



Hawkesbury City Council

ordinary meeting minutes

date of meeting: 31 July 2007

location: council chambers

time: 5:00 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 31 July 2007, commencing at 5:03pm.

Pastor Andrew Mann of the Hawkesbury Church (Hawkesbury Community Centre), representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

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

ALSO PRESENT: Acting General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Chris Daley, Acting Director Support Services - Laurie Mifsud, Administrative Support Team Leader - Kylie Wade-Ferrell, Word Processing Operator - Amy Dutch.

APOLOGIES

An apology for absence was received from Councillor D Finch.

225 RESOLUTION:

RESOLVED on the motion of Councillor Williams and seconded by Councillor Rasmussen that the apology be accepted.

SECTION 1: Confirmation of Minutes

226 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Williams that the Minutes of the Ordinary Meeting held on the 10 July 2007, be confirmed.

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QUESTIONS WITH NOTICE

QWN - Carbon Trading Scheme - (80106, 95498, 107)

Mr Frank Scharfe, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

227 RESOLUTION:

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

That the information be received.

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SECTION 3 - Notices of Motion

NM1 - Richmond Club's Future Proposal for Lot 274, DP 813232 - 25 Woodlands Road, Wilberforce - (3996, 92232, 90477, 90478)

Councillor Books declared an interest in this matter as he has previously carried out site works at the subject property. He left the meeting and did not take part in voting or discussion on the matter.

MOTION:

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

Refer to RESOLUTION

228 RESOLUTION:

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

That Council have discussions with the Richmond Club Ltd with regard to the history of and the Club's future proposals for the property known as Lot 274, DP813232 (No. 25 Woodlands Road, Wilberforce) in view of the fact that the property was originally sold by the Council to the then Wilberforce Sports and Recreation Club for the purposes of establishing a sports and recreation club.

NM2 - Proposed Bells Line of Road Superhighway - (80104, 80105)

Ms Marie Bowyer, Mr David Gregory and Mr Andrew Waterhouse, proponents, addressed Council.

Mr Doug Bathersby and Mr Frank Scharfe, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION 1

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

That Council:

1. Request that at the State Government's upcoming State Regional Strategy to address the issue of the preferred favourable route for a major four lane highway crossing of the Blue Mountains.
2. Remind the State Government of the urgent need to upgrade Blacktown-Richmond Road from the M7 to North Richmond via The Driftway.
3. Inform the Hawkesbury Community of any information received from the State Government that will assess all options.

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4. Not support a Superhighway through North Richmond, Kurrajong, Kurrajong Heights and Bilpin and request the RTA to carry out further safety measures on the Bells Line of Road.

The amendment was lost.

The motion was put and carried

RESOLVED on the FORESHADOWED motion moved by Councillor Bassett, seconded by Councillor Wearne.

Refer to RESOLUTION 2

An AMENDMENT was moved by Councillor Williams, seconded by Councillor Rasmussen.

That:

1. Any future route selection by other tiers of government for a third road crossing across the Great Divide take into account the adopted position of Hawkesbury City Council on 31 July 2007.
2. Council remind the State Government of the urgent need to upgrade Blacktown/Richmond Road from the M7 to North Richmond via The Driftway.
3. Council request the State Government to develop options for a flood free crossing and by-pass of Richmond and North Richmond.
4. Council inform the Hawkesbury community regarding any information received on the above issues.

The amendment was lost.

The motion was put and carried

229 RESOLUTION 1:

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

That:

1. Council not support the proposed Bells Line of Road Superhighway.
2. Council supports safety improvements to the existing Bells Line of Road and the investigation of possible town by-passes.
3. Council supports the improvement of the existing rail crossing of the Blue Mountains and a rail link to Port Kembla.
4. Council notifies interested parties, including WSROC and relevant Federal and State Government Ministers and local members of parliament of its opposition to the "Superhighway".

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230 RESOLUTION 2:

RESOLVED on the FORESHADOWED motion moved by Councillor Bassett, seconded by Councillor Wearne.

That:

1. Any future route selection by other tiers of government for a third road crossing across the Great Divide take into account the adopted position of Hawkesbury City Council on 31 July 2007 and avoid any impact on the residents of the Hawkesbury City Council area.
2. Council remind the State Government of the urgent need to upgrade Blacktown/Richmond Road from the M7 to North Richmond via The Driftway.
3. Council request the State Government to develop options for a flood free crossing and by-pass of Richmond and North Richmond.
4. Council inform the Hawkesbury community regarding any information received on the above issues.

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

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SECTION 4 - Reports for Determination

ACTING GENERAL MANAGER

Item:138 AGM - New South Wales Electoral Commission - Indicative Costs for 2008 Local Government Elections - (79351, 107)

MOTION:

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

Refer to RESOLUTION

231 RESOLUTION:

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

That Council:

1. Submit a motion to the 2007 Local Government Association Annual Conference calling on the State Government to review the direction advised by the New South Wales Electoral Commission in respect of the costs to be charged to councils for the conduct of the 2008 Local Government elections and require the Commission to consider a more realistic cost structure for the 2008 elections, having regard to the costs incurred by councils in 2004.
2. Make its position clear in this regard to the Local Government and Shires Association as a matter of urgency for the Association's preparation for a future meeting.
3. Make representations to the Premier, the three Local State Members of Parliament and relevant State Minister in this regard.

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CITY PLANNING

Item:139 **CP - Pitt Town Investigation 2006 - Independent Report - (95498)**

Previous Item: 41, Ordinary (13 March 2007)
 214, Ordinary (12 September 2006)

Mr Martin Sharp, Mr Ian Johnston, Mr Wayne Gerahty and Mr John Hagar, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

232 RESOLUTION:

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

That:

1. Council resolve, under the provisions of Section 54 of the Environmental Planning and Assessment Act, 1979, to amend the Hawkesbury Local Environmental Plan 1989 to rezone land at Pitt Town, identified as "Pitt Town Investigation Area" in the "Pitt Town Local Environmental Study", prepared by Connell Wagner, dated April and November 2003, to permit urban and rural housing. Such amendment to permit up to 473 additional allotments to that proposed under Hawkesbury LEP (Amendment No. 145).
2. Preparation of the draft LEP above will be subject to:
 - (a) No allotments to be created being less than 750m².
 - (b) That the Johnson Property Group enter into a Deed of Agreement with Council to fully fund the preparation and processing of the draft LEP for Pitt Town. The Deed of Agreement is to clearly state that Council retains full control of the process.
 - (c) Prior to the public exhibition of the draft LEP, the Johnson Property Group is to provide, in writing, a commitment from the Roads and Traffic Authority (RTA) that the construction of the Pitt Town by-pass will be completed, either by the RTA or Johnson Property Group, prior the release of any allotments generated from this rezoning.
 - (d) The developer, Johnson Property Group, is to be responsible for the provision of water and sewer infrastructure provision to provide for a maximum yield in Pitt Town of a total of 1,405 allotments.
 - (e) The developer, Johnson Property Group, is to be responsible for the provision of the flood evacuation route to provide for the existing allotments in Pitt Town and the additional 473 allotments permitted by this LEP amendment.
 - (f) That negotiations with Johnson Property Group for a Planning Agreement be entered into as proposed in the Johnson Property Group rezoning application amendment dated 29 May 2007.
 - (g) Road widths remaining as per the existing Pitt Town Development Control Plan.
3. Development within the Pitt Town locality should not exceed the "High Growth Scenario", total of 1,405 allotments, as shown in the "Pitt Town Local Environmental Study", prepared by Connell Wagner, dated April and November 2003.

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4. Council notify the Department of Planning of its resolution to prepare the LEP amendment and request that Delegations be issued to permit Council to place the draft LEP on public exhibition.

Councillors Paine, Rasmussen and Williams requested that their names be recorded as having voted against the motion.

Item:140 CP - Certificate of Identification - (Swimming Pools Act 1992) - (95498, 79351, 96329)

MOTION:

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

Refer to RESOLUTION

233 RESOLUTION:

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

That appropriate authorities for the following Officers of Council acting as inspectors of Council in accordance with the Swimming Pools Act 1992 and empowering each of them to enter any premises in or on which he or she suspects that a swimming pool is situated and to examine the premises and, in particular, any swimming pool (and any barrier or other means of restricting access to any swimming pool) situated on the premises be executed under the Seal Of Council:

- John Newton, Building Coordinator.
- Greg Miles, Senior Building surveyor.
- Michelle Cooke, Building surveyor.
- Michael Russo, Building surveyor.

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Item:141 **CP - Renewal of Licence Agreements - Peppercorn Place Disability and Aged Services Centre - (95498, 96328, 78340, 74210, 74201, 74214, 74216, 74213)**

Mr Frank Scharfe, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

234 RESOLUTION:

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

That the licence agreements for the period 1 January 2007 to 31 December 2008 between Hawkesbury City Council and each licensee of Peppercorn Place be executed under the Seal of Council.

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

Item:142 **CP - Agricultural Shed - 198 Yarramundi Lane, Agnes Banks - (DA0979/06, 95498, 96329, 13399, 103509, 100489)**

Mr Glenn Falson, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

An AMENDMENT was moved by Councillor Williams, seconded by Councillor Calvert.

That:

Development Application No. DA0979/06 for a rural shed be approved subject to the following conditions:

General

1. The development shall take place in accordance with the stamped plans, with the exception of the proposed landscaping, 5 specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. A Section 149A Building Certificate Application is to be lodged with Council for the structure.
3. A structural engineer shall inspect and certify that the structural alterations identified in the report prepared by C.G.Hilder Pty Ltd dated 5 March 2007 have been completed. The structural engineer shall provide a certificate, which is to be submitted to Hawkesbury City

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Council certifying that the structure is capable of withstanding the loads likely to be imposed upon it, including wind loadings.

4. The landscaping works shall be completed within a period of six months from the date of consent.

Use

5. No internal or external alterations shall be carried out without prior approval of Council.
6. The development shall be limited to the area shown on the submitted plans.
7. The subject development, including landscaping, is to be maintained in a clean and tidy manner.

The amendment was lost.

The motion was put and carried

235 RESOLUTION:

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

That:

- A. A Penalty Infringement Notice be issued under the Environmental Planning and Assessment Act for breaches of the Act, and
- B. Development Application No. DA0979/06 for a rural shed 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. A Section 149A Building Certificate Application is to be lodged with Council for the structure.
3. A structural engineer shall inspect and certify that the structural alterations identified in the report prepared by C.G.Hilder Pty Ltd dated 5 March 2007 have been completed. The structural engineer shall provide a certificate, which is to be submitted to Hawkesbury City Council certifying that the structure is capable of withstanding the loads likely to be imposed upon it, including wind loadings.

Use

4. No internal or external alterations shall be carried out without prior approval of Council.
5. The development shall be limited to the area shown on the submitted plans.
6. The subject development is to be maintained in a clean and tidy manner.

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Item:143 CP - Truck Depot, Lot 2, DP 220161, 251 Windsor Road, Vineyard NSW 2795 - (95498, 83535, 88784, DA0633/06)

Previous Item: 40, Ordinary (13 March 2007)

Mr Patrick Hurley, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

236 RESOLUTION:

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

That Development Application DA0633/06 for a Truck Depot at 251 Windsor Road, Vineyard 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 approved use shall not commence until all conditions of this Development Consent have been complied with.
4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the provisions of the Building Code of Australia at all times.
6. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.
7. 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.

Prior to Issue of Construction Certificate

8. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$580.00 shall be paid to Hawkesbury City Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time).

The contribution is to be paid prior to the issue of the construction certificate and copies of receipt(s) confirming that the contribution has been fully paid are to be provided to the certifying authority.

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9. 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.

10. Construction of the access, car park, dam, filling 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 of Environment and Development or an Accredited Certifier.
11. Payment of a Construction Certificate checking fee of \$210.00 and a Compliance Certificate inspection fee of \$350.00 when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2008. Fees required if an Accredited Certifier is used will be provided on request.
12. Submission of a landscaping plan. Landscaping shall include a mixture of trees, shrubs and groundcover, and be comprised of species native to the locality. Landscaping is to be carried out within the front boundary of the property to screen the development from Windsor Road.

Prior to Commencement of Works

13. 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.
14. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
15. 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.
16. 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.
17. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
18. 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.

During Construction

19. External colours and material of the new work are to match the existing.
20. 8 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.

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21. Vehicle entrances and exits shall be clearly signposted, including street number, and visible from both the street and site at all times.
22. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
23. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
24. 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.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
25. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components of construction:

Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.

- (a) commencement of work (including erosion controls, site works and site set out);
 - (b) piers;
 - (c) steel reinforcement prior to pouring concrete;
 - (d) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (e) on completion of the works.
26. Council records indicate that the building site is at a level of approximately 12 metres AHD. All materials used in the construction below the level of 17.3 metres AHD shall be capable of withstanding prolonged immersion in water without swelling or deteriorating.
27. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
28. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
29. 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.
30. A concrete access minimum width 4.5 metres shall be constructed for the full length of the internal driveway proposed to link between the existing layback and footway crossing servicing Lot 2. The driveway shall be a minimum thickness of 150mm and be reinforced with F82 mesh.

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31. A concrete manoeuvring area shall be constructed to the dimensions shown on stamped plan DA1 281. The manoeuvring area shall be a minimum thickness of 150mm and be reinforced with F82 mesh.
32. Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected shall be installed in accordance with AS 2444 E1.6 in the following locations:
 - (a) Adjacent to exits

Prior to Issue of Occupation Certificate

33. Compliance with all conditions of this development consent.
34. Implementation of the approved landscape plan
35. The following Fire Safety Measures shall be provided and installed in the building/property by a suitably qualified person and a Certificate of Installation shall be provided to the owner/agent:

1. Portable Fire Extinguishers

FSM2i Installation

Compliance with:

1. Performance requirements and deemed-to-satisfy provisions of Section E of the BCA.
2. AS 2444 "Portable Fire Extinguishers and Fire Blankets - Selections and Locations".
3. AS 1841 "Portable Fire Extinguishers".
4. AS 1850 "Portable Fire Extinguisher - Classification Rating and Performance Testing."
5. AS 4265 "Wheeled Fire Extinguishers".

FSM2m Maintenance

Compliance with the following, as appropriate:

1. AS 1851.1 "Maintenance of Fire Protection Equipment, Portable Fire Extinguishers and Fire Blankets".
2. AS/NZS 1851.13 "Maintenance of Fire Protection Equipment - Wheeled Fire Extinguishers".

Prior to Occupation:

Prior to requesting an occupation certificate the owner/agent shall certify that each of the essential fire safety measures specified in this statement:

- (a) has been installed and assessed by a properly qualified person, and
- (b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

A copy of the Fire Safety Certificate to be completed is available from Council.

(This Certificate cannot be signed by persons who inspected and/or tested the installed services)

A copy of the Initial Certificate and the Annual Certificate, together with the relevant Fire Safety Schedule must be forwarded to the Council and the Commissioner of the New South Wales Fire Brigades. A copy of this Certificate, together with the relevant Fire Safety Schedule must be prominently displayed in the building.

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Annually:

The Fire Safety Measures are to be regularly serviced/maintained and the owner/agent (including subsequent owners) shall certify annually that each of the fire safety measures specified in this statement has:

- (c) Been assessed by a properly qualified person, and
- (d) Found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

Use of the Development

- 36. No internal or external alterations shall be carried out without prior approval of Council.
- 37. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
 - (a) been assessed by a properly qualified person, and
 - (b) found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.
- 38. Operating hours shall be limited to 6:00am to 6:00pm Mondays to Saturdays.
- 39. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) LA(eq) above background noise levels with respect to noise amenity of residential dwellings.
- 40. No advertising signs or structures shall be erected, displayed or affixed on any building or land without prior approval.
- 41. The development shall be limited to the area shown on the submitted plans.
- 42. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
- 43. All vehicles shall be driven in a forward direction at all times when entering and leaving the premises.
- 44. All waste materials shall be regularly removed from the property.

Advisory

- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- *** The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) a local telecommunications carrier

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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 roads.

*** 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.

*** The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

Item:144 CP - Development Application for Colour Bond Fence and Retaining Wall - 20 William Cox Drive, Richmond NSW 2753 - (DA0197/07, 78735, 100500, 96329, 95498)

Councillor Devine declared an interest in this matter as he owns a property adjoining the subject premises. He left the meeting and did not take part in voting or discussion on the matter.

Ms Michele Christiansen, proponent, addressed Council.
Mr Robert Montgomery, respondent, addressed Council.

MOTION:

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

That Development Application DA0197/07 for a Colour Bond Fence and Retaining Wall be approved subject to the following conditions;

That:

- A. A penalty notice be issued under the Environmental Planning and Assessment Act for breeches of the Act, and
- B. Development Application No. DA0197/07 for a retaining wall and fence 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 provisions of the Building Code of Australia at all times.
- 4. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.

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5. Any part of the fence between the Grand Flaneur Drive property boundary and the alignment of the existing building is to be no higher than 1500 mm above the existing internal ground level or the top of the existing retaining wall, whichever is the lower and be set back a minimum of 2.5 metres from Grand Flaneur Drive.

Prior To Commencement of Works

6. Submit to Council a statutory declaration that the work has been completed to the manufactures specifications.
7. The fence shall be set out by a Registered Surveyor. The Survey Certificate of the fence showing the position of the fence under construction and in compliance with the approved plans shall be lodged with the principal certifying authority. Any easements must be shown on the Survey Certificate.
8. 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.
9. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
10. The approved plans must be submitted to a Sydney Water Quick Check agent or customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For quick Check agent details, please refer to the web site www.sydneywater.com.au, see Building Developing and Plumbing then Quick Check or telephone 13 20 92.
11. The consent authority or a private accredited certifier must either:
 - Ensure that Quick Check agent/Sydney Water has appropriate stamped the plans before the issue of any Construction Certificate; or
 - If there is a combine Development/Construction Certificate application or Complying Development, include the above condition as one to be met prior to works commencing on site.

During Construction

12. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
13. 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 8am – 4pm.
14. 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.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.

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15. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components or construction:

Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.

- (a) on completion of the works;

Use of the Development

16. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.

Advisory Notes

*** The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) 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 roads.

*** 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.

*** The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

An AMENDMENT was moved by Councillor Conolly, seconded by Councillor Williams.

Refer to RESOLUTION

The amendment was carried.

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

237 RESOLUTION:

RESOLVED on the AMENDMENT moved by Councillor Conolly, seconded by Councillor Williams.

That Development Application DA0197/07 for a Colour Bond Fence and Retaining Wall be approved subject to the following conditions;

That:

- A. A penalty notice be issued under the Environmental Planning and Assessment Act for breeches of the Act, and

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- B. Development Application No. DA0197/07 for a retaining wall and fence 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 provisions of the Building Code of Australia at all times.
4. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.
5. Any part of the fence between the Grand Flaneur Drive property boundary and the alignment of the existing building is to be no higher than 1500 mm above the existing internal ground level or the top of the existing retaining wall, whichever is the lower.

Prior To Commencement of Works

6. Submit to Council a statutory declaration that the work has been completed to the manufactures specifications.
7. The fence shall be set out by a Registered Surveyor. The Survey Certificate of the fence showing the position of the fence under construction and in compliance with the approved plans shall be lodged with the principal certifying authority. Any easements must be shown on the Survey Certificate.
8. 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.
9. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
10. The approved plans must be submitted to a Sydney Water Quick Check agent or customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For quick Check agent details, please refer to the web site www.sydneywater.com.au, see Building Developing and Plumbing then Quick Check or telephone 13 20 92.
11. The consent authority or a private accredited certifier must either:
 - Ensure that Quick Check agent/Sydney Water has appropriate stamped the plans before the issue of any Construction Certificate; or
 - If there is a combine Development/Construction Certificate application or Complying Development, include the above condition as one to be met prior to works commencing on site.

During Construction

12. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.

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13. 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 8am – 4pm.
14. 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.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
15. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components or construction:

Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.

- (a) on completion of the works;

Use of the Development

16. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.

Advisory Notes

*** The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) 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 roads.

*** 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.

*** The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

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

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Item:145 CP - Use of Existing Site Office As a Dwelling, Extension to Rural Shed (Exceeding 170sqm) and Garage - 25 Crowleys Lane, Agnes Banks NSW 2753 - (DA0765/06, 95498, 96329, 77499)

Mr Glenn Falson, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

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

That a site inspection be carried out.

The amendment was lost.

The motion was put and carried

238 RESOLUTION:

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

That:

- A. A penalty notice be issued under the Environmental Planning and Assessment Act for breeches of the Act, and
- B. Development Application No. DA0765/06 for a Dwelling House, Rural Shed Extension and Garage - use existing site office as a dwelling, extension to rural shed (exceeding 170sqm) and garage be approved subject to the following conditions:

General Conditions

- 1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

Architectural Drawing Number	Dated
06337-01	11/07/2006
06337-02	11/07/2006
06337-03	11/07/2006
06337-04	11/07/2006
Document Name	Dated
Statement of Environmental Effects - Proposed Dwelling, Garage and Rural shed Extension: 25 Crowley's Lane Agnes Banks	09/2006

- 2. The development shall comply with the provisions of the Building Code of Australia. A report detailing compliance with the Building Code of Australia is to be prepared by a suitably qualified consultant.
- 3. The approved use shall not commence until all conditions of this Development Consent have been complied with.

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4. The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.
5. Submission of a certificate from an engineer certifying the structural adequacy of the dwelling, the garage and shed addition. The certificate is also to consider wind loading.
6. A Section 149A Building Certificate Application is to be lodged with Council for the structures within 28 days of the date of this consent notice.
7. 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 any works required to satisfy compliance with the Building Code of Australia.
8. The approved plans must be submitted to a Sydney Water Quick Check agent or customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For quick Check agent details, please refer to the web site www.sydneywater.com.au, see Building Developing and Plumbing then Quick Check or telephone 13 20 92.
9. All roofwater shall be drained to appropriate water storage vessel/s.
10. An automatic fire detection and alarm system shall be installed within the building in accordance with the Building Code of Australia for Class 1A and 1B Dwellings. Alarms and Detectors shall be installed by a licensed electrician and multiple alarms shall be interconnected, an certificate of the installation shall be provided prior to occupation of the building or addition.
11. Any water tanks, outbuildings or other ancillary structures shall be finished in colours and materials of earth tones of low reflective quality to blend in with the natural landscape.
12. The habitable floor levels shall be at or above the 1% AEP flood level of 17.3 metre AHD. A survey certificate is to be submitted for the proposed dwelling demonstrating compliance with this requirement.
13. A report demonstrating the proposed dwelling's compliance with the intent of BASIX requirements is to be submitted to Council.

Use Of The Development

14. No internal or external alterations shall be carried out without prior approval of Council.

Advisory Notes

*** The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) 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 roads.

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- *** 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.

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

Item:146 CP - Tourist Facility - 1619A Bells Line of Road, Kurrajong Heights NSW 2758 - (DA0215/07, 95498, 96329, 38269, 38268, 73916)

Mr Jim McMillan, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

239 RESOLUTION:

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

That:

- A. A penalty notice be issued under the Environmental Planning and Assessment Act for breeches of the Act, and
- B. Development Application No. DA0215/07 for a Rural Tourist Facility 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. The development shall comply with the provisions of the Building Code of Australia at all times.
3. An application under Section 149(d) of the EPA Act (Building Certificate) shall be submitted within 30 days from the date of this consent for each of the cottages (one application for the Clyde and one for the Murrah cottages). You are advised to contact one of Council's Building Surveyors prior to submitting the Building Certificate application to determine the information to be submitted with that application.
4. Each cottage shall be provided with a minimum 30,000 litre water storage tank located and fitted with the appliances as outlined by the NSW RFS conditions attached to this consent.
5. An automatic fire detection and alarm system shall be installed within each cottage (Clyde & Murrah) in accordance with the BCA.
6. Alarms and detectors shall be installed by a qualified licensed electrician and shall be connected to an alarm connected to the main dwelling on the property.

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7. A certificate of the installation shall be provided prior to the issue of the building certificate for each cottage.
8. The Building Legislation Amendment (Smoke Alarm) Act 2005 requires smoke detectors to be provided in all existing buildings in which people sleep.

Suitable smoke detection/alarms are to be provided to the existing portion of the building, in accordance with the abovementioned legislation or the Building Code of Australia, and should be incorporated with any proposed smoke alarms required by the addition to the building.

9. A Sewer Management Facility System application shall be submitted to and approved by Council within 30 days from the date of this consent.

Prior to Works Commencing

10. A Traffic Management Plan prepared in accordance with AS 1742-3 (1996) by an appropriately qualified person shall be submitted to Council. Where the works affect Roads and Traffic Authority controlled roads, the Traffic Management Plan is to be approved by the Roads and Traffic Authority before submission to Council.
11. Payment of a compliance certificate inspection fee of \$541.00 this amount is valid until 30 June 2008

During Construction

12. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
13. 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.
14. The road shoulders and full width sealed pavement of 5.5 metres width shall be constructed from the intersection with Bells Line of Road to the southern most access driveway to the development site. The road shall widen to nine metres at the intersection with Bells Line of Road.

Use of Site

15. No internal or external alterations shall be carried out without prior approval of Council.
16. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) LA(eq) above background noise levels with respect to noise amenity of residential dwellings.
17. The rural tourist facility shall be limited to the area shown on the submitted plans.
18. No advertising signs or structures shall be erected, displayed or affixed on any building or land without prior approval.
19. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
20. All waste materials shall be regularly removed from the property.
21. The rural tourist facility buildings shall not be used for permanent occupation as a residence.
22. The rural tourist facility buildings shall only be used for short term tourist accommodation with a maximum of two months in any one period.
23. A copy of the guest register is to be provided to Council every 6 months.

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NSW Rural Fire Service

24. The property around each building (Clyde and Murrah Cottages) shall be maintained in perpetuity as an 'Inner Protection Areas' (IPA) for a minimum distance of 30 metres as outlined within 'Planning for Bush Fire Protection 2006' and the Service's document "Standards for asset protection zones".
25. Each dwelling (Clyde and Murrah Cottages) shall fully comply with the requirements of Level 1 construction as required by Australian Standard AS3959-1999 'Construction of buildings in bushfire-prone areas'.
26. Roofing to both dwellings shall have leafless guttering and valleys which are to be screened with non corrosive mesh to prevent the build up flammable material. Any materials used shall have a Flammability Index no greater than five.
27. Access is to comply with Section 4.1.3(1) of 'Planning for Bush Fire Protection 2006'.
28. In recognition of no reticulated water supply to both existing dwellings (Clyde and Murrah Cottages) shall each have a minimum of 3kW (5hp) petrol or diesel powered pump and a dedicated 10,000 litre water supply tank dedicated solely for fire fighting purposes. The tank shall be positioned no closer than 10 metres and no further than 20 metres from each dwelling. A 65mm Storz fitting and lever action ball valve shall be installed in the tank. Suitable access to within six metres of the dedicated water supply for a Category 1 heavy bushfire tanker shall also be provided. In addition, a 30 metre long x 19mm diameter fire hose and reel should be installed adjacent to the pump and be capable of covering all points of the existing dwelling. The hose reel should be supplied, via the petrol/diesel powered pressure pump, from the dedicated fire fighting water supply.
29. The openable section of all windows to the existing residential dwelling shall be screened with non corrosive steel mesh to prevent the entry of wind blown embers and reduce the radiant heat impact upon the glass.
30. Roofing to the existing residential dwelling shall have leafless guttering and valleys which are to be screened with non corrosive mesh to prevent the build up of flammable material. Any materials used shall have a Flammability Index no greater than 5.
31. A Bush Fire Evacuation Plan is to be prepared and submitted to the District RFS office of the NSW Rural Bush Fire Service. The evacuation plan is to detail the following:
 - a) under what circumstances will the complex be evacuated.
 - b) where will all person be evacuated to.
 - c) roles and responsibilities of persons co-ordinating the evacuation.
 - d) roles and responsibilities of persons remaining with the complex after evacuation.
 - e) a procedure to contact the NSW Rural Fire Service District Office/NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

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SUPPORT SERVICES

Item: 147 SS - Monthly Investments Report - June 2007 - (96332)

MOTION:

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

Refer to RESOLUTION

240 RESOLUTION:

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

That the information be received and noted.

Item: 148 SS - Public Library Funding from NSW State Government - (82780, 95496)

MOTION:

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

Refer to RESOLUTION

241 RESOLUTION:

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

That:

1. The Mayor, through the State Members, seek a discussion with the Minister for the Arts, Frank Sartor to express Council's concern at the reduction of \$1.2m in state funding to public libraries and the possible adverse impact on the Hawkesbury of any future changes to how the remaining \$23.53m is distributed.
2. A motion be submitted to the 2007 Local Government Association Annual Conference requesting the State Government to increase funding to public libraries at least in line with the CPI annually.

242 RESOLUTION:

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

That a two minute break be taken and then the meeting continue past 11:00pm to allow the business paper to be completed in full.

The meeting resumed at 11:02pm.

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CONFIDENTIAL REPORTS

243 RESOLUTION:

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

That the Confidential Items be moved to the end of the business paper to be dealt with last.

244 RESOLUTION:

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

That:

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

Item: MM Selection of Consultant - Recruitment for Position of General Manager

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993 as it relates to the selection of a Consultant in relation to the recruitment for the position of General Manager and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 149 IS - Tender No. 011/FY07 - Reconstruction and Bitumen Sealing of the Remaining Gravel Section of St Albans Road

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposed to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 150 SS - Property Matter - Lease to Action Insurance Brokers Pty Ltd - 1 Christie Street, Windsor

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposed to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

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

There was no response, therefore, the Press and the public left the Council Chambers.

245 RESOLUTION:

This is Page 27 of the Minutes of the ORDINARY MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on Tuesday, 31 July 2007

ORDINARY MEETING

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

MM - Selection of Consultant - Recruitment for Position of General Manager - (79351)

MOTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Williams, seconded by Councillor Porter.

Refer to RESOLUTION

246 RESOLUTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Williams, seconded by Councillor Porter

That Council appoint Employment Solutions to assist in the recruitment for the position of General Manager as outlined in the quotation received.

Item: 149 IS - Tender No. 011/FY07 - Reconstruction and Bitumen Sealing of the Remaining Gravel Section of St Albans Road - (95495, 79344, 106075)

Councillor Williams declared an interest in this matter as one of his brothers is employed by one of the tenderers. He left the meeting and did not take part in voting or discussion on the matter.

MOTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Conolly.

Refer to RESOLUTION

247 RESOLUTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Conolly.

That:

1. The tender in the amount of \$1,228,657 submitted by Bombardiere Earthmoving P/L for the reconstruction and bitumen sealing of St Albans Road be accepted.

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2. The Council Determined 3 x 3 Funding in the amount of \$128,000 be utilised for the reconstruction of St Albans Road.
3. The Seal of Council be affixed to any necessary documentation associated with this matter.

Item: 150 SS - Property Matter - Lease to Action Insurance Brokers Pty Ltd - 1 Christie Street, Windsor - (102354, 95496, 96333)

MOTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Devine.

Refer to RESOLUTION

248 RESOLUTION:

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Rasmussen, seconded by Councillor Devine.

That:

1. Council agree to enter into a new lease with Action Insurance Brokers Pty Ltd in accordance with the proposal outlined in the report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the proposed lessees together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

ORDINARY MEETING

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SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Committee Minutes - 30 April 2007 - (86589)

249 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Committee held on 30 April 2007 as recorded on pages 107 to 108 of the Ordinary Business Paper be received.

ORDINARY MEETING

MINUTES: 31 July 2007

QUESTIONS WITHOUT NOTICE

1. Councillor Paine referred to a written request that Visitor Guides be placed in the Visitors Information Centre at Clarendon.

The Acting General Manager advised that he has also received the correspondence and has requested a comment relating to some of the issues raised in the letter. The matter will be investigated.

2. Councillor Paine requested that Council be informed why the Visitor Information Centre cannot be named Hawkesbury Tourism.

The Acting General Manager advised that this is one of the issues referred to in the above question 1 that he has requested comment on.

3. Councillor Paine referred to the recent tourism meeting and enquired when the Council workshop will take place.

The Acting General Manager advised that the information obtained from the meeting is currently being compiled with the view that it will be discussed at the Councillors' Briefing Session on 4 September 2007.

4. Councillor Paine advised that the Bilpin Hall Group and Bilpin Group generally have concerns regarding the spending of \$40,000 on play equipment in the Bilpin area. They would like to hold a meeting with Council to discuss the best way to spend the \$40,000.

The Director of Infrastructure Services advised that community consultation is part of the process when installing new play equipment.

5. Councillor Williams referred to street trees at Ebenezer that were cut down by contractors working for Integral Energy. Councillor Williams asked if Council can retain possession of the woodchips after the trees have been removed from Council property for possible sale to residents.

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

6. Councillor Williams advised that the open trench on Sackville Road referred to at the last meeting still has not been filled in.

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

7. Councillor Williams advised that the residents recycling calendar expires 31 July 2007 and asked if a new calendar will be issued.

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

8. Councillor Bassett advised that the cut-in on Comleroy Road closest to Bells Line of Road has slumped down onto the edge of the road and left a large amount of dirt on the shoulder.

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

ORDINARY MEETING

MINUTES: 31 July 2007

9. Councillor Rasmussen enquired about the proposal relating to the intersection of Mill and Bells Line of Road and asked what action Council will be taking.

The Director Infrastructure Services advised that he has held discussions with a consultant to develop concepts for the intersection and also met with the RTA. Council is currently waiting on confirmation as to whether Council or the RTA will receive the funding for the works.

10. Councillor Rasmussen enquired if Council will be sending representatives to the State Planning Ideas Forum to be held 14 August 2007. He advised that he would be interested in attending.

The Director City Planning advised that two planners will be attending the Forum.

11. Councillor Rasmussen advised that the gates to Yarramundi Reserve are not being locked each night.

The Director Infrastructure Services advised that Council has been leaving the gates open on weeknights as a trial due to the costs of employing security to lock and unlock the gates each day.

12. Councillor Rasmussen thanked staff for the work invested in the Carbon Trading Scheme Report.

13. Councillor Rasmussen enquired how Council will be continuing with the Carbon Trading Scheme.

The Director City Planning advised that regular reports relating to the Carbon Trading Scheme are received and these can be reported back to Council if they wish. Staff are currently investigating building the Carbon Trading Scheme reports into the Sustainability Strategy.

14. Councillor Rasmussen referred to the McKenzies Creek site meeting and enquired about the timeframe for work to be completed.

The Director City Planning advised that no further information has been received since the site meeting.

15. Councillor Rasmussen enquired when the Windsor by-pass will open.

The Mayor advised that the by-pass will open 9 September 2007.

16. Councillor Conolly referred to the traffic calming devices in Hobartville and enquired if they have been investigated by the Traffic Committee and if they are working effectively.

Councillor Bassett advised that the traffic calming devices have been investigated by the Traffic Committee.

The Director Infrastructure Services advised that the traffic calming devices are working satisfactorily and they are in reasonable order.

17. Councillor Porter advised that a portion of the sign on King Road has been removed by the RTA and enquired if the RTA will be relocating the rest of the sign.

The Director Infrastructure services advised that the matter will be investigated.

ORDINARY MEETING

MINUTES: 31 July 2007

The meeting terminated at 11:48pm

Submitted to and confirmed at the Ordinary meeting held on 14 August 2007.

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Mayor