



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 10 June 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 10 June 2003, commencing at 7.05pm.

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

Reverend Wayne Tildsley, Richmond Anglican Church, representing Hawkesbury Ministers Association, gave the opening prayer at the commencement of the meeting.

SECTION 1 - CONFIRMATION OF MINUTES

- 216 RESOLVED on the motion of Councillor Gilling seconded by Councillor Sheather that the Minutes of the Special Meeting held 6 May 2003 which have been circulated amongst members of the Council, be confirmed.
- 217 RESOLVED on the motion of Councillor Allan seconded by Councillor Finch that the Minutes of the Special Meeting held 12 May 2003 which have been circulated amongst the members of the Council, be confirmed.
- 218 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch that the Minutes of the Ordinary Meeting held 13 May 2003 which have been circulated amongst the members of the Council, be confirmed.
- 219 RESOLVED on the motion of Councillor Allan seconded by Councillor Rasmussen that the Minutes of the Special Meeting held 20 May 2003 which have been circulated amongst the members of the Council, be confirmed.

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Mayoral Minute

Hollands Paddock Action Plan

- 220 RESOLVED on the motion of Councillor, Mayor Stubbs seconded by Councillor Rasmussen
- That the information be received.

SECTION 2 - NOTICES OF MOTION

Political Signs

- 221 RESOLVED on the motion of Councillor Conolly seconded by Councillor Rasmussen
- That Council amend its planning instruments to permit political signs to be displayed on private land, without the need for development consent, according to the following conditions:
1. Signs must comply with electoral laws in terms of size and authorisation.
 2. Signs must be located wholly on private property.
 3. Signs may be displayed for 4 (four) weeks before the day of an election and must be removed within 5 (five) working days after the election.

Colo Fire Ball Committee

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

That:

1. Council considers donating the sum of \$500.00 (five hundred dollars) to the Colo Fire Ball Committee, for the purpose of assisting the Fire Ball Committee to run the Annual Fire Ball which, last year, raised in excess of \$10,000.00 (ten thousand dollars) for the local Rural Fire Service.

This is Page of the Minutes of the ORDINARY No 5 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 10 June 2003.

Acting General Manager

Mayor

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2. The Colo Fire Ball Committee be advised that next year, they must apply for a cultural grant to run the event.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Environment

- 31: Proposed Aviary, Lot 32, DP 253767, No. 4 Kirra Place, Wilberforce**
(DA1582/02/EVD/ENF03NAX.V01)

This item was dealt with in conjunction with Item 99 of the Reports for Information Section of the Supplementary Agenda.

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

- A. That 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 Development Application No. DA 1582/02 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. This consent is for a trial period of 12 (twelve) months only from completion of the proposed aviary. The applicant is required to formally advise Council when the aviary is completed and when the number of birds housed reached (a) 70 (seventy). At the end of the 12 (twelve) month period a fresh development application will be required.
3. A neighbourhood monitoring committee is to be formed when the new works are completed. The committee will comprise neighbouring property owners, the applicant and Council staff and will meet periodically.
4. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.

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5. No excavation or site works shall be commenced prior to the issue of the construction certificate.
6. The construction of the building, including the roof, shall be in materials of a low reflective quality or similarly treated materials.
7. The existing aviary is to be raised so that the floor is 600mm above the ground.

Prior to Issue of Construction Certificate

8. Submission of a Plan of Management that addresses:
 - (a) Odour management measures
 - (b) Waste disposal
 - (c) Vermin control
 - (d) Aviary clean out
9. Details of the external materials and colours.
10. Details of the footings for the aviary.
11. Details of the proposed drainage for the aviary building.
12. All waste water generated by the washing out of the aviary buildings is to be collected via a pit connected to an absorption trench to ensure that polluted water is not discharged into the stormwater system or on adjoining land. Details to be submitted and approved prior to the issue of a Construction Certificate.

Prior to Commencement of Work

13. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
14. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

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During Construction

15. All building work must be carried out in accordance with provisions of the Building Code of Australia.
16. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) foundations;
 - (b) on completion of the structure
17. Suitable noise reduction measures are to be implemented in the construction of the aviary. The measures should include, as a minimum providing suitable internal lining to the walls and roof. Details to be provided to Council for approval.

Use of the Site

18. The pigeons are only to be released once a day between 3.00pm and 5.00pm.
19. The pigeon aviaries are to be kept clean and maintained in a satisfactory condition at all times, with excess food being removed from the aviary daily.
20. The maximum number of pigeons to be kept on the premises is 70 (seventy).
21. All feed is to be stored in a sealed, vermin-proof container.
22. All waste materials are to be collected and disposed of through an approved waste collection service at least weekly. Disposal of waste on the property (by spreading over garden beds etc) is not permitted.
23. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
24. The area to be used for the approved development being limited to the area shown on the submitted plans.

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25. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) (LAeq) above background noise levels with respect to noise amenity of residential dwellings.
26. The activity shall not interfere with the amenity of the neighbourhood by reason of emission of noise, smell, dust, waste product or otherwise.
27. To minimise noise impacts, male and female pigeons are to be kept separate other than at breeding times.
28. Dead pigeons are to be disposed of by a method of freezing the birds and disposing of them in the proper manner.
- B. That Council formulate a policy for keeping of pigeons, particularly in residential areas.

223 RESOLVED on the AMENDMENT of Councillor Conolly seconded by Councillor Gilling

- A. That 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 Development Application No. DA 1582/02 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. This consent is for a trial period of 12 (twelve) months only from completion of the proposed aviary. The applicant is required to formally advise Council when the aviary is completed and when the number of birds housed reached (a) 100 (one hundred). At the end of the 12 (twelve) month period a fresh development application will be required.
3. A neighbourhood monitoring committee is to be formed when the new works are completed. The committee will comprise neighbouring property owners, the applicant and Council staff and will meet periodically.
4. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.

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5. No excavation or site works shall be commenced prior to the issue of the construction certificate.
6. The construction of the building, including the roof, shall be in materials of a low reflective quality or similarly treated materials.
7. The existing aviary is to be raised so that the floor is 600mm above the ground.

Prior to Issue of Construction Certificate

8. Submission of a Plan of Management that addresses:
 - (a) Odour management measures
 - (b) Waste disposal
 - (c) Vermin control
 - (d) Aviary clean out
9. Details of the external materials and colours.
10. Details of the footings for the aviary.
11. Details of the proposed drainage for the aviary building.
12. All waste water generated by the washing out of the aviary buildings is to be collected via a pit connected to an absorption trench to ensure that polluted water is not discharged into the stormwater system or on adjoining land. Details to be submitted and approved prior to the issue of a Construction Certificate.

Prior to Commencement of Work

13. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
14. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

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During Construction

15. All building work must be carried out in accordance with provisions of the Building Code of Australia.
16. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) foundations;
 - (b) on completion of the structure

Use of the Site

17. The pigeons are only to be released once a day between 3.00pm and 5.00pm.
18. The pigeon aviaries are to be kept clean and maintained in a satisfactory condition at all times, with excess food being removed from the aviary daily.
19. The maximum number of pigeons to be kept on the premises is 100.
20. All feed is to be stored in a sealed, vermin-proof container.
21. All waste materials are to be collected and disposed of through an approved waste collection service at least weekly. Disposal of waste on the property (by spreading over garden beds etc) is not permitted.
22. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
23. The area to be used for the approved development being limited to the area shown on the submitted plans.
24. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) (LAeq) above background noise levels with respect to noise amenity of residential dwellings.

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25. The activity shall not interfere with the amenity of the neighbourhood by reason of emission of noise, smell, dust, waste product or otherwise.
 26. Suitable noise reduction measures are to be implemented in the construction of the aviary. The measures should include, as a minimum providing suitable internal lining to the walls and roof. Details to be provided to Council for approval.
 27. To minimise noise impacts, male and female pigeons are to be kept separate other than at breeding times.
 28. Dead pigeons are to be disposed of by a method of freezing the birds and disposing of them in the proper manner.
- B. That Council formulate a policy for keeping of pigeons, particularly in residential areas.

The amendment was carried.

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

32: Proposed Detached Dual Occupancy and Additions to Existing Heritage Listed Cottage (“Buena Vista”) - Lot 1 DP546192, 5 Bowen Mountain Road, Grose Vale. (DA1193/02/EVD/ENF03NAX.V03)

This item was dealt with in conjunction with Item 100 of the Reports for Information Section of the Supplementary Agenda.

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

That the application for a detached dual occupancy and additions to an existing heritage listed cottage at 5 Bowen Mountain Road, Grose Vale 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 plans submitted with Development Application No. M1985/99 and any supportive documentation, except as otherwise provided by the conditions of this consent or as amended in red.

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2. The building shall comply with the requirements of Planning for Bush Fire Protection prepared by Planning NSW 2001 and AS 3959 - 1999 Construction of Buildings in Bush Fire Prone Areas. The building shall comply with the requirements of Planning for Bush Fire Protection prepared by Planning NSW 2001 and AS 3959 - 1999 Construction of Buildings in Bush Fire Prone Areas.
3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
4. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
5. The applicants shall make themselves aware of any use restriction relevant to this property and shall comply with the requirements of the Section 88b instrument relevant to this subdivision and property.
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.
7. This consent also includes approval for the future removal of the new residence for the site.

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.

8. A septic drainage system shall be provided and a separate application shall be lodged with Council for approval of the septic tank installation.
9. Detailed engineering plans and specifications relating to the work shall be submitted.

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10. Details demonstrating that the proposed building will comply with the requirements of the Building Code of Australia are to be submitted to the principal certifying authority for approval.
11. Provide all necessary details demonstrating compliance with AS 3959 (Construction of Buildings in Bush Fire Prone Areas) to the principal certifying authority.
12. A detailed landscaping plan being submitted to Council for approval. The landscape is to include a variety of trees, shrubs and groundcovers endemic to the area located around the proposed new residence which will soften and filter the appearance of the new residence when viewed from the existing cottage. The landscaping plan is also to comply with the provision of Planning for Bushfire Protection, NSW Rural Fire Service.

Prior to Commencement of Works

13. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
14. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
15. 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.
16. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environment Planning and Assessment Act.
17. 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:

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

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

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

18. 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.

During Construction

19. All building work must be carried out in accordance with provisions of the Building Code of Australia.
20. 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) external drainage lines, prior to backfilling;
 - (e) on completion of the structure.

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21. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
22. No burning of demolition or construction material being carried out on the site.
23. 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.
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.
25. The dwelling shall be provided with on-site water storage vessels of minimum 100,000 litres capacity, a draw off line with a 38mm Storz fitting and foot valve shall be installed in the water tank and shall extend to the base of the water tank for bush fire brigade access. The domestic line shall terminate, retaining a minimum 10,000L permanently in the tank.
26. The proposed waste water treatment systems are to be installed in accordance with report from Blue Mountains Geological and Environmental Services Pty Ltd dated June 2000.

Prior to Issue of Occupation Certificate

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

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

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- 29. The new residence is to be connected to a fully installed and approved sewerage management facility.
- 30. The driveway to the new residence is to be provided with a 2.5m compacted crushed rock pavement. Details of driveway construction are to be provided to Council prior to installation.

Use of the Site

- 31. The location of the water storage tank shall be such that it provides easy access to the tank by Council's Fire Control Department and the applicant should consult with Council's Fire Control Officer prior to locating tanks or erecting buildings.
- 32. The sewerage management facility is to be operated and maintained in accordance with the recommendations of the report from Blue Mountains Geological and Environmental Services Pty Ltd dated June 2000.
- 33. All Asset Protection Zones required by *Planning for Bushfire Protection, NSW Rural Fire Service* are to be maintained.
- 34. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupational certificate will not be granted on the application until the landscaping is complete.

**33: Unauthorised building works - 9 Brabyn Street, Windsor
(DA152/98/EVD/ENF03NBX.V02)**

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

That this matter be referred back to negotiations between Mr Jones, Mr Bauer, Mr Donald Ellsmore and appropriate town planning staff to attempt to achieve a satisfactory decision, the results to be reported to the next General Purpose Committee meeting

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Infrastructure

14: Un-named Laneway, Richmond - Proposed Naming (79338/ENG/INF03NBX.E01)

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

That public comment be sought regarding naming of the presently un-named public road bounded by Faithfull, Bowman, Pitt and Hobart Streets, Richmond as "Gavin Lane".

**15: Flood Evacuation Route Naming/Windsor Road Renaming
(79338/ENG/INF03NBX.E02)**

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

That public comment be sought on a proposal to recommend to the RTA that Groves Ave, Railway Road North, Forbes Street, Windsor Street and Richmond Road be named Hawkesbury Valley Way, incorporating the Jim Anderson Bridge.

16: Generic Plans of Management (79354/ENG/INF03NBX.E03)

This item was dealt with in conjunction of Item 98, Reports for Information section of the Supplementary Agenda

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

That:

1. The draft Generic Plans of Management be adopted.
2. The draft plans be put on public exhibition and a public hearing be held as required by the Local Government Act 1993.

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17: North Street Drainage (79338/ENG/INF03NCX.E04)

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

That the works be included within the 2003/2004 budget and the works to be carried out within the next 12 months, as a matter of priority.

18: 50km/h speed limits (79338/ENG/INF03NCX.E05)

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

That the information be received.

Organisation and Resources

41: Monthly Financial Report - April 2003 (GF011/005/FNC/OGF03NAX.F01)

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

That the information be received.

42: Remuneration for Councillors and Mayor (GA030/014/FNC/OGF03NAX.F05)

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

That:

1. The fee for Councillors be \$12,550 (twelve thousand, five hundred and fifty dollars).
2. The fee for the Mayor be \$27,395 (twenty seven thousand, three hundred and ninety five dollars), and the Deputy Mayor be \$4,109.25 (four thousand, one hundred and nine dollars and twenty five cents) to be deducted from the Mayor's fee.

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**43: Exemption from Rating - 35 Ivy Avenue, McGraths Hill
(32418/FNC/OGF03NBX.F02)**

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

That:

1. McCall Gardens Community Limited be granted exemption from rating for the property know as 35 Ivy Avenue, McGraths Hill (Lot 4 DP 1025505 - property number 32418) effective from 1 December 2002.
2. An amount of \$368.48 (three hundred and sixty eight dollars and forty eight cents) be written off in respect of rates for the 2002/2003 rating year.

44: Westpool Strategic Business Plan 2003 to 2005 (79426/CSV/OGF03NBX.C03)

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

That the report be received and noted.

45: Tourist Railway Association Kurrajong (TRAK) (83022/CSV/OGF03NBX.C04)

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

That:

1. Council allow TRAK to store its disused railway line at Council's old East Kurrajong tip site.
2. TRAK be advised that no funds have been allocated by Council in its 2003/2004 draft budget towards the transportation cost of disused railway line from Walgett back to Sydney.

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3. TRAK be advised that submissions to Council's Management Plan and Financial Estimates for 2003/2004 are currently being sought.

46: 139 Colonial Drive, Bligh Park (26216/CSV/OGF03NBX.C07)

This item was dealt with in conjunction with Item 96 of the Reports for Determination Section of the Supplementary Agenda

47: Leasing of Old Hospital Site (107/CSV/OGF03NBX.C08)

This item was dealt with in conjunction with Item 97 of the Reports for Determination Section of the Supplementary Agenda

SECTION 4 - REPORTS FOR DETERMINATION

**82: Sustainable Economic Growth for Regional Australia (SEGRA) Conference
(79351/CSV/ORF10NAX.G02)**

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

That Council approve the attendance of nominated Councillors and appropriate Council staff at the Sustainable Economic Growth for Regional Australia Conference on the Gold Coast, Queensland, from 15 to 17 September 2003.

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

That the following Councillors be nominated to attend the Sustainable Economic Growth for Regional Australia Conference on the Gold Coast, Queensland from 15 to 17 September 2003:

1. Councillor G Gilling
2. Councillor J Woods

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3. Councillor C Paine
4. Councillor D Finch
5. Councillor L Allan
6. Councillor L Williams

83: 2003/2004 Insurance Tender (GT020/385/CSV/ORF10NBX.C17)

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

That:

1. The pooled proposed by Aon Risk Services for insurance cover above \$20,000.00 (twenty thousand dollars) with a \$200,000.00 (two hundred thousand dollars) aggregate, be accepted.
2. The General Manager be delegated authority to consent to the amendment of the Westpool Deed of Agreement and any other associated legal and policy documents to enable Westpool to extend its pooling arrangement to include the management of and arranging of cover for first part losses suffered by Member Council's including but not limited to Industrial Special risk (IS).
3. Authority be granted to execute these documents with Council's Common Seal should this be necessary.
4. Council agree to pay a contribution of \$151,997.00 (one hundred and fifty one thousand, nine hundred and ninety seven dollars) to Westpool which will cover the re-insurance costs and establish an insurance pool for all members claims within the \$200,000.00 (two hundred thousand dollars) aggregate layer and for claims costs between the member Council's respective excess and the pool excess of \$20,000.00 (twenty thousand dollars).

84: Better Futures Strategy (79771/CSV/ORF10NBX.C08)

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

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That:

1. The information be received.
2. If Council's application to the Better Futures Strategy for \$45,600.00 (forty five thousand dollars) to implement a "Youth Mapping" Project in the Richmond area is successful, then Council execute a funding agreement with the NSW Department of Community Services.

**85: Proposed Sub Licence - Shop 5 Glossodia Shopping Centre
(GC283/151/CSV/ORF10NBX.C06)**

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

That:

1. Council consent to the sub licence between Mr Andrew Ball and Global Network Services Pty Limited for the installation of an Automatic Teller Machine in the window of Shop 5 Glossodia Shopping Centre.
2. All documents be executed under the Common Seal of Council.

**86: Documents for Execution Under Seal (GC283/139, GC283/005, GC283/014,
GC283/135, P382.1220/CSV/ORF10NBX.C07)**

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

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

1. Retail lease to Ms Ann Cameron for Shop 1, Wilberforce Shopping Centre.
2. Retail lease to Mr Gursham Singh for Shop 1, Hobartville Shopping Centre.
3. Retail lease to Messrs Thanh Phong Bui and Thi Lan Anh Quach for Shop 2, McGraths Hill Shopping Centre.
4. Deed of Agreement to Mr Keith Kennedy of President Turf Supplies for Lot K DP38709, 40 Pitt Street, Windsor.

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5. Deeds of Funding Agreement and Service Specifications with the Department of Community Services for the 2003/2004 Financial Year.
6. Transfer of Title from Landcom to Hawkesbury City Council for Lot 1255 DP800323.

87: Fruits of the Hawkesbury Festival (80228/CSV/ORF10NBX.C11)

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

Deputy Mayor, Councillor Conolly, assumed the Chair

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

That grants to a total of \$7,395.00 (seven thousand, three hundred and ninety five dollars) be given consideration with the 2003/2004 estimates at the Special Meeting on 23 June 2003, according to the committee's recommendations, and funded from within the existing Arts / Cultural development budget allocation for this event.

Mayor Stubbs resumed the Chair.

88: Representations Regarding Photographic Identification Card for Seniors and People with a Disability (80231/CSV/ORF10NBX.C16)

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

That:

1. Hawkesbury City Council write to the Minister for Aged and Disability Services Ms Carmel Tebbutt, and the Attorney General, Mr Bob Debus, requesting that their Departments consider entering a charter with the Roads and Traffic Authority that would allow for the local production of a photographic identification card for seniors and people with a disability who do not hold a drivers licence.
2. Copies of this correspondence be forwarded to local Members of State Parliament to alert them to this issue.

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89: Rural Fires Act, 1997 - Delegation of Functions to Rural Fire Service (79398, 79016, 73835/ENG/ORF10NBX.E15)

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

That Sections 66, 69, 70, 74, 74A, 74B, 74C [except subsection 74C(3)], 74D to 74F (inclusive), 74G(1), 74H [except subsection 74H(5)], 100C and 100F of the *Rural Fires Act, 1997* be delegated to the Rural Fire Service.

90: Reserve for Public Recreation - 855 Comleroy Road, Blaxlands Ridge (79345/ENG/ORF10NBX.E12)

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

That:

1. The community group be consulted to look at possible options and priorities for the reserve. The results of the consultation be reported to Council.
2. A permanent sign be erected to identify that the parcel of land is a reserve. A gate also be installed so people can easily access the reserve.

91: Acquisition of Property for Windsor Road Upgrade - McGraths Hill Flat Lagoon Bridge Works (74282/ENG/ORF10NBX.E14)

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

That:

1. The Roads and Traffic Authority be given approval to continue work within the area to be acquired on Windsor Road at McGraths Hill Flat.
2. The request from the Roads and Traffic Authority to purchase the strip of land of approximate area 13,500 sqm for current and future road/cycle/footpath widening, with the Authority to pay for all costs associated with the property transfer, be supported.

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**92: Local Heritage Assistance Fund and Slab Outbuilding Scheme
(GH020/041Pt07/EVD/ORF10NBX.V05)**

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

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

SECTION 5 - REPORTS FOR INFORMATION

**93: Reports Requested by Council - Status as at 10 June 2003 (GC280/005
Pt4/GMA/ORF10NCX.G03)**

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

That the information be received.

**94: Hawkesbury City Council Safer Community Compact - Extension
(74224/CSV/ORF10NCX.C09)**

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

That the information be received.

95: Ferry Interruption Report - May 2003 (79338/ENG/ORF10NCX.E13)

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

That the information be received.

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SECTION 6 - REPORTS FOR COMMITTEES

Heritage Advisory Committee - 10 April 2003

- 251 RESOLVED on the motion of Councillor Finch and seconded by Councillor Rasmussen that the Minutes of the Heritage Advisory Committee meeting held on 10 April 2003 as recorded on Pages 55 to 57 be received.

Bicycle Steering Committee - 7 May 2003

- 252 RESOLVED on the motion of Councillor Woods and seconded by Councillor Allan that the Minutes of the Bicycle Steering Committee meeting held on 7 May 2003 as recorded on Pages 58 to 60 be received.

Hawkesbury Economic Development Advisory Committee - 8 May 2003

- 253 RESOLVED on the motion of Councillor Allan and seconded by Councillor Woods that the Minutes of the Hawkesbury Economic Development Advisory Committee meeting held on 8 May 2003 as recorded on Pages 61 to 64 be received.

Heritage Advisory Committee - 8 May 2003

- 254 RESOLVED on the motion of Councillor Finch and seconded by Councillor Woods that the Minutes of the Heritage Advisory Committee meeting held on 8 May 2003 as recorded on Pages 65 to 66 be received.

Hawkesbury Wine, Food and Music Affair Race Day - 21 May 2003

- 255 RESOLVED on the motion of Councillor Allan and seconded by Councillor Woods that the Minutes of the Hawkesbury Wine, Food and Music Affair Race Day meeting held on 21 May 2003 as recorded on Pages 67 to 68 be received.

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Hawkesbury Equity and Access Planning Committee - 21 May 2003

- 256 RESOLVED on the motion of Councillor Paine and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury Equity and Access Planning Committee meeting held on 21 May 2003 as recorded on Pages 69 to 73 be received.

Hawkesbury Cultural Committee - 21 May 2003

- 257 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Sheather that the Minutes of the Hawkesbury Cultural Committee meeting held on 21 May 2003 as recorded on Pages 74 to 75 be received.

SUPPLEMENTARY REPORTS

96: 139 Colonial Drive, Bligh Park (26216/CSV/ORF10LBX.C22)

This item was dealt with in conjunction with Item 46 of the Report of the General Purpose Committee Section of the Agenda

- 258 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Conolly

That:

1. The information be received.
2. A consultation plan be prepared to canvass the views of residents regarding the requirement for retail space at 139 Colonial Drive, Bligh Park.

97: Leasing of Old Hospital Site (107/CSV/ORF10LBX.C21)

This item was dealt with in conjunction with Item 46 of the Report of the General Purpose Committee Section of the Agenda

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259 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Gilling

That:

1. The old Hawkesbury Hospital building including the old kitchen building at the rear, be leased to Dr Ian Rafter (First Choice Health Care) for a lease period of 10 (ten) years with a further 5 (five) year option.
2. The rental be calculated in the following manner:

Year One:	\$250.00 per square metre
Year Two, Three, Four and Five:	CPI increase (to be capped at 4%).
Year Six:	Market review
Years Seven, Eight, Nine and Ten:	CPI Increase (to be capped at 4%).
Year Eleven:	Market Review
Years Twelve, Thirteen, Fourteen and Fifteen:	CPI Increase (to be capped at 4%).

All outgoings such as rates, electricity charges, water usage etc. will be met by Dr Ian Rafter. All figures will include GST

3. Council's estimated fit out costs of both the old hospital building and old kitchen building is \$665,000.00 (six hundred and sixty five thousand dollars). All costs incurred by Council for any re-alignment works carried out on the building, including the old hospital building and the old kitchen building at the rear, would be deducted from this \$665,000.00 (six hundred and sixty five thousand dollars) and the balance would be allowed to Dr Rafter (First Choice Health Care) as a rent free period. All other fit out costs would be at Dr Rafter's (First Choice Health Care) expense.
4. The rent free period would commence from 1 January 2004 allowing sufficient time for Council and First Choice Health Care to complete the fit out of both buildings.
5. Fifteen reserved car parking spaces be made available to Dr Ian Rafter (First Choice Health Care).

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6. A bank guarantee of \$100,000.00 (one hundred thousand dollars) would be taken out by Dr Rafter (First Choice Health Care) before any works are carried out on the building. Once construction had been completed, the bank guarantee would be reduced to \$50,000 (fifty thousand dollars) and would be held for the duration of the lease period to ensure that all lease payments would remain up to date.
7. All necessary documentation be executed under common seal of Council including the agreement to lease document.
8. Negotiations continue with Catholic Health Care Services with the possibility of sub-leasing part of the first floor for a specified period (until the new commercial space in the library/art gallery becomes available). The sub-lease would be taken out with Dr Rafter as he would hold the main lease on the Old Hospital building.
9. Catholic Health Care Services be given first option on the leasing of the new commercial space in the new library/art gallery building.

98: Generic Plans of Management (79354/ENG/ORF10LCX.E23)

This item was dealt with in conjunction with Item 16, Report of the General Purpose Committee, Infrastructure Section.

99: Proposed Aviary - 4 Kirra Place, Wilberforce (79735/EVD/ORF10LCX.V18)

This item was dealt with in conjunction with Item 31, Report of the General Purpose Committee, Environment Section.

100: Proposed Detached Dual Occupancy and Additions to Existing Heritage Listed Cottage ("Buena Vista") - Lot 1 DP546192, 5 Bowen Mountain Road, Grose Vale (DA1193/EVD/ORF10LCX.V24)

This item was dealt with in conjunction with Item 32, Report of the General Purpose Committee, Environment Section.

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101: Management of RTA Vehicular Ferry Contracts (74282/ENG/ORF10LBX.E25)

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

That in accordance with Council's previous resolution, regarding this matter, it is confirmed that:

1. Council is prepared to extend the existing Caretaking and Operation contract for a further six months, i.e. so that they would now end on 31 December 2003.
2. Council will be prepared to manage the existing contracts for the duration of this extended period; and
3. O'Connor Ferry Services are prepared to have the existing contract extended for this same period, and to continue with their services over the extended period in accordance with the rates and conditions prescribed in the contract.

QUESTIONS WITHOUT NOTICE

1. Councillor Gilling requested that potholes on Packer Road and Greens Road be repaired.

The Director of Asset Services and Recreation advised the potholes would be repaired.

2. Councillor Rasmussen referred to an email he had provided contained information in relation to the RAAF Base Richmond having an interim heritage listing and enquired as to what action was proposed to be taken.

The Acting General Manager thanked Councillor Rasmussen for the information and advised that discussions took place with the Mayor and it was proposed that information would be provided to Mr Kerry Bartlett MP and the matter would be referred to Hawkesbury Economic Development Advisory Committee.

3. Councillor Williams referred to a Native Vegetation Management Order produced by Blue Mountains City Council to aid the protection of bushland and requested a report in relation to Hawkesbury City Council producing a similar document.

The Acting General Manager suggested that the general principles be brought to the next Councillor workshop to discuss the benefits which could form the basis of a report.

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4. Councillor Williams requested that the Development Application in relation to a piggery at Glossodia be referred to Council for determination.

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

5. Councillor Allan enquired if the Pitt Town Steering Committee had a budget.

The Mayor advised that the matter would be reported to next General Purpose Committee meeting.

6. Councillor Allan congratulated Council staff on the launch of Management Plan and advised that positive feedback had been received.

7. Councillor Woods enquired when the painting of the fence at the park would take place.

The Director of Asset Services and Recreation advised it would take place as soon as the wood was dry after the recent rain.

8. Councillor Woods referred to concerns from a resident that approximately 84 Envirocycles had been ordered for a development at Grose Vale.

The Director of Environment and Development advised the matter would be investigated however, clarified that it was his recollection that the consent had been provided for one Envirocycle.

9. Councillor Paine requested an update on the picket fence.

The Director of Asset Services and Recreation advised that the picket panels had been delivered and the posts were being constructed.

10. Councillor Paine enquired as to a solution for garbage service for shops in the vicinity of Hollands Paddock, which now have no rear access, suggesting that perhaps bins could be placed on New Street. Councillor Paine requested that Council staff have discussions with the shop owners.

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

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11. Councillor Paine referred to a recent visit to the companion animal shelter and asked that staff be thanked and congratulated on the excellent running of the facility.

The Acting General Manager acknowledged the comments.

12. Councillor Paine requested a report on the feasibility of opening one part of Windsor Mall.

The Director of Environment and Development advised that the matter would be included in the Windsor Masterplan.

The meeting terminated at 10.45pm.

Submitted to and confirmed at the meeting of Council on 8 July 2003.

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Mayor