

HAWKESBURY CITY COUNCIL ORDINARY MEETING

Where People Make the Difference!

BUSINESS PAPER MINUTES

DATE OF MEETING: 14 February 1995

LOCATION: Council Chambers

TIME: 7:30pm

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Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 14 February 1995, commencing at 7:30pm.

PRESENT: Councillor R P Stubbs, Mayor and Councillor R G Calvert, H J M Books, W J Mackay, P J Minturn, C A Paine, P E Rogers, L C Sheather, W J Sledge, and H Williams.

The Reverend Canon John Butler, St Matthews Anglican Church, Windsor, gave the opening prayer at the commencement of the meeting on behalf of the Hawkesbury Ministers Fraternal.

Apologies for absence were received from Councillors B N Keegan and M G Parsons.

- 949 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Sledge that the apologies be accepted.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

- 950 RESOLVED on the motion of Councillor Calvert and seconded by Councillor Rogers that the Minutes of the Ordinary Meeting of Council held on 13 December, 1995 having been circulated amongst the members of Council, be confirmed.
- 951 RESOLVED on the motion of Councillor Calvert seconded by Councillor Rogers that the Minutes of the Special Meeting of Council held on 14 December, 1994 having been circulated amongst the members of Council, be confirmed.
- 952 RESOLVED on the motion of Councillor Rogers seconded by Councillor Sheather that the Minutes of the Special Meeting of Council held on 7 February, 1995 having been circulated amongst the members of Council, be confirmed.

MAYORAL MINUTES

1. STATE ELECTIONS GE001/005

- 953 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheather that the Mayoral Minute be adopted.

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Further those seeking election be asked to include in their response, details of funding and timeframing.

- 954 RESOLVED on the motion of Councillor Calvert seconded by Councillor Mackay that the issue of urban consolidation be raised with the other issues in the first Mayoral Minute.

2. CODE OF CONDUCT. GA030/002 PT02

- 955 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheather that the Mayoral Minute be adopted.

SECTION 2 - NOTICES OF MOTION

- 956 RESOLVED on the motion of Councillor Books seconded by Councillor Mackay that :
1. Council investigate the potential for further subdivision in the Vermont area at Pitt Town and that the matter be reported as soon as possible.
 2. The motion not be actioned until a reply is received from the Water Board in regard to the Johnston property.
 3. The report take on board the implications of "Our City Our Future" strategy.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

This is Page of the Minutes of the ORDINARY No 7 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 14 February 1995.

General Manager

Mayor

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SECTION 1 - ENVIRONMENT

96: HOBARTVILLE - DEFENCE HOUSING AUTHORITY PROPERTIES (GT150/003 PT02/GMA)

The General Manager read a facsimile letter received by the Mayor to-day and dated 14 February, 1995 from Mr S A Quill, General Manager - Capital Projects, Defence Housing Authority, in which the Authority requests that Councillors set aside the second paragraph of its recommendation.

957 RESOLVED on the motion of Councillor Rogers seconded by Councillor Mackay that:-

APPROVAL IN PRINCIPLE be given to the Defence Housing Authority for their proposed landscaping and traffic improvements in the Hobartville area and these works be undertaken to the requirements and satisfaction of the Divisional Manager Engineering.

That Council is extremely disappointed with the DHA's approach and State and Federal Governments' support of the proposed urban renewal project in Hobartville and that the reasons for the disappointment be conveyed to the relevant State and Federal Ministers.

The additional letter from the DHA be received.

97: MOBILE PLANT MECHANICAL REPAIR BUSINESS AND ON-SITE REPAIR OF PLANT - LOT 101 DP806622 NO 46 RESERVE ROAD, FREEMANS REACH - G CAUCHI (DA276/94/EVD)

958 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert that:-

THE APPLICATION BE approved subject to the following conditions:-

1. The proposed building to be screened from adjoining properties and Reserve Road by provision of a landscape buffer on the 4 (four) sides of the building with full details of planting including species to accompany the Building Application and all planting to be maintained for the life of the development.

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2. Hours of operation to be restricted to 7.30am to 5pm Monday to Friday and 7.30am to 12 noon Saturday, with no work on Sundays.
3. No machinery, vehicles or plant to be stored or parked outside the building and all work to be performed within the building.
4. Any noise created by the proposed development shall be maintained within 5dB(A) above background taken from any boundary of the site at any time.
5. Construction of a compacted crushed rock access from Reserve Road to the proposed building.
6. Provision of satisfactory vehicular access to the land to the requirements of the Divisional Manager Engineering Operations.
7. Submission of a building application, plans and specifications complying with the Building Code of Australia.
8. No advertising structures are to be erected, displayed or affixed on any building structure or land without the prior approval of Council. Any such advertising structure erected or displayed without prior approval will be removed and disposed of at the expense of the advertiser.
9. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
10. Exterior surfaces of the proposed structure being painted or treated with a dark toned non-reflective material in such a manner so as to cause the structure to blend with the landscape of the site and its surroundings. Such painting or treatment to be completed to the satisfaction of the Divisional Manager Environment and Development prior to occupation or use of the building.
11. No excavation or site works shall be commenced prior to the issue of the building permit.
12. An adequate on-site area for parking and loading is to be constructed with an all-weather surface to the satisfaction of the Divisional Manager Environment and Development.

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13. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
14. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
15. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
16. Erosion control measures such as hay bales or geotextile silt traps are to be provided during construction to stop silt, rubbish or debris from leaving the property. Details shall be submitted for consideration prior to the works commencing.

98: TWO LOT SUBDIVISION - LOT 2 DP835694 993 BELLS LINE OF ROAD, KURRAJONG HILLS - APPLICANT: G GRANT & D M M ROGAN (SA105/94/EVD)

Item 166 of the Supplementary Report - Reports for Determination - was considered in conjunction with Item 98 above.

- 959 **MOVED** on the motion of Councillor Mackay seconded by Councillor Paine that the matter be deferred.

An amendment was moved by Councillor Calvert seconded by Councillor Rogers that:-

The application be refused for the following reasons:

1. The proposed subdivision does not conform to the subdivision requirements for the Environmental Protection 7(d) Scenic Zoning of the land under Hawkesbury Local Environmental Plan, 1989, (Clause 11(2)(a)).
2. The proposed subdivision conflicts with the general objectives of the Environmental Protection 7(d) Scenic Zoning of the land.
3. Approval of the subdivision could be used as a precedent to have other subdivisions with non complying areas approved by Council.

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4. Approval of the subdivision could adversely affect the environment, the amenity of the area and the scenic and landscaped quality of the area.
5. Access to the proposed Lot 21 is not satisfactory.
6. Because of non compliance with Hawkesbury Local Environmental Plan, 1989, likely adverse affect on amenity, environment, scenic and landscape quality and steep topography, approval would not be in the public's interest.

The amendment was lost.

The motion was then put and carried.

99: PROPOSED USE OF EXISTING DWELLING AS A TOURIST FACILITY - GUEST HOUSE - LOT 10 DP605262 "YARRABEE" 41 WARKS HILL ROAD, KURRAJONG HEIGHTS - APPLICANT: MR P & MRS L NAYLOR (DA303/94/EVD)

960 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

A. THE APPLICATION be approved subject to the following conditions:-

1. The development is to be generally undertaken in accordance with the plans and description provided to Council with the development application except where specifically varied by these conditions.
2. Submission of a building application, plans and specifications complying with the Building Code of Australia.
3. No advertising structures to be erected, displayed or affixed on any building structure or land without the prior approval of Council. Any such advertising structure erected or displayed without prior approval will be removed and disposed of at the expense of the advertiser.
4. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.

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5. Any building or part thereof to be used for the purpose of storage, preparation or sale of food for human consumption shall be constructed in accordance with the requirements of the Food Act 1989 and Regulations thereunder and Council's Food Premises Code.
6. Parking shall be provided for an additional three (3) vehicles utilising the existing parking space on the eastern boundary and the existing garden bed generally along that section of the boundary which is fenced. All of the screen shrubs between the two houses are to be retained. Drainage is not to be concentrated onto adjoining property. Full details are to be submitted for approval with the building application.
7. Cars are to park nose to the fence so as to direct exhaust fumes away from the adjoining property.
8. The driveway and parking area shall be constructed of pavers or earth toned concrete or the like.
9. Construction of Council's standard heavy duty footway vehicular crossing to suit access to the site.
10. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
11. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.

B. The objectors be advised of this resolution.

100: CARAVAN PARK AND BANK REGRADING - LOT 1 DP617232 AND LOT 201 DP632354 PITT TOWN BOTTOMS ROAD, PITT TOWN - MR WERNER (DA119/93/EVD)

- 961 RESOLVED on the motion of Councillor Sledge seconded by Councillor Sheather that this item be deferred until the next General Purpose Committee Meeting.

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101: SUBDIVISION TO CREATE TWO ALLOTMENTS - LOT 13 DP25309 NO 7 PECKS ROAD, KURRAJONG HEIGHTS. APPLICANT: JOHN BOWDEN & CO (A CURRALL) (SA115/92/EVD)

- 962 **MOVED** on the motion of Councillor Books seconded by Councillor Sheather that this item be deferred until the next General Purpose Committee Meeting.

Councillor Sheather tabled a letter from Mr Currall.

An amendment was moved by Councillor Paine seconded by Councillor Calvert that the application not be supported.

The amendment was lost.

The motion was then put and carried.

102: SUBDIVISION TO CREATE TWO LOTS - LOT 2181 DP620393 161 STANNIX PARK ROAD, WILBERFORCE - APPLICANT: R K CAMBRIDGE & CO (ROLF CAMBRIDGE) (SA135/94/EVD)

- 963 **RESOLVED** on the motion of Councillor Calvert seconded by Councillor Sheather that:-

- A. THE SEPP1 objection not be supported.
- B. The application be refused for the following reasons.
 - 1. The proposal is below the minimum allotment size outlined in Hawkesbury LEP 1989.
 - 2. Support would create an undesirable precedent.
 - 3. The application is contrary to the objectives of the zone.

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103: BOUNDARY ADJUSTMENT 24 LOTS - LOTS 4 & 5 DP786671, LOT 1 DP781792, LOT 7 DP738354, LOTS 89 & 90 DP834019 & LOTS 22, 24, 26 - 29, 32 - 41 INCLUSIVE DP17870 GROSE VALE ROAD - APPLICANT: MCKINLAY MORGAN & ASSOCIATES P/L (SA142/93/EVD)

Councillor Books declared an interest in this matter.

964 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

APPROVAL BE GRANTED subject to:-

- A. The applicant's SEPP No. 1 objection be supported.
- B. Council support the preparation of a Draft Amendment to the LEP restricting further subdivision for proposed Lots 23 & 24.
- C. Upon receipt of the concurrence of the Department of Planning, the 24 lot boundary adjustment be approved subject to:
 - a. The 24 Lot Community Title subdivision shall be carried out generally in accordance with plans referenced Plan No. 2 & 3 referenced 87883 dated 14 September 1994.
 - b. The submission of a Subdivider/Developer Certificate (a Certificate under Part 3, Division 2, Section 27 of the Water Board Act, 1987).
 - c. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
 - d. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
 - e. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
 - f. Payment of a linen release fee of \$1,060 (one thousand and sixty). This amount is valid until 31 December 1995.

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- g. Construction of a 3.5m wide compacted crushed rock pavement and any necessary drainage along the access strip and across the footway to lots together with any necessary drainage. The maximum grade is to be 1 in 6.

104: AUSTRALIAN MUSHROOM GROWERS' ASSOCIATION - RESEARCH PROJECT TO UNDERTAKE BASELINE ANALYSIS OF ODOUR EMISSIONS FROM MUSHROOM COMPOSTING YARDS (GA025/001 PT04)

965 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

THE INFORMATION CONCERNING the research project to assess baseline odour emissions at Mushroom Composting operations in the Hawkesbury area be received.

105: DRAFT DEVELOPMENT CONTROL PLAN - LOT 10 SECTION 7 LOT 1 DP89694 AND PART LOT 5 DP515306 NOS 4-8 WEST MARKET STREET, RICHMOND (DCP002/92/EVD)

966 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. COUNCIL APPROVE the Development Control Plan 2/92 as set out in the following document and accompanying plan:

**DEVELOPMENT CONTROL PLAN
NO'S 4 AND 6 WEST MARKET STREET, RICHMOND**

DCP 2/92

Land Description

This Development Control Plan applies to the following Land:

Lot 10 Section 7 (No 4)

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Lot 1 DP89694 (No 6)

Local Environmental Plan

Hawkesbury Local Environmental, 1989, applies to the subject land.

Objectives of the Development Control Plan

The objectives of the Plan are:

- a. to maximise the provision of car parking on the land;
- b. to provide a 6 metre wide two way access to the rear parking areas; and
- c. to ensure a better streetscape in West Market Street.

Implementation

To achieve the objects of the Plan, it will be necessary to limit the floor space of future commercial development on the land to ensure the provision of a 6 metre wide driveway from West Market Street and to provide adequate parking for the development.

The land owners of 4-8 West Market Street be advised of Council's decision.

106: ADDITIONS TO SERVICE STATION - LOT 2 DP706131 1255 BELLS LINE OF ROAD, KURRAJONG HEIGHTS - APPLICANT: L & G GRAHAM (DA125/94/EVD)

- 967 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-
- THE AMENDED DETAILS not be supported.

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**107: TREE REMOVAL - AGRICULTURE - LOT 19 DP28331 423 TERRACE ROAD -
APPLICANT: MR M VELLA (P2003/775/EVD)**

968 RESOLVED on the motion of Councillor Sheather seconded by Councillor Minturn that:-

THE APPLICATION BE granted subject to the retention of all trees within 5 (five) metres of property boundaries to the north, south east and south west, with the exception of three trees in close proximity to existing dwelling and two trees adjacent to access way at front of dwelling. All other trees to be retained in the dwelling area at this time, retained trees to be marked for identification prior to any removal work being undertaken.

Approval be granted for the removal of the iron bark tree adjacent to the northern boundary. Restoration tree planting to be undertaken from the northern boundary on completion of tree removal.

108: EQUESTRIAN VILLAGE - CLARENDON (LEP7/94 PT1/EVD)

969 RESOLVED on the motion of Councillor Paine seconded by Councillor Mackay that:-

THE INFORMATION CONCERNING the status of the Equestrian Village at Clarendon be received and that Council approach the relevant Ministers for some assistance.

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109: DRAFT SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 - HAWKESBURY NEPEAN RIVER (AMENDMENT NO 2) AND DRAFT CODES OF PRACTICE FOR DEVELOPMENTS WHICH REQUIRE CONSULTATION WITH AND CONCURRENCE OF THE HAWKESBURY NEPEAN CATCHMENT MANAGEMENT TRUST (GT192/001/PT03/EVD)

970 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

THE INFORMATION BE received.

110: DRAFT LOCAL ENVIRONMENTAL PLAN TO PROHIBIT THE BURIAL OF USED MOTOR VEHICLE TYRES (LEP6/94/EVD)

971 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

A SECTION 68 submission be prepared for the draft plan prohibiting the burial of used motor vehicle tyres and forwarded to the Department of Planning for gazettal.

111: DRAFT LOCAL ENVIRONMENTAL PLANS FOR MCGRATH ROAD/WINDSOR ROAD, MCGRATHS HILL AND 130 WINDSOR ROAD, MCGRATHS HILL (LEP022/93 AND LEP004/94/EVD)

972 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

THE INFORMATION BE received.

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112: STUDY OF RIVERSTONE/VINEYARD SCHEDULE LANDS (LEP17/90 PT2/EVD)

973 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

THE INFORMATION CONCERNING the study of the Riverstone/Vineyard schedule lands be received. Further that The Hon Kevin Rozzoli be briefed on these discussions, Council's policies and opportunities for medium density.

113: WILBERFORCE ABATTOIR - COMPLAINTS FROM NEARBY RESIDENTS - COMPLIANCE WITH CONDITIONS OF DEVELOPMENT CONSENT (DA0052/94, P1102/560/EVD)

974 RESOLVED on the motion of Councillor Books seconded by Councillor Mackay that:-

THE INFORMATION CONCERNING the Wilberforce abattoir, the appointment of a noise consultant to undertake an assessment of noise attenuation, and the drafting of a new consolidated consent for consideration by the Community Committee be received. The matter be further reported to the March General Purpose Committee meeting. Further that the abattoirs at Wilberforce comply with the conditions of consent relating to working hours.

114: REDEVELOPMENT OF THE LAND SURROUNDING CLAREMONT COTTAGE AS A MEANS OF FUNDING ITS RESTORATION FOLLOWING FIRE DAMAGE (GH020/033/EVD)

975 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. THE INFORMATION BE received.
2. The owners of Claremont Cottage be advised that if the fire damaged section of the building continues to deteriorate to a condition where conservation is no longer possible Council will not support rezoning of the site to allow redevelopment.

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115: POULTRY FARM EXTENSIONS - LOT 6 DP215575 53 WALLACE ROAD, VINEYARD - J XUEREB (DA117/94/EVD)

976 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. CONDITIONS 8 AND 9 remain.
2. Condition 7 be replaced with the following:-

"The collection of chickens shall be conducted in such a manner so as not to interfere with the amenity of the area by way of noise. Should the noise which emanates from the site interfere with the amenity, measures to attenuate noise, such as earth mounds, shall be implemented immediately."

116: TYRE LANDFILLS (DA19/92/EVD)

977 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. THE INFORMATION BE received.
2. The Environment Protection Authority be advised of Council's concern regarding the licensing of development that may not have Council approval.

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117: STUDY OF RIVERSTONE SCHEDULED LANDS (LEP17/90 PT2/EVD)

- 978 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-
THE INFORMATION BE received.

118: STATE ENVIRONMENTAL PLANNING POLICY NO. 44 - KOALA HABITAT PROTECTION (GT070/006/EVD)

- 979 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-
THE INFORMATION BE received.

119: SUBDIVISION TO CREATE ELEVEN (11) LOTS COMPRISED OF EIGHT (8) RESIDENTIAL LOTS, TWO (2) LARGER RESIDUE LOTS AND ONE (1) LOT FOR A SEWER PUMP STATION - LOTS 1 TO 10 DP 831546, OLD HAWKESBURY ROAD AND HAVELOCK STREET, McGRATHS HILL - APPLICANT: McKINLAY MORGAN AND ASSOCIATES (SA 143/94/GMA)

Councillor Books declared an interest in this matter.

- 980 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather :-
- A. That the applicant's SEPP No. 1 objection be supported and the application be referred to the Department of Planning for the Director's concurrence.
 - B. That upon receipt of the Director's concurrence, the application be approved under delegated authority subject to the following conditions:-
 - 1. Dedication of a 4m by 4m splay at the intersections of Old Hawkesbury Road with Bismark and Havelock Streets and Havelock Street with Garfield Street.

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2. A payment of a contribution of \$43,020 towards sewer headworks. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment. No concessions have been given to existing lots as being zoned Rural there was no requirement that they be connected to the sewer.
3. Satisfactory arrangements being made with the Council for the provision of sewerage reticulation to serve lots 1 to 3 and 5 to 10 inclusive.
4. The construction of concrete kerb and gutter, including layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder pavement over the frontage of proposed Lots 1 and 5 to 11 inclusive to Havelock Street and Old Hawkesbury Road.

The construction of concrete kerb and gutter, including layback vehicular crossings, the footway area being formed in earth and all necessary drainage, together with the full construction of the adjacent road shoulder pavement over the frontage of lots 1 and 2 and the raised section of lot 3 to Garfield Street.
5. The provision of interallotment drainage covering all lots not draining directly to a public road and the creation of necessary easements free of cost to Council.
6. Construction of road and drainage or sewer works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Divisional Manager of Engineering Operations.
7. A design checking and inspection fee of \$1,320, must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 30 June 1995.
8. The submission of a Subdivider/Developer Certificate (a Certificate under Part 3, Division 2, Section 27 of the Water Board Act, 1987)
9. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of electrical reticulation to each of the resultant lots of the subdivision.

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10. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
11. Dedication to the Council at no cost, the proposed lot 11 containing the sewer pumping station.
12. The payment of a linen release fee of \$540.00. This amount is valid until 30 June 1995.
13. A contribution of \$14,307 being the contribution for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This amount is valid to 30 June 1995 and is based upon the catchment 3 rate of \$3,576.69 for an additional four (4) lots as six (6) existing lots were considered to have development potential.
14. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

SECTION 2 - INFRASTRUCTURE

38: ROAD CLOSURE APPLICATION OFF TIZZANA ROAD (P2006/250 PT02/ENG)

981 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

OBJECTION BE LODGED to the closure of the Crown Reserved Road through Lot 9 DP227211 off Tizzana Road, Ebenezer on the basis of need for use by bush fire brigade units and local residents and fishermen.

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39: PROPOSED CLOSURE - BEDDEK STREET, MCGRATHS HILL (240/R PT02/ENG)

982 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

PURSUANT TO SECTION 116 of the Roads Act, 1993, and in accordance with delegated authority given it by the Roads and Traffic Authority, Council approve closure of Beddek Street, McGraths Hill at its intersection with Windsor Road, with a physical barrier to be placed to effect that closure, and closure be advertised.

40: GRANTS "OPERATION HEALING" - HNCMT AND "GREENSPACE" - DEPARTMENT OF PLANNING (GG021/127 PT04/ENG)

983 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. THE FIVE GRANTS be accepted from the Department of Planning 'Greenspace' program and HNCMT "Operation Healing" as follows:-
 - a) Macquarie Park, \$25,000 "Operation Healing", \$50,000 "Greenspace" with Council contribution being \$50,000 from Macquarie Park Development (\$36,273), cable fencing (\$4,818) and Macquarie Park House (\$8,909).
 - b) "People for Parks" Bushcare \$14,000, "Operation Healing" with Council contribution being in kind from existing budgets.
 - c) Bligh Park Urban Runoff Retention \$40,000 "Operation Healing" with Council contribution being \$40,000 from existing S94 program.
 - d) Educational Nature Trail, Redbank Creek, \$7,000 "Operation Healing" with Council contribution being \$7,000 from existing Parks Improvement budgets.

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41: HAWKESBURY SWIMMING CENTRE (GT020/228 PT08/ENG)

- 984 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-
THE INFORMATION BE received.

42: HAWKESBURY SWIMMING CENTRE (GT020/228 PT08/ENG)

- 985 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

THE SUGGESTED DESIGN changes outlined by Peter Hunt on behalf of Consolidated Constructions be adopted and Council's decision be advised to the Contractor following the General Purpose Committee Meeting.

SECTION 3 - ORGANISATION AND RESOURCES

45: MONTHLY FINANCIAL STATEMENTS - NOVEMBER (GF001/004 PT4/FNC)

- 986 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-
THE INFORMATION BE received.

46: MONTHLY FINANCIAL STATEMENTS - DECEMBER (GF001/004 PT4/FNC)

- 987 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-
THE INFORMATION BE received.

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47: LEGAL SERVICES - EXPRESSIONS OF INTEREST (GT020/247 PT01/GMA)

988 RESOLVED on the motion of Councillor Rogers seconded by Councillor Mackay that :-

THE MEMBERS OF the Legal Consultative Committee undertake interviews of a short list of the names of the parties referred to in the Memorandum that was circulated, for the purpose of legal services to the Council, and in addition to include:

Category A - Blake Dawson; Corrs, Chambers & Westgarth and Malleson, Steven Jacques.

Category B - Messrs Shaddick Baker & Paull and A R Walmsley & Co.

Category C to remain the same.

Category D - Australian Commercial Disputes Centre.

**48: SALE TO FITZGERALD MEMORIAL HOSTEL INCORPORATED
(GR050/001/PT03, GC285/025/PT01/CSV)**

Councillor Sledge declared an interest in this matter.

989 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather :-

1. THAT SETTLEMENT ON the sale of Lot 211 DP806061 be extended to 30 June, 1995 with interest at 5% (five) applying until settlement completed.
2. That the Fitzgerald Memorial Hostel Incorporated be advised of the recommendation.

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49: LEASE OF VACANT LAND - PITT STREET, WINDSOR (GC283/135 PT01/CSV)

990 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. LOT K DP38709 (40 Pitt Street, Windsor) be leased to Mr Chris Wells for the purposes of keeping Clydesdale horses at the rate of \$10 per week per horse.
2. The lease rest on correspondence with two months notice to be given by either party to terminate the agreement.
3. The lot be kept in a clean and tidy condition by the lessee at all times.

50: REQUESTED AMENDMENT TO S88B INSTRUMENT - LOTS 1 AND 2 DP772156, BELLS LINE OF ROAD, BILPIN (P243/2705/PT02/CSV)

991 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. COUNCIL CONSENT TO the removal of the restriction imposed by the S88B Instrument in DP245217 which tied lots 2 and 7 to each other.
2. All necessary documents be completed under Seal of Council.

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51: ALFRESCO DINING - THOMPSON SQUARE AND GEORGE STREET, WINDSOR (GC283/134/CSV)

992 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

PUBLIC NOTICE BE given in accordance with the Roads Act 1993, in respect of the proposals to lease part of the public road within George Street and Thompson Square, Windsor for a period of 5 (five) years and to the proprietors as noted in this report and in accordance with the general terms and conditions also outlined in the Report.

Council supports in principle the Alfresco dining concept and subject to appropriate conditions of Council, Alfresco dining is encouraged throughout Hawkesbury City and further that Council write to the Windsor Chamber of Commerce, Richmond Chamber of Commerce, North Richmond Chamber of Commerce, Kurrajong Small Business Forum and the Wisemans Ferry Chamber of Commerce advising of Council support of Alfresco dining and for enquiries to be directed to Council.

52: PROPERTY DEVELOPMENT STRATEGIES - UPDATE (GC285/002 PT02/CSV)

993 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

1. THE INFORMATION BE received.
2. 42 Panorama Crescent, Freemans Reach and the adjoining closed road reserve be developed as a playground with suitable playground equipment to be installed.

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53: LOCAL GOVERNMENT ASSOCIATIONS - THREE-YEAR MANAGEMENT PLAN (GM001/024 PT01/CSV)

994 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

THE LOCAL GOVERNMENT Associations be advised of Council's endorsement of their Three-Year Management Plan for the period 1994/1997.

54: EXEMPTION FROM RATING - THE ASSOCIATION OF FRANCISCAN ORDER AT FRIARS MINOR - LOT 108 WOLLOMBI ROAD, ST ALBANS (P2359/880/FNC)

995 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

EXEMPTION FROM RATING under Section 555 (e)(i) of the Local Government Act 1993 be granted to the Association of Franciscan Order for Lot 108 Wollombi Road from 20 July 1994 and that rates of \$448.74 (four hundred and forty eight dollars and seventy four cents) be written off for rates issued.

55: PROPOSED SALE OF 1A GREENWAY CRESCENT, WINDSOR (P740/0015/PT02/CSV)

996 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

MR GHANTOUS BE offered a lease over the subject site for a period of 5 (five) years with an option for a further 5 (five) years with appropriate terms and conditions to be negotiated.

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56: 1A GREENWAY CRESCENT, WINDSOR - PROPOSED SALE (P740/15 PT02/CSV)

- 997 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-
THE INFORMATION BE received.

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SECTION 4 - REPORTS FOR DETERMINATION

150: FACILITIES FOR COUNCILLORS - PROVISION OF CHILD CARE (GC290/005 PT02/GMA)

998 RESOLVED on the motion of Councillor Sheather seconded by Councillor Books that the information be received.

999 RESOLVED on the motion of Councillor Rogers seconded by Councillor Williams that a report be prepared to consider on a broad basis the provision of approved child care facilities and general facilities for elected members, Council staff and the public during Council business hours and that such facilities be available for public attendance outside those hours.

151: HAWKESBURY CITY LOCAL ECONOMIC DEVELOPMENT BOARD (GM001/021 PT01/CSV)

1000 RESOLVED on the motion of Councillor Sledge seconded by Councillor Rogers that:-

1. The nomination of Mr Rob Tolson by representatives from the local agricultural/horticultural industry as the industry's representative on the Hawkesbury City Local Economic Development Board be supported.
2. The Council elect its 2 (two) representatives to the Board.
3. Councillors Calvert and Williams be the Council's 2 (two) representatives on the Board.

1001 RESOLVED on the motion of Councillor Rogers seconded by Councillor Sheather that:-

The Hawkesbury City Local Economic Development Board shall have as one of its principle tenants the implementation of its policies, the goal of sustainable urban development which is described as the development that improves the quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

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QUESTIONS FROM THE GALLERY

The Mayor then invited questions from the gallery.

Mr Geoff Farrance referred to the provision of child care facilities and asked if this could possibly come under a fringe benefit.

The General Manager advised that the Taxation Commissioner has indicated that Fringe Benefits Tax does not apply to elected members but it would if it went to staff.

152: AFFIXING OF COUNCIL SEAL (DA77/93 PT01, GC283/114 PT02/CSV)

1002 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay that:-

The Council Seal be affixed to the abovementioned documents.

153: QUARTERLY REVIEW AS AT 31ST DECEMBER, 1994 (GF004/003 PT01, GM001/002 PT03/FNC)

1003 RESOLVED on the motion of Councillor Books seconded by Councillor Mackay that:-

The quarterly review of the 1994/95 Management Plan and Financial Statement for period to 31st December, 1994, be adopted.

154: TEMPORARY CLOSURE - BOURKE STREET, RICHMOND - C. XIBBERAS, ST. PAUL'S CELEBRATION COMMITTEE (0258/R PT03/ENG)

1004 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert that:-

Action taken be endorsed.

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155: CAPITAL ASSISTANCE GRANTS 1994/95 - DEPARTMENT SPORT, RECREATION & RACING (GC021/172 PT01/ENG)

1005 RESOLVED on the motion of Councillor Sheather seconded by Councillor Sledge that:-

The 1994/95 Capital Assistance Grants be accepted and funding be as follows:-

- i) \$6,500 (six thousand five hundred) South Windsor Playground, 1994/95 Park Improvement Program;
- ii) \$4,481 (four thousand four hundred eighty one) playgrounds, Bilpin, Agnes Banks, 1995/96 Park Improvement Program;
- iii) \$14,000 (fourteen thousand) sports fields various, Hawkesbury Sports Council.

156: DRAFT PLAN - MANAGEMENT PUBLIC RESERVES, BOWEN MOUNTAIN (PK/281/ENG)

1006 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather that:-

The Draft Plan of Management be placed on public display for the prescribed period of time.

157: REGIONAL ROAD DEVELOPMENT PROGRAM FOR 1995/96 & 1996/97 (GG021/114 PT04/ENG)

1007 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge that:-

The submission for Regional Road funding be endorsed.

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**158: ENVIRONMENT PROTECTION AUTHORITY ENVIRONMENTAL
GUIDELINES FOR SOLID WASTE LANDFILLS (GW001/004 PT02/EVD)**

1008 RESOLVED on the motion of Councillor Sledge seconded by Councillor Sheather that:-

1. A submission be made on the Draft Guidelines in accordance with this report.

SECTION 5 - REPORTS FOR INFORMATION

159: REPORTS REQUESTED BY COUNCIL - STATUS AS AT 14 FEBRUARY 1995 (C50/1/GMA)

1009 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay that:-

The information be received

160: AUSTRALIAN PIONEER VILLAGE RECREATION & ANIMAL PARK (GA050/004/PT03/CSV)

1010 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay that:-

The information be received.

161: PROPOSED FLORA/FAUNA PARK - CLARENDON (GT050/005 PT05/CSV)

1011 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay that:-

The information be received.

162: INTEREST OPPORTUNITY LOST - RATES 53 CATTAL ROAD, PITT TOWN (P3465/530 PT02/FNC)

Councillors Stubbs and Rogers declared an interest in this matter.

In the absence of the Mayor and Deputy Mayor, the General Manager called for nominations for a person to chair the meeting.

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Councillor Sledge was nominated to take the Chair.

Councillor Sledge then took the Chair.

1012 RESOLVED on the motion of Councillor Calvert seconded by Councillor Mackay that:-

The information be received.

The Mayor then returned to the Chair.

**163: ROUNDABOUT - GEORGE STREET/BLACKTOWN ROAD INTERSECTION
(0731/R PT06/ENG)**

1013 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that:-

The information be received.

**164: 1994/95 WESTERN SYDNEY AREA ASSISTANCE SCHEME FIRST ROUND
FUNDING (GG021/005/ENG)**

1014 RESOLVED on the motion of Councillor Sheather seconded by Councillor Sledge that:-

The information be received.

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SECTION 6 - REPORTS OF COMMITTEES

FLOODPLAIN MANAGEMENT COMMITTEE MEETING

- 1015 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay that the Minutes of the Floodplain Management Committee Meeting held on 30 November, 1994 as recorded on Pages 1 and 2 of the Minutes, be received.

FLOODPLAIN MANAGEMENT COMMITTEE MEETING

- 1016 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather that the Minutes of the Floodplain Management Committee Meeting held on 19 December, 1994, as recorded on Pages 1 and 2 of the Minutes, be received.

FRIENDS OF THE HAWKESBURY ART COLLECTION

- 1017 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert that the Minutes of the Friends of the Hawkesbury Art Collection Meeting held on 5 January, 1995 as recorded on Pages 1 and 2 of the Minutes, be received.

LOCAL TRAFFIC COMMITTEE

- 1018 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather that the Minutes of the Local Traffic Committee Meeting held on 20 January, 1995, as recorded on Pages 1 to 7 of the Minutes, be adopted.

This is Page of the Minutes of the ORDINARY No 7 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 14 February 1995.

General Manager

Mayor

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FRIENDS OF THE HAWKESBURY ART COLLECTION

- 1019 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather that the Minutes of the Friends of the Hawkesbury Art Collection Meeting held on 2 February, 1995, as recorded on Page 1 of the Minutes, be received.

FRIENDS OF THE HAWKESBURY ART COLLECTION - ANNUAL GENERAL MEETING

- 1020 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert that the Minutes of the Annual General Meeting of the Friends of the Hawkesbury Art Collection Meeting held on 2 February, 1995 as recorded on Pages 1 to 3 of the Minutes, be received.

SUPPLEMENTARY REPORTS

165: WASTE MANAGEMENT - SOUTH WINDSOR TIP (GW001/002 PT05/GMA)

- 1021 RESOLVED on the motion of Councillor Sheather seconded by Councillor Sledge that:-
THE INFORMATION BE received.

166: TWO LOT SUBDIVISION - LOT 2 DP835694 993 BELLS LINE OF ROAD KURRAJONG HILLS - APPLICANT: G GRANT & D M M ROGAN (SA105/94/GMA)

See Minute No. 959.

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167: CLAREMONT LANE (0355/R/GMA)

1022 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert that:-

1. COUNCIL RESOLVE TO take such steps as are necessary to resume the land known as Claremont Lane should it be found to be owned by any person.
2. Forward a copy of this report to all landowners and invite them to provide any comments, including any claim they consider they may have to the title of the land known as Claremont Lane should they consider they have such a claim.
3. Advise the landowners and specifically Mrs Mansfield, who has indicated she placed the chain and padlock, that the Council requires it to be removed within a period of 48 hours pending formalisation of such steps as are necessary to formalise the title of the land in favour of the Council. That should the padlock and chain not be removed then this will be undertaken by the Council.
4. The Seal of Council be affixed to any necessary documents.

168: PROPOSED REGIONAL ART GALLERY - HAWKESBURY CITY AREA (GR030/002 PT2/CSV)

1023 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge that:-

THE INFORMATION BE received.

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QUESTIONS WITHOUT NOTICE

1. Councillor Rogers asked if the Local Traffic Committee or the Engineer could undertake to assess the traffic signage coming off the floodplain leading into Freemans Reach and travelling through Freemans Reach. He referred to the uncertainty as to whether it is 100, 80, 60kph. He asked if this could be looked at in terms of the continuity of signposting.
2. Councillor Rogers advised that he has had representations from Mr James Wolf, Secretary of the Body Corporate at Bandon Road Village seeking advice and action for a footpath on the western side of Bandon Road from the Village to the Vineyard Railway Station. He asked if this could be investigated and further reported and, if necessary, Mr Wolf be contacted on an update as to the effect of previous representations.
3. Councillor Rogers referred to the recent WSROC newsletter which made reference to the new economic indicators for Western Sydney. He asked if our Board would have access to those indicators. He also asked if when such statistics are available if there could be an internal breakup affecting Hawkesbury and the various parts thereof.

Councillor Calvert advised that there is a close working relationship with the Western Sydney Economic Development Board and he would think that any of the information that they had would be available to all constituent Councils. He also stated that as the University is part of the Economic Development Board, it would be able to do a local assessment of the information and report on that.

4. Councillor Rogers sought an update on representations from Ms Joanne Hibbert relating to the Hawkesbury Bicentennial Signs and the amendment of the wording from First Settlement to First European Settlement. He asked if Ms Hibbert could be advised of the current status.

The Divisional Manager Engineering Operations advised that the appropriate sign has been designed but has not been produced at this stage.

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5. Councillor Rogers referred to representations from Mr Holmes of Yarramundi which relates to the closure of a lane at the end of River Road. Mr Holmes has asked if the terms of the lease could be provided to him or to Councillor Rogers on the basis that Council could perhaps assist him in his enquiries as to whether the terms of the lease are known and disclosed to him.

It was suggested to Councillor Rogers that he inspect the files on this matter.

6. Councillor Rogers tendered 13 questions and asked that these be reported in the minutes as being read and asked for appropriate answers in due course.

The Mayor agreed that the questions be submitted, which are listed below.

1. Does Council have a weekly comprehensive recycling scheme that collects paper, bottles, glass, aluminium and tin and plastic?
2. Does Council have a community composting scheme?
3. Does Council sell compost bins?
4. Has Council fitted litter traps at the mouth of all creeks, rivers and stormwater drains?
5. Does Council promote the construction of rainwater tanks for use on gardens?
6. Does Council have an energy-efficiency policy built into its building approval system?
7. Does Council promote solar power?
8. Has Council stopped offering cars as part of staff salary packages?
9. Does Council lobby for fewer roads and more public transport?
10. Does Council's building code discourage the provision of parking spaces in commercial buildings to reduce dependence on cars?
11. Has Council developed a cycleway along the main roads in its area?

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12. Does Council have a policy of approving dual occupancies and medium density housing?
13. Has Council banned the use of tropical and unsustainably harvested timbers?
7. Councillor Sheather asked for a report on the likely upgrading of King and Sackville Roads.
8. Councillor Sheather referred to the drawing on the bridge for the bicycle crossing on Redbank Creek. He stated that it is 12 metres high and totally suspended. He asked if this could be assessed and appropriate action taken if necessary.
9. Councillor Paine sought an update on what is happening with the Richmond Growth project.

The Divisional Manager Environment and Development advised that Council is up to Plan marked "4" and there is possibly one more to come. At the moment Richmond Growth appear to be in the process of selling the site to a developer. Shortly Council will be writing to them. Both developers that have been spoken to have expressed a desire to get development approval before the 14 April, which is when they have to provide the \$1 million and the signed agreement. Council will be writing to them advising that the deadline to have the DA submitted to Council is about the 3 March. Desirably on the 3 March a final DA will be received and that will be put to a meeting of Council with the LEP so that the whole lot is resolved in one meeting.

10. Councillor Calvert referred to the Wetlands and the use of those Wetlands and the control by the landowner. He referred to a situation at Richmond where the waterways are infested with water hyacinth and they are private lands. The Hawkesbury River County Council is not able to spray those lands because it is private land and it is on the onus of the landholder to maintain that. The Department of Planning has issued a notice to the landowners declaring them as Wetlands and that forbids them to use any herbicide, to graze them, to use them for agriculture or any other form of activity on those lands. The County Council has decided to take it to the Minister and seek clarification. Councillor Calvert felt it appropriate that Council also take the matter to the appropriate Minister to seek some clarification to support the landholders in this whereby the waterways should be either declared public lands or some form of compensation to the owners to be able to look after this land. He stated that it is a declared Wetland under REP 20.

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The General Manager advised that he would have to get some advice on this matter. In his opinion, under the Act if the plant is declared noxious, then the County Council only has to serve notice on a landowner, whether it is private land or not, and then they can operate. The matter to be further reported to Council.

11. Councillor Calvert asked for the timeframe in relation to the bridge on Redbank Creek.

The Divisional Manager Engineering Operations advised that advice is that it will be finished by the end of June.

12. Councillor Mackay advised that he had received representations from the Deputy President of the Hawkesbury Swimming Club regarding funds they were expecting from Sport & Recreation and Council in relation to certain improvements that were carried out at the Richmond Pool and asked if this could be investigated.

13. Councillor Mackay advised that he had received a letter from a D Malcolm of Oakville in which he states that the demolition of historic housing and streetscape at Richmond is not correct in relation to the Richmond Growth proposal. There is a claim in the letter that Conservation Orders forbid demolition of buildings, damage to relics, places, or land, development of the land and alteration of buildings or relics, and asked if this is correct.

The Divisional Manager Environment & Development advised that there is a general provision in the Heritage Act that nobody can damage a relic. Whenever somebody demolishes a heritage house without doing an archaeological investigations, there is always a possibility that a relic is destroyed.

The General Manager advised that some staff from the Heritage Branch of the Department of Planning were invited to inspect the site. The general conclusion was said to be that they saw that no specific item there was of national significance, it was the combination of the elements to the urban design of the town that was important and that should be considered in the determination of the final layout of that shopping centre. That was made known to the architect/designer of Richmond Growth who was present at the time.

Councillor Books advised that the Heritage Committee had reviewed a lot of the houses on this particular site.

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Those buildings had been reviewed by the Committee and were being resubmitted for classification to be protected.

The Divisional Manager Environment & Development advised that all the heritage aspects will be assessed and there will be a report on the actual composition of the items, whether they are NorthWest Sector or LEP items, and will include the opinion of the Heritage Advisory Committee.

14. Councillor Mackay referred to the comment regarding Plan marked "4" and sought advice in this regard.

The Divisional Manager Environment & Development advised that the floor area is slightly bigger brought about mainly by Discount Department Stores in the 12 months or so that this has been before Council. The latest plan shows parking underneath the building, whereas the plan that Council looked at on the 14 December had a half storey arrangement up and down for parking on March Street. On the current plan that is deleted, there is some parking at grade and there is 900 spaces underneath the building.

QUESTIONS FROM THE GALLERY

1. Mr Farrance asked what is the relationship of the Sports Committee to the Council.

The General Manager advised that it is a Committee established by the Council. It is a separately incorporated body.

2. Mr Farrance referred to the status of the Macquarie statue in the park, and to the possible vandalism and damage through the metal part of the structure. He asked if it would be the same height when it was finished.

The Divisional Manager Engineering Operations advised that the sandstone plinth has been promised for next week. He advised that it would be 900mm high.

3. Mr Farrance referred to Item 162 - Reports For Information - on overpaid rates on properties and asked if Council charges interest on back rates.

The Divisional Manager Finance advised "No".

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The meeting terminated at 10.34pm.

Submitted to and confirmed at the meeting of Council on 14 March, 1995.

.....Mayor

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General Manager

Mayor