

HAWKESBURY CITY COUNCIL ORDINARY MEETING

Where People Make the Difference!

BUSINESS PAPER MINUTES

DATE OF MEETING: 5 September 1995

LOCATION: Council Chambers

TIME: 7:30pm

This business paper has been reproduced electronically to reduce costs, improve efficiency and reduce the use of paper. Internal control systems ensure it is an accurate reproduction of Council's official copy of the business paper.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 2

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 5 September 1995, commencing at 7:30pm.

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

- 120 RESOLVED on the motion of Councillor Paine seconded by Councillor Parsons that Standing Orders be suspended to permit a presentation to be made.

Michael Sullivan presented a diary of his visit to Tamba Japan in the 1994 Hawkesbury Exchange Program to Council.

The Mayor welcomed Mr Ken Fraser and a number of students from the Hawkesbury Independent School who are studying Council and the elections as a part of their curriculum.

- 121 RESOLVED on the motion of Councillor Paine seconded by Councillor Sheather that Standing Orders be resumed.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

- 122 RESOLVED on the motion of Councillor Parsons and seconded by Councillor Keegan that the Minutes of the Ordinary Meeting of Council held on 8 August, 1995, having been circulated amongst the members of Council, be confirmed.
- 123 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather that the Minutes of the Special Meeting held on the 10 August, 1995 having been circulated amongst the members of Council, be confirmed.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 3

MAYORAL MINUTES

1. RECOGNITION OF CONTRIBUTION BY COUNCILLORS GA030/001 PT02

- 124 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheather that Council formally recognise the contribution of Councillors Brian Keegan, Michael Parsons, Wendy Sledge, Paul Rogers and Hugh Williams.

2. APPOINTMENT OF STATE EMERGENCY SERVICE CONTROLLER. GC180/001 PT02

- 125 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheather that the report on the appointment of the State Emergency Service Controller be received.

SECTION 2 - NOTICES OF MOTION

By Councillor P E Rogers GC280/004 Pt03

- 126 RESOLVED on the motion of Councillor Rogers seconded by Councillor Mackay

That the Hawkesbury City Council condemns the actions of the Chinese Government to recommence its nuclear testing program in China. The citizens of the City of Hawkesbury support the proposed non-proliferation unification banning all nuclear testing and asks the citizens of China to reject the Chinese Government's renewal of its nuclear testing program.

Further, that the Prime Minister of Australia, the Chinese Ambassador to Australia and the Chinese Government be informed of Council's resolution herein.

That Council write to the Secretary General of the United Nations informing him of Council's resolution herein.

That Council resolve not to fly the Chinese flag until such time as the Chinese Government discontinues its nuclear testing program.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 4

By Councillor H J M Books GT180/001 Pt02

127 RESOLVED on the motion of Councillor Books seconded by Councillor Mackay that

1. That Council develop comprehensive criteria for the assessment of applications for tree clearing in rural areas incorporating advice from the Department of Agriculture.
2. Amend its Local Environmental Plan to create agricultural zones for intensified agriculture following the completion of a Rural Lands Study.
3. Amend its Local Environmental Plan to require development consent for agriculture and consent for agriculture at the completion of the implementation of the new zone system
4. To achieve 2 and 3 a time limited committee comprising Councillors, staff, Department of Agriculture and industry representatives (agricultural) from the Regional Economic Development Organisation, be established immediately following the election.
5. To the next meeting of the Council when the Committee is established there be a report on a program and schedule of works with the establishment of the Committee.

By Councillor Sheather GR120/004 Pt05

128 RESOLVED on the motion of Councillor Sheather seconded by Councillor Parsons that

Council erect two entry signs, one at Webbs Creek and the second at Wisemans Ferry on Settlers Road, that could read *"Welcome to the Macdonald Valley"*. Further, the views of the Wisemans Ferry Chamber of Commerce be sought for correct wording and placing of the signs.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 5

By Councillor Sheather GT160/001 Pt02

129 RESOLVED on the motion of Councillor Sheather seconded by Councillor Sledge that

THAT Council adopt the policy that all property owners likely to be affected by changes to a LEP or DCP or the making of a new LEP, where practicable, be notified in writing as well as being advertised.

Further that subdivision applications applied under an SEPP 1 adjacent and adjoining properties, be notified for comment.

By Councillor C A Paine GT225/013 Pt02

130 RESOLVED on the motion of Councillor Paine seconded by Councillor Sheather that

1. That Council agree, as a matter of urgency, to undertake a rural lands study to form the basis of implementation of the recommendations in the "Our City Our Future" report.
2. That Council agree to make a financial contribution to the cost of this study, and to seek funding support from industry groups and other Government agencies.
3. That the brief be prepared, taking into account the Hawkesbury Local Economic Development Board's brief for horticulture, agriculture study and existing briefs used by other councils for similar projects.
4. That this study be completed no later than September 1996, with the aim of reviewing Council's zoning system in late 1996/97.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 6

By Councillor C A Paine P1358/600 Pt01

131 RESOLVED on the motion of Councillor Paine seconded by Councillor Parsons that

Council endorse an investigation as to the possibility of establishing a supported accommodation facility for adults with disabilities who have moderate to high needs on the land owned by Council being public reserve located on the corner of Moray and College Street, Richmond or other sites. This investigation to include the issues of funding, rezoning and operation management and, in principle, approval for the donation of the land.

This is Page of the Minutes of the ORDINARY No 3 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 5 September 1995.

General Manager

Mayor

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 7

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

SECTION 1 - ENVIRONMENT

12: CONSTRUCTION OF A GO-KART TRACK AND ASSOCIATED FACILITIES - LOT 2 DP595299 AND PART LOT C DP159204 430-446 WILBERFORCE ROAD, WILBERFORCE (DA0021/95/EVD)

132 RESOLVED on the motion of Councillor Keegan seconded by Councillor Books that

THAT THIS APPLICATION be approved subject to:

- A.
 1. Submission of a structural certificate for the proposed bridge as constructed to the effect that it is capable of carrying the loads that will be imposed including flood and flood debris
 2. The existing culvert across the creek to be amplified to maintain the waterway area and flows within the Creek. Detailed hydraulic designs to be submitted for approval prior to construction
 3. The widening of the pavement in Wilberforce Road on its western side to provide a passing lane when vehicles are waiting to turn right into the development

All work including line marking to be to the requirements of the Roads and Traffic Authority
 4. Construction of a sealed access drive including necessary splays from the edge of seal in Wilberforce Road to the site entrance.
 5. Construction of the access road with a sealed pavement between the entrance to the site and in front of carparking spaces 1-20, opposite the shelter shed and amenities.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 8

6. Car parking spaces 1-20 near the entrance to the site, referred to in Condition 5 above, to be constructed with a sealed pavement and all parking spaces and aisle widths to conform to Council's Development Control Plan No 2 Parking Policy. Details to be submitted and approved prior to construction commencing.
7. The track drainage to comprise minimum of 250mm (two hundred and fifty) diameter pipes.
8. All disturbed areas shall be grassed to the satisfaction of the Divisional Manager of Environment & Development immediately after construction of the track, mounds and associated facilities. No area shall be left unprotected for more than 60 (sixty) days.
9. A maximum of 10 (ten) go-karts shall be operated in any way at any given time including on the track and adjoining the track.
10. All go-karts being operated on the site shall have a maximum sound pressure level of 78 dB(A) at 7 (seven) metres. The applicant shall satisfy the Divisional Manager of Environment and Development of this sound pressure level if required to do so.
11. Provision of earth barriers as recommended in the Report by Atkins Acoustics and Associates Pty Ltd, reference 25.4298 RI:GA57 dated June 1995.
12. Petroleum products shall be stored within an impervious bunded area at all times. All refuelling of go-karts and transfer of products shall take place within this bunded area.
13. Approval being obtained from the Environment Protection Authority for the operation of the go-kart facility.
14. Tyre barriers shall be adequately retained to prevent disturbance to them during periods of flooding.
15. Lot 2 DP595299 and Part Lot C DP159204 to be consolidated into 1 title prior to the go-kart track being used by the public.
16. Submission of a building application, plans and specifications complying with the Building Code of Australia.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 9

17. No advertising structures to be erected, displayed or affixed on any building or land without prior approval.

Any unauthorised advertising structure will be removed at the expense of the advertiser.
18. No excavation or site works shall be commenced prior to the issue of the building permit
19. The submission of an erosion and sedimentation control plan for approval prior to any works commencing
20. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the use of the track and shall be maintained for the life of the development
21. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity
22. 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.
23. Operating hours shall be limited to 9.00am to Sunset, 7 (seven) days a week. Any alteration of these hours will require the approval of the Divisional Manager Environment & Development
24. The development shall be carried out in accordance with Plan No. 94071, dated July 1995.
25. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.
26. No excavated material, including soil, shall be removed from the site

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 10

27. Payment to Council of a contribution under Section 94 of the Environmental Planning and Assessment Act, 1979 towards the maintenance of roads based on 3c per tonne per kilometre of all material transported to the site. The contribution shall be paid prior to the commencement of any works and shall remain fixed for a period 3 (three) months.
28. The earth mounds shall be grassed to the satisfaction of the Divisional Manager Environment & Development immediately after filling takes place.
29. All works shall be completed within 6 (six) months of commencement.
30. Only go-karts with 4 (four) stroke engines are to be used.

AN AMENDMENT was moved by Councillor Sheather seconded by Councillor Calvert that:

THIS APPLICATION be approved subject to:

- A.
 1. Submission of a structural certificate for the proposed bridge as constructed to the effect that it is capable of carrying the loads that will be imposed including flood and flood debris
 2. The existing culvert across the creek to be amplified 100 to maintain the waterway area and flows within the Creek. Detailed hydraulic designs to be submitted for approval prior to construction
 3. The widening of the pavement in Wilberforce Road on its western side to provide a passing lane when vehicles are waiting to turn right into the development

All work including line marking to be to the requirements of the Roads and Traffic Authority
 4. Construction of a sealed access drive including necessary splays from the edge of seal in Wilberforce Road to the site entrance.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 11

5. Construction of the access road with a sealed pavement between the entrance to the site and in front of carparking spaces 1-20, opposite the shelter shed and amenities.
6. At least 10 (ten) car parking spaces to be constructed with a sealed pavement and all parking spaces and aisle widths to conform to Council's Development Control Plan No 2 Parking Policy. Details to be submitted and approved prior to construction commencing.
7. The track drainage to comprise minimum of 150mm (one hundred and fifty) diameter pipes.
8. All disturbed areas shall be grassed to the satisfaction of the Divisional Manager of Environment & Development immediately after construction of the track, mounds and associated facilities. No area shall be left unprotected for more than 60 (sixty) days.
9. A maximum of 10 (ten) go-karts shall be operated in any way at any given time including on the track and adjoining the track.
10. All go-karts being operated on the site shall have a maximum sound pressure level of 78 dB(A) at 7 (seven) metres. The applicant shall satisfy the Divisional Manager of Environment and Development of this sound pressure level if required to do so.
11. Provision of earth barriers as recommended in the Report by Atkins Acoustics and Associates Pty Ltd, reference 25.4298 RI:GA57 dated June 1995.
12. Petroleum products shall be stored within an impervious bunded area at all times. All refuelling of go-karts and transfer of products shall take place within a bunded area.
13. Approval being obtained from the Environment Protection Authority for the operation of the go-kart facility.
14. Tyre barriers shall be adequately retained to prevent disturbance to them during periods of flooding.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 12

15. A section 88B restriction as to user to be imposed on the titles of both Lot 2 DP595299 and Part Lot C DP159204 that they not be separately sold or transferred.
16. Submission of a building application, plans and specifications complying with the Building Code of Australia.
17. No advertising structures to be erected, displayed or affixed on any building or land without prior approval.

Any unauthorised advertising structure will be removed at the expense of the advertiser.
18. No excavation or site works shall be commenced prior to the issue of the building permit
19. The submission of an erosion and sedimentation control plan for approval prior to any works commencing
20. A detailed plan of landscaping shall be submitted and approved by the Divisional Manager Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the use of the track and shall be maintained for the life of the development
21. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity
22. 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.
23. Operating hours shall be limited to 9.00am to Sunset, 7 (seven) days a week. Any alteration of these hours will require the approval of the Divisional Manager Environment & Development
24. The development shall be carried out in accordance with Plan No. 94071, dated July 1995.
25. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.

This is Page of the Minutes of the ORDINARY No 3 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 5 September 1995.

General Manager

Mayor

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 13

26. No excavated material, including soil, shall be removed from the site
27. The earth mounds shall be grassed to the satisfaction of the Divisional Manager Environment & Development immediately after filling takes place.
28. Only go-karts with 4 (four) stroke engines are to be used.

The amendment was lost.

The motion was then put and carried.

Questions from the Gallery

1. Mr Pat Clerke - expressing concern re the construction of a building on the reserve in Moray Street.

It was advised that the matter will be the subject of a report to Council.

2. The Committee for the Local Residents of Wilberforce - in relation to the Abbatoir had a letter which they wanted taken into consideration.

The Mayor advised that the letter will be tabled tonight when this matter is being dealt with.

3. Mr Edds - re Graham Price Pty Ltd - 1). With the presently available evidence and the survey forms - what action was taken to supply the information as required as far as the evidence goes and 2). What period of time is the survey being taken over.

The Director Environment and Development advised that all residents who live near Graham Price have been written to. Four Council Officers also live near and have been co-opted to participate and forms also sent to anyone who has rung in about the survey. The survey goes from the 16th August for two months.

4. Why are we losing the mushroom industries out of the area when new technology that can handle the problem of smell and emission.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 14

The people of the industry are not willing to commit themselves to \$5 million in capital expenditure if the result is not absolutely guaranteed and they have to relocate. Trials are being done in other areas and Elf Mushrooms is building a composting facility near Marulan which will incorporate some of this technology. The problem is a substantial commitment to capital upgrading of these plants.

13: CONVERT AN EXISTING STORE ROOM/RUMPUS ROOM INTO A THREE BEDROOM DWELLING (DUAL OCCUPANCY). PROPOSED LOT 62 IN A SUBDIVISION OF LOT 6 DP245119 39 SCOTTS FARM ROAD, GROSE WOLD. (DA0118/95PT01/EVD)

133 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

A. THAT THE application be refused for the following reasons:

1. That the development is not an "attached" dual occupancy as defined by Council's Development Control Plan for Dual Occupancy/Duplex Housing.
2. Approval of the application will create a precedent for similar applications and pressure for the excision of the dwellings by subdivision contrary to minimum area standards for subdivision.

B. That Council amend the Dual Occupancy Duplex Housing Development Control Plan to require that "attached" dual occupancies in rural areas be a single building containing 2 (two) dwellings and either share a common wall or the main roof and, in the latter instance, the closest walls of the dwellings be not more than 6 (six) metres apart.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 15

14: ALTERATIONS TO A HERITAGE ITEM AND ITS USE AS A RESTAURANT - LOT 3, DP 803879, NO.663 GROSE VALE ROAD, GROSE VALE (DA106/95/EVD)

134 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT THE APPLICATION be refused as it is an inappropriate commercial activity in this rural zone and it will cause an adverse impact on the amenity of the local area, particularly in relation to noise.

15: ERECTION OF GREENHOUSE FOR PROPAGATION AND DISPLAY AREA (DA0148/95 PT01/EVD)

Councillor Paine declared an interest in this matter as there may be some court action pending and there could be some involvement.

Moved by Councillor Sledge seconded by Councillor Parsons

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

1. The development shall be carried out in accordance with Plan No 627.1278 dated June 1995.
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 or land without prior approval. Any unauthorised advertising structure will be removed 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.
5. No excavation or site works shall be commenced prior to the issue of the building permit

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 16

6. That the irrigation line be removed on the boundary of the fence between the applicant and the property on the lower side to the end of the dwelling and the dual occupancy of the neighbours.

135 AN AMENDMENT was moved by Councillor Keegan seconded by Councillor Sheather that :

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

- 1 The development shall be carried out in accordance with Plan No 627.1278 dated June 1995.
- 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 or land without prior approval. Any unauthorised advertising structure will be removed 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.
- 5 No excavation or site works shall be commenced prior to the issue of the building permit
- 6 That an agricultural drain and surface drains to be placed on the downward side of the front fence to a place 10 (ten) metres past the last building of the neighbour's property to the satisfaction of the Divisional Manager Environment & Development.

The amendment was carried.

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

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 17

16: SUBDIVISION TO CREATE FIVE ALLOTMENTS WITH BUILDING ENTITLEMENTS - PLUS A SIXTH COMMUNITY LOT - LOT 18 DP30468, NO.26 CLIFF ROAD, FREEMANS REACH (SA0106/95/EVD)

136 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay that:

THE APPLICANT BE invited to submit a revised plan taking into consideration the concerns of the Council.

17: SUBDIVISION TO CREATE SIX ALLOTMENTS - LOT 14 DP202803 NO. 260 TERRACE ROAD, FREEMANS REACH. APPLICANT: FALSON & ASSOCIATES (SA118/94/EVD/EVD)

137 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT this particular application be refused, however the Council invite an application where the applicant could demonstrate that the waste water generated from the site could be disposed of satisfactorily by an alternative system to pump-out and with the appropriate licences.

18: SUBDIVISION TO CREATE TEN (10) ALLOTMENTS - LOT 1 DP557035, LOT 2 DP615915, LOT 171 DP527991, HORANS LANE, KURRAJONG. APPLICANT: FALSON & ASSOCIATES (SA0096/95//EVD)

Councillor Books declared an interest in this matter because of a family relationship.

Moved by Councillor Sheather seconded by Councillor Minturn

A. THAT THE application be refused for the following reasons:-

1. Contrary to the minimum area standard for subdivision in the Environment Protection 7(d) zone.
2. Precedent for further subdivision and inevitably an ad hoc redefinition of the escarpment area.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 18

- B. A consultant be employed to reassess the escarpment boundary of this location and the funds be recouped from further subdivisions.

138 **AN AMENDMENT** was moved by Councillor Calvert seconded by Councillor Paine that

- A. THE application be refused for the following reasons:-

1. Contrary to the minimum area standard for subdivision in the Environment Protection 7(d) zone.
2. Precedent for further subdivision and inevitably an ad hoc redefinition of the escarpment area.
3. That a consultant be employed to reassess the boundaries of the subdivision.

The amendment was carried.

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

19: DEVELOPMENT (SUBDIVISION, DUAL OCCUPANCIES, VILLAS ETC) WITH FRONTAGE TO REAR LANES (GT070/011; DA0033/95PT01/EVD)

139 **RESOLVED** on the motion of Councillor Parsons seconded by Councillor Mackay

1. **THAT COUNCIL REQUIRE THAT** all developments or subdivisions adjoining rear laneways be provided with legal and pedestrian access to the front street.
2. Council not require the upgrading of rear laneways at the time of subdivision or development where legal and pedestrian access is provided to the front street.
3. All developments adjoining a rear laneway be required to provide screen fencing along the frontage to the lane and adequate courtyard area for the proposed development.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 19

**20: DRAFT LOCAL ENVIRONMENTAL PLAN - EQUESTRIAN VILLAGE,
RACECOURSE ROAD, CLARENDON - AMENDMENT NO. 40 (LEP007/94 PT01/EVD)**

Councillor Keegan declared an interest in this matter as his family owns land in this area.

140 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay that

Council reaffirm its commitment to the subdivision here and representations be made to the relevant Minister and local Members of Parliament be invited to help in the response.

**21: REMOVAL OF TREE - PROPOSED DWELLING CONSTRUCTION - LOT 7 DP
787272 NO.20 FLINDERS PLACE, NORTH RICHMOND - APPLICANTS: MR R AND
MRS S AMBROSE (BA748/95/EVD)**

Councillor Paine tabled a letter from Greening Australia which was read by the General Manager

Moved by Councillor Rogers seconded by Councillor Parsons

THAT APPROVAL BE given for the felling of the tree.

The motion was lost

141

MOVED by Councillor Sheather seconded by Councillor Rogers that

The application be refused and Council negotiate the purchase of the property.

The motion was lost.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 20

- 142 **AN AMENDMENT** was moved by Councillor Paine seconded by Councillor Sledge that Council seek advice from the Horticultural Department of the University of Western Sydney Hawkesbury and Mount Tomah Gardens as to the feasibility of the removal of the tree.

The amendment was carried and became the motion.

- 143 **A FORESHADOWED AMENDMENT** was moved by Councillor Parsons seconded by Councillor Keegan that

APPROVAL be given for the felling of the tree.

The amendment was carried.

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

22: PROPOSAL FOR THE PROVISION OF BONDS TO ENSURE COMPLIANCE WITH TREE REMOVAL APPROVALS IN RURAL AREAS. (G3020/031PT04;GT070/006PT02/EVD)

- 144 **RESOLVED** on the motion of Councillor Parsons seconded by Councillor Mackay

THAT THE POLICY for tree applications and bonds for tree clearing be implemented generally in accordance with the proposal outlined in the report.

23: WILBERFORCE ABATTOIR - PROPOSED AGREEMENT TO RELINQUISH EXISTING CONSENTS AND ISSUE A SINGLE CONSOLIDATED CONSENT (P1102/560PT06;DA0052/94PT01/EVD)

Councillor Books requested that it be placed on record that Mrs Moore bought this property in 1984 and the abbatoir has had two owners since that time.

The General Manager read a letter tabled by Mr Ron Fairclough on behalf of the Wilberforce Residents Action Group.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 21

145 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert

A. The abattoir operators be invited to surrender all existing development consents with a modified consolidated consent to be issued under delegated authority subject to the following conditions:

1. This consent is for the operation of an abattoir to slaughter, butcher and undertake any associated activities.
2. The rendering of meat and by-products is not be undertaken on site.
3. The hours of slaughtering shall be limited to 7.00am to 4.00pm Monday to Friday. Slaughtering shall not be undertaken on Saturdays, Sundays or Public Holidays.

Any variation to these times will require the approval of the Divisional Manager Environment and Development and will be restricted to rare events and breakdowns. *Approval for variation in the hours of slaughtering has to be sought and obtained before there is any slaughtering outside of the approved hours.*

4. The hours of boning shall be limited to 7.00am to 10.00pm on any day.
5. There are to be no trucks on site delivering stock between the hours of 10.00pm and 7.00am on any day.
6. *Trucks may remove meat and by-products at any time provided that between the hours of 10.00pm and 7.00am the following practices are employed:*
 - . *no truck refrigeration units to be used on site*
 - . *no headlights to be used on site*
 - . *no loud talking*
 - . *no metal on metal noises*
 - . *no door slamming*
 - . *no revving of engines*
 - . *no unnecessary noise*
7. Trucks delivering stock to the abattoir are not to wait outside the abattoir entrance or at any other location which will disturb the amenity of residents.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 22

A new large sign is to be placed at the entrance on King Road advising that stock will be received between 7.00am and 10.00pm only and that stock transports are not to wait outside the abattoir and if they arrive out of hours are to proceed to a road layby outside of Wilberforce and away from houses.

The sign is to be suitably lit so that it can be read at night. If necessary the applicant is to fund the erection of "No standing" signs outside the abattoir prohibiting standing between 10.00pm and 7.00am.

8. A solid masonry wall (solid brick or concrete block) is to be constructed along the western boundary from the southern end of the property to the end of the slaughter area. This wall is to be returned to the main building at the end of the slaughter area and is also to be taken for a distance of 5 metres along the southern boundary.

The wall is to meet the corrugated metal roof and be fixed to it.

The wall can be constructed in two stages provided that it is completed within 6 months of the date of this consent with the first stage being the slaughter area to be completed within 3 (three) months of the date of this consent.

The requirement to construct the wall is subject to the adjoining property owner providing reasonable access to allow its construction.

In the event that the adjoining owner does not provide access for the construction of the masonry wall, the next best alternative wall in terms of sound attenuation is to be constructed in such a manner that access across the adjoining property is not required. An alternative construction is to be approved by the Divisional Manager Environment and Development.

9. The doors to the compressor on the western side of the building are to be closed when the compressor is in operation. This will probably require an alternative ventilation system which is to be acoustically treated to the satisfaction of the Divisional Manager Environment and Development. Alternatively, the masonry wall can be extended north of the compressor room to provide acoustic screening which would allow the compressor door to be left open.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 23

10. The submission of a building application, plans and specifications complying with the Building Code of Australia for the masonry wall or its approved alternative.
11. The access road from King Road to the abattoir building shall be maintained in an all weather condition.
12. An adequate on-site area for parking and loading with a suitable all weather surface is to be maintained to the satisfaction of the Divisional Manager Environment and Development.
13. The applicant is to submit either a survey or aerial photographs of the site which clearly depict all improvements so that Council has a record of the extent of the development.
14. No portable buildings or containers are to be brought on site additional to those existing at 14 August 1995 without the consent of Council.
15. The operation of the abattoir shall cease in the event that any part of the waste water control plant is affected by flooding or in the event that the system fails to operate in accordance with standards as approved by Environment Protection Authority.
16. The operation of the waste water treatment plant shall be inspected from time to time as determined by the Divisional Manager Environment and Development and the cost of such inspections and of any consequent sampling and testing shall be met by the operators of the abattoir.
17. The waste water treatment plant and disposal area shall be operated and maintained in accordance with the requirements of the Environment Protection Authority licence.
18. The operators of the abattoirs shall comply with any reasonable direction from Council or its officers to abate or prevent unreasonable nuisance.
19. The applicant is to participate on an Environmental Monitoring Committee if requested by Council. The committee would consist of representatives of Council and two community representatives approved by Council. The Committee would consider any impacts that the development may have on the local environment. Meetings of the Committee are to be convened at the request of Council.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 24

- B. In the event that the abattoir operators do not surrender the existing consents to be replaced by the modified consolidated consent, Council take action to enforce compliance with the existing conditions of consent and, if necessary, take legal action to achieve this.
- C. That the matter be further reported in 6 (six) months for information.

24: DRAFT LOCAL ENVIRONMENTAL PLAN - LOT 7 DP979541 NO. 2 JOHNSTON STREET, PITT TOWN - 1 JOHNSTON & G TIMMERMAN - 20 ADDITIONAL LOTS (LEP21/93 PT01/EVD)

- 146 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT THE PLAN be forwarded to the Department of Urban Affairs and Planning for gazettal and the information in Item 42 be received.

25: LANDFILL - LOT 1 & LOT 2 DP719658 LOTS 59 AND 60 DP560460 AND LOTS 21 & 22 DP518197 GEORGE STREET, WINDSOR - OWNER: (DA0224/94/EVD)

- 147 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT COUNCIL SUPPORT the concept in principle subject to an Environmental Impact Statement.

26: SUBDIVISION POTENTIAL - VERMONT AREA (GT0220/003 PT2/EVD)

- 148 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

1. THAT THE CONTENTS of this report be noted.
2. No further action to rezone the large holdings north and east of Hall Street or south of Bootles Lane be taken at this time other than the proposal at Bona Vista currently being considered under LEP21/93.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 25

3. The currently fragmented area of Vermont shown crosshatched on the plan attached to this report be zoned Rural 1(c) and a Section 64 Submission be made to the Department of Urban Affairs and Planning requesting same.

27: DRAFT LOCAL ENVIRONMENTAL PLAN - ADDITIONAL HERITAGE ITEMS (LEP010/95/EVD)

149 RESOLVED on the motion of Councillor Sledge seconded by Councillor Paine

1. THAT A submission be prepared pursuant to Section 54 of the Environmental Planning and Assessment Act be forwarded to the Department of Urban Affairs and Planning in relation to the Draft Local Environmental Plan for additional heritage items in Lower Portland including the Lower Portland Public School and the Church.
2. That Council seek advice from the Heritage Advisor before any decision is made in respect to the main building complex of the old Hawkesbury Hospital.

28: AMENDMENTS TO STAGE 1 - EXTENSIONS AND ALTERATIONS TO THE EXISTING RICHMOND EX-SERVICEMEN'S CLUB - LOT 13, DP4906, LOTB, DP368301, LOTS 1-5, DP237356, 6-8 EAST MARKET STREET AND LOT 1, DP624012 CORNER FRANCIS STREET AND BENSONS LANE, RICHMOND. (DA24/95/EVD)

Item 61 of the Supplementary Report was considered in conjunction with Item 28.

150 RESOLVED on the motion of Councillor Sheather seconded by Councillor Keegan that

The recently submitted amendment to Stage 1 be approved and that development consent be amended with the following conditions:

1. Amended Stage 1 be carried out generally in accordance with plans reference DA 2, DA 3, DA 4, DA 5 dated 10 February 1995 and DA 13B dated 17 July 1995 and where modified by conditions.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 26

2. Upon completion of the relocated bowling greens adjacent to Bensons Lane, carparking proposed on the club site shall be carried out in accordance with amended Condition No 1.

The Club be advised that building works are not to be commenced until the meeting indicated by the Bowling Club members has been undertaken or the Annual General Meeting held in accordance with their advice.

29: DRAFT LOCAL ENVIRONMENTAL PLAN - ADDITIONAL HERITAGE ITEMS LEP1/94; P1341/495 PT1/EVD

Councillor Stubbs declared an interest in this matter as one of his relatives owns the bakery at Pitt Town and vacated the Chair. Councillor Keegan took the Chair.

Councillor Rogers declared an interest in this matter because of legal matters relating to 37 Lennox Street.

Item 63 of the Supplementary Report was considered in conjunction with Item 29.

MOVED on the motion of Councillor Sledge seconded by Councillor Sheather that

1. That the information in the Supplementary Report be received.
2. That the following be included as formal heritage items in LEP 1/94 - Additional Heritage Items:
 - * 51 Bells Line of Road, North Richmond
 - * 82 Windsor Street, Richmond
 - * Hawkesbury Hospital Site
3. That the following be deleted from LEP 1/94 - Additional Heritage Items:
 - 37 Lennox Street, Richmond
 - 774 Grose Vale Road, Grose Vale

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 27

4. That consideration of "Melrose Cottage" 57 East Market Street, Richmond be referred to the next GPC

An amendment was moved by Councillor Calvert seconded by Councillor Mackay that

1. That the information in the Supplementary Report be received.
2. That the following be included as formal heritage items in LEP 1/94 - Additional Heritage Items:
 - * 51 Bells Line of Road, North Richmond
 - * 82 Windsor Street, Richmond
 - "Melrose Cottage" 57 East Market St., Richmond
3. That the following be deleted from LEP 1/94 - Additional Heritage Items:
 - 37 Lennox Street, Richmond
 - 774 Grose Vale Road, Grose Vale
4. That the Hawkesbury Hospital site not be listed

The amendment was lost.

The motion was lost.

- 151 MOVED on the motion of Councillor Books seconded by Councillor Sledge that the Hospital site be dealt with independently.

The motion was lost.

- 152 RESOLVED on the motion of Councillor Parsons seconded by Councillor Paine that

1. That the information in the Supplementary Report be received.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 28

2. That the following be included as formal heritage items in LEP 1/94 - Additional Heritage Items:

- * 51 Bells Line of Road, North Richmond
- * 82 Windsor Street, Richmond

3. That the following be deleted from LEP 1/94 - Additional Heritage Items:

37 Lennox Street, Richmond
774 Grose Vale Road, Grose Vale

4. and that consideration of "Melrose Cottage" and the Hawkesbury Hospital be referred back to the GPC.

Councillor Stubbs returned to the Chair.

30: ADDITIONS TO A SERVICE STATION. LOT 2, DP 706131 NO. 1255 BELLS LINE OF ROAD, KURRAJONG HEIGHTS (DA125/94/EVD)

- 153 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay
THAT THE INFORMATION be received.

31: BLAXLANDS RIDGE MATURATION PONDS - COMPLETION OF A STUDY TO INVESTIGATE OPTIONS FOR THEIR REPLACEMENT (GE020/028PT05/EVD)

- 154 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay
THAT FURTHER URGENT representations again be made to the Commonwealth and State Governments for provision of funding to implement alternative disposal options to the use of the Blaxlands Ridge maturation ponds.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 29

32: BLIGH PARK NORTH RELEASE AREA - SECTION 65 CERTIFICATE TO EXHIBIT DRAFT LOCAL ENVIRONMENTAL PLAN (LEP0016/13 PT02/EVD)

Councillor Calvert declared an interest in this matter as his parents live in the area.

155 RESOLVED on the motion of Councillor Parsons seconded by Councillor Keegan

1. THE DEPARTMENT OF Urban Affairs and Planning be requested to advise what additional information or alteration they require to be fully satisfied in respect of the issues of flooding and evacuation.
2. The draft local environmental plan not be placed on public exhibition until the issue of flooding and evacuation is resolved as to do so would require further expenditure on environmental investigations to complete the draft plan.

33: APPLICATION FOR THE DEMOLITION OF THE DWELLING ON 37 LENNOX STREET, RICHMOND - NORTH WEST SECTOR HERITAGE ITEM (P1218/100PT01/EVD)

156 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

1. THAT THE application for the demolition of the dwelling on m 37 Lennox Street not be supported as it has streetscape value and its speculative demolition would leave a vacant site which, by itself, is incapable of a major villa development.
2. The owner be advised that the matter would be reconsidered if and when a satisfactory development application is submitted for the development of the land.

34: HAWKESBURY CITY COUNCIL -V- MUSHROOM COMPOSTERS PTY LTD - CONTEMPT PROCEEDINGS (P1609/110Pt11/EVD)

157 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

THAT THE INFORMATION be received.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 30

35: CHANGE IN THE REQUIREMENTS FOR TERMITE CONTROL IN STRUCTURES AS FROM 1 JULY 1995 (GS080/010 PT5/EVD)

- 158 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay
THAT THE INFORMATION be received.

36: WINDSOR DOWNS LINK ROAD (1967/R/EVD)

- 159 RESOLVED on the motion of Councillor Paine seconded by Councillor Books that Item 69 of the Supplementary Report be dealt with in conjunction with Item 36

RESOLVED ON THE motion of Councillor Paine seconded by Councillor Books

1. That the link road not be constructed.
2. That subject to agreement with the Angliss Group, Sanctuary Drive be continued and sealed only to the entrance of Jericho Farm, with a cul-de-sac constructed adjacent to the property entrance, and a cul-de-sac be constructed at the present finished location of Rifle Range Road.
3. A walking trail between Bligh Park and Windsor Downs be provided, similar to the existing walking trails through the nature reserve, for use by bicycles and walkers, with the relevant gates, bollards and fencing.
4. With the agreement of the Angliss Group, the remaining funds from \$390,000 security provided for the Link Road, be spent on the construction of a roundabout at Richmond Road/Sanctuary Drive entrance.
5. Council to provide estimates and plans to the Angliss Group as requested.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 31

37: REMOVAL OF TREES AND CLEARING OF LAND FOR PRODUCTION OF CUT FLOWER CROPS AND GROWING SHEDS FOR A WHOLESALE NURSERY - LOT 9 DP210461, 2237 BELLS LINE OF ROAD, BILPIN (DA0165/95PT01/EVD)

160 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT THE APPLICATION be approved subject to the following conditions:

1. No trees to be cleared within 6 (six) metres of the side boundaries and 15 (fifteen) metres of the front boundary to preserve the visual amenity of the area.
2. The small area marked "G" near the front boundary is not to be cleared for growing purposes.
3. Clearing for firebreaks is to be restricted generally to the area between the line of the rear firebreak and the Bells Line of Road with clearing being restricted to removal of under-scrub and small trees with a height less than 4 (four) metres, a spread of less than 3 (three) metres or having a trunk diameter of less than 150 (one hundred and fifty) millimetres, 1 (one) metre above the ground. No mature trees or semi-mature trees are to be removed for firebreak purposes.
4. No firebreak work or clearing of land is to take place other than those areas approved by this development consent and no approval is given to clear adjacent public or privately owned land.
5. Submission of a building application, plans and specifications complying with the Building Code of Australia.
6. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
7. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Divisional Manager Environment and Development.
8. The submission of an erosion and sedimentation control plan for approval prior to any works commencing.
9. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.

This is Page of the Minutes of the ORDINARY No 3 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 5 September 1995.

General Manager

Mayor

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 32

10. No retail sale of goods is to be made from the subject premises.
11. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
12. All loading and unloading in relation to the use shall take place wholly within the property, and these loading areas shall be kept clear for loading/unloading at all times.
13. 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.
14. The development shall be carried out in accordance with Plan No. "B" as submitted with the Development Application except where modified by the above conditions.

**38: WILBERFORCE ABATTOIR - RECOMMENDED CHANGE TO PROPOSED
CONDITIONS ON THE CONSOLIDATED CONSENT
(P1102/560PT06; DA0052/94PT01/EVD)**

See Item 23

**39: HERITAGE STATUS - 37 LENNOX STREET, RICHMOND
(P1218/100Pt01/EVD)**

- 161 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

That No. 37 Lennox Street, Richmond, not be included as a heritage item in the North West Sector Draft Local Environmental Plan for additional heritage items.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 33

40: REQUEST FOR DEFERRAL OF CONSIDERATION - 57 EAST MARKET STREET, RICHMOND - NORTH WEST SECTOR HERITAGE DRAFT LOCAL ENVIRONMENTAL PLAN (LEP001/94;P1341/495/EVD)

162 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

That consideration of m 57 East Market Street, Richmond, as an item of environmental heritage be deferred pending further advice from Mrs Lye as to an appropriate meeting date for the matter to be relisted.

41: GRAHAM PRICE PTY LTD - COMPOST OPERATION (P1641/700 PT08-09/GMA)

Councillor Williams declared an interest in this matter as there is a professional relationship.

163 RESOLVED on the motion of Councillor Parsons seconded by Councillor Sheather that Item 66 of the Supplementary Report be dealt with in conjunction with Item 41.

RESOLVED on the motion of Councillor Parsons seconded by Councillor Keegan

1. That the information be received.
2. Further, that any new information be forwarded to Council's solicitors with a report to Council in the October GPC with a recommendation appropriate to that information.

42: DRAFT LOCAL ENVIRONMENTAL PLAN - LOT 7 DP979541 2 JOHNSTON STREET, PITT TOWN - I JOHNSTON & G TIMMERMAN - 20 ADDITIONAL LOTS (LEP021/93 PT01/EVD)

See Item 24

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 34

SECTION 2 - INFRASTRUCTURE

5: PIPELINES ACROSS PUBLIC RESERVES/ROAD RESERVES (P2003/R PT02: P2003/215 PT01/ENG)

164 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

1. THAT THE APPLICATION by McKinlay Morgan & Associates Pty Ltd on behalf of Hambledon Park Pty Ltd for a pipeline for irrigation purposes across the public reserve Lot 17 245824 be approved.

6: EXCLUSIVE USE - BRIDGE TO BRIDGE WATER SKI CLASSIC - GOVERNOR PHILLIP RESERVE, WINDSOR - NSW WATERSKI ASSOCIATION LTD (PK/205 PT04/ENG)

165 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT APPROVAL BE granted to the application by the NSW Water Ski Association Ltd for:-

1. Exclusive use of Governor Phillip Reserve on Sunday, 5 November, 1995, subject to:
 - a) the Association paying to Council a contribution of \$520.00 or \$1.00 per person, whichever is the greater,
 - b) the Reserve being left clean and tidy upon completion of the event, and
 - c) the applicant being wholly responsible for removal of rubbish from the site during the event and including final clean up.
 - d) A Public Liability Cover for \$10 (ten) million

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 35

2. Suspension of service of those ferries listed below during the times stipulated, subject to scheduled conditions.

Ferry Closures

Wisemans Ferry 10.45am - 11am
Webbs Creek Ferry 10.45am - 11am
Lower Portland Ferry 10.50am - 11.05am
Sackville Ferry 10.55am - 11.10am

- a) Advertising of the proposed suspension of service is to be undertaken at the expense of the NSW Water Ski Association in newspapers circulating in areas of the services for 4 (four) weeks prior to the event, such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (eighth) page size;
- b) That signs be erected at the Associations cost, in locations as required by the Divisional Manager Engineering and at a size indicated by him, on all roads leading to the ferries, as well as on each ferry, for at least 4 (four) weeks prior to the event;
- c) Safety precautions as previously established are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and ferry vessel; such procedures are to be implemented to the satisfaction of the Maritime Services Board and Council's Divisional Manager Engineering; and
- d) That the ferry vessels during the suspension period, will operate at the request of any officer of the NSW Police Department, or in the event of an emergency at the request of any police, ambulance or fire vehicle officer.
3. The following road closures/restrictions to facilitate traffic movement to/from Governor Phillip Park subject to the Association making appropriate arrangements regarding access by affected residents and their visitors.
- a) George Street, Windsor between Bridge and Palmer Streets (downstream side of Windsor).
- b) Arndell Street (full length).

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 36

- c) Court Street between Arndell and Palmer Streets.
- d) Palmer Street between Court and Pitt Streets.

SECTION 3 - ORGANISATION AND RESOURCES

5: ROAD CLOSURES WITHIN WOLLEMI NATIONAL PARK (GR080/050 PT01/CSV)

166 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT Council not support the closure of the public roads within Wollemi National Park generally known as the Loop Line Road and Howes Swamp Road.

6: GENERAL PURPOSE COMMITTEE MEETINGS (GC280/004 PT03; GC280/010 PT02/CSV)

167 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THAT THE INFORMATION be received.

THAT COUNCIL REVERT back to its previous commencement time of 9.30am for GPC Committee Meetings.

7: MONTHLY FINANCIAL STATEMENTS - JULY 1995 (GF011/004 PT04/FNC)

168 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay

THE INFORMATION BE received.

Questions Without Notice

AUSTRALIAN PERSONAL WATER CRAFT ASSOCIATION PK006 Pt02

169 RESOLVED on the motion of Councillor Parsons seconded by Councillor Mackay that

Permission be granted to the Australian Personal Water Craft Association to access Macquarie Park on 3rd September for the purpose of the event, subject to the following conditions.

- a). No fees be implemented for anyone accessing that particular area above Windsor Bridge.
- b). \$10 million (ten million) Public Liability to cover Council's grounds
- c). The consent, which they have already got from NSW Waterways

SECTION 4 - REPORTS FOR DETERMINATION

39: POLICE SERVICE - POSITION TO USE LANDS (GA020/002 PT02/GMA)

170 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert

That Council advise the NSW Police Service, Air Wing, that it agrees to the use of lands under its control by the Air Wing and its staff and helicopters.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 38

40: DELEGATION OF FUNCTIONS OF THE DIRECTOR OF PLANNING (GT225/019 Pt01/GMA)

- 171 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather

The Department of Urban Affairs and Planning be advised the Council accepts the delegations of the Director General under the Environment Planning and Assessment Act and these will be given to the current incumbents of the position of Director Environment & Planning and General Manager.

41: COMLERoy ROAD SCHOOL - ROADWORKS (DA0343/92 PT02/GMA)

- 172 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge

Representations be made to the Minister for School Education seeking reimbursement of the funds expended by the Council on the intersection of Comleroy Road and McMahon's Road, Kurrajong as they were provided directly for traffic safety due to the construction of Comleroy Road Public School. Further the assistance of the Member for Hawkesbury be sought.

42: ENVIRONMENTAL PROTECTION LEGISLATION - AUTHORISATION OF COUNCIL OFFICERS (GL010/003 PT09/GMA)

- 173 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

The Environment Protection Agency be advised that the Council wishes to authorise its own staff and seeks the appropriate Delegations under the 3 (three) Acts.

43: CONSERVATION WORKS - OLD ST MONICA'S CHURCH (P258/4 PT2/CSV)

- 174 RESOLVED on the motion of Councillor Sledge seconded by Councillor Paine that

Endorsement be given to the proposal for the use of the old St Monica's Church building to be used as a community arts and performance space and that \$5,000 (five thousand) be allocated to this project.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 39

44: DONATION - HAWKESBURY NURSING MOTHERS ASSOCIATION (GF 008/001 PT11/CSV)

175 RESOLVED on the motion of Councillor Rogers seconded by Councillor Mackay

A donation of \$200 (two hundred) be made to the Hawkesbury Nursing Mothers Association.

45: CONTRACTS FOR EXECUTION UNDER SEAL (GC283/104 PT03, GC283/106 PT02, GC283/005 PT02, GC283/013 PT02, GC283/107 PT03/CSV)

176 RESOLVED on the motion of Councillor Sheather seconded by Councillor Paine

That the Council Seal be affixed to the documents as itemised in the report.

46: LEASE OF MACQUARIE PARK HOUSE (GC283/064 PT06/CSV)

177 RESOLVED on the motion of Councillor Books seconded by Councillor Parsons

1. Council lease Macquarie Park House to Mr Frank Taranto for a period of 5 (five) x 5 (five) years at a commencing annual rental of \$7,800 (seven thousand eight hundred).
2. The rental to be reviewed after the first year to market and thereafter during the lease term the rent to be reviewed annually in accordance with CPI for Sydney. Upon expiry of the initial 5 (five) year lease term the rent to be reviewed to market.
3. That the lessee shall within 12 months of the Lease Agreement commencing lodge a development application with Council and fit out the upper level of Macquarie Park House for the operation of a restaurant.
4. The lessee shall be responsible for:-
 - a. the operation of the restaurant/kiosk facility in Macquarie Park House.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 40

- b. act as caretaker (or appoint a suitable person(s) for the whole of the property. As such the caretaker will be responsible for opening and closing on a daily basis of gates which may be installed at the entrance of Macquarie Park.
 - c. the payment of outgoings on the premises including electricity, gas, telephone, water consumption charges and any costs associated with the provision of services or utilities separately provided or metered to the premises.
 - d. the cleaning of toilet blocks, showers, change rooms and any other facilities available for public use in Macquarie Park with the supply of consumables to achieve these tasks being at the sole expense of the lessee.
 - e. the collection of rubbish within the immediate vicinity of the premises and placing the rubbish in a single collection point for removal by Council staff.
 - f. the maintenance of the immediate surrounds of Macquarie Park House including the maintenance of gardens - nurturing of trees, operation of any irrigation system etc and minor repairs to fences, signs, light fittings etc and mowing of lawns with the lessee to supply all equipment necessary to achieve these tasks at the lessees sole expense.
 - g. the payment of various insurances including:-
 - i. a minimum of \$5,000,000 (five million) indemnity for Public Risk Insurance;
 - ii. Worker's Compensation Insurance as appropriate;
 - iii. Personal Accident Insurance;
 - iv. Contents Insurance for Macquarie Park House; and
 - v. Plate Glass Insurance.
 - h. to comply with provisions of the Occupational Health and Safety Act, 1983 and the Liquor Act, 1981.
 - i. subject to an appropriate agreement, the lessee shall manage all water based activities within the property with due regard to safety and environmental concerns.
5. The lessor will be responsible for:-
- a. all rates and taxes charged to Macquarie Park House.
 - b. major maintenance, that is structural repairs to Macquarie Park House, picnic areas and toilet - shower facilities.
 - c. Industrial Special Risks Insurance for all structures in Macquarie Park.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 41

- d. payment of water rates and electricity for the non leased area of Macquarie Park.
 - e. collection of rubbish from the nominated collection point.
 - f. the broad acre maintenance of the remainder of Macquarie Park.
6. All necessary documents be completed under Seal of Council.

47: QUARTERLY REVIEW AS AT 30 JUNE 1995 (GF4/3 PT1, A1-6/FNC)

- 178 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay

That the final quarterly review of the 1994/95 Management Plan and Financial Statement unaudited for period to 30 June 1995 be adopted.

48: ANNUAL STATEMENTS OF ACCOUNTS 1994/1995 (GF001/001 PT3, GF001/007 PT1/FNC)

- 179 RESOLVED on the motion of Councillor Parsons seconded by Councillor Calvert

The statement in the approved form on the Financial Reports for the period ended 30 June 1995 be endorsed in accordance with Section 413 of the Local Government Act.

49: EXEMPTION FROM RATING (P2344/245 PT02/FNC)

Councillor Keegan declared an interest in this matter as his granddaughter attends the school.

- 180 RESOLVED on the motion of Councillor Mackay seconded by Councillor Parsons

That the application for exemption from rating for 118 Wolseley Road (DP977298 Lot 6) be approved and the total value of rates from 28th January 1993, with a value of \$3,952.21 (three thousand nine hundred and fifty two dollars and twenty one cents) be abandoned.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 42

50: DISPOSAL OF SURPLUS PLANT (GP030/019 PT02/ENG)

- 181 RESOLVED on the motion of Councillor Books seconded by Councillor Mackay

That the plant listed be auctioned with the proceeds placed in the Plant Reserve for the future replacement of plant and negotiations be delegated between the Engineer and the appropriate representatives of the Sports Council to delete any items that might be agreed between the parties which may be appropriate for the Sports Council.

51: AUGMENTATION OF RICHMOND DRAINAGE NETWORK - ASSESSMENT OF TENDERS (GT020/284 PT01 & PT02/ENG)

RESOLVED on the motion of Councillor Books seconded by Councillor Mackay that the meeting go into Committee of the Whole.

COMMITTEE OF THE WHOLE

Consideration of augmentation of Richmond drainage network - assessment of tenders.

- 182 RESOLVED on the motion of Councillor Sheather seconded by Councillor Mackay that Open Council be resumed.

The General Manager advised that whilst in Committee of the Whole, the Committee considered the assessment of tenders for the augmentation of the Richmond drainage network and now RECOMMENDS that:

1. The tender submitted by Bomac Engineering Pty Ltd in the amount of \$934,282.00 (nine hundred thirty four thousand, two hundred and eighty two) for the construction of Stage One of the Augmentation of the Richmond Drainage Network be accepted.
2. The Common Seal of Council be affixed to the necessary documentation.

- 183 RESOLVED on the motion of Councillor Parsons seconded by Councillor Sheather that the recommendation be adopted.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 43

52: HAWKESBURY ACCESS FORUM COMMITTEE (GC150/015 PT01/ENG)

184 RESOLVED on the motion of Councillor Sledge seconded by Councillor Mackay

That the Access Forum Committee continues subject to review on an annual basis with Council's representative to be appointed at the same time as the other committees of Council are formed.

53: SOUTH WINDSOR WASTE DEPOT - OUTCOME OF NEGOTIATIONS WITH CONTRACTOR (GW001/002PT07/EVD)

185 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather

1. That the offer provided by Hughes Waste Management Services for the excavation of Cell 1 and Cell 2 be accepted.
2. The seal of Council be affixed to all necessary documents.

54: ERECTION OF GREENHOUSE FOR PROPAGATION AND DISPLAY AREA (DA148/95, DA199/94/EVD)

186 RESOLVED on the motion of Councillor Sheather seconded by Councillor Keegan

That Condition 10 of DA199/94 issued on 14 October 1994 relating to the Tourist Facility - Garden Display be deleted.

Approval be granted for the amended car parking area to allow for 7(seven) car parking spaces.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page **44**

SECTION 5 - REPORTS FOR INFORMATION

**55: WIDENING OF WINDSOR ROAD BETWEEN WINDSOR AND KELLYVILLE
(2342/R PT03/GMA)**

- 187 RESOLVED on the motion of Councillor Rogers seconded by Councillor Sledge
That the information be received.

**56: RAAF BASE RICHMOND - RESPONSE FROM MINISTER FOR DEFENCE
(P2343/5 PT01/GMA)**

- 188 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge
That the information be received.

**57: REPORTS REQUESTED BY COUNCIL - STATUS AS AT 5 SEPTEMBER 1995
(C50/1/GMA)**

- 189 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge
The information be received.

58: BICENTENNIAL REPORT (GC030/012 PT 06/CSV)

- 190 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge
That the information be received.

59: REGIONAL TOURISM DEVELOPMENT PROGRAM (GG021/142/CSV)

- 191 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge
That the information be received.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 45

60: MCKENZIES CREEK BRIDGE REPLACEMENT - PITT TOWN ROAD (1641/R PT01, GR070/013 PT02/ENG)

- 192 RESOLVED on the motion of Councillor McKay seconded by Councillor Sledge
That the information be received.

SECTION 6 - REPORTS OF COMMITTEES

MCGRATHS HILL WETLANDS/EFFLUENT REUSE PROJECT STEERING COMMITTEE

- 193 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert that the Minutes of the McGraths Hill Wetlands/Effluent Reuse Project Steering Committee meeting held on 20 July, 1995 as recorded on Pages 84 to 85 be received.

NORTH WEST SYDNEY REGIONAL DEVELOPMENT ORGANISATION

- 194 RESOLVED on the motion of Councillor Sheather seconded by Councillor Parsons that the minutes of the North West Regional Development Organisation meeting held on 27 July 1995 as recorded on Pages 1 to 4 be received.

MCGRATHS HILL WETLANDS/EFFLUENT REUSE PROJECT STEERING COMMITTEE

- 195 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge that the Minutes of the McGraths Hill Wetlands/Effluent Reuse Project Steering Committee meeting held on 3 August 1995 as recorded on Page 86 be received.

HAWKESBURY LOCAL ECONOMIC DEVELOPMENT BOARD

- 196 RESOLVED on the motion of Councillor Paine seconded by Councillor Parsons that the Minutes of the Hawkesbury Local Economic Development Board meeting held on Friday 11 August 1995 as recorded on Pages 87 to 89 be received.

This is Page of the Minutes of the ORDINARY No 3 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 5 September 1995.

General Manager

Mayor

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 46

LOCAL TRAFFIC COMMITTEE

NORTH RICHMOND TRAFFIC LIGHTS

RESOLVED on the motion of Councillor Keegan seconded by Councillor Mackay that a letter be forwarded as a matter of urgency to the RTA re the North Richmond Traffic Lights.

197

RESOLVED on the motion of Councillor Keegan seconded by Councillor Mackay that the Minutes of the Local Traffic Committee meeting held on 18th August, 1995 as recorded on Pages 90 to 95 be adopted.

SUPPLEMENTARY REPORTS

61: AMENDMENTS TO STAGE 1 - EXTENSIONS AND ALTERATIONS TO THE EXISTING RICHMOND EX- SERVICEMEN'S CLUB - LOT 13, DP4906, LOT B DP368301, LOTS 1-5, DP 237356, 6-8 EAST MARKET STREET AND BENSONS LANE, RICHMOND (DA24/95/GMA)

See Item 28

62: SALE OF LOT 1 DP574043 FAIREY ROAD, SOUTH WINDSOR (GC285/03 PT01/CSV)

198 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert

1. Lot 1 in Deposited Plan 574043, 32 Fairey Road, South Windsor be sold to Schaffer Properties Pty Ltd for the contract price of \$40,000 (forty thousand).
2. The Common Seal of Council be affixed to the associated documentation.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 47

63: ADDITIONAL INFORMATION RELATING TO ITEM NO 27: LEP 10/95 DRAFT LEP - ADDITIONAL HERITAGE ITEMS - LOWER PORTLAND(LEP10/95) 29; DRAFT LEP - ADDITIONAL HERITAGE ITEMS (LEP1/94), P134/495 PT1 39; HERITAGE STATUS - 37 LENNOX STREET, RICHMOND (P1218/100 PT1) (LEP10/95,LEP1/94;P134/495 PT1,P1218/100Pt1/EVD)

See Item 29

64: DEVELOPMENT OF THE VINEYARD AREA (LEP0017/90PT03/EVD)

199 RESOLVED on the motion of Councillor Calvert seconded by Councillor Paine

That Council write to its local members Paul Gibson MP and Kevin Rozzoli MP, as well as the Minister responsible for Urban Affairs and Planning, the Hon. Craig Knowles MP, requesting the immediate release of the draft final report on the Riverstone Schedule Lands Study.

65: BLYTH PARK NORTH RELEASE AREA (LEP016/93;LEP011/95Pt01PT02/EVD)

Councillor Calvert declared an interest in this matter.

200 RESOLVED on the motion of Councillor Mackay seconded by Councillor Keegan

1. That Council advertise the Draft Development Control Plan for Blyth Park North as required by the Environmental Planning and Assessment Act in conjunction with the Draft Local Environmental Plan.
2. That the proposal by Mr Lonsdale to rezone his land (Lot 341 DP 752061 Rifle Range Road) to General Business 3(a) be advertised to adjoining and nearby property owners in conjunction with the advertising of the Draft Local Environmental Plan and Development Control Plan for Blyth Park North.
3. That property owners be advised of the status of the matter.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 48

66: GRAHAM PRICE PTY LIMITED (P1641/700/GMA)

See Item 41:

Minute No:

**67: SUSTAINABLE AGRICULTURE - SYDNEY REGION (GR060/011 PT05/GM
A)**

201 RESOLVED on the motion of Councillor Calvert seconded by Councillor Paine

That this Committee be incorporated with membership of the Local Agricultural Section of the Hawkesbury Economic Development Board.

68: ENVIRONMENTAL MANAGEMENT PLAN (GP090/007PT03/EVD)

202 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sledge

The information be received.

69: WINDSOR DOWNS LINK ROAD (1967/RPt02;1833/RPt03/EVD)

See Item 36.

QUESTIONS WITHOUT NOTICE

1. Councillor Minturn asked about the walkway which has been erected at North Richmond. Mr Bulle is having trouble getting in and out of his driveway.

The Mayor advised this would be checked.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 49

2. Councillor Sheather - tabled a letter from the Anglican Church at Wilberforce in relation to signage and the wording of signage - if there is a problem could staff get back to him.
3. Councillor Keegan - a). In our planning statutes is there any type of planning in relation to dogs.

b). Has Council ever investigated noise collars or anti-barking collars.

The Director of Environment & Planning explained that size is often a problem with dogs, but a bigger problem is how responsible an owner is.

4. Is Council aware of the new CSIRO treatment for blue green algae.
The Director of Environment & Planning stated that the matter of CSIRO and the blue green algae will be investigated.
5. Councillor Books asked about Mr Arthur Wolfenden and the chicken farm problem next door. Has anything been done about it?

The Director Environmental Development and Planning advised that Michelle McLennan had been out there to investigate the situation and spoken to Mr Wolfenden and there are some discrepancies on the file. It is likely that Council will be serving a notice about drainage.

6. Councillor Books has had a phone call from Mr Donnelly about the basketball stadium. Can anything be done about the lights as Mr Donnelly alleged there was a thousand vehicles there the previous evening coming in and out of the driveway.

The General Manager advised that Mr Donnelly has had discussions with a number of members of the Council and lots of discussions with the Mayor. He had spoken to Mr Donnelly last Friday and indicated that he would take up his issues with the Mayor. He is not in favour of the particular physical constraints that can be put up to overcome the light problem that he has and the General Manager will have discussions with the Mayor and get back to him this week. There will probably be a report to the next Council Meeting about this matter.

7. Councillor Books has had several complaints about dust in Crooked Lane, Geakes Road, Freemans Reach and Old Kurrajong Road.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 50

The Director Assets and Recreation advised that Council has had more complaints in the last three weeks than in the last three years. Council's policy at the moment is to maintain its existing infrastructure, spend the money on resealing roads and not extending the length of seal, it is entirely a Council decision.

The General Manager advised that it is a matter that, when Council leads up to its Management Plan and its priorities each year, the Council as a whole should review and certainly, we would be suggesting to the new Council that there be a planning review session held quite early in the term of the Council and obviously, one of the major matters that it will wish to determine are the current Council policies and one of them is its Assets Management Policy in terms of roads and transport infrastructure. It was felt that it should be determined at that stage when it can be addressed with all the facts and figures.

8. Councillor Paine asked about signs throughout the City and where they should be put. Could Council look at doing something about Pound Paddock which at the moment has no signage.
9. Councillor Calvert asked about the upgrading of Windsor Road and Groves Avenue. As Section 94 contributions have been collected for the upgrading of that intersection, he has had representations from many of the operators out there wanting an improvement to the intersection whether it be lights or a round-a-bout. The accidents are fairly regular there and access is quite detrimental to their businesses.

The Director Assets and Recreation advised that \$94,000 has been collected towards that intersection. He believed that it was going to be a Type 3 intersection and was not aware of lights or a round-a-bout. He will investigate and advise.

10. Councillor Mackay stated that he had been advised that he had been advised that there are "*No Standing*" signs where they actually do their bus parking. Bus drivers do not want to get booked for stopping the bus there to let the school children out of the bus.

The Director Assets and Recreation advised that the signs which were put up were done in conjunction with Sergeant Thompson but he will check and advise.

ORDINARY COUNCIL

Meeting Minutes

Meeting Date: 5 September 1995

Page 51

12. Councillor Mackay asked about a gentleman living in 49 East Market Street who contacted him about a No Standing sign which has been knocked over and not replaced, with the result that the people going to the Medical Centre are parking in his driveway and all over the place.

The Director Assets and Recreation will contact the RTA who will replace the sign.

The meeting terminated at 1.07am.

Submitted to and confirmed at the meeting of Council on 10 October, 1995.

.....Mayor