



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 29 June 2010

location: council chambers

time: 6:30 p.m.

ORDINARY MEETING

MINUTES: 29 June 2010

MINUTES

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **AGENDA 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

City Planning

Infrastructure Services

Support Services

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

ORDINARY MEETING

MINUTES: 29 June 2010

ORDINARY MEETING**MINUTES: 29 June 2010****TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
SECTION 3 - Notices of Motion		6
NM1	Solar-Powered Street Lights - (80096, 79351)	6
SECTION 4 - Reports for Determination		7
GENERAL MANAGER		7
Item: 128	GM - Local Climate Local Change Conference 2010 - (79351)	7
Item: 129	GM - Review of the Policy for the Provision of Information and Interaction Between Councillors and Staff - (79351, 95496)	8
Item: 130	GM - State Government Reforms to Section 94 Contributions and Related Matters - (79351)	9
CITY PLANNING		10
Item: 131	CP - Development Application - Demolition of Office Building and Construction of Professional and Commercial Chambers and 8 Residential Units - 122-124 and 126-130 Macquarie Street, Windsor - (DA0056/07, 73916, 34057, 95498)	10
Item: 132	CP - Development Application - Construction of a Service Station - Lot 3 DP 233054 & Part Lot B DP158748, 11 Macquarie St, Windsor NSW 2756 - (DA0578/09, 74442, 97811, 95498)	22
Item: 133	CP - Accreditation of Local Government Building Certifiers - (95498)	23
Item: 134	CP - Changes to Local Development Contributions (Section 94) - (95498)	23
Item: 135	CP - Metropolitan Strategy Review Submission - (95498)	23
Item: 136	CP - Interpretive Signage Policy - (96328, 95498)	24
Item: 137	CP - Community Gardens Policy - (96328)	24
Item: 138	CP - Customer Service Charter and Service Standards - (104512, 95498)	25
Item: 139	CP - Acceptance of Funding Variation, 2009 - 2011 Home and Community Care Program - Peppercorn Home Maintenance Service, Ageing Disability & Home Care, Department of Human Services NSW - (103069, 118436, 78340)	25
INFRASTRUCTURE SERVICES		26
Item: 140	IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club - (79354)	26

ORDINARY MEETING**MINUTES: 29 June 2010**

ITEM	SUBJECT	PAGE
Item: 141	IS - Proposal to Extend the Hawkesbury Oasis Aquatic Centre - (95495, 79340, 34584)	28
Item: 142	IS - Street Tree Removals within Towns and Villages - (95454)	29
SUPPORT SERVICES		30
Item: 143	SS - Review of Council's Debt Recovery Policy - (95496,96332)	30
Item: 144	SS - Review of Council's Investment Policy and Appointment of Investment Advisor - (96332, 95496)	30
Item: 145	SS - Review of Privacy Management Plan - (79337, 95496)	31
Item: 146	SS - Review of the Access to Information Policy - (79337, 95496)	31
Item: 147	SS - Outstanding Receivables - Bad Debts Write Off for 2009/2010 - (96332, 95496)	32
Item: 148	SS - Monthly Investments Report - May 2010 - (96332, 95496)	32
Item: 149	SS - Pecuniary Interest Returns - (79337, 95496)	33
CONFIDENTIAL REPORTS		34
GENERAL MANAGER		36
Item: 150	GM - Co-Generation Plant - (79351, 95495) CONFIDENTIAL	36
INFRASTRUCTURE SERVICES		37
Item: 151	IS - Tender No. 01810 - Construction of Additions to Oasis Swimming Centre - (95495, 79340, 34584) CONFIDENTIAL	37
Item: 152	IS - Tender 36-09/10 - Arborist and Other Tree Maintenance Services - (79354) CONFIDENTIAL	38
Item: 153	IS - Tender No. 01910 - Tender for the Hire of Plant - (95495, 79344) CONFIDENTIAL	39
SUPPORT SERVICES		40
Item: 154	SS - Property Matter - Lease to Joseph Topping trading as Shamrock Autos - 20 Bosworth Street, Richmond - (95496) CONFIDENTIAL	40
SECTION 5 - Reports of Committees		41
ROC - Audit Committee Meeting Minutes - 2 June 2010 - (91369, 95496)		41
ROC - Local Traffic Committee - 16 June 2010 - (80245)		41
QUESTIONS WITHOUT NOTICE		42

ORDINARY MEETING

MINUTES: 29 June 2010

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 29 June 2010, commencing at 6.31pm.

Reverend Aleks Pinter of St Matthews Anglican Church Windsor, representing the Hawkesbury Minister's Association, gave the opening prayer at the commencement of the meeting.

ATTENDANCE

PRESENT: Councillor B Bassett, Mayor, Councillor K Conolly, Deputy Mayor and Councillors K Ford, C Paine, B Porter, P Rasmussen, J Reardon, T Tree, W Whelan and L Williams.

ALSO PRESENT: General Manager - Peter Jackson, Director City Planning - Matt Owens, Director Infrastructure Services - Chris Daley, Director Support Services - Laurie Mifsud, Manager Corporate Services and Governance - Fausto Sut, Executive Manager - Community Partnerships - Joseph Litwin and Administrative Support Team Leader - Amy Dutch.

APOLOGIES

Apologies for absence were received from Councillors Calvert and Mackay.

204 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Rasmussen that the apologies be accepted and that leave of absence from the meeting be granted.

Councillor Williams arrived at the meeting at 6.35pm.

SECTION 1: Confirmation of Minutes

205 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 8 June 2010, be confirmed.

206 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Extraordinary Meeting held on the 22 June 2010, be confirmed.

SECTION 3 - Notices of Motion

NM1 - Solar-Powered Street Lights - (80096, 79351)

MOTION:

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

Refer to RESOLUTION

207 RESOLUTION:

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

That a report be brought to Council assessing the viability of installing solar-powered street lights in future urban developments within the Hawkesbury Local Government Area and the replacement of street lights in existing areas as required.

ORDINARY MEETING

MINUTES: 29 June 2010

SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 128 **GM - Local Climate Local Change Conference 2010 - (79351)**

Previous Item: 40, Ordinary (9 March 2010)

Mr Frank Scharfe, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

208 RESOLUTION:

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

That the attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the Local Climate Local Change Conference 2010 at an approximate cost of \$2,175.00 plus travel expenses per delegate be approved.

209 RESOLUTION:

RESOLVED on the motion of Councillor Tree, seconded by Councillor Reardon.

That Councillor Williams attend the Local Climate Local Change Conference 2010 as a nominated representative of Council.

ORDINARY MEETING

MINUTES: 29 June 2010

**Item: 129 GM - Review of the Policy for the Provision of Information and Interaction
Between Councillors and Staff - (79351, 95496)**

MOTION:

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

Refer to RESOLUTION

210 RESOLUTION:

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

That Council adopt the revised "Policy for the Provision of Information and Interaction Between Councillors and Staff" attached as Attachment 1 to this report with the deletion of the last paragraph in Section 9.1 and the inclusion of the following:

"Councillors are responsible for the safe keeping and secure disposal of Council Confidential Business Papers".

ORDINARY MEETING

MINUTES: 29 June 2010

**Item: 130 GM - State Government Reforms to Section 94 Contributions and Related Matters
- (79351)**

Ms Gai Timmerman, proponent, addressed Council.

211 RESOLUTION:

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

That this item be dealt with in conjunction with Item 134 in the Business Paper.

MOTION:

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

Refer to RESOLUTION

212 RESOLUTION:

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

That Council:

1. Make representations to the Premier of New South Wales outlining its concerns in relation to the recent introduction of a cap on Section 94 contributions and indicating that Council:
 - (a) Supports the proposal for future rate pegging increases allowed for councils being determined by IPART and the development of a Local Government Cost Index by IPART for this purpose.
 - (b) Supports the proposal for future submissions by councils for special rate variations being determined by IPART.
 - (c) Considers that should the State Government wish to limit infrastructure costs associated with and met by new development then the State Government should agree to accept responsibility to meet the cost of proven infrastructure demands generated by a development in excess of those that can be funded from the capped developer contributions rather than by the local community that may have already made significant contributions to local infrastructure.
 - (d) Will consider deferring consideration of any development applications proposing subdivision affected by the new cap requirements unless the funding scenario suggested in (c) above is accepted by the State Government or the proposal to limit developer contributions is amended to ensure that a proposed development is required to meet those proven infrastructure demands generated by the development as distinct from the wider community.
 - (e) Request that the existing Section 94 Contribution Plan as applicable to Pitt Town be allowed to remain in force in view of its provision for Local and State Infrastructure in particular the Pitt Town By-Pass.
2. Seek the support of its local State Members of Parliament to its representations on this matter.

ORDINARY MEETING

MINUTES: 29 June 2010

CITY PLANNING

Item: 131 CP - Development Application - Demolition of Office Building and Construction of Professional and Commercial Chambers and 8 Residential Units - 122-124 and 126-130 Macquarie Street, Windsor - (DA0056/07, 73916, 34057, 95498)

Mr Brian McKinaly, proponent, addressed Council.
Mr Frank Scharfe, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

213 RESOLUTION:

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

That development application DA0056/07 at Lot 381 DP 595952, Lot 380 DP 818974, Lot 1 DP 797152, Lot 1 DP 613929, 122-130 Macquarie Street WINDSOR NSW 2756 for Professional and Commercial Chambers, Residential Flat Building - demolish office building and erect new professional chambers and walk up flats be approved subject to the following conditions:

General Conditions

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.
6. 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.
7. Hawkesbury City Council is the sewer authority for this development, inspection for compliance certification for internal and external sewer drainage shall be requested and approved prior to covering any pipe. An inspection fee applies.
8. The development shall comply with Section 8 of Construction Specification for Sewerage Works i.e. Building over sewers. A cctv is required to determine if the sewer line must be replaced prior to concrete encasement. Existing junctions must be sealed and new ones relocated outside the building footprint. Pier and beam structure over sewer main.

ORDINARY MEETING

MINUTES: 29 June 2010

9. 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.
10. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
11. Planter beds within the first floor podium shall be designed having regard to the 'Rules of Thumb' for Planting on Structures within Planning NSWs' Residential Flat Design Code.

Prior to the Issue of the Construction Certificate

12. 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 \$21,570.00 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 receipts(s) confirming that the contribution has been fully paid are to be provided to the certifying authority.

13. 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.
14. Construction of the road, access, car park, drainage, filling and retaining walls 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 City Planning or an Accredited Certifier.
15. Payment of a Construction Certificate checking fee of \$453.00 and a Compliance Certificate inspection fee of \$820.00 when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2010. Fees required if an Accredited Certifier is used will be provided on request.
16. Details of any fill material removed from or imported to the site shall be submitted with the engineering plans. Details to include quantities, borrow sites or disposal sites.
17. A Traffic Guidance Scheme prepared in accordance with AS 1742-3 (2002) 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.
18. Payment of a contribution of \$13,624.70 towards sewer headworks. This sum will remain fixed until 30 June 2010 after which it will be recalculated at the rate applicable at the time of payment.
19. Retaining walls are to be design by a suitably qualified and experienced Structural Engineer.
20. Service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street. Details demonstrating compliance are to be provided in the Construction Certificate.

ORDINARY MEETING

MINUTES: 29 June 2010

21. Sun protection shall be provided to all windows in exposed areas (north and west facing) and all decks attached to Units 1, 2, 5 & 6. Details shall be provided to the Director of City Planning for approval prior to the issue of the construction certificate.
22. Submission to Council of a noise and vibration assessment report, prepared by a suitably qualified acoustic consultant, demonstrating that the proposed development will meet the requirements of Australian Standard AS2021 (Acoustics - Aircraft noise intrusion - building siting and construction).
23. A certificate from an Acoustic Engineer shall be submitted with the Construction Certificate certifying that the development and all sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm to 6.00 am) when measured at the boundary of the property, and will comply with the Environmental Protection Authority Industrial Noise Policy.
24. Any exhaust ventilation from the basement car park is to be ventilated away from the property boundaries and from adjoining dwellings, and in accordance with the provisions of AS1668.1. Details demonstrating compliance shall be provided with the Construction Certificate.
25. All plant and equipment (including but not limited to air conditioning equipment) is to be located within the basement or other areas of the building and is not to be located on the roof. Details demonstrating compliance shall be submitted with the Construction Certificate application.
26. Details demonstrating high quality internal and external lighting for security without adverse affects on public amenity due to excessive illumination levels/glare shall be submitted with the Construction Certificate.
27. Waste storage/bin areas shall incorporate the following requirements:
 - (a) All internal walls of the storage area shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
 - (b) Doors must swing outwards and be able to be latched in the open position;
 - (c) Include provision for the separation and storage in appropriate categories of material suitable for recycling;

Details of the storage area are to be provided to and approved by the Council/Accredited Certifier prior to issuing of the Construction Certificate.
28. The following measures are to be incorporated in the design so as to assist in enhancing building safety and security:
 - (a) Laminated glass walls and windows are to be provided along common entry areas so as to facilitate supervision;
 - (b) Doors within the building are to be provided with appropriate access control and enable both staff and residents to undertake casual surveillance of common areas of the building;
 - (c) Storage areas situated within the basement levels of the building are to be fenced off and locked;
 - (d) Lighting shall be designed in accordance Australia and New Zealand Lighting Standard 1158.1;
 - (e) White/light coloured finishes to the ceilings within the basement car parking areas are to be provided to aid in light distribution to these areas;

ORDINARY MEETING

MINUTES: 29 June 2010

- (f) Attention is to be paid to lighting for pedestrian pathways, enclosed fire exits, corridors and foyer areas so as to avoid opportunities for concealment in dimly lit areas;
- (g) Clear and legible signage is to be provided enforcing main entry/exit points associated with the building;
- (h) Electronic access control equipment is to be provided to the basement car park entry so as to enhance security of this area;
- (i) Appropriate access control is to be provided to commercial spaces during after hours periods so as to restrict entry to these areas;
- (j) The entrances to the foyer areas are to be secured with appropriate security doors and intercom system;

Details demonstrating compliance with the above measures shall be provided to and approved by the Council/Accredited Certifier prior to issuing of the Construction Certificate.

Prior to the Commencement of Works

- 29. All traffic management devices shall be installed and maintained in accordance with the approved traffic guidance scheme.
- 30. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
- 31. 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.
- 32. The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls 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.
- 33. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the Principal Certifying Authority prior to commencement of works.
- 34. 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.
- 35. 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.
- 36. 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.
- 37. 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.

ORDINARY MEETING

MINUTES: 29 June 2010

- (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.
38. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.
39. 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.
- (a) The consent authority or a private accredited certifier must either:
 - (b) Ensure that Quick Check agent/Sydney Water has appropriately 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

- 40. The development shall be completed in accordance with the approved colours and finishes and shall not be altered.
- 41. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
- 42. The site shall be secured to prevent the depositing of any unauthorised material.
- 43. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
- 44. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
- 45. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
- 46. Vehicle entrances and exits shall be clearly signposted, including street number, and visible from both the street and site at all times.
- 47. 54 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.
- 48. Disabled parking shall be provided in accordance with AS2890.1-1993.
- 49. Provision of adequate on site loading and unloading facilities to cater for the proposed use of the land.
- 50. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
- 51. 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.

ORDINARY MEETING

MINUTES: 29 June 2010

52. 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.
53. 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.
54. 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.
 - (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.
55. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components of construction:

ORDINARY MEETING

MINUTES: 29 June 2010

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) internal sewer or stormwater lines prior to covering;
- (d) steel reinforcement prior to pouring concrete;
- (e) external sewer or stormwater lines, prior to backfilling;
- (f) 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;
- (g) wet area flashing, after the installation of bath and shower fixtures;
- (h) prior to occupation of the building;

56. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:
- (a) must preserve and protect the building from damage; and
 - (b) if necessary, must underpin and support the building in an approved manner; and
 - (c) must, at least 7 (seven) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The person acting in accordance with this Consent is liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

57. Any sewer or stormwater main or manhole affected by the development, shall be repaired or altered in level as so directed at the applicant's expense.
58. The rainwater collection tank shall be installed and connected to each unit to allow for use by washing machines.
59. Excavation material shall be deposited at an approved waste management facility.
60. Council records indicate that the building site is at a level of approximately 15 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.
61. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS2021 and in accordance with the recommendations within the approved acoustic report.
62. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
63. Concrete path paving 1.2m wide shall be constructed along the road frontage to the development. The remaining footway area shall be formed in earth and planted with grass.
64. A surcharge path sufficient to carry the 1 in 100 year storm flow to be provided across the site and a drainage easement of adequate width to be created over the surcharge path.
65. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at pre-development levels.

ORDINARY MEETING

MINUTES: 29 June 2010

66. Arrangements are to be made for the provision of common drainage and the disposal of stormwater from the site. Modifications to the existing stormwater system are to comply with Concept Stormwater Drainage Plan REF 90535:E:4.
67. 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.
68. A heavy duty layback and footway vehicular crossing shall be constructed to the development. The crossing shall be constructed to the dimensions shown on the approved plans.
69. All services or suitable conduits shall be placed prior to concrete pouring.
70. The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition.
71. Should any Aboriginal site or relic or European relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service or the Heritage Office (European relic) consulted. Any person who knowingly disturbs an Aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974 and Heritage Act.
72. All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries. This condition shall be complied with during demolition and building work.
73. New boundary fences shall be provided. Fencing behind the building line shall be a height of 1.8m.
74. Ceiling fans shall be provided within all residential units.
75. Devices shall be provided to allow windows and doors to each unit to be able to be opened and secured to enable cross ventilation.

Prior to Issue of Any Occupation Certificate

76. Compliance with all conditions of this development consent.
77. Creation of a drainage easement 3m wide over the proposed relocated pipeline through the site. Documentary evidence to be submitted prior to occupation of the building.
78. 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.
79. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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

80. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.

ORDINARY MEETING

MINUTES: 29 June 2010

81. The following certificates are to be provided, stating the name of person or company carrying out the installation, type of material and the relevant Australian Standard to which installed:
- (a) The type and method of termite treatment (complying with AS 3660) provided to walls and floors, pipe penetrations, jointing of new work to existing and slab perimeters. A copy of the termite treatment and materials used shall also be securely fixed inside the meter box for future reference.
 - (b) Glazing materials installed in the building in accordance with AS1288 and AS2047 - Glass in Buildings - Selection and Installation, e.g. windows, doors, footlights and showers.
 - (c) The type of timber installed indicating both species and durability as required by AS 1684.
 - (d) An automatic smoke detection system installed in residential development by a licensed electrician. Smoke alarms must comply with AS 3786 and be connected to the consumer mains power where supplied to the building.
 - (e) A statement or other suitable evidence shall be submitted to the Principal Certifying Authority, certifying that all commitments made on the BASIX certificate have been implemented and installed as approved.
82. A flood warning sign of durable material shall be permanently fixed in a prominent location within the site. The sign shall advise occupants that the site may subject to inundation during times of flood.
83. The applicant shall prepare a flood emergency evacuation and management plan for the development. The plan shall advise occupants of flood evacuation procedures and emergency telephone numbers. The evacuation procedures shall be permanently fixed to the building in a prominent location and maintained at all times.
84. The applicant shall submit a report from a suitably qualified Engineer which verifies the following:
- (a) Any damage to the proposed structure sustained in a flood will not generate debris capable of causing damage to downstream buildings or property.
 - (b) Any part of the structure at or below the 1 in 100 year flood level will be able to withstand the force of floodwaters (including buoyancy forces) and the impact of debris.
 - (c) All finishes, plant fittings and equipment subject to inundation will be of materials and functional capability resistant to the effects of floodwaters.
85. A Plan of Management for the on-site stormwater detention facilities shall be submitted to and approved by Council. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance.
86. The owner shall enter a positive covenant with Council which provides the following:
- (a) The registered proprietors will at all times maintain, repair and keep the on-site stormwater detention facilities in a good and safe condition and state of repair, in accordance with the approved design to the reasonable satisfaction, at all times, of Council, having due regard to the Plan of Management for the operation and maintenance of the on-site stormwater detention facilities, and
 - (b) The liability under the Covenant will jointly and severally bind the registered proprietors of the proposed dwellings, and
 - (c) Council only will be entitled to release or modify the Covenant.

ORDINARY MEETING

MINUTES: 29 June 2010

All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner or applicant.

87. Submission of a report by the Design Engineer stating the conformance or otherwise of the system in relation to the approved design.
88. Works-As-Executed drawings for the One Site Detention Stormwater System which indicate the following shall be submitted to and approved by Council:
 - (a) Invert levels of tanks, pits and pipes
 - (b) Surface levels of pits and surrounding ground levels
 - (c) Levels of surrounding kerb
 - (d) Floor levels of buildings
 - (e) Top of kerb levels at the front of the lot; and
 - (f) Extent of inundation
89. Registration of the title of any easements required for drainage and batter support services.
90. Retaining walls are to be certified on completion by a suitably qualified and experienced Structural Engineer.
91. A plan of consolidation prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.
92. A Surveyor's Certificate stating that all existing buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks shall be submitted.
93. A survey plan showing all existing services on the lots including sewer connections, water connections and stormwater disposal shall be submitted. The plan shall demonstrate that there are no encroachments over remaining or proposed boundaries.
94. The development and all sound producing plant, equipment, machinery or fittings associated with mechanical ventilation and / or the lift system is to be constructed so that they will not exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm - 6.00 am) when measured at the boundary of the property, and will comply with the Environment Protection Authority Industrial Noise Policy.

A report and certification prepared by an appropriately qualified or accredited person shall be submitted to the Principal Certifying Authority demonstrating compliance with this condition prior to the occupation of the completed works.

95. To ensure the safety of occupants of the building a "Fire Safety Certificate" which identifies the schedule of "Fire Safety Measures" that have been completed to satisfactory standard shall be provided to the Principal Certifying Authority prior to the issue of an "Occupation Certificate" as required in the "Environmental Planning and Assessment Act & Regulation.

In accordance with the EPA Act & Regulation the owner of a building is to provide Council with an Annual Fire Safety Statement for the building.

96. Street number being affixed to building prior to occupation.
97. Completion of landscaping in accordance with the approved landscape plan.

Use of Development

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

ORDINARY MEETING

MINUTES: 29 June 2010

99. 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.
100. No advertising signs or structures shall be erected, displayed or affixed on any building or land without prior approval.
101. The subject development, including landscaping and bin storage areas, shall be regularly maintained. Plant species shall be replaced as required in order to maintain the viability of the approved landscape concept prepared for the site.
102. Waste and recyclable material, generated by this premises, shall not be collected between the hours of 10:00pm and 7:00am on any day.
103. No deliveries, loading or unloading associated with the premises are to take place between the hours of 10:00pm and 7:00am on any day.
104. A sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such.
105. 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.
106. No individual parking spaces, or access thereto shall be constrained or enclosed by any form of structure such as fencing, or the like, without prior consent from Council.
107. Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.
108. Minimum headroom of 2.1m shall be provided over all car parking areas.

Advisory Notes

- *** The land is within the Hawkesbury City Council Sewerage Catchment. A separate application shall be submitted to Council for any alterations or connections to the sewer mains. The applicant shall consult with Council regarding acceptable discharge limits to the sewerage system.
- *** Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- *** 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.
- *** 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 the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.

ORDINARY MEETING

MINUTES: 29 June 2010

*** 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.

*** 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 development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Bassett	Nil
Councillor Conolly	
Councillor Ford	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillors Calvert and Mackay were absent from the meeting.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 132 **CP - Development Application - Construction of a Service Station - Lot 3 DP 233054 & Part Lot B DP158748, 11 Macquarie St, Windsor NSW 2756 - (DA0578/09, 74442, 97811, 95498)**

Previous Item: 101, Ordinary (25 May 2010)

Mr Tad Foley, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

214 RESOLUTION:

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

That:

1. The objection under State Environmental Planning policy No. 1 be supported.
2. Council seek the concurrence of the Department of Planning to the SEPP No. 1 variation.
3. Development application DA0578/09 at Lot 3 DP 233054 and Part Lot B DP 158748, 11 Macquarie Street WINDSOR NSW 2756 for Construction of a Service station be supported and, upon the receipt of the response from the Department of Planning, authority be delegated to the General Manager to appropriately determine the application.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion	Against the Motion
Councillor Bassett	Nil
Councillor Conolly	
Councillor Ford	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillors Calvert and Mackay were absent from the meeting.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 133 CP - Accreditation of Local Government Building Certifiers - (95498)

MOTION:

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

Refer to RESOLUTION

215 RESOLUTION:

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

That the General Manager be delegated authority under Section 377 of the Local Government Act 1993 to endorse applications submitted by Council staff to be accredited under the Building Professionals Board Accreditation Scheme.

Item: 134 CP - Changes to Local Development Contributions (Section 94) - (95498)

Note: This Item was dealt with in conjunction with Item 130 in Business Paper.

Item: 135 CP - Metropolitan Strategy Review Submission - (95498)

Previous Item: 102, Ordinary (25 May 2010)

Mr Frank Scharfe, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

216 RESOLUTION:

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

That Council not make a submission to the discussion paper, *Sydney Towards 2036* for the reasons outlined in the report.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 136 **CP - Interpretive Signage Policy - (96328, 95498)**

Previous Item: 55, Ordinary (30 March 2010)
 NM1, Ordinary (2 February 2010)

MOTION:

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

Refer to RESOLUTION

217 RESOLUTION:

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

That the Draft "Interpretive Signage and Public Art Policy: Telling Hawkesbury Stories" be placed on public exhibition for a period of 28 days.

Item: 137 **CP - Community Gardens Policy - (96328)**

Previous Item: 57, Ordinary (30 March 2010)
 NM3, Ordinary (08 December 2009)

MOTION:

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

Refer to RESOLUTION

218 RESOLUTION:

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

That the "Draft Community Gardens Policy" be placed on public exhibition for a period of 28 days.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 138 CP - Customer Service Charter and Service Standards - (104512, 95498)

Previous Item: 231, Ordinary (26 September 2006)
298, Ordinary (12 December 2006)
44, Ordinary (13 March 2007)

MOTION:

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

Refer to RESOLUTION

219 RESOLUTION:

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

That Council adopt the Hawkesbury City Council Customer Service Charter and the Hawkesbury City Council Customer Contact & Service Standards.

Item: 139 CP - Acceptance of Funding Variation, 2009 - 2011 Home and Community Care Program - Peppercorn Home Maintenance Service, Ageing Disability & Home Care, Department of Human Services NSW - (103069, 118436, 78340)

MOTION:

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

Refer to RESOLUTION

220 RESOLUTION:

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

That authority be given to execute, under the Seal of Council, a variation to a funding agreement with Ageing Disability and Home Care Department of Human Services NSW to accept funds of \$250,053 for the operation of the Peppercorn Home Maintenance Service for the 2010/2011 financial year.

ORDINARY MEETING

MINUTES: 29 June 2010

INFRASTRUCTURE SERVICES

Item: 140 **IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club - (79354)**

MOTION:

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

Refer to RESOLUTION

221 RESOLUTION:

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

That:

1. Approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for the 2010 Windsor Spectacular to be held on the 18 and 19 September 2010 and be subject to the following conditions:
 - (a) Prior to dates of exclusive use a letter box drop be undertaken by the applicants to all affected residents in proximity to the event with that letter advising full details of the function;
 - (b) The reserve is to be left clean and tidy with the organisation being responsible for collection and disposal of all waste; the applicant is to lodge with Council a damage bond of \$800.00* in relation to each date, which is refundable less any costs incurred by Council, administrative or otherwise, to clean or restore the area;
 - (c) The applicant paying to Council such fees as may be applicable at the time for exclusive use of the reserve being \$1.50 per person or \$895.00* per day (whichever is the greater);
 - (d) A fee of \$63.00* is payable for the cleaning of the toilets prior to the exclusive use;
 - i. *(*The above fees/amounts apply to the current financial year only; these fees/amounts are subject to change in subsequent financial years, as determined by Council.)*
 - (e) A copy of a Public Liability Policy for \$10,000,000 and indemnifying Hawkesbury City Council is to be submitted prior to the first event; in the event of renewal of that policy occurring at some time during the course of the 2010/2011 Racing Calendar, a Certificate of Currency is to be submitted within one week of renewal - this Public Liability Policy is to cover all events conducted as part of the applicant's 2010/2011 Racing Calendar.
 - (f) Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's "Food Safety Guidelines for Charities and Community Organisations" brochure; this information and any related food/public health information can be obtained by contacting Council's Environmental Health Officer.
 - (g) If required, the applicant obtaining all necessary permits/approvals in relation to amusement devices/rides and liaising with Integral Energy regarding the supply of power and their proximity to power supply lines.
 - (h) If required, the applicant to obtain appropriate licence from the Licensing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event.

ORDINARY MEETING

MINUTES: 29 June 2010

- (i) The applicant is to notify details of the 2010/2011 Racing Calendar to the Hawkesbury Local Area Command at Windsor Police Station. Phone: 4587 4099.
- (j) The applicant obtaining appropriate licence from NSW Maritime Authority regarding the conduct of the 2010/2011 Racing Calendar.
- (k) The event manager/applicant must undertake a Risk Assessment of the event to be conducted including pre-event preparations. This assessment must identify potential hazards and the procedures that need to be implemented to eliminate or control those hazards. The event manager/applicant is responsible for ensuring that procedures are followed and that they comply with the requirements of the Occupational Health and Safety Regulations 2001.
- (l) The Upper Hawkesbury Power Boat Club is to comply with Council's current policy in regard to noise levels, as listed below.

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

- i. Club Days - 105dB(A) for more than 40 minutes per day;
 - ii. NSW State Titles - 105dB(A);
 - iii. Bridge to Bridge Boat Race - 105dB(A);
 - iv. Unlimited Boat Race (Blown Boats) - 115dB(A). This event is held directly after the Bridge to Bridge Boat Race;
 - v. Noise Test - (prior to the Two Day Spectacular) - 115dB(A) for more than 15 minutes in total through the day;
 - vi. Two Day Spectacular - 115dB(A) for more than 10 minutes in total per day.
2. Approval for Traffic management is to be undertaken under separate cover via a Special Events application.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 141 **IS - Proposal to Extend the Hawkesbury Oasis Aquatic Centre - (95495, 79340, 34584)**

Previous Item: 239, Ordinary (10 November 2009)
 123, Ordinary (8 June 2010)

MOTION:

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

That the information be received.

The motion was lost.

A FORESHADOWED motion was moved by Councillor Conolly, seconded by Councillor Tree.

Refer to RESOLUTION

222 RESOLUTION:

RESOLVED on the foreshadowed motion of Councillor Conolly, seconded by Councillor Tree.

That:

1. The proposal to extend the Hawkesbury Oasis Aquatic Centre as amended which includes an increased floor area to the gymnasium and extension to the crèche totalling approximately 208sqm, with two new toilets and office space being provided within the existing gymnasium area of approximately 26sqm as outlined in the report be endorsed.
2. The proposal be funded as follows:
 - (a) \$110,000 from the YMCA from the grant approved under the NSW Department of Community Services Area Assistance Scheme 2009.
 - (b) \$110,000 from the YMCA from the grant approved under the NSW Community Building Partnership Program.
 - (c) \$117,200 from the Council from the grant approved under Round Two of the Regional and Local Infrastructure Program.
 - (d) The remaining amount of approximately \$209,000 be funded from Council's S94 Internal Reserve.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 142 IS - Street Tree Removals within Towns and Villages - (95454)

MOTION:

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

Refer to RESOLUTION

223 RESOLUTION:

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

That:

1. The current process of advertising village street tree removal be retained and the matter be reported back to Council within two years particularly in relation to advertising costs.
2. Council undertake negotiations with the Hawkesbury Courier with a view to reducing advertising costs.

ORDINARY MEETING

MINUTES: 29 June 2010

SUPPORT SERVICES

Item: 143 SS - Review of Council's Debt Recovery Policy - (95496,96332)

MOTION:

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

Refer to RESOLUTION

224 RESOLUTION:

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

RECOMMENDATION:

That Council adopt the Debt Recovery Policy, attached as Attachment 1 to this report.

**Item: 144 SS - Review of Council's Investment Policy and Appointment of Investment
Advisor - (96332, 95496)**

MOTION:

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

Refer to RESOLUTION

225 RESOLUTION:

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

That Council:

1. Adopt the Investment Policy attached as Attachment 1 to the report.
2. Appoint Spectra Financial Services Pty Ltd. as its Independent Investment Advisor for the financial year ending 30 June 2011.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 145 SS - Review of Privacy Management Plan - (79337, 95496)

MOTION:

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

Refer to RESOLUTION

226 RESOLUTION:

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

That Council adopt the revised Privacy Management Plan attached as Attachment 1 to this report.

Item: 146 SS - Review of the Access to Information Policy - (79337, 95496)

Previous Item: 37, Ordinary (23 February 2010)

MOTION:

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

Refer to RESOLUTION

227 RESOLUTION:

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

That Council:

1. Adopt the revised Access to Information Policy attached as Attachment 1 and associated Guidelines attached as Attachment 2 to this report.
2. Appoint the General Manager as the Principle Officer for the purposes of the Government Information (Public Access) Act 2009.
3. Note the appointment of the Manager, Corporate Services and Governance as the Right to Information Officer for the purposes of the Act.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 147 **SS - Outstanding Receivables - Bad Debts Write Off for 2009/2010 - (96332, 95496)**

Previous Item: 121, Ordinary (30 June 2009)

MOTION:

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

Refer to RESOLUTION

228 RESOLUTION:

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

That Council write off the following debts:

1. Toque Restaurant and Café in the amount of \$5,144.59 from Debtor Account No. 7301290.
2. Ms Marlene Appo in the amount of \$6,142.00 from Debtor Account No. 7000004.

Item: 148 **SS - Monthly Investments Report - May 2010 - (96332, 95496)**

Previous Item: 17, Ordinary (3 February 2009)
82, Ordinary (28 April 2009)

MOTION:

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

Refer to RESOLUTION

229 RESOLUTION:

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

The report regarding the monthly investments for May 2010 be received and noted.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 149 SS - Pecuniary Interest Returns - (79337, 95496)

MOTION:

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

Refer to RESOLUTION

230 RESOLUTION:

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

That the information be received and noted.

CONFIDENTIAL REPORTS

231 RESOLUTION:

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

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

232 RESOLUTION:

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

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: 150 GM - Co-Generation Plant - (79351, 95495)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act, 1993 as it relates to legal advice concerning possible legal action in relation to Council's Co-Generation Plant and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 151 IS - Tender No. 01810 - Construction of Additions to Oasis Swimming Centre - (95495, 79340, 34584)

*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 proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 152 IS - Tender 36-09/10 - Arborist and Other Tree Maintenance Services - (79354)

*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 proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

Item: 153 IS - Tender No. 01910 - Tender for the Hire of Plant - (95495, 79344)

*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 proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 154 SS - Property Matter - Lease to Joseph Topping trading as Shamrock Autos - 20 Bosworth Street, Richmond - (95496)

*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 proposes 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.

233 RESOLUTION:

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

ORDINARY MEETING

MINUTES: 29 June 2010

GENERAL MANAGER

Item: 150 GM - Co-Generation Plant - (79351, 95495) CONFIDENTIAL

Previous Item: 38, Ordinary (23 February 2010)
 10, Ordinary (2 February 2010)
 184, Ordinary (8 September 2009)
 32, Ordinary (26 February 2008)

MOTION:

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

Refer to RESOLUTION

234 RESOLUTION:

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

That:

1. Further to Council's resolution of 23 February 2010 the General Manager, in consultation with Council's solicitors, continue the actions recommended in the letter from Council's solicitors dated 21 June 2010, together with any variations that may be considered appropriate by Council's solicitors in view of developments that may occur, and progress of the matter be further reported to Council as necessary.
2. This matter be referred to a future Councillor Briefing Session.

ORDINARY MEETING

MINUTES: 29 June 2010

INFRASTRUCTURE SERVICES

Item: 151 **IS - Tender No. 01810 - Construction of Additions to Oasis Swimming Centre - (95495, 79340, 34584) CONFIDENTIAL**

Previous Item: 124, Ordinary (8 June 2010)

MOTION:

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

Refer to RESOLUTION

235 RESOLUTION:

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

That the:

1. Tender submitted by Bilas Knight Pty Ltd for the construction of the additions to Oasis Aquatic Centre in the amount of \$448,472.73, GST exclusive, be accepted.
2. Seal of Council be affixed to any necessary documentation.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 152 IS - Tender 36-09/10 - Arborist and Other Tree Maintenance Services - (79354)
CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

236 RESOLUTION:

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

That:

1. The tender submissions received by the following companies be accepted, to allow a Service Provider panel to be established, in which all companies are given an opportunity to quote for works, subject to performance and OH&S compliance.

Company Name
Advanced Arbor Services Pty Ltd
Bolans Tree Service Pty Ltd
Citywide Solutions Pty Ltd
Combined Tree Lopping Service Pty Ltd
J&L Trees
Metro Excavations Pty Limited
Plateau Tree Service
Sydney Metro Tree Services Pty Ltd
Top Cut Tree Services
Utility Services Corporation

2. The Service Provider panel be in place for up to three years with an option to extend the arrangements for a further 12 months subject to satisfactory performance.
3. The Service Provider panel's existence being subject to a minimum of three companies remaining on the panel.

ORDINARY MEETING

MINUTES: 29 June 2010

Item: 153 **IS - Tender No. 01910 - Tender for the Hire of Plant - (95495, 79344)**
CONFIDENTIAL

MOTION:

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

Refer to RESOLUTION

237 RESOLUTION:

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

That the:

1. Tender list be adopted for the selection of plant for the 2010/2011 financial year, and
2. Seal of Council be affixed to any necessary documentation.

ORDINARY MEETING

MINUTES: 29 June 2010

SUPPORT SERVICES

Item: 154 **SS - Property Matter - Lease to Joseph Topping trading as Shamrock Autos - 20 Bosworth Street, Richmond - (95496) CONFIDENTIAL**

Previous Item: 225, Ordinary (21 October 2008)

MOTION:

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

Refer to RESOLUTION

238 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Joseph Topping in regard to 20 Bosworth Street, Richmond, 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 Lessee, 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.
4. Council thank Mr Yoon for his proposal and advise him that his proposal was unsuccessful on this occasion.

ORDINARY MEETING

MINUTES: 29 June 2010

SECTION 5 - Reports of Committees

ROC - Audit Committee Meeting Minutes - 2 June 2010 - (91369, 95496)

239 RESOLUTION:

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

That the minutes of the Audit Committee Meeting held on 2 June 2010 as recorded on pages 169 to 172 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 16 June 2010 - (80245)

240 RESOLUTION:

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

That the minutes of the Local Traffic Committee Meeting held on 16 June 2010 as recorded on pages 173 to 184 of the Ordinary Business Paper be adopted.

ORDINARY MEETING**MINUTES: 29 June 2010****QUESTIONS WITHOUT NOTICE**

#	Councillor	Question	Response
1	Paine	Enquired about the progress of the Windsor Traffic Study.	The Director City Planning advised that the terms and extent of the study are currently being discussed.
2	Paine	Enquired about the Macquarie Street Units development.	The Director City Planning advised that the matter is expected to be reported to Council in July.
3	Porter	Referred to the letter received from DECC regarding dredging of the River and advised that the comments regarding tidal changes are incorrect. He requested that Council respond to the letter correcting the comments.	The General Manager advised that he will submit a report to the next Council meeting regarding the matter.
4	Williams	Enquired about the name of the old Woodhills Carpark and requested that the signage relating to parking restrictions be improved.	The Director Infrastructure Services advised that the matter will be investigated.
5	Williams	Enquired if investigations have been undertaken following the noise complaint regarding Hawkesbury Honda.	The Director City Planning that the matter has been investigated and is currently being pursued.
6	Rasmussen	Referred to emails received from residents regarding the poultry farm on Whitmore Road and enquired if any action has been taken.	The Director City Planning advised that the matter has a long history, Council has previously taken the owner to court regarding an environmental management plan. It was arranged for an environmental management plan to be prepared but the owner has now changed the operations on the site. Staff are currently pursuing a new environmental management plan.
7	Rasmussen	Enquired about the progress of the Colonial Drive development.	The General Manager advised that an issue had arisen and the matter will be reported to Council in July.
8	Reardon	Enquired about the bollards that are being installed at Comleroy Road Park and advised that vehicles are still getting into the area.	The Director Infrastructure Services advised that the matter will be investigated.
9	Whelan	Enquired if Council has had a structural report completed on Windsor Bridge and asked if there was an existing resolution of Council that indicates the Bridge should be replaced immediately.	The Director Infrastructure Services advised that a structural investigation on the Bridge was completed by the RTA. A request for a copy of the report will be submitted.

ORDINARY MEETING

MINUTES: 29 June 2010

The meeting terminated at 10.42pm.

Submitted to and confirmed at the Ordinary meeting held on 13 July 2010.

.....
Mayor