access Planning Committee meeting held on 19 March 2003 as recorded on Pages 71 to 77 be received.

Local Traffic Committee - 21 March 2003

170 RESOLVED on the motion of Councillor Davies and seconded by Councillor Finch that the Minutes of the Local Traffic Committee meeting held on 21 March 2003 as recorded on Pages 78 to 80 be adopted.

SUPPLEMENTARY REPORTS

64: St Albans Folk Festival (81040/ENG/ORD08LBX.E20)

171 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Paine

That the exclusive use fee of $702.90 or $1.19 per person per day, which ever is the greater, be paid by the organisers of the St Albans Folk Festival.

65: Modification to Proposed Library, Gallery, Commercial Premises and Cafe - 320 George Street, Windsor (1592/01/ENG/ORD08LCX.E21)

This item was dealt with in conjunction with Item 22, Report of the General Purpose Committee, Environment section

QUESTIONS WITHOUT NOTICE

1. Councillor Finch requested a date for the meeting being held with the East Kurrajong Road residents regarding the Cricket pitch in the park.

   The Director of Asset Services and Recreation confirmed that it was Comleroy Road and a meeting date would be set in the near future.

2. Councillor Finch referred to a letter tabled by Mr Patrick Clerke in regards to the Oasis Centre and requested clarification that a discharge was going into Rickaby and South Creek.

The Director of Asset Services and Recreation advised that the discharge and the backwash from Windsor Pool has been discharged into Rickaby Creek, but not into South Creek, since the pool was built. He further advised that, as an EPA requirement, Council are to discharge the backwash into the stormwater system at a cost to the operators of the swimming centre. The Director of Asset Services and Recreation advised negotiations had taken place with Windsor Golf Club in relation to utilising the water. He advised that the matter would be reported to Council once testing of the water for its suitability had taken place.

3. Councillor Finch referred to tabled correspondence from Mr Patrick Clerke and requested clarification that there were no attendants in the outside pool at the Oasis Centre.

   The Acting General Manager advised that he and Councillor Conolly were discussing the situation with Leisure Co. as Council had concerns as to the legality of viewing both pools from one position.

4. Councillor Finch enquired if the result of the Oasis Centre inspection by Royal Lifesaving Society was 100% or 65%.

   The Acting General Manager advised that he had been advised by the Oasis Centre that they had passed the inspection but was unaware as to the percentage.

5. Councillor Finch expressed concern that all staff members and their families of the Oasis Centre are entitled to free use of the pool facility and that as such it was not viable for business.

   The Acting General Manager advised that this practice does not take place.

6. Councillor Finch expressed concern that the staff at the Oasis Centre take their breaks together and that there is no one on duty during that time.

   The Acting General Manager advised that he believed the issue to be that staff were having breakfast together at 7.00 am and it was a matter which was being addressed with Management.

7. Councillor Paine requested an update on the court matter between Leisure Co Inc and Hawkesbury City Council.

The Acting General Manager advised that Council are in the process of dispute and negotiations. He also advised that the matter would be reported.

8. Councillor Paine referred to the tabled letter from Mr Patrick Clerke and expressed concern that Council were paying $1,000 per day to Leisure Co. and are now considering legal action.

   The Acting General Manager advised that Council had paid approximately $340,000 to Leisure Co in the last financial year, but that those figures included indirect payments for insurance, marketing etc. The Acting General Manager advised that a report would be supplied advising this information.

9. Councillor Paine advised that patrons are leaving the Oasis Centre and going to other areas and therefore requested a report in regards to the Oasis Centre.

   The Acting General Manager advised that the Centre was currently doing quite well and that swim numbers were up.

10. Councillor Paine advised she had received a phone call from Jenny Paige in regard to the easement of the drainage in North Street and requested a report in regard to this matter as nothing has happened since 1988 when Council had put money away for this particular matter.

    The Director of Asset Services and Recreation advised that Ms Paige had met with himself and the Mayor in regard to this matter recently. He advised that as there had been various issues with the matter and Council are now required to have an archaeological dig, a report would be done as costs have now increased. He also advised that the easements have been acquired and would be no further cost to Council.

    Councillor Paine advised that she thought the residents were going to hold a street meeting and invite the Council to attend.

11. Councillor Paine requested an update on Community rubbish pick up and how soon it would take place.

    The Director of Environment and Development advised that Council had gone out to tender to ascertain a price so that it could fit in Councils budget process.

12. Councillor Paine advised she had been contacted by a Mr Sheather from 109 Bells Line of Road in regard to some trees that had been coming down behind his property and requested that Council investigate the matter.

    The Director of Environment and Development advised that the matter would be investigated.

13. Councillor Paine referred to legal action taking place between Council and a Dr Larkin at Kurrajong Heights and advised that she had been contacted by one of the residents who advised that there were numerous legal actions taking place against Dr Larkin and suggested to look into the matter of Council taking legal action or slowing the process down.

    The Acting General Manager noted this information.

14. Councillor Allan advised that Councillors had received numerous correspondence in regard to Drift Road, Richmond and enquired if this matter was to be reported to Council.

    The Mayor advised this would be done.

15. Councillor Allan requested that if a matter is to be reported to Council that it be included in the Councillor newsletter.

    The Director of Environment and Development advised that this would be done. He also advised that if the matter was being recommended for consent, it would go to Council, however if it was not recommended for consent it would be dealt with by delegated authority.

    The Acting General Manager advised that if five Councillors had asked for the matter to be reported, whether it is recommended for consent or not, that it should still be reported.

16. Councillor Allan advised that in regard to Richmond Market Place, she was told that two weeks ago the rubber wheels would be on and the lids would be done by last Wednesday. Councillor Allan requested that the matter be finalised.

    The Acting General Manager advised this would be done.

17. Councillor Allan advised that a Mrs Annette Ferris who has a business (Steel Weston) at 2 Rob Place, Vineyard is unhappy because her customers are unable to access the site due to road construction work. Mrs Ferris advised Councillor Allan that she had contacted Council and has not received any support in this matter. Councillor Allan requested that the matter be investigated.

    The Director of Asset Services and Recreation advised that access to the specified property was on Industry Road. The Director of Asset Services and Recreation advised that the matter would be investigated.

18. Councillor Williams advised that in regard to the matter of Mr Sheather of North Richmond, there had been two trees removed which Mr Sheather does not believe would have interfered with the approved development. Councillor Williams requested that Council investigate the matter as soon as possible.

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

19. Councillor Williams enquired as to whether Council would apply for funding in regard to the Great River Walk from the Metropolitan Green space Grant Program.

    The Director of Asset Services and Recreation advised that he would investigate the matter.

20. Councillor Williams expressed concern at the limited amount of time for notification of the Old Hospital Site Open Day and enquired if the notice could not have been longer.

    The Director of Asset Services and Recreation advised that the conditions of consent of the Heritage Committee required an Open Day due to the work involved with the Archaeologists and that additional notification time was not possible.

21. Councillor Williams requested that Bicentennial Road and Roberts Creek Road be investigated for damage and rectification.

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

22. Councillor Conolly enquired as to how often the Yarramundi Bridge was monitored for the safety of the structure and whether Council was confident that it was coping with the traffic using the bridge and the safety of its travellers.

The Director of Asset Services and Recreation advised that it was monitored regularly by RTA staff and that he would investigate the matter further as to time constraints.

23. Councillor Conolly enquired if notification of adjoining residents had been undertaken in regard to housing leopards and if so, what response had Council received.

    The Director of Environment and Development advised that he would investigate the matter and would check the notification process.

24. Councillor Rasmussen enquired if Council were aware that the Hawkesbury/Nepean Catchment Management Board had its inaugural meeting in Windsor and if so, did Council make any attempts to welcome the new board responsible for the total catchment area.

    The Acting General Manager advised that he was not aware of the meeting.

25. Councillor Rasmussen requested an update on the Gross Pollutant Traps.

    The Director of Asset Services and Recreation advised that there had been a traffic problem at Terrace Road, North Richmond and one would being going in there. He also advised that there was another in the design phase for Hobartville.

26. Councillor Rasmussen requested an update on the Yarramundi Flats Drainage Plan.

    The Director of Asset Services and Recreation advised that he had plan ready for Councillor Rasmussen.

27. Councillor Rasmussen enquired whether the staff responsible for clearing the weeds along Kurrajong Road had been congratulated for their work efforts.

    The Director of Asset Services and Recreation advised that it may have been the RTA.

28. Councillor Rasmussen requested an update on the water distribution points.

    The Director of Asset Services and Recreation advised that the matter was with Sydney Water and there was a lengthy process for approval.

29. Councillor Rasmussen enquired as to the line up for the Ministerial State.

    The Acting General Manager advised that he would provide a list to the Councillors.

30. Councillor Rasmussen enquired whether there had been any delay in the restructure of Departments and, if so, how that would impact towards September deadlines.

    The Acting General Manager advised that the matter would be investigated.

31. Councillor Davies requested that the report in regards to the Oasis Centre advise of the relationship between Leisure Co Inc and the board and their responsibilities.

    The Acting General Manager advised that this would be done.

32. Councillor Davies requested information in regard to FOHAC.

    The Mayor advised that he would pass the information to Councillor Davies at the conclusion of the meeting.

33. Councillor Calvert requested an update in regard to signage on the bike path around Colo High School.

    The Director of Asset Services and Recreation advised that the signs had been erected.

34. Councillor Calvert enquired whether the beautification of the corner at Colonial Drive and George Street had been something Council had promised to undertake in the past.

    The Director of Asset Services and Recreation advised that he had not been aware of this matter, but would investigate the matter.

35. Councillor Calvert requested an update on the intersection at North Richmond.

    The Director of Asset Services and Recreation advised that the RTA had put a bid in to do the works next year, but was unaware as to the success of the bid.

36. Councillor Sheather requested that Council write to the neighbours in regard to the court appeal for North Street if not already done and advise them as to the situation in relation to the information received.

    The Mayor advised this would be done.

37. Councillor Sheather requested that Council staff look at water running through a property on the lower side of the Trellises at Kurrajong Village.

    The Mayor advised that this would be done.

38. Councillor Sheather requested that Council trim back the undergrowth on the Upper Colo Road.

    The Mayor advised that this would be done.

The meeting terminated at 11.05pm.

Submitted to and confirmed at the meeting of Council on 13 May 2003.

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Mayor