



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 14 June 2005

location: council chambers

time: 5:00 p.m.

ORDINARY MEETING

Table of Contents

MINUTES: 14 June 2005

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **Presentation by Councillor D Finch Regarding HCC's Sister City, Tamba Town**
- **SECTION 1 - Confirmation of Minutes**
- **MINUTES ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **QUESTIONS WITH NOTICE**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**

General Manager

Commercial Strategy - (Corporate Response Unit)

Environment and Development

Asset Management

Corporate and Community

- **SECTION 5 - Reports of Committees**
- **QUESTIONS WITHOUT NOTICE**

ORDINARY MEETING

Table of Contents

MINUTES: 14 June 2005

ORDINARY MEETING**Table of Contents****MINUTES: 14 June 2005****TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
	SECTION 4 - Reports for Determination	6
	GENERAL MANAGER	6
Item: 177a	GM B - Audit Committee Constitution - (79351, 91369)	6
Item: 178	GM B - Internal Audit Plan - (79351, 91369)	7
	ENVIRONMENT AND DEVELOPMENT	8
Item: 179	ES A - 16 Lot Community Title Subdivision, Lot 271 DP 661436, Lot 275 DP 751649, Lot 277 DP 751649, Lot 1 DP 711222, Lot 270A DP 358629, Lot 279 DP 751649 and Lot 3 DP 114551, 57 Mill Road, Kurrajong NSW - (73916, 21488)	8
Item: 180	ES B - Review of Section 356 Expenditure - (95494)	23
Item: 181	ES B - Purchase of Waste Collection Compaction Body and Truck - (95498)	23
Item: 182	CP B - Cities for Climate Protection CCP Plus - (95498)	23
Item: 183	CP B - Additional Information - Local Heritage Assistance Fund - (95498, 80242)	24
	ASSET MANAGEMENT	27
Item: 184	INF B - Tenders for the Hire of Plant - (79338, 79344)	27
	CORPORATE AND COMMUNITY	28
Item: 185	SS B - Submission of Monthly Investment Reports - (95496, 96332)	28
Item: 186	SS B - Documents for Execution Under the Common Seal of Council - (81638, 79337, P-19568)	28
Item: 187	SS B - Consultants Utilised by Council - Question Without Notice by Councillor T Devine - (95496, 90476)	29
	MATTERS OF URGENCY	29
	CONFIDENTIAL	30
Item: 188	GM B - Appointment of Director External Services - (95494, 79355, 79351) CONFIDENTIAL	30
	SUPPLEMENTARY CONFIDENTIAL	31
Item: 189	GM B - Appointment of Director Support Services - (95496, 79355, 79351) CONFIDENTIAL	31

ORDINARY MEETING

Table of Contents

MINUTES: 14 June 2005

ITEM	SUBJECT	PAGE
	LATE SUPPLEMENTARY CONFIDENTIAL	32
Item: 190	RES B - Tourism Hawkesbury Inc. - (73538, 107) CONFIDENTIAL	32
	SECTION 5 - Reports of Committees	33
	ROC - Waste Management Advisory Committee - 27 April 2005 - (95249)	33
	ROC - Cultural Precinct Advisory Committee - 17 May 2005 - (79342)	33
	QUESTIONS WITHOUT NOTICE	34

ORDINARY MEETING

Table of Contents

MINUTES: 14 June 2005

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 14 June 2005, commencing at 5:00pm.

Paster Ralph Parnwell, River of Life - Richmond, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

APOLOGIES

An apology for absence was received from Councillor L Williams

RESOLVED on the motion of Councillor Finch and seconded by Councillor Conolly that the apology be accepted.

Councillor Rasmussen arrived at the meeting at 5:08pm

Councillor Calvert arrived at the meeting at 5:16pm

Councillor D Finch addressed the Council in relation to Hawkesbury City's Sister City, Tamba Town and presented the Mayor with a certificate of thanks.

SECTION 1: Confirmation of Minutes

248 RESOLUTION:

RESOLVED on the motion of Councillor Books and seconded by Councillor Devine that the Minutes of the Ordinary Meeting held on the 31 May 2005, be confirmed.

249 RESOLUTION:

RESOLVED on the motion of Councillor Books and seconded by Councillor Wearne that the Minutes of the Special Meeting held on the 7 June 2005, be confirmed.

ORDINARY MEETING

MINUTES: 14 June 2005

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 177a **GM B - Audit Committee Constitution - (79351, 91369)**

Previous Item: 41, Special (15 April 2004),
126, Special (27 September 2004)
61, GPC (2 November 2004),
61, Ordinary (9 November 2004)

MOTION:

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

Refer to RESOLUTION

250 RESOLUTION:

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

That:

1. The Audit Committee Constitution Section 7(h) be amended to read:

A quorum of the Audit Committee shall be constituted by four (4) members being present at meetings;

2. The Audit Committee Constitution Section 7(g) be amended to read:

Except as otherwise provided for herein the rules governing meetings and the procedures of the Audit Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;

3. That the Audit Committee Constitution have Section 7 (o) inserted as follows:

The Audit Committee may, at the determination of the Committee, meet in closed session and nothing elsewhere contained within the Constitution shall prevent same or condition the circumstances in which the Audit Committee shall so determine.

ORDINARY MEETING
MINUTES: 14 June 2005

Item: 178 **GM B - Internal Audit Plan - (79351, 91369)**

MOTION:

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

Refer to RESOLUTION

251 RESOLUTION:

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

That the matter be workshopped and reported back to Council.

ORDINARY MEETING

MINUTES: 14 June 2005

ENVIRONMENT AND DEVELOPMENT

Item: 179 **ES A - 16 Lot Community Title Subdivision, Lot 271 DP 661436, Lot 275 DP 751649, Lot 277 DP 751649, Lot 1 DP 711222, Lot 270A DP 358629, Lot 279 DP 751649 and Lot 3 DP 114551, 57 Mill Road, Kurrajong NSW - (73916, 21488)**

Councillor Stubbs declared an interest in this matter as his son works for the employer on site, he left the meeting and did not take part in voting or discussion on the matter.

Mr Brian McKinlay and Ms Hannah Bennett, proponents, addressed the Committee

Mr Harry Konig, Mr Henry Evans and Ms Joanne Parker, respondents, addressed the Committee

MOTION:

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

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Books, seconded by Councillor Devine.

That the application for subdivision be approved subject to the following conditions:

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.
4. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.
5. All vegetative debris (including felled trees) resulting from the approved clearing of the site for construction, is to be chipped or mulched. Tree trunks are to be recovered for posts, firewood or other appropriate use. No vegetative material is to be disposed of by burning.

NSW Rural Fire Service General Terms of Approval

6. Section 88B restriction as to user shall be placed on all lots within the subdivision requiring the provisions of asset protection zones identified on plans submitted in the Bushfire Threat Assessment dated 2 June 2004 by McKinlay Morgan and Associates P/L in accordance with Planning for Bushfire Protection 2001. These APZ's are to be based on AS36959 Level 3 Construction.

ORDINARY MEETING

MINUTES: 14 June 2005

Department of Infrastructure Planning and Natural Resources General Terms of Approval (DIPNRGTA)

Requirement for Permit

7. Any work which requires a permit under Part 3A of the R&FI Act ("Part 3A permit") is not to commence until such time as a Part 3A permit has been applied for, and subsequently issued by DIPNR. Any work the subject of a Part 3A permit must be carried out in accordance with drawings and any other documents required by these conditions, and which are approved by DIPNR, and which will accompany the Part 3A permit.

Standard of Design, Documentation and Implementation

8. All works proposed must be designed, constructed and operated so that they result in NIL or minimal harm to aquatic and riparian environments and do not cause erosion, sedimentation, or increase flood levels of protected waters. Works that result in net positive outcomes for aquatic and riparian environments are encouraged.
9. All designs and documentation required by these conditions are to be prepared and implemented by persons with relevant knowledge, qualifications and experience in current best practice, and to the satisfaction of Council and DIPNR, and approved by DIPNR, **prior to the issue of the Part 3A Permit.**
10. The **implementation** of any design or "plan", or **carrying-out** of any activity at the Site, is to be undertaken by persons suitably experienced in that aspect of the work they are doing, and such persons must be under the direction and supervision of a person with knowledge, qualifications and experience in current best practice in the relevant aspect of the operations being undertaken.

Cessation of Works

11. If, in the opinion of a DIPNR officer, any work is being carried out in such a manner that it may damage or detrimentally affect protected waters or protected land, or damage or interfere in any way with any thing not authorized to be so affected, such work shall cease immediately upon oral or written direction of such officer.
12. Should any of the conditions of the Part 3A permit not be complied with, DIPNR may issue a Stop Order on Part 3A permit related operations at the Site until the conditions have been complied with.

Work as Executed Plans

13. If requested by DIPNR, work as executed survey plans of a professional standard, and including information required by DIPNR, shall be forwarded to DIPNR within 14 calendar days of such request. (NOTE: Apart from extractive industry operations, or large earthmoving projects, DIPNR usually only invokes this condition in matters of contention).

Remedial Works

14. The Part 3A permit holder shall carry out any instructions given by DIPNR with a view to preventing damage to the environment of protected waters or protected land.
15. If any Part 3A permit condition is breached, the permit holder shall follow DIPNR directions to address the breach and shall rehabilitate the Site as directed by, and to the satisfaction of, DIPNR. If any breach of the permit conditions requires a special site inspection by DIPNR, then the permit holder shall pay a supplementary permit fee for this inspection and for each and every subsequent inspection until the breach has been rectified.

ORDINARY MEETING

MINUTES: 14 June 2005

Disposal of Vegetation

16. Any vegetation or other material removed from the area of operations shall be disposed of lawfully to an appropriate site where the material cannot be swept into protected waters during a flood. Burning must not be carried out unless an approval has been obtained from the relevant authority(ies).

Stormwater Outlets and Dam Spillway

17. Detailed designs of any stormwater outlets and any necessary scour protection works within the riparian zone or any protected waters are to be prepared. The designs must include one or more representative surveyed cross sections and a long section showing existing and proposed bed and bank profiles and water levels at the outlet point. The sections are to extend beyond the structure for a distance of 5m for the cross section, and for the long section, 5m beyond the landward extent of the riparian zone and 5m from the toe of the bank of the receiving protected waters. Any proposed stormwater outlets or spillways are to be designed in accordance with the DIPNR guideline: *Stormwater Outlet Structures to Streams (For pipes, culverts, drains and spillways - Version 1)* (**Attachment A**).
18. Stormwater outlets must be designed, located and constructed to minimise any erosion or scour of riparian zones or the bed or banks of any protected waters. The construction methods adopted must ensure that disturbance to soil and vegetation in these areas is kept to an absolute minimum.

Scour Protection

19. Points of constriction or any other places where scour is likely within or near any protected waters or any part of the riparian zones on the Site, are to be suitably protected against scour. Designs of scour protection works, based on predicted velocities and scour potential, together with methods of construction, **are to be included in submitted plans.**
20. All permanent rock scour protection must consist of hard and durable run-of-quarry rock, sized to resist predicted scour velocities. Rock must be angular and blocky rather than flat, to ensure a good "bind" and to resist negative hydraulic pressure. Rock is to be placed over a bedding layer of angular cobbles with geotextile underneath to prevent erosion of underlying fine bed sediments and to facilitate placement.
21. All finished rock rip-rap surfaces are to be rough, and evenly aligned with the adjoining bed, bank and floodplain profile and must not reduce the capacity of protected waters in any way.
22. All rock and cobbles installed for scour protection are to be packed with topsoil and the crevasses in the rip-rap planted with local native sedges and rushes, to further stabilise the works and to increase riparian zone values and functions.
23. Wire mesh structures and concrete grouting are not permitted for use with rip rap scour protection unless specifically approved by DIPNR.

All Crossings – General Requirements

24. Any crossing design over protected waters and riparian zones must be sensitive to the ecology, wildlife corridor and geomorphic functions of protected waters and protected land. To achieve this, any crossing is to be designed and constructed in accordance with the principles in the *Draft Guidelines – Watercourse Crossing Design & Construction – Version 3* (**Attachment B**).

Accessways

25. All accessways, being cycleways, pedestrian pathways or other non-vehicular form of accessway that may be proposed for the Site, are to be designed and constructed in accordance with the *Draft Guidelines for the Design and Construction of Paths and Cycleways in Riparian Areas- Version 2* (**Attachment C**).

ORDINARY MEETING

MINUTES: 14 June 2005

26. Any accessway, or accessway lighting, proposed to be located within any riparian zone or protected waters is not to be constructed without consultation with, and prior approval of, DIPNR.

Maintenance of Works within Protected Waters

27. All works within protected waters are to be monitored after each major storm event for the duration of any Part 3A permit issued by DIPNR. Stabilisation works consisting of soft-engineered designs are to be undertaken as required, after seeking advice and approval from DIPNR, if there are signs of erosion or instability of protected waters.

Works Within Protected Waters to Satisfy NSW Fisheries

28. Prior to the issue of the Part 3A permit, agreement in writing from NSW Fisheries is required for the designs of all proposed works located within, or connecting, any protected waters.

Exclusion Fencing – prior to commencement of works

29. Prior to the commencement of any earthworks or vegetation clearing at the site, vegetation and habitat to be protected is to be fenced off with clearly visible, durable, and appropriately signposted exclusion fencing.

Designation of Riparian Zones

30. The extent of the riparian zones, is to be measured horizontally landward from the top of the bank or shore (as approved by DIPNR) and at right angles to the alignment of the bank or shore, of protected waters, including beneath any crossings, for their entirety within the Site,, unless otherwise approved by DIPNR, and shall be:
- a) Little Wheeny Creek
Of a width of 40m.
 - b) Watercourse A (draining from Derring Lane)
Of a width of 20m.
 - c) Watercourse B (draining from Mill Rd)
Of an average width of 20m minimum 15m.
31. Any reference to “riparian zones” in any condition in these General Terms of Approval is to be regarded as a reference to the “riparian zones” described within this section.

Preparation of a Vegetation Management Plan (VMP)

32. Site rehabilitation and maintenance is to be carried out in accordance with a VMP.
33. The VMP is to be prepared **prior to the issue of the Part 3A Permit**. The VMP is to be in accordance with the guideline: “How to Prepare a Vegetation Management Plan – Version 4” (**Attachment D**).
34. The VMP is to fully address all matters relating to riparian zone protection, vegetation to be retained, vegetation to be removed, obtaining plant material for rehabilitation, establishment methods, sequencing of tasks, maintenance and performance monitoring relating to the rehabilitation of the riparian zones. The VMP is to include drawings that clearly show the approved extent of the riparian zones. The VMP is to clearly state planting densities and the species mix for all areas to be rehabilitated. The VMP is to be cross-referenced to other “plans” required by these conditions, where appropriate.

ORDINARY MEETING

MINUTES: 14 June 2005

Site Rehabilitation - Vegetation

35. Site rehabilitation must:

- a) protect any remnant local native riparian vegetation at the Site wherever it is reasonably possible to do so, and,
- b) restore any riparian zones, including the area within protected waters, that are disturbed or otherwise affected by the development to a state that is reasonably representative of the natural ecotone of the protected waters and their environment.

The riparian zones so restored are to consist of a diverse range of native plant species local to the area and are to be fully structured (i.e. trees, shrubs and groundcovers), unless otherwise approved by DIPNR. The plants used are to consist of species and communities that emulate the original natural situation. Planting densities are to be at least **1 tree or shrub** (in approximately equal numbers) alternately planted **at 1 plant per square metre** and in addition, **groundcover plants at 4 plants per square metre**, unless otherwise specified in the VMP.

36. The riparian zones may be rehabilitated using a combination of methods, such as natural bush regeneration, brush matting, hydro-seeding, direct seeding or tubestock planting, provided the required densities and clear evidence of the plants' ability to survive are achieved by the end of the maintenance period.
37. Revegetation must be carried out over all areas in the riparian zone affected by the works, including beneath crossings, and including all areas that are temporarily occupied by soil and water management controls, once those controls have been decommissioned and the ground surfaces restored to the correct profile and stabilised.
38. Bush regeneration, for weed control and to promote natural regeneration, is to be undertaken for a minimum distance of 10 metres beyond any disturbed areas in the riparian zones. Revegetation, in accordance with the standards required by these conditions, is to be undertaken in this 10 metre wide area if it is significantly degraded or is likely to give rise to weed invasion due to lack of native vegetation cover before or after weed control.

Maintenance of Rehabilitated Areas within Riparian Zones

39. The rehabilitated riparian zones must be maintained and monitored for a period of **at least two years** after final planting, or where other revegetation methods are used, **two years** after plants are at least of tubestock size and are at the densities required by these conditions and with species richness as described in the VMP. Maintenance must include sediment and erosion control, watering, weed control, replacement of plant losses, disease and insect control, mulching and any other requirements necessary for achieving successful vegetation establishment.

Maintenance Report

40. A brief and concise report addressing the performance criteria as specified in the VMP, and any problems implementing the VMP, as well as means to overcome these, shall be forwarded to DIPNR **immediately after completion of initial planting/seeding**, and prior to the release of any cash bond or bank guarantee, and **every six months** thereafter for the duration of the maintenance period. The report must also comment on the stability and condition of any associated stream works. Implementation of the VMP will be considered incomplete without DIPNR sign-off of the final monitoring report at the end of the minimum two-year maintenance period.

Seed and Plant Material Collection, Propagation and Certification

41. The person responsible for implementing the VMP must certify in writing to DIPNR that plantings (including follow-up plantings) have been carried out using stock propagated from seed or plant

ORDINARY MEETING

MINUTES: 14 June 2005

material collected only from native plants from the **local botanical provenance**. This certification is to be provided with the first monitoring report, and prior to the release of any cash bond or bank guarantee, and for any supplementary plantings with the next monitoring report thereafter.

42. DIPNR is to be advised of the person responsible for any seed or vegetative propagation prior to the commencement of propagation.

Exotic Plant Species not to be Planted or Placed Within or Near the Riparian Zones

43. No exotic plant species, other than temporary sterile cover crops, are to be planted within, or within **10 metres** of, the riparian zones on the Site, unless otherwise approved by DIPNR.
44. Only certified weed free and contaminant free mulch is to be used on the Site. This is because mulch products imported onto the Site may contain weed seeds and viable vegetative matter and other contaminants, which could impact adversely on the vegetation, soil, water quality or ecology of the Site.

Works and Activities not to Compromise Riparian Zones and Implementation of the VMP

45. The riparian zones are to function as ecological systems and as such, all works, access routes, roads, recreational areas, service easements and any other non-ecologically functioning work or activity are to be located beyond the riparian zones, unless detailed on plans approved by DIPNR, prior to the issue of the Part 3A permit.
46. Works and activities must not compromise the implementation of the VMP in any way.

Bushfire Asset Protection Zones not to Compromise Riparian Zones

47. Any requirements for bushfire asset protection zones are not to compromise in any way the extent, form or function of the riparian zones. Fuel reduced areas are to be located outside of riparian zones.

Council Requirements for Flooding, Drainage, Stormwater Detention and Water Quality

48. The development is to satisfy all requirements of Council in relation to flooding, drainage, stormwater detention and water quality, but in so doing, must not compromise in any way the form and function of any works, protected waters and riparian zones required by these conditions.
49. With regard to the previous condition, there is to be no permanent or temporary excavation of, or placement of material on, protected land, or anything done that may affect the flow of protected waters, other than as shown on the DA plans and associated documentation provided to DIPNR, and approved by DIPNR, without approval in writing from DIPNR and NSW Fisheries.

Soil Suitability

50. Wherever possible, riparian zone soils should be those naturally occurring at the Site. If this will not be the case for the final landform, approval from DIPNR must be obtained **prior to the issue of any Part 3A permit**. If importation of soil into the riparian zone is unavoidable, such soil must be tested and certified by a NATA registered soils laboratory to be:
- a) similar to the naturally occurring local riparian zone soil
 - b) suitable for the establishment and on-going viability of riparian vegetation
 - c) free of any weed propagules
 - d) free of any contaminants
51. Documentation arising from this testing and certification must be provided to DIPNR prior to the placement of any soil.

ORDINARY MEETING

MINUTES: 14 June 2005

52. Any fill material placed in a riparian zone that is inconsistent with the requirements of the previous condition must be removed and relocated beyond the riparian zone or taken off-Site and disposed of in a lawful manner.
53. The structure of the soils in the riparian zones must be suitable for the vegetative rehabilitation of the Site and are therefore not to be proof rolled or subjected to other unsuitable compaction unless otherwise approved by DIPNR.

Access to the Site to be Provided for the Purpose of Fully Implementing the VMP

54. Prior to the issue of any Part 3A Permit, documentation that demonstrates a right of access to the site for a sufficient time to enable the full implementation of the VMP is to be provided to DIPNR. Such documentation is to be legally binding upon the land and its present and future owners until such time as the implementation of the VMP is complete, and as approved by DIPNR.

Water Quality and Environmental Protection

55. The Applicant must ensure that the amount of dirty water and sediment from the Site that enters protected waters or that is exposed to the flow of protected waters, or that is likely to detrimentally affect water quality, riparian vegetation or habitat or the environment, is minimised in a manner acceptable to DIPNR.

Soil and Water Management

56. The Applicant must submit a Soil and Water Management Plan (SWMP) indicating how the works at the Site will achieve the outcome required in the previous condition. The SWMP must cover all works on protected land and in protected waters, and staging and maintenance requirements. The SWMP must meet the requirements outlined in the Landcom publication *Managing Urban Stormwater: Soils and Construction – Volume 1, 4th Edition (2004)*. The SWMP is to be cross-referenced to other “plans” required by these conditions, where appropriate. The SWMP is also to meet any EPA licence requirements.
57. All works and activities at the Site are to satisfy all requirements of Council in relation to water pollution issues. Oils and greases, or any other contaminants, must not be permitted to pass to protected waters.
58. All Site drainage and sediment and erosion control works and measures as described in the SWMP, and any other pollution controls, as required by these conditions, shall be implemented prior to commencement of any other works at the Site.

Maintenance of Erosion and Sediment Control Measures

59. All erosion and sediment control measures at the Site are to be inspected and maintained as required on a weekly basis, and immediately following any rainfall events, to ensure their efficient operation. This obligation remains until the Site has been fully stabilised.

Decommissioning of All Erosion and Sediment Controls and Water Diversion Structures

60. Decommissioning of all erosion and sediment controls and any water diversion structures must be documented in detail to the satisfaction of DIPNR. Decommissioning must meet the requirements outlined in the Landcom publication *Managing Urban Stormwater: Soils and Construction – Volume 1, 4th Edition (2004)*. The timeframes for decommissioning are to be cross-referenced to the implementation of any riparian zone plantings. Decommissioning of sediment and erosion controls is not to detrimentally affect the implementation of the VMP.

Costing to be Provided

61. A costing based on current industry rates is to be provided for all works and activities that are associated with the DA and that are subject to these conditions. The costing is to identify each type

ORDINARY MEETING

MINUTES: 14 June 2005

of work or activity and is to present the costing in a break-down format that covers each aspect of that work or activity. Costings are to cover labour, equipment and materials and maintenance and reporting where these tasks are relevant. The costing is to cover, but may not be limited to, the following works and activities:

- a) construction of any stormwater outlets and their revegetation as described in the VMP
- b) construction of any scour protection works and their revegetation as described in the VMP
- c) construction of any vehicular crossings over protected waters and/or through any riparian zones
- d) implementation of the VMP, including monitoring, reporting and maintenance for a period of not less than two years after the date of final planting
- e) construction of any accessways in any riparian zones
- f) decommissioning of any temporary works in any protected waters or any riparian zone, including sediment and erosion controls, or other pollution controls, and water diversion structures.

Security Deposit

- 62. As a pre-condition to the granting of the Part 3A permit, the applicant for a Part 3A permit will be required to provide a security deposit. The security deposit can be in the form of either a cash bond or bank guarantee. The security deposit is to cover the cost, as approved by DIPNR, of completing the works and activities listed in the previous condition in accordance with the conditions of the Part 3A permit.
- 63. Any bank guarantee is to be provided from a bank licensed pursuant to the Banking Act 1959 (Cth) and is to be provided in favour of DIPNR and it must be drawn up in the format provided in **Attachment E**.
- 64. Any security deposit will be held until such time as the works and activities the subject of the cash bond or bank guarantee have been satisfactorily completed in accordance with the conditions of the Part 3A permit.
- 65. The sum held may be reduced on application to DIPNR, subject to the satisfactory completion of stages of works or activities required by the Part 3A permit.
- 66. DIPNR may at any time, and more than once and without notice to the Part 3A permit holder, utilise any cash provided or demand all or part of the moneys available under a bank guarantee, if in its opinion, the Part 3A permit holder has failed at any time to satisfactorily complete the works or activities in accordance with the requirements of the Part 3A permit.

Resolution of Inconsistencies

- 67. In the event that there is any inconsistency between the drawings, other documentation and the conditions herein, the interpretation that will result in the best outcome for the stabilisation of the Site, and the subsequent rehabilitation and maintenance of the Site and protected land and protected waters, is to prevail. Such interpretation is to be applied in consultation with, and with the approval of, DIPNR.

Any Part 3A permit issued to be kept current

- 68. Any Part 3A permit issued for works proposed under the DA, and as required by these conditions, must be kept current by payment of the appropriate fee until such time as the Site has been fully stabilised and rehabilitated, and any required maintenance satisfactorily completed and reported on, in accordance with these conditions. Any application for renewal is to be lodged at least 1 month prior to the expiry date of the Part 3A permit.

ORDINARY MEETING

MINUTES: 14 June 2005

General Advice

69. A Part 3A permit, subject to conditions, will be issued for the proposed works upon application.
70. Any Part 3A permit granted for works the subject of the DA will be for a period of one year, and renewable thereafter on an annual basis.
71. Prior to the issue of the Part 3A permit the applicant must provide DIPNR with the following:
 - A copy of Council's development consent including all conditions of approval
 - Any approval from NSW Fisheries required by these conditions
 - Sufficient number of sets of plans and other documentation that satisfy DIPNR's General Terms of Approval, and any associated recommendations, for distribution to: the proponent, Council, DIPNR and any other approval body likely to be affected by DIPNR requirements
 - The appropriate Part 3A permit fee and any required bond
 - Full details on land ownership of all areas affected by the proposed works, and written authorisation for the works by the relevant land owners
72. The rehabilitation of the Site in accordance with the Part 3A permit conditions, as determined by DIPNR, is the responsibility of the Part 3A permit holder and the owner or occupier of the land.
73. The Part 3A permit holder and the owner or occupier of the land are responsible for construction of works or any excavation or removal of material undertaken by any other person or company at the Site.
74. Any Part 3A permit granted is not transferable to any other person or company without written approval from DIPNR and does not allow operations at any other site.
75. Any Part 3A permit granted does not give the holder the right to occupy any land without the consent from the owner(s), nor does it relieve the Part 3A permit holder of any obligation which may exist to also obtain permission from local government and other authorities who may have some form of control over the Site of the work and/or the activities proposed to be undertaken.
76. A "person" for the purposes of these GTAs, means a person, persons or organisation authorised by the recipient of the consent for the DA, or their agent, should such consent be issued, to undertake any of the requirements of these GTAs.
77. These GTAs are issued with the proviso that operations shall be carried out on freehold land. Should operations be on Crown Land, any Part 3A permit is rendered invalid for such Crown Land and has no force or effect on the same, and the occupier of Crown Land should contact the Department of Lands for their requirements.

COUNCIL CONDITIONS

Prior to Issue of a Construction Certificate

78. The Construction Certificate will not be issued until a copy of the Part 3A Permit, issued by the Department of Infrastructure, Planning and Natural Resources (DIPNR) has been provided to Council
79. Construction of the road, access and drainage works are not to commence until three (3) copies of the plans and specifications of the proposed works are to be submitted to and approved by Council or an Accredited Certifier.
80. Where appropriate, payment of Construction Certificate and Compliance fees to Council is accordance with Council's Revenue Pricing Policy

ORDINARY MEETING

MINUTES: 14 June 2005

81. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.

82. A Traffic Management Plan prepared in accordance with AS 1742-3 (1996) by an appropriately qualified person shall be submitted to Council.
83. A report from a suitably qualified and experienced Geotechnical Engineer on the dam wall is to be submitted. The report shall assess the adequacy of the dam wall for use as an access road including a detailed layout of the proposed road and existing and proposed ground levels, and any spillway(s) in the vicinity of the crossing. The report shall detail any works necessary to upgrade the dam wall for the proposed use as an access road. This report shall be submitted prior to the release of the Construction Certificate for the access to proposed lots 11 and 12.
84. Submission to Council for approval of a vegetation management plan in accordance with the recommendations of the flora and fauna assessment prepared Conacher Travers and dated 2004.
85. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.00.

Prior to Commencement of Work

86. All traffic management devices shall be installed and maintained in accordance with the approved traffic management plan.
87. Recent colour photographs of all elevations of the existing dwelling on proposed Lot 3 shall be submitted to Council. The photographs shall be labelled and cross referenced to a base plan drawn to scale.
88. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
89. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
90. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
91. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of construction works. Such facility shall be located wholly within the property boundary.
92. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
- (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.

ORDINARY MEETING

MINUTES: 14 June 2005

93. Submission to and approval by Hawkesbury City Council of an "Application to Install a Sewage Management Facility" for the proposed centralised sewage management facility.

During Construction

94. Dust control measures, e.g. vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
95. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
96. Boundary fence lines shall be hand cleared only, with no topsoil disturbance, to a maximum width of 1m.
97. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
98. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7:00am – 6:00pm and on Saturdays between 8:00am – 4:00pm.
99. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
- (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
100. At all times during demolition, a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
- (a) Adjoining owners are given 24 (twenty four) hours notice, in writing, prior to commencing demolition.
 - (b) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed before any demolition commences.
 - (c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
 - (d) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
 - (e) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes.
 - (f) The structure and all components shall be maintained in a stable and safe condition at all stages of the demolition work.
 - (g) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings
 - (h) Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
 - (i) All work shall be carried out in accordance with AS2601 and the Work Plan submitted with the development application.

ORDINARY MEETING

MINUTES: 14 June 2005

- (j) Unless otherwise permitted by Council, the structure is to be demolished in reverse order of construction, being progressive and having regard to the type of construction, to enable the maximum separation and recycling of demolished materials to take place.
- (k) No material is to be burnt on site.
101. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
102. Table drains and associated drainage shall be constructed along the road frontage for lots 2, 13 to 16 in Derring Lane.
103. All necessary drainage works shall be constructed along the access strip and across the footway to the proposed lots 11 and 12 as required.
104. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved plan and Hawkesbury Development Control Plan chapter on Soil Erosion and Sedimentation.
105. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix B Civil Works Specification, Part II, Table 1.1.
106. The road shoulders and full width sealed pavement of Derring Lane Road shall be constructed for the length of proposed lots 2, 13 to 16.
107. Subject to endorsement by the Local Traffic Committee, a "stop" or "give way" sign shall be erected in Derring Lane at the intersection of Mill Road, as appropriate.
108. A pavement with a bitumen seal 4.5m wide shall be constructed along the Private Accessway and across the footway to lots 11 and 12 a passing bay with a total carriageway width of 7 metres wide and 20 metres long is to be constructed on the "Private Accessway" on the northern side of the watercourse. The bitumen sealed crossing is to have a minimum width of 6m.
109. A pavement 3.5m wide shall be constructed along the access strip and to the existing dwelling on proposed lot 11 and the proposed STP appropriate to the gradient of the land in accordance with the following table:

Gradient	Surface Construction
0-16%	Compacted crushed rock
17-20%	Bitumen seal
21-25%	Reinforced concrete

Driveway gradient shall not exceed 25% in any section.

110. A bitumen sealed rural footway crossing 3m wide shall be constructed to lots 8, 9 and 15 in accordance with Hawkesbury Development Control Plan Appendix E, Civil Works Specification.
111. All necessary street signage and pavement markings shall be installed.
112. A 4 metre wide fire trail is to be constructed at the rear of the proposed lots 3 to 12 as shown on the "Plan of Proposed Bushfire Protection and Effluent Disposal". Passing bays 7 metres wide and 20 metres long are to be constructed every 200 metres. Works are to be in accordance with the documents, "Planning for Bushfire Protection" dated 2001 by Planning NSW.
113. The spillway and dam wall crossing is to be a minimum of four (4) metres wide and able to carry a fully loaded fire truck, which is 28 tonnes or 9 tonnes per axle. The spillway crossing is to be able to

ORDINARY MEETING

MINUTES: 14 June 2005

withstand the forces of flowing water (including buoyancy forces) and the impact of debris for up to a 1 in 100 year ARI storm event. Flood warning signage, depth indicators and reflective guideposts are to be in accordance with AS 1743.

Prior to Issue of Subdivision Certificate

114. Compliance with all conditions of this development consent to the satisfaction of Council.
115. Confirmation is to be provided to Council by way of detailed survey and certification from an appropriately qualified and experienced flora and fauna consultant showing that Lots 2 - 16 do not contain any endangered ecological communities.
116. The creek crossing and dam wall upgrading works if necessary are to be certified on completion by a suitably qualified and experienced Engineer.
117. All works for the installation of the proposed centralised sewage management system are to be completed and a works as executed plan submitted to Hawkesbury City Council.
118. Confirmation is to be provided to Council by way of detailed survey showing that the location of proposed disposal areas on Lot 2, 10 and 15 are in accordance with the recommended buffer distances contained within Environment & Heath Protection Guidelines On Site Sewage Management for Single Dwelling, January 1998
119. A report from a suitably qualified and experienced consultant shall be provided to Council for approval which:
 - i. investigates the operation of the existing on-site sewage management facilities; and
 - ii. confirms that the systems are functioning appropriately and the system and irrigation areas comply with recommended buffer distance of Environment & Heath Protection Guidelines On Site Sewage Management for Single Dwelling, January 1998 with respect to the location of driveways, dwellings and property boundaries, or
 - iii. makes appropriate recommendations for the augmentation, relocation, repair or replacement of these systems. Any such works are to be completed to the satisfaction of Council prior to the release of the subdivision certificate for the respective stage of subdivision
120. All required Asset Protection Zones are to be established on site.
121. Completion of relevant works required by the approved vegetation management plan.
122. Dedication of road widening in Mill Road as public road.
123. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
124. A Section 73 Certificate from Sydney Water shall be submitted to the Principal Certifying Authority.
125. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
126. Easements 4m wide and 10m long shall be created over the site for drainage discharge from roads (at no cost to Council).
127. A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.
128. Reciprocal rights of carriageway and easements for services shall be created over the access handles to lots 11 - 12 and 13 - 14.

ORDINARY MEETING

MINUTES: 14 June 2005

129. A survey plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal shall be submitted. The plan shall demonstrate that there are no encroachments over remaining or proposed boundaries.
130. A Management Statement complying with Schedule III of the Community Land Development Act, 1989, shall be lodged with and approved by Council. This statement shall include a provision that no dwelling shall be erected on the neighbourhood lot.
131. Submission to Council of an amended Plan of Subdivision and Plan of Constraints demonstrating compliance with conditions of consent, provision for the dedication to Council as public reserve the generally 1.7ha part of proposed Lot 1 adjacent to Little Wheeny Creek, and showing Lots 11 and 12 having a minimum area of 1ha exclusive of any future road widening by the Roads and Traffic Authority.
132. The creation of a restriction on the use of the land under section 88b of the Conveyancing Act requiring:
- Any future development is to occur in accordance with the approved plan of constraints.
 - Access to Lot 11 and 12 is prohibited from Bells Line of Road.
 - Further subdivision of lot 2, other than by boundary adjustment, is prohibited.
 - Any on site effluent disposal system installed on the lots is to be designed, installed, certified and maintained in accordance with the report prepared by Toby Fiander and Associates titled feasibility of On-Site Wastewater Treatment & Disposal Study at Proposed Subdivision Lots 1 - 16 Mill Road, Kurrajong dated 5 July 2004 and any supplementary reports/plans required by conditions of this consent. This restriction is to advise that any development application for development which will generate more than 5 equivalent persons of waste water is to be accompanied by a feasibility study examining the capacity of the sewage management facilities to cater for the increased loading.
 - Asset Protection Zones are to be maintained in accordance with the provisions of Planning for Bushfire Protection, January 2001. (This is to include any necessary legal mechanism to allow for maintenance of Asset Protection Zones on adjacent land lots within the development.)
 - Where relevant, lots are to be managed in accordance with the approved vegetation management plan
 - Compliance with relevant conditions of consent required by the NSW Rural Fire Service and Department of Infrastructure Planning and Natural Resources.
133. Payment of a linen release fee of \$2,100. This amount is valid until 30 June 2005.
134. 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 | (\$25,138) |
| (b) | Community Facilities | (\$17,774) |

Contributions are to be paid prior to issue of the Construction Certificate. The amount has 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.

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

ORDINARY MEETING

MINUTES: 14 June 2005

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. The attached fee schedule is valid for 3 (three) months.

Advisory

135. Persons acting upon this consent are required to advise the Department of Infrastructure Planning and Natural Resources if any plans or documents are amended and these amendments change or result in additional "works" in or within 40 metres of a watercourse/foreshore to ascertain if the new plans require review and variations to the Department's General Terms of Approval. This applies even if the proposed works are as a result of conditions of consent and the "works" do not appear in the original/approved documentation.
136. Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
137. 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 roads.
138. The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
139. The applicant conduct information sessions with surrounding residents to fully inform them of the development and related issues.
140. The applicant undertake investigations into the establishment of a Bridle Trail within the development. Following an acceptable Flora and Fauna Report, the applicant shall construct a Bridle Trail.

The amendment was lost.

The motion was put and carried

252 RESOLUTION:

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

That the matter be deferred to the next meeting to enable further discussion between the applicant and the objectors.

ORDINARY MEETING

MINUTES: 14 June 2005

Item: 180 ES B - Review of Section 356 Expenditure - (95494)

Previous Item: 134, Special (9 May 2005)

MOTION:

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

Refer to RESOLUTION

253 RESOLUTION:

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

That a review of the Community Donations Program and subject policies be undertaken and a further report be submitted to Council by 30 August 2005.

Item: 181 ES B - Purchase of Waste Collection Compaction Body and Truck - (95498)

Mr Frank Sckarfe, respondent, addressed the Committee

MOTION:

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

Refer to RESOLUTION

254 RESOLUTION:

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

That the submission made by Sydney Truck Sales P/L be accepted, for the supply a Iveco ACCOF 2350G/250 6 X 4 cab and chassis, fitted with a Superior Pak Compaction unit, at a cost of \$238,956.80 including GST after "trade in" of the waste collection vehicle being replaced.

Item: 182 CP B - Cities for Climate Protection CCP Plus - (95498)

Previous Item: 63, Ordinary (14 December 2004)

Mr Frank Sckarfe, respondent, addressed the Committee

MOTION:

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

ORDINARY MEETING**MINUTES: 14 June 2005*****Refer to RESOLUTION*****255 RESOLUTION:**

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

That:

1. A letter be forwarded to ICLEI with Council's decision to not join the CCP Plus Program at this time.
2. The performance indicators contained within the Clean Energy Strategy and the State of the Environment Reporting mechanism be combined.

Item: 183 **CP B - Additional Information - Local Heritage Assistance Fund - (95498, 80242)**

Previous Item: 123, Ordinary (26 April 2005)

MOTION:

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

Refer to RESOLUTION**256 RESOLUTION:**

RESOLVED on the motion of Councillor Books, seconded by Councillor Devine

That:

1. The recommendations to Council of 26 April 2005 be adopted as follows:

Funding Recommendations

The Heritage Advisory Committee resolved to recommend to Council that funding be provided to the following projects.

Applicant	Address	Application	Funding Sought	Funding Recommended	Special Conditions
Mr D Shannon	"The Industrious Settler", Wollombi Road, St Albans	Straighten and strengthen barn	\$900	\$900*	
Mrs R Miller	17 Little Church Street, Windsor	Renewal of footings and brick piers, levelling of house, replacement of floor boards	\$14,000	\$3,950	Prior to acceptance of offer applicant is to liaise with Council's Heritage Advisor to examine options to resolve existing surface and subsurface drainage problems

ORDINARY MEETING

MINUTES: 14 June 2005

Applicant	Address	Application	Funding Sought	Funding Recommended	Special Conditions
					and expenditure of some grant monies on improving drainage problems.
J and J Perrottet	119 Francis Street, Richmond	Replacement of corrugated metal roof	\$8,228	\$2,000	Roofing material to be in galvanised custom orb. Colourbond or Zinclume is not to be used.
Ms E Chilman	35 North Street, Windsor	Metal roof and gutter repairs	\$250	\$250	
Mr J and Mrs M Attard	52 Salters Road, Wilberforce	Install damp proof course, rendering, sandstone repairs and repainting	\$10,000	\$5,000	Damp proof to be injected only. Works to be approved by Council's Heritage Advisor prior to commencement.
Mr P and Mrs K Van Gestel	190 March Street, Richmond	External painting	\$1,400	\$1,400	Gloss acrylic is not be used. Roof is to be painted with a metallic roof paint which matches the existing paint finish.
Mr H and Mrs N Daniel	283 George Street, Windsor	Replacement of metal roof, guttering and downpipes	\$7,250	\$2,000	Roofing material to be in galvanised custom orb. Colourbond or Zinclume is not to be used.
Mr R and Mrs L Hanlon	254 Yarramundi Lane, Agnes Banks	Reconstruction of chimney	\$2,000	\$2,000	
Mr A Mitchell	231 Wollombi Road, St Albans	Repairs to slab corn shed and dairy shed, refencing of cemetery	\$2,500	\$2,500 *	Design of fence to be approved by Council's Heritage Advisor prior to commencement.

ORDINARY MEETING**MINUTES: 14 June 2005**

Applicant	Address	Application	Funding Sought	Funding Recommended	Special Conditions
TOTAL				\$20,000	

* = these projects did not strictly comply with the assessment criteria however the Committee strongly recommends funding be made available due to the merits and benefits of the project.

2. Council assist all applicants in the understanding of the criteria and how they will be applied to assess an application.
3. Staff will review the criteria and role of Committee and report back to Council before the next round of Heritage Grants.

257 RESOLUTION:

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

That Council write to relevant State and Commonwealth Government Departments to request further financial assistance for heritage buildings in Hawkesbury, which includes Windsor, the third settlement of the Colony, with copies also being referred to relevant local members.

ASSET MANAGEMENT

Item: 184 INF B - Tenders for the Hire of Plant - (79338, 79344)

MOTION:

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

Refer to RESOLUTION

258 RESOLUTION:

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

That the tender list be adopted for the selection of plant for the 2005/2006 financial year.

ORDINARY MEETING

MINUTES: 14 June 2005

CORPORATE AND COMMUNITY

Item: 185 SS B - Submission of Monthly Investment Reports - (95496, 96332)

MOTION:

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

Refer to RESOLUTION

259 RESOLUTION:

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

That the monthly investment report required under the provisions of Clause 16(1)(a) of the *Local Government (Financial Management) Regulation 1999* be submitted to the last ordinary meeting of Council in those months where two or more ordinary meetings of Council are held.

Item: 186 SS B - Documents for Execution Under the Common Seal of Council - (81638, 79337, P-19568)

MOTION:

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

Refer to RESOLUTION

260 RESOLUTION:

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

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

Lease Agreement for Shop 2, Wilberforce Shopping Centre with Mr H and Mrs E Munro trading as Munro's Colonial Meats for a term of five years with a five year option. All other terms and conditions shall remain as per the previous resolution - annual rent to commence at \$21,840.00, plus outgoings and GST with the tenants to be responsible for 9.6% of the Council Rates and 11.9% of all other outgoings, plus GST.

ORDINARY MEETING

MINUTES: 14 June 2005

Item: 187 **SS B - Consultants Utilised by Council - Question Without Notice by Councillor T Devine - (95496, 90476)**

Previous Item: QWN, Ordinary (29 March 2005)

MOTION:

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

Refer to RESOLUTION

261 RESOLUTION:

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

That:

1. The information concerning consultants utilised submitted in response to a question from Councillor T Devine be received.
2. A quarterly report be submitted to Council outlining Council's expenditure on consultancy fees and who of these consultants are under contract with Council.

MATTERS OF URGENCY

262 RESOLUTION:

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

That matters of urgency in relation to Tourism Hawkesbury Inc, to be considered in confidential session, and notification of a development application to residents in Green's Road, Lower Portland be considered by Council at this meeting.

In accordance with clause 2.2.3 part 3)b) of Council's Code of Meeting Practice, the Mayor also asked that the matters be subject to the resolution were of general urgency,

ORDINARY MEETING

MINUTES: 14 June 2005

CONFIDENTIAL

263 RESOLUTION:

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

That:

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

Item: 188 GM B - Appointment of Director External Services - (95494, 79355, 79351)

Item: 189 GM B - Appointment of Director Support Services - (95496, 79355, 79351)

Item: 190 RES B - Tourism Hawkesbury Inc. - (73538, 107)

*These reports are **CONFIDENTIAL** in accordance with Section 10A(2)(a) and (c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -*

- (a) personal matters concerning particular individuals (other than Councillors); and*
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
2. In accordance with the relevant provisions of the Act, the reports, correspondence and other relevant documentation associated with these matters be withheld from the Press and the public.
3. The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with this confidential matter.

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

264 RESOLUTION:

RESOLVED on the motion of Councillor Wearne, seconded by Councillor Porter that open meeting be resumed.

Item: 188 GM B - Appointment of Director External Services - (95494, 79355, 79351)
CONFIDENTIAL

The Acting Director External Services and the Acting Director Support Services left the meeting during consideration of this item.

MOTION:

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

Refer to RESOLUTION

265 RESOLUTION:

This is Page 30 of the Minutes of the ORDINARY MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on Tuesday, 14 June 2005

ORDINARY MEETING

MINUTES: 14 June 2005

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

That:

1. Council ratify the decision of the General Manager in consultation with the Mayor and Councillors Stubbs and Books, to appoint Louise Gee to the position of Director External Services commencing on 4 July 2005.
2. A media release be issued announcing the appointment.

266 RESOLUTION:

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

That the General Manager negotiate with the unsuccessful internal applicants with a view to retaining their services and report the results back to Council.

SUPPLEMENTARY CONFIDENTIAL

Item: 189 GM B - Appointment of Director Support Services - (95496, 79355, 79351)
CONFIDENTIAL

The Acting Director External Services and the Acting Director Support Services left the meeting during consideration of this item.

MOTION:

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

Refer to RESOLUTION

267 RESOLUTION:

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

That:

1. Council ratify the decision of the General Manager in consultation with the Mayor and Councillors Stubbs and Books, to appoint Peter Jackson to the position of Director Support Services.
2. A media release be issued announcing the appointment.

ORDINARY MEETING

MINUTES: 14 June 2005

LATE SUPPLEMENTARY CONFIDENTIAL

Item: 190 RES B - Tourism Hawkesbury Inc. - (73538, 107) CONFIDENTIAL

Previous Item: 176, Ordinary (31 May 2005)

MOTION:

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

Refer to RESOLUTION

268 RESOLUTION:

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

That:

1. Notice be given to Tourism Hawkesbury Inc (THI) that; in the absence of a Deed of Arrangement in a form that is acceptable to Council being executed by THI on or before 4pm Thursday 16 June 2005, THI will be required to vacate the Visitor Information Centre (VIC) at Clarendon effective from 4pm Tuesday 21 June 2005 with Council taking possession of the premises and all other Council assets immediately thereafter.
2. An amount of up to \$1500 per week plus incidentals be made available from the Commercial Response Unit budget for the purpose of procuring an independent contractor to provide an interim visitor information service for the period covering the time upon which THI ceases to provide a service up to the time that a successful tenderer is able to commence operations.
3. The General Manager be authorised to prepare and execute the necessary documents (including the use of the Common Seal of Council if required), to give effect to this recommendation as appropriate.

ORDINARY MEETING

MINUTES: 14 June 2005

SECTION 5 - Reports of Committees

ROC - Waste Management Advisory Committee - 27 April 2005 - (95249)

Mr Frank Scharfe, respondent, addressed the Committee

269 RESOLUTION:

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

That the minutes of the Waste Management Advisory Committee held on 27 April 2005 as recorded on pages 59 to 62 of the Ordinary Business Paper be received.

ROC - Cultural Precinct Advisory Committee - 17 May 2005 - (79342)

270 RESOLUTION:

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

That the minutes of the Cultural Precinct Advisory Committee held on 17 May 2005 as recorded on pages 63 to 65 of the Ordinary Business Paper be received.

ORDINARY MEETING

MINUTES: 14 June 2005

QUESTIONS WITHOUT NOTICE

1. Councillor Porter referred to the DA received for Greens Road, Lower Portland and asked if Council could notify more of the residents on Greens Road down past South Sydney Juniors for another 2-4km further down Greens Road.

The General Manager advised that Council has a policy on notification and that requires us to adhere to it. It is open to Council to direct Management on this occasion to notify others beyond that. He advised that it would be preferable to change the policy so that it applies to everybody and every occasion, but he understood that this particular DA wouldn't come to Council for some time. Therefore, the policy should maybe come back to Council for changes to allow further notifications.

The Acting Director External Services advised that the DA was on exhibition until 27 June 2005.
(see subsequent resolution - Minute No. 271)

2. Councillor Porter asked if Council could investigate the trade ins of Council vehicles, as he knew for a fact that you could get a guarantee trade in on a vehicle within 4-5 years if they have been well maintained and have a certain amount of kilometres.

The General Manager advised that this could be done and advised that there was currently a paper being prepared for Council that outlines the more efficient usage of our fleet and the sorts of vehicles we should purchase given the operational cost. It will be included in this paper that will be provided to Council as soon as it can be.

3. Councillor Conolly referred to the Pitt Town DCP and asked if it was going on exhibition on 15 June 2005.

The Acting Manager Town Planning Services advised that the Public Exhibition would recommence on Wednesday, 15 June 2005 until Friday, 15 July 2005.

Councillor Conolly asked if the letters and notification that had to go out in relation to that had been sent out.

The Acting Director City Planning advised that 850 letters had been sent out on Monday, 13 June 2005.

4. Councillor Devine made reference to the Indoor Sports Stadium, which faces onto Stewart Street, South Windsor and that he had had complaints as to the lack of maintenance on the grounds. Councillor Devine asked if Council has an agreement with the YMCA covering the ground maintenance.

The Director Support Services advised a meeting was going to be held between Council and the YMCA next week and this was one of the issues that would be discussed.

5. Councillor Rasmussen referred to the over-hanging trees and dead trees along Derring Road and asked if Council could try and reduce Council's liability by removing dead or over-hanging branches on that road.

The Director Infrastructure Services advised that it was Mill Road as well as Derring Road and advised that it would be investigated.

ORDINARY MEETING

MINUTES: 14 June 2005

6. Councillor Rasmussen asked how much longer was to go on the Kurrajong Tree investigation and if the report was imminent or still in the works.

The General Manager advised that the report is completed in draft form and is currently being proofread and should be available to Councillors next week.

7. Councillor Rasmussen advised that he had been told that the property in Chaseling Road was approved at last weeks meeting. He asked if it had come before Council and if it had been supported.

The Acting Director External Services advised that Council supported an application that involved SEPP1 objections to DIPNR some time ago. The SEPP1 objection has been with DIPNR since November last year. He advised DIPNR were speeding up their processes and a few should be coming through shortly.

8. Councillor Rasmussen asked if Council had received any reply from Mr Sartor regarding pump out subsidies. If we hadn't, he asked if Council could follow that up.

The Mayor advised that Council hadn't received anything and that it was being followed. The Mayor also advised that he made contact with the Premier's office in relation to the other two issues so his Chief of Staff is also following up on those.

9. Councillor Finch asked if the signs regarding the cars for sale had gone up

The Acting Director External Services advised that the signs had not gone up.

Councillor Finch advised that there were another 13 cars on the side of the road yesterday where there was almost an accident.

10. Councillor Finch asked if it was possible to have included in the Council page in the local press how residents can contact the appropriate people on weekends. She asked if a notice could be advertised in the local paper to refresh resident's memories.

The Acting Director External Services stated that this could be done and added that the normal process for anyone who rings the Council's normal number, there is a recorded message and they can then press the appropriate number that then goes through to staff who are on call 24 hours a day.

11. Councillor Paine referred to Mr Zammit's shed in Oakville and asked if that issue had being finished and wrapped up.

The Mayor advised the matter had been taken on notice.

12. Councillor Paine referred to the McQuade Park Oval fence and the ongoing problems with the Rotary Club. Councillor Paine asked if the matter had been fixed up.

The Director Infrastructure Services advised that he had been speaking with Councillors Solicitors today.

Councillor Paine asked if she could be updated on the outcomes as she had been contacted in relation to this matter.

ORDINARY MEETING

MINUTES: 14 June 2005

13. Councillor Paine referred back a few years and to Council working with the Sports Council and putting money aside for fixing up McQuade Park Oval's facilities. She asked if she could be updated on this matter on where it is at now as the residents are going to the Rugby Club again to do the work themselves as they have been waiting for years and they are starting to loose interest.

The Director Infrastructure Services advised that the matter would be investigated.

14. Councillor Paine asked if an ex Mayor of the Hawkesbury, Robert Calvert, who was very instrumental in purchasing the hospital site, was included on the guest list for the opening of the hospital site/gallery.

The Mayor advised that the guest list would need to be checked, but ex Councillors had been included. There was also a plaque of all Councillors who had been involved in the project.

15. Councillor Paine asked if Council has a problem of going to public meetings in relation to Councillors not being covered by the Code of Meeting Practice and hence why some Councillors will not be going to public meetings.

The Mayor advised that there was no policy, but he had been called by a number of people and he had also made a statement to the paper last week in relation to the meeting-taking place Saturday, 18 June. The Mayor advised them that because we were going through a reclassification of that land, part of that process involves a public meeting that will be conducted under Council's normal Code of Meeting Practice; therefore, he will be attending that particular meeting, but not the meeting on Saturday, 18 June. He advised that this doesn't stop any other Councillor from attending whatever public meeting they want to attend.

16. Councillor Paine referred to Section 94 payments for Richmond over the last 18 months and requested that figure.

17. Councillor Paine asked if Council had allocated \$50,000 for the process of rezoning the land around Richmond Pool.

The Mayor advised that it was exactly the same question that had been put to him on the public holiday. Council staff have investigated where that figure came from, as Council never voted any particular amount to that process. It was obvious that Council voted on the reclassification that required some studies, consultation and staff times, therefore, a dollar figure was going to be attached to the process at some time, but there was no particular dollar figure.

The Director Infrastructure Services advised that there was an amount of \$50,000 in the City Planning Area for public consultation, but not necessarily the pool.

18. Councillor Paine asked if Council had done any research since the voting to rezone the land around Richmond Pool or had any discussion with potential joint venture partners.

The Mayor advised that Council wasn't in a position to go doing anything until the land was reclassified or not.

The General Manager advised that a copy of a letter sent to Mr Alan Shearan, will be distributed to all Councillors so everyone understands what has happened, which is all very general. Council will explore every option it can to facilitate the communities needs.

ORDINARY MEETING

MINUTES: 14 June 2005

19. Councillor Calvert referred to the State Budget and the allocation of the National Parks Visitor Information Centre at Bilpin and asked if there was a timeframe of when that may be completed.

The Director Infrastructure Services advised not at this stage. He advised that he was going to approach them see if they could keep Council informed.

Councillor Calvert asked if he could be informed of when that may be as they were only waiting on the money and now that is there.

20. Councillor Calvert referred to the briefing session last week where he brought up the concept of Council providing parking in the larger towns of Richmond and Windsor to the developments that can't provide parking themselves. He commented that Council could provide parking and lease back to developers.

The General Manager advised that Management would be investigating that sort of concept by way of a discussion paper through the Commercial Response Unit.

21. Councillor Paine referred to a letter she had received regarding an old building in Wilberforce. The lady had spoken to Councillor Conolly regarding this and asked if she could have some feed back.

Councillor Conolly advised that he referred the matter to staff in relation to the timing of the demolition of the old house after the new one is finished. He believed that staff had some discretion about the length of time that that allows and a reasonable time to be stipulated after discussions.

Councillor Paine asked for the response to be provided to her as well.

22. Councillor Paine referred to the APV and asked if Council had come to a decision in relation it or what is going to happen with it. She asked how far off Council was to deciding what to do with it.

The Mayor advised that discussions have been taking place with the Friends of the Village to try and facilitate some discussion with them and potential operators. A meeting was held over a week ago.

The Director Support Services advised that no further correspondence had been received from the Volunteers as yet, but Council had been given an undertaken that they would be writing to Council shortly.

Councillor Paine requested that the Councillors be kept up to date on that matter.

23. Councillor Books asked if Council had approval from the Heritage Office to demolish the old house where they have built the new one at the Breakaway at Freemans Reach.

The Mayor advised the matter would be taken on notice.

24. Councillor Books advised that on Monday night after 11:00pm, there were some big fireworks let off near the Rum Corp Barracks and asked if these had been licensed or had been approved.

25. Councillor Books referred to the footpath on Church Street, South Windsor and advised that it was still fenced off. Councillor Books asked if something could be done about that.

The Director Infrastructure Services advised that the fence had been taken down before lunchtime today.

ORDINARY MEETING

MINUTES: 14 June 2005

26. Councillor Books requested a workshop with DIPNR and Council regarding tail water dams as the first one to be approved in the Hawkesbury has just been approved and it took 18 months. The workshop would be to work out a better way to implement the process if there are going to be 400 licenses required.

The Acting Director City Planning advised there was already a working party up and linked to running with the DEC leading with DIPNR involved as well.

27. Councillor Stubbs referred to the Honour Board, which was unveiled some years ago to honour those who have been awarded Honours of Australia and commented that the Honour Board was currently in the staff lunchroom. Councillor Stubbs asked if the Board could be placed in a more prominent position.

The General Manager advised that the Board was always intended for a position in the new library/cultural centre and it is simply being held in storage in the staff lunchroom while they locate a place when the building is finished.

28. Councillor Porter referred to the APV and the allocation of money for painting and asked if Council was going to solve something before the painting job is put in.

The Mayor advised it was currently in the draft budget.

29. The Mayor referred to the matter of the cars for sale on the verges and asked the Director Commercial Response Unit on how discussions were going with other parties in organising another facility for our residents to sell their vehicles.

The Director Commercial Strategy advised that discussions had taken place with a party who wishes to form some sort of a community sale yard on a month by month basis and Council is currently looking at what land might be available for those issues.

30. The Mayor asked for a working party to be held in relation to the detail of the DCP for Pitt Town prior to it coming to a full Council meeting to go through the options.

The General Manager advised that the matter will be presented to a briefing session prior to the Council meeting to go through the options.

Matter of Urgency (See Minute No. 262)

271 RESOLUTION:

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

That the area of resident notification of a current development application for a property in Green's Road, Lower Portland be extended Lower Greens Road to Bicentennial Road.

The meeting terminated at 9:44pm

Submitted to and confirmed at the Ordinary meeting held on 28 June 2005

.....
Mayor