



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 9 December 2003

location: Council Chambers

time: 7.00pm

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Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 9 December 2003, commencing at 7.05pm.

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

- 538 RESOLVED on the motion of Councillor Woods seconded by Councillor Conolly that standing orders be suspended to allow Councillor Woods to address Council and present the Mayor, on behalf of Hawkesbury City Council, the Milestone Four Award, Cities for Climate Protection.
- 539 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Calvert that standing orders be resumed.

An apology for absence was received from Councillor L Allan.

- 540 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Gilling that the apology be accepted.

Pastor John Thompson from the Assemblies of God, Richmond, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

Councillor Conolly left the meeting at 10.00pm
Councillor Conolly returned to the meeting at 10.30pm

SECTION 1 - CONFIRMATION OF MINUTES

- 541 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Gilling that the minutes of the Ordinary Meeting held on 4 November 2003, which have been circulated amongst members of the Council, be confirmed.
- 542 RESOLVED on the motion of Councillor Gilling seconded by Councillor Sheather that the minutes of the Special Meeting held on 18 November 2003, which have been circulated amongst members of the Council, be confirmed.

This is Page of the Minutes of the ORDINARY No 11 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 9 December 2003.

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- 543 RESOLVED on the motion of Councillor Sheather seconded by Councillor Gilling that the minutes of the Special Meeting held on 2 December 2003, which have been circulated amongst members of the Council, be confirmed.

SECTION 2 - NOTICE OF MOTIONS

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1. Scheyville National Park - Hazard Reduction and Bridle Trails on Road Verges

- 544 RESOLVED on the motion of Councillor Stubbs, Mayor and seconded by Councillor Rasmussen

That a working party be established with membership from Council, NPWS and the Maraylya Progress Association (both of whom have already indicated their support) and other community representatives to investigate options for bridle trails around Scheyville National Park, including location, design, funding options (including grants) and costing, in-kind contributions from the community and the degree of community support..

2. Business Service Awards

- 545 RESOLVED on the motion of Councillor Stubbs, Mayor and seconded by Councillor Rasmussen

That:

1. A service award be given to businesses that have operated in the Hawkesbury City Local Government area for 25 (twenty five) years or longer.
2. Nominations for the awards be coordinated through the Hawkesbury Chamber of Commerce and Industries Inc, with design and printing undertaken by Hawkesbury City Council.

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Notices of Motion of Rescission

1. Shopping Centre Complex and Roadworks - Hollands Paddock, Windsor

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

That Council's resolution from the Special Meeting held on 18 November 2003 in relation to Item 192, Shopping Centre Complex and Roadworks - Hollands Paddock, Windsor - Request for Review of Determination, be rescinded.

547 RESOLVED on the motion of Councillor Paine, seconded by Councillor Rasmussen

That:

1. Council resolve to review the determination in accordance with the provisions of section 82A of the Environmental Planning Assessment Act 1979.
2. Council decline to reconsider its previous decision.

2. Pitt Town Draft Local Environmental Plan

Councillor Woods declared an interest in this item as her Parents-in-Law own land adjacent to the development area.

A motion was moved by Councillor Davies and seconded by Councillor Rasmussen

That Council's resolution from the Special Meeting held on Tuesday, 2 December 2003 in relation to Item 193, Pitt Town Draft Local Environmental Plan, be rescinded.

The motion was lost.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

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Environment

75: Section 96 Application to Modify Development Consent DA134/95 - Lot 2, DP628806, No. 6102 Singleton Road, Colo Heights (Tinda Creek) (DA134/95/EVD/ENK27NAX.V01)

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

That:

1. A document tabled containing comments of a defamatory nature, be returned and an invitation extended to resubmit the document after removal of defamatory comments.
2. The General Manager investigate the above and report to the next meeting and issue an apology to Mr Matthew Diamond, if necessary.
3. Council staff assistance be offered to the speaker to assist with identifying sections of the tabled document that breach the Code of Meeting Practice.

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

That this matter be deferred and the issues raised by the respondents be further reported back to Council.

76: Additions to Existing Dwelling and Erection of a Second Dwelling to Create a Detached Dual Occupancy, Lot 17 DP 789582, 17 Evans Crescent, Richmond (DA1017/03/EVD/ENK27NAX.V03)

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

That:

The application for additions to the existing dwelling and erection of a second dwelling to create a detached dual occupancy be approved subject to the following conditions:

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by AFPA Building

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Services Pty Ltd, Drawing Numbers ANT.1, ANT2, ANT3, ANT4, DAL1 and DAL2 dated 19/08/03) submitted with Development Application No. DA 1017/03 and any supportive documentation, except as amended in red or 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) 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 and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.

Use of the site

7. Subdivision of the proposed site is not permissible. No consent shall be granted for subdivision.
8. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
9. No signs shall be displayed on the footpaths, pedestrian ways, roadways or in the

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vicinity.

Prior to Issue of Construction Certificate

10. Construction of civil works including road, drainage or access works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environment and Development or an accredited certifier.
11. Payment of a design checking and inspection fee of \$373.50 when submitting Engineering plans for approval. This amount is valid until 30 June 2004. Fees required if an accredited certifier is used will be provided upon request.
12. The submission of engineering designs and calculations covering all works required by this consent.
13. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
14. Arrangements are to be made for the provision of common drainage and the disposal of drainage from the site. Where the disposal of drainage involves the provision of drains across land owned by others, drainage easements of adequate width shall be provided for which documentary evidence must be submitted.

Prior to Commencement of Works

15. 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

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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.

16. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
17. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environmental Planning and Assessment Act.
18. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to 'Your Business' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building and Renovating' under the heading 'Building and Developing', or telephone 13 20 92.
19. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building; or

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- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
- 20. 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.
- 21. 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.
- 22. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.
- 23. Separate certified structural engineer's details of all structural concrete and steelwork shall be lodged with the principal certifying authority for approval.
- 24. 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.

During Construction

- 25. All building work must be carried out in accordance with provisions of the Building Code of Australia.
- 26. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) steel reinforcement;
 - (d) damp-proof course, ant-capping and floor timbers, prior to the fixing of any flooring material;

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- (e) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (f) wet area flashing, after the installation any bath and shower fixtures;
 - (g) external stormwater drainage lines, prior to backfilling;
 - (h) on completion of the structure; and
 - (i) smoke detectors.
27. The floor of the internal WC shall be graded and drained to an approved floor waste located in that compartment.
28. An automatic fire detection and alarm system shall be installed within the building in accordance with Part 3.7.2 of the BCA for class 1A and 1B dwellings and F2.2a of the BCA for Class 2, 3, 4, 5, 6, 7, 8 9a and 9b. Alarms and Detectors shall be installed by a licensed electrician and multiple alarms shall be interconnected, a certificate of the installation shall be provided prior to occupation of the building or addition; (Note: refer to approved plans, for location marked in red ink).
29. 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.
30. 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. Registration fees, as per Council's Revenue Pricing Policy, apply.
31. The roofwater shall be drained to the existing roofwater drains.
32. 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.
33. 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).
34. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.

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35. The new dwelling is to be provided with a hot water system with a minimum energy rating of 3.5 stars.
36. All work must be carried out in accordance with the provisions of the Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification.
37. The developer is responsible for the 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.
38. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
39. The detached dual occupancy dwelling is to be constructed to comply with AS2021 or in accordance with a noise report submitted to Council's satisfaction.

Prior to Issue of Occupation Certificate

40. 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.
41. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to 'Your Business' section of Sydney Water's web site at www.sydneywater.com.au then the 'e-developer' icon or telephone 13 20 92.

Following application a 'Notice of Requirements' will detail 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 occupation of the development.

42. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant Units.
43. Submission of a Certificate from an approved telecommunications provider that

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satisfactory arrangements have been made for the provision of cables for telephones to each Unit.

44. The provision of inter-allotment drainage covering all lots not draining directly to a public road and the creation of necessary easements free of cost to Council.
45. The submission of a Surveyor's Certificate stating that all pipelines are contained within the proposed/existing easements.
46. A Termite Protection Notice, in accordance with AS3660, printed on durable material shall be affixed at the entrance to a crawl space or in the case of slab on ground construction, in the meter box prior to a "Final Inspection" being carried out. The notice shall include information on the form of termite protection employed and the expected service life of the barrier before maintenance is required.

77: Determination of Submissions on Draft Hawkesbury Local Environmental Plan 1989 - Amendment 130. Housing and Multi Unit Housing Zone Amendments and Subdivision in North Richmond. (109, LEP001/01/EVD/ENK27NBX.V04)

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

That:

1. This matter be deferred to the New Year and workshopped.
2. The information be received.

78: Pitt Town Signage (79347/EVD/ENK27NBX.V05)

Councillor Woods declared an interest in this item as her Parents-in-Law own land adjacent to the development area.

552 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather.

That:

1. Council approach the State Government to amend SEPP 64 to allow community groups to erect signs for political purposes.

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2. That the Hawkesbury Development Control Plan be modified to meet the requirements of SEPP 64 and these modifications include consideration of political signs and election campaign signs by including them as an exempt development, using words of SEPP 60 in Amendment 139.

79: Restricted Premises (79347/EVD/ENK27NBX.V06)

553 RESOLVED on the motion of Councillor Conolly seconded by Councillor Woods

That the matter be deferred to the February Planning Workshop.

80: Draft Local Environmental Plan 8/98 - Amendment 108 to Hawkesbury Local Environmental Plan 1989 (LEP8/98/EVD/ENK27NBX.V07)

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

That:

1. Council accept the recommendation outlined in this report and resolve to prepare the plan for finalisation and gazettal.
2. The land along the Singleton/Putty Road, generally north of the Colo River and currently zoned Rural 1(a) be zoned Mixed Agriculture and the maps and written instrument be amended accordingly and the minimum lot size be maintained at 40 (forty) hectares.
3. Council not support the request for rezoning Slopes Road and Gadds Lane, Kurmond properties.
4. The issues raised concerning the protection of agricultural land via a conservation zone be referred to Hawkesbury Heritage Study Team for consideration.
5. The plan be amended to prohibit piggeries and intensive poultry farms from the rural living zones.

An **amendment** was moved by Councillor Williams, seconded by Councillor Rasmussen

That:

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1. Council accept the recommendation outlined in this report and resolve to prepare the plan for finalisation and gazettal.
2. Lot 2, which is subject to sand mining at Tinda Creek be zoned as Mixed Agriculture and the remaining land along the Singleton/Putty Road, generally north of the Colo River remain as Environmental Protection.
3. Council not support the request for rezoning Slopes Road and Gadds Lane, Kurmond properties.
4. The issues raised concerning the protection of agricultural land via a conservation zone be referred to Hawkesbury Heritage Study Team for consideration.
5. The plan be amended to prohibit piggeries and intensive poultry farms from the rural living zones.

The Amendment was lost.

The Motion was put and carried.

555 RESOLVED on the FORESHADOWED motion of Councillor Williams, seconded by Councillor Rasmussen

That a report be provided to Council in relation to the rezoning of land north of the Colo River, to prohibit extractive industry.

Infrastructure

**42: Department of Sport and Recreation - Funding Withdrawal
(79354/ENG/INK27NBX.E01)**

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

That:

1. The information recording the withdrawal of funding under the Capital Assistance Program for the North Richmond Skatepark and Wilberforce Park half court basketball court be received.

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2. The matching funding for the Wilberforce Project of \$10,000 (ten thousand dollars) be considered for works identified within the Conservation Management Plan for Wilberforce Park.

43: Governor Phillip Reserve, Windsor - Exclusive Use - Policy
(79338/ENG/INK27NBX.E05)

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

That the following policy in relation to exclusive use of Governor Phillip Reserve be adopted:

1. Exclusive use of Governor Phillip Reserve, Windsor not be granted on:
 - a) consecutive days of a weekend excepting the Upper Hawkesbury Power Boat Club Spectacular (usually held in September) and the NSW Waterskiers Association Bridge to Bridge (usually held in November);
 - b) consecutive weekends;
 - c) public holiday periods; and
 - d) Fathers' Day/Mothers' Day of each year.
2. Exclusive use for the evenings leading up to an event (maximum of 2 (two) nights) may be granted to organisers from 6.00pm till 7.00am the following morning to assist in set up, clean up and provide security only.
3. The NSW Police Service be informed of the exclusive use dates and times by the applicant prior to an event.
4. No additional fee to be charged for the overnight exclusivity.
5. The policy be reviewed every two years.
6. Other general conditions of consent are to be adhered to.
7. Council retain the noise limits as set out for those regular events held prior to 29 August 2002 - those being:

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Drag Boat Racers (currently running 2 races per year)

1. *No competing vessel shall be permitted to emit noise in excess of:*
 - (a) *115dB(A) - for more than 8 seconds measured at a distance of 30 metres during the race; or*
 - (b) *105dB(A) - for more than 14 seconds measured at a distance of 30 metres during a race.*
 - (c) *105dB(A) - for vessels running more than 14 seconds measured at a distance of 30 metres during the race.*
2. *The licensee shall ensure that noise levels from vessels of 105dB(A) and up to 115dB(A) shall not be exceeded for more than 2 minutes per hour.*
3. *The above noise criteria is not to be used more than four times a year at any one venue, and is only extended to specialised drag boat clubs affiliated with the Australian Power Boat Association.*

The Upper Hawkesbury Power Boat Club

No Competing vessel shall be permitted to emit noise in excess of:

- (a) *Club Days - 105dB(A) for more than 40 minutes per day.*
- (b) *NSW State Titles - 105dB(A).*
- (c) *Bridge to Bridge Boat Race - 105dB(A).*
- (d) *Unlimited Boat Race (Blown Boats) - 115dB(A). This event is held directly after the Bridge to Bridge Boat Race.*
- (e) *Noise Test - (Prior to the Two Day Spectacular) - 115dB(A) for more than 15 minutes in total through the day.*
- (f) *Two Day Spectacular - 115dB(A) for more than 10 minutes in total per day.*

The Hawkesbury Aquatic Festivals

1. *No Competing vessel shall be permitted to emit noise in excess of:*

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- (a) *115dB(A) - Straight Line Drags, at Windsor Marine Stadium, between South Creek and Windsor Bridge, for more than 10 seconds measured at a distance of 30 metres. They will be staggered at least one hour apart with five passes per day, not before 10.00am.*
- (b) *100-105dB(A) - Circuit Races, at Windsor Marine Stadium between South Creek and Windsor Bridge, each race maximum duration 10 minutes, maximum time per day 3 hours.*
- (c) *100-105dB(A) - Top End Sprint from Sackville to Windsor with up to sixty competitors with the full race duration taking no more than one hour. It should be noted that these vessels are decelerating by the time they are entering the Stadium area within Governor Phillip Reserve.*
- (d) *100-105dB(A) - Sackville one up Ski Race from Windsor and return to Windsor with up to one hundred vessels with the full race taking no longer than 4 hours. It should be noted that these vessels are decelerating by the time they are entering the Stadium area within Governor Phillip Reserve.*
- (e) *95dB(A) - Nippers, Wake boarders and personal Watercraft all operate at or under the 95dB(A) level.*

The NSW Water Ski Association

The Association has been operating within the following limit of 100dB(A) with a tolerance of 3dB(A). This event has been running for the past 40 years and attracts around 260 boats from across Australia. Around 80 boats (320 crew members) travel from interstate, particularly from Queensland and Victoria.

The noise limits that have been outlined above are the maximum levels allowed. Generally 80% of the vessels participating within each event are well below these levels.

**44: Water Tanker Filling Station - Mill Road, Kurrajong
(79338/ENG/INK27NBX.E07)**

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

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That the following projects be listed for Councils consideration when determining projects for inclusion in the 2004/2005 Works Program:

1. The facility for non-commercial usage off Kurrajong Road be relocated to a suitable area within Matheson Park adjacent to Roxana Road, Kurrajong at an estimated cost of \$5,500 (five thousand and five hundred dollars).
2. Truck access to the remaining hydrant site be restricted to Old Bells Line of Road only.
3. The present access off Kurrajong Road be closed to vehicular traffic by extending a suitable landscaped mound for the full frontage of the site at an estimated cost of \$3,500 (three thousand and five hundred dollars).
4. The access, parking and turning areas off Old Bells Line of Road be sealed at an estimated cost of \$18,500 (eighteen thousand and five hundred dollars).
 - a) Access to this particular hydrant be restricted to the following times:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday	10.00am to 5.00pm
5. Item 3 (three) above can proceed at any time subject to the availability of suitable material from nearby projects.

559 RESOLVED on the Foreshadowed motion moved by Councillor Williams, seconded by Councillor Rasmussen

That a report be brought to Council investigating the practicalities and the cost of raising tanker hydrant fill points above ground level.

**45: Management of RTA Vehicular Ferry Contracts - Extension of Contracts
(74282/ENG/INK27NBX.E02)**

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

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1. Council extend the existing Caretaking and Operation contract of the Hawkesbury River ferries, ie Sackville, Webbs Creek and Wisemans Ferry, for a further six months, i.e. so that it would now end on 30 June 2004;
2. Council manage the existing contract for the duration of this extended period; and
3. O'Connor Ferry Service be requested to confirm if it is prepared to have the existing contract extended for this same period, and to continue with their services over the extended period in accordance with rates and conditions agreed by the RTA.

46: Governor Phillip Reserve, Windsor - Upper Hawkesbury Power Boat Club 2004 Racing Calendar (73829/ENG/INK27NBX.E04)

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

That approval be granted to the Upper Hawkesbury Power Boat Club 2004 Racing Calendar, including exclusive use on 2 May 2004 (with an alternate date of 23 May 2004) and 11-12 September 2004, subject to the following conditions:

1. Prior to dates of exclusive use a letter drop be undertaken by the applicant to all affected residents in proximity to the event with that letter advising full details of the function;
2. The reserve is to be left clean and tidy with the organisation being responsible for collection and disposal of all waste; the applicant is to lodge with Council a damage bond of \$750.00 (seven hundred and fifty dollars) in relation to each date of exclusive use, which is refundable less any costs incurred by Council, administrative or otherwise, to clean or restore the area;
3. Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's "Information for Food Stall Holders" brochure; this information and any related food/public health information can be obtained by contacting Council's Environmental Health Officer.
4. If required, the applicant obtaining all necessary permit/approvals in relation to amusement devices/rides and liaising with Integral Energy regarding the supply of power and their proximity to power supply lines.
5. If required, the applicant to obtain appropriate licence from the Licensing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event.

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6. The applicant obtaining appropriate licences from the Waterways Authority regarding the conduct of the 2004 Calendar.
7. The applicant paying to Council such fees as may be applicable at the time for exclusive use of the reserve being \$1.20 (one dollar and twenty cents) per person or \$724.00 (seven hundred and twenty four dollars) per day (whichever is the greater).
8. A fee of \$50.00 (fifty dollars) is payable for the cleaning of the toilets prior to the event.
9. A copy of a Public Liability Policy for \$10,000,000 (ten million dollars) and indemnifying Hawkesbury City Council is to be submitted prior to 31 December 2003; in the event of renewal of that policy occurring at some time during the course of the 2004 Racing Calendar a Certificate of Currency is to be submitted within 1 (one) week of renewal - this Public Liability Policy is to cover all events conducted as part of the applicant's 2004 Racing Calendar.
10. The event manager/applicant must undertake a Risk Assessment of the event to be conducted including pre-event preparations. This assessment must identify potential hazards and the procedures that need to be implemented to eliminate or control those hazards. The event manager/applicant is responsible for ensuring that procedures are followed and that they comply with the requirements of the Occupational Health and Safety Regulations 2001.
11. The event to comply with Council's current policy in regard to noise levels.

**47: Half Pipe Skate Ramp at North Richmond Community Centre
(79354/ENG/INK27NBX.E06)**

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

That:

1. The half pipe skate ramp at North Richmond Skate Park be reassessed when the North Richmond Skate Park is completed.
2. Council negotiate with the owner/tenants of the adjoining property for the erection of a fence that is a chain wire fence.

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Organisation and Resources

96: General Purpose Financial Report and Special Purpose Financial Report for the period ended 30 June, 2003 (107/FNC/OGK27NAX.F06)

534 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Rasmussen seconded by Councillor Finch

That Councils General Purpose and Special Purpose Financial Reports and Special Schedules for the period ended 30 June 2003 be adopted.

97: Quarterly Review as at 30 September 2003 (107/FNC/OGK27NAX.F08)

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

That the quarterly review of the 2003/2004 Management Plan and Financial Statement for the period ending 30 September 2003 be adopted.

98: Monthly Financial Report - October 2003 (GF011/005/FNC/OGK27NAX.F04)

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

That the information be received.

99: Payment of External Organisations (GT050/005, GT070/018, GM001/021 Pt14, GC210/014 Pt3/FNC/OGK27NAX.F05)

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

That the information be received.

100: Community Donation Program Round 2 (Two) 2003/2004 (79356/CSV/OGK27NBX.C09)

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

That as part of Round 2 (two) of Community Donations 2003/2004 a total of \$8350 (eight thousand, three hundred and fifty dollars) be paid as donations as follows:

1. MacDonald Valley Association receive \$1,000.00 (one thousand dollars) towards their Arts is for the Birds Project.
2. Windsor Pre-School Association Inc. receive \$700.00 (seven hundred dollars) to provide and erect a double sided metal sign for the front of their building.
3. NSW Floral Art Association Inc receive \$5000.00 (five thousand dollars) towards the staging of the third Australian national Floral Art Show.
4. Bridgewater Baptist Church receive \$500.00 (five hundred dollars) towards the cost of tools towards their community garden and home maintenance program.
5. Autism and Aspergers Support Group Inc. receive \$500.00 (five hundred dollars) in-kind printing for their monthly newsletters etc.
6. Kurrajong Branch of the Country Women's Association receive \$500.00 (five hundred dollars) towards the purchase of two upright stoves for their catering fundraising project.
7. MacDonald Valley Public School receive \$150.00 (one hundred and fifty dollars) towards fundraising efforts to cover the cost of shortfall in excursion fees to Sydney.
8. A further report be provided to Council in relation to funding for toilet doors at Comleroy School of Arts.

101: Community Cultural Grants Program - October Round
(79356/CSV/OGK27NBX.C03)

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

That:

1. A total of \$500 (five hundred dollars) as detailed in the report be allocated as grants under the Community Cultural Grants Program - October Round.

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

102: Proposal for Council to Administer a Memorial Award in Memory of Natalie Burton (87688/CSV/OGK27NBX.C01)

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

That Council exercise its delegation as Committee of the Whole and resolve to administer The Natalie Burton Memorial Award for Application and Determination with the procedure and process to be as outlined in the report.

103: Lease of Shop 2 Hobartville Shopping Centre (GC283/006, 78377, 2286, 74406/CSV/OGK27NBX.C02)

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

That:

1. The premises be leased to Mr Nicholas and Mrs Amba Rosman for an annual rental of \$7,145.00 (seven thousand, one hundred and forty five dollars) per annum exclusive of GST, plus 8.77% (eight point seven seven) of centre outgoings.
2. Mr and Mrs Rosman be allowed a rent-free period of 2 (two) months for renovations and the promotion of the business.
3. The Common Seal of Council be affixed to all necessary documents.

SECTION 4 - REPORTS FOR DETERMINATION

194: Lease of Shop 4 (Four) Hobartville Shopping Centre (6481, 82137/CSV/ORL09NBX.C04)

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

That:

1. The premises be leased to O'Brien Family Funerals for the annual rental of

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\$6,500.00 (six thousand, five hundred dollars) plus GST per annum, plus 8.77% (eight point seven seven percent) of centre outgoings.

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

195: Proposal to Establish an Alcohol Free Zone (GP070/001/CSV/ORL09NBX.C06)

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

That:

1. In accordance with the provisions of the Local Government Act, 1993, the consumption of alcohol in the following areas be prohibited for the period from 1 January 2004 to 31 December 2006, by the re-establishment of the Alcohol Free Zones.

Richmond

- The block having its boundaries as Francis Street, West Market Street, Windsor Street and Bosworth Street, Richmond. Including Coles car park.
- East Market Street, Richmond between Francis Street and Windsor Street.
- Toxana Street, Richmond between Francis Street and Windsor Street.
- Windsor Street, Richmond between East Market Street and Paget Street.
- West Market Street, Richmond between Lennox Street and March Street.
- The block having its boundaries as East Market Street, Windsor Street, West Market Street and March Street, Richmond.
- East Market Street, Richmond between March Street and Lennox Street.
- Woodhills car park, Richmond.

North Richmond

- Bells Line of Road, North Richmond - area known as State Bank Plaza car park (adjoining Pitt Lane).

Windsor

- Windsor Mall, Windsor.
- The footpaths and roadways along The Terrace and adjoining Howe Park, Windsor.

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- George Street, Windsor from Bridge Street (roundabout) to corner of Arndell Street.

Glossodia

- Golden Valley Drive, Glossodia in front of Shopping Centre. Including the car park and access road.

Pitt Town

- Eldon Street, Pitt Town between Grenville Street and Chatham Street.

McGraths Hill

- McGraths Hill Shopping Centre on the block bounded by Phillip Place, Redhouse Crescent and the McGraths Hill Community Centre.

Wilberforce

- Wilberforce Shopping Centre on the block bounded by the George Road entrance, the section of Singleton Road in front of the Wilberforce Pre-School and Child Care Centre to the intersection with King Road, and the frontage of the Shopping Centre and Park along King Road, Wilberforce.

South Windsor

- The block having its boundaries as George Street, Campbell Street and Argyle Street (and rear laneways) including the roads, footpaths and car park at the front, side and rear of the South Windsor Shopping Centre and the roads and footpaths surrounding McLeod Park.
2. Public notification (including erection of signage and an advertisement in the Hawkesbury Gazette) be given of the re-establishment.

196: Occupational Health and Safety - Compliance (79509/CSV/ORL09NBX.C01)

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

That:

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1. 2 (two) data entry operators be employed for a 3 (three) month period to complete the 18 (eighteen) Hazard Registers and estimated 300 (three hundred) Safe Work Method Statements with funding being provided from the Risk Management Reserve.

**197: Leasing of the Unformed Road at Rickaby Street, South Windsor
(79337/CSV/ORL09NBX.C09)**

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

That:

1. The unformed road adjoining Lot 134 DP752061 be leased to Mr Barry Davis and Mrs Marie Clark for a maximum period of 5 (five) years with a conditional clause inserted into the Deed of Agreement that allows Council to give 6 (six) months written notice to terminate the lease prior to the expiration of the lease.
2. The annual rent by \$600.00 (six hundred dollars) plus GST to be reviewed annually in accordance with the Consumer Price Index of Sydney.
3. The lessee be required to provide \$10,000,000 (ten million dollars) Public Liability insurance with Hawkesbury City Council interests noted on the policy.
4. All costs associated with the leasing proposal be met by the lessee and the lessee be responsible for all upkeep, maintenance, fencing and water usage.
5. The Seal of Council be affixed to any necessary legal documents.

198: Documents for Execution Under Seal (85778, GC283/025/CSV/ORL09NBX.C02)

574 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 extension for 35 Macquarie Street, Windsor to Yum! Restaurants Australia Pty Limited.
2. Retail lease to Bridge Cafe of Council's alfresco decking area.

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**199: Proposed Acquisition for Road Purposes - Part 61 Upper Half Moon Road,
Lower Portland - W M Burgess (26910/CSV/ORL09NBX.C03)**

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

That:

1. Council compulsorily acquire Lot 2 in Deposited Plan 878293 for road purposes, in accordance with the Land Acquisition (Just Terms) Compensation Act 1991, from Mr Warren Burgess.
2. Application be made to the Minister for Local Government and/or the Governor for approval to proceed with Compulsory Acquisition of Lot 2 in Deposited Plan 878293.
3. All relevant documents be executed under the Common Seal of Council.

**200: Lease of (Grassed) Alfresco Dining Area, Thompson Square
(73914/CSV/ORL09NBX.C05)**

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

That:

1. Council enter into a new Deed of Agreement for the use of the grassed alfresco dining area in Thompson Square with Mr Storie for \$50.00 (fifty dollars) per month, plus GST.
2. All relevant documents be executed under the Common Seal of Council.

**201: Tender - Contract Work Cogeneration Plant at the Hawkesbury
Library/Gallery Development No. 012/FY04 (79338/ENG/ORL09NBX.E12)**

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

That in relation to the construction of a Cogeneration Plant at the Old Hospital/Library/Gallery site:

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1. Funding for the project be provided by means of internal loans.
2. Package 101 - Supply and Installation of the Generator Set and Ancillaries

The Tender of Energy Power Systems Australia Pty Ltd, Unit 4, 17-37 Wollongong Road Arncliffe NSW 2205 for the supply and installation of the Generator Set and Ancillaries for the sum of \$619,845.00 (six hundred and nineteen thousand, eight hundred and forty five dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

3. Package 102 - Supply and Delivery of the Reciprocating Chiller
 - a) The tender of Carrier Airconditioning Pty Ltd for the supply and delivery of reciprocating chiller not be accepted.
 - b) Further tenders not be called as Tender Procedures have been followed and it is unlikely that additional tenders will be received. Timing of the project also precludes this action.
 - c) The offer of Air Solutions International Pty Ltd for the supply and delivery of the reciprocating chiller for the sum of \$167,630.00 (one hundred and sixty seven thousand, six hundred and thirty dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.
4. Package 103 - Supply and Delivery of the Absorption Chiller
 - a) Further tenders not be called as Tender Procedures have been followed and it is unlikely that additional tenders will be received. Timing of the project also precludes this action.
 - b) The offer of Air Solutions International Pty Ltd for the supply and delivery of the absorption chillers for the sum of \$201,860.00 (two hundred and one thousand, eight hundred and sixty dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.
5. Package 104 - Supply and Delivery of the Hot Water Generator and Ancillaries

The revised tender of Hunt Boilers for the supply and delivery of the hot water generator and ancillaries for the sum of \$101,450.00 (one hundred and one thousand, four hundred and fifty dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

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6. Package 105 - Supply and Installation of the Cooling Towers and Ancillaries

The tender of Tasman Cooling Towers Pty Ltd for the supply and installation of the cooling towers and ancillaries or the sum of \$205,969.00 (two hundred and five thousand, nine hundred and sixty nine dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

7. Package 106 - Supply and Delivery of the Pumps

The tender of ITT Flygt Limited for the supply and delivery of the pumps for the sum of \$45,902.00 (forty five thousand, nine hundred and two dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

8. Package 107 - Supply and Delivery of the Fans and Ancillaries

- a) As no tenders were received, further tenders not be called as Tender Procedures have been followed and it is unlikely that additional tenders will be received. Timing of the project also precludes this action.
- b) The offer of Fantech Pty Ltd for the supply and delivery of the fans and ancillaries for the sum of \$23,746.00 (twenty three thousand, seven hundred and forty six dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

9. Package 108 - Supply and Delivery of the Valves and Pipe Fittings,

The tender of Tyco Flow Controls Pacific Pty Ltd, Unit B1 141-151 Fairfield Road, Guildford NSW 2161 for the supply and delivery of the valves and pipe fittings for the sum of \$179,393.00 (one hundred and seventy nine thousand, three hundred and ninety three dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

10. Package 109 - Supply and Delivery of the Pipework Materials and Ancillaries

The tender of Tradelink Plumbing Supplies, 1037 Bourke Street, Waterloo NSW 2017 for the supply and delivery of the pipework materials and ancillaries for the sum of \$147,867.77 (one hundred and forty seven thousand, eight hundred and sixty seven dollars and seventy seven cents), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

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11. Package 110 - Supply and Delivery of the Heat Exchangers

The tender of Tyco Flow Controls Pacific Pty Ltd, Unit B1, 141-151 Fairfield Road, Guildford NSW 2161 for the supply and delivery of the heat exchangers for the sum of \$27,877.00 (twenty seven thousand, eight hundred and seventy seven dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

12. Package 111 - Supply and Delivery of the PLC Hardware, Software and Ancillaries

The tender W. A. Cromarty & Co Pty Ltd. One Park Road, Queensland 4064 for the supply and delivery of the PLC hardware, software and ancillaries at George Street, Windsor for the sum of \$57,380.00 (fifty seven thousand, three hundred and eighty dollars), be accepted and novated to MPI Projects, and the necessary documents be executed under Seal of Council.

13. Package 112 - Supply and Delivery of the Instrumentation

The tender of Midwest Valves and Controls, 13 Mayne Street, Gulgong NSW 2852 for the supply and delivery of the instrumentation for the sum of \$22,708.00 (twenty two thousand, seven hundred and eight dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

14. Package 113 - Supply and Delivery of the Air Compressor and Ancillaries

The adjusted tender of Air Technology Group Pty Ltd, 271 Prince William Drive, Seven Hills NSW 2147 for the supply and delivery of the air compressor and ancillaries for the sum of \$7,460.00 (seven thousand, four hundred and sixty dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

15. Package 114 - Site Facilities Hire

- a) As no tenders were received, further tenders not be called as Tender Procedures have been followed and it is unlikely that additional tenders will be received. Timing of the project also precludes this action. Not accept any tenders.
- b) The offer of On Site Rentals, 65 Owen Street, Glendening for the site facilities hire for the sum of \$7,383.00 (seven thousand, three hundred and eighty three dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council

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16. Package 115 - Control Room Furniture

Tenders for the required furniture be included in the furniture tender for the new library building.

17. Package 201 - Water Treatment Works

The tender of Veolia Water Systems (Aust) Pty Ltd, 15 Blackman Crescent, South Windsor 2756 for the water treatment works for the sum of \$23,518.00 (twenty three thousand, five hundred and eighteen dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

18. Package 202 - Ventilation System Works

The adjusted tender of Aspect Air Conditioning Pty Ltd, 11 Chard Road, Brookvale NSW for the Ventilation System Works for the sum of \$69,700.00 (sixty nine thousand and seven hundred dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

19. Package 203 - Insulation Works

The tender of United Insulation Contracting (T/A Jats NSW Pty Ltd) 2/164 Bungaree Road, Pendle Hill NSW 2145 for the insulation works for the sum of \$138,000.00 (one hundred and thirty eight thousand dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

20. Package 204 - Electrical Works

The tender of Brooks Marchant Industries (ACT) Pty Ltd 19 Aurora Avenue, Queanbeyan NSW 2620 for the electrical works for the sum of \$272,000.00 (two hundred and seventy two thousand dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

21. Package 205 - Pipework and Ancillaries Installation Works

The tender of Pelbar Pty Ltd, P.O. Box 356, Riverwood 2210 for the pipework and ancillaries installation works for the sum of \$394,250.00 (three hundred and ninety four thousand, two hundred and fifty dollars), be accepted and novated to MPI Projects. Any documents be executed under Seal of Council.

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22. Package 206 Concrete Plinths

- a) As no tenders were received, further tenders not be called as Tender Procedures have been followed and it is unlikely that additional tenders will be received. Timing of the project also precludes this action.
- b) Grant Construction to be asked to pour the concrete plinths at an agreed variation price.

23. Package 207 Cranage Services

- a) As no tenders were received, further tenders not be called as Tender Procedures have been followed and it is unlikely that additional tenders will be received. Timing of the project also precludes this action..
- b) The offer of Melrose Cranes and Rigging Pty Ltd, P.O. Box 299, Winston Hills 2153 for the cranage services for the sum of \$20,400.00 (twenty thousand, four hundred dollars), be accepted and novated to MPI Projects. Any necessary documents be executed under Seal of Council.

202: Alteration and additions to Netball Amenities located adjacent to the intersection of Mileham and Drummond Streets, South Windsor (73645, 79340/ENG/ORL09NBX.E13)

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

That the tender of Denning Constructions Pty Ltd, Lot 6 Goods Road Oakville NSW 2756 for alterations and additions to the Mileham Street Netball Amenities located adjacent to the intersection of Mileham and Drummond Streets. South Windsor for the sum of \$145,000.00 (one hundred and forty five thousand) excluding GST, be accepted and the necessary documents be executed under Seal of Council.

203: Council's Thursday Night Opening Hours (107/EVD/ORL09NBX.V08)

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

That:

- 1. Following 18 December 2003, Council cease trading on Thursday nights.

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2. Professional staff be encouraged to continue to provide after-hours services to customers on request and as appropriate.
3. Notification be provided in the local press and Council notice boards, including availability of information on Council's Web site and making individual arrangements with staff if necessary.

SECTION 5 - REPORTS FOR INFORMATION

204: Hawkesbury Leisure Centres Incorporated (73685/CSV/ORL09NCX.C07)

Councillor Finch declared an interest in this item as she owns and runs a swim school.

580 RESOLVED on the motion of Councillor Conolly seconded by Councillor Sheather
That the information be received.

**205: Ferry Interruption Report - October / November 2003
(79338/ENG/ORL09NCX.E10)**

581 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather
That the information be received.

SECTION 6 - REPORTS OF COMMITTEES

Sandstone Quarry Committee Meeting - 8 October 2003

582 RESOLVED on the motion of Councillor Williams and seconded by Councillor Rasmussen that the Minutes of the Sandstone Quarry Committee Meeting held on 8 October 2003 as recorded on Pages 66 to 67 be received.

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Heritage Advisory Committee - 9 October 2003

- 583 RESOLVED on the motion of Councillor Finch and seconded by Councillor Paine that the Minutes of the Heritage Advisory Committee meeting held on 9 October 2003 as recorded on Pages 68 to 71 be received.

Hawkesbury Cultural Committee - 29 October 2003

- 584 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury Cultural Committee meeting held on 29 October 2003 as recorded on Page 72 be reported back to the Committee as there was no Quorum.

Hawkesbury Economic Development Advisory Committee - 20 November 2003

- 585 RESOLVED on the motion of Councillor Paine and seconded by Councillor Gilling that the Minutes of the Hawkesbury Agriculture Retention through Diversification and Clustering meeting held on 6 November 2003 as recorded on Pages 73 to 74 be received.

Bicycle Steering Committee - 12 November 2003

- 586 RESOLVED on the motion of Councillor Woods and seconded by Councillor Rasmussen that the Minutes of the Bicycle Steering Committee meeting held on 12 November 2003 as recorded on Pages 75 to 76 be received.

Local Traffic Committee - 28 November 2003

- 587 RESOLVED on the motion of Councillor Davies and seconded by Councillor Rasmussen that the Minutes of the Local Traffic Committee meeting held on 28 November 2003 as recorded on Pages 82 to 117 be adopted.

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SUPPLEMENTARY REPORTS

Mayor Minutes

1. Election of Federal Leader - Australian Labor Party

588 RESOLVED on the motion of Councillor Stubbs, Mayor and seconded by Councillor Sheather

That:

1. Council send a letter congratulating Mr Mark Latham on his election as Federal Leader of the Australian Labor Party and as Leader of the Opposition.
2. An invitation be given to Mr Mark Latham inviting him to come to visit the Hawkesbury and speak to Council.

2. University of Western Sydney - Request for Support for the Water Walks Project and the Western Sydney Biopark

589 RESOLVED on the motion of Councillor Stubbs, Mayor and seconded by Councillor Rasmussen

That Council provide a letter of support to the University of Western Sydney in relation to the expressions of interest for the Water Walks Project and the Western Sydney Biopark and also assist with indicative estimates for the engineering components of the project.

Notice of Motions

Commencement of Legal Proceedings

590 RESOLVED on the motion of Councillor Williams and seconded by Councillor Paine

That Council confirm that Legal proceedings are to be commenced as necessary and appropriate by the General Manager in accordance with the existing authority delegated by Council, in matters relating to tree and land clearing.

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SECTION 4 - REPORTS FOR DETERMINATION

206: Three Town Sewerage Committee (79351/FNC/ORL09LAX.G15)

591 RESOLVED on the motion of Councillor Paine and seconded by Councillor Williams

That:

1. Council note the progress to date of the Three Town Sewerage Committee, and the appointment of the Chairperson and three community representatives: Mrs Conte, Mr Major, Mr Snedden and representatives from Wilberforce, Glossodia and Freemans Reach.
2. Council approve the appointment of a coordinator, suitably qualified in Environmental issues and with experience in interacting with State and Federal agencies to achieve outcomes on a fixed term contract for a period of between six and twelve months, and request the GM to expedite recruitment of a suitable individual pursuant to section 335(2) of the Local Government Act (1993).
3. Council approve unbudgeted expenditure of up to \$30,000 (thirty thousand dollars) for the appointment of the coordinator referred in (2), with funds being adjusted in the quarterly review.

592 RESOLVED on the FORESHADOWED motion moved by Councillor Conolly, seconded by Councillor Sheather

That Council staff be requested to report options in relation to the reallocation of funds to reduce the deficit in the next Quarterly Review.

207: Legal Action - Mr and Mrs White - Lessees 292-296 George Street, Windsor - CONFIDENTIAL (It is recommended that this matter be Confidential under Section 10(2)(g) of the Local Government Act, 1993, advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege)
(75483/CSV/ORL09LAX.C14)

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

That Council consider the matter in Closed Committee of the Whole and the public be excluded from the meeting.

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

That open Council be resumed.

595 RESOLVED on the motion of Councillor Gilling and seconded by Councillor Davies

That:

1. Council give delegation to the General Manager to negotiate settlement with Mr David White and Mrs Suzanne White in accordance with Council's legal advice.
2. The Council Seal be affixed to all necessary legal documents.

208: 420 Old Stock Route Road, Pitt Town - CONFIDENTIAL (It is recommended that this matter be Confidential under Section 10(2)(g) of the Local Government Act, 1993, advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege) (9200,11078,9068/EVD/ORL09LBX.V11)

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

That:

Council direct the General Manager to instruct Abbott Tout Solicitors to seek orders in the Land and Environment Court in accordance with the recommendations made to the Committee.

QUESTIONS WITHOUT NOTICE

1. Councillor Paine made reference to water at McQuade Park. Rotary had been doing some jobs around the park and advised that there was absolutely no access to any water. Councillor Paine asked if there was anything that could be done to give them access to water when they are doing work on the oval and around the park. They

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were also suggesting that Rotary might look at putting some money together for another shelter with tables, chairs and BBQs. Can Council look into this.

The Mayor advised that this would be done.

2. Councillor Woods made reference to a previous question that had been asked regarding water leaking in the toilet blocks in a park at North Richmond and asked if this had been attended to.

The Director Asset Services and Recreation advised that he believed it has been completed, but would confirm.

3. Councillor Woods tabled correspondence from Mrs Jill Vincent regarding the Wilberforce Cemetery and asked if a report could be provided to Council regarding this matter.

The Director Asset Services and Recreation advised that the letter had been responded to and a copy will be provided to the Councillors.

4. Councillor Rasmussen referred to the Johnson Wing Building (occupied by Action Insurance) and the number of maintenance problems with the building. Councillor Rasmussen e-mailed the General Manager and asked if Council had provided a response.

The General Manager advised that he had received the e-mail and that he had discussions with some of the officers concerning that building and he would reply to Councillor Rasmussen's e-mail.

Councillor Rasmussen advised that he asked if a meeting could be set up to talk about it.

The General Manager advised that a meeting could be set up and that he would contact Councillor Rasmussen.

5. Councillor Rasmussen asked if there was an update on the RAAF Economic Impact Development Study.

The Director Community and Corporate Services advised that there still hadn't been

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a release of Stage 1 so Stage 2 is being held up behind that. DC&CS advised that the Steering Committee had been wound up.

Councillor Rasmussen asked if Council was going to do something about this as this is really seriously important to Council.

The Director Community and Corporate Services advised that HEDAC resolved to initiate some discussions between the Mayor, General Manager and DC&CS. Councillor Allan had a meeting with the Mayor and the General Manager to initiate further discussions and lobbying.

6. Councillor Sheather referred to the adoption of minutes of meetings where no quorum existed. In particular reports from the Hawkesbury Cultural Committee.

The Director Community and Corporate Services advised that you can't receive or adopt the minutes of a meeting where it had no Quorum because there is not formally a recommendation that is agreed to by the Committee. All reports to Council in the Business Paper are reports of staff.

7. Councillor Gilling made reference to her visit down to the river and advised that Half Moon Farm is, at the river front, appalling. It is full of lantana, its the worst property on the river. Councillor Gilling asked who was responsible for that.

Director Asset Services and Recreation advised that Council was the land owner and the matter would be investigated.

8. Councillor Gilling referred to Greens Road being done, but Packer Road is going to need attention before Christmas because it is quite bad again even though it had been done only recently.

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

9. Councillor Rasmussen made reference to the major outbreak of salvinia up at Yarramundi Lagoon as well as Alligator weed. Is it possible to put some requests into the County Council to try and address these issues.

Director Asset Services and Recreation advised this could be done.

10. Councillor Sheather referred to the last Council elections and the draw out of the hat for Mayor and Deputy Mayor and the varying views that some Councillors have to

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that process. Councillor Sheather asked if Council staff could have a look at putting something before Council before the next Council elections to look at a process that may not be viewed from outsiders as having a bias, or otherwise, outcome.

The Mayor advised this would be looked into.

11. Councillor Williams referred to the public hearing that was held recently into the sale of lands, including the Australiana Village, and the overwhelming concerns of the residents seem to be that there hadn't been enough notification and allot of people who may have been able to come, didn't know it was on. The other concern was that residents were, in the main, wanting to know what Council's intentions were in seeking reclassification of those lands. Is there any intention to hold another public meeting and to advertise it properly.

The General Manager advised that there was no intention at this stage to call another meeting in relation to this matter. Mr Mullane is working on his recommendations and they will be going to the January General Purpose Committee

The Director of Environment and Development advised that all adjoining property owners were written to and it was clearly stated what Council's intentions were for each parcel of land.

12. Councillor Sheather referred to the selling of Richmond Pool and asked if the dates could be checked for when things were being advertised.

The Mayor advised that this would be done.

The meeting terminated at 12.40pm.

Submitted to and confirmed at the meeting of Council on Tuesday, 10 February 2003.

.....Mayor