Hawkesbury City Council

# ordinary meeting business paper

date of meeting: 14 December 2004
location: council chambers
time: 7.00 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 14 December 2004, commencing at 7:00pm.

**ATTENDANCE**

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

**APOLOGIES**

An apology for absence was received from Councillors N Wearne and D Finch

**RESOLVED** on the motion of Councillor Paine and seconded by Councillor Stubbs that the apology be accepted.

Councillor Wearne arrived at the meeting at 7:05pm
Councillor Finch arrived at the meeting at 7:47pm
Councillor Williams left the meeting at 10.05pm

**CONFIRMATION OF MINUTES**

**553 RESOLUTION:**

**RESOLVED** on the motion of Councillor Rasmussen and seconded by Councillor Porter that the Minutes of the Ordinary meeting held on the 9 November 2004, be confirmed.

**554 RESOLUTION:**

**RESOLVED** on the motion of Councillor Conolly and seconded by Councillor Devine that the Minutes of the Special meeting held on the 7 December 2004, be confirmed.

## SECTION 2 - Notices of Motion

### RM - Determination of Submissions, Pitt Town Draft Local Environmental Plan - Amendment 145 - (79347, LEP3/03)

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**MOTION:**

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

That the resolution of Council's Special Meeting of 7 December in relation to the determination of submissions regarding the Pitt Town Draft Local Environmental Plan - Amendment 145 be rescinded.

The motion was lost.

Councillor Paine requested that her name be recorded as having voted for the motion.

### NM - Sullage Pumpout Subsidy Hawkesbury City Council - (90478, 90476, 90477)

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This Item was withdrawn.

**Supplementary**

### NM - Health of the Hawkesbury Nepean River - (80106)

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**MOTION:**

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

***Refer to RESOLUTION***

555 **RESOLUTION:**

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

That the Notice of Motion be referred to the next meeting of the Hawkesbury River Working party for consideration and adoption where relevant in that working parties strategy for the Hawkesbury River.

**SECTION 3 - Report of the General Purpose Committee**

## ENVIRONMENT

**Item: 59** **ENV A - Section 96 Application to Modify Development Consent DA0134/95, Lot 2, DP628806, No. 6102 Singleton Road, Colo Heights (Tinda Creek) - (79347, 27001)**

**Previous Item:** 75, GPC 27 November 2003

This item was deferred to the end of the meeting to be dealt with as the last item before Questions Without Notice.

**Item: 60** **ENV B - Corrections to Schedule 1 of the Hawkesbury Local Environmental Plan 1989 - (Deletion of Two Heritage Items) - (79339)**

**Previous Item:** 57, Ordinary (8 April 2004)

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

556 **RESOLUTION:**

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

That the draft plan be adopted as advertised. In regard to the Hawkesbury Hotel, Schedule1 of Hawkesbury Local Environmental Plan 1989 will read as follows:

"Tates Hotel", Nos. 335, (corner Tebbutt Street), lot A, DP 84001. (220)

**Item: 61** **ENV B - Vehicles Placed on Public Land and Advertised for Sale - (79347)**

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**557 RESOLUTION:**

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

That the matter be workshopped in early 2005 and reported back to Council.

**Item: 62 ENV B - Land and Environment Court Appeals Process - (79347)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**558 RESOLUTION:**

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

That:

1. The procedure for responding to appeals as detailed in this report be accepted with the additional component of advising resident respondents prior to a report to Council following a review of evidence.

2. Council's Solicitors be advised of the adopted procedure.

**Item: 63 ENV B - Cities for Climate Protection (CCP) Milestone 5 Acheivement - (79348)**

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**COMMITTEE RECOMMENDATION:**

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

That:

1. The Green Energy Strategy be revised with the intention of updating the existing Green Energy Strategy as recommended by Omega Environmental Pty Limited.

2. An application, as made to ICLEI for funding of Council's Green Energy Strategy through involvement with CCP Plus™ Program.

3. Development of, and the accounting for the energy saving priorities of the existing Green Energy Strategy 2002/2003 continue.

4. In future, the Strategy retain the name 'Green Energy Strategy'.

The motion was lost.

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

***Refer to RESOLUTION***

559 **RESOLUTION:**

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

That:

1. The Green Energy Strategy be revised with the intention of updating the existing Green Energy Strategy as recommended by Omega Environmental Pty Limited.

2. An application, as made to ICLEI for funding of Council's Green Energy Strategy through involvement with CCP Plus™ Program.

3. Development of, and the accounting for the energy saving priorities of the existing Green Energy Strategy 2002/2003 continue.

4. In future, the Strategy be known as the 'Clean Energy Strategy'.

## INFRASTRUCTURE

**Item: 66** **INF B - Governor Phillip Reserve - Noise Policy - (79354, 73829, 83318, 74204)**

**Previous Item:** 58, Ordinary (10 December 2002)
66, General Purpose Committee (30 November 2004)

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This matter was dealt with in conjunction with Item 198 of the Supplementary Business Paper.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Wearne.

***Refer to RESOLUTION***

**560 RESOLUTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Wearne.

That:

1. The amendment to the noise limits, as outlined below, be adopted:

***Drag Boat Racers (2 races per year)***

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

*(a) 115dB(A) - for more than 8 seconds measured at a distance of 30 metres during the race; or*
*(b) 105dB(A) - for more than 14 seconds measured at a distance of 30 metres during a race.*
*(c) 105dB(A) - for vessels running more than 14 seconds measured at a distance of 30 metres during the race.*

*2. The licensee shall ensure that noise levels from vessels of 105dB(A) and up to 115dB(A) shall not be exceeded for more than 2 minutes per hour.*

*3. The above noise criteria is not to be used more than four times a year at any one venue, and is only extended to specialised drag boat clubs affiliated with the Australian Power Boat Association.*

***The Upper Hawkesbury Power Boat Club***

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

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

***The NSW Water Ski Association***

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

2. All other users of the river, within the Hawkesbury LGA, are to observe the noise limits set by Waterways.

3. The noise limits continue to be reviewed every two years or following any changes to the noise limits by the Waterways Authority.

**Item: 67** **INF B - Road Naming - Argents Road, Wilberforce - (79346, 80245)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**561 RESOLUTION:**

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

That public comment be sought regarding the naming of the presently un-named public road between Stannix Park Road and Sackville Road as Lockart Road and the public notification be extended a further kilometre down Stannix Park Road.

**Item: 68** **INF B - Provision of Loading Zone - Kable/Macquarie Street Carpark, Windsor - (79346)**

**Previous Item:** 56, General Purpose Committee (26 November 2002)
16, General Purpose Committee (27 April 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**562 RESOLUTION:**

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

That the 3 (three) parking spaces to the east of the paved island in the Kable/Macquarie Street carpark be converted to provide 2 (two) Loading Zone spaces 3.75metres (three point seven five) wide and 7.5metres (seven point five) long, at an estimated cost of $7,000.00 (seven thousand dollars) available within the carpark maintenance budget.

**Item: 69 INF B - Flood Evacuation Route Naming/Windsor Road Renaming**

**Previous Item:** 15, General Purpose Committee (3 June 2003)

Mr John Miller, respondent, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**563 RESOLUTION:**

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

That:

1. The RTA be requested to name the road from Groves Avenue to Mulgrave Road (formally Railway Road North) the Evacuation Route, Forbes Street, Richmond Road and Windsor Street to its intersection with Hobart Street the 'Hawkesbury Valley Way' with the bridge being named the 'Jim Anderson Bridge'.

2. The E-commerce/Markets Advisory Committee be asked to report on possible gateway strategies in relation to this matter.

**Item: 70 INF B - McGraths Hill Wetlands and Effluent Reuse Scheme (MHW&ERS) - Access by the Cumberland Bird Observers Club Inc (79357, 91165)**

**Previous Item:** 53, General Purpose Committee (28 September 2004)

Mr Tony Dymond and Mr Greville Reidy, proponents, addressed the Committee

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**564 RESOLUTION:**

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

That:

1. Appropriate members of the Cumberland Bird Observers Club Inc, Birding NSW and other bona fide bird watching clubs be inducted onto the wetlands site of the McGraths Hill Treatment Plant and trained to induct other members. All members entering the site must acknowledge induction and a record of any site visits forwarded to Council.

2. A review of the induction process and records be undertaken by management at 6 (six) months and reported to Council.

**Item: 71 INF B - Yarramundi Reserve - Draft Plan of Management - (79354)**

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Councillor Rasmussen declared an interest in this matter as an adjoining owner to the Reserve and left the meeting and did not take part in voting or discussion of the matter.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Paine.

***Refer to RESOLUTION***

**565 RESOLUTION:**

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Paine.

That:

1. The draft Yarramundi Plan of Management be placed on public exhibition.

2. Funding be sourced from both Federal and State Government for implementation of the recommendations of the Plan.

3. A landscape plan be developed for the northern entrance to the reserve. This landscaping should incorporate a 'welcome to visitors' for people entering the Hawkesbury from the Mountains along Springwood Road.

**Item: 72** **INF B - Conservation Plans for Richmond Park, McQuade Park and Wilberforce Park - (79354)**

**Previous Item:** 20, Ordinary (7 May 2002)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**566 RESOLUTION:**

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

That:

1. The McQuade (Windsor) Conservation Management Plan be adopted.
2. Any works undertaken within McQuade (Windsor) park are to comply with this plan of management.
3. Steps be taken to officially gazette the name of the park as McQuade Park.

**Item: 73** **INF B - Proposed Road Naming - Public Road off Woods Road, South Windsor - (79346, 3560)**

**Previous Item:** 26, General Purpose Committee (8 June 2004)
58, Ordinary (9 November 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**567 RESOLUTION:**

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

That public comment be sought, within a 750 (seven hundred and fifty) metre radius, regarding the naming of the presently un-named public road created in DP1065214 and situated on the north-eastern side of Woods Road, South Windsor and approximately mid-way between Mileham Street and Hart Place as "Henderson Place".

**Item: 74** **INF B - Demolition Works - Shopping Centre Development, Holland's Paddock - (79347, 8736)**

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**546 RESOLUTION:**

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

That Council exercising its delegation as a Committee of the Whole resolve that:

1. A construction zone be approved for approximately 65 (sixty five) metres in front of the buildings to be demolished in George Street as part of the shopping centre development on the Holland's Paddock Carpark site.

2. No objection be made to demolition of the awnings to the buildings between and including the Colonial Arcade and No 223 George Street being undertaken on 1 (one) Sunday between the hours of 8:00am and 4:00pm.

## ORGANISATION AND RESOURCES

**Item: 66 ORG A - Monthly Financial Report - October 2004 - (79349)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

568 **RESOLUTION:**

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

That the information be received.

**Item: 67 ORG A - General Purpose Financial Report and Special Purpose Financial Report for the period ended 30 June 2004 - (79349)**

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547 **RESOLUTION:**

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

That Council, exercising its delegation as a Committee of the Whole, resolve that Council's General Purpose and Special Purpose Financial Reports and Special Schedules for the period ended 30 June 2004 be adopted.

**Item: 68 ORG A - Outstanding Receivables - Arrears of Rates and Charges 2003/2004 - (79349)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**569 RESOLUTION:**

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

That:

1. The report on the outstanding receivables and arrears of Rates and Charges for 2003/2004 be received.

2. Rate and Charges totalling $29,447.09 (twenty nine thousand, four hundred and forty seven dollars and nine cents) be abandoned against the 2003/2004 rating year in accordance with the Local Government Act, 1993.

3. The abandonment of other receivables totalling $3,356.12 (three thousand, three hundred and fifty six dollars and twelve cents) under delegated authority to the Responsible Accounting Officer be noted.

4. Other receivables totalling $7,581.89 (seven thousand, five hundred and eighty one dollars and eighty nine cents) requiring a resolution of Council be written off in accordance with the *Local Government (Financial Management) Regulation, 1993*

**Item: 69 ORG A - WSROC Western Sydney Research Proposals - (79351, 74251)**

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**570 RESOLUTION:**

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

That:

1. Council support the WSROC Western Sydney Research Proposal - Sydney Metropolitan Metrics Project in the order of $2,500 (two thousand five hundred dollars) for a 3 (three) year period.

2. Funding in 2004/05 be provided from Council's allocation for Social Planning.

**Item: 70** **ORG B - Documents for Execution Under Seal - (24744, 34780, 79761, 21308, 73874, 74403)**

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**571 RESOLUTION:**

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

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

1. Lease Agreement with Mr Alan Armstrong of Wilberforce Garden Nursery for the term of 5 (five) years lease with a 5 (five) year option and annual rent commencing at $17,160 (seventeen thousand, one hundred and sixty dollars), plus Outgoings and GST. The tenants will continue to be responsible for 100% (one hundred percent) of their water usage.

2. Lease Agreement with Rainbow Home and Respite Services for the term of 1 (one) year with a 1 (one) year option for 139 March Street, Richmond with a commencing rental of $11,700 (eleven thousand, seven hundred dollars) per annum, plus GST. The tenant shall be responsible for 100% (one hundred percent) of service charges (telephone, electricity etc).

3. Lease Agreement with Mr and Mrs Kelly (MiGae P/L) in respect of Shop 8 Wilberforce Shopping Centre for the term of the of 1 (one) year with a 1 (one) year option. The commencing annual rent shall be $12,942.12 (twelve thousand, nine hundred and forty two dollars and twelve cents) plus GST, reviewable by CPI annually. The tenants shall be responsible for all lease registration costs as well as 7.8% (seven point eight percent) of Council rates and 9.8% (nine point eight percent) of all other centre outgoings.

**Item: 71** **ORG B - Request to Hold Windsor Markets on Australia Day - (76542, 79338)**

This item was dealt with in conjunction with Item 188 of Section 4 - Reports for Determination of the Business Paper.

**Item: 72** **ORG B - Sale of Land for Unpaid Rates - (79349)**

**Previous Item:** 24, Ordinary (9 March 2004)

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**572 RESOLUTION:**

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

That:

1. Rates, charges and debts on property number 32362 be abandoned in the amount of $4,627.57 (four thousand six hundred and twenty seven dollars and fifty seven cents)

2. Rates, charges and debts on property number 30241 be abandoned in the amount of $612.51 (six hundred and twelve dollars and fifty one cents)

**Item: 73** **ORG B - Existing Library Building - Future Use - (79337)**

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**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**573 RESOLUTION:**

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

That:

1. The existing library building be withdrawn from the leasing market at this stage and the facility be made available for the provision of additional Home and Community Care (HACC) Services as detailed in the report on terms and conditions to be determined and based upon a term of 3 (three) years with an option for a further period of 3 (three) years and the payment of a market rental.

2. In the event that the provision of additional Home and Community Care (HACC) Services from the existing library building does not eventuate the facility once again be made available for lease on the basis of normal commercial leasing terms and conditions and rental.

**Item: 74** **ORG B - Proposed Section 94, Community Facility - Kurrajong - (79342)**

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Ms Janet Lennox, Ms Jennifer Stackhouse, Ms Yvonne Impiombato (Co-ordinator - Colo Wilderness Mobile Resource Unit), Ms Eileen Reid, Mr Frank Holland, Mr Brian McKinlay and Mr Ken Bennett, proponents, addressed the Committee

**548 RESOLUTION:**

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

That Council exercising its delegation as Committee of the Whole resolve that:

1. A further survey be carried out in relation to the location of a community facility in Kurrajong and a further report be provided to the last February Ordinary meeting.

2. A working party be established to prepare a design brief. The working party to include representatives from Colo Wilderness Mobile Resource Unit, the Kurrajong-Comleroy Historical Society, the Kurrajong Community Forum and the McMahons Park Committee.

3. Council place advertisements in the Council Notices inviting nominations from other potential user groups to participate on the working party.

**Item: 75** **ORG B - Council Aquatic Weed Program - (79356)**

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**549 RESOLUTION:**

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

That Council exercising its delegation as a Committee of the Whole resolve that:

1. Council nominate Councillors as members of the working party and suggest any other community or academic membership for the working party.

2. Council agree for the working party to meet at 3:00pm on Thursday, 9 December 2004 at Council.

**550 RESOLUTION:**

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

That Councillors Bassett, Williams, Books and Porter be the nominated Councillors as members of the working party in relation to the Council Aquatic Weed Program.

**Item: 76** **ORG B - Australia Day Event 2005 - (79342)**

551 **RESOLUTION:**

RESOLVED on the motion of Councillor Paine, seconded by Councillor Stubbs.

That Council exercising its delegation as Committee of the Whole resolve that Council establish, by delegation, an interim Awards Committee, consisting of Councillors nominated to sit on the Hawkesbury Civics and Citizenship Committee as well as the immediate past members of the Hawkesbury Awards Committee, to assess the nominations for the Australia Day 2005 Citizenship Awards.

**SECTION 4 - Reports for Determination**

**Item: 170 ORG A - WSROC, Minutes of Meetings held 14/10/04 & 25/11/04 - (74241, 79351)**

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**MOTION:**

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

***Refer to RESOLUTION***

**574 RESOLUTION:**

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

That the information be received.

**Item: 171 ORG A - Hawkesbury Leisure Centres - Quarterly Operaing Results - (73685, 79349)**

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**MOTION:**

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

***Refer to RESOLUTION***

**575 RESOLUTION:**

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

That:

1. The information be noted

2. The first quarter deficit of $48,460.19 (forty eight thousand, four hundred and sixty dollars) be reported in the December quarter budget review.

**Item: 172** **ENV B - Recommendations from the Floodplain Risk Management Committee - (86589, 79347)**

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**MOTION:**

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

***Refer to RESOLUTION***

576 **RESOLUTION:**

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

That:

1. The offer of $20,000.00 (twenty thousand dollars) Commonwealth and State funding assistance to fund two thirds of the proposed Hawkesbury Overland Flow Study for Hobartville and Bligh Park be accepted.

2. a) Council adopt the Lower MacDonald River Flood Study - August 2004 that was prepared by Webb, McKeown & Associates Pty Ltd; and

   b) The offer of $20,000.00 (twenty thousand dollars), Commonwealth and State funding assistance to fund two-thirds of the proposed Floodplain Management Study for the Lower MacDonald River be accepted.

3. a) Council accept the 4 (four) Community nominations received for Membership on the Floodplain Risk Management Committee; and

   b) Council resolve to appoint the $4^{th}$ Councillor to the current vacant position.

577 **RESOLUTION:**

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

That Councillor Porter be the fourth Councillor on the Committee.

**Item: 173** **ENV B - Cigarette Butts in South Windsor Mainstreet - (79348)**

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**MOTION:**

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

***Refer to RESOLUTION***

**578 RESOLUTION:**

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

That where there is evidence of unsatisfactory disposal of cigarette butts by littering that these areas be supplied with street ashtrays.

**Item: 174 ENV B - Submission to the Department of Infrastructure, Planning and Natural Resources Metropolitan Strategy Discussion Paper - November 2004 - (79347, 86386)**

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**MOTION:**

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

***Refer to RESOLUTION***

**579 RESOLUTION:**

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

That:

1. A submission be prepared based on the contents of this report advising the Department of Infrastructure Planning and Natural Resources that Hawkesbury City Council fully supports the recommendations of the Greater Western Sydney Regional Planning and Management Framework and the WSROC Board and that these recommendations be considered in the Metropolitan Strategy process.

2. The submission include details regarding the NorthWest Rail link and NorthWest transport infrastructure and the impact on the Hawkesbury/Nepean River System.

3. The Minister be requested to invite the Mayor and General Manager to future meetings.

Councillor Books requested that his name be recorded as having voted against the motion.

**Item: 175 INF B - Macquarie Park, Windsor Draft Plan of Management - (79354)**

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**MOTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Wearne.

***Refer to RESOLUTION***

**580 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Wearne.

That the Macquarie Park Plan of Management be adopted with the plan being amended to allow for a long-term lease of Macquarie Park House.

**Item: 176 INF B - The Upper Hawkesbury Power Boat Club (UHPBC) - Calendar of Events 2005 - (73829)**

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**MOTION:**

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

***Refer to RESOLUTION***

**581 RESOLUTION:**

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

That approval be granted to the Upper Hawkesbury Power Boat Club 2005 Racing Calendar, including Exclusive Use on 1 May 2005 and 10-11 September 2005, subject to the following conditions:

1. Prior to dates of exclusive use a letter box drop be undertaken by the applicants to all affected residents in proximity to the event with that letter advising full details of the function;

2. The reserve is to be left clean and tidy with the organisation being responsible for collection and disposal of all waste; the applicant is to lodge with Council a damage bond of $750.00 (seven hundred and fifty dollars) in relation to each date, which is refundable less any costs incurred by Council, administrative or otherwise, to clean or restore the area;

3. The applicant paying to Council such fees as may be applicable at the time for exclusive use of the reserve being $1.26 (one dollar and twenty six cents) per person or $760.65 (seven hundred and sixty five dollars) per day (whichever is the greater);

4. A fee of $52.53 (fifty two dollars and fifty three cents) is payable for the cleaning of the toilets prior to the exclusive use;

5. A copy of a Public Liability Policy for $10,000,000 (ten million dollars) and indemnifying Hawkesbury City Council is to be submitted prior to 31 December 2004; in the event of renewal of that policy occurring at some time during the course of the 2005 Racing Calendar, a Certificate of Currency is to be submitted within 1 (one) week of renewal - this Public Liability Policy is to cover all events conducted as part of the applicant's 2005 Racing Calendar;

   *The above fees/amounts apply to the current financial year; these fees/amounts may change in subsequent financial years, as determined by Council.*

6. Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's "Food Safety Guidelines for Charities and Community Organisations" brochure; this information and

any related food/public health information can be obtained by contacting Council's Environmental Health Officer;

7. If required, the applicant obtaining all necessary permits/approvals in relation to amusement devices/rides and liaising with Integral Energy regarding the supply of power and their proximity to power supply lines;

8. If required, the applicant to obtain appropriate licence from the Licencing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event;

9. The applicant obtaining appropriate licence from NSW Maritime Authority regarding the conduct of the 2005 Racing Calendar;

10. The event manager/applicant must undertake a Risk Assessment of the event to be conducted including pre-event preparations. This assessment must identify potential hazards and the procedures that need to be implemented to eliminate or control those hazards. The event manager/applicant is responsible for ensuring that procedures are followed and that they comply with the requirements of the Occupational Health and Safety Regulations 2001;

11. The event is to comply with Council's current policy in regard to noise levels, as listed below:

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

    a) Club Days - 105dB(A) for more than an aggregate of 40 (forty) minutes per day;

    b) NSW State Titles - 105dB(A);

    c) Bridge to Bridge Boat Race - 105dB(A);

    d) Unlimited Boat Race (Blown Boats) - 115dB(A). This event is held directly after the Bridge to Bridge Boat Race;

    e) Noise Test - (prior to the Two Day Spectacular) - 115dB(A) for more than 15 (fifteen) minutes in total through the day;

    f) Two Day Spectacular - 115dB(A) for more than 10 (ten) minutes in total per day.

**Item: 177 INF B - Redundant Communications Equipment Hawkesbury Rural Fire Service - (79016, 79338)**

---

**MOTION:**

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

***Refer to RESOLUTION***

**582 RESOLUTION:**

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

That approval be given to the Hawkesbury Rural Fire Service to donate its redundant communications equipment to the Mount Druitt College of TAFE or other institution.

**Item: 178 INF B - Sale of Recycled Effluent - (79357)**

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**MOTION:**

A MOTION was moved by Councillor Stubbs, seconded by Councillor Devine.

That the matter be further workshopped.

An amendment was moved by Councillor Rasmussen, seconded by Councillor Books.

***Refer to RESOLUTION***

The amendment was carried.

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

583 **RESOLUTION:**

RESOLVED on the amendment moved by Councillor Rasmussen, seconded by Councillor Books.

That tenders be called for the sale of treated effluent from Council's Waste Water Treatment Plants for a period of 3 (three) years with a 3 (three) year option.

**Item: 179 ORG B - Documents for Execution Under Seal - (73896, 4163 P- 6240, 13584)**

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**MOTION:**

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

***Refer to RESOLUTION***

584 **RESOLUTION:**

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

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

1. Lease Agreement with Mr and Mrs Haber for Shop 11, Glossodia Shopping Centre, Glossodia Hair Flair for the term of a 3 (three) year lease with a 3 (three) year option and annual rent commencing at $14,300 (fourteen thousand and three hundred dollars), plus outgoings and GST.

2. Lease Agreement with Mrs E and Ms Gilham trading as KL's Cut Above Hair Salon for Shop 1a, McGrath's Hill Shopping Centre for the term of 3 (three) years with a 3 (three) year option with a commencing rental of $6,750 (six thousand, seven hundred and fifty dollars) plus outgoings and GST.

3. Council note the changed law in relation to lease preparation costs and registration costs.

**Item: 180 ORG B - Proposed Addition of Item to Schedule of Fees and Charges for 2004/2005. - (79342)**

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**MOTION:**

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

***Refer to RESOLUTION***

585 **RESOLUTION:**

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

That public notice be given for a period of 28 (twenty eight) days of the proposed fee for the sale of *A Pictorial History of Hawkesbury* at the recommended retail price of $24.95 (twenty four dollars ninety five cents) from Council Offices, with submissions to be considered by Council.

**Item: 181 ORG B - Hawkesbury Creative Arts Centre - Rent Arrears - (79342, 73657)**

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**MOTION:**

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

***Refer to RESOLUTION***

An AMENDMENT was moved by Councillor Paine, seconded by Councillor Finch.

1. Council undertake further discussions with the Hawkesbury Creative Arts Centre Inc. in regard to a payment schedule that the centre could agree to and the matter be further reported to Council.

2. The Hawkesbury Creative Arts Centre be allowed to occupy 20 Fitzgerald Street on a rent-free basis from 14 December 2004 until the opening of the Hawkesbury Regional Art Gallery.

The amendment was lost.

The motion was put and carried

**586 RESOLUTION:**

RESOLVED on the motion moved by Councillor Conolly, seconded by Councillor Porter.

That:

1. Council negotiate a payment schedule with Hawkesbury Creative Arts Centre inc. to pay in full or part thereof the rent arrears of $5,505.50 (five thousand, five hundred and five dollars and fifty cents) over a period until 31 December 2005 and the matter be reported back to Council.

2. The Hawkesbury Creative Arts Centre be allowed to occupy 20 Fitzgerald Street on a rent-free basis from 14 December 2004 until the opening of the Hawkesbury Regional Art Gallery.

**Item: 182 ORG B - RTA Acquisition for Windsor Flood Evacuation Route - (32130, 79337)**

**Previous Item:** 3, General Purpose Committee (27 January 2004)

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**MOTION:**

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

***Refer to RESOLUTION***

**587 RESOLUTION:**

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

That:

1. Council accept the Roads and Traffic Authority's offer of compensation in the amount of $92,301.00 (ninety two thousand, three hundred and one dollars) (inc GST) as compensation for the acquisition of lots 13, 14 and 15 in Deposited Plan 1073816.

2. All necessary documents be executed under the Common Seal of Council.

**Item: 183 ORG B - Hawkesbury Community Survey - (79342)**

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This Item was withdrawn as the information had been forwarded to all Councillors via a memorandum.

**Item: 184** **ORG B - Documents for Execution Under Seal – Variation to Funding Agreement - (79342, 75816)**

**Previous Item:** 82, Ordinary (13 July 2004)

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**MOTION:**

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

***Refer to RESOLUTION***

588 **RESOLUTION:**

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

That the seal of Council be affixed to the variation of the Deed of Funding Agreement for the 2004/2005 financial year for the position of Disability and Aged Services Officer, Hawkesbury City Council.

**Item: 185** **ORG B - Community Donations Program Round 2, 2004/2005 - (79356)**

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**MOTION:**

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

***Refer to RESOLUTION***

589 **RESOLUTION:**

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

That as part of Round Two of Community Donations 2004/2005, a total of $2,580.00 (two thousand, five hundred and eighty dollars) be paid as donations as follows:

- Nova Employment and Training Inc receive $200.00 for purchase of gold certificates for the Hawkesbury Job Club clients.
- North Richmond Community Centre receive $500.00 for the bereavement program.
- Collectors Fair organising committee receive $500.00 for the event to be held in Bilpin.
- Kurrajong Handspun Crafts receive $100.00 and $50.00 worth of prizes (in kind).
- Windsor Preschool receive $700.00 for display boards with the request that the boards be available to other Preschools in the area.
- The NSW Chess League receive $530.00 for the hire of Windsor Function Centre for the Hawkesbury Primary School One-Day Chess Tournament.

**Item: 186** **ORG B - Renewal of Licence Agreements - Peppercorn Place - (79342, 78340)**

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**MOTION:**

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

***Refer to RESOLUTION***

590 **RESOLUTION:**

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

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

**Item: 187** **RES B - Hawkesbury Food, Wine and Music Affair - (91811, 10220)**

**Previous Item:** 370, Ordinary (14 September 2004)

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**MOTION:**

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

***Refer to RESOLUTION***

591 **RESOLUTION:**

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

Notwithstanding the requirement of the Race Club to provide Council with invoices by 17 November 2004, the payment of funds proceed pursuant to Council's standing Resolution 370.

**Item: 188** **RES B - Commercial Development Enterprise Panel - (91811, 94012)**

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This item was dealt with in conjunction with Item 71 of Section 3 - Report of the General Purpose Committee meeting, Organisation and Resources.

**MOTION:**

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

***Refer to RESOLUTION***

592 **RESOLUTION:**

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

That:

1. Council grant the Windsor Mall Craft Group Inc. permission to hold the Australia Day markets in Windsor Mall on 26 January 2005.

2. The Windsor Business Group Inc. is appointed to the Enterprise Panel.

3. Council enters into a performance-based supply agreement with the Windsor Business Group, subject to Council's commercial and legal requirements being met.

4. The CRU manages all negotiations and contractual arrangements on Council's behalf in this regard with a view to executing a suitable agreement around February 2005.

5. Council note the possibility of up to $20,000.00 (twenty thousand dollars) could be made available from the CRU budget for the purpose of procuring goods and services arising from point 3 of this resolution above depending upon the proposal having appropriate merit as considered by Council.

**Item: 189** **RES B - E-Commerce / Markets Advisory Committee - Meeting of 17 November 2004 - (91367)**

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**MOTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Wearne.

***Refer to RESOLUTION***

593 **RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Wearne.

That:

1. Representatives of the E-Commerce/Markets Advisory Committee establish a working group comprising of Councillor Rex Stubbs, Councillor Trevor Devine, Mr Graeme Faulkner, Mr Zac Hope, Mr Stephen Phillips and Ms Fiona Mann, to explore the feasibility of establishing a Technology Park in The Hawkesbury, which includes:

   (a) Identification of Technology Park industry sector focus options;

   (b) Identification of Technology Park partners;

   (c) Preliminary meetings with Technology Park partners to test reception; and

   (d) Preparation of draft business plan and implementation strategy.

2. Representatives of the E-Commerce/Markets Advisory Committee establish a working group comprising of Councillor Bart Bassett (Mayor), Councillor Rex Stubbs, Mr Graeme Faulkner, Mr Stephen Phillips and Ms Fiona Mann, to explore the options for partnerships with the RAAF base.

3. Independent expert advice be utilised by the working groups in developing the Technology Park concept and the ongoing use of the RAAF base as required.

4. The working groups update the E-Commerce/Markets Advisory Committee at key milestones in developing the Technology Park concept and RAAF strategy.

5. Establish a working party comprising the Chair (of EMAC) and representatives of the CRU to explore the feasibility of creating an m-commerce industry, which includes:

   (a) Identification of commercial offerings having demand potential;

   (b) Identification of likely consortia partners; and

   (c) Preparation of draft business plan and implementation strategy.

6. The composition of the working party is flexible enough to include independent experts as required.

7. The m-commerce working party provides progress reports at EMAC meetings as appropriate.

8. Council Staff explore how Hawkesbury City Council can take a lead in e-enablement, transforming the way that the Hawkesbury is perceived by the broader business community through a Partnerships strategy, which includes:

   (a) Identification of suitable partners, based on underlying goals and results to be achieved;

   (b) Preliminary meetings with suitable partners to test reception; and

   (c) Preparation of a report back to the E-Commerce / Markets on the recommend e-transforming Partnership strategy that Council should pursue.

9. Council receives the information about the EMAC project team for the development of business plans for the commercial sectors of Glossodia and Wilberforce noting that the entities formed, if any, may be either CDEs or CDUs.

**Item: 190 RES B - Strategic Planning Committee - Meeting of 2 December 2004 - (91368)**

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**MOTION:**

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

***Refer to RESOLUTION***

**594 RESOLUTION:**

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

That a further report is presented to the Strategic Planning Committee on the operation of a TDR scheme in relation to the proposed receiving areas providing examples, such as how TDRs will apply to development in risky areas (such as flood prone zones).

**Supplementary**

**Item: 196** **INF B - Fire Services Estimates for 2005/2006 - Hawkesbury Rural Fire District Funding Submission - (79350, 79016, 73835)**

**Previous Item:** 148, Ordinary (12 October 2004)

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**MOTION:**

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

***Refer to RESOLUTION***

**595 RESOLUTION:**

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

That the 2005/2006 Rural Fire Fighting Fund estimates as submitted by the NSW Rural Fire Service be certified for submission to the Rural Fire Service including within that certification that Council will comply in meeting its statutory contribution.

**Item: 197** **INF B - Windsor Road/Groves Avenue and Windsor Road/Park Road intersections - (79338, 79339)**

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**MOTION:**

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

***Refer to RESOLUTION***

**596 RESOLUTION:**

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

That:

1. The Valad Property Group be paid $251,800.00 (two hundred and fifty one thousand and eight hundred dollars) as Council's full contribution towards the intersection improvements at the Park Road/Windsor Road intersection.

2. The shortfall in the development contribution plan funding be provided from a loan from internally restricted reserves with future contributions from development occurring within the Groves Avenue and Park Road intersections with Windsor Road contribution plan directed to reimburse the internal loan.

**Item: 198** **INF B - Governor Phillip Reserve - Noise Policy - (79354)**

**Previous Item:** 58, Ordinary (10 December 2002)

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This matter was dealt with in conjunction with Item 66 of the Business Paper

**MOTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Wearne.

***Refer to RESOLUTION***

597 **RESOLUTION:**

RESOLVED on the motion of Councillor Porter, seconded by Councillor Wearne.

That:

1. The amendment to the noise limits, as outlined below, be adopted:

***Drag Boat Racers (2 races per year)***

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

*(a) 115dB(A) - for more than 8 seconds measured at a distance of 30 metres during the race; or*
*(b) 105dB(A) - for more than 14 seconds measured at a distance of 30 metres during a race.*
*(c) 105dB(A) - for vessels running more than 14 seconds measured at a distance of 30 metres during the race.*

*2. The licensee shall ensure that noise levels from vessels of 105dB(A) and up to 115dB(A) shall not be exceeded for more than 2 minutes per hour.*

*3. The above noise criteria is not to be used more than four times a year at any one venue, and is only extended to specialised drag boat clubs affiliated with the Australian Power Boat Association.*

***The Upper Hawkesbury Power Boat Club***

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

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

***The NSW Water Ski Association***

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

2. All other users of the river, within the Hawkesbury LGA, are to observe the noise limits set by Waterways.

3. The noise limits continue to be reviewed every two years or following any changes to the noise limits by the Waterways Authority.

**Item: 199 RES B - Windsor Mainstreet Committee Funding - (94012, 73824)**

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**MOTION:**

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

***Refer to RESOLUTION***

**598 RESOLUTION:**

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

That:

1. Up to $4,500 (four thousand, five hundred dollars) be made available to the Windsor Business Group for the purpose of purchasing Christmas decorations and undertaking Christmas activities throughout December 2004.

2. All funds provided under (1) above are to be only made available from those funds recovered from the Chamber of Commerce for the purpose of the Windsor Mainstreet Committee.

3. The approved funds are used to cover costs as set out on invoices presented to Council by the Windsor Business Group.

4. All invoices requiring payment by Council under this allocation to be presented by the Windsor Business Group no later than 1 (one) month after the date to which the activity relates, ie, by 25 January 2005.

**Late Supplementary**

**Item: 201 RES B - Hawkesbury City Council Strategic Plan - (91368, 91811)**

**Previous Item:** 39, Special (15 April 2004)

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**MOTION:**

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

***Refer to RESOLUTION***

**599 RESOLUTION:**

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

That:

1. Council defers consideration of the Hawkesbury City Council Strategic Plan to the January meeting and the matter be further workshopped in early 2005.

2. The Strategic Plan be used by Council as a living document to direct its resources, and that it be reviewed and updated from time-to-time in light of new information and changing circumstances as they impact upon Council's operating environment and legislative obligations

**SECTION 5 - Reports for Information**

**Item: 191 ENV C - Newspaper Article About Customers Being Locked in Council's Waste Management Facility - (79348)**

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**MOTION:**

RESOLVED on the motion of Councillor Paine, seconded by Councillor Stubbs.

***Refer to RESOLUTION***

**600 RESOLUTION:**

RESOLVED on the motion of Councillor Paine, seconded by Councillor Stubbs.

That the information be received.

**Item: 192 ENV C - "Package Treatment Plants" Under Council Control and Regulation - (79348)**

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**MOTION:**

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

***Refer to RESOLUTION***

**601 RESOLUTION:**

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

That the information be received.

**Item: 193 ENV C - Current Operations and Proposed Strategic Plan for the Hawkesbury City Animal Shelter - (79348)**

---

**MOTION:**

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

***Refer to RESOLUTION***

602 **RESOLUTION:**

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

The information be received.

**Item: 194 ORG C - Election Funding Authority - Declaration of Political Contributions and Electoral Expenditure - (92748)**

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**MOTION:**

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

***Refer to RESOLUTION***

603 **RESOLUTION:**

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

That the information be received.

**Item: 195 RES C - Agribusiness Investment Tour of The Hawkesbury 2004 - (91811, 80770)**

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**MOTION:**

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

***Refer to RESOLUTION***

604 **RESOLUTION:**

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

That the information be received.

**Supplementary**

**Item: 200** **INF C - Regional Museum - Excavation Works - (107, 79338, 75323, 79514)**

**Previous Item:** 125, Ordinary (14 September 2004)

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**MOTION:**

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

***Refer to RESOLUTION***

**605 RESOLUTION:**

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

That the information be received.

## SECTION 6 - Reports of Committees

### ROC - Floodplain Risk Management Committee - 13/09/2004

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**606 RESOLUTION:**

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

That the minutes of the Floodplain Risk Management Committee held on 13 September 2004 as recorded on pages 107 to 109 be received, it being noted that Councillor Devine had submitted an apology for his inability to attend the meeting.

### ROC - Working Party for Three Towns Sewerage Committee - 21 October 2004 - (88320)

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**607 RESOLUTION:**

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

That the minutes of the Working Party for the Three Towns Sewerage Committee held on 21 October 2004 as recorded on pages 110 to 111 be received.

### ROC - E-Commerce / Markets Advisory Committee - 17 November 2004 - (91367)

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**608 RESOLUTION:**

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

That the minutes of the E-Commerce/Markets Advisory Committee held on 17 November 2004 as recorded on pages 112 to 118 be received.

**ROC - Local Traffic Committee Minutes - 17 November 2004 - (80245)**

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**609 RESOLUTION:**

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

That the minutes of Local Traffic Committee held on 17 November 2004 as recorded on pages 119 to 165 be adopted.

**ROC - Strategic Planning Committee - 2 December 2004 - (91368)**

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**610 RESOLUTION:**

RESOLVED on the motion of Councillor Stubbs, seconded by Councillor Porter.

That the minutes of the Strategic Planning Committee held on 2 December 2004 as recorded on pages 166 to 169 be received.

## Late Supplementary

**ROC - Strategic Planning Committee Workshop - 13 December 2004 - (91368, 91811)**

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**611 RESOLUTION:**

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

That the minutes of the Strategic Planning Committee Workshop held on 13 December 2004 as recorded on pages 9 to 10 of the Late Supplementary Business Paper be received.

**Item: 59** **ENV A - Section 96 Application to Modify Development Consent DA0134/95, Lot 2, DP628806, No. 6102 Singleton Road, Colo Heights (Tinda Creek) - (79347, 27001)**

**Previous Item:** 75, GPC 27 November 2003

Mr Tom Bruce, proponent, addressed the Committee
Mr Neville Diamond and Mr Peter Kent, respondents, addressed the Committee

**612 RESOLUTION:**

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

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chamber during consideration of the following items:

   **Item: 59** **ENV B - Section 96 Application to Modify Development Consent DA 0134/95 - Lot 2, DP628806, No. 6102 Singleton Road, Colo Heights (Tinda Creek)**

   *This report is* ***CONFIDENTIAL*** *in accordance with Section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -*

   *(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*

2. In accordance with the relevant provisions of the Act, the reports, correspondence and other relevant documentation associated with this matter be withheld from the Press and the public.

3. The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with this confidential matter.

There was no response, therefore, the public left the gallery.

**613 RESOLUTION:**

RESOLVED on the motion of Councillor Finch, seconded by Councillor Wearne that open Council be resumed.

**MOTION:**

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

***Refer to RESOLUTION***

**614 RESOLUTION:**

The General Manager advised that whilst in Closed Council, Council RESOLVED on the motion of Councillor Conolly, seconded by Councillor Stubbs.

That the information be received.

**COMMITTEE RECOMMENDATION:**

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

***Refer to RESOLUTION***

**614 RESOLUTION:**

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

That:

1. The application to modify Condition 3 of Development Consent No. DA 0134/95 by extending the period to complete and rehabilitate Stage 1 by 2 (two) years, be approved.

2. The applicant be advised that the Deferred Commencement consent under Part B for Stages 2-6 is now operational.

3. The applicant be requested to provide a site Environmental Management Plan to Council as required by Condition 27 within 2 (two) months.

**QUESTIONS WITHOUT NOTICE**

1. Councillor Porter requested a report on the Cogeneration Plan.

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

2. Councillor Rasmussen tabled correspondence from the Macquarie Towns Art Society regarding their move from Richmond into the new Regional Art Gallery. He asked the Society could be given answers to these questions.

3. Councillor Paine referred to the monies that had been put aside over past years for the improvement of the amenity facilities at McQuade Park/Oval and asked if there was any chance of this matter coming out of Council for January.

   The Director Asset Services and Recreation and the Director Environment and Development advised that they would follow the matter up.

4. Councillor Calvert asked if Council had an affordable housing policy and requested that a report come to Council in the new year on examples of affordable housing in other council areas.

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

5. Councillor Books referred to the Pitt Town matter and asked what would be happening with all the illegal signs that had been erected now that it will be going ahead.

   The Director Environment and Development advised that it was his understanding that the signs could stay until the matter was resolved.

6. Councillor Books tabled correspondence regarding the smell of chook manure out on Ferry Road. He also mentioned that he had received a phone call from Stahls Road, Oakville regarding the chook smell. He believed that it was a different smell to chook manure and believed they may be burning the dead chickens.

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

The meeting terminated at 1:05am

Submitted to and confirmed at the Ordinary meeting to be held on 25 January 2004.

……………………………..
Mayor