



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 9 September 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 September 2003, commencing at 7.00pm.

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

Michael Skeggs of the Hawkesbury Branch, Salvation Army, representing Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

An apology for absence was received from Councillor D Finch.

- 383 RESOLVED on the motion of Councillor Woods seconded by Councillor Gilling that the apologies be accepted.

Councillor L C Sheather arrived at the meeting at 7.08pm
Councillor P R Rasmussen arrived at the meeting at 7.10pm

SECTION 1 - CONFIRMATION OF MINUTES

- 384 RESOLVED on the motion of Councillor Conolly seconded by Councillor Gilling that the minutes of the Ordinary Meeting held on 12 August 2003 which have been circulated amongst members of the Council, be confirmed.

Mayoral Minutes

Rural Fires Act, 1997 - Delegation of Functions to Rural Fire Service - Rescission Motion

- 385 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Paine

That the Resolution of Council of the 10 June 2003, in relation to the delegation of functions under the Rural Fires Act 1997 to the Rural Fire Service be altered to include Section 67.

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Metro Pride Award

- 386 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Rasmussen
That the information be received

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Mayoral Minutes

Assistance given to residents as the result of the weekend storm - GC180/001 Pt02

- 379 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Stubbs seconded by Councillor Paine

That as a result of the storm and high winds on the weekend, it is recommended that assistance be given to residents through the processing of green waste, generated from the storm, at the Hawkesbury City Waste Management facility at South Windsor free of charge for a 2 (two) week period. This initiative is designed to assist non-commercial disposal of green waste only.

Environment

- 53: Review of Determination Under Section 82A of the Environmental Planning and Assessment Act 1979 - Lot 1 DP 1028107, 34 Chaseling Road, Wisemans Ferry (DA1023/020/EVD/ENH26NAX.V04)**

- 387 RESOLVED on the motion of Councillor Allan seconded by Councillor Paine

That this matter be deferred to the next General Purpose Committee meeting.

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- 54: Proposed KFC Restaurant and Associated Drive Thru at Lot 2, DP 598169 Vol 13795 Fol 139 Lot X, DP 163815 and Lot Y, DP 163815, 26-30 Bosworth Street, Richmond (Corner March Street) - Development Application DA0320/03 (DA0320/03/EVD/ENH26NAX.V01)**

388 RESOLVED on the motion of Councillor Allan seconded by Councillor Woods

- A. That the development application for demolition of the existing motor showroom and construction of a drive thru restaurant (KFC) on Lot 2, DP598169, and Lots X & Y, DP163815 (26-30 Bosworth Street, Richmond) will be approved subject to the following conditions.

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Ramakers Architects, numbered 2064/DA1 revision J, 2064/DA2 revision F, 2064/DA03 revision F, 2064/DA4 revision F, 2064/DA05 revision C, 2064/DA06 revision D, 2064/CONO1 revision C, and landscape plan 03012601) submitted with Development Application No. 0320/03 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

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

5. No excavation or site works shall be commenced prior to the issue of the construction certificate.

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6. The entry directional signs at the driveway entrance are limited to directional wording only. The "bucket" logo is to be deleted.
7. The applicant shall construct kerb and gutter and road pavement on the kerbside land on the western side of Bosworth Street, Richmond from March Street to the southern edge of the layback to No. 29 Bosworth Street.
8. The applicant shall install regulatory signage as follows on the western side of Bosworth Street:
 - (a) alter existing "No Standing" signage to "No Stopping" signage over chainage 0-20 measured from March Street; and
 - (b) "No Stopping / 4:00pm - 7:00pm" from chainage 20 to the southern edge of the layback to No. 29 Bosworth Street.
9. The applicant shall advise owners and residents of properties on the western side of Bosworth Street between March and Windsor Streets of the proposal and to advise Council of action taken by the applicant to address any concerns raised by residents or owners.
10. All costs associated with reconstruction works associated with kerb and gutter reconstruction, tree removal, road pavement restoration, including ancillary infrastructure and utilities shall be borne by the applicant.

Prior to Issue of Construction Certificate

11. Details of the proposed building demonstrating compliance with the Building Code of Australia, including certification by Structural Engineers and Building Components as appropriate are to be submitted to the Principle Certifying Authority for approval.
12. Submission of design plans and calculations for all civil works required by this consent, including any works required for traffic improvement in Bosworth Street and full designs and calculations for onsite drainage.
13. An archeologist shall undertake a site potential survey and submit the findings to the NSW Heritage Office and Hawkesbury City Council.
14. The submission of engineering designs and calculations covering all works required by this consent.
15. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

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Prior to Commencing Works

16. 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.
17. If the work involved in the erection or demolition of a building:
- (a) is likely to be dangerous to a person in a public place or adjoining property;
 - (b) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - (c) involves the enclosure of a public place,

A hoarding or protective barrier must be erected between the work site and the public place. such hoarding or barrier must be designed and erected in accordance with Council's Local Approvals Policy and WorkCover requirements/guidelines. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

The applicant is to provide drawings and details to Council's Building Surveyor for approval prior to such installation/erection.

18. 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.
19. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.

Note: Measures may include the installation of geofabric fencing, staked straw bale walls located on the contour down-slope of the construction, sediment detention basins, earthen contour banks and the like. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.

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20. 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.
21. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

22. All building work must be carried out in accordance with provisions of the Building Code of Australia.
23. 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.
24. No spoil, excavated or demolition material from the site being deposited on any public road, footpath, public place or Council owned property without the approval of this office.
25. 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).
26. 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.
27. 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.
28. The findings of the archaeological site survey shall be implemented, which may include an archaeologist being onsite during excavation.

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29. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
30. All work must be carried out in accordance with the provisions of Hawkesbury's Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification.
31. 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.

Prior to Issue of Occupation Certificate

32. Occupation of any buildings and the use of the site for the proposed development should not take place until all landscaping is completed, all car parking spaces are constructed and designated and all the conditions of approval have been satisfied.
33. A Fire Safety Certificate is to be submitted to Council.
34. Registration of a Restriction as to Use of Land pursuant to Section 88E of the Conveyancing Act to the following effect: The land shall not be used otherwise than as a Drive-Through Restaurant or parking area ancillary to such Drive-Through Restaurant. In the event that the land is used otherwise than as a Drive-Through Restaurant or parking area ancillary to such Drive-Through Restaurant Development Consent No. DA0320/03 will lapse.
35. 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.
36. Remove existing redundant layback and footway crossings and replacement with concrete kerb and gutter and the restoration of the footway area.
37. All fill including existing fill must be compacted to 98% standard compaction and verified by the submission of test results for each lot accompanied by a contoured

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depth of fill plan. Topsoil is to be stockpiled and respread over the finished surface. Copies of any reports submitted will be made available to the public.

38. Construction of two of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 7m.
39. Design and construction of site drainage shall be carried out in accordance with Council's Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification. Full details of works shall be submitted for approval with the building application. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm at predevelopment levels. The Permissible Site Discharge is to be determined from the existing catchment area that falls to the stormwater pit in March Street and Bosworth Street.
40. All necessary works being carried out to ensure that flow from adjoining properties is not impeded. In this regard, attention is to be given to the proposed filling works near the northern and eastern boundaries of the site.
41. A report by the Design Engineer and a works-as-executed (WAE) drawing by either a suitably qualified Engineer or Registered Surveyor of the stormwater detention basin(s) and stormwater drainage system are to be submitted to and approved by Council prior to the release of the Occupation Certificate. The report from the Design Engineer is to state the conformance or otherwise of the as constructed basins in relation to the approved design.
The WAE drawings shall indicate the following as applicable:
 - Invert levels of tanks, pits, pipes and orifice plates;
 - Surface levels of pits and surrounding ground levels;
 - Levels of spillways and surrounding kerb;
 - Floor levels of buildings, including garages;
 - Top of kerb levels at the front of the lot;
 - Dimensions of stormwater basins and extent of inundation;
 - Calculation of actual detention storage volume provided.
42. Vehicle egress to the site at Bosworth Street is to be restricted to left turn out movements only by the installation of a suitable kerb and gutter.
43. Prior to issue of an Occupation Certificate, confirmation be received from the party involved, that the private agreement has been completed in relation to the shielding from headlights.

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Use of the Site

- 44. Any lighting on the site is to be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
- 45. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
- 46. Any air handling system installed on the premises shall be registered with Council in accordance with Part 6 of the Public Health Act 1991, microbial control.
- 47. Operating hours shall be limited to 10:30am to 10:30pm, Sunday to Wednesday and 10:30am to 11:00pm Thursday to Saturday.
- 48. Deliveries by large rigid trucks shall only occur between 7:00am and 10:30am. Small vehicle deliveries may occur between 7:00am and 7:00pm. Servicing of waste bins shall only occur between 7:00am and 10:30am. Note: large rigid trucks are those up to 12m in length.
- 49. All waste materials to be stored and disposed of at regular intervals.
- 50. The development shall be conducted in such a manner that noise levels measured at any boundary do not exceed 5BDA behind background noise levels. No signs shall be displayed on footpaths, pedestrian ways or roadways in the vicinity.
- 51. The development shall be conducted in such a manner so as not to interfere with the amenity of the locality in terms of noise, odour or vibration.

55: Demolition of Existing Residence and Construction of Three (3) Townhouses, 31 Bradley Street, North Richmond (DA1617/02/EVD/ENH26NAX.V05)

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

That the application be refused, as it is inconsistent with Amendment 130.

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

That this matter be deferred to the next General Purpose Committee meeting to allow the applicant to re-address amendments to the Application.

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The amendment was lost.

The motion was put and carried.

- 380 **RESOLVED** by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Sheather seconded by Councillor Paine

That exhibition of the Draft Amendment 130 be a factor for determination in consideration of applications for medium density housing.

- 56: Zone Boundary Investigation and 112 Horans Lane, Grose Vale (19424, 79347/EVD/ENH26NBX.V08)**

- 390 **RESOLVED** on the motion of Councillor Rasmussen seconded by Councillor Sheather

That the information be received.

- 57: Status of Planning Projects and Draft Local Environmental Plans (79347/EVD/ENH26NCX.V06)**

- 391 **RESOLVED** on the motion of Councillor Rasmussen seconded by Councillor Sheather

That:

1. The information be received in relation to all items except Amendment 115.
2. A briefing session be held in relation to the housing proposal by PlanningNSW Housing at Scheyville, Vineyard and Marsden Park.

- 58: Class 4 Proceedings - Hawkesbury City Council -v- Elf Farm Supplies Pty Limited and RN & NR Tolson - No. 84 and 112 Mulgrave Road, Mulgrave (39192, 79347/EVD/ENH26NCX.V09)**

Councillor Paine declared an interest as her son in law is employed by the Tolson Group

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

That the information be received.

SUPPLEMENTARY REPORT

**59: Proposed Regional Museum - 7 Thompson Square and 8 Baker Street, Windsor
(DA0479/03/EVD/ENH26LAX.V12)**

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

That this Application be deferred and staff provide a report in relation to adequate parking facilities.

The motion was lost.

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

That the application be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall take place in accordance with the plans submitted with the application excepting as modified by these further conditions.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. Should any part of the building be proposed to be used as a food shop then separate details of the floor, wall and ceiling finishes and of any benches, appliances, equipment, fittings and mechanical exhaust ventilation system shall be lodged with Council in duplicate for approval. Such details shall be approved by Council prior to construction or installation of the relevant work.

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5. Should "public entertainment" be proposed to be conducted upon the premises a separate application shall be lodged with Council for consideration under the requirements of the Local Government Act, 1993. Written approval shall be obtained from Council prior to the conduct of any public entertainment.
6. All sound producing plant, equipment, machinery, fittings, and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises to within the limits prescribed by the Noise Control guidelines.
7. No excavation or site works shall be commenced prior to the issue of the construction certificate.
8. The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) in order to assess their responsibilities and liabilities with regards to the provision of access for all people.
9. 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.

NSW Heritage Office General Terms of Approval

10. All work shall be in accordance with Drawing No.s 02.01 to 02.08 prepared by Pont Williams and Leroy Architects dated April 2003 as modified by the following conditions.
11. There be a cleared articulation of the extension of the Macquarie Wall in the southern building.
12. The typology of the wall be utilised in enhancing the streetscape of Baker Street to the south of the substation and be integrated with it.
13. The treatment of the Baker Street elevation be further developed to be further articulated by layering of planes to provide light and shade to reflect the modelling of the Baker Street houses.
14. Further treatment of details of the junction of walls and roof be developed with the aim of providing articulation and break down of scale.
15. Plant extrusions and equipment be minimised to achieve a clean roof plane.

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16. The applicants shall ensure that all personnel involved in demolition, excavation or disturbance of the site are briefed on site by a suitably experienced historical archaeologist and prehistorian with experience and knowledge of the archaeology and the relics provisions of the Heritage Act 1977 and the National Parks and Wildlife Act 1974 in relation to the protection of relics and the need for compliance with those requirements. A signed record of attendance should be created at the briefing and submitted to the Heritage Office prior to the commencement of any works on site.
17. An application under S60 of the Heritage Act 1977 shall be submitted and approved by the Heritage Council prior to the commencement of work.
18. The applicants shall consult with the Dharug Local Aboriginal Land Council and other relevant Aboriginal people prior to the commencement of work.
19. As part of the S60 application to be submitted to the Heritage Council for approval, the applicant must nominate a suitably qualified Excavation Director (with demonstrated experience in managing historical and prehistoric projects) to undertake the proposed archaeological monitoring works as outlined in the archaeological report titled Report on Test Trenching Museum Extension Site, Baker Street, Windsor prepared by Wendy Thorp of Cultural Resources Management, dated August 2002. The nominated Excavation Director must be approved as part of the S60 application and is required to manage all archaeological works undertaken on site.
20. The nominated Excavation Director is required to prepare and submit a methodology that outlines how the archaeological monitoring of the site is proposed to be undertaken during the works program. This report must include a detailed plan outlining where archaeological monitoring is proposed to be undertaken during the works program and how the archaeological remains are proposed to be excavated, recorded and analysed, if found. This documentation will require approval under the S60 of the Heritage Act 1977.
21. No excavation works are allowed to commence on site until S60 approval for the nominated Excavation Director and archaeological monitoring methodology has been granted.
22. Should any Aboriginal relics be uncovered, excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service is to be informed in accordance with S91 of the National Parks and Wildlife Act 1974.

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23. A schedule of materials and finishes shall be submitted to the Heritage Council for assessment with the S60 application including the materials and finishes of the roof and wall cladding.
24. An archival photographic recording shall be prepared in accordance with NSW Heritage Office Guidelines prior to the commencement of work. This shall include the existing condition and fabric of Howe's House, the shed and vacant land at the rear of the site. A copy of this shall be lodged with the Heritage Office and in the Local Studies Collection of Windsor Library.
25. The applicants shall prepare and submit an outline interpretation plan for the site in its entirety for the approval of the Director of the Heritage Office as part of the S60 application.
26. The applicants shall prepare a Collections Management Policy that forms the basis for a future site specific exemption related to management of contents and moveable heritage.
27. A heritage consultant shall be nominated to advise on design resolution and conformity to the conservation management documents and these terms of approval. The name and experience of this consultant shall be submitted to the Heritage Council for approval with the S60 application.
28. The nominated heritage consultant shall provide written confirmation to the Heritage Council that the detailed design is in conformity with the conservation management documents and all statutory approvals with the S60 application.
29. All work involving heritage fabric shall be superintended by the nominated conservation consultant.
30. Work shall be carried out by suitably qualified tradesmen with practical experience in conservation and restoration of similar heritage items.

Prior to the issue of a construction certificate

31. The submission to Council of a copy of the Section 60 approval issued by the Heritage Council and all supporting documentation and plans.
32. Submission of revised plans demonstrating compliance with relevant conditions of consent.

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33. 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.
34. The creation of all necessary rights of carriageway over Lots 2 & 3 DP864088 to permit the legal passage of vehicles through the reconfigured car parking area. Documentary evidence is to be submitted prior to the issue of a construction certificate.
35. An engineering construction certificate is required for the on site stormwater detention system. The current fee for Council to issue this certificate is \$200.00, valid until 30 June 2004.
36. 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.
37. The submission of engineering designs and calculations covering all works required by this consent.
38. 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)".
39. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.
40. The submission to Council of a car parking layout demonstrating that adequate manoeuvring area has been provided utilising the Austroads design templates as well as provision of parking for persons with a disability. Any necessary Heritage Council approval of the car parking area is also to be provided.
41. The submission of a drainage design plan including on site stormwater detention. Plans and calculation are to be prepared by a suitably qualified engineer. The on site detention system is to be designed to cater for the 100% AEP storm up to and including the 1%AEP storm.
42. Payment of a contribution of \$2,405.75 towards sewer headworks. This sum will remain fixed until 30 June 2004 after which it will be recalculated at the rate applicable at the time of payment.

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Prior to commencement of works

43. 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
 - (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.
44. If the work involved in the erection or demolition of a building:
- (a) is likely to be dangerous to a person in a public place or adjoining property;
 - (b) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - (c) involves the enclosure of a public place,

A hoarding or protective barrier must be erected between the work site and the public place. such hoarding or barrier must be designed and erected in accordance with Council's Local Approvals Policy and WorkCover requirements/guidelines.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

The applicant is to provide drawings and details to Council's Building Surveyor for approval prior to such installation/erection.

45. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.

Note: Measures may include the installation of geofabric fencing, staked straw bale walls located on the contour down-slope of the construction, sediment

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detention basins, earthen contour banks and the like. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.

46. 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.
47. 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.
48. 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.
49. 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.
50. Separate application shall be made by a licensed drainer for permission to carry out work in relation to Council's sewer. The attached application shall be returned with the appropriate fee prior to the relevant work commencing.
51. Separate application shall be made to Council's Asset Services & Recreation Department for the construction and location of the proposed crossover. (Refer to enclosed agreement form for driveways).

During construction

52. All building work must be carried out in accordance with provisions of the Building Code of Australia.
53. All necessary works being carried out to ensure that "any water" flow from adjoining properties is not impeded.
54. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
55. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.

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56. 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.
57. No burning of demolition or construction material being carried out on the site.
58. 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.
59. 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.
60. All work must be carried out in accordance with the provisions of Hawkesbury's Development Control Plan, Appendix E Civil Works Specification.
61. Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
62. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed Development. Such utilities include, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.
63. 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.
64. 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.
65. Inspections for Compliance Certificate to be requested from the Sewer Authority (Hawkesbury City Council) for internal and external sewer drainage prior to

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covering any pipe (24 hours notice for inspection is required, the fee is \$70.30 per inspection to be paid prior to requesting the inspection).

Prior to the issue of an Occupation Certificate

66. A Fire Safety Certificate, in accordance with the Schedule of Fire Safety Measures issued for the development, is to be submitted to Hawkesbury City Council for separate registration. The registration fee is \$16.00.
67. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
68. The following documentary evidence is to be obtained prior to the issue of any Occupation Certificate, whether by Council or an accredited certifier:
 - (a) 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/release of the plan of subdivision.

- (b) 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.

69. All proposed landscaping is to be provided.

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70. To ensure parking necessary for the development is provided and kept clear and available, off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, as shown on the approved plan.
71. Removal of the existing redundant layback crossing in Baker Street with concrete kerb and gutter and the restoration of the footway area.
72. The construction of sewerage reticulation, including junctions, where not already provided, a separate application is to be made to the Manager, Waste Water Services.
73. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 9 metres for the entrance and a minimum of 7 metres for the exit.
74. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
75. Exit/entrance points are to be clearly signposted and visible from both the street and site at all times.
76. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.
77. A report by the Design Engineer and works as executed (WAE) drawing by either a suitably qualified Engineer or registered surveyor of the stormwater detention basin(s) and stormwater drainage system is to be submitted to and approved by Council prior to the issue of the occupation certificate. The report from the design engineer is to state the conformance or otherwise of the as constructed basins in relation to the approved design. The WAE drawings shall indicate as applicable:
 - Invert levels of tanks, pits pipes and orifice plates;
 - Surface levels of pits and surrounding ground levels;
 - Levels of spillways and surrounding kerb
 - Floor levels of buildings,
 - Dimensions of stormwater basins and extent of inundation,
 - Calculation of the actual detention storage volume provided.
78. Retaining walls are to be designed and certified on completion by a suitably qualified engineer.

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79. Street signage indicating the changes to the parking restrictions in Baker Street are to be erected in accordance with Hawkesbury Development Control Plan, Appendix E Civil Works Specification.
80. A flood warning sign of durable material and permanently affixed shall be located in a prominent position. The sign should advise occupants that the site may be subject to inundation during times of flood.
81. The applicant shall prepare a flood emergency evacuation and management plan for the proposed development. The plan shall advise occupants of flood evacuation procedures and emergency contact telephone numbers. The management plan should avoid the letting of premises during periods of flood emergency or when flood warnings are issued. The applicant should contact the state emergency Service for advice in the preparation of the management plan, The evacuation procedures should be permanently fixed to the building in a prominent location and kept up to date at all times.

Use of the Site

82. Staff parking is not to be permitted in Baker Street, staff are to use the area allocated on the approved plans fronting Thompson Square.
83. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
84. Submission to Council of all necessary fire safety certificates and statements in accordance with Part 9 of the Environmental Planning and Assessment Regulations 2000.

**60: Approval for Interstate Travel AIEH 30th National Conference
(79348/CSV/ENH26LBX.C13)**

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

That Council approve the attendance of the Environment and Waste Services Manager at the Australian Institute of Environmental Health National Conference from 15 October to 17 October 2003.

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**61: 112 Horans Lane, Kurrajong - Zone Boundary Investigation
(19424,79347/EVD/ENH26LCX.V10)**

- 395 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather
That this matter be deferred to the next General Purpose Committee meeting.

Infrastructure

**30: Finalisation of Suburb Boundaries for the Hawkesbury Local Government
Area (79346, 81095/ENG/INH26NBX.E01)**

- 396 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Paine
That:

1. (a) The properties adjacent to Dorrington Crescent and Kentwell Drive be included within Bligh Park.
(b) Properties known as Lot 341 DP752061, No 48 Rifle Range Road; Lot 310 DP752061 No 30 Collith Avenue; Lot 22 DP1016906, No 66 Stewart Street, be retained within the suburb reference of South Windsor.
2. Properties known as Lot 203 DP1008326, No 346 Fairey Road; Lot 202 DP1008326, No 366 Fairey Road; Lot 201 DP1008326, No 374 Fairey Road be retained within South Windsor.
3. Property known as Lot 1 DP184741, No 278 Hermitage Road be included within the Kurrajong Hills.
4. Property known as lot 21 DP816438, No 93 Hilltop Road be included within the suburb of Tennyson.
5. The proposed suburb boundary of Blaxlands Ridge not change.
6. The suburb boundaries outlined on the plans as referenced in Table 1 (one) be adopted.

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Table 1

SUBURB NAME	SUBURB PLAN REFERENCE
AGNES BANKS	suburb_agnesbanks.mxd
BERAMING	suburb_beraming.mxd
BILPIN	suburb_bilpin.mxd
BLAXLANDS RIDGE	suburb_blaxlandsridge.mxd
BLIGH PARK	suburb_blighpark.mxd
BOWEN MOUNTAIN	suburb_bowenmountain.mxd
BUCKETTY	suburb_bucketty.mxd
CATTAI	suburb_cattai.mxd
CENTRAL COLO	suburb_centralcolo.mxd
CENTRAL MACDONALD	suburb_centralmacdonald.mxd
CLARENDON	suburb_clarendon.mxd
COLO	suburb_colo.mxd
COLO HEIGHTS	suburb_coloheights.mxd
CORNWALLIS	suburb_cornwallis.mxd
CUMBERLAND REACH	suburb_cumberlandreach.mxd
EAST KURRAJONG	suburb_eastkurrajong.mxd
EBENEZER	suburb_ebenezer.mxd
FERNANCES	suburb_fernances.mxd
FREEMANS REACH	suburb_freemansreach.mxd
GLOSSODIA	suburb_glossodia.mxd
GROSE VALE	suburb_grosevale.mxd
GROSE WOLD	suburb_grosecwold.mxd
HIGHER MACDONALD	suburb_highermacdonald.mxd
HOBARTVILLE	suburb_hobartville.mxd
KURMOND	suburb_kurmond.mxd
KURRAJONG	suburb_kurrajong.mxd (previously adopted)
KURRAJONG HEIGHTS	suburb_kurrajongheights.mxd
KURRAJONG HILLS	suburb_kurrajonghills.mxd
LEETS VALE	suburb_leetsvale.mxd
LOWER MACDONALD	suburb_lowermacdonald.mxd
LOWER PORTLAND	suburb_lowerportland.mxd
MARAYLYA	suburb_maraylya.mxd
MCGRATHS HILL	suburb_mcgrathshill.mxd
MELLONG	suburb_mellong.mxd
MOGO CREEK	suburb_mogocreek.mxd
MOUNTAIN LAGOON	suburb_mountainlagoon.mxd
MULGRAVE	suburb_mulgrave.mxd

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SUBURB NAME	SUBURB PLAN REFERENCE
NORTH RICHMOND	suburb_northrichmond.mxd
OAKVILLE	suburb_oakville.mxd
PERRYS CROSSING	suburb_perryscrossing.mxd
PITT TOWN	suburb_pitttown.mxd
PITT TOWN BOTTOMS	suburb_pitttownbottoms.mxd
PUTTY	suburb_putty.mxd
RICHMOND	suburb_richmond.mxd
RICHMOND LOWLANDS	suburb_richmondlowlands.mxd
SACKVILLE	suburb_sackville.mxd
SCHEYVILLE	suburb_scheyville.mxd
SOUTH WINDSOR	suburb_southwindsor.mxd
ST ALBANS	suburb_stalbans.mxd
TEN MILE HOLLOW	suburb_tenmilehollow.mxd
TENNYSON	suburb_tennyson.mxd
THE DEVILS WILDERNESS	suburb_thedevilswilderness.mxd
THE SLOPES	suburb_theslopes.mxd
UPPER COLO	suburb_uppercolo.mxd
UPPER MACDONALD	suburb_uppermacdonald.mxd
VINEYARD	suburb_vineyard.mxd
WEBBS CREEK	suburb_webbscreek.mxd
WHEENY CREEK	suburb_wheenycreek.mxd
WILBERFORCE	suburb_wilberforce.mxd
WINDSOR	suburb_windsor.mxd
WINDSOR DOWNS	suburb_windsordowns.mxd
WISEMANS FERRY	suburb_wisemansferry.mxd
WOMERAH	suburb_womerah.mxd
WRIGHTS CREEK	suburb_wrightscreek.mxd
YARRAMUNDI	suburb_yarramundi.mxd

7. The Geographical Names Board of NSW be advised of Council's decision for its consideration and amend plan reference GNB3716.
- B. Locality names/boundaries be reconsidered should there be any further development in the Bligh Park locality.

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SUPPLEMENTARY REPORTS

31: Rural Fire Service - Service Level Agreement (79338, 79351, 79016, 73985/ENG/INH26LBX.E04)

381 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Paine seconded by Councillor Sheather

That Council execute the Rural Fire District Service Agreement under Seal.

Organisation and Resources

67: Monthly Financial Report - July 2003 (GF011/005/FNC/OGH26NAX.F05)

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

That the information be received.

68: Removal of tables alongside Macquarie Arms Hotel
(37213/CSV/OGH26NCX.C01)

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

That:

1. The footpath widening and associated works be referred to the Heritage Council for approval.
2. The matter be further reported in relation to funding sources following determination by the Heritage Council.

69: Community Donations Program Round 1 2003/2004
(79356/CSV/OGH26NBX.C02)

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

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That as part of Round 1 of Community Donations 2003/2004:

1. Aboriginal Community Gathering Working Party receive \$750.00 (seven hundred and fifty dollars) from Donations Program. \$750.00 (seven hundred and fifty dollars) donation and \$250.00 (two hundred and fifty dollars) inkind for printing be given from Council's Aboriginal Community Program.
2. Riverside Youth Band receive \$2,500.00 (two thousand, five hundred dollars) for the purchase of music.
3. Kurrajong Handspun Crafts receive \$1,000.00 (one thousand dollars) as a 1 (one) off donation towards the Australian Spinning Competition at the Hawkesbury Show.
4. Fitzgerald Memorial Hostel receive \$1,000.00 (one thousand dollars) as a contribution towards the building of a Summerhouse.
5. St Matthew's Parish receive \$500.00 (five hundred dollars) towards the Carols by Candlelight Concert to be held in Windsor in December.
6. Mt Tomah Botanic Gardens, Kurrajong- Comleroy Historical Society, Mt Irvine and Mt Wilson Historical Society receive \$150.00 (one hundred and fifty dollars) towards the Louisa Atkinson "Day of Tribute".
7. The Wisemans Ferry Sunshine Group be referred to the Forgotten Valley Mobile Resource Unit for possible donation.

**70: Development of Retail Facilities in the Hawkesbury - Consultation Report
(79342/CSV/OGH26NBX.C09)**

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

That:

1. The information be received.
2. The report "*Development of Retail Facilities in the Hawkesbury: Consultation Report*" be published (both electronic and hard-copy versions) and made available to residents and business owners on request. Copies of the Report to be also available in the Windsor and Richmond Libraries.

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71: Community Needs Report 2002-2003 - Report on Outcomes
(80231/CSV/OGH26NCX.C07)

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

**72: Presentation by Mr Bill Shields, Deputy Group Captain, Hawkesbury Rural
Fire Service** (79016/CSV/OGH26NCX.C10)

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

73: Effective Community Engagement (79347/EVD/OGH26NCX.V06)

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

74: Local Government Structural Reform Submission
(85718/FNC/OGH26LBX.F13)

382 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the
motion of Councillor Allan seconded by Councillor Finch

That:

1. That draft report be received and noted.
2. The Acting General Manager be authorised to approve the final submission.
3. Council's submission recommend that no changes be made to the Hawkesbury Local Government Area boundaries.
4. Councillors are provided with a copy of the final submission.

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SECTION 4 - REPORTS FOR DETERMINATION

**144: Road Widening and Acquisition - Lot 1 DP 655672 - Horans Lane, Grose Vale
(73947/CSV/ORI09NBX.C09)**

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

That:

1. Council settle the compensation matter with Ms Susan Pickavance for the sum of \$11,600.00 (eleven thousand, six hundred dollars) in compensation plus \$4000.00 (four thousand dollars) for their legal costs.
2. All necessary legal documents be executed under the Common Seal of Council.

**145: Local Government Elections - Saturday, 27 March 2004 (107,
82574/CSV/ORI09NBX.C01)**

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

That:

1. The information be received.
2. The proposed timetable setting out the main dates for the conduct of the March 2004 Council Elections be placed on Council's website in a separate dedicated area which can also be used for other matters relating to the Council Elections.

**146: Appointment of Council Delegates to Committees of Council, Incorporated
Bodies in which Council have a Financial Interest and Committees of Other
Organisations. (107/CSV/ORI09NBX.C14)**

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

That:

1. Council delegates to committees of council, incorporated bodies in which council has a financial interest and committees of other organisations who hold that position

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immediately before 13 September 2003, shall continue in that role until 27 March 2004.

2. Representatives of the committees of council, incorporated bodies of which council has a financial interest and committees of other organisations be advised of Council's decision.

147: Richmond School of Arts - Funding Application, NSW Ministry of the Arts, Western Sydney Capital Infrastructure Program (12419/CSV/ORI09NBX.C06)

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

That the Richmond Literary Institute Inc. be offered an interest free loan of \$32,018 (thirty two thousand and eighteen dollars) repayable over 6 (six) years for the purpose of funding half the costs of installing air-conditioning to the main auditorium of the Richmond School of Arts. A written agreement to be executed between Council and the Richmond Literary Institute Inc. covering the terms and repayment schedule of the loan.

148: DataWorks Annual Conference 2003 (79873, 79352/CSV/ORI09NBX.C04)

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

That the attendance of 2 (two) appropriate Information Services staff at the Annual DataWorks Conference, from 1 October 2003 to 3 October 2003, be supported at an estimated cost of \$1,500.00 (one thousand five hundred dollars) per person.

149: Construction of Section 94 Community Facility (South Windsor Family Centre) (107/CSV/ORI09NBX.C16)

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

That:

1. Council commence the process to facilitate the construction of the proposed Section 94 facility for South Windsor, to be known as the South Windsor Family Centre, utilising the available funding of \$541,799 (five hundred and forty one thousand,

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seven hundred and ninety nine dollars) currently held in the Section 94 Community Buildings Reserve for Catchment 3 (three).

2. Council approve an internal loan facility of \$200,000 (two hundred thousand dollars) to augment the available Section 94 funding, giving a total project budget of \$741,799 (seven hundred and forty one thousand, seven hundred and ninety nine dollars) to enable Stage 1 (one) and Stage 2 (two) of the proposed South Windsor Family Centre to be completed concurrently. The loan to be repaid from the proceeds of the sale or development of the Ham Street Hall site.
3. Council to approve the sale or development of the Ham Street Hall site to raise funds for the repayment of the internal loan facility. Options for the sale or development of the Ham Street Hall site to be further reported to Council.
4. The design of the proposed facility to be based on the design brief prepared by the South Windsor Family Centre Community Consultative Committee and endorsed by the committee in November 2002. Any changes to the design brief to be ratified by the Committee.
5. A draft local environmental plan be prepared in accordance with the Department of Urban Affairs and Planning's Best Practice Guidelines to rezone the Ham Street Hall Site located at 6 Ham Street, South Windsor from Special Uses 5(a) to Housing (as defined by draft amendment 130).
6. A local environmental study not be prepared.
7. Council exercise its delegation in respect of Sections 65 and 69 of the Environmental Planning and Assessment Act 1979.
8. The costs of the rezoning application to be met from Council's Property Development allocation and to be reimbursed from the proceeds of the sale or development of the Ham Street Hall site.
9. If the net proceeds of the sale of the Ham Street Hall site is in excess of \$200,000 (two hundred thousand dollars) that up to \$40,000 (forty thousand dollars) be allocated as an estimate for landscaping with the remaining funds allocated to the property development reserve.

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**150: WSROC Board Meeting No 4, 2003, 28 August, 2003
(74251/CSV/ORI09NBX.C12)**

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

That:

1. The information contained in items 1, 2 and 3 be received, and
2. A response be prepared for WSROC regarding Item 4 (F3 to Sydney Orbital Link Study) stating any issues for the Hawkesbury with the proposed options outlined in this report.
3. Council convey its support for the 'Purple Option'.

**151: Tender for the Regional Playground at Ham Common, Clarendon
(107/ENG/ORI09NBX.E11)**

411 RESOLVED on the motion of Councillor Paine seconded by Councillor Woods

That:

1. The tender from Landscape 2000 for the landscaping component of the Regional Playground at a cost of \$96,374.03 (ninety six thousand, three hundred and seventy-four dollars and three cents) excluding GST, be accepted and any necessary documentation be executed under Seal of Council.
2. Funds from the 2003/2004 Park Improvement Program for playground equipment at Chas Perry Hall be re-allocated to the Regional Playground Project.

**152: Transfer of Crown Road to Council - Proposed Amendment to Roads Act 1993
(86388/ENG/ORI09NBX.E05)**

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

That:

1. Council support the amendment to Section 151, Clause 3 of the Roads Act 1993 to

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Omit Section 151 (3) and to insert instead the following:

- (3) *An order transferring a Crown road to roads authority may not be made except with the consent of the roads authority to which the road is to be transferred.*
2. The Minister and Shadow Minister for Roads be advised of Council's support of this proposed amendment.
3. WSROC be informed of Council's resolution. WSROC's support is sought in relation to the resolution and a copy of the resolution be provided to the members of Hawkesbury and Londonderry.

153: Tender - Hawkesbury Library and Regional Gallery
(79338/ENG/ORI09NBX.E17)

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

That:

1. The offer by Grant Constructions Pty Ltd to construct the Hawkesbury Library and Regional Gallery on the Old Hospital Site at a cost of \$10,852,847.00 (ten million, eight hundred and fifty-two thousand, eight hundred and forty-seven dollars) be accepted and the necessary documentation be executed under Seal of Council
2. The Principal of a Council owned Co-generation Plant for the Precinct be adopted and tenders be called for the supply and installation of the necessary components of the plant.
3. Point 9. of the "Savings Agreed with Grant Constructions" to be amended to read "*Add prov. Sum for simpler mobile exhibition screens*".

154: Land Clearing - Middle Island 278 Hermitage Road, Kurrajong Hills
(P804/325/EVD/ORI09NBX.V10)

414 RESOLVED on the motion of Councillor Paine seconded by Councillor Conolly

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That:

1. The report be received; and
2. The matter be further reported to Council following receipt of the report from Conacher Travers and advice from Council's solicitor.

155: Pitt Town Draft Local Environmental Plan (79347/EVD/ORI09NBX.V02)

Councillor Woods declared an interest as her parents in law own land adjoining the proposed development

415 RESOLVED on the motion of Councillor Conolly seconded by Councillor Calvert

That:

1. A draft local environmental plan be prepared in accordance with the Environmental Planning and Assessment Act to finalise the zone of the Pitt Town Urban Investigation Area as shown on the attached map.
2. The Department be notified in accordance with section 54 of the Environmental Planning and Assessment Act 1979.
3. Connell Wagner be requested to prepare an addendum to the Pitt Town Local Environmental Study to address the land at 30 Mitchell Place, Pitt Town by 30 September 2003, at a cost of up to \$8,000.00 (eight thousand dollars).
4. The offer by the owner of 30 Mitchell Place, Pitt Town to pay up to \$8,000.00 (eight thousand dollars), as a contribution to the addendum, be accepted.

An amendment was moved by Councillor Davies seconded by Councillor Williams

That:

1. A draft local environmental plan be prepared in accordance with the Environmental Planning and Assessment Act to finalise the zone of the Pitt Town Urban Investigation Area as shown on the attached map.
2. The Department be notified in accordance with section 54 of the Environmental Planning and Assessment Act 1979.

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3. Connell Wagner be requested to prepare an addendum to the Pitt Town Local Environmental Study to address the land at 30 Mitchell Place, Pitt Town.
4. The owner of 30 Mitchell Place, Pitt Town is prepared to offer up to \$8,000.00 (eight thousand dollars), as a contribution to the addendum. This offer be accepted.
5. The Advisory Committee work be suspended until receipt of the Local Environmental Study by Connell Wagner.

The amendment was lost.

The motion was put and carried.

156: Hawkesbury City Council -v- Elf Farm Supplies Pty Ltd and Orrs - Conduct of Mr Neville Diamond (39192, 79347/EVD/ORI09NBX.V15)

416 RESOLVED on the motion of Councillor Williams seconded by Councillor Gilling

That this matter be deferred to the next General Purpose Committee meeting.

157: Inclusion of Professor Mick Wilson, Provost, UWS Hawkesbury Campus onto the Steering Committee of Hawkesbury Agricultural Retention through Diversification and Clustering Project (HARtDaC) (85855/CSV/ORI09NBX.C13)

417 RESOLVED on the motion of Councillor Allan seconded by Councillor Gilling

That Professor Mick Wilson, Provost, University of Western Sydney Hawkesbury Campus, be invited to become a member of the Hawkesbury Agricultural Retention through Diversification and Clustering Project Steering Committee.

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SECTION 5 - REPORTS FOR INFORMATION

158: Reports Requested by Council - Status as at 12 August 2003 (GC280/005 Pt4/GMA/ORI09NCX.G03)

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

SECTION 6 - REPORTS OF COMMITTEES

Hawkesbury Wine, Food & Music Affair Race Day - 22 July 2003

- 419 RESOLVED on the motion of Councillor Allan and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury Wine, Food & Music Affair Race Day meeting held on 22 July 2003 as recorded on Pages 79 to 81 be received.

Hawkesbury Cultural Committee - 4 August 2003

- 420 RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Sheather that the Minutes of the Hawkesbury Cultural Committee meeting held on 4 August 2003 as recorded on Pages 82 to 83 be received.

Pitt Town Advisory Committee - 6 August 2003

Councillor Woods declared an interest as her parents in law own land adjoining the proposed development

- 421 RESOLVED on the motion of Councillor Calvert and seconded by Councillor Sheather that the Minutes of the Pitt Town Advisory Committee meeting held on 6 August 2003 as recorded on Pages 84 to 86 be received.

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Bicycle Steering Committee - 14 August 2003

- 422 RESOLVED on the motion of Councillor Woods and seconded by Councillor Rasmussen that the Minutes of the Bicycle Steering Committee meeting held on 14 August 2003 as recorded on Pages 87 to 90 be received.

Hawkesbury Economic Development Advisory Committee - 21 August 2003

- 423 RESOLVED on the motion of Councillor Allan and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury Economic Development Advisory Committee meeting held on 21 August 2003 as recorded on Pages 91 to 94 be received.

Hawkesbury Agricultural Retention through Diversification and Clustering (HARtDaC) - 21 August 2003

- 424 RESOLVED on the motion of Councillor Paine and seconded by Councillor Allan that the Minutes of the Hawkesbury Agricultural Retention through Diversification and Clustering (HARtDaC) meeting held on 21 August 2003 as recorded on Pages 95 to 97 be received.

Hawkesbury Wine, Food & Music Affair Race Day - 27 August 2003

- 425 RESOLVED on the motion of Councillor Allan and seconded by Councillor Sheather that the Minutes of the Hawkesbury Wine, Food & Music Affair Race Day meeting held on 27 August 2003 as recorded on Pages 98 to 100 be received.

Local Traffic Committee - 15 August 2003

- 426 RESOLVED on the motion of Councillor Davies and seconded by Councillor Rasmussen that the Minutes of the Local Traffic Committee meeting held on 15 August 2003 as recorded on Pages 101 to 124 be adopted.

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SUPPLEMENTARY REPORTS

**159: Board Representation - Hawkesbury Leisure Centres Incorporated
(73685/CSV/ORI09LBX.C18)**

427 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Rasmussen

That:

1. Council approve the nominations of Ms Virginia Chandler and Mr Eric Petracco.
2. A letter of appreciation be forwarded to Mr Pat Clerke and Dr Warwick MacKay for their contribution and service to Hawkesbury Leisure Centres Inc.

160: McQuade Park (79354, 79342/ENG/ORI09LBX.E19)

428 RESOLVED on the motion of Councillor Paine and seconded by Councillor Calvert

That Camping in McQuade Park be prohibited and appropriate signage be erected for a 6 (six) month period, after which time the matter to be reviewed.

161: Ferry Interruption Report - August 2003 (79338/ENG/ORI09LCX.E20)

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

That the information be received.

QUESTIONS WITHOUT NOTICE

1. Councillor Gilling referred to a request previously made in regard to the rezoning of Tolson land at Mulgrave into light industrial. Nothing has been reported at this time. Report requested.

The Director Environment and Development advised that Council was awaiting a report from the RTA.

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2. Councillor Calvert referred to a phone call he had received from Mr Neville Diamond. Mr Diamond had called the pollution line and advised that he had been hung up on prior to comments being made.

The Director Environment and Development advised that no calls had been received over the weekend.

3. Councillor Rasmussen referred to a request for a selection process of successful tenderers in relation to Hawkesbury Agricultural Retention through Diversification and Clustering (HARtDaC) Project .

The Director Community & Corporate Services advised that information was not to be provided.

4. Councillor Rasmussen enquired if there was an alternate design for Yarramundi bridge that did not include pylons being put in the middle of the river.

The Director Asset Services & Recreation advised that the RTA had provided and decided on designs for Yarramundi Bridge, but will look into.

5. Councillor Conolly enquired why life-long costs for maintenance of community buildings were not budgeted for as life-long costs for maintenance of road works were. He asked if information could be provided, for the next budget cycle, in relation to allowances in ongoing budgets for maintenance of buildings.

The Director Asset Services & Recreation advised that ongoing maintenance costs are identified for all Council buildings and are reported as part of the Corporate Planning process.

6. Councillor Williams tabled a copy of a letter from a resident of Wollombi Road regarding attempted damming of Mogo/Wallambye Creek and requested a response.

The Mayor advised that this would be done.

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7. Councillor Williams referred to photos circulated by Kim Smith of the Oasis Centre and mentioned that the drain, and the ground around it, was stained in blue paint. He asked for an investigation to find out whether the painters had been cleaning off their gear in the drain.

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

8. Councillor Williams enquired if landscaping at the Oasis Centre was to be improved.

The Director Community & Corporate Services advised that attempts were being made to rectify the landscaping issue.

9. Councillor Allan requested information about a Questions Without Notice previously asked in relation to a \$93.00 fine.

Direct Asset Services & Recreation advised that a response had been forwarded, but would forward the memo again.

10. Councillor Allan enquired as to whether to not health inspections had been carried at at the BI-LO complex at North Richmond and if it hadn't could one be arranged and correspondence sent requested the whole complex be tidied up.

The Director Environment and Development advised that the matter would be looked into.

11. Councillor Paine tabled correspondence from Colin Bennett regarding Sydney Water and the sewerage system at North Richmond.

12. Councillor Paine tabled correspondence from Noel Mayfield-Smith who reported problems at Rickaby Street, Clarendon from the dust created from the dirt Road and asked if Council could send a water truck out, even if only on race days, to reduce the dust if it can't be sealed.

The Director Asset Services & Recreation advised that the matter is to be reported back to Council.

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13. Councillor Paine tabled correspondence from the new owners of Rocking Horse Stud at Kurmond who had been trying to get an application put through Council for some time in relation to the existing use rights and requested that the matter be investigated as matter of urgency.

The Director Environment and Development advised that the matter would be look into.

14. Councillor Paine tabled correspondence from Colin Bennett regarding a problem in Grose Vale Road, Kurrajong regarding the approval given to subdivide a property and the advise that Council consent or approval had been granted erroneously. She asked if the matter could be looked into as no answers had been provided.

The Director Environment & Development advised that this matter would be looked into.

15. Councillor Paine tabled correspondence from residents in Ross Street, Windsor regarding the pavement.

The Director Asset Services & Recreation advised that this would be investigated.

16. Councillor Paine tabled correspondence from 37 Bellbird Avenue and asked to have DA0053/03 investigated.

The Director Environment & Development advised that this matter would be investigated.

17. Councillor Rasmussen requested an update on the crematorium application at Agnes Banks.

The Director Environment & Development advised that he had received information from the Western Area Health Board and that he then advised the applicant that it was illegal to mis-inform Council.

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18. Councillor Rasmussen requested an update on North Bligh Park.

The Director Environment & Development advised that the SES are operational as a result of the storms and they will respond shortly.

The meeting terminated at 11.55pm.

Submitted to and confirmed at the meeting of Council on 14 October 2003.

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Mayor