



Hawkesbury City Council

general purpose committee business paper minutes

date of meeting: 29 June 2004

location: council chambers

time: 9.00 a.m.

GENERAL PURPOSE COMMITTEE

MINUTES: 29 June 2004

MINUTES

- **APOLOGIES.**
- **CONFIRMATION OF MINUTES.**
- **MAYORAL MINUTES.**
- **SECTION 1 - ENVIRONMENT.**
- **SECTION 2 - INFRASTRUCTURE.**
- **SECTION 3 - ORGANISATION AND RESOURCES**
- **NEXT MEETING.**

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Minutes of the Special Meeting of the Council held at the Council Chambers, Windsor, on Tuesday, 29 June 2004, commencing at 9.05am.

ATTENDANCE

PRESENT: Councillor R Stubbs, Mayor and Councillors B Bassett, T Books, B Calvert, K Conolly, T Devine, D Finch, C Paine, B Porter, P Rasmussen and Councillor N Wearne

NOT IN ATTENDANCE

Councillor L Williams

Councillor Rasmussen arrived at the meeting at 9:15am
Councillor Calvert left the meeting at 10:50am

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Finch, seconded by Councillor Devine.

That the Minutes of the General Purpose Committee meeting held on the 1 June 2004 be confirmed.

MAYORAL MINUTES

MM - Shop-Top Housing - (79353, 79347)

MOTION:

RECOMMENDED on the motion of Councillor Stubbs, seconded by Councillor Conolly.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That Council adopt the following interim policy pending any changes to the LEP.

"Council supports residential development within the Business Zones provided it is in the form of shop-top housing which comprises basement parking, the total ground

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floor area devoted to retail/commercial activity and residential dwellings on upper levels."

SECTION 1 - ENVIRONMENT

Item: 31 **ENV A - Erection of a Rural Shed, 1 Evans Road, Wilberforce, DA0418/04 - (31506, 88650, 27705)**

Mrs Helena Windberg, proponent, addressed the Committee

MOTION:

RECOMMENDED on the motion of Councillor Conolly, seconded by Councillor Bassett.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the application for the erection of a shed 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. DA418/04 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. The building, including walls and roof shall be clad with mist green colourbond steel panels.

Prior to Issue of Construction Certificate

4. Details of the roofwater drainage disposal shall be submitted and approved.
5. Submission and approval of a landscaping plan. Such plan (drawn to scale) shall include a mixture of trees, shrubs and plants, varying in maturity and endemic to the locality. Trees shall include species that at maturity have a height above the ridgeline of the shed. Shrub mass shall provide adequate screening. The landscaping plan shall detail the species, number, mature heights and location of plants. The landscaping is to provide suitable screening of the shed when viewed from surrounding areas.

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Prior to Commencement of Works

6. 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.
7. 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.
8. 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.
9. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

10. 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) steel reinforcement;
 - (c) on completion of the structure;
11. 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.
12. 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.
13. 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.
14. The maximum fill shall be 900mm and maximum cut shall be 2m.

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Use of the Site

15. The building shall not be occupied until all conditions of this Development Consent have been complied with.
16. The shed shall not be used or adapted for use for human habitation or for commercial or industrial purposes.

Item: 32 ENV A - Alteration and Retention of Existing Dwelling, Demolition of Other Existing Structures and Erection of 2 (Two) Detached Dwellings and Associated Carport and Garages, Lot 69 DP242486, 14 Stephen Street, North Richmond - (DA0926/03)

Mr Ray Ambrose, Proponent, addressed the Committee

MOTION:

A MOTION was moved by Councillor Paine seconded Councillor Rasmussen.

That a Site Inspection be carried out.

A site inspection was carried out at 2:00pm. Councillors present at the inspection were Councillor R Stubbs, Mayor and Councillors B Bassett, T Books, T Devine, D Finch, C Paine, B Porter, P Rasmussen and N Wearne.

RECOMMENDED on the motion of Councillor Finch, seconded by Councillor Paine.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

A further report be provided to Council at the next Ordinary meeting investigating whether 2 (two) single story buildings are appropriate following discussions with the applicant.

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Item: 33 **ENV A - Development Application for 64 (Sixty Four) Residential Dwellings for Aged and Disabled Persons Comprising a Mix of Villas, Townhouses and Units, Lot 1, DP129442 and Lot 1, DP779913, 739 George Street, Windsor (Cnr Richmond Road)**

Mr Greg Buxton, proponent, addressed the Committee

MOTION:

RECOMMENDED on the motion of Councillor Devine, seconded by Councillor Finch.

Refer to COMMITTEE RECOMMENDATION 1

A FORESHADOWED motion was moved by Councillor Devine seconded Councillor Paine.

Refer to COMMITTEE RECOMMENDATION 2

COMMITTEE RECOMMENDATION 1:

That the application for:

- Re-subdivision of 2 (two) existing lots;
- Reconfiguration of the access to and parking on the site;
- Retention of the existing church building and ancillary buildings on the northern proposed lot; and
- Erection of 19 (nineteen) buildings containing 64 (sixty four) residential dwellings for aged and disabled persons comprising a mix of villas, townhouses and units on the southern proposed lot.

be granted deferred commencement approved subject to the following conditions:

A. Schedule One

1. To allow further detailed assessment of the concept design, the RTA advises the applicant to submit plans (Scale 1:200) showing adjacent road details along George Street extending north from the roundabout at the intersection with Richmond Road. The plans are to include the location of Thorley Street, the type of existing line marking, dimensioning of lanes, location of existing bus stops and edge of bitumen. The RTA is concerned that the recommended median may restrict access out of Thorley Street and this may likely necessitate the relocation of the proposed access driveway further north along George Street.

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2. Satisfactory amended plans (generally in accordance with architectural plans prepared by Nelson Architecture Project No.0201-03 Sheet No. DA02, DA03 and DA12 to DA41 dated Dec 2003 as modified by Sheet No. DA42 to DA46 dated May 2004 and landscape plans prepared by Port Landscape design dated Dec 2003) must be submitted to Council for approval which demonstrate the following:-
 - (a) Retaining walls No.3 and 4 on plans prepared by Craig and Rhodes Drawing Ref. No. 1722e06 dated 14 May 2004 must be stepped/terraced. The lower retaining wall should follow the natural fall of the land and not exceed 1.2m in height above natural ground level. A landscape setback from Blacktown Road with suitable width for adequate landscaping screening should be provided to the remainder of the wall. This setback must be a minimum width of 2m. Adequate landscaping details must be provided for this area.
 - (b) Compliance with the requirements of RTA and RFS conditions contained within Schedule Two of this Consent.
3. Submission of a satisfactory rehabilitation plan for the area detailed to be retained and rehabilitated in the Flora and Fauna Assessment prepared by ERM for the subject site dated November 2003.

Schedule Two

Roads and Traffic Authority Conditions

General Conditions

1. The RTA has previously resumed and dedicated land for road along the frontage of the subject property, as shown by grey colour on the attached plan. The subject property is further affected by the RTA's road proposal as shown by pink colour on the attached plan. However, the RTA would raise no objection on property grounds to the proposed development provided that any new buildings or structures are erected clear of the land required for road.
2. Consideration is to be given to the provision of pedestrian access along George Street to link with bus facilities along George Street. If not already in place, a bus shelter on either side of George Street adjacent to the site is to be provided in conjunction with a pedestrian refuge within George Street. This is to be shown on the concept and the detailed design plan. The refuge is to be designed to RTA standards.
3. To ensure adequate levels of road safety, the adequacy of the existing street lighting is to be investigated and upgraded if required.
4. All works/signposting associated with the proposed development shall be at no cost to the RTA.

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5. The development should be designed such that road traffic noise from George Street is mitigated by durable materials, in accordance with the Environmental Protection Authority criteria "The Environmental Criteria for Road Traffic Noise, May 1999". The RTA's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.

Where the EPA external noise criteria would not practically or reasonably be met, Council applies the following internal noise objectives for all habitable rooms under ventilated conditions complying with the requirements of the Building Code of Australia.

All sleeping rooms: 35 dB(A) Leq (9hr)

All other habitable rooms: 4dB(A) Leq (15hr) and 40 dB(A) Leq (9hr)

Prior to Issue of Construction Certificate

6. The applicant is requested to submit a concept design demonstrating the implementation of left-in / left-out access restriction for the RTA's approval prior to the issue of the construction certificate.

Prior to Commencement of Works

7. Detailed design plans of the proposed driveway crossover connection, median island, pedestrian refuge and deceleration lane are to be submitted to the RTA for approval prior to the commencement of any roadworks.
8. It should be noted that a plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by the RTA.
9. If not in place "No Stopping" parking restrictions (excluding bus zones) are to be implemented along the George Street frontage of the subject property prior to commencement of any works. Prior to the installation of "No Stopping" parking restrictions the applicant is to contact RTA's Traffic Management Services on Phone: (02) 8814 2536 for a "Works Instruction".

During Construction

10. The RTA does not object to left-in / left-out access arrangements as stated in the traffic report. To implement left-in / left-out access restriction, the RTA recommends a 0.9m wide raised concrete median to be constructed along George Street from approximately 10m north and extending to a point 10m south of the proposed new access to the site (with appropriate line marking) This will require pavement widening in order to maintain existing lane widths.
11. Any redundant driveways along George Street are to be removed and restored to their natural state.

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12. A deceleration lane of 55m long, 3m wide deceleration lane with 2m sealed shoulder to allow northbound left turning vehicles to safely decelerate out of the through traffic lane and to minimise the disruption to through traffic flow, is to be provided.
13. Off street car parking associated with the subject development, including aisle widths, parking bay dimensions and sight distances, are to be in accordance with AS 2890.1 – 1993.
14. Suitable provision should be made on site to alleviate any need to park construction vehicles along George Street.
15. Suitable provision is to be made to retard any increased stormwater run-off directly onto George Street.
16. The proposed driveway is to be a “Category 3” driveway with a minimum entry width of 6m and exit width of 4.0m – 6.0m in accordance with AS 2989.1-1993.
17. The crossover connection to George Street is to be sealed and in accordance with Council and RTA requirements. Details of these requirements should be obtained from RTA’s Project Services Manager, Traffic Project Section, Blacktown, Phone: (02) 8814 2144.
18. Pavement design details can be obtained from the Authority’s Asset Management Section (Ph: (02) 8814 2409).

Prior to Issue of Occupation Certificate

19. The recommended works are to be completed prior to occupation of the site.

Rural Fire Service Conditions

General Conditions

20. Access is to comply with Section 4.3.2 Planning for Bushfire Protection 2001.
21. Reticulated water supply shall comply with AS 2419. Locations of fire hydrants are to be delineated by blue pavement markers in the centre of the road.
22. Clearing of vegetation for asset protection zones should have minimal impact on existing Cumberland Plains Woodlands communities on the site.

Prior to Issue of Occupation Certificate

23. A Bush Fire Evacuation Plan to be submitted to the NSW Rural Fire Service - Planning and Environment Services for approval. The evacuation plan is to detail the following:
 - (a) Under what circumstances will the complex be evacuated
 - (b) Where will all persons be evacuated to
 - (c) Roles and responsibilities of persons co-ordinating the evacuation

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- (d) Roles and responsibilities of persons remaining with the complex after evacuation.
- (e) A procedure to contact the NSW Rural Fire Service District Office / NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

Use of the Site

- 24. The property to the north west of the dwellings to a distance of 35 metres, shall be maintained as an "Inner Protection Area" (IPA) and 15 shall be maintained as an "Outer Protection Area" (OPA) as outlined within Section 4.2.2 in Planning for Bushfire Protection 2001. The balance of the property surrounding the dwellings shall be maintained as an IPA.

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General

- 25. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (generally in accordance with architectural plans prepared by Nelson Architecture Project No.0201-03 Sheet No. DA02, DA03 and DA12 to DA41 dated Dec 2003 as modified by Sheet No. DA42 to DA46 dated May 2004 and landscape plans prepared by Port Landscape design dated Dec 2003) as modified by plans approved in accordance with Schedule One, and as amended in red, except as provided by conditions of this consent.
- 26. No excavation or site works shall be commenced prior to the issue of the Construction Certificate.
- 27. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
- 28. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
- 29. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within 7 (seven) days of the date of issue. A fee is required to be paid.
- 30. 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.
- 31. *Corymbia Maculata* detailed on the landscape plan must be replaced by a mix of other species indicated on the landscape plan.
- 32. The development shall be undertaken in accordance with details contained within the Flora and Fauna Assessment prepared by ERM for the subject site dated November 2003.

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33. Compliance with the requirements of State Environmental Planning Policy No. 5 - Housing for Older People or People with a Disability.
34. On site detention of stormwater is not required provided stormwater from the development site is discharged directly to Rickaby's Creek flood plain and not into the table drain of Blacktown Road.

Prior to Issue of Construction Certificate

35. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:
 - (a) Open Space and Recreation (\$104,611)
 - (b) Community Facilities (\$127,546)

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor. Contributions are to be paid prior to issue of the construction certificate.
36. The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.
37. Construction of civil works including road, drainage, access, or sewer works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environment and Development or an accredited certifier.
38. Payment of a design checking fee of \$1,744.60 (one thousand seven hundred and forty four dollars and sixty cents) and inspection fee of \$3,535.40 (three thousand five hundred and thirty five dollars and forty cents) when submitting Engineering plans for approval. This amount is valid until 30 June 2005. Fees required if an accredited certifier is used will be provided upon request.
39. Payment of a design checking fee of \$3,489.20 (three thousand four hundred and eighty nine dollars and twenty cents) and inspection fee of \$7,070.80 (seven thousand and seventy dollars and eighty cents) when submitting Engineering plans for approval. This amount is valid until 30 June 2005.
40. Details of any fill material removed from or imported to the site to be submitted with the engineering plans. Details to include quantities, borrow sites or disposal sites. A contribution based on 3 cents per tonne per kilometre shall be paid to Council prior to issue of the Construction Certificate.
41. The submission of a satisfactory traffic management plan.

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42. The submission of engineering designs and calculations covering all works required by this consent.
43. The submission of a satisfactory soil and water management plan (SWMP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
44. 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)".
45. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.
46. Payment of a contribution of \$245,654.65 (two hundred and forty five thousand dollars and sixty five cents) towards sewer headworks. This sum will remain fixed until 30 June 205 after which it will be recalculated at the rate applicable at the time of payment.
47. The applicant shall submit a report from a suitably qualified and experienced engineer in respect of the proposed development, such report to verify that:
 - Any damage to the proposed development sustained in a flood will not generate debris capable of causing damage of downstream buildings or property.
 - The construction that is at or below the 1 in 100 year flood level will be able to withstand the force of floodwaters (including buoyancy forces) and the impact of debris.
 - All finishes, plant fittings and equipment subject to inundation will be of materials and functional capacity resistant to the effects of flood waters.
48. A Construction Management Plan is to be submitted.
49. Design details of all retaining walls including associated drainage is to be submitted. The designs are to be undertaken by a suitably qualified Engineer.
50. 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.
51. A surcharge path sufficient to carry the 1 in 100 year storm flow to be provided across the site and a drainage easement of adequate width to be created over the surcharge path. Details to be submitted for approval concurrently with the Construction Certificate.
52. The submission of all necessary approvals/licences from the Department of Infrastructure Planning and Natural Resources. In particular your attention is drawn to the proximity of stormwater works to Rickaby's Creek .

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Prior to Commencement of Works

53. Separate certified structural engineer's details of all structural concrete and steelwork shall be lodged with the principal certifying authority for approval.
54. 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.

55. 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.
56. 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.
57. 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.
58. 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.
59. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
60. 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

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- (d) approval duration of site works
61. 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.
 62. All building work must be carried out in accordance with provisions of the Building Code of Australia.
 63. All work must be carried out in accordance with the provisions of Hawkesbury Development Control Plan, Appendix E Civil Works Specification, Part 1 Design Specification and Part 2 Construction Specification.
 64. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.
 65. 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.
 66. All works including retaining walls are to be wholly contained within the site. In this regard, upon completion of the first row of the retaining wall, a Surveyor's Certificate is to be provided to Council showing the retaining walls are located wholly within the property.
 67. All materials used in the construction below the level of 17.3 metres AHD shall be capable of withstanding prolonged immersion in water without swelling or deteriorating.
 68. A Registered Surveyor's certificate indicating that the level of the top of the floor joists of the lowest habitable floor is at or above 17.3 metres Australian Height Datum shall be obtained prior to construction proceeding above this floor level, or alternatively, a defined bench mark AHD level shall be identified by survey report on a fixed location immediately adjacent to the building (eg. top of concrete strip footing, top of poured concrete pier).
 69. 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.
 70. 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.
 71. All loaded trucks arriving at the site shall have their payloads suitably covered to prevent spillage from the truck onto the road.
 72. The construction of sewerage reticulation, including junctions, to all lots in the subject development site where not already provided.

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73. All debris (including felled trees) resulting from the approved clearing of the site for construction is to be removed from the property unless alternative arrangements are agreed to in writing with this office.
74. The construction of concrete kerb and gutter, including layback vehicular crossings, concrete path paving 1.2m wide with the remaining footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder road pavement over the frontage of subject lot to George Street, together with any works necessary to make this construction effective.
75. The construction of Council's standard sealed vehicular crossing to subject lot in accordance with Council's standard plan.
76. Removal of the existing redundant crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
77. 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 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.
78. The topsoil shall be stripped and stockpiled and used to cover the landfill.
79. The filled area, including batters, shall be grassed to the satisfaction of the Director of Environment and Development immediately after filling takes place.
80. All fill to be adequately compacted by track rolling or similar.
81. The landfill site shall be secured to prevent the depositing of any unauthorised material.
82. The fill shall be battered at a slope not exceeding 1 (one) vertical to 4 horizontal.
83. 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.
84. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
85. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
86. The landfill shall be completed in stages to minimise the area exposed at any one time. Each section is to be stabilised by grassing immediately each section is completed and before moving onto the next section.
87. Where entrance doors are recessed and no suitable window is provided to allow surveillance of entrance area, the door should be provided with a viewing hole.

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88. Shared entries that serve a number of dwellings must be able to be locked.
89. The development must comply with Clause 13A of State Environmental Planning Policy 5 - Housing for Older People or People with a Disability.
90. All disabled parking to be provided in accordance with AS2890.1 -1993 and the BCA.
91. Stormwater from the existing Church and associated buildings site is to be suitably piped where necessary and discharged to the flood plain.
92. Construction of sealed internal access roads, including kerb and gutter and all necessary drainage together with any works necessary to make this construction effective.
93. All retaining walls are to be designed and certified as being satisfactory constructed on completion by a suitably qualified engineer.
94. A combination of an Artificial Wetland, Water Quality Control Devices and energy dissipaters are to be constructed at the point of discharge in the flood plan to ensure there is no increase in nutrients and to minimise the potential for scouring, erosion and sediment transportation. The design is to be undertaken by a suitably qualified engineer.

Prior to Issue of Occupation Certificate

95. 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 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.

96. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant units in the development.
97. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones to each unit in the development.
98. Exit/entrance points are to be clearly signposted and visible from both the street and site at all times.
99. All necessary works being carried out to ensure that "any water" flow from adjoining properties is not impeded.

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100. Dedication of any the necessary road widening.
101. A bus stop and bus bay is to be constructed on either side of George Street within 400m of the site.
102. A flood warning sign of durable material and permanently affixed shall be located in a prominent location. The sign shall advise occupants that the site may be subject to inundation during times of flood.
103. The applicant shall prepare a flood emergency evacuation and management plan for the proposed development, The plan should advise occupants of flood evacuation procedures and emergency contact telephones numbers. The applicant should contact Flood Safe Hawkesbury -Nepean, Council and 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.
104. A report by the Design Engineer and Works-As-Executed (WAE) drawing by either a suitably qualified Engineer or Registered Surveyor of the Artificial Wetland, Water Quality Control Devices 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 system in relation to the approved design. The WAE drawings shall indicate the following as applicable:
 - (a) Invert levels of pits and pipes
 - (b) Surface levels of pits and surrounding ground levels
 - (c) Levels of surrounding kerb
 - (d) Floor levels of buildings, including garages
 - (e) Top of kerb levels at the front of the lot
105. A Plan of Management for the Artificial Wetland and Water Quality Control Devices within the development is to be submitted to and approved by Council for approval prior to the issue of an Occupation Certificate. The Plan of Management shall set out all design and operational parameters for the system including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance.
106. Prior to endorsement and release of the Occupation Certificate the owner is required, at their costs and expense, to enter a positive covenant over all of the land comprised in the development providing as follows:-
107. Covenanteeing with the Council (the prescribed Authority) to at all times, at their costs, maintain, repair and keep the Artificial Wetland and Water Quality Control Devices in a good and safe condition and state of repair in accordance with the approved design to the reasonable satisfaction, at all times, of the said Council having due regard to the Plan of Management for the operation and maintenance of the on-site stormwater detention facilities, and

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108. Providing that the liability under the said Covenant will jointly and severally bind the registered proprietors of the proposed dwellings, and providing that Council (the prescribed Authority) will be the person entitled to release or modify the Covenant.
109. All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner on whose behalf the applicant has lodged the application.
110. The submission of a Surveyor's Certificate stating that all buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks.
111. 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.
112. Rehabilitation of the Cumberland Plain Woodland must be completed in accordance with the approved rehabilitation plan.
113. A private community bus service is to be provided for the use of the residents of the development in accordance with the provisions of Clause 12 (2) (b) of State Environmental Planning Policy No. 5.
114. A private waste and recycling agreement must be entered into for the collection of the residential waste.
115. Creation of a restriction on use/positive covenant over the lot in the following form:
 - Persons accommodated by the development are to be restricted to those allowable under State Environmental Planning Policy 5 - Housing for Older People or People with a disability.

Prior to Issue of Subdivision Certificate

116. 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 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 release of the plan of subdivision.

117. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.

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118. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
119. The submission of a plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal, where applicable, and the correction of any encroachments or defects to the requirements of the Divisional Manager Environment and Development.
120. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
121. The submission of a Surveyor's Certificate stating that all buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks.
122. The submission of a Surveyor's Certificate stating that all pipelines are contained within the proposed/existing easements.
123. Payment of a linen release fee of \$206.60 (two hundred and six dollars and sixty cents). This amount is valid until 30 June 2005.
124. The creation of reciprocal rights of carriageway and easements for services where necessary.
125. Rehabilitation of the Cumberland Plain Woodland must be completed in accordance with the approved rehabilitation plan.

The Use of the Site

126. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
 127. A private waste and recycling agreement must be maintained for the collection of the residential waste.
 128. A private community bus service is to be provided for the use of the residents of the development in accordance with the provisions of Clause 12 (2) (b) of State Environmental Planning Policy No. 5.
 129. All occupants of the units are to be in accordance with the provisions contained within State Environmental Planning Policy 5 - Housing for Older People or People with a disability.
- B. A further report be provided to Council prior to the next Ordinary meeting regarding the calculations of Sewerage Charges for the development.

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COMMITTEE RECOMMENDATION 2:

A FORESHADOWED motion was moved by Councillor Devine seconded Councillor Paine.

That the State Emergency Service be requested to provide tangible evidence for future flood height predictions.

Item: 34 **ENV B - Proposed Amendments to Hawkesbury Development Control Plan - (79347)**

Previous Item: 29, Ordinary (8 June 2004)

MOTION:

RECOMMENDED on the motion of Councillor Rasmussen, seconded by Councillor Finch.

Refer to COMMITTEE RECOMMENDATION 1

A FORESHADOWED motion was moved by Councillor Books seconded Councillor Rasmussen.

Refer to COMMITTEE RECOMMENDATION 2

COMMITTEE RECOMMENDATION 1:

That:

1. Council resolve to prepare a draft development control plan to amend the Hawkesbury Development Control Plan Chapters concerning General Information and Notification, as detailed in this report.
2. Should no objections be received, the draft plan be put in force following the exhibition period.
3. Applications with regard to Rural Sheds will require notification only if closer than 10 (ten) metres, increased from 5 (five) metres.
4. All sheds not complying with the DCP will be notified in the 1(c) and 1(c1) zone.

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COMMITTEE RECOMMENDATION 2:

That a report be provided to Council regarding the modification of the DCP in regard to Rural Sheds.

SECTION 2 - INFRASTRUCTURE

Item: 30 **INF B - North Richmond Main Street Committee - Public Toilets (82907)**

Previous Item: 7, Ordinary (14.10.2003) (27.01.04)

MOTION:

RECOMMENDED on the motion of Councillor Finch, seconded by Councillor Rasmussen.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That subject to the toilets adjacent to Bi-Lo Supermarket, North Richmond being brought to a satisfactory standard and agreement to access, Council undertake responsibility for the ongoing repairs of the facility for a 12 (twelve) month trial period.

SECTION 3 - ORGANISATION AND RESOURCES

Item: 30 **ORG A - Monthly Financial Report (79349)**

MOTION:

RECOMMENDED on the motion of Councillor Rasmussen, seconded by Councillor Books.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

GENERAL PURPOSE COMMITTEE

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**Item: 31 ORG A - 7th International River Management Symposium -
Riversymposium - (79798)**

MOTION:

RECOMMENDED on the motion of Councillor Paine, seconded by Councillor Finch.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That appropriate Councillors and staff attend the 7th International River Management Symposium to be held in Brisbane from 31 August to 3 September 2004, at a cost of approximately \$1,800 (one thousand eight hundred dollars) per delegate.

**Item: 32 ORG A - Local Government and Shires Associations of NSW 2004
Water Management Conference - (79633, 88297, 90703)**

MOTION:

RECOMMENDED on the motion of Councillor Rasmussen, seconded by Councillor Paine.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the Mayor, or his nominee, and appropriate staff attend the Local Government and Shires Associations of NSW 2004 Water Management Conference to be held in Murray Shire, Moama from 10 to 12 August 2004, at a cost of approximately \$1,200 (one thousand, two hundred dollars) per delegate.

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Item: 33 **ORG B - Selection of Community Members for the E-Commerce/Market Advisory Committee - (91367)**

Previous Item: 42, Special Meeting (15 April 2004)

MOTION:

RESOLVED on the motion of Councillor Conolly, seconded by Councillor Rasmussen.

Refer to RESOLUTION

240 RESOLUTION:

That Council exercising its delegation as Committee of the Whole resolve that Janette Fairleigh, Rob Ewin, Barry Crockford, Justin Melton, Robert McCallum, Peter Hudson and Zac Hope (alternative representative Ruwan Peirus) be appointed as community representatives on the E-Commerce Markets Advisory Committee to work in accordance with the constitution set out for that committee.

Item: 34 **ORG B - Hawkesbury Regional Gallery Operating Costs (79342)**

Mr Michael Jinnings, respondent, addressed the Committee

MOTION:

RECOMMENDED on the motion of Councillor Rasmussen, seconded by Councillor Paine.

Refer to COMMITTEE RECOMMENDATION 1

A FORESHADOWED motion was moved by Councillor Rasmussen seconded Councillor Paine.

Refer to COMMITTEE RECOMMENDATION 2

COMMITTEE RECOMMENDATION 1:

That:

1. The information be received.

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2. Council reaffirm its recommendation to achieve 85% (eighty five percent) of the State Library of NSW benchmarks for the operation of the Hawkesbury City Council Library Service as adopted by Council in April 2003.
3. Council note the 30% (thirty percent) increase in the nominal allocation for the operation of the gallery space within the library/gallery building as provided for in the draft financial estimates for 2004/2005.
4. Council reaffirms its previous decision to name the gallery as regional and identify the development of the Regional Gallery space within the library/gallery building to a full service standard as a long-term objective for inclusion in the proposed Cultural Precinct Development Plan.

COMMITTEE RECOMMENDATION 2:

Length of time that the gallery would come up to Regional Gallery standard.

Refer back to the Commercial Response Unit to bring forward a report to indicate how soon that might be achieved.

Item: 35 ORG B - Request for Sponsorship for Business Awards - (80198)

Councillor Bart Bassett declared an interest in this item as he is an office bearer of the Hawkesbury City Chamber of Commerce.

Mr Steven Loe, Precedent Production and Mr Alan Pont, Rural Press, proponents, addressed the Committee.

MOTION:

RECOMMENDED on the motion of Councillor Finch, seconded by Councillor Wearne.

That:

1. Council sponsor the Business Award proposal from the Hawkesbury City Chamber of Commerce and Industries Incorporated and Hawkesbury Gazette and Courier at the support sponsor level to the extend of \$3,500 (three thousand, five hundred dollars) for 2004/2005.
2. A review of the Business Awards be carried out by the Commercial Response Unit in relation to funding for 2005/2006 onwards.

GENERAL PURPOSE COMMITTEE

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An AMENDMENT was moved by Councillor Books seconded Councillor Devine.

Refer to COMMITTEE RECOMMENDATION

The amendment was carried.

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

COMMITTEE RECOMMENDATION:

That:

1. Council sponsor the Business Award proposal from the Hawkesbury City Chamber of Commerce and Industries Incorporated and Hawkesbury Gazette and Courier at the support sponsor level to the extend of \$3,500 (three thousand, five hundred dollars) for 2004/2005.
2. A review of the Business Awards be carried out by the Commercial Response Unit in relation to funding for 2005/2006 onwards.
3. That the funding be provided from the Hawkesbury City Chamber of Commerce budget allocation.

Item: 36 **ORG B - Arthritis Foundation Bike Ride Event - Trike Around Australia - (79356)**

Previous Item: 4, Ordinary (10 February, 2004)

MOTION:

A MOTION was moved by Councillor Books, seconded by Councillor Rasmussen.

That:

1. Council provide in-kind support i.e accommodation and meals for the team undertaking the Arthritis Foundation Bike Ride Event Trike Around Australia for the new date they will arrive in Windsor (to be confirmed by the organisers closer to the time). Funding to be provided from the donations budget and the value of the donation not to exceed \$350.00 (three hundred and fifty dollars).
2. Council provide a small welcoming ceremony on the arrival date and encourage the local community to attend. Funding to be provided out the 2004/2005 Community Celebrations budget and expenditure not to exceed \$1,000.00 (one thousand dollars).

GENERAL PURPOSE COMMITTEE

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3. The money saved from the Business Awards go towards the Arthritis Foundation Bike Ride Event - Trike Around Australia.

Recommended on the AMENDMENT moved by Councillor Paine seconded Councillor Rasmussen.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That this matter be further reported to Council.

Item: 37 ORG B - Documents for Execution under Seal - (85288, 91393, 91394)

MOTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Books.

Refer to RESOLUTION

241 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Books.

That Council exercising its delegation as Committee of the Whole resolved that the seal of Council be affixed to the following documents:

1. Residential Lease Agreement with Messrs Robert Gown and Corey Bates for the term of 26 (twenty six) weeks for 1/292 George Street, Windsor with a weekly rent of \$130.00 (one hundred and thirty dollars).
2. Commercial Lease Agreement with Ditsy Pty Limited for the term of a 3 (three) year lease with a 3 (three) year option for "Loder House" 126 George Street, Windsor with an annual rent of \$28,599.96 (twenty eight thousand, five hundred and ninety nine dollars and ninety six cents) plus GST subject to the receipt of written legal advice confirming the implications of any proposed future change of use.

GENERAL PURPOSE COMMITTEE

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Item: 38 ORG A - Staff Matter - Appointment of Director of Commercial Strategy - (79351, 79355)

MOTION:

RESOLVED on the motion of Councillor Paine seconded Councillor Rasmussen

Refer to RESOLUTION 1

RESOLVED on the motion of Councillor Books, seconded by Councillor Finch.

Refer to RESOLUTION 2

RESOLVED on the motion of Councillor Rasmussen seconded Councillor Books

Refer to RESOLUTION 3

242 RESOLUTION 1:

RESOLVED on the motion of Councillor Paine seconded Councillor Rasmussen that Council be closed and go into Committee of the Whole.

243 RESOLUTION 2:

RESOLVED on the motion of Councillor Books, seconded by Councillor Finch.

That:

1. Council ratify as a Committee of the Whole the decision of the General Manager to appoint Stephen Phillips to the position of Director Commercial Strategy commencing on 21 July 2004.
2. A media release to be issued announcing the appointment.

244 RESOLUTION 3:

RESOLVED on the motion of Councillor Rasmussen seconded Councillor Books that Open Council be resumed.

GENERAL PURPOSE COMMITTEE

MINUTES: 29 June 2004

SUPPLEMENTARY REPORTS

Item: 39 Australian Sister Cities Association National Conference

MOTION:

RECOMMENDED on the motion of Councillor Paine, seconded by Councillor Rasmussen.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That Council supports the attendance of Councillor Finch at the Australian Sister Cities Association National Conference in Noosa, Queensland, from 2 to 4 August 2004.

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QUESTIONS WITHOUT NOTICE

1. Councillor Bassett referred to a gentleman from Craig Crescent, Bowen Mountain, who is concerned about the condition of the Road regarding the pot-holes. He had apparently contacted Council and wanted to know the condition of Craig Crescent and asked if Council was in a position to do anything about it if we consider is necessary.

The Director Asset Services and Recreation advised the road hadn't been inspected, but there were certain works that the gentleman wanted done. The road condition is quiet satisfactory without doing those works at this stage, but it was indicated to the gentleman that when a patching crew is in the area in the future, they would look at doing some edge works.

2. Councillor Finch asked if the parking of cars for sale at Kurmond could be investigated.

The Mayor advised that this would be done.

3. Councillor Finch referred to her previous Questions Without Notice in relation to doing a 'welcome to new residents' package. Councillor Finch noted that it was on the agenda for the Strategic Planning meeting on Friday and asked if that was correct?

The General Manager advised that it wont be discussed at the Strategic Planning meeting as the matter is subject to report to Council from the Commercial Response Unit when it is formed. Council has discussed this in relation to identifying new individuals and new businesses to Council and the strategy was going to be that we would be conducting welcoming ceremonies for those, additional to the documentation that is given to new residents.

4. Councillor Finch asked if Council could provide Real Estate Agents with the welcome packages and they can give them out to new residents.

The General Manager advised that this was a good idea and was happy to facilitate it.

5. Councillor Paine referred to the trees in Arndel Street, Windsor that have been affected by Borer and Council was notified of this months ago. Could something be done about this before we loose the trees.

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

6. Councillor Paine tabled correspondence and advised that she spoke with John Ezzy in relation to a group of people trying to stop the sale of the Grose Wold School site. Councillor Paine asked if Council could give a letter of support saying that this site should not be sold.

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The General Manager advised that he was hesitant to give any letter of support until such time that Council has examined all of the facts behind the sale and whether it is appropriate for Council to give such a letter, and even then it would have to be based on a resolution of Council to write that letter.

7. Councillor Rasmussen asked if Council was aware of the three very important documents that have come out recently i.e. the 'COAX National Water Initiative Agreement', released on 25 June 2004, 'Getting Water Right', a Parliamentary report of June 2004 and 'Water and Sydney's Future', which is the forum report. Can Council put together the basic outcomes of these reports and then try and work a strategy whereby we take into account where we sit in this picture and what we do with it and could a policy be created from this.

The General Manager advised that if Council, by way of resolution, wants to resolve that a report be done on those three reports outlining Council's position, it could certainly be done.

8. Councillor Rasmussen asked if Council could somehow undertake an education program in the community to assist residents understand how they can influence and be involved in Council meetings and become part of the budgeting process.

The General Manager advised that this could be done, currently, Council on 15 April resolved that management put forward or develop a communications policy, which would be all encompassing for our external and internal stakeholders, so that is being worked on. He advised that some results of previous discussions were going to be put forward at the next Councillor workshop.

9. Councillor Rasmussen referred to the funding for the Woodbury Park BMX track as it seemed to come in and out of the budget. It seems to the residents that when money was needed elsewhere, their park and their BMX track got the flick. Where is the BMX Park for Woodbury Park at now, is it in the budget or out of the budget.

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

10. Councillor Rasmussen asked if there was an update on the EIS on the 'Super Highway' across Council's part of the Mountains and asked if it was underway, finished or done and asked if a report could be provided.

The Director Asset Services and Recreation advised that he didn't believe we had notification of it at this stage and he had only seen an article in the local paper last week. He advised that the Bells Line of Road upgrade won't go any further and it is being concentrated on the Great Western Highway.

The Mayor advised that the State Minister, Mr Scully, has indicated that the Great Western Highway is his top priority in short to medium-term. Anything else relating to the upgrading of the Bells Line of Road is long-term strategy.

GENERAL PURPOSE COMMITTEE

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11. Councillor Devine referred to documentation from Mr David Hooker. He advised that it involves a matter that was before the Land and Environment Court at the moment. One paragraph in the letter was relating to how Council was spending rate payers money. Is it Council's policy to go in court proceedings and oppose the person's right to appeal.

The General Manager advised that it was entirely inappropriate for Councillor Devine to comment on the matter. Council has solicitors representing its interest at this point in time in the Court, therefore, we should not be commenting in any shape or form on this matter until we are advised by our solicitor of the outcome.

12. Councillor Devine tabled correspondence that was written by Council to the owner of the property at 333 George Street relating to the issue of the property being removed from Schedule 1 of the Hawkesbury Environmental Plan. Could a report be provided as to the status of that property.

The Director Environment and Development advised it was one of the draft LEPs that will be prepared when Council has staff resources available to do it as, at the present time, we don't.

13. Councillor Devine asked if Council was aware that the Windsor Town Centre Shopping Centre was for sale.

The General Manager advised that it was reported in the financial news two weeks ago.

14. Councillor Devine referred to the recent installation of telephones for Councillors and asked if it could be investigated, the possibility of an answering machine being attached to the telephone system.

The General Manager advised that the option could be looked at, but message bank with Telstra could also be investigated.

15. Councillor Conolly mentioned that by advertising via the Gazette, Council is in fact only has a fairly narrow reach and it may be better for some issues to be advertised in a freely distributed paper, this would increase the spread. Could this be addressed in the communication strategy.

The Mayor advised that this would be done.

16. Councillor Porter asked if the condition of Windsor Bridge could be investigated as there are currently speed bumps on the bridge.

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

GENERAL PURPOSE COMMITTEE

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17. Councillor Porter referred to Woodland's Park Pony Club and their concerns about it still being zoned industrial land since the early 80s. Could a report be provided to Council in relation to Council giving a long-term lease agreement to the Pony Club over the land.

The Mayor advised that this would be done.

The meeting terminated at 2:15pm on site.

Submitted to and confirmed at the Ordinary meeting held on Tuesday, 13 July 2004.

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Mayor