



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 10 February 2004

location: Council Chambers

time: 7.00pm

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Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 10 February 2004, commencing at 7.00pm.

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

An apology for absence was received from Councillor P F Davies.

- 4 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Paine that the apology be accepted.

Pastor Carl Moses, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

Councillor Allan arrived at the meeting at 7.35pm
Councillor Woods arrived at the meeting at 7.45pm

- 5 RESOLVED on the motion of Councillor Paine and seconded by Councillor Finch

That Standing Orders be suspended to allow a presentation of a certificate to the Rotary Club, Windsor for the building of the white picket fence at McQuade Park.

Councillor Finch presented Ms Jenny Puckeridge, a Bligh Park resident, with the Duncan Galbraith Memorial Award for her contribution in Tourism in the Hawkesbury.

- 6 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Paine that Standing Orders be resumed.

SECTION 1 - CONFIRMATION OF MINUTES

- 7 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather that the minutes of the Ordinary Meeting held on 9 December 2003, which have been circulated amongst members of the Council, be confirmed.

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SECTION 2 - NOTICE OF MOTIONS

Notices of Motion

Clearing of Vegetation

- 8 RESOLVED on the motion of Councillor Williams seconded by Councillor Paine

That a report be provided on how the Development Control Plan could be modified to assist with vegetation clearing issues.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

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Relay for Life Sponsorship

- 1 RESOLVED on the motion of Councillor Stubbs, Mayor, seconded by Councillor Finch

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

1. In-kind support be provided to the New South Wales Cancer Council for the sponsorship of stage, tents, electrical and support equipment for the Hawkesbury 2004 Relay For Life up to the value of \$3000 (three thousand dollars), at a venue to be determined through the Sports Council's normal process.
2. Funding be provided from the 2003/2004 donations budget.

Environment

- 1: Machinery Shed in Association with Golf Course, Lot 19 DP 270194, 102 Peel Parade, East Kurrajong NSW 2758 (DA1084/03/EVD/ENA27NAX.V08)**

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

That the application for a rural shed at Lot 19 DP 270194, 102 Peel Parade East Kurrajong be approved, subject to the following conditions.

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General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Garage World, numbered COM-12/03) submitted with Development Application No. 1084/03 and any supportive documentation, except as otherwise provided by the conditions of this consent.

Note: Modifications to the approved plans will require the lodgement and consideration by this organisation of a separate application pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979.
2. To ensure the external appearance of the development is not intrusive or offensive, and does not degrade the visual quality of the surrounding area, the development shall be completed in accordance with the approved colours and finishes and shall not be altered.
3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
4. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
5. No excavation or site works shall be commenced prior to the issue of the construction certificate.
6. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.
7. 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 registration fee applies.

Prior to Commencement of Works

8. 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.

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9. 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.
10. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.
11. 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) duration of site works.
12. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environmental Planning and Assessment Act.

During Construction

13. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) piers;
 - (c) external drainage lines, prior to backfilling; and
 - (d) on completion of the structure.
14. All reasonable measures shall be taken to protect all other vegetation on the site from damage during construction.
15. 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.
16. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.

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17. Roof water shall be drained to the water storage vessel/s (where required), existing Roof water drainage system, or otherwise to absorption pits located a minimum 4m clear of any building and allotment boundaries.

The Use of the Site

18. The shed shall not be occupied for human habitation/residential purposes.

**2: Tourist Facility, Lot 1 DP 1055163, 16 Manns Road, Wilberforce
(DA0854/03/EVD/ENA27NAX.V09)**

This item was dealt with in conjunction with item 21 of the Supplementary Report.

A motion was moved by Councillor Rasmussen seconded by Councillor Calvert

That this matter be deferred for a fortnight.

The motion was lost.

- 10 **RESOLVED** on the FORESHADOWED MOTION moved by Councillor Sheather seconded by Councillor Conolly

That:

A. The application for a tourist facility be refused for the following reasons:

1. The proposed development is inconsistent with Hawkesbury Local Environmental Plan 1989.
2. The site is unsuitable for the proposed development due to the impact of flooding events.
3. The access is unsuitable for the proposed development.
4. The development application does not demonstrate that the existing structure is capable of supporting the proposed additions.
5. The proposed development application does not demonstrate whether the site is suitable for the disposal of effluent generated by the proposed

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development.

6. The proposed development is inconsistent with the planning considerations, policies and recommended strategies of the Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean River.
7. In the circumstances, approval of the development would not be in the public interest.

B. A Notice of Intention to serve an order be issued to the owner requiring:

- i. The use of the building for the purposes of tourist facilities cease within 28 (twenty eight) days; and
- ii. The unauthorised building works be removed from the shed within 3 (three) months.

An AMENDMENT was moved by Councillor Paine seconded by Councillor Gilling

A. The application for a tourist facility be refused for the following reasons:

1. The proposed development is inconsistent with Hawkesbury Local Environmental Plan 1989.
2. The site is unsuitable for the proposed development due to the impact of flooding events.
3. The access is unsuitable for the proposed development.
4. The development application does not demonstrate that the existing structure is capable of supporting the proposed additions.
5. The proposed development application does not demonstrate whether the site is suitable for the disposal of effluent generated by the proposed development.
6. The proposed development is inconsistent with the planning considerations, policies and recommended strategies of the Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean River.

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7. In the circumstances, approval of the development would not be in the public interest.

- B. The serving of a Notice of Intention be deferred for consideration at the next General Purpose Committee meeting.

The Amendment was lost.

The Foreshadowed Motion was put and carried.

3: Two Lot Torrens Title Subdivision, Lot 7 DP 250171, 22 Pecks Road, North Richmond NSW 2754 (DA0934/03/EVD/ENA27NAX.V10)

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

That the application for a 2 (two) lot Torrens Title subdivision be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Teerman Newton Richmond Pty Ltd, numbered 14415, dated 08/08/2003) submitted with Development Application No. DA934/03 and any supportive documentation, except as otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979.
3. The inground swimming pool located on proposed lot 2 is to be suitably filled and compacted. Details are to be provided prior to commencement of works.

Prior to Issue of Subdivision Certificates

4. 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:

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- a) Open Space and Recreation (\$2139.00)
- b) Community Facilities (\$3026.00)

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.

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.

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

Following application a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.

6. 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.
7. 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.
8. Dedication of a 4m by 4m splay corner free of costs to Council at the corner of Pecks Road and Mokari Street.
9. The submission of a plan showing all existing services on the lots including sewer connections, water connections and stormwater disposal, where applicable, and the

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correction of any encroachments or defects to the requirements of the Director of Environment and Development.

10. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
11. Payment of a linen release fee of \$206.60. This amount is valid until 30 June 2004.
12. Certification from a geotechnical engineer that the fill in the pool area has been compacted to the required standard is to be submitted to the Hawkesbury City Council.

4: Development Application for Detached Dual Occupancy, Lot 201 DP 717552, 51 Sirius Road, Bligh Park (DA1024/03/EVD/ENA27NAX.V04)

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

That the application for retention of the existing dwelling and erection of a single storey dwelling at the rear to create a detached dual occupancy including demolition of the existing garage and erection of carports for the existing and proposed dwellings be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (Prepared by R.E. & P.A. Collis Design, Drawing Number 80803, sheet 1 of 3 dated 02/12/03, sheet 2 of 3 dated 02/12/03 sheet 3 of 3 dated 11/04/03) submitted with Development Application No. DA 1024/03 and any supportive documentation, except as amended in red otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.

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4. The applicant is advised to consult with:

- a) Sydney Water Corporation Limited
- b) Integral Energy
- c) a local telecommunications carrier
- d) Council, as the same authority

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

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

6. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.

Prior to Issue of Construction Certificate

7. 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 (\$961.00)
- b) Community Facilities (\$1173.00)

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.

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.

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8. Construction of civil works including road, drainage, access, or sewer works are not to commence until 3 (three) copies of the plans and specifications of the proposed works are submitted to and approved by Council.
9. A satisfactory final drainage plan / on-site detention plan must be submitted to Council generally in accordance with concept plans submitted to Council prepared by GJ Ryan and Associates, Plan Number 03029D01, Revision A, Dated 02/04/03.
10. Payment of a design checking fee of \$327.50 (three hundred and twenty seven dollars and fifty cents), checking and inspection fee of \$260.20 (two hundred and sixty dollars and twenty cents) when submitting Engineering plans for approval. This amount is valid until 30 June 2004. Fees required if an accredited certifier is used will be provided upon request.
11. The submission of engineering designs and calculations covering all works required by this consent.
12. Submission of proof of the payment of the Building Industry Long Service Levy
13. Payment of a contribution of \$5,598.55 (five thousand, five hundred and ninety eight dollars and fifty five cents) towards sewer head-works. This sum will remain fixed until 30 June 2004 after which it will be recalculated at the rate applicable at the time of payment.
14. A NatHERs assessment must be carried out on the proposed development by a suitably qualified person and submitted to Council. The proposed dwelling must achieve a minimum NatHERs rating of 3.5 stars.
15. In order to maintain the structural integrity of the building should the adjacent sewer main need to be excavated, the footings shall be designed and constructed in such a manner that their zone of influence shall fall a minimum of 900mm below the angle of repose taken from a point 600mm from the centre line at invert level of the adjacent sewer main. The angle of repose shall be assumed to be 1:1 (45 degrees) in undisturbed clay or similar material and 1:2 (30 degrees) from horizontal in sand or filled ground whether compacted or not. All supporting piers adjacent to the sewer main shall contain appropriate starter bars cast in them for subsequent tying into the strip footing or perimeter beam. Design of the proposed footings system shall be certified by a structural engineer. The applicant shall accurately locate the position of the main prior to work commencing.
16. Submission and approval of a final landscaping plan prepared by a suitably qualified person, generally in accordance with the landscape plan submitted with DA1024,

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prepared by Paradise Garden Services. Plants used must include a mix of trees, shrubs and ground cover, native to the locality. The landscape plan shall detail the species of plants, the mature heights of plants, the number of plants to be used, the location of each plant, and the distance between plantings.

Prior to Commencement of Works

17. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be commenced unless the principal certifying authority for the development to which the work relates:
- a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
 - b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act

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

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

18. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.

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19. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environmental Planning and Assessment Act.
20. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
- a) stating that unauthorised entry to the work site is prohibited; and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- a) building work carried out inside an existing building; or
 - b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
21. If the work involved in the erection or demolition of a building:
- a) is likely to be dangerous to a person in a public place or adjoining property;
 - b) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - c) involves the enclosure of a public place,

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

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

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

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

22. 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.

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23. 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.
24. 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.
25. Separate application shall be made by a licensed drainer for permission to carry out work in relation to Council's sewer. The attached application shall be returned with the appropriate fee prior to the relevant work commencing.
26. The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the principal certifying authority upon completion of the footings and prior to the external wall construction proceeding above floor level.
27. Separate certified structural engineer's details of all structural concrete and steelwork shall be lodged with the principal certifying authority for approval.

During Construction

28. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - a) piers;
 - b) steel reinforcement;
 - c) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - d) wet area flashing, after the installation of any bath and shower fixtures;
 - e) internal drainage lines prior to covering;
 - f) external drainage lines, prior to backfilling; and
 - g) on completion of the structure.
29. An automatic fire detection and alarm system shall be installed within the building in accordance with Part 3.7.2 of the BCA for class 1A and 1B dwellings and F2.2a of the BCA for Class 2, 3, 4, 5, 6, 7, 8 9a and 9b. Alarms and Detectors shall be installed by a licensed electrician and multiple alarms shall be interconnected, a certificate of the installation shall be provided prior to occupation of the building or addition; (Note: refer to approved plans, for locations marked in red ink).

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30. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. A registrar fee applies.
31. All demolition, construction and associated work necessary for carrying out 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.
32. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).
33. 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.
34. 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.
35. Inspections for Compliance Certificate to be requested from the Sewer Authority (Hawkesbury City Council) for internal and external sewer drainage prior to covering any pipe (24 hours notice for inspection is required, the fee is \$70.30 per inspection to be paid prior to requesting the inspection).
36. The dwelling is to be provided with a hot water system with a minimum energy rating of 3.5 stars.
37. All civil work must be carried out in accordance with the provisions of Council's Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification.
38. Finished floor levels must not exceed 19.80m AHD.

Prior to Issue of Occupational Certificate

39. The following documentary evidence is to be obtained prior to the issue of any Occupation Certificate, whether by Council or an accredited certifier:

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- a) Approval by Hawkesbury City Council to consent to the same.
 - b) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
40. Removal of the existing redundant layback crossing.
41. The construction of sewerage reticulation, including junctions, to each lot in the development where not already provided.
42. 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.
43. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.
44. A report by the Design Engineer and a works-as-executed (WAE) drawing by either a suitably qualified Engineer or Registered Surveyor of the stormwater detention basin(s) and stormwater drainage system are to be submitted to and approved by Council prior to the release of the Occupation Certificate. The report from the Design Engineer is to state the conformance or otherwise of the as constructed basins in relation to the approved design.
45. The WAE drawings shall indicate the following as applicable:
- a) invert levels of tanks, pits and orifice plates;
 - b) surface levels of pits and surrounding ground levels;
 - c) levels of spillways and surrounding kerb;
 - d) floor levels of buildings, including garages;
 - e) top of kerb levels at the front of the lot;
 - f) dimensions of the stormwater basins and extent of inundation; and
 - g) calculation of actual detention storage and volume provided.
46. A Plan of Management for the on-site stormwater detention facilities within the development is to be submitted to and approved by Council prior to the issue of an Occupation Certificate. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance.

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47. A Termite Protection Notice, in accordance with AS3660, printed on durable material shall be affixed at the entrance to a crawl space or in the case of slab on ground construction, in the meter box prior to a "Final Inspection" being carried out. The notice shall include information on the form of termite protection employed and the expected service life of the barrier before maintenance is required.

5: **Massage and Relaxation Centre, Lot 2 DP 392637 Vol 7047 Fol 22, 21 George Street, Windsor NSW 2756 (DA1251/03/EVD/ENA27NAX.V07)**

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

That the application for the use of the premises as a massage and relaxation centre be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Thistle Drafting Pty Ltd numbered W018 - 002 dated 29.08.03) submitted with Development Application No. DA1251/03 and any supportive documentation, except as otherwise provided by the conditions of this consent.

Note: Modifications to the approved plans will require the lodgement and consideration by this organisation of a separate application pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979.

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. 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.

Prior to Issue of Occupation Certificate

4. Exit signs complying with the requirements of Part E4 of the BCA shall be provided in the following locations:

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- a) Above the fire exit door.
 - b) Above the entry/exit door at the top of the stairway, which provides access from George Street.
5. Emergency lighting shall be installed within the building in accordance with the requirements of Part E4 of the BCA.
6. The exit stairway/s shall be a minimum unobstructed width of 1m and unobstructed height of 2m and the construction of such stairway/s shall comply with the requirements of Part D2 of the BCA.
7. All exit/entry doors to the premises shall be readily openable, without a key and by single handed downward or pushing action on a single device which is located between 900mm and 1.2m above the floor , from the side that would face any person seeking egress from the building.
8. Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected shall be installed in accordance with AS 2444 E1.6 in the following locations:
 - a) As indicated on the approved floor plan
9. A Fire Safety Certificate, in accordance with the Schedule of Fire Safety Measures issued for the development, is to be submitted to Hawkesbury City Council for separate registration. A registration fee applies.
10. The following services are subject to the provisions of the Environmental Planning and Assessment Act (Section 80E and Section 80G) and shall be certified by the owner as complying within three months of the completion of the building or prior to the issue of an occupation certificate and be certified on an annual basis from the date of the original certificate.
 - Emergency lighting;
 - Egress paths and travel distances (including path of travel markings);
 - Exit signs; and
 - Portable fire extinguishers.
11. A supply of soap and single use paper hand towels should be fitted to the wall in an appropriate and durable dispenser adjacent to all hand washing basins.
12. All floors are to be constructed with materials that are smooth, durable, impervious to moisture and capable of being easily cleaned with a disinfectant. Fittings and equipment should be constructed so as not to harbour insects or vermin.

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The Use of the Site

13. The subject development is to be maintained in a clean and tidy manner.
14. Any internal or external alterations being the subject of a separate development application.
15. All waste materials to be stored and disposed of at regular intervals.
16. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
17. No chain bulb or flashing signs on the premises are permitted.
18. No signs shall be displayed on the footpaths, pedestrian ways, roadways or in the vicinity.
19. All windows are to be covered by blinds or curtains at all times with the covering material blending with the external colours of the building.
20. The use of the site shall be in accordance with the all relevant requirements of the NSW Health Department and the WorkCover Authority.
21. The premises shall be provided with adequate, appropriate and well maintained receptacles for the reception of all soiled materials, contaminated and procedural waste.
22. The premises are not to be used for the purposes of prostitution.
23. The premises are not to be used as a brothel.

6: Demolition of existing structures and erection of a detached dual occupancy and two (2) lot torrens title subdivision, Lot 2 DP90038, 72 Pitt Street, Richmond NSW 2753 (DA0815/03/EVD/ENA27NAX.V11)

A motion was moved by Councillor Conolly seconded by Williams

- A. The variation under SEPP No.1 not be supported; and

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- B. The application for demolition of existing structures, erection of a detached dual occupancy and two (2) lot torrens title subdivision be refused for the following reasons:

Non compliance with the objectives in the subdivision section of the Hawkesbury Development Control Plan.

- 14 RESOLVED on the forshadowed moved by Councillor Sheather seconded by Councillor Gilling

That:

- A. The variation under SEPP No.1 be supported; and
- B. The application for demolition of existing structures, erection of a detached dual occupancy and two (2) lot torrens title subdivision 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 (Drawing Number 216, sheet 1 of 5, dated April 03, sheet 2 of 5 to sheet 4 of 5 dated October 03) submitted with Development Application No. DA0815/03 and any supportive documentation, except as amended in red or otherwise provided by the conditions of this consent.
2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The applicant is advised to consult with:
 - a) Sydney Water Corporation Limited
 - b) Integral Energy
 - c) a local telecommunications carrier

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

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

Prior to Issue of Construction Certificate

6. Details demonstrating compliance with BCA must be submitted to the principle certifying authority.
7. 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	(\$1168.00)
b)	Community Facilities	(\$1679.00)
c)	Drainage Catchment for Richmond	(\$6,542.57)

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.

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.

8. Submission of proof of the payment of the Building Industry Long Service Levy.
9. Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
10. The provision of vehicular access to the land shall be at the applicant's expense and to the satisfaction of the Director of Asset Services and Recreation. It is a requirement of Integral Energy that constructed driveways are located a minimum 1m off the side boundary (any enquiries regarding this requirement should be directed to Integral Energy).

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11. A NatHERs assessment must be carried out on the proposed development by a suitably qualified person and submitted to Council. The proposed dwelling must achieve a minimum NatHERs rating of 3.5 stars.
12. Submission and approval of a final landscaping plan prepared by a suitably qualified person, generally in accordance with the landscape plan and details submitted with DA0815/03. Plants used must include a mix of trees, shrubs and ground cover, native to the locality. The landscape plan shall detail the species of plants, the mature heights of plants, the number of plants to be used, the location of each plant, and the distance between plantings.

Prior to Commencement of Works

13. Adjoining owners are to be given 24 hours notice, in writing, prior to commencing demolition to enable them to take necessary action to prevent disturbance by dust to both inside and outside their dwelling.
14. Photographs of all elevations of the existing building are to be submitted to Council.
15. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be commenced unless the principal certifying authority for the development to which the work relates:
 - (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
 - (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act

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

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

16. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
17. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environment Planning and Assessment Act.
18. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building; or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
19. 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.
20. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
21. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

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22. The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the principal certifying authority upon completion of the footings and prior to the external wall construction proceeding above floor level.
23. Separate certified structural engineer's details of all structural concrete and steelwork shall be lodged with the principal certifying authority for approval.

During Construction

24. All building work must be carried out in accordance with provisions of the Building Code of Australia.
25. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) piers;
 - (b) steel reinforcement;
 - (c) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (d) wet area flashing, after the installation any bath and shower fixtures;
 - (e) internal drainage lines prior to covering;
 - (f) external drainage lines, prior to backfilling; and
 - (g) on completion of the structure.
26. 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 registration fee is required to be paid.
27. 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.
28. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).
29. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.

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30. 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.
31. The dwellings are to be provided with a hot water system with a minimum energy rating of 3.5 stars.
32. 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.
33. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to proposed lots A & B with a minimum width of 3m (three). The construction of concrete path paving 1.2 metres wide with the remaining area being formed in earth over the frontage of the site, together with any works necessary to make this construction effective.
34. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021. The measures in the Acoustic Analysis report prepared by "Murphy Pastoral and Technical Company Pty Ltd" in report dated 13 June 2003 must be complied with.
35. The existing buildings are to be demolished in accordance with WorkCover requirements.
36. At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
- (a) The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, guys, shoring or any combination of these, shall be added for stability where necessary.
 - (b) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to the localised high winds. In these

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- circumstances loose debris can become airborne, particularly if it is in sheet form.
- (c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
 - (d) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.
 - (e) Unless otherwise permitted by Council, structures shall be demolished in the reverse order to that of their construction. The order of demolition for building shall be progressive, having proper regard to the type of construction.
 - (f) In consideration of the proximity of the site's adjoining buildings:
 - Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work;
 - No demolition activity is to cause damage to or adversely affect the structural integrity of adjoining buildings. Consideration should be given to the use of shoring and underpinning and to changes in the soil conditions as a result of demolition and appropriate action taken.
37. The effect of vibration and concussion on adjoining buildings and their occupants is to be minimised by selection of appropriate demolition methods and equipment.
38. The techniques adopted for stripping out and for demolition are to minimise the release of dust into the atmosphere.
- Before commencing work, any existing accumulations of dust are to be collected, placed in suitable containers and removed. Selection of appropriate collection techniques, such as vacuuming or hosing down, shall take account of the nature of the dust and the type of hazard it presents (e.g. explosive, respiratory, etc).
 - Dust generated during stripping or during the breaking down of the building fabric to removable sized pieces shall be kept damp until it is removed from the site or can be otherwise contained. The use of excess water for this purpose is to be avoided.
39. All demolished material and excess spoil from the site shall be disposed of at a location and in a manner approved of by Council. No material is to be burnt on site.
40. Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (WorkSafe Australia).

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- Only competent persons or competent and registered persons shall carry out removal;
- Removal of asbestos or materials containing asbestos fibres, shall be in accordance with the NOHSC Code of Practice.

Prior to Issue of Occupation Certificate

41. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
42. The following documentary evidence is to be obtained prior to the issue of any Occupation Certificate, whether by Council or an accredited certifier:
 - (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to 'Your Business' section of Sydney Water's web site at www.sydneywater.com.au then the 'e-developer' icon or telephone 13 20 92. Following application a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.
 - (b) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
43. To ensure that all necessary services are provided to the development and these services will function properly:
 - (a) satisfactory arrangements shall be made with Integral Energy, Sydney Water and Telstra for the provision/extension of services to and within the subject land. Written evidence of such arrangements shall be obtained prior to issue of the Occupation certificate.
44. The driveway shall be constructed of pavers/earth toned coloured concrete or the like.

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45. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.
46. A Termite Protection Notice, in accordance with AS3660, printed on durable material shall be affixed at the entrance to a crawl space or in the case of slab on ground construction, in the meter box prior to a "Final Inspection" being carried out. The notice shall include information on the form of termite protection employed and the expected service life of the barrier before maintenance is required.

Prior to Release of Subdivision Certificate

47. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
 - (a) A Section 73 Construction Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to 'Your Business' section of Sydney Water's web site at www.sydneywater.com.au then the 'e-developer' icon or telephone 13 20 92.
Following application a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.
 - (b) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
48. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of underground cables for telephones through the subdivision.
49. The construction of sewerage reticulation, including junctions, to each lot in the subdivision where not already provided.
50. 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 Director of Environment and Development.

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51. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
52. 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.
53. Payment of a linen release fee of \$206.60. This amount is valid until 30 June 2004.
54. The approved development covered by DA0815/03 shall be completed and conditions of consent complied with.

The FORSHADOWED MOTION was put and carried.

The MOTION was lost.

**7: Construction Hours - Request from Holroyd City Council
(79792/EVD/ENA27NBX.V03)**

- 15 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather
That Council write to WSROC advising that:

1. Hawkesbury has not experienced any incidents of complaints concerning construction or development hours on the Saturday of long weekends.
2. Hawkesbury City Council does not support any form of regional restriction on development construction and operating hours.

**8: Review of Determination - DA553/03 - Rural Shed - Lot 3 DP228371, 77
Scheyville Road, Oakville (DA553/03, 79347/EVD/ENA27NBX.V06)**

- 16 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather
That:

1. Council resolve to review the determination.

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2. Having reviewed the determination, Council support the request and Condition 1 of Development Consent DA553/03 be amended to read:

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the stamped plans (Site Plan Sheet 1/1 A, Plan Sheet 1/1 A, Elevations, Section Plan Sheet 3/3 B), and any supportive documentation, except as otherwise provided by the conditions of this consent.

Note: Modifications to the approved plans will require the lodgement and consideration by this organisation of a separate application pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979.

- 9: Draft Local Environmental Plan 2/03 - Amendment 144 to Hawkesbury Local Environmental Plan 1989 - 820 Richmond Road, Clarendon (79339, 79347, 13958, LEP 2/03 - Amendment 144/EVD/ENA27NBX.V12)**

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

That the Draft Local Environmental Plan to allow a motel on Lot G DP164771 No. 820 Richmond Road, Clarendon be prepared for finalisation and gazettal and be forwarded to the Department of Infrastructure Planning and Natural Resources.

- 10: Draft Local Environmental Plan 5/02 - Amendment 142 to Hawkesbury Local Environmental Plan 1989. (79347, 1298, P819/475 and LEP5/02/EVD/ENA27NBX.V05)**

- 18 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Conolly

That the Draft Local Environmental Plan to rezone part of lot 1 DP575488 from Special Uses 5(a) to Industry General 4(a) be prepared for finalisation and gazettal and forwarded to the Department of Infrastructure Planning and Natural Resources.

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Infrastructure

- 1: Prohibiting Consumption of Alcohol in Public Parks (87514, 79354/ENG/INA27NBX.E06)**

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

That:

1. The consumption of alcohol be prohibited at both the park adjacent to the Wilberforce Depot, bordered by Old Sackville and Copeland Road, and Wilberforce Cemetery, in accordance with Section 632 of the Local Government Act.
2. Appropriate signage be placed at the locations affected.
3. The improved lighting proposal for the park and the Cemetery at Old Sackville Road, Wilberforce be accepted.
4. A report be provided to the next Council meeting providing information in relation to costs and funds available for the construction of a diplomat fence around the Wilberforce Heritage Cemetery.
5. The issue of vandalism be referred to the 'Youth Street Beat' team.

- 2: Thompson Square - Application Under Section 60 of the NSW Heritage Act (79346, 74141/ENG/INA27NBX.E02)**

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

That:

1. Funding for a Heritage Advisor to develop a policy which will secure and complement the recognised significance of Thompson Square be considered as part of the budget process, and until such time the widening of the footpath outside the Macquarie Arms Hotel in Thompson Square, to provide Alfresco Dining, not proceed.
2. The proposed raised threshold to be constructed in Thompson Square not proceed due to the Heritage Council's refusal.

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3: Bligh Park Community Centre Sirius Road (33175, 73532/ENG/INA27NBX.E09)

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

That funding of \$10,000 (ten thousand dollars) in the 2002/2003 Community Building and Capital Works Program be reallocated to provide for the additional office, and bin storage area enclosure.

**4: Environmental Trust Grants - Bellbird Hill Reserve
(79354/ENG/INA27NBX.E08)**

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

That:

1. The grant funding of \$46,130 (forty six thousand, one hundred and thirty dollars) for environmental work on Bellbird Hill Reserve be accepted from the Environmental Trust.
2. A thank you letter be sent to the Bush Care Group.

5: Community Partnership Grants (85649, 79354, 81409/ENG/INA27NBX.E07)

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

That:

1. The Expression of Interest forwarded to the Local Government Advisory Group in relation to the Community Partnership Grant Program be endorsed.
2. The Council contribution of \$2,500 (two thousand and five hundred dollars) towards this Grant Program, be allocated from the People for Parks Program.

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6: Lower MacDonald River Flood Study - Additional Funding Offer 2003/2004 - Floodplain Management Program (85649, 85829/ENG/INA27NBX.E03)

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

That the offer of \$8,000 (eight thousand dollars) State funding assistance to fund two thirds of the additional works on the current Lower MacDonald River Flood Study be accepted.

7: North Richmond Main Street Committee - Public Toilets (82907/ENG/INA27NBX.E10)

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

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

8: Waterways Grant (84796/ENG/INA27NBX.E04)

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

That:

1. The grant of \$30,000 (thirty thousand dollars) from Waterways, for the provision of a wash down facility and signs at Governor Phillip Park at Windsor be accepted.
2. Council's contribution of \$30,000 (thirty thousand dollars), and ongoing maintenance, be made available through the Environmental Stormwater Levy.

Organisation and Resources

1: Australian Water Trading Conference (79351//OGA27NAX.G02)

Councillor Rasmussen declared at interest in this item as he is the proposed representative to attend this conference.

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

That Councillor Paul Rasmussen be nominated as a delegate to attend the Second A-Z of Australian Water Trading Conference to be held in Melbourne from 10 to 11 March 2004, at a cost of approximately \$1,800.00 (one thousand eight hundred dollars).

2: Monthly Financial Report - November and December 2003
(GF011/005/FNC/OGA27NAX.F03)

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

That the information be received.

**3: Proposed Acquisition of Land from Hawkesbury City Council for Road
Widening from RTA - Windsor Evacuation Route, Lot 33 DP753061 Mulgrave
Road, Mulgrave (73932, 107/CSV/OGA27NBX.C01)**

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

That:

1. Council's concurrence be granted to the compulsory acquisition of part Lot 33 in the Deposited Plan 753061 being for a newly constructed evacuation route.
2. Council's concurrence to lease for the period of 3 (three) years then if necessary, quarter to quarter until acquisition is completed. The rent payable will be \$3,300.00 (three thousand, three hundred dollars) per annum, including GST.
3. The Common Seal of Council be affixed to any necessary documents.

4: Arthritis Foundation Bike Ride Event (86593/CSV/OGA27NBX.C10)

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

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That:

1. Council provide in-kind support i.e. accommodation and meals for the couple on 29 June 2004 in Windsor. Funding to be provided from the donations budget and the value of the donation not exceed \$350.00 (three hundred and fifty dollars).
2. Council provide a small welcoming ceremony on Tuesday, 29 June 2004 encouraging the local community to attend. Funding be provided from the Community Celebrations budget.

5: Hawkesbury Invitation XI versus NSW Aboriginal XI Cricket Match
(84292/CSV/OGA27NBX.C06)

- 2 RESOLVED on the motion of Councillor Paine seconded by Councillor Rasmussen

Council exercising its delegation as a Committee of the Whole resolve to provide a lunch to celebrate the Hawkesbury Invitation XI versus NSW Aboriginal XI Cricket Match. Funds to be taken from the Civic Ceremonies budget, for an amount, not exceeding \$800.00 (eight hundred dollars).

6: Local Government Bowls Event (86819/CSV/OGA27NBX.C09)

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

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

1. Council support the Local Government Bowls Day for 2004 with a donation of prizes to not exceed the value of \$800.00 (eight hundred dollars) to be taken from the Civic Ceremonies Budget and administration support.
2. Council give permission to the organisers for the costs charged per participant, to be raised from \$10 (ten dollars) to \$12 (twelve dollars).
3. That the organisers be advised that Council will not sponsor this event in the future and are requested to seek other Councils' sponsorship and hosting of the event for future years.

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**7: Continuation of Funding for Richmond Youth Streetbeat Project
(74224/CSV/OGA27NBX.C05)**

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

That:

1. The information be received.
2. Council execute a funding agreement with the NSW Attorney General's Department to accept a further 12 (twelve) months of funding amounting to \$42,000 (forty two thousand dollars) for the Richmond Youth Streetbeat Project.

8: Sale of Land for Unpaid Rates (107/FNC/OGA27NBX.F07)

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

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

**9: Funding for Toilets at Comleroy Community School of Arts
(16266/CSV/OGA27NCX.C08)**

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

- A. That Council advise Comleroy Community School of Arts Management Committee that it is unable to allocate ratepayers funds as requested for in this item.

Council further advises in reaching this decision, it recognises the shortfall in the provision of toilet amenities for the North Richmond Shopping Centre that currently exists. Also that Comleroy Community School of Arts is not a public facility and is under the control of trustees.

- B. That the Mayor organise a meeting between Council and the Board of Trustees to discuss future funding and options.

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SECTION 4 - REPORTS FOR DETERMINATION

- 1: Payment of External Organisations** (GT050/005, GT070/018, GM001/021 Pt14, GC210/014 Pt3/CSV/ORB10NAX.C16)

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

That the information be received.

- 2: Corporate Performance Assessment** (79351/FNC/ORB10NBX.G03)

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

That the Corporate Performance Assessment be deferred until after the March 2004 election.

- 3: WSROC Proposed Restructure** (1652717/CSV/ORB10NBX.C12)

36 RESOLVED on the motion of Councillor Calvert seconded by Councillor Rasmussen

1. That Council endorse the proposed WSROC restructure of Secretariat and Work Program.
2. A letter of appreciation be sent to Mr Mark Greenhill as outgoing Chairman of WSROC.

- 4: RAAF Commemorative Memorial Additional Funds**
(77675/CSV/ORB10NBX.C14)

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

That funds from the Civic Ceremonies budget, not exceeding \$4,000 (four thousand dollars), be reallocated to the RAAF Airlift Commemorative Memorial Unveiling Event to be held in March.

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5: Documents for Execution Under Seal (85778, GC283/025/CSV/ORB10NBX.C02)

38 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor <Seconder>
That the seal of Council be affixed to the above documents.

1. Retail Lease for Shop 8 Wilberforce Shopping Centre to MiGae Pty Limited.
2. Deed to Licence with the State Rail Authority to Construct Car Park at Racecourse Road, Clarendon.

6: Code of Meeting Practice (107/CSV/ORB10NBX.C01)

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

That Management review the Code of Meeting Practice and that the revised Code be placed on public exhibition for a period of 28 (twenty eight) days, with submissions to be received up to 42 (forty two) days from the date of exhibition.

**7: Replacement of Councillors Information Technology (I.T.) Equipment
(79352/CSV/ORB10NBX.C09)**

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

That the following equipment be ordered prior to election of the incoming Council:

- Twelve (12) notebook computers with internal modem, CD ROM, floppy disk drive and carry case
- Twelve (12) multi function printer/fax/copiers.

8: December Quarterly Review (79350/FNC/ORB10NBX.F17)

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

That the quarterly review of 2003/04 Management Plan and Financial Statement for the period ending 31 December 2003 be adopted.

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9: Reallocation of Funds - Riverfront Maps (107/ENG/ORB10NBX.E13)

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

That the \$10,000 (ten thousand dollars) allocated towards Riverfront maps within the 2003/04 budget be reallocated to fencing and privet removal at the Skeleton Rocks Reserve.

10: Statute Barred Infringements (79344/79633/79744/ENG/ORB10NBX.E06)

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

That the Deed of Settlement and Release be accepted and necessary documents be executed under Seal of Council.

11: Future Management of Upper Colo Reserve and Maintenance of Parks in the Colo Area (79354/ENG/ORB10NBX.E15)

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

That:

1. The expressions of interest for the management of Upper Colo Reserve, Low Level Bridge Reserve (Upper Colo Bridge) and Ward Park in the Colo area not be accepted.
2. The offer to manage and maintain the Upper Colo Reserve, Low Level Bridge Reserve (Upper Colo Bridge), Ward Park, and the locking and unlocking of the gates at Colo Park by Mr Kevin Cox for a 12 (twelve) month period at a cost of \$50,193 (fifty thousand, one hundred and ninety three dollars) plus 20% (twenty per cent) of the income generated by camping fees be accepted.
3. The future use of Upper Colo Reserve be investigated and further reported to Council.

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12: Purchase of Waste Collection Vehicle (81232/EVD/ORB10NBX.V07)

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

That:

1. Council accepts the tender from Sydney Truck Sales Pty Ltd for the supply of one Iveco Acco cab/chassis (Model ACCOF 2350G/250 6X4) with a Superior Pak waste compaction body fitted, at a total cost, after trade-in and including GST, of \$225,779 (two hundred and twenty five thousand, seven hundred and seventy nine dollars).
2. All unsuccessful tenderers be notified of the outcome of the tender process and thanked for their submissions.

SECTION 5 - REPORTS FOR INFORMATION

13: Reports Requested by Council - Status as at 10 February 2004 (GC280/005 Pt4/GMA/ORB10NCX.G04)

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

That the information be received.

14: Ferry Interruption Report - December 2003 and January 2004 (79338/ENG/ORB10NCX.E05)

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

That the information be received.

15: St Albans Road - Bitumen Sealing (107/ENG/ORB10NCX.E10)

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

That the information be received.

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SECTION 6 - REPORTS OF COMMITTEES

Pitt Town Advisory Committee - 17 September 2003

- 49 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Paine that the Minutes of the Pitt Town Advisory Committee meeting held on 17 September 2003 as recorded on Pages 83 to 86 be received.

Pitt Town Advisory Committee - 1 October 2003

- 50 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Paine that the Minutes of the Pitt Town Advisory Committee meeting held on 1 October 2003 as recorded on Pages 87 to 89 be received.

Pitt Town Advisory Committee - 15 October 2003

- 51 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Paine that the Minutes of the Pitt Town Advisory Committee meeting held on 15 October 2003 as recorded on Pages 90 to 92 be received.

Pitt Town Advisory Committee - 29 October 2003

- 52 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Paine that the Minutes of the Pitt Town Advisory Committee meeting held on 29 October 2003 as recorded on Pages 93 to 95 be received.

Pitt Town Advisory Committee - 19 November 2003

- 53 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Paine that the Minutes of the Pitt Town Advisory Committee meeting held on 19 November 2003 as recorded on Pages 96 to 99 be received.

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Hawkesbury City Awards Committee - 11 December 2003

- 54 RESOLVED on the motion of Councillor Paine and seconded by Councillor Allan that the Minutes of the Hawkesbury City Awards Committee meeting held on 11 December 2003 as recorded on Pages 100 to 101 be received.

Hawkesbury City Sports Award Committee - 11 December 2003

- 55 RESOLVED on the motion of Councillor Finch and seconded by Councillor Gilling that the Minutes of the Hawkesbury City Sports Award Committee meeting held on 11 December 2003 as recorded on Pages 102 to 104 be received.

Hawkesbury Wine, Food and Music Affair Race Day Committee - 15 December 2003

- 56 RESOLVED on the motion of Councillor Allan and seconded by Councillor Rasmussen that the Minutes of the Hawkesbury Wine, Food and Music Affair Race Day Committee meeting held on 15 December 2003 as recorded on Pages 105 to 106 be received.

SUPPLEMENTARY REPORTS

**16: Hawkesbury Leisure Centres Incorporated - Expressions of Interest
(81191/CSV/ORB10LBX.C18)**

Councillor Finch declared an interest as she runs and operates a swim school.

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

That:

1. Tenders be called for a period of 14 (fourteen) days by invitation to suitable applicants following consideration of the Expression Of Interests for the management of Hawkesbury Leisure Centres.
2. A sub committee be established, comprising of Council representatives, the General Manager and the Director Community and Corporate Services to consider the Expression Of Interests information and tender documentation so that this matter can

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be concluded by report to the March Ordinary meeting of Council to enable a business/management plan and fees and charges to be adopted for the 2004/05 financial year.

17: Public Toilet Facilities Windsor CBD (79338/ENG/ORB10LBX.E21)

58 RESOLVED on the motion of Councillor Allan and seconded by Councillor Finch

That:

1. Additional signage be erected where necessary indicating the location of toilet facilities available to the public and upgrading of lighting both internally and externally to the Kable Street/The Terrace car park be undertaken.
2. The existing toilet facilities be upgraded in the 2004/2005 Budget.

18: Leasing of Old Hospital Site (107/ENG/ORB10LBX.E23)

This item was dealt with in conjunction with Item 23 of the Late Supplementary meeting.

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

That Council go into Committee of the Whole to consider items 18 and 23 of the Supplementary Business Paper and the Late Supplementary Business Paper.

60 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Conolly that Open Council be resumed.

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

That:

1. The lease of the Old Hawkesbury Hospital building to Dr Ian Rafter (First Choice Health Care) not proceed.

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2. The Mayor and General Manager be delegated authority to undertake and finalise negotiations with Catholic Health Care Services Limited with a view to formalising a lease of the Old Hawkesbury Hospital building and to execute relevant documentation including the affixing of Council's Seal to necessary documents.
3. Council undertake negotiations subject to legal advice on the classification of the lands.

19: Determination of submissions on Draft Local Environmental Plan 1989 - Amendment 130. Housing and Multi Unit Housing zones amendments and subdivision in North Richmond. (79347/EVD/ORB10LBX.V19)

62 RESOLVED on the motion of Councillor Conolly and seconded by Councillor Allan

That:

1. Council proceed with the making of the draft plan as per the changes and recommendations contained within the report.
2. The draft local environmental plan - Amendment 130 be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal.
3. The columns relating to 5(b) Special Uses (Railways) and 8(a) Nature Reserves be deleted from the Land Use Matrix and be replaced with suitable clauses.
4. Draft Amendments 108 and 130 be combined into 1 (one) plan prior to forwarding to the Minister for gazettal.
5. The appropriateness of land occupied by the Richmond Club in Francis Street, which is proposed to be in the Multi Unit Housing Zone be investigated in the next available general amendment to the Hawkesbury Local Environmental Plan 1989.
6. An application be made to the Minister for Infrastructure and Planning for an exemption from the provisions of State Environmental Planning Policy No 5.
7. The definition of multi-unit housing be amended to exclude walk-up flats and an enabling clause to be inserted into HLEP 1989 to allow walk-up flats in current 2(c) zones and business zones.

This is Page of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 10 February 2004.

General Manager

Mayor

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8. The respondents be advised accordingly.

20: North Bligh Park Urban Investigation Area (79347, 20239, 84750/EVD/ORB10LCX.V22)

63 RESOLVED on the motion of Councillor Paine and seconded by Councillor Finch

That the information be received.

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

That the General Manager send a letter to the SES asking for clarification on the following sentence contained within SES correspondence:

“any growth anywhere in the LGA seems premature...”

21: Tourist Facility, Lot 1 DP1055163, 16 Manns Road, Wilberforce - Additional Information (DA0854/03/EVD/ORB10LCX.V20)

This item was dealt with in conjunction with item 2 of the Report of the General Purpose Committee Meeting.

65 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Conolly

That the information be received.

LATE SUPPLEMENTARY REPORTS

22: Hawkesbury Agriculture Retention through Diversification and Clustering (HARtDaC) (85855/CSV/ORB11LBX.C04)

66 RESOLVED on the motion of Councillor Paine and seconded by Councillor Allan

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That:

1. Delegation be given to the Mayor and General Manager to vary the contract with Agriculture Victoria Services Pty Ltd.
2. All necessary documents be signed under the common seal of Council.

23: Leasing of Old Hospital Site (107/ENG/ORB11LBX.E03)

This item was dealt with in conjunction with Item 18 from the Supplementary Report.

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

That:

1. The lease of the Old Hawkesbury Hospital building to Dr Ian Rafter (First Choice Health Care) not proceed.
2. The Mayor and General Manager be delegated authority to undertake and finalise negotiations with Catholic Health Care Services Limited with a view to formalising a lease of the Old Hawkesbury Hospital building and to execute relevant documentation including the affixing of Council's Seal to necessary documents.
3. Council undertake negotiations subject to legal advice on the classification of the lands.

QUESTIONS WITHOUT NOTICE

1. Councillor Finch referred to issues raised by Ms Kim Smith in relation to the poor state of Thompsons's Square and asked if some maintenance could be carried out, especially the removal of the dirt around the Ice Creamery shop.

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

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2. Councillor Finch asked if the car parking situation for sale up at Kurmond could be looked into again.

The Mayor advised that it would be done.

3. Councillor Paine asked for an update on the North Street drainage matter and asked when the drains would be put through.

The Director of Asset Service and Recreation advised that letters were sent out to residents on Monday and Tuesday with Section 60 and 140 applications to the Heritage Office. He advised that there had been a request for revaluation of the compensation that residents may receive for the drainage easement and that a re-estimation for the cost of the job is being done to ensure that it will still be within budget otherwise it will need to be reported back to Council.

Councillor Paine asked if a ball-park completion date could be given.

The Director of Asset Services and Recreation advised that he couldn't give a date as he wanted it completed before Christmas, which wasn't achieved. He advised that the matter had to go through the Heritage Council for approval before anything could be done.

4. Councillor Paine asked if Council could send their congratulations to Ms Ellis on her selection as the Australian Netball Captain as she is a great ambassador for Australia, but a fabulous ambassador for the Hawkesbury.

The Mayor advised this would be done.

5. Councillor Paine tabled correspondence from Mrs Grant in relation to the bins on the corner of King Street and Wilberforce Road, Wilberforce. Councillor Paine also requested a copy of the letter back to her.

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

6. Councillor Paine tabled photos of bins at McDonald Valley in relation to an on-going issue regarding the turning circle for the garbage trucks that was meant to be put in, but it fell through and now private property is being used. Residents want something done to rectify this.

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

7. Councillor Paine asked if someone builds a four car garage on a house block, what kind of a notification process needs to be given to the neighbours.

The Director Environment and Development advised that notification would need to be provided, but he would investigate what notification would be required.

8. Councillor Paine referred to resident having to pay \$25 for current plans they requested as the plans had to be retrieved from storage. She asked if this was the correct process.

The Director Environment and Development advised that a fee would be charged if it is a very old application as it has to come over from Kingswood. If they are happy to wait, there is turnover of the next day or day after and no fee would be charged.

9. Councillor Woods tabled correspondence in relation to an amplified diggeridoo player in the Windsor Shopping Mall and the stress that this is causing to shop owners.

The Director Environment and Development advised that the letter had already been responded to.

Councillor Paine advised that Mr John Pye had been dealing with this matter and has asked to be called if it continued over the weekend.

10. Councillor Williams made reference to 429 The Terrace Road, Freemans Reach and the drainage problems which started after the kerb and guttering being finished up the road. Councillor Williams mentioned that the problem had been fixed with two adjoining properties and advised that a gum tree in the road verge was the probable cause of the problems. He asked if it be investigated to get stormwater around the property.

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

11. Councillor Williams referred to the clearing of a large area of land for market gardening on Sackville Road and that there is a stack of large trees that looked as

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though it was going to be burnt. He asked if burning was part of the consent conditions and what the consent condition were.

The Director Environment and Development advised that from memory the piles had to be mulched, but he would investigate and would provide a copy of the consent.

12. Councillor Williams asked if all the conditions had been complied with in regard to the Heritage building at back of the Cottage and if they had been checked out.

The Director Environment and Development advised that a memo had been prepared that Councillor Williams may not have received yet advising that they have boxed out a concrete slab before we had received a copy of the construction certificate. The private certifier indicates that he has certified the concrete slab. He advised a stabilising report is being done on the property and confirmed that an inspection had been carried out and that irregularities were found and are being investigated.

13. Councillor Williams referred to the piggery on Godalla Road and advised that the neighbours had been complaining about the stench. He asked if the consent conditions had been complied with and if it could be investigated.

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

14. Councillor Williams asked if there had been any illegal tree clearing notified through Council since Council resolved for staff to prosecute.

The Director Environment and Development advised that he had been on leave and wasn't aware of any notifications.

15. Councillor Williams made reference to the problems being experienced with the Council Chamber sound system.

The Director Asset Services and Recreation advised that the majority of the replacement equipment has been received, one component is still required.

16. Councillor Williams advised that when he arrived at the Flood Plain Management Committee meeting at 3.50pm there was an extremely overpowering smell of the muchroom composting in the carpark.

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The Mayor advised that this would be investigated.

17. Councillor Rasmussen referred to the Council Chamber sound system and the number of complaints that he had received in regard to the recordings received and paid \$40 for that you can't hear much from or there are big blanks on the tape. Can Council fix the recording system.

The Director Asset Services and Recreation advised that is being replaced.

18. Councillor Rasmussen referred to the sealing of the Southee Road at Richmond and acknowledged the excellent job.

The Mayor noted this.

19. Councillor Rasmussen referred correspondence and to his discussions with Dr Bain regarding the Kurrajong Nursing Home and the Richmond Nursing Home and asked what was happening there as they seem quite upset.

The Director Asset Services and Recreation commented that the two items were not connected and advised that a solution to the pump out problem was being investigated for Kurrajong Nursing Home.

Councillor Finch advised that she was on the Kurrajong Nursing Home Board and that they were two separate issues, one with the nursing homes over the funding and the second issue is the problem with Kurrajong Nursing home having to pump out.

20. Councillor Rasmussen referred to the letter to the nursing homes that was sent to him and asked what Council had promised to do.

The General Manager advised that he had had a meeting with Dr Bain last week and a solution was being provided.

21. Councillor Rasmussen asked if a report or if an inspection had been undertaken in relation to the chook farm at Maraylya and asked for that report.

The Director Environment and Development advised report would be provided.

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22. Councillor Rasmussen asked if a new Development Application had been received for Hollands Paddock and asked when it would come to Council.

The Director Environment and Development advised that the Development Application would go to the next appropriate General Purpose Committee.

23. Councillor Rasmussen asked if Council had sustained any damage in the last hail storm.

The Director Asset Services and Recreation advised that only minor damage had been received.

24. Councillor Calvert ask if the Yarramundi Bridge was open and advised that it was always the intention to open a park next to the bridge in conjunction with the RTA.

The Director Asset Services and Recreation advised that the RTA was asked to assist and he would follow up the matter.

25. Councillor Calvert referred to Council amalgamations that were occurring and asked if there were any opportunities to share Council resources with other Councils.

The General Manager advised that there were and examples can be provided by WSROC.

26. Councillor Sheather asked what had happened with the Local Traffic Committee minutes.

The Director Asset Services and Recreation advised that there was no committee meeting held last month.

27. Councillor Sheather referred to the Notice of Motion wherein it was suggested that photographs be provided with applications to remove vegetation.

The Director Environment and Development advised that it could be a condition of consent that photographs be provided and he would investigate further.

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28. Councillor Gilling made reference to Amendment 108 with the rural tourist development and asked if it was left as the low density or did Council put it as a percentage of land mass for built environment.

The Director Environment and Development advised that the LEP remained unchanged, but he would check into it.

29. Councillor Gilling referred to West Portland Road and asked if a safety check could be done on it.

The Director Asset Services and Recreation advised they looked at the horizontal and vertical alignment, run a ball-bank indicator around there to see what signs would be required.

Councillor Gilling asked if the safety check was done only in the accident area or along the whole length of West Portland Road.

The Director Asset Services and Recreation advised that that was the only spot that had been identified at this stage, but if there are more, they will be taken on board.

30. Councillor Gilling asked what needed to be done to have a traffic count done on Packer Road and West Portland Road. The sealing of Packer Road will justify itself and for the wider community.

The Director Asset Services and Recreation advised that another traffic count could be done on Packer Road, but it would depend of priority at this stage.

Councillor Gilling commented on how West Portland Road would need to be done as well and asked how long the count would go for.

The Director Asset Services and Recreation advised that it is usually done for a fortnight, but if it is required for longer, it can be arranged.

31. Councillor Williams stated that Council does not allow members of the public to record Council meetings and asked if it was Council's own rule or is it some statute and can we change that rule given our own recording system is known to be faulty.

The General Manager advised that with the technology today, people can come and record and then edit it.

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The Mayor advised that normal recorders pick up too much background noise, which would create problems.

The meeting terminated at 12.25am.

Submitted to and confirmed at the meeting of Council on Tuesday, 9 March 2004.

.....Mayor