



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 9 March 2004

location: Council Chambers

time: 7:00pm

ORDINARY MEETING

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Notices of Motion

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Notices of Motion

Notices of Motion

Ordinary Meeting - 9 March 2004

1. Councillor Conolly - Private Open Space in Residential Developments:

That section 1.7 of the Hawkesbury Development Control Plan, dealing with private open space in residential developments, be amended as follows:

1. Aim (d) to read “To allow for a minimum level of provision **appropriate to the style of dwelling** whilst leaving opportunities for flexibility in use.”
2. Rule (b) to read “The total of private open space at ground level must be a minimum of 20% (twenty percent) of the site areas **or 90sqm (ninety square metres), whichever is the greater**, regardless of the permeability of the surface.”

Comment

The motion is designed to:

- ensure that a guaranteed minimum of private open space is provided on each lot created;
- encourage development which matches the provision of private open space to the likely needs of the occupants of the development;
- avoid a situation where expedient use of the provisions for the Development Control Plan can be used to create under-size lots inconsistent with the minimum lot size stipulated in the LEP.

2. Councillor Sheather - Purchase of Weeds Harvester:

That Council support a deputation of the 4 (four) Mayors of Hawkesbury, Penrith, Blacktown and Baulkham Hills and David Carlson (Hawkesbury River County Council) to the Minister for Agriculture for the purchase of a weeds harvester and appropriate on-going funding to operate.

Further information:

Control of salvinia by non chemical methods is far more sustainable than with herbicides. Mechanical harvesting of ageria densa would dramatically reduce the incidence of salvinia and improve the health and water quality of the river.

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The question of mechanical harvesting was recognised by the County Council and details were released at a press campaign held on 18 March 1999 at Penrith City Council Civic Centre. The campaign warned of the consequences of non-action in securing a harvesting system and sought substantial contributions, particularly from government, towards the purchase and on-going costs of mechanical harvesting and also as a means of general public awareness of the health of the river.

At this public meeting the County Council made the point that everyone needed to become familiar with the urgent need for remedial action to be taken to correct, or at least stabilise, the water quality and reduce the amount of aquatic plant growth in the Hawkesbury/Nepean River by sustainable methods, if the river was to be protected for future generations.

It was pointed out that the County Council, being a small local control authority, was not able to finance the commitment needed to purchase and operate on an ongoing basis, a harvesting system.

3. Councillor Sheather - State Gaming Tax:

That Council reaffirm its support of July 2003 to the licensed clubs in rejecting the impost on those clubs of the new State Gaming Tax commencing on 1 September 2004. Further, that the Mayor meet with the Chairman of Hawkesbury registered clubs to offer support of Council in that regard.

oooO END OF NOTICES OF MOTION Oooo



ordinary

section
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report
of the
general
purpose
committee

AGENDA

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

Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 24 February 2004, commencing at 9.13am.

PRESENT: Councillor R P Stubbs, Mayor and Councillors 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.

Apologies for absence were received from Councillors L Allan and P F Davies.

RESOLVED on the motion of Councillor Conolly and seconded by Councillor Rasmussen that the apologies be accepted.

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Rasmussen that the Minutes of the General Purpose Committee Meeting held on the 27 January 2004, be confirmed.

Councillor Williams arrived at the meeting at 9.30am

Councillor Gilling arrived at the meeting at 10.03am

Councillor Williams left the meeting at 10.15am and returned at 10.35am.

Councillor Paine left the meeting at 10.45am and returned at 12.17pm.

Councillor Allan arrived at the meeting at 12.44pm.

Councillor Calvert arrived at the meeting at 12.55pm.

The following recommendations were passed as resolutions of the Committee:

MAYORAL MINUTE

Australian Pioneer Village Lot 22, DP829589, 18 Rose Street Wilberforce

67 **RESOLVED** on the motion of Councillor Stubbs seconded by Councillor Conolly.

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

1. Council rescind its previous resolution to sell Australiana Pioneer Village Lot 22 DP829589 - No 18 Rose Street, Wilberforce.
2. Council work with the Community to develop a plan regarding the future management of the Australiana Pioneer Village.
3. Council staff have further discussions with the public to resolve in 3 (three) months the future management of the Australiana Pioneer Village.

SECTION 1 - ENVIRONMENT

- 11: Duplex - Lot 191 DP864010, 10 Claremont Street, Richmond NSW 2753
(DA1018/03/EVD/ENB24NAX.V09)**

COMMITTEE'S RECOMMENDATION

That the application for dual occupancy be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans submitted with Development Application No.1018/03 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. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrierregarding 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 (\$1169.00)
- (b) Community Facilities (\$1680.00)

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.

- 8. Detailed plans demonstrating compliance with the Building Code of Australia (Housing Provisions) shall be provided to the Principle Certifying Authority for separate approval.
- 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. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
- 11. Construction of civil works including road, drainage, or access works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environment and Development or an accredited certifier.
- 12. Payment of a design checking fee of \$327.50 and inspection fee of \$260.20 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.
- 13. The submission of engineering designs and calculations covering all works required by this consent.
- 14. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
- 15. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000 (twenty five thousand dollars).

Prior to Commencement of Works

16. 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.

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.

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. 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.

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

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

21. 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.
22. 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.
23. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.

During Construction

24. All building work must be carried out in accordance with provisions of the Building Code of Australia.
25. 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.

26. 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).
27. 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.
28. 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
29. All 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.
30. 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.
31. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
32. Barriers to prevent movement between internal roof spaces of adjoining dwelling are required.
33. Each unit is to provide a hot water system with a minimum energy rating of 3.5 stars.
34. Each unit is to provide an energy rating as indicated on the NatHERs assessment submitted with the application.
35. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS2021 and in accordance with the recommendations within the acoustic report prepared by Murphy Pastoral and Technical Company P/L submitted with the application.
36. 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. The registration fee is \$16.00 (sixteen dollars) per certificate.

Prior to Issue of Occupation Certificate

37. 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.
38. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupational certificate will not be granted on the application until the landscaping is complete.
39. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
40. 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

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

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

42. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense. Such fencing behind the building line shall be to a height of 1.8 m and provide full privacy to adjoining residences. The owners of adjoining properties are to be consulted regarding suitable fencing.
43. 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 driveway is to be finished in dark earth tone colours.

44. Illumination of public spaces including pedestrian paths, shared areas, parking areas and building entries are to be provided in accordance with the relevant Australian Standard.
45.
 - (a) The construction of concrete kerb and gutter, including layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder pavement from Bourke Street to the existing kerb and gutter adjacent to the subject site, together with any works necessary to make this construction effective.
 - (b) The construction of concrete kerb and gutter, including layback vehicular crossings, concrete path paving 1.2m wide with the remaining footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder/half width road pavement with a 25mm ACIO Wearing Course together with any works necessary to make this construction effective.
46. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
47. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m.
48. Design and construction of site drainage shall be carried out in accordance with Council's Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification. Full details of works shall be submitted for approval with the Construction Certificate. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at predevelopment levels.
49. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.
50. A report by the Design Engineer and a works-as-executed (WAE) drawing by either a suitably qualified Engineer or Registered Surveyor of the stormwater detention basin(s) and stormwater drainage system are to be submitted to and approved by Council prior to the release of the occupation certificate. The report from the Design Engineer is to state the conformance or otherwise of the as constructed basins in relation to the approved design. The WAE drawings shall indicate the following as applicable:
 - a. invert levels of tanks, pits, pipes and orifice plates;
 - b. surface level 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 stormwater basins and extent of inundation;
 - g. calculation of actual detention storage volume provided.
51. A Plan of Management for the on-site stormwater detention facilities within the development is to be submitted to and approved by Council for approval prior to the issue of

an Occupation Certificate. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance.

52. Prior to endorsement and release of the Occupation Certificate the owner is required, at their cost and expense, to enter a positive covenant over all of the land comprised in the development providing as follows:
- a. Covenanting with the Council (the prescribed Authority) to at all times at their costs maintain, repair and keep the on-site stormwater detention facilities in a good and safe condition and state of repair in accordance with the approved design to the reasonable satisfaction at all times of the said Council having due regard to the Plan of Management for the operation and maintenance of the on-site stormwater detention facilities, and
 - b. Providing that the liability under the said Covenant will jointly and severally bind the registered proprietors of the proposed dwellings, and
 - c. Providing that Council (the prescribed Authority) will be the person entitled to release or modify the Covenant.
53. All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner on whose behalf the applicant has lodged the application.

Use of the Site

54. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
- 12: Subdivision into 2 (two) Torrens title lots and the erection of a single storey dwelling on the proposed rear lot, Lot 9 DP244738, 31 Bradley Road, North Richmond (DA1293/03/EVD/ENB24NAX.V07)**

Mr Carusi, proponent, answered questions from the Committee

COMMITTEE'S RECOMMENDATION

That the application be approved subject to conditions to be further reported to the Ordinary Meeting.

13: Application to Modify DA0582/01 for a 2 (Two) Lot Torrens Title Subdivision at Lot 36, DP250171, 5 Glenn Place, North Richmond (DA0582/01/EVD/ENB24NAX.V04)

Mr Brian McKinlay, proponent, addressed the Committee

Mr Anthony Rendoth, respondent, addressed the Committee

COMMITTEE'S RECOMMENDATION

That:

1. The application for modification of DA0582/01 be approved subject to the following amendments:

Condition No. 1 amended to read as follows:-

"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 McKinlay Morgan & Associates Pty Ltd numbered 90629:DA:1, Amendment C, dated 10/09/2003 submitted with Development Application No. 0157/03 (as modified) and any supportive documentation, except as otherwise provided by the conditions of this consent."

Condition No. 22 amended to read as follows:

"22. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense for the entire length of the south-western adjoining property boundary (proposed Lot 361 and Lot 362). Fencing shall be to a height of 1.8m and lapped and capped fencing shall be tapered within the 7.5m front building line to the street to ensure adequate sight lines."

Replace Condition No. 23 with a condition to read as follows:

"23. Construction of Council's standard residential footway vehicle crossing to suit the access to proposed Lot 361 with a minimum width of 3m. A 1m landscaping strip is to be provided between the driveway of proposed Lot 361 and the south-western property boundary."

2. This matter be further reported to the next Ordinary meeting.

ADDITIONAL INFORMATION

Council is in receipt of an application for the construction of a garage and carport to be located at the end of the proposed access along the south-western boundary of proposed lot 361.

Determination of this application is being held pending the determination of the modification of DA0582/01.

Driveway construction on a residential property does not require Council consent. As such previous conditions recommended to Council required only the construction of Council's standard residential footway vehicle crossing.

Notwithstanding the above, construction of a driveway can be required as a condition of subdivision consent. Given the concerns raised with regard to overland flow and drainage, it is recommended that condition No.23 be further modified to read as follows:

"Construction of a concrete driveway and car parking area a minimum of 2.5 metres wide and 150mm thick reinforced with F82 mesh within proposed lot 361 together with the construction of Council's standard residential footway vehicular crossing to the site with a minimum width of 3 metres. All necessary works being carried out to ensure that flow from adjoining properties is not impeded. A 1 metre landscaping strip is to be provided between the driveway of proposed lot 361 and the south-western property boundary."

It is noted that Condition No. 5 of DA0582/01 requires the submission of engineering details and calculations covering all works required by this consent.

Conclusion

The application seeks approval for the modification of DA0582/01 to utilise the existing southern crossing and allow for the access to the front lot be along the south-western boundary. Council considered this application at the General Purpose Committee on 24 February 2004. Council resolved to modify DA0582/01 subject to amendments. Given concerns regarding overland flow and drainage, modification of amended conditions to require driveway construction details which ensure that flow from adjoining properties is not impeded is now also proposed.

Recommendation

That the application for modification of DA0582/01 be approved subject to the following amendments:

Condition No. 1 amended to read as follows:

" 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 McKinlay Morgan & Associates Pty Ltd numbered 90629:DA:1, Amendment C, Dated 10/09/2003) submitted with Development Application No. 0157/03 (as modified) and any supportive documentation, except as otherwise provided by the conditions of this consent."

Condition No. 22 amended to read as follows:

"22. In order to enhance the amenity of the development, new boundary fences shall be provided at the applicant's expense for the proposed Lot 362 and for the entire length of the south-western adjoining property boundary (proposed Lot 361 and Lot

362). Fencing shall be to a height of 1.8m and lapped can capped Fencing shall be tapered to the street to ensure adequate sight lines."

Replace Condition No. 23 with a condition to read as follows:

"23. Construction of a concrete driveway and car parking area a minimum of 2.5 metres wide and 150mm thick reinforced with F82 mesh within proposed lot 361 together with the construction of Council's standard residential footway vehicular crossing to the site with a minimum width of 3m. All necessary works being carried out to ensure that flow from adjoining properties is not impeded. A 1m landscaping strip is to be provided between the driveway of proposed lot 361 and the south-western property boundary."

14: Application to Modify Consent Issued by the Land and Environment Court for the Continuation of Extraction and Processing of Sandstone at Properties Now Known as Lot 4 DP 556534, 940 Singleton Road East Kurrajong and Lot 1 DP 1042615, 33 Bull Ridge Road, East Kurrajong. (DA0365/90/EVD/ENB24NAX.V08)

Mr Damien Milgate, proponent, addressed the Committee

COMMITTEE'S RECOMMENDATION

That the application for modification of the consent issued by the Land and Environment Court for the continuation of extraction and processing of sandstone on 6 September 1993 be approved subject to the following amendments:

Replace Condition No. 23 with a condition to read as follows:

Development in accordance with the Conditions applied by the Land and Environment Court dated 6 September 1993 for the continuation of extraction and processing of sandstone is extended for a period of 2 (two) years from the date the modification No. 365/90A lodged under Section 96AA of the Environmental Planning and Assessment Act 1979 was approved.

15: Erection of a Rural Shed, Lot 1, DP813316, 208 Midson Road, Oakville. (DA1449/03/EVD/ENB24NAX.V05)

COMMITTEE'S RECOMMENDATION

That the application for the erection of a shed be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans submitted with Development Application No. DA1449/03 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. The construction of the building, including the roof, shall be in materials of a low reflective quality or similarly treated materials.

Prior to Issue of Construction Certificate

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

Prior to Commencement of Works

6. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environment Planning and Assessment Act.
7. 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.

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.
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 contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

11. All building work must be carried out in accordance with provisions of the Building Code of Australia.
12. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out;
 - (b) steel reinforcement;
 - (c) on completion of the structure;
13. 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.
14. 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).
15. 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.
16. 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.
17. The maximum fill is to be 900mm and cut to be 2m.

Use of the Site

18. 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.
19. The shed shall not be used or adapted for use for human habitation or for commercial or industrial purposes other than for the production of hay, without the approval of Council.

ADDITIONAL INFORMATION

Council at its meeting on 12 August 2003 adopted the following policy on the interpretation of Truck Depots:

“Activities on Rural zoned properties shall not be considered to be truck depots if they meet the following criteria:

- *No more than 1 (one) truck plus 2 (two) trailers or 2 (two) small earthmoving machines;*
- *Driver or employee must be residents of the property; and*
- *No servicing or repairs”.*

The applicant has shown how the shed is to be used. He has 1 (one) truck and 1 (one) backhoe (small earth moving machine), he is the resident of the property. The restrictions on servicing can be reinforced by imposing the following additional condition:

20. No servicing of the truck or earth moving equipment is to take place at any time within the shed or on the property. This does not include routine maintenance of the vehicles.

16: Draft Local Environmental Plan 1/02 - Amendment 138, Reclassification of Land from Community to Operational (LEP1/02/EVD/ENB24NBX.V06)

Ms Danielle Wheeler, Ms Edwina Best, Mr Brian McKinlay, Ms Susan Mott and Mr Chris McLachlan, respondents, addressed the Committee

COMMITTEE’S RECOMMENDATION

That:

1. The draft plan be to reclassify the following parcel proceed and be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal:
 - **Former Hawkesbury Hospital** - Lot 50 DP1035291, 320 George Street, Windsor
2. The submission authors be notified accordingly.

COMMITTEE'S RECOMMENDATION

1. **Hawkesbury Heritage Farm** (former Australiana Pioneer Village) Lot 22, DP829589, 18 Rose Street, Wilberforce not be reclassified
2. The submission authors be notified accordingly.

COMMITTEE'S RECOMMENDATION

1. The draft plan be to reclassify the following parcel proceed and be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal:
 - **Hawkesbury Sports Stadium and Tennis Courts** - Lot 3 and 4, DP 816809, No. 2 and 16 Stewart Street, South Windsor
2. The submission authors be notified accordingly.

COMMITTEE'S RECOMMENDATION

1. The draft plan be to reclassify the following parcel proceed and be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal:
 - **Residential and Commercial Development** - Lot X and Y, DP 163621, No.292 - 296 George Street, Windsor
2. The submission authors be notified accordingly.

COMMITTEE'S RECOMMENDATION

A motion was moved by Councillor Williams seconded by Councillor Rasmussen

That Council consider reclassifying only the land adjacent to the **Richmond Pool**.

COMMITTEE'S RECOMMENDATION

1. The draft plan be to reclassify the following parcel proceed and be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal:
 - **Sewer Pumping Station** - Lot 11 in DP 861071, No14 Havelock Street, McGraths Hill
2. The submission authors be notified accordingly.

COMMITTEE'S RECOMMENDATION

That:

1. The draft plan be to reclassify the following parcel proceed and be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal:
 - **Richmond Tennis Centre and Tourist Information Centre** - Part of Lot 133 DP752032, Richmond Road, Richmond and
2. The submission authors be notified accordingly.

COMMITTEE'S RECOMMENDATION

That:

1. The draft plan be to reclassify the following parcel proceed and be forwarded to the Department of Infrastructure Planning and Natural Resources for finalisation and gazettal:
 - **Upper Hawkesbury Power Boat Clubhouse** - Part of Lot X DP161237, Governor Phillip Reserve, Windsor
2. The submission authors be notified accordingly.

17: BP Convenience Store and Fuel Dispensing Facility, Lot 2 DP630616, 362 Macquarie Street, Windsor (DA0382/02/EVD/ENB24NBX.V02)

COMMITTEE'S RECOMMENDATION

That Council grant a deferred commencement consent subject to the conditions outlined below:
The application for a BP Convenience Store and Fuel Dispensing Facility at Lot 2 DP 630616, 362 Macquarie Street, Windsor be granted a **Deferred Commencement** consent subject to the conditions in the attached consent:

- A. Upon compliance with the condition appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
- B. The "Deferred Commencement" consent will lapse in twelve months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

Schedule 1

1. Submission of an additional noise assessment and where necessary amended plans/noise mitigation measures demonstrating that the development can comply with the provisions of the EPA's Industrial Noise Policy in the event that Lot 1 DP 630616, 362 Macquarie Street, Windsor is redeveloped for residential purposes.

Schedule 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the plans submitted with Development Application No. DA382/02 and any supportive documentation, except as otherwise provided by the conditions of this consent or Schedule 1.

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. The height of the freestanding site identification sign to be erected in the south-western corner of the site being not more than 6m above surrounding ground level.
3. Access to the site is to be restricted to left-in / left-out.
4. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
5. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
6. No excavation or site works shall be commenced prior to the issue of the Construction Certificate.
7. The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) in order to assess their responsibilities and liabilities with regards to the provision of access for all people.
8. The applicants shall make themselves aware of any use restriction relevant to this property and shall comply with the requirements of the Section 88b instrument relevant to this subdivision and property.
9. 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.

10. 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.
11. The approval of the Work Cover Authority may be required under the provisions of the Factories, Shops and Industries Act, 1962. The applicant should ascertain from Work Cover whether its approval is required, prior to commencement of any work.

Roads and Traffic Authority Conditions of Consent

12. Should the design require the northbound carriageway to be moved west, kerb and guttering and associated drainage is to be provided on the western side of Macquarie Street between George Street and Ham Street.
13. Road Design and cycle facilities should be provided in accordance with Austroads Guide to Traffic Engineering Practice and the RTA's Road Design Guide.
14. As the roadworks proposed for this development will impact upon neighbouring access points. The developer will need to consult with the owners of adjoining properties to identify concerns and provide written advice of any amelioration measures to be adopted to address their concerns.
15. All utilities are to be relocated to their ultimate location.
16. As a result of the right turn restrictions to and from the site, it is also a requirement for the developer to submit a Traffic Management Plan (TMP) to the Authority for approval. The TMP should also address issues relating to any impacts on existing bus stops (if any in front of the site) and to the implementation of "No Stopping" signage across the Macquarie Street frontage of the site.
17. The following amendments to concept plans R70362C02 (Issue 0) dated Feb 03 through to R70362C06 (issue 0) dated Feb 03 are to be submitted to the RTA for approval
 - The median is to include SF kerbing. Type of new kerbing is to be shown on line marking plan
 - All line marking to RTA Standards and Specifications
 - Plans to show the connection to the existing line marking
 - "No Right Turn" regulatory signposting to be shown at George Street on the line marking plan
 - The width of the through lanes on plan R70362C04 (Issue 0) is to be 3.5m
 - The proposed slip lane pavement between the entry and exit vehicular crossings to the site is to be marked out with chevron pavement markings

- To ensure that when the future widening of Macquarie Road occurs the access arrangement can accommodate a petrol tanker turning left into the site from the ultimate location of the deceleration lane, the RTA requests that the developer show this arrangement with the relevant turning path overlaid. This will highlight any adjustments to be made to the access design at this stage. The deceleration lane in its ultimate location will be 3.5m from the boundary allowing for a footway area.
18. Detailed design plans of the proposed road works / deceleration lane / concrete median within Macquarie Street must be forwarded to the RTA for approval prior to the commencement of any roadworks. The applicant should be advised that a plan checking fee (amount to be advised) and lodgement of a performance bond will be required prior to the release of the approved road design by the RTA.
 19. All works associated with the development will be at no cost to the RTA.
 20. No portion of the development, lighting, signage, land use activities, or the associated building work shall obscure or resemble any traffic control device or any regulatory, warning, advisory guidance or parking signage on any classified road.
 21. For road safety reasons, all lighting of the development shall be designed and installed such that it does not provide glare or distraction to approaching drivers on any road.

Prior to Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.

22. Details demonstrating that the proposed building will comply with the requirements of the Building Code of Australia are to be submitted to the principal certifying authority for approval.
23. Should any part of the building be proposed to be used as a food shop then separate details of the floor, wall and ceiling finishes and of any benches, appliances, equipment, fittings and mechanical exhaust ventilation system shall be lodged with Council in duplicate for approval. Such details shall be approved by Council prior to construction or installation of the relevant work.
24. 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 the Director Environment and Development..
25. Payment of a design checking fee of \$1,228.00 (one thousand, two hundred and twenty eight dollars) and inspection fee of \$2,383.80 (two thousand, three hundred and eighty three

dollars and eighty 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.

26. The submission of engineering designs and calculations covering all works required by this consent.
27. The submission of a satisfactory soil and water management plan (SWMP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
28. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000 (twenty five thousand dollars).

Prior to Commencement of Works

29. 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.
30. Separate application shall be made to Council's Asset Services and Recreation Department for the construction and location of the proposed crossover. (Refer to enclosed agreement form for driveways).
31. The applicant or person having the benefit of this development consent must give at least 2 (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.
32. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.
33. 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.
34. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved ESCP or SWMP. In the absence of any approved plan the work is to be in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation.

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

35. 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.
36. 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.

During Construction

37. All building work must be carried out in accordance with provisions of the Building Code of Australia.
38. 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.
39. No burning of demolition or construction material being carried out on the site.
40. 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.
41. 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.
42. 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.
43. Stockpiles and materials shall be covered to reduce windblown dust. When excavating, keep the surface moist to reduce dust.
44. Dust control measures shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
45. Effluent generated from portable toilet facilities is to be removed off site by a licensed waste contractor.

46. 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.
47. Inspections for Compliance Certificates 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 (seventy dollars and thirty cents) per inspection to be paid prior to requesting the inspection).
48. All work must be carried out in accordance with the provisions of Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification.
49. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this development. Such utilities include, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.
50. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
51. The garbage area shall be constructed with a surface that is easily cleaned, graded to a drain connected to a sewer, and shall have a supply of water under pressure available within the enclosure. No stormwater shall be the garbage area.

Prior to Issue of Occupation Certificate

52. Occupation of any buildings and the use of the site for the proposed development should not take place until all landscaping is completed, all car parking spaces are constructed and designated and all the conditions of approval have been satisfied.
53. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
54. 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 extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water extensions can be time consuming and may impact on other services and building, driveway or landscape design.

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

55. The following documentary evidence is to be obtained whether by Council or an accredited certifier:

- (a) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

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

56. 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. The registration fee is \$16.00 (sixteen dollars) per certificate.
57. The construction of concrete kerb and gutter, including heavy duty layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the slip lane and intersection works at Macquarie Street and George Street, together with any works necessary to make this construction effective. Allowance is to be made in the construction for vehicles entering and leaving the adjoining Lots Part A DP 410572 and Lot 1 DP 630616.
58. The construction of sewerage reticulation, including junctions where not already provided.
59. 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.
60. Payment of a contribution of \$1,044.00 (one thousand and forty four dollars) towards sewer headworks. This sum will remain fixed until 30 June 2004 after which it will be recalculated at the rate applicable at the time of payment.
61. Construction of Council's standard heavy duty footway and layback vehicular crossings to suit the access to the site as shown on the approved plans.
62. Design and construction of site drainage shall be carried out in accordance with Council's Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification. Full details of works shall be submitted for approval with the building application. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at predevelopment levels.
63. To ensure parking necessary for the development is provided and kept clear and available, 33 (thirty three) off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, as shown on the approved plan.

Note: The disabled space is to be increased to 2.8 (two point eight) metres wide making a total width of 3.8 (three point eight) metres in combination with the pathway to the entrance to the shop.

64. Exit/entrance points are to be clearly signposted and visible from both the street and site at all times.
65. The registered proprietor of the land shall submit a report and a works-as-executed (WAE) drawing of the stormwater detention basin(s) and stormwater drainage system. The WAE drawings shall be prepared by a registered surveyor and/or the design engineer on completion of the system and shall indicate the following as applicable:
- (a) Invert levels of tanks, pits, pipes and orifice plates
 - (b) Surface levels of pits and surrounding ground levels
 - (c) Levels of spillways and surrounding kerb
 - (d) Floor levels of buildings
 - (e) Top of kerb levels at the front of the lot
 - (f) Dimensions of stormwater basins and extent of inundation
 - (g) Calculation of actual detention storage volume provided

The plan shall be accompanied by a report from the designer stating the conformance or otherwise of the as constructed basins in relation to the approved design. The WAE plan and report shall be submitted to and approved by Council prior to the release of the occupation certificate.

66. Application must be made to and approved by the Work Cover Authority for all appropriate licences issued under the Dangerous Goods Legislation.

Use of the Site

67. The development shall be conducted in such a manner that noise levels emitted from the site comply with the EPA's Industrial Noise Policy.
68. The hours for the delivery of all petroleum products including LPG and products for the convenience store is to be restricted to the following times: 7.00am to 5.00pm, Monday to Saturday and 8.00am to 5.00pm Sundays and Public Holidays.
69. All operations relating to the use of the LPG shall be conducted in a manner as described in the BP LP Gas Safety Management System for Retail Outlets.
70. The refrigeration equipment and all associated fittings are to be installed and operated in such a manner that they do not cause a noise or vibration nuisance for adjoining properties.
71. All air conditioners are to be installed and operated in such a manner that they do not cause a noise or vibration nuisance for adjoining properties.

72. The convenience store is to be registered with Council as a food premises and have inspections conducted by Council's officers as necessary.
73. Any building or part thereof to be used for the purposes of storage, preparation or sale of food for human consumption shall be constructed in accordance with the requirements of the Food Act 1998 and Regulations there under, and Council's Food Premises Code.
74. A thermometer complying with Chapter 3 of the Australia New Zealand Food Standard Code is to be kept at the premises at all times for the purposes of checking food temperatures.
75. Garbage is to be stored, collected and disposed of to the satisfaction of Council.
76. An Annual Fire Safety Certificate in accordance with the Fire Safety Schedule shall be submitted to Council for registration
77. The operation of the development shall be conducted in such a manner so as to not interfere with the amenity of the neighbourhood with respect to noise, vibration, odour, dust, wastewater, waste products or otherwise.
78. The operations of the development shall be conducted in a way that no grease, oil or other pollutants from the development is allowed to enter the stormwater system.
79. All bulk storage items such as oils, solvents and liquid wastes are to be stored away from stormwater drains and are to be stored in a storage area that is covered, sealed and bunded.
80. Oil, lubricant, coolant, and hydraulic fluid spills or stains should be removed by an approved absorbent material and disposed of at an authorised waste depot. The absorbent material should be kept in good supply at all times.
81. All waste generated under the canopy area of the development must be delivered via a coalescing plate separator to the sewer. There shall be no surface water runoff generated under the canopy to surrounding locations to prevent the pollution of waters.
82. Council must be consulted regarding acceptable limits to the sewerage system. A trade waste agreement must be entered into with Council prior to discharge of trade waste from the premises. A trade waste agreement application must be submitted and assessed.
83. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.
84. To ensure vehicle movements associated with the land use do not adversely impact on the adjoining streetscape or traffic movement therein:
 - (a) all vehicles being loaded or unloaded shall stand entirely within the property;
 - (b) all vehicles must be driven in a forward direction at all times when entering and leaving the premises; and

- (c) all vehicles associated with the use shall be accommodated within the approved car park on the subject land, to the satisfaction of Council.

85. 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.
86. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.

**18: Development Application Affected by Draft Amendment 130 to HLEP 1989
(79347/EVD/ENB24NBX.V01)**

COMMITTEE'S RECOMMENDATION

That Option 3:

'Consider applications received before the exhibition of Draft Amendment 130 on their merits and refuse those lodged after the exhibition of Draft Amendment 130'.

be endorsed by Council for determining the current applications affected by Draft Amendment 130.

SECTION 2 - INFRASTRUCTURE

9: Local Traffic Committee - Alternate Chairman (80245, 74236/ENG/INB24NBX.E07)

COMMITTEE'S RECOMMENDATION

That

1. A Councillor be appointed as Council's representative to the Local Traffic Committee for the meeting to be held on 19 March 2004.
2. In the event that the appointed Councillor is unable to attend any particular meeting, the General Manager, or his delegate, be appointed as Council's representative on the Local Traffic Committee and act as Chairman.

COMMITTEE'S RECOMMENDATION

That Councillor Calvert be elected as Council's representative to the Local Traffic Committee to be held on 19 March 2004.

- 10: Road Naming Proposal - Subdivision Lots 200-203 DP751665, Moles Road, Glossodia - Cartela Pty Ltd DA148/02 (23968/ENG/INB24NBX.E02)**

COMMITTEE'S RECOMMENDATION

That public comment be sought regarding naming of the proposed public road within subdivision of Lots 200-203, DP751665 Moles Road, Glossodia as "Kamrock Grove".

- 11: Radio Transmitting Tower, Warks Hill Road, Kurrajong Heights - St John Ambulance (82511/ENG/INB24NBX.E06)**

COMMITTEE'S RECOMMENDATION

That St John Ambulance Australia (NSW) be permitted to site a VHF base station on the Council-owned tower at Warks Hill Road, Kurrajong Heights.

- 12: Partnership Agreement - "Our Environment - It's a Living Thing" - Department of Environment and Conservation (89277, 79346, 79066/ENG/INB24NBX.E03)**

COMMITTEE'S RECOMMENDATION

That the Partnership Agreement between the Department of Environment and Conservation and Council for the use of "Our Environment - It's a Living Thing" be approved.

- 13: Wilberforce Cemetery (87514, 79354/ENG/INB24NBX.E05)**

Ms Jill Vincent, proponent, addressed the Committee

COMMITTEE'S RECOMMENDATION

That:

1. An allocation of \$71,000 (seventy one thousand dollars) be given to fence the cemetery and that it be allocated this year.
2. There be a further report be provided to a future meeting on the number of available plots remaining in the Wilberforce Cemetery.

ADDITIONAL INFORMATION

Discussions have occurred with Dr Donald Ellsmore, Council's Heritage Adviser, regarding fencing of the Wilberforce Cemetery. Dr Ellsmore is of the firm opinion that some form of fence is necessary to define the site of the cemetery, stop vehicles from driving through the land as they cause erosion and subsequent ongoing damage to the existing grave sites.

Dr Ellsmore considers that the "Diplomat" fence, which is proposed by the Friends of the Wilberforce Cemetery Group, is a modern, tall, picket fence of a more urban nature and does not have the character of the picket fences that were utilised around such areas in a previous era. He also commented that due to the slope of the land it would be necessary to construct the fence either with numerous steps or alternatively with sloping rails and vertical pickets, either of which may not be aesthetically pleasing. He also indicated concern in relation to the ongoing maintenance of the fence should vandalism in the area continue and the fact that it may also end up in a degraded state. Dr Ellsmore also suggested that it may be appropriate to have input from the consultants currently carrying out the Conservation Management Plan of the adjacent Wilberforce Park area in relation to the type of fencing to be undertaken. There have been no discussions with the consultants at this stage.

In relation to possible funding, 2 (two) projects have been identified from the current Capital Works Budget, which could be reallocated for this purpose.

- | | |
|---|-------------|
| • Gross Pollutant Traps: annual maintenance expenditure needed to clean installed gross pollutant traps - this funding is currently not required as it has been identified as part of the Stormwater Levy Program | \$58,000.00 |
| • Colo Heights Road: seal the first 30 (thirty) metre section of the gravel road to improve vehicular braking, turning stability and reduce the quantity of material spilled onto the sealed road at its intersection with Putty Road | \$15,000.00 |
| Total | \$73,000.00 |

RECOMMENDATION

That the information be received.

SECTION 3 - ORGANISATION AND RESOURCES

10: Monthly Financial Report - January 2004 (GF0011/005/FNC/OGB24NAX.F01)

COMMITTEE'S RECOMMENDATION

That the information be received.

**11: Implementation of Community Needs Report 2003-2004: Progress Report
(107/CSV/OGB24NCX.C02)**

COMMITTEE'S RECOMMENDATION

That the information be received.

SUPPLEMENTARY

12: Women's Cottage (79342/CSV/OGB24LCX.C03)

A presentation was given to the Committee by Sharon Paine and Kelly Griffin of the Women's Cottage.

COMMITTEE'S RECOMMENDATION

That:

1. The information be received.
2. Council revisit, in the next budget, the rent that the Women's Cottage currently pays with an aim to reduce this amount significantly.

QUESTIONS WITHOUT NOTICE:

1. Councillor Finch asked if a report could be provided to the next meeting regarding where Council is at with the skate ramp at North Richmond.

The Director of Asset Services and Recreation advised that the skate ramp was progressing and that Councillor Sheather had arranged a number of people to help build the skate ramp. A meeting will take place with Councillor Sheather to finalise the timing for its construction.

2. Councillor Finch thanked the Director Asset Services and Recreation for helping get the flag pole organised for the Wilberforce School of Arts that will be going up in the next week or so.
3. Councillor Paine referred to tabled correspondence at the last meeting from Linda Grant of Wilberforce that she asked for a copy back of. Councillor Paine advised that she did not receive a copy back and if it was possible as she wanted to reply to it.

The General Manager advised that this would be done.

4. Councillor Paine referred to the e-mail she had received about a certificate for Councillors who are not continuing on as Councillors. Councillor Paine advised that she had hoped that a little more than a certificate could be done.

The Mayor advised that Council on previous occasions has issued a certificate of contribution and it is meant to be something that is special and can be utilised for applications for positions.

Councillor Paine commented that she thought that would just come naturally.

The Mayor advised that, yes, it would come naturally. He referred to Councillor Paine suggesting that something be presented at the Ordinary meeting and the other gifts could come with that, but Council have traditionally presented certificates.

5. Councillor Allan asked for an update about the linkage between the Market Place, Richmond Park and the main street.

The Director Environment and Development advised that the last he knew Council was drawing up contacts for the artists who carry out the work on the linking program and that he would investigate and report back to Councillor Allan.

6. Councillor Paine tabled correspondence that she had just received from Stephen Pringle regarding a question that he asked in Parliament on 18 February 2004 regarding the three town sewerage. In the letter he stated '*Another delay, we need to put joint pressure upon them*'. We need to do something.

The Mayor advised that this would be done.

7. Councillor Woods referred to a matter that she spoke with the General Manager about last week and asked if there was an update on the negotiations taking place with the RTA regarding the possibility of providing access across the Buttsworth Bridge for pedestrians and/or cyclists.

The Director Asset Services and Recreation advised that correspondence had been received from the RTA advising that it would be possible to put a pedestrian/cycleway bridge on either side of the Buttsworth Bridge at a cost of about \$135,000 per side. They have suggested that it could jointly be funded from the cycleways program, part funded by RTA, part funded by Council.

8. Councillor Williams referred to Godalla Road and the complaints received on the piggery. The neighbours have asked if the pigs could be moved further back on the property.

The Director Environment and Development advised that he would follow that up.

9. Councillor Williams referred to the rebuilt Tropicana Hotel, which is now Hawkesbury Heritage Hotel and that nearby residents have advised that the conditions of consent were

that it would be sound proofed before they could have live music. He asked if the conditions of consent could be checked as the neighbours are being disturbed by the live music.

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

10. Councillor Williams referred back to November or December last year and the approval that was given to have Coromandal Road, Ebenezer sign-posted with 50km signs. He advised that the signs still are not up and asked if they could be chased up.

The Director Asset Services and Recreation advised that he would follow it up.

11. Councillor Williams advised that next door to 86 King Road has been given approval for a shed that is on rural land so it didn't require notification to the neighbours. However, complaints from Mrs Cobcroft indicate that the shed will be only 20 to 30 metres from her house. Mrs Cobcroft advised that she already has drainage problems and noise problems and she is concerned that the impact the shed will have on her property will now increase drainage problems and excess noise problems. The owners name of 86 King Street is Adam Layton.

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

12. Councillor Rasmussen asked if there was any chance of getting a progress update on the old hospital site. Is it on budget and time.

The Director Asset Services and Recreation advised that the project was currently one week in advance of the time table and is currently within budget.

13. Councillor Rasmussen asked if there was a chance of getting some implications or some statement about the budget implications if Richmond Pool land is not sold (on the hospital site budget).

The General Manager advised that he had asked the Director of Corporate Services to provide a medium to long term financial forecast for Council prior to the next elections. Hopefully there may be something for the briefing session next Monday or following.

14. Councillor Rasmussen advised that John Kleem has now been appointed the Chair of the new Catchment Management Authority and asked if a letter of congratulations could be sent and invite him out to provide an update on the CMA activities.

The Mayor advised that this would be done.

15. Councillor Rasmussen advised that Red Bank Creek, North Richmond apparently has a large oil spill/pollution problem. Could Council have a look at that.

The Director Environment and Development advised that it would be investigated straight away.

ORDINARY - 9 March 2004

General Purpose Committee - 24 February 2004

Organisation and Resources

16. Councillor Calvert advised that Southee Road, Hobartville at its intersection with Castlereagh Road was very poorly sign posted. Can it be looked at for more road signs and also some painting on the Road.

The Director Asset Services and Recreation advised that it would be investigate.

17. Councillor Sheather asked if there had been any further development on the Pitt Town proposal.

The Director Environment and Development advised that Council would be receiving the briefing from DIPNR on Friday, but to date there has been no advise from them.

18. Councillor Sheather referred to the Hawkesbury River County Council and asked if, after the elections with the new Council, if the Works Manager could brief Council on their role and responsibilities as to bring Council up to speed on that.

The Mayor advised that this would be done.

The Mayor advised that advice had been received from Mr Garry Paine from the Department that the term for Mayor after the elections will be for six months only. The Mayor advised that his understanding is that the new Local Government Bill allows for two yearly terms so it will be six months, two year, two years if the new Bill is passed as proposed.

Councillor Allan advised that it was Councillor Woods last meeting as she is unable to make the Ordinary meeting.

The Mayor thanked Councillor Woods for her contributions during the term and that it had been greatly appreciated.

The meeting terminated at 3.00pm.

Submitted to and confirmed at the meeting of the first General Purpose Committee to be held after the election of the new Council.

.....
Mayor



ordinary

4

section

reports
for determination

ITEM: 24 Sale of Land for Unpaid Rates

FILE NUMBER: 22690, 22691, 25356, 34145, 34144, 37565, 38354, 38578,
40181/FNC/ORC09NAX.F05

PREVIOUS ITEM: 8, GPC Section 3 - Organisation & Resources (27.01.2004)

PREVIOUS ITEM: 8, Ordinary (10.02.2004)

REPORT:

The Local Government Act NSW 1993 contains provisions for the sale of land for unpaid rates and charges. Section 713 (2) (a):

- "(2) A council may, in accordance with this Division:*
(a) Sell any land (including vacant land) on which any rate or charge has
remained unpaid for more than 5 years from the date on which it became
payable,"

The sale of parcel of land for the purposes of recovering unpaid rates and charges is a process of last resort and is only actioned when all other means of debt recovery have been exhausted.

Since the GPC meeting of 27 January 2004 when this matter was first tabled, 2 (two) of the 9 (nine) properties originally proposed for sale have since cleared the outstanding rates and charges. This reduces the number of properties to be sold to 7 (seven). The combined value of the outstanding rates and charges for the 7 (seven) properties exceeds \$39,000 (thirty nine thousand dollars).

Of these 7 (seven), 4 (four) are vacant lands under old system title and the recorded owners can not be located. For the remaining parcels of land, all other means of recovery action have been exhausted or the owner has not been contactable.

It is recommended that Council proceed with the sale of these properties in order to recover the unpaid rates and charges.

The proceeds from the sale of the properties are used to clear the outstanding rates and charges and the costs associated with the sale of the properties. The remaining balance is held in trust for a designated period before being forwarded to the Office of State Revenue as unclaimed monies.

Before selling land for unpaid rates and charges, the Local Government Act NSW, 1993 requires that Council give notice of the proposed sale by means of an advertisement published in the Government Gazette and in at least one newspaper. Council must also fix a convenient time and place for the sale (being not more than 6 (six) months and not less than 3 (three) months from the publication of the newspaper advertisement).

RECOMMENDATION:

That Council advertise the 7 (seven) properties for sale for unpaid rates and charges in accordance with the provisions of the Local Government Act NSW 1993.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 24 Oooo

ITEM: 25 **Subdivision into 2 (two) Torrens Title lots and the erection of a single storey dwelling on the proposed rear lot, Lot 9 DP244738, 31 Bradley Road, North Richmond**

FILE NUMBER: DA1293/03/EVD/ORC09NAX.V02

PREVIOUS ITEM: 12, GPC Section 1 - Environment (24.02.2004)

Applicant: Jenny Carusi

Applicants Rep: Nil

Owner: R Carusi, J. Carusi, P. Carusi, T. Intonato and R. Dennis

Stat. Provisions: Sydney Regional Environmental Plan No. 20 (No. 2 - 1997)

Hawkesbury Local Environmental Plan 1989

Draft Hawkesbury Local Environmental Plan 1989 - Amendment No. 130

Area: Approximately 1113 sqm

Zone: Residential 2(a)

Advertising: 20 November 2003 to 05 December 2003

Date Received: 20 October 2003

Key Issues: Draft Amendment No. 130

Action: Approval

REPORT:

Background

Council considered this application at the General Purpose Committee on 24 February 2004 that resolved that:

“That the application be approved subject to conditions and further reported to the Ordinary Meeting”.

Conditions of Consent

Given Council's resolution, the conditions of consent, as per the recommendations below, are provided for consideration.

RECOMMENDATION:

That the application for subdivision into 2 (two) Torrens Title lots and the erection of a single storey dwelling on the proposed rear lot including demolition of 2 (two) existing sheds 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 numbered 79102/2 and Teerman Newton Richmond, Plan Reference 14223) submitted with Development Application No. DA1293/03 and any supportive documentation, except as amended in red or 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.

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

2. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
3. 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).

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

Subdivision***Prior to Issue of Construction Certificate***

6. Construction of civil works including road, drainage, access, or sewer works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environment and Development or an accredited certifier.
7. Payment of a design checking fee of \$455.00 and inspection fee of \$520.40 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.

8. Arrangements are to be made for the provision of common drainage and the disposal of drainage from the site. Where the disposal of drainage involves the provision of drains across land owned by others, drainage easements of adequate width shall be provided for which documentary evidence must be submitted.
9. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".
10. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

Prior to Commencement of Works

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

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

12. 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.
13. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

14. All work must be carried out in accordance with the provisions of Hawkesbury Development Control Plan, Appendix E Civil Works Specification, Part 1 Design Specification and Part 2 Construction Specification.
15. 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.
16. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.

17. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.

Prior to Issue of Subdivision Certificate

18. 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 (\$2,148.00)
- (b) Community Facilities (\$3,309.00)

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.

19. 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.

20. 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.
21. 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.
22. The submission of a plan showing all existing services on the lots including sewer connections, water connections and stormwater disposal, where applicable, and the correction of any encroachments or defects to the requirements of the Director Environment and Development.

23. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
24. The provision of inter-allotment drainage covering all lots not draining directly to a public road and the creation of necessary easements free of cost to Council.
25. The submission of a Surveyor's Certificate stating that all pipelines are contained within the proposed/existing easements.
26. Construction of a centrally located concrete driveway a minimum of 3.0 metres wide and 150mm thick reinforced with F82 mesh over the full length of the access handle to the rear lot, together with the construction of Council's standard residential footway and layback crossing also 150mm thick reinforced with F82 mesh. All services or suitable conduits are to be placed prior to the placing of concrete.
27. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 3 (three) metres.
28. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
29. The construction of standard width concrete footway paving over the frontage of the development site.
30. Payment of a linen release fee of \$206.60 (two hundred and six dollars and sixty cents). This amount is valid until 30 June 2004.
31. Creation of a Restriction as to Use of the Land pursuant to Section 88B of the Conveyancing Act requiring that development of the rear lot will require on-site detention in accordance with Council's Hawkesbury Development Control Plan, Appendix E Civil Works Specification, Part 1 Design Specification and Part 2 Construction Specification. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at pre-development levels.

Dwelling

Prior to Issue of Construction Certificate

32. The submission of engineering designs and calculations covering all works required by this consent.
33. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".

Prior to Commencement of Works

34. 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.

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.

35. 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.
36. 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.
37. 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.

38. 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.

39. 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.
40. 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.
41. The applicant shall advise Council of the name, address and contract number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

42. All building work must be carried out in accordance with provisions of the Building Code of Australia.
43. 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. The registration fee is \$16.00 (sixteen dollars) per certificate.
44. 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.

45. 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).
46. 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.
47. 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.

The dwelling is to be provided with a hot water system with a minimum energy rating of 3.5 stars.

48. The dwelling is to provide an energy rating as indicated on the NatHERs assessment submitted to Council as part of DA1293/03.
49. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.

Prior to Issue of Occupation Certificate

50. The proposed subdivision is to be registered and proof of registration shall be submitted to the Principal Certifying Authority.
51. 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.
52. Design and construction of site drainage shall be carried out in accordance with Council's Hawkesbury Development Control Plan, Appendix E Civil Works Specification, Part 1 Design Specification and Part 2 Construction Specification. Full details of works shall be submitted for approval with the building application. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at pre-development levels.
53. All downstream discharge from the onsite detention storage basin to be located on proposed Lot 92 is to be connected to a level spreader discharge kerb as detailed on G Ryan & Associates Plan No. 02104D01, Revision B dated 16 May 2003.
54. A report by the Design Engineer and a Works-as-Executed (WAE) drawing by either a suitably qualified Engineer or Registered Surveyor of the stormwater detention basin(s) and stormwater drainage system are to be submitted to and approved by Council prior to the release of the Occupation Certificate. The report from the Design Engineer is to state the

conformance or otherwise of the as constructed basins in relation to the approved design. The WAE drawings shall indicate the following as applicable:

- (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
- (g) calculation of actual detention storage and volume provided

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.

55. Prior to release of the Occupation Certificate the owner is required, at their cost and expense, to enter a positive Covenant over all of the land comprised in the development providing as follows:

- (a) Covenanting with the Council (the prescribed Authority) to at all times at their costs maintain, repair and keep the on-site stormwater detention facilities in a good and safe condition and state of repair in accordance with the approved design to the reasonable satisfaction, at all times, of the said Council having due regard to the Plan of Management for the operation and maintenance of the on-site stormwater detention facilities, and
- (b) Providing that the liability under the said Covenant will jointly and severally bind the registered proprietors of the proposed dwellings, and
- (c) Providing that Council (the prescribed Authority) will be the person entitled to release or modify the Covenant.

All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner on whose behalf the applicant has lodged the application.

56. 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.

ORDINARY

Meeting Date: 9 March, 2004

Item: **25**

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 25 Oooo

ITEM: 26**Documents for Execution Under Seal****FILE NUMBER:**

85778, 73792, 76718, 19367, 40411, 74325,
79900/025/CSV/ORC09NBX.C03

REPORT:

Retail Lease
GC283/154

The current lease to Ms F Thompson and Ms J James in respect of Shop 9, Glossodia Shopping Centre is shortly due to expire. The tenants wish to exercise the 3 (three) year option available. The commencing annual rent will be \$14,932.94 (fourteen thousand, nine hundred and thirty two dollars and ninety four cents) plus GST, reviewable annually by CPI. The tenant is responsible for 4.69% (four point six nine percent) of the Council Rates and 6.70% (six point seven percent) of the total centre outgoings.

Retail Lease
GC283/009

The current tenants of Shop 5, Hobartville Shopping Centre, Ms Raelene Borchers is in the process of selling the business of Laurence Street Café to Ms Christine Lightfoot. Accordingly, Ms Lightfoot wishes to enter into a new 2 (two) year lease with a 2 (two) year option.

Due to the existing business being closed for several months and the premises requiring renovations it is proposed to allow Ms Lightfoot to commence renovations and advertisements immediately with rent not commencing until 1 July 2004. The commencing annual rent shall be \$9,000.00 (nine thousand dollars) plus outgoings and GST. Shop 5 is responsible for 17.55% (seventeen point five five percent) of the total centre outgoings.

Retail Lease
GC283/013

The current tenant of Shop 1, McGraths Hill Shopping Centre, John Chung Wah-Wong, has sold the business of Pong Loy Chinese Restaurant to Ms Cai Ling Wong and Mr Shi Jun Mo. Accordingly, Ms Wong and Mr Mo require the lease to be assigned to them. The commencing annual rent shall be \$8,300.00 (eight thousand and three hundred dollars) plus outgoings and GST. The tenant is responsible for 13.38% (thirteen point three eight percent) of the Council Rates and 16.70% (sixteen point seven percent) of the total centre outgoings.

Retail Lease
GC283/151

The current tenant of Shop 5 Glossodia Shopping Centre, Mr Andrew Ball, has sold the business of Leading Edge Video (Glossodia) to Mr Tim Dalby. Accordingly, Mr Dalby requires the lease to be assigned to him. The commencing annual rent shall be \$13,071.12 (thirteen thousand and seventy one dollars and twelve cents) plus outgoings and GST. The tenant is responsible for 4.69% (four point six nine percent) of the Council Rates and 6.70% (six point seven percent) of the total centre outgoings.

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RECOMMENDATION:

That the seal of Council be affixed to the above documents.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 26 Oooo

ITEM: 27 Recommendations for funding of the Local Government Advisory Group for the 2004/2005 Financial Year**FILE NUMBER:** 81409/EVD/ORC09NBX.V06**REPORT:**

The Hawkesbury Nepean Local Government Advisory Group (LGAG) was established by State Government in June 2001 to provide strategic advice on Natural Resource Management investment in the Nepean Hawkesbury Catchment. The LGAG comprises of elected representatives from 21 (twenty-one) Councils supported by senior Council officers.

The LGAG oversees the development, implementation and undertakes regular monitoring of Local Government led natural resource projects in the catchment to deliver the best environmental outcomes. A number of on-ground improvement projects include several councils working together across Council boundaries.

State Government allocates \$1,000,000.00 (one million dollars) to part fund the LGAG's on-ground improvement Catchment Works Funding program (CWF), and an additional \$50,000.00 (fifty thousand dollars) for the Community Partnership Grants Program (CPG).

The Local Establishment Team (LET) that was set up by the State Government to support the Catchment Management Authority transition process resolved that:

"Resolution 8

Resolved on a motion by Larry Whipper and seconded by Paul Rasmussen that the LET support the continuation of the LGAG with its current funding arrangement and supports the critical role it will play in aligning Local Government activities to CMA priorities and implementation.

MOTION CARRIED"

In addition, at the LGAG meeting of Thursday, 12 February 2004, the group also resolved that:

"MOTION: Given the LET has an unanimously endorsed the role of the LGAG, the LGAG submit a letter for the Minister's consideration to maintain the current funding arrangement to support the Catchment Works Program and Community Partnership Grants. That this correspondence should reinforce that the LGAG is a proven body that as attracted multipliers of 3:1 as part of the total investment value. This investment into on-ground works improvement project also attracts NHT funds, and realigns Council's funds generated from Environmental Levies and other sources to complement the LGAG's programs.

MOTION CARRIED"

It is recommended that Council show support in the form of a written expression of interest to the Minister, for the continuance of the current funding arrangements by State Government for the Local Government Advisory Group in the next financial year being 2004/2005.

RECOMMENDATION:

That Hawkesbury City Council write to the Minister for Natural Resources expressing it's support for the continuance of the Local Government Advisory Group's current funding arrangement of the 2004/2005 financial year.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 27 Oooo



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ORDINARY

Meeting Date: 9 March, 2004

Item: **28****ITEM: 28 Reports Requested by Council - Status as at 9 March 2004****FILE NUMBER:** GC280/005 Pt4/GMA/ORC09NCX.G04**REPORT:**

8/4/2003	Oasis Centre DAS&R	Report in relation to utilisation of backwash, from the Oasis Centre Pool, by Windsor Golf Club, following testing.	Report to April General Purpose Committee meeting.
9/09/2003	Land Clearing - Middle Island 278 Hermitage Road, Kurrajong Hills DED	Waiting for receipt of report advice from Council's barrister	To be reported.
28/10/2003	Reclassification of Land DC&CS	Council to go through and assess all of our land, community land or otherwise, to look at if it is operational or community land.	Currently being undertaken.
28/10/2003	School Based Traineeships GM	A report to be provided on whether Hawkesbury City Council have any policy on taking trainees and if not could it be considered	To be reported
28/10/2003	Condition of Fairfield House DED	A report to be provided on the condition of Fairfield House as it is in state of disrepair.	Access to the property can not be obtained. The Heritage Advisor will investigate further.
24/02/2004	Investigation Wilberforce Cemetery DAS&R	A report be provided in relation to the existing number of grave sites in the Wilberforce Cemetery as well the number of available plots and where they are located.	To be reported

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RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 28 Oooo

ITEM: 29 Occupational Health and Safety - Compliance**FILE NUMBER:** 79509/CSV/ORC09NCX.C01

REPORT:

The Occupational Health and Safety Act 2000 and Regulation 2001, both came into effect on 1 September 2001, with a transition period of 12 (twelve) months to ensure compliance.

The Occupational Health and Safety laws, in part, require the identification of all hazards that could harm employees and the development of Safe Work Method Statements (SWMS) to eliminate or control those hazards.

It was identified in September 2002, that staff, in conjunction with their normal work requirements, did not have required resources to complete these tasks and, in light of this, a Contract Works / Safety Officer was employed in August 2003, to provide assistance and to drive the process.

To date staff are 75% (seventy five percent) compliant with the Occupational Health and Safety requirements in respect of the Hazard Registers and Safe Work Method Statements. However, it is estimated that between 125 (one hundred and twenty five) to 150 (one hundred and fifty) Safe Work Method Statements remain outstanding and it is envisaged that they will be completed by 31 March 2004.

There will be, however, an ongoing need to review the Hazard Registers and Safe Work Method Statements to ensure a continued compliance with the Occupational Health and Safety legislation.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 29 Oooo

ITEM: 30 Legal Services**FILE NUMBER:** 77583, 73947/CSV/ORC09NCX.C07**REPORT:**

Council has requested a report on Legal Services and the possibility of employing an internal solicitor.

In October 2001, Council resolved to re-appoint Abbott Tout and AR Walmsley and Co as Legal Service providers to Council for a 3 (three) year period commencing 1 January 2002 and concluding on 31 December 2004. The original agreement commenced in 1999 with a 3 (three) year option in Council's favour. It was considered that both organisations provided quality, professional, reliable and timely advice. Both organisations have been providing legal services to Council for over 20 (twenty) years.

Penrith City Council have confirmed that in addition to engaging external professional legal advice, their Council employs internal legal services. Penrith City Council have a Senior Solicitor and a Junior Solicitor who carry out legal services.

In discussions with Penrith City Council, opportunities could exist where services could be contracted between Councils if this was considered to be a suitable option. However, negotiations would need to take place to identify a cost per hour and as previously stated, management believes that the services provided by AR Walmsley and Co are both cost-effective and timely for the type of services that would be carried by an internal solicitor. In the 2002/2003 Financial Year, Council expended \$438,267.67 (four hundred and thirty eight thousand, two hundred and sixty seven dollars and sixty seven cents) on legal services with a break-down of costs as follows:

Component	Full Year Actual
Administration	\$75,849.55
Development Control	\$353,508.49
Health	\$3,522.14
Waste Management	\$5,387.49

Having regard to this information, an opportunity may exist to consider resource sharing for Legal Services with Penrith City Council or on a wider scale referring this matter to WSROC (Western Sydney Region of Councils) for consideration. WSROC may be able to determine the level of support for regional legal services.

Having consideration for the current provision of services and the resolution of Council, it is recommended that Council continue with the existing legal services of Abbott Tout and AR Walmsley and Co. Further, a decision in relation to the possibility of an internal solicitor be

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deferred until after the Council elections and that this matter be considered with the organisational structure, which will also be reported. On this basis, it is recommended that the information be received.

RECOMMENDATION:

Information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 30 Oooo



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ORDINARY MEETING

Reports of Committees

Sandstone Quarry Committee Meeting - 11 February 2004

The meeting commenced at 7.10pm

Present: Councillor Leigh Williams (Chairperson)
Mr D Milgate
Mr Stimson
Mrs Stimson
Mr G Hall

Apologies: Mr J Pye
Mr A Martin
Mr J Halpin

Previous Minutes

Minutes of previous meeting were adopted.

Minutes Arising from Previous Meeting

- Greg Hall updated report on the Section 96 application.
- Notification/exhibition completed - no submission. Likely reported to GPC February.
- 2 (two) year approval.

General Business

Weigh Bridge

Damian explained how the Section 94 Contribution were being calculated, based on cubic metre cut.

Dust generation

Damian advised the measures taken to reduce dust.

Regeneration

Damian is investigating measures to provide a better ground cover (soil) from the top section of the bank without damaging the existing vegetation works. Discussion on options for access to the top of the slope.

Council officers to meet operator and consultant on site to explore options on how to improve the growing medium. Further report to be presented to next meeting on the outcome of the meeting and options.

S96 Progress

Previously discussed.

Next Meeting

The next meeting is to be held on Wednesday, 16 June 2004 at 4.00pm on site.

ORDINARY MEETING

Reports of Committees

The meeting closed at 7.45pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

Reports of Committees

Hawkesbury City Bicycle Steering Committee - 11 February 2004

Present: Councillor Joan Woods (Chairperson)
Mr D Bathersby (CAMWEST)
Mr H McKinnon (Community Representative)
Mr A Docking (Community Representative)
Mr D Randall (High School Representative)
Mr B Barnes (Windsor Police)
Mr M Kimmorley (RAAF Base Richmond)
Mr S Pringle, MP (State Member for Hawkesbury)
Mr C Horwood (Hawkesbury Triathlon Club)

In Attendance: Mr C Amit (Manager Design & Mapping Services)
Mr C Willebrands (Parks Officer - Recreation)

Councillor Woods welcomed the State Member for Hawkesbury, Mr Steven Pringle.

Mr Pringle was presented with information relating to the Buttsworth Creek Bridge which needs widening for the purpose of pedestrians and cyclists. Points raised included:

- Most users from north of the bridge walk along Wilberforce Road and negotiate the traffic on the bridge.
- The caravan park, north of the bridge provides for crisis housing (Department of Housing) as indicated by Brett Barnes. Inadvertently most of these residents walk to Windsor - crossing this bridge.
- Members of the Committee indicated that upgrading bridges on state roads should be the responsibility of the RTA and not Council.
- This site was creating a major gap in the cycleway network.
- Councillor Woods suggested a contribution from the cycleway program towards these works.

At this time Mr Pringle addressed the Committee and indicated that it was a privilege to attend and he was familiar with the overall sub-regional bicycle route. Mr Pringle also indicated the following:

- He was aware of the needs at Buttsworth Creek Bridge.
- He had written to the Regional Manager of the RTA as well as undertaking a site visit.
- He was awaiting the pricing of the works required at the site and would follow this matter up with the RTA.
- This issue will be raised in State Parliament.

ORDINARY MEETING

Reports of Committees

1. Minutes

That the minutes of the meeting held on 12 November 2003 be confirmed.

Moved: Hugh McKinnon

Seconded: Andrew Docking

2. Business Arising from Previous Minutes

2.1 Work for the Dole - Cycleway Audit

Mr Hugh McKinnon provided an update on this project. Documentation was forwarded onto Chris Amit. It is proposed to facilitate a partnership between Council and Hawkesbury Skills Inc.

The proposed structure is that Council sponsor and auspice the project and Hawkesbury Skills Inc would be sub-contracted by Council to run the project.

Effectively, the initial agreed goals and objectives would be set by Council through the Bicycle Steering Committee and in liaison with the Asset Services & Recreation Division, with co-ordination and delivery of the project resting with Hawkesbury Skills Inc.

2.2 Variation to 2003/2004 Local Bicycle Program - Terrace Road, North Richmond off road shared cycleway/footpath link

The Committee was advised that as part of the upgrade undertaken by the RTA at the intersection of Terrace Road/Grose Vale Road/Bells Line of Road, North Richmond an adjustment be undertaken to the 2003/2004 Local Bicycle program.

Currently an off-road shared cycleway footpath link in Terrace Road adjacent to this intersection is scheduled for construction. Given the repositioning of kerb returns at this intersection, it would be inappropriate for the cycleway works to proceed. The intersection upgrade is scheduled for completion by the end of 2004. The RTA has indicated that they will incorporate this cycleway/footpath link in Terrace Road as part of their works.

It is proposed to request that the RTA approve the shared funding previously budgeted and totalling \$8,000 (eight thousand dollars) be re-allocated to the approved off-road cycleway/pedestrian pathway Colo High School to Kurmond Road Stage III. Further more, that the RTA give consideration to these funds being partly utilised in funding the survey/design for the cycleway from Kurmond Road to Old Bells Line of Road.

Moved: Andrew Docking

Seconded: Doug Bathersby

3. Correspondence

Nil

ORDINARY MEETING

Reports of Committees

Mr S Pringle left the meeting at this stage.

4. General Business

4.1 Further Funding

Mr Doug Bathersby indicated that he made representation at a Council meeting approximately 2 (two) years ago for funds from the Roads to Recovery program to be allocated towards the Bicycle Program. This was in accordance with other Councils utilising these funds for their Bicycle Programs. Council rejected this proposal.

Mr Bathersby asked that the following points be put to Council:

- i an increase in funding for cycleways be provided.
- ii Council to reconsider allocating 5% of the next round of Roads to Recovery funding to the Bicycle Program.

Moved: Doug Bathersby

Seconded: Hugh McKinnon

4.2 Presentation

Mr Bathersby indicated that it was important to raise the awareness to Councillors in relation to the positive benefits of cycling and the improvement to one's health.

The Committee considered that a presentation to Council would be an advantage. A sub-committee of Doug Bathersby, Hugh McKinnon and Brett Barnes was established to formulate a presentation.

Doug Bathersby indicated that he would approach Rosemarie Speidal, the program Director of the Cycling Promotion fund for assistance with the presentation. The sub-committee set a target date for the April 2004 General Purpose Committee meeting - subject to availability.

5. Next Meeting

The Committee resolved that the next meeting be held on Wednesday 12 May 2004.

The meeting closed at 6.10pm.

oooO END OF REPORT Oooo

ORDINARY MEETING

Reports of Committees

Hawkesbury Economic Development Advisory Committee - 19 February 2004

Meeting held in the Council Chambers, Hawkesbury City Council

Present: Councillor Lorna Allan
Mr Barry Crockford
Wing Commander Wayne Knight
Mr Bart Bassett
Ms Carole Maher
Mr Robert Calvert
Mr David Mason
Mr Jim Swaisland

Also Present: Mr Graeme Faulkner
Mr Geoff Banting
Mrs Katrina Parker

Apologies: Professor Mick Wilson
Mr Peter Blachard
Mr Kerry Bartlett
Mr Steve Pringle

Councillor Joan Woods arrived 8.25am

Minutes from last meeting were adopted. Moved by Bart Bassett, seconded by Barry Crockford.

Correspondence

1. An e-mail was received from Karen Lavery at Sydney West Marketing advising of a strategic alliance between themselves and the Western Sydney Business Connection. The alliance aims to offer members of both groups greater networking opportunities and access to the marketing events. They aim to raise the economic, social and business profiles of Western Sydney, with the added benefit of shared accommodation and streamlined administration.
2. Advice was received from the Wisemans Ferry Chamber Commerce that the Chamber has been de-registered, as an incorporated body at the Department of Fair Trading and no longer exists as from the 15 November 2003.

Moved by Carole Maher, seconded by Robert Calvert that correspondence be received.

1. Broadband/Internet Options for Local Business and Community

The Manager of Information Technology Services at Council, Mr Barry Dinham gave a short presentation to the Committee regarding the various options available for internet access. The options were summarised as the following;

Broadband

Is a communications network that allows the bandwidth to be divided and shared by multiple simultaneous signals (ie. use same connection for voice or data or video). This means that if you have 2 (two) phone connections, 1 (one) for the internet and 1 (one) used as a phone, Broadband technology allows you to use one connection only.

ISDN

Integrated Services Digital Network, is an existing Telstra cable option that offers constant bandwidth. There are different kinds of ISDN connection of varying bandwidth. It is not a shared service, therefore, the bandwidth is constant. This is generally a dearer option than ADSL.

ADSL

(Asymmetrical Digital Subscriber Line) uses your existing phone line to deliver a Broadband Internet connection. You can enjoy a telephone conversation at the same time as receiving data without noticing any difference to either service. That is, be on the phone and internet at the same time from 1 (one) connection.

It is asymmetrical because the upstream transfer rate is slower than the downstream data rate. This means that the data transfer from the premise (home) is a different rate than the data transfer to the home.

This is a shared service in terms of the bandwidth to customers, so the bandwidth is not constant.

HDSL

High bit-rate Digital Subscriber Line. This provides faster than ADSL bandwidth, with different options to share or not share bandwidth.

Microwave

This is a wireless technology that provides a point to point communication connection. It is cheap in terms of ongoing costs, but the one time setup costs can be prohibitive. Weather and having no line of sight can cause problems.

The term microwave refers to electromagnetic energy having a frequency higher than 1 (one) gigahertz (billions of cycles per second), corresponding to wavelength shorter than 30 (thirty) centimetres.

The cost and availability of the above will depend upon distance, speed, required and the requirement for constant bandwidth. Not all options are available in all areas.

It was also discussed that the local business community should register their interest in obtaining ADSL services with Telstra.

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Reports of Committees

Recommendation

That:

Council, with the support of Tourism Hawkesbury look urgently, at ways to promote awareness of Internet availability and to encourage local business to register their interest in the ADSL service.

Moved by David Mason, seconded by Robert Calvert.

2. Small Business Incubators

Brief discussion was made in regard to the possibility of a business incubator being set up in the Hawkesbury. It was advised that a meeting was held on the Friday, 5 December with Geoff Banting - Hawkesbury City Council, Katrina Parker - Hawkesbury City Council, Lorna Allen - Chairperson HEDAC, Barry Crockford - President Hawkesbury Chamber of Commerce and Industry, Narelle Wheatland - GROW Employment Council, John Todd - BEC.

Recommendation

That the information be received.

Moved by Bart Bassett, seconded by Councillor Woods

3. Hawkesbury Agricultural Retention through Diversification and Clustering Project

A report was presented to HEDAC advising of the status of the Hawkesbury Agricultural Retention through Diversification and Clustering Project.

It was advised that a meeting was convened on Friday, 6 February 2004 and was attended by Martin Bullock (Greater Western Sydney Economic Development Board), Suellen Manyweathers (DOTARS), Narelle Wheatland (Grow Employment), John Maguire, Adam Hood (Agriculture Victoria Services), Geoff Banting and Katrina Parker. At that meeting discussions were held regarding the feasibility of the project continuing, due to the number of farmers committed not reaching the target of 20 (twenty).

It was agreed in principle by all parties to continue with the project based on the current number of farmers. The funding bodies advised that as long as the intended outcomes of the project were not compromised then it would be preferable to continue. They also confirmed that the amount of funded provided would not be altered, as the money to be paid by the farmers was based in the tender on the fixed costs per farmer. It was agreed in principle, subject to legal advice to amend the agreement between Council and AgVic in relation to the price and service offered.

It was advised that a report was submitted to Council and approval was obtained to amend the agreement entered into with AgVic to be based on a reduced number of farmers and cost, however,

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containing a formula to enable additional farmers to join the project by June 2004. It is anticipated that once some media attention is given to the project that more farmers/land holders may wish to become involved.

It was also discussed that a number of farmers from the Galston area had contacted David Mason and were interested in joining the project. It was advised that this was a possibility, however it would take some time as Hornsby Council would be required to provide support for the concept and funding.

Recommendation

That the information be received.

Moved by Wing Commander Wayne Knight, seconded by Councillor Woods.

4: Hawkesbury City Business Enterprise Centre

The Chairperson, Lorna Allen and the Executive Officer, Geoff Banting advised that the attended the sixteenth Annual General Meeting of the Penrith City and District Advisory Centre Limited on Wednesday, 11 February 2004.

A brief history of the establishment of the Hawkesbury City Business Enterprise Centre was provided by the Chairperson and an outline of the services it provides to small businesses and residents of the Hawkesbury.

A letter was received from Mr John Todd the Executive Officer of the Hawkesbury City Business Enterprise Centre, requesting that a Council nominate a representative for the Board, as Councillor Allen is not seeking re-election in the Council's elections.

It suggested, that to maintain continuity and to give Council a representative in a decision making role, that Geoff Banting be nominated. It indicated that this was in line with the arrangement with Penrith Council, which has the Deputy General Manager as the representative.

Recommendation

That:

A report be prepared to Council to determine its representation on the Board of the Penrith City and District Advisory Centre Limited and Hawkesbury City Business Enterprise Centre.

The BEC be asked to detail structure and provide current statistics.

Moved by Bart Bassett, seconded by Jim Swaisland.

5. Reports from Industry Sectors

Each Industry representative gave a brief report regarding the position of their sector and some of the current issues facing them.

Tourism Hawkesbury

Jim Swaisland the chairman, advised that a new Board was elected in November and their funding submission had been provided to Council.

Hawkesbury City Chamber of Commerce

Barry Crockford advised that the Hawkesbury Home Based Business transfer to the Chamber was working well and that Leanne Bae was also working as the Main Street Co-ordinator. He advised that the 25 (twenty five) year Business Service Awards would be presented by the Mayor.

RAAF

Wing Commander Wayne Knight advised that the Public Works Committee Reinvestment Project at the base is going ahead and should be completed by the end of the year. Of the total value of \$35,000,000 (thirty five million dollars) he advised that approximately \$5,000,000 (five million dollars) was tendered by local business.

Bart Bassett

Bart Bassett advised that Windsor Road was still on track, however, advised that a number of businesses on Windsor Road were suffering a severe downturn in trade due to poor signage and entrance and exit points. He requested assistance to put pressure on the RTA to rectify the matter. He also advised that funds had been committed by the end of the year to address the intersection at North Richmond and to provide a crossing at Hanna Match. He also advised that pressure needs to be maintained in relation to the North West Rail Link.

Carole Maher

Carole Maher advised that the Committee needed to push forward with plans for a Marketing Campaign. She reminded everyone that the sales and Information folder was now well out of date and some discussion was had regarding the proposal for a new one. Graeme Faulkner provided Carole with a copy of one which was produced for Wagga Council by a professional marketing firm.

Robert Calvert

Robert advised that there is concern in the industry with regard to the lack of Industrial land available for new business. He also advised that the poor telephone access was also a problem for emerging business.

Hawkesbury Harvest

David Mason advised that the new executive officer was working extremely well. The membership for HH is up to 104 (one hundred and four) with 74% (seventy four percent) being within the Hawkesbury LGA. It will again be represented at the Royal Easter Show, with a stall site being donated by the Show Society. The new map had been produced and was being distributed.

He considered that Hawkesbury Harvest was contributing significantly to the Regional identity and the tourism identity would suffer if the rural amenity of the Hawkesbury was lost.

Recommendation

That the information be received.

Moved by Barry Crockford, seconded by Jim Swaisland.

6. History of the Hawkesbury Economic Development Advisory Committee

The Chairperson Lorna Allan gave an overview of the history of the Committee and its aims and objectives.

The Chairperson thanked all the Committee members for their support and particularly acknowledged Garry McCully, Geoff Banting, Craig Dalli and David Tuxford for their support and assistance in engaging the community and Council in the operations of the Committee.

The Committee extended its gratitude to Councillor Allan for her work and dedication to the Hawkesbury through her quest for a healthier and more vibrant economy and community.

Recommendation

That the information be received.

Moved by Robert Calvert, seconded by Bart Bassett.

oooO END OF REPORT Oooo

ORDINARY MEETING

Reports of Committees

Hawkesbury Cultural Committee - 25 February 2004

Commenced at 7.40pm in Council Chambers

Present:	Clr Les Sheather	Hawkesbury City Council
	Prue Charlton	Hawkesbury City Council
	Sheila Sharp	Macquarie Towns Arts Society, Friends of the Hawkesbury Art Collection and Regional Art Gallery
	Louise McMahon	Kurrajong-Comleroy Historical Society,
	Greg Hansell	Friends of the Hawkesbury Art Collection & Regional Art Gallery,
	John Graham	Arkadian Bilpin Performers

Purpose of Meeting

The purpose of the meeting was to assess 10 (ten) applications for funding under the February round of the Community Cultural Grants program. This is the last round in the current financial year. The total applied for is \$12,120 (twelve thousand, one hundred and twenty dollars) and the available funds are \$7,497.84 (seven thousand, four hundred and nine seven dollars and eighty four cents).

The applications are summarised below:

Jennifer Harold of the Bilpin Bite requests \$2,420 (two thousand, four hundred and twenty dollars) to assist with the staging of the 2004 event.

Ted Brill of Ebenezer Church Congregation applies for \$900 (nine hundred dollars) (retrospectively) to assist with the staging of the 200th anniversary of land settlement at Ebenezer, held on 21 June 2003.

Judy Newland of the Friends of the Hawkesbury Art Collection and Regional Gallery applies for \$500 (five hundred dollars) to assist with the exhibition to be held in conjunction with the Battle of Vinegar Hill Commemoration, specifically, for a banner which would be used for general promotions after the event.

Judy Newland of the Friends of the Hawkesbury Art Collection and Regional Gallery applies for \$200 (two hundred dollars) to assist with the staging of a lecture and exhibition on the theme of Hawkesbury Barns to be held in conjunction with Heritage Week.

Janette Lennox of the Kurrajong Community Forum Inc applies for \$4,000 (four thousand dollars) to assist with the staging of the Kurrajong Scarecrow Festival.

Garth Smith of the Blaxland Ridge Rural Fire Service applies for \$1,000 (one thousand dollars) to assist with the staging of the annual Bush Dance.

Mary Knapman and Laurie Forth of the Hawkesbury Writers Group apply for \$700 (seven hundred dollars) to assist with the staging of a two one-day writers' workshops.

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Suzy Startin of the St Albans Gallery applies for \$300 (three hundred dollars) to assist with the staging of an exhibition of work by women artists of the St Albans area.

John Thorp of Sydney Opera Group applies for \$800 (eight hundred dollars) to assist with the staging of opera performances in Richmond School of Arts.

Michael Starkey of The Macquarie Towns Orchestra applies for \$2,000 (two thousand dollars) to cover the fee of a professional Music Director and to purchase symphonic music.

It was resolved on the motion of John Graham, seconded Greg Hansell, that the available funds be distributed in the following way:

Applicant	Project/Event	Requested	Recommended
The Bilpin Bite	2004 event	\$2,420	\$1,500
Ebenezer Church	200th anniversary	\$900	Not recommended
FOHACRAG	banner	\$500	Not recommended
FOHACRAG	Heritage Week exhibition, lecture	\$200	\$500
Kurrajong Community Forum	Scarecrow Festival	\$4,000	\$3,000
Blaxland ridge RFS	Bush Dance	\$1,000	\$250
Hawkesbury Writers Group	Workshops	\$700	\$200
St Albans Gallery	Women Artists Exhibition	\$300	\$300
Sydney Opera Group	Performances Richmond School of Arts	\$800	\$520
Macquarie Towns Orchestra	Music Director, Symphonic Music	\$2,000	\$2,000
		\$12,820	\$8,270

It was also resolved that an amount of \$772.16 (seven hundred and seventy two dollars and sixteen cents) be directed from the Performing Arts budget to make up the shortfall and enable the amount requested to be granted to the Macquarie Towns Orchestra.

General Business

- The committee noted that insurance is an ongoing issue and that Council is increasingly being asked to assist local groups to pay greatly increased premiums.
- It was agreed that retrospective applications will not be considered.
- It was suggested that local groups serving alcohol be advised to enter into partnerships with local hoteliers in order to ensure the responsible serving of alcohol.

The meeting ended 9.15 pm.

oooO END OF REPORT Oooo



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meeting

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