



Hawkesbury City Council

ordinary
meeting
minutes

date of meeting: 08 December 2009

location: council chambers

time: 6:30 p.m.

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Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on Tuesday, 8 December 2009, commencing at 6.30pm.

Pastor Ralph Parnwell of the River of Life Church, 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 B Calvert, W Mackay, C Paine, B Porter, P Rasmussen, J Reardon, R Stubbs, 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.

Councillor Mackay arrived at the meeting at 6.39pm.

Councillor Paine arrived at the meeting at 6.43pm.

Councillor Calvert arrived at the meeting at 8.58pm.

SECTION 1: Confirmation of Minutes

434 RESOLUTION:

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Porter that the Minutes of the Ordinary Meeting held on the 24 November 2009, be confirmed.

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SECTION 3 - Notices of Motion

NM1 - Possible Establishment of Voluntary Register - Food Premises Not Utilising Trans Fats - (111627)

MOTION:

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

Refer to RESOLUTION

435 RESOLUTION:

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

That a report be submitted to Council in relation to the possibility of establishing a voluntary register on Council's website of those food premises within the City area that do not utilise, or limit the use of, Trans Fats in their food preparation processes.

NM2 - Possible Establishment of Plastic Shopping Bag Free Zones Within the City Area - (111627)

MOTION:

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

Refer to RESOLUTION

436 RESOLUTION:

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

That a report be submitted to Council in relation to possible action that could be taken by Council to encourage the establishment of plastic shopping bag free zones within the City area similar to the recent proposal by the Kurrajong Village Retailers that was supported by Council.

NM3 - Support for the establishment of Community Gardens in the Hawkesbury - (111627)

Mr Hugh McKinnon, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

437 RESOLUTION:

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

That a report be submitted to Council to identify possible strategies which could be undertaken by Council to support the establishment of community gardens in the Hawkesbury with a particular focus on the involvement of local schools.

NM4 - Free Range Eggs - (80105)

MOTION:

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

That:

1. Hawkesbury City Council adopt a policy of using only eggs sourced from certified free range producers. This policy will include but not be limited to the following situations:
 - (a) All future catering arrangements will only be made with caterers who can guarantee that they use free range eggs.
 - (b) The use of free range eggs be stipulated in any future tenders or contracts relating to the supply of food in which Council is a party.
 - (c) Where there is no option but to source food from a vendor who doesn't use free range eggs, 'No eggs' will be the Council's preferred option.
2. Council publicise this policy on its website and that the General Manager write directly to all known suppliers of food products to Council notifying them of the new policy position.
3. Council applaud other Hawkesbury businesses, organisations and households who adopt a similar policy.
4. Council supports any similar motions at the LGA and WSROC and in any other area in which it may be expected to voice a position, relevant to this policy.

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

Refer to RESOLUTION

The amendment was carried.

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

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438 RESOLUTION:

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

That:

1. Hawkesbury City Council adopt a policy of using only eggs sourced from certified free range producers. This policy will include but not be limited to the following situations:
 - (a) All future catering arrangements involving the purchase of eggs will only be made with caterers who can guarantee that they use free range eggs.
 - (b) The use of free range eggs be stipulated in any future tenders or contracts relating to the supply of eggs in which Council is a party.
2. Council publicise this policy on its website and that the General Manager write directly to all known suppliers of food products to Council notifying them of the new policy position.
3. Council supports any similar motions at the LGA and WSROC and in any other area in which it may be expected to voice a position, relevant to this policy.

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SECTION 4 - Reports for Determination

GENERAL MANAGER

**Item: 266 GM - 50th Anniversary Floodplain Management Authorities Conference - 23 - 26
February 2010 - (79351)**

MOTION:

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

Refer to RESOLUTION

439 RESOLUTION:

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

That the attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 50th Anniversary Floodplain Management Authorities Conference, to be held 23-26 February 2010 at a cost of \$2,260.00, plus travel expenses per delegate be approved.

440 RESOLUTION:

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

That Councillors Conolly, Porter and Rasmussen attend the 50th Anniversary Floodplain Management Authorities Conference, as nominated representatives of Council.

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CITY PLANNING

Item: 267 **CP - S96 Modification Request - Condition 80 - Golf Course at 329 Pitt Town Road, Pitt Town - (DA0001/09, DA1150/04E, 110850, 95498)**

MOTION:

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

Refer to RESOLUTION

441 RESOLUTION:

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

That modification request DA1150/04E for a Golf Course at 329 Pitt Town Road, Pitt Town be approved as follows:

1. Delete Condition 80 which currently reads:
 80. *The recommendations and works required in the reports submitted with the Development application be undertaken. This is to include the stabilisation works for 'Lynwood'.*

2. Insert the Condition 80 to read:
 80. *"The recommendations and works required in the reports submitted with the Development application be undertaken. The stabilisation works for 'Lynwood' to be completed in April 2010, and not be associated with the timing of the issue of the Golf Course Occupation Certificate.*

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	Councillor Paine
Councillor Calvert	
Councillor Conolly	
Councillor Mackay	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

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Item: 268 CP - S82A Review of refusal of modification request for deletion of Condition 94 relating to Golf Course at 329 Pitt Town Road, Pitt Town - (DA0001/09, DA1150/04D, 110850, 95498)

Mr Harvey Read, Mr Tim Rodgers and Mr Greg Smith, proponents, addressed Council.
Mr Bob Newland and Mr Frank Scharfe, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

442 RESOLUTION:

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

That:

1. In accordance with Section 82A of the Environmental Planning and Assessment Act, 1979, Council's decision to refuse Modification Request DA1150/04D (Motion 364 of 13 October 2009) be changed to approve the (amended) modification request as follows:
 - a) Delete Condition 94 which currently reads:

"An auxiliary right turn lane is to be provided in Pitt Town road on the southbound carriageway for cars turning into Pitt Town Bottoms Road to be completed upon the practical completion date of the Golf Course Works"; and
 - b) Insert Condition 94 to read:

"A type " BAR " basic right turn treatment (fig 4.8.23 road design guide RTA Jan 2000) is to be provided in Pitt Town Road on the southbound carriageway for cars turning into Pitt Town Bottoms Road. A design plan shall be submitted to the Roads and Traffic Authority for review and approval prior to the operation of the remaining 9 holes of the golf course. The works are to be completed by 30 June 2010."
2. Those persons who made submissions be advised of Council's decision.

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	Councillor Conolly
Councillor Mackay	Councillor Rasmussen
Councillor Paine	
Councillor Porter	
Councillor Reardon	

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For the Motion	Against the Motion
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Calvert was absent from the meeting.

Item: 269 CP - Modification of Development Consent - "Bona Vista" stage at 18, 54 and 80 Johnston Street and 4 Farmhouse Avenue, Pitt Town - (DA0557/06C, 676, 87959, 113691)

MOTION:

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

Refer to RESOLUTION

443 RESOLUTION:

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

That the request to modify DA0557/06C be granted subject to the relevant existing conditions of consent being amended as shown in bold below:

2. 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 take place in accordance with the stamped plans, as modified by Section 96 Application No. DA0557/06C, submitted by Johnson Property Group and accompanied by drawing No. LO3017 - Bona_L5, prepared by Brown Consulting, specifications and accompanying documentation submitted with the application except as modified by these further conditions.**
15. The residential allotments that adjoin residual Lot 106, specifically proposed lots 5025 – 5026 (Inclusive) and 5029 - 5042 (inclusive) within proposed Stage 5 towards Lot 106 shall be provided with an APZ towards Lot 106 to a distance of 30 metres, which shall be maintained for a distance of 20 metres as an 'Inner Protection Area' (IPA) then an additional 10 metres shall be maintained as an Outer Protection Area (OPA) as outlined in Section 4.2.2 in 'Planning for Bushfire Protection 2001'. The proposed road network may be included within the required APZ's.
15. **The residential allotments that adjoin residual Lot 106, specifically proposed lots 9, 10, 16, 17 and 198 - 201(Inclusive) and 214 - 220 (inclusive) within proposed Stage 5 towards Lot 106 shall be provided with an APZ towards Lot 106 to a distance of 30 metres, which shall be maintained for a distance of 20 metres as an 'Inner Protection Area' (IPA) then an additional 10 metres shall be maintained as an Outer Protection Area (OPA) as outlined in Section 4.2.2 in 'Planning for Bushfire Protection 2001'. The proposed road network may be included within the required APZ's.**

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16. The residential allotments that adjoin residual Lot 106, specifically proposed lots 2001 – 2002 (Inclusive), 2051 – 2002 (inclusive), 2051 – 2060 (inclusive) and 2064 – 2065 (inclusive) within stage 2 shall be provided with APZ towards Lot 106 to distance of 30 metres, which shall be maintained for a distance of 20 metres as an 'Inner Protection Area' (IPA) then an additional 10 metres shall be maintained as an Outer Protection Area (OPA) as outlined in Section 4.2.2 in 'Planning for Bushfire Protection 2001'. The proposed road network may be included within the required APZ's.
- 16. The residential allotments that adjoin residual Lot 106, specifically proposed lots 2001 – 2002 (Inclusive), 2051 – 2002 (inclusive), 2051 – 2060 (inclusive) and 2064 – 2065 (inclusive) within stage 2 shall be provided with APZ towards Lot 106 to distance of 30 metres, which shall be maintained for a distance of 20 metres as an 'Inner Protection Area' (IPA) then an additional 10 metres shall be maintained as an Outer Protection Area (OPA) as outlined in Section 4.2.2 in 'Planning for Bushfire Protection 2001'. The proposed road network may be included within the required APZ's.**
- 86d. Sewerage services shall be operational to the satisfaction of the sewer authority prior to the issue of the Subdivision Certificate.**

Specific Conditions Relating to Stage 3 - 38 Lot Subdivision

Prior to Issue of the Construction Certificate

87. Payment of a Construction Certificate checking fee of \$8,944.00 and a Compliance Certificate inspection fee of \$17,646.00 when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2007. Fees required if an Accredited Certifier is used will be provided on request.
- 87. Payment of a Construction Certificate checking fee of \$9,583 and a Compliance Certificate inspection fee of \$18,906.50 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.**

Prior to Issue of Subdivision Certificate

94. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

(a) Preliminary Investigation Plans	\$1,233.99
(b) Land Acquisition	\$57,610.24
(c) Community Facilities	\$133,975.03
(d) Park Improvement	\$72,747.54
(e) Recreational Facilities	\$39,165.48
(f) Road Works	\$422,565.86
(g) Regional works	\$39,925.41
TOTAL:	\$767,223.55

The amount has been determined in accordance with Hawkesbury's Section 94 Contribution Plan Review November 2005. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics.

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Contributions are to be paid prior to issue of the Subdivision Certificate. Alternatively, the applicant is advised that Council, at the discretion of the General Manager and/or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with the provisions of Sections 13.4 and 13.5 of the Section 94 Contribution Plan Review November 2005.

- 94. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:**

(a) Preliminary Investigations / Plans	\$1087.80
(b) Land Acquisition	\$62,044.93
(c) Community Facilities	\$111,947.57
(d) Park Improvement	\$106,616.24
(e) Recreational Facilities	\$45,724.60
(f) Road Works	\$351,093.37
(g) Regional works	\$308,299.91
TOTAL:	\$986,814.42

The amount has been determined in accordance with Hawkesbury's Section 94 Contributions Plan 2008. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics.

Contributions are to be paid prior to issue of the Subdivision Certificate. Alternatively, the applicant is advised that Council, at the discretion of the General Manager and/or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with the provisions of Sections 13.4 and 13.5 of the Section 94 Contributions Plan 2008.

- 95. Prior to the release of the Subdivision Certificate, payment of the following fees in accordance with Council's revenue Pricing Policy:**

a) Preliminary Investigation Studies	\$5,467.40
b) Land Acquisition	\$96,640.00
c) Drainage Construction	\$301,885.01
d) Sewer Headworks	\$195,008.00
e) Pump Station "J" and Rising main "J" – New Works	\$116,128.00
f) Pump Station "J" and Rising main "J" – Retrofit and re-routing	\$25,344.00
g) Pump Station "C" and Rising main "C" – New Works	\$234,304.00

Total: \$974,776.41

These fees will remain fix until 30 June 2007 after which it will be recalculated at the rate payable at the time of payment.

- 95. Prior to the release of the Subdivision Certificate, payment of the following fees in accordance with Council's revenue Pricing Policy:**

a) Preliminary Investigations / Plans	\$4647.20
b) Land Acquisition	\$59,574.81
c) Wetland and Basin Construction	\$235,222.69
d) Contribution for Pump Station carrier main and amplification of reticulation system	\$125,735.25

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e)	Contribution for treatment works	\$125,735.25
f)	Pump Station T - Pitt Town	\$83,546
g)	Rising Main T - Pitt Town to McGraths Hill	\$212,121
h)	Fernadell Carrier - Pitt Town	\$51,134
i)	Blighton carrier (option 1) - Pitt Town	\$53,132
j)	Storage at T - Pitt Town	\$14,245
k)	Pump Station C - Windsor	\$81,215
l)	Rising Main C - Windsor to South Windsor	\$210,863
m)	Storage at Pump Station C - Windsor	\$21,941
n)	Easements for rising main from pump station C to South Windsor	\$11,211
o)	Replacement of rising main J	\$16,613
p)	Upgrade to South Windsor STP inlet	\$80,031
q)	Land dedication for pump station T at Pitt Town	\$1665

Total: \$1,388,632.20

These fees will remain fix until 30 June 2010 after which it will be recalculated at the rate payable at the time of payment in accordance with the relevant S64 plan..

Alternatively, the applicant is advised that Council, at the discretion of the General Manager and/or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with a works in kind agreement or similar between the applicant and Council."

- 95a. Sewerage services shall be operational to the satisfaction of the sewer authority prior to the issue of the Subdivision Certificate.**

Specific Conditions Relation to Stage 4 - 48 Lot Subdivision

Prior to Issue of the Construction Certificate

96. Payment of a Construction Certificate checking fee of \$7,754.00 and a Compliance Certificate inspection fee of \$15,266.00 when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2007. Fees required if an Accredited Certifier is used will be provided on request.
- 96. Payment of a Construction Certificate checking fee of \$8308 and a Compliance Certificate inspection fee of \$16,356.50 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.**
103. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

(a)	Preliminary Investigation Plans	\$1658.18
(b)	Land Acquisition	\$77,413.76
(c)	Community Facilities	\$180,028.94
(d)	Park Improvement	97,754.51
(e)	Recreational Facilities	52,628.62
(f)	Road Works	\$567,822.87
(g)	Regional works	\$53,649.77

TOTAL: \$1,030,956.64

The amount has been determined in accordance with Hawkesbury's Section 94 Contribution Plan Review November 2005. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

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The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics.

Contributions are to be paid prior to issue of the Subdivision Certificate. Alternatively, the applicant is advised that Council, at the discretion of the General Manager and or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with the provisions of Sections 13.4 and 13.5 of the Section 94 Contribution Plan Review November 2005.

Prior to Issue of Subdivision Certificate

103. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

(a) Preliminary Investigations / Plans	\$1381.80
(b) Land Acquisition	\$78,813.83
(c) Community Facilities	\$142,203.67
(d) Park Improvement	\$135,431.44
(e) Recreational Facilities	\$58,082.60
(f) Road Works	\$445,983.47
(g) Regional works	\$391,154.21
TOTAL:	\$1,253,051

The amount has been determined in accordance with Hawkesbury's Section 94 Contributions Plan 2008. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics.

Contributions are to be paid prior to issue of the Subdivision Certificate. Alternatively, the applicant is advised that Council, at the discretion of the General Manager and or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with the provisions of Sections 13.4 and 13.5 of the Section 94 Contributions Plan November 2008.

104. Prior to the release of the Subdivision Certificate, payment of the following fees in accordance with Council's revenue Pricing Policy:

a) Preliminary Investigation Studies	\$7,346.82
b) Land Acquisition	\$129,860.00
c) Drainage Construction	\$405,657.98
d) Sewer Headworks	\$262,042.00
e) Pump Station "J" and Rising main "J" – New Works	\$156,047.00
f) Pump Station "J" and Rising main "J" – Retrofit and re-routing	\$34,056.00
g) Pump Station "C" and Rising main "C" – New Works	\$314,846.00

Total: \$1,309,855.80

These fees will remain fix until 30 June 2007 after which it will be recalculated at the rate payable at the time of payment.

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104. Prior to the release of the Subdivision Certificate, payment of the following fees in accordance with Council's revenue Pricing Policy:

a)	Preliminary Investigations / Plans	\$5,903.20
b)	Land Acquisition	\$75,676.11
c)	Wetland and Basin Construction	\$298,796.39
e)	Contribution for Pump Station carrier main and amplification of reticulation system	\$159,717.75
e)	Contribution for treatment works	\$159,717.75
f)	Pump Station T - Pitt Town	\$106,126.00
g)	Rising Main T - Pitt Town to McGraths Hill	\$269,451.00
h)	Fernadell Carrier - Pitt Town	\$64,954.00
i)	Blighton carrier (option 1) - Pitt Town	\$67,492.00
j)	Storage at T - Pitt Town	\$18,095.00
k)	Pump Station C - Windsor	\$103,165.00
l)	Rising Main C - Windsor to South Windsor	\$267,853.00
m)	Storage at Pump Station C - Windsor	\$27,871.00
o)	Easements for rising main from pump station C to South Windsor	\$14,241.00
o)	Replacement of rising main J	\$21,103.00
p)	Upgrade to South Windsor STP inlet	\$101,661.00
q)	Land dedication for pump station T at Pitt Town	\$2115.00
Total:		\$1,763,938.20

These fees will remain fix until 30 June 2010 after which it will be recalculated at the rate payable at the time of payment in accordance with the relevant S64 plan..

Alternatively, the applicant is advised that Council, at the discretion of the General Manager and/or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with a works in kind agreement or similar between the applicant and Council."

104a. Sewerage services shall be operational to the satisfaction of the sewer authority prior to the issue of the Subdivision Certificate.

Specific Conditions for Stage 5 - 68 Lot Subdivision

Prior to Issue of the Construction Certificate

105. Payment of a Construction Certificate checking fee of \$14,017.50 and a Compliance Certificate inspection fee of \$28,035.00 when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2007. Fees required if an Accredited Certifier is used will be provided on request.

105. **Payment of a Construction Certificate checking fee of \$16,721 and a Compliance Certificate inspection fee of \$33,457 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.**

During Construction

113. Kerb and gutter drainage with full width AC sealed pavement of roads (102, 103 & 105) shall be constructed to the alignment shown on plan ref (L03017-ST5) amendment (D) for the length of the proposed lots incorporating Stage 5.

113. **Kerb and gutter drainage with full width AC sealed pavement of roads (102, 103 & 105) shall be constructed to the alignment shown on plan ref (L03017-ST5) amendment (D) for the length of the proposed lots incorporating Stage 5 and additional road shown on plan reference L03017-BONA_V5.**

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Prior to Issue of Subdivision Certificate

118. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

(a) Preliminary Investigation Plans	\$1889.55
(b) Land Acquisition	\$88,215.68
(c) Community Facilities	\$205,149.26
(d) Park Improvement	\$111,394.67
(e) Recreational Facilities	\$59,972.14
(f) Road Works	\$647,053.97
(g) Regional works	\$61,135.78
TOTAL:	\$1,174,811.06

The amount has been determined in accordance with Hawkesbury's Section 94 Contribution Plan Review November 2005. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics.

Contributions are to be paid prior to issue of the Subdivision Certificate. Alternatively, the applicant is advised that Council, at the discretion of the General Manager and/or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with the provisions of Sections 13.4 and 13.5 of the Section 94 Contribution Plan Review November 2005.

118. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

(a) Preliminary Investigations / Plans	\$1969.80
(b) Land Acquisition	\$112,351.63
(c) Community Facilities	\$202,715.87
(d) Park Improvement	\$193,061.84
(e) Recreational Facilities	\$82,798.60
(f) Road Works	\$635,763.67
(g) Regional works	\$557,602.81
TOTAL:	\$1,786,264.22

The amount has been determined in accordance with Hawkesbury's Section 94 Contributions Plan 2008. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics.

ORDINARY MEETING

MINUTES: 8 December 2009

Contributions are to be paid prior to issue of the Subdivision Certificate. Alternatively, the applicant is advised that Council, at the discretion of the General Manager and/or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with the provisions of Sections 13.4 and 13.5 of the Section 94 Contribution Plan Review November 2005.

119. Prior to the release of the Subdivision Certificate, payment of the following fees in accordance with Council's revenue Pricing Policy:

a) Preliminary Investigation Studies	\$8,371.98
b) Land Acquisition	\$147,980.00
c) Drainage Construction	\$462,261.42
d) Sewer Headworks	\$298,606.00
e) Pump Station "J" and Rising main "J" – New Works	\$177,821.00
f) Pump Station "J" and Rising main "J" – Retrofit and re-routing	\$38,808.00
g) Pump Station "C" and Rising main "C" – New Works	\$358,778.00
Total:	\$1,492,626.38

These fees will remain fix until 30 June 2007 after which it will be recalculated at the rate payable at the time of payment.

119. Prior to the release of the Subdivision Certificate, payment of the following fees in accordance with Council's revenue Pricing Policy:

a) Preliminary Investigations / Plans	\$8415.20
b) Land Acquisition	\$107,878.71
c) Wetland and Basin Construction	\$425,943.79
f) Contribution for Pump Station carrier main and amplification of reticulation system	\$227,682.75
e) Contribution for treatment works	\$227,682.75
f) Pump Station T - Pitt Town	\$151,286.00
g) Rising Main T - Pitt Town to McGraths Hill	\$384,111.00
h) Fernadell Carrier - Pitt Town	\$92,594.00
i) Blighton carrier (option 1) - Pitt Town	\$96,212.00
j) Storage at T - Pitt Town	\$25,795.00
k) Pump Station C - Windsor	\$147,065.00
l) Rising Main C - Windsor to South Windsor	\$381,833.00
m) Storage at Pump Station C - Windsor	\$39,731.00
p) Easements for rising main from pump station C to South Windsor	\$20,301.00
o) Replacement of rising main J	\$30,083.00
p) Upgrade to South Windsor STP inlet	\$144,921.00
q) Land dedication for pump station T at Pitt Town	\$3015.00
Total:	\$2,514,550.20

These fees will remain fix until 30 June 2010 after which it will be recalculated at the rate payable at the time of payment in accordance with the relevant S64 plan..

Alternatively, the applicant is advised that Council, at the discretion of the General Manager and/or Director City Planning, may consider the deferment of payment, transfer of land, or provision of material public benefit in accordance with a works in kind agreement or similar between the applicant and Council."

120a. Sewerage services shall be operational to the satisfaction of the sewer authority prior to the issue of the Subdivision Certificate.

ORDINARY MEETING

MINUTES: 8 December 2009

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	Councillor Paine
Councillor Calvert	Councillor Rasmussen
Councillor Conolly	Councillor Williams
Councillor Mackay	
Councillor Porter	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	

Item: 270 CP - Subdivision - 41A Ponderosa Road, Lower Portland - (DA0946/08, 75848, 75849, 95498)

Mr Scott Ainslie, respondent, addressed Council.

MOTION:

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

That the matter be deferred for a site inspection to be carried out at Lot 4 DP 252546, Lot 7 DP 252546, Lot 11 DP 826581, 65 Peat Place and 41A and 41B Ponderosa Road, Lower Portland.

An AMENDMENT was moved by Councillor Porter, seconded by Councillor Conolly

Refer to RESOLUTION

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 amendment, the results of which were as follows:

For the Amendment	Against the Amendment
Councillor Bassett	Councillor Paine
Councillor Conolly	Councillor Williams
Councillor Porter	Councillor Mackay
Councillor Rasmussen	Councillor Tree
Councillor Reardon	Councillor Whelan
Councillor Stubbs	

Councillor Calvert was absent from the meeting.

The amendment was carried.

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

444 RESOLUTION:

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

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 DA0946/08 at Lot 4 DP 252546, Lot 7 DP 252546, Lot 11 DP 826581, 65 Peat Place and 41A & 41B Ponderosa Road LOWER PORTLAND NSW 2756 for a Boundary Adjustment be supported and, upon the receipt of the response from the Department of Planning, authority be delegated to the General Manager to determine the application.
4. Should concurrence be received from the Department of Planning and the General Manager determines to approve the application under delegated authority, such approval be subject to the following conditions:

NSW Rural Fire Services Conditions

- A. The proposed subdivision shall be carried out in accordance with the plan by Freeburn Surveying Ref: 30451 Sheet 1 amended 28.04.09.

Asset Protection Zone

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building.

- B. Upon the issue of a subdivision certificate and in perpetuity the property around all existing buildings within Lot 11 to a distance of 20 metres, shall be maintained as an inner protection are (IPA) as outlined within section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service's document '*Standards for asset protection zones.*'

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

- C. Water, electricity and gas are to comply with section 4.1.3 of *Planning for Bush Fire Protection 2006* (PBP).

Design and Construction

- D. The existing dwelling on Lot 11 is required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen. This includes any sub floor areas where applicable and eaves.

ORDINARY MEETING

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Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose development.

- E. An Emergency/Evacuation Plan for the existing Water Ski Resort is to be prepared consistent with the NSW Rural Fire Service '*Guidelines for the Preparation of Emergency/Evacuation Plan*'.

Hawkesbury City Council 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.

Prior to Issue of Construction Certificate

3. 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.

4. Construction of the access driveways are not to commence until three 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.
5. Payment of a Construction Certificate checking fee of \$572.00 and a Compliance Certificate inspection fee of \$1162.00 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.
6. Where applicable, any proposed retaining walls are to be designed by a suitably qualified and experienced Structural Engineer.

Prior to Commencement of Works

7. 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.
8. 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.
9. 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.
10. All constructed batters are to be topsoiled and vegetated and where batters exceed a ratio of 3 horizontal to 1 vertical, retaining walls, stoneflagging or terracing shall be constructed.

ORDINARY MEETING

MINUTES: 8 December 2009

11. No excavated material, including soil, shall be removed from or imported to the site.
12. A turning bay is to be provided to all vehicles to manoeuvre and leave lots 1 and 2 in a forward direction.
13. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
14. 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.
15. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan Appendix E Civil Works Specification, Part II, Table 1.1.
16. A pavement 4m wide shall be constructed along the access driveways to lots 1 and 2 appropriate to the gradient of the land in accordance with the following table:

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

Driveway gradient shall not exceed 25% in any section.

17. A bitumen sealed or concrete rural footway crossing minimum 4m wide shall be constructed to Lots 1 and 2 in accordance with Hawkesbury Development Control Plan Appendix E, Civil Works Specification.

Prior to Issue of Subdivision Certificate

18. A Certificate from a telecommunications carrier confirming that provision has been made for services to both lots shall be submitted to the Principal Certifying Authority.
19. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
20. Where applicable, any retaining walls are to be certified on completion by a suitably qualified and experienced Structural Engineer.
21. A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.
22. Payment of a linen release Fee in accordance with Council's Fees and Charges at the time of lodgement of the linen plan.
23. The submission, to Hawkesbury City Council, of a constraints plan showing the location of the building envelope containing the house site, disposal and buffer areas and Asset Protection Zones for Lots 1 and 2.
24. Creation of a restriction on use of land pursuant to Section 88B of the Conveyancing Act as follows:
 - a. Restricting the location of the house site, gardens and lawns, disposal and buffer areas and asset protection areas on Lots 1 & 2 to those areas defined on the Constraints Plan.
 - b. Hollow-bearing trees shall be preferentially retained when trees are removed for the creation of the Asset Protection Zones.

ORDINARY MEETING

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Advisory

- *** 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.
- *** 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) Integral Energy
 - (b) a local telecommunications carrierregarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.
- *** 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.

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 Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Calvert was absent from the meeting.

ORDINARY MEETING
MINUTES: 8 December 2009

Item: 271 **CP - Quarry Rehabilitation - Lot 2 DP587166, 263 Tizzana Road, Ebenezer - (DA0893/07, 96075, 10055, 10056, 95498)**

Previous Item: 227, Ordinary (10 November 2009)

445 RESOLUTION:

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

That Council note this matter has been withdrawn.

Item: 272 **CP - Request for Council to Manage Elizabeth Street Extended Hours Pre-School Inc - (73497, 95498)**

Previous Item: 235, Ordinary (10 November 2009)

MOTION:

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

Refer to RESOLUTION

446 RESOLUTION:

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

That the information be received.

Item: 273 **CP - Draft Residential Strategy Public Exhibition - (95498)**

Previous Item: 148, Ordinary (8 July 2008)

Councillors Bassett, Conolly, Reardon, Tree and Whelan individually declared a less than significant non-pecuniary conflict of interest in this matter as Buildev Pty Ltd, who owns land identified in the Residential Strategy, had made donations directly to the Liberal Party Head Office but as each one of them had received no direct benefit from donations in any campaign they would continue to participate in the meeting.

Mr Trevor Devine and Mr Frank Scharfe, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

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447 RESOLUTION:

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

That:

1. The draft strategy be received.
2. Council review and modify the draft strategy to:
 - (a) Consider in more detail the priorities of the Hawkesbury Community Strategic Plan;
 - (b) Reduce densities in the "Town Centre" areas, and ensure 3 – 6 storey development does not occur in precincts of heritage significance;
 - (c) Reduce densities in the "Village" areas;
 - (d) Assign a greater negative weighting to flood prone land above the 1% level where that land is liable to isolation in larger floods than in areas where continuous uphill evacuation is available;
 - (e) To review (up and down) weightings assigned to some of the constraints and opportunities;
3. The modified Residential Strategy be discussed at a Councillor Briefing Session prior to it being reported to Council in 2010 and being placed on exhibition.
4. Options for addressing the constraint of flood evacuation on the southern/eastern side of the River be reported to Council.

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 Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

Councillor Calvert was absent from the meeting.

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Item: 274 CP - Multi unit development - Construction of a single storey dwelling and retention of existing dwelling - 89 Southee Road, Hobartville - (DA0352/09, 108110, 32470, 80070, 80071)

Mr David Ballantyne, proponent, addressed Council.
Mr Hos Jacob, respondent, addressed Council.

MOTION:

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

Refer to RESOLUTION

448 RESOLUTION:

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

That Development Application No. DA0352/09 at Lot 446 DP 237868, 89 Southee Road, Hobartville for a Multi unit development – Construction of a single storey dwelling and retention of existing dwelling 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 at all times.
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. 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.

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 \$750.00 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).

ORDINARY MEETING

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

9. The submission of a drainage concept plan, including a design for a concept on-site stormwater detention system to maintain all stormwater discharges from the 1:1 year storm up to the 1:100 year storm at pre-development levels, prepared by a suitably qualified person. This plan shall be submitted and approved by Hawkesbury City Council prior to the issue of a Construction Certificate.
10. 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.

11. Construction of the OSD & drainage 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.
12. Payment of a Construction certificate checking fee of \$277.00 and a Compliance Certificate inspection fee of \$461.00 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.

Prior to Commencement of Works

13. 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.
14. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.

ORDINARY MEETING

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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.
21. 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.
22. 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.

During Construction

23. The site shall be secured to prevent the depositing of any unauthorised material.
24. 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.
25. 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.
26. 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.
27. At all times during demolition of the existing structures, 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.

ORDINARY MEETING

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- 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.
28. 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.
29. The development shall be treated for termites in accordance with the Building Code of Australia and AS 3660 as amended by a suitably qualified person with particular attention to timber floors, slab penetrations, joints between slabs, additions to existing buildings.
- Details of the type and method of treatment are to be provided to the Principal Certifying Authority and a copy of durable material to be located in the meter box and at the entrance to any crawl space if chemicals are sprayed or pressurised into the soils.
30. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.

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31. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
32. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted
33. 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.
34. All work shall be completed in accordance with the BASIX Certificate and supporting ABSA Certificates in accordance with the requirements of the NSW Department of Planning. Evidence must be submitted to the certifying authority prior to the issue of the occupation certificate.
35. All services or suitable conduits shall be placed prior to concrete pouring.
36. All internal and external lighting shall be installed in a manner that would avoid intrusion onto adjacent residential properties.
37. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
38. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.

Prior to works commencing the applicant shall consult with Asset Services and Recreation regarding fees to be paid, the works required and to organise inspections for a Compliance Certificate.

39. 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.
40. 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 E Civil Works Specification, Part II, Table 1.1.
41. Layback and footway vehicular crossings 3 m wide shall be constructed to the development as shown on the approved plans. The crossings shall be constructed in accordance with Hawkesbury Development Control Plan Appendix E, Civil Works Specification.

Prior to works commencing the applicant shall consult with Asset Services and Recreation regarding fees to be paid, the works required and to organise inspections for a Compliance Certificate.

Prior to Issue of the Occupation Certificate

42. 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) 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.
 - c) 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.

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43. 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.
44. New boundary fences shall be provided at the developer's expense prior to the issue of an occupation certificate. Fencing behind the building line shall be a height of 1.8m.
45. Compliance with all conditions of this development consent.
46. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
47. 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.
48. 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.All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner or applicant.
49. Submission of a report by the Design Engineer stating the conformance or otherwise of the On Site Detention of Stormwater system in relation to the approved design.
50. Works-As-Executed drawings for the On Site Detention of 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

Use of the Development

51. No internal or external alterations shall be carried out without prior approval of Council.
52. The subject development, including landscaping, is to be maintained in a clean and tidy manner.

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Advisory Notes

- *** 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.
- *** 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 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 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.
- *** Separate Council approval would be required if subdivision of the proposal is intended.

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	Councillor Williams
Councillor Conolly	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	

Councillor Calvert was not in the Chamber when the vote was taken.

ORDINARY MEETING

MINUTES: 8 December 2009

Item: 275 CP - Hawkesbury Mobility Plan - (96328, 98212)

Previous Item: 106, Ordinary (30 May 2006)

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

MOTION:

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

Refer to RESOLUTION

449 RESOLUTION:

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

That:

1. The Draft Hawkesbury Mobility Plan be placed on public exhibition for a period of 60 days.
2. Council thank Mr Doug Bathersby for his contribution to development of the Hawkesbury Mobility Plan.

Item: 276 CP - Land Release Application to Department of Planning for 108 Grose Vale Road, North Richmond - (107430, 105365, 77679, 95498)

Previous Item: 236, Ordinary (10 November 2009)

Councillors Bassett, Conolly, Reardon, Tree and Whelan individually declared a less than significant non-pecuniary conflict of interest in this matter as Buildev Pty Ltd, who owns land that is being considered by the Department of Planning for inclusion on Metropolitan Land Release, had made donations directly to the Liberal Party Head Office but as each one of them had received no direct benefit from donations in any campaign they would continue to participate in the meeting.

Councillor Calvert declared a less than significant non-pecuniary conflict of interest in this matter as Buildev Pty Ltd, who owns land that is being considered by the Department of Planning for inclusion on Metropolitan Land Release, had made donations directly to the Labour Party Head Office but as he had received no direct benefit from donations in any campaign he would continue to participate in the meeting.

Mr Steven Hennessy and Ms Larna Essy, respondents, addressed Council.

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING

MINUTES: 8 December 2009

450 RESOLUTION:

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

That Council:

1. Consult with the North Richmond and Districts Community Action Association Inc. Group prior to the proposed submission being reported back to Council in February 2010.
2. Invite the North Richmond and Districts Community Action Association Inc. to provide a submission in response to the land release application for attachment to the Council's response to the Department of Planning.

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 Calvert	
Councillor Conolly	
Councillor Mackay	
Councillor Paine	
Councillor Porter	
Councillor Rasmussen	
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	
Councillor Williams	

ORDINARY MEETING
MINUTES: 8 December 2009

Item: 277 **CP - Representations to Ageing, Disability and Home Care, NSW Department of Human Services - (95498, 96328, 116110, 108433)**

MOTION:

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

Refer to RESOLUTION

451 RESOLUTION:

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

That Council make written representations to the Regional Director for the Metro North Region, Ageing, Disability and Home Care, NSW Department of Human Services, on behalf of the Hawkesbury Community Care Forum in relation to the issues identified in this report.

Item: 278 **CP - Draft Hawkesbury Local Environmental Plan 1989 (Amendment 154) - Rezoning of land in New Street and Johnston Street, Windsor - (95498)**

Councillor Bassett declared a significant non-pecuniary conflict of interest in this matter as the applicant donated to the Londonderry State Election Campaign and he was a candidate at the last state election. He left the Chamber and did not take part in voting or discussion on the matter.

Councillor Conolly declared a significant non-pecuniary interest in this matter as the applicant made a donation to the Liberal Party prior to the 2007 State Election which directly benefited his campaign as candidate for Riverstone. He left the Chamber and did not take part in voting or discussion on the matter.

452 RESOLUTION:

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

That Councillor Paine assume the Chair as the Mayor and Deputy Mayor have declared interests in this matter.

Councillor Paine assumed the Chair.

Ms Cheryl Price, proponent, addressed Council.

MOTION:

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

Refer to RESOLUTION

ORDINARY MEETING

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453 RESOLUTION:

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

That:

- 1. Council forward the Draft Hawkesbury Local Environmental Plan 1989 (Amendment 154) to the Department of Planning requesting that the plan be finalised and made.
- 2. Council resolve to rezone the following properties from Housing to Business General 3(a)/B2 Local Centre

Lot 1 DP159404	70 The Terrace, Windsor
Lot 1 DP741997	68 The Terrace, Windsor
Lot 1 DP609363	66 The Terrace, Windsor

- 3. A Planning Proposal be prepared, at the landowner's expense, to support the rezoning of the properties.
- 4. Prior to the finalisation of the draft LEP, a Development Control Plan be prepared for Windsor, in accordance with the principles of the Windsor Master Plan, to assist in the guidance of development on these properties in relation to setbacks, height and heritage matters.
- 5. The Draft LEP and the draft Standard Template LEP be consolidated prior to sending to the Minister for gazettal if the progress and timing of the two draft plans becomes aligned.

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 Mackay	Councillor Calvert
Councillor Porter	Councillor Williams
Councillor Rasmussen	Councillor Paine
Councillor Reardon	
Councillor Stubbs	
Councillor Tree	
Councillor Whelan	

Councillors Bassett and Conolly declared a significant non-pecuniary conflict of interest in this matter and were not in the Chamber when the vote was taken.

Councillor Basset assumed the Chair as Mayor.

ORDINARY MEETING

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SUPPORT SERVICES

Item: 279 **SS - Proposed New Recreation Area Adjacent to the Hawkesbury River, Windsor - (95496)**

Ms Cate Richmond, proponent, addressed Council.

MOTION:

A MOTION was moved by Councillor Conolly, seconded by Councillor Whelan.

That:

1. The information in the report be noted.
2. The "Heart of the Hawkesbury Inc" be advised that the proposal appears to be inconsistent with the Windsor Foreshore Parks Plan of Management and consequently not permissible.
3. Representatives of the "Heart of the Hawkesbury Inc" be offered an opportunity to make a presentation to a Councillors Briefing Session if the group wishes to pursue the proposal.

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

Refer to RESOLUTION

The amendment was carried.

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

454 RESOLUTION:

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

That the information regarding the proposal by The Heart of Hawkesbury Inc for a new recreation area adjacent to the Hawkesbury River, Windsor be received and noted and that the organisation be invited to make a presentation to the next Councillors Briefing Session in connection with the proposal.

ORDINARY MEETING

MINUTES: 8 December 2009

Item: 280 **SS - Classification of Land - Lot 1061 DP1131838, Johnston Street, Pitt Town - Sewage Pumping Station - (95496, 87959)**

Previous Item: 11, Ordinary (3 February 2009)
 243, Ordinary (25 November 2008)
 146, Ordinary (8 July 2008)
 170, Ordinary (25 August 2009)

MOTION:

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

Refer to RESOLUTION

455 RESOLUTION:

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

That Council:

1. Pursuant to Section 34(1) of the Local Government Act 1993, give public notice of a proposed resolution to classify Lot 1061 DP 1131838 as "Operational Land", being land associated with the sewage pumping station for Pitt Town;
2. A further report be submitted to Council at the conclusion of the 28 day public exhibition period.

Item: 281 **SS - Proposal to Re-establish Alcohol-Free Zones - (95496)**

MOTION:

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

Refer to RESOLUTION

456 RESOLUTION:

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

That:

1. In accordance with the provisions of the Local Government Act, 1993, the consumption of alcohol in the areas outlined in the report, be prohibited for the period from 1 January 2010 to 31 December 2013, by the re-establishment of the Alcohol Free Zones in the Hawkesbury Local Government Area.
2. Public Notification (including erection of signage and an advertisement in the Hawkesbury Courier) be given for the re-establishment of the Alcohol Free Zones, for the period from 1 January 2010 to 31 December 2013 as indicated in the report.

ORDINARY MEETING
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Item: 282 **SS - Hawkesbury Regional Museum - Hours of Opening - (95496, 114055, 103542)**

Previous Item: 109, Extraordinary (16 June 2009)

Mr John Miller and Mr Max Jarman, proponents, addressed Council.

MOTION:

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

Refer to RESOLUTION

457 RESOLUTION:

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

That:

1. The contents of the report regarding the opening hours of the Hawkesbury Regional Museum be noted.
2. It be noted that Council's preference is to amend the Hawkesbury Regional Museum's opening hours in accordance with Option 5 as outlined in the report and that this matter and provision of required funding be considered in conjunction with the 2010/2011 Draft Budget and Management Plan.

CONFIDENTIAL REPORTS

458 RESOLUTION:

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

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

459 RESOLUTION:

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

That:

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

Item: 283 IS - Tender No. 00710 - Bitumen Sealing and Resealing of Roads Within the Hawkesbury - (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.*

Item: 284 SS - Property Matter - Lease to Laundry Investments Pty Limited - Shop 3 Wilberforce Shopping Centre - (34779, 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.*

Item: 285 SS - Property Matter - Assignment of Lease from Ahmad Issa to Vannarith Chea and Sayoeun Khun - Shop 11 Wilberforce Shopping Centre, Wilberforce - (74275, 34779, 109445, 75821, 74477, 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.

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

460 RESOLUTION:

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

ORDINARY MEETING

MINUTES: 8 December 2009

INFRASTRUCTURE SERVICES

Item: 283 **IS - Tender No. 00710 - Bitumen Sealing and Resealing of Roads Within the Hawkesbury - (95495, 79344) CONFIDENTIAL**

Previous Item: 263, Ordinary (24 November 2009)

MOTION:

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

Refer to RESOLUTION

461 RESOLUTION:

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

That the:

1. Schedule of Rates tender submitted by Pioneer Road Services P/L for single coat resealing of roads for a contract period up to 30 June 2011 be accepted.
2. Schedule of Rates tender submitted by Roadworx P/L for two coat sealing of roads for a contract period up to 30 June 2011 be accepted.
3. Seal of Council be affixed to any necessary documentation associated with this matter.
4. Current report, excluding the attachment, be made available publicly.

ORDINARY MEETING

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SUPPORT SERVICES

**Item: 284 SS - Property Matter - Lease to Laundry Investments Pty Limited - Shop 3
Wilberforce Shopping Centre - (34779, 95496) CONFIDENTIAL**

MOTION:

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

Refer to RESOLUTION

462 RESOLUTION:

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

That:

1. Council agree to enter into a new lease with Laundry Investments Pty Limited in regard to Shop 3, Wilberforce Shopping Centre 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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Item: 285 SS - Property Matter - Assignment of Lease from Ahmad Issa to Vannarith Chea and Sayoeun Khun - Shop 11 Wilberforce Shopping Centre, Wilberforce - (74275, 34779, 109445, 75821, 74477, 95496) 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

463 RESOLUTION:

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

That:

1. Council agree to the assignment of the lease of Shop 11 Wilberforce Shopping Centre from Ahmad Issa to Vannarith Chea and Sayoeun Khun 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 Assignor and Assignee 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.

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SUPPLEMENTARY REPORTS

INFRASTRUCTURE SERVICES

Item: 286 **IS - Regional and Local Community Infrastructure Program - Strategic Projects, Round 2 - (95494)**

MOTION:

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

Refer to RESOLUTION

464 RESOLUTION:

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

That Council make application on behalf of the Hawkesbury District Agricultural Association in relation to the completion of the grandstand complex at the Hawkesbury Showground under the Regional and Local Community Infrastructure Program – Strategic Projects, Round 2.

ORDINARY MEETING

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SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Advisory Committee Minutes - 19 October 2009 - (86589, 95498)

465 RESOLUTION:

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

That the minutes of the Floodplain Risk Management Advisory Committee held on 19 October 2009 as recorded on pages 190 to 196 of the Ordinary Business Paper be received.

ROC - Local Traffic Committee - 18 November 2009 - (80245)

466 RESOLUTION:

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

That the minutes of the Local Traffic Committee held on 18 November 2009 as recorded on pages 197 to 222 of the Ordinary Business Paper be adopted.

ROC - Heritage Advisory Committee Minutes - 25 November 2009 - (80242)

467 RESOLUTION:

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

That the minutes of the Heritage Advisory Committee held on 25 November 2009 as recorded on pages 223 to 230 of the Ordinary Business Paper be received.

ORDINARY MEETING**MINUTES: 8 December 2009****QUESTIONS WITHOUT NOTICE**

#	Councillor	Question	Response
1	Porter	<p>Thanked the Director Infrastructure Services for the response to his previous question regarding the sewerage facility at Australiana Pioneer Village.</p> <p>He requested that he be provided with a more comprehensive answer including the amount of money that each site using the facility pays for use of the facility.</p>	<p>The Director Infrastructure Services advised that additional information will be provided.</p>
2	Porter	<p>Requested that he be provided with a copy of the Geo Tech report regarding Cell 5 at the Waste Management Facility and also a copy of the aerial photo with Contours before Cell 5 was excavated.</p>	<p>The Director Infrastructure Services advised that the items will be provided.</p>
3	Calvert	<p>Referred to the recent newspaper article regarding the public meetings held by the Bushfire Brigade and enquired if the Mayor or General Manager had issued a statement regarding the press article.</p> <p>He advised that the article stated that the public meetings had caused alarm and anxiety within the community however he felt that the meetings had calmed the locals and provided them with necessary information.</p>	<p>The Mayor advised that he has made comments publicly regarding the public meetings however has not specifically addressed the matter.</p> <p>The Director Infrastructure Services will refer the matter to the Rural Fire Service to make comment.</p>
4	Paine	<p>Advised that people delivering items to shops in South Windsor are receiving parking infringements as there is nowhere to stop in Mullinger Lane and requested that the installation of two minute loading zones be investigated.</p>	<p>The Director Infrastructure Services advised that the matter will be investigated.</p>
5	Paine	<p>Enquired about the progress of the South Windsor clean up program.</p>	<p>The Director Infrastructure Services advised that some clean up works, pavement and kerb and gutter repairs have been completed. A report will come to Council regarding enhancement of South Windsor.</p>
6	Paine	<p>Requested that a letter be sent to Liz Ellis congratulating her on her achievements this year.</p>	<p>The Mayor advised that a letter will be sent.</p>

ORDINARY MEETING

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#	Councillor	Question	Response
7	Williams	Enquired when the report regarding Australiana Pioneer Village will be received from the Auditors.	The Director Support Services advised that the report has recently been received from Council's External Auditor. Staff are currently waiting for further comments and clarification from The Friends of the Village before a report will come to Council.
8	Williams	Requested that he also be provided with the details of funds received for use of the sewerage treatment plant at Australiana Pioneer Village.	The Director Infrastructure Services advised that the information will be provided.
9	Williams	Referred to the sullage running onto Australiana Pioneer Village grounds from Mr Kelly's property and the fence encroaching onto Australiana Pioneer Village land and requested that the matters be investigated.	The Director Infrastructure Services advised that the matter will be investigated.
10	Williams	Requested that the new speed limit signs on West Portland and Packer Roads be installed before the Christmas holidays.	The Director Infrastructure Services advised that he will contact the RTA and request that the signs be installed as soon as possible.
11	Rasmussen	Advised that there is a need for a shade structure at the playground at Kurrajong Memorial Park and requested that Council investigate how they can assist the community group in completing the project.	The Mayor advised that staff have sent correspondence to the community group regarding the matter. The Director Infrastructure Services advised that grant funds have been applied for. The ongoing maintenance of the structure could be an issue.
12	Mackay	Advised that the repairs to George Street in South Windsor look good and enquired when the works were completed.	The Director Infrastructure Services advised that the works were completed on Monday however at the time, a car was parked on the western side of the street so this area will be fixed later in the week.
13	Reardon	Requested that an interpretative sign be installed outside McDonald Valley School indicating that it is the oldest primary school in Australia.	The Executive Manager - Community Partnerships advised that the matter will be investigated.
14	Tree	Requested that interpretative signs be installed at significant historic structures and localities throughout the Hawkesbury in preparation for the 2010 Macquarie Celebrations.	The General Manager advised that a Notice of Motion would need to be submitted for such a project.
15	Whelan	Referred to the briefing on Peppercorn Services and enquired when the next appropriate time for the briefing to be held would be.	The Executive Manager - Community Partnerships advised that the matter has been rescheduled to next Councillor Briefing Session.

ORDINARY MEETING

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The meeting terminated at 12.13am on 9 December 2009.

Submitted to and confirmed at the Ordinary meeting held on 2 February 2010.

.....
Mayor