

HAWKESBURY CITY COUNCIL ORDINARY MEETING

Where People Make the Difference!

BUSINESS PAPER MINUTES

DATE OF MEETING: 13 August 1996

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 13 August 1996, commencing at 7:30pm.

PRESENT: Councillor R P Stubbs, Mayor and Councillors L Allan, A W Baczynskyj, H J M Books, R G Calvert, M E Lawson, W J Mackay, P J Minturn, C A Paine, R D Searle and L C Sheather.

The Reverend Kevin Russell, Chaplain, Anglican Church RAAF Base, gave the opening prayer at the commencement of the meeting.

An apology for absence was received from Councillor R Sahasrabuddhe.

- 1 RESOLVED on the motion of Councillor Calvert and seconded by Councillor Sheather that the apology be accepted.
- 2 RESOLVED on the motion of Councillor Calvert seconded by Councillor Paine that Standing Orders be suspended to allow two presentations to be made.
 1. Mrs J Peare, Chairperson of the Hawkesbury City Sister City Association introduced the six Tamba, Japanese students and the six Hawkesbury students now participating in the Student Exchange Program.

The Mayor presented Certificates to each of the Exchange Students.
 2. A plaque was presented to Sergeant E F (Ernie) Jones of the New South Wales Police Force in recognition of his 22 years of service to the community of Hawkesbury.
- 3 RESOLVED on the motion of Councillor Paine seconded by Councillor Books that Standing Orders be resumed.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

- 4 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Mackay that the Minutes of the Ordinary Meeting of Council held on 9 July 1996, having been circulated amongst the members of Council, be confirmed.

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MAYORAL MINUTES

- 5 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheather that:-
1. Council's primary objective be to maintain the RAAF at Richmond and not support anything that would impede that objective.
 2. Council, in order to support this objective, continue to investigate ways of minimising noise impact under the flight path, including consideration of rezoning of certain noise affected areas.
 3. Council request the Federal Government to urgently reconsider the implications of the 1991 Defence White Paper in downgrading operations at RAAF Richmond.
 4. Council oppose any further considerations of the use of RAAF Richmond as Sydney's Second Airport or as a general aviation airport.
 5. Council reaffirm the position in relation to temporary use of RAAF Richmond for the 2000 Olympics that transport infrastructure is inadequate to cater for any increased traffic.

SECTION 2 - NOTICES OF MOTION

NOTICE OF RESCISSION MOTION

By Councillors L C Sheather, R Sahasrabuddhe, R D Searle and P J Minturn GC283/107 PT04

Moved on the motion of Councillor Sheather seconded by Councillor Searle:-

We the undersigned Councillors hereby give notice to rescind the Council's resolution :-

"That Council invite expressions of interest for the management, lease or purchase of the facility with the current Management Committee being invited to continue its operations for a further 6 (six) months on the basis as outlined in this report."

in relation to the Australian Pioneer Village - Item 51 of Ordinary 9 July 1996.

The Rescission Motion was lost.

By Councillors L C Sheather, H J M Books and R J Calvert DA236/93, DA175/95 :

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

We the undersigned Councillors hereby give notice to rescind the Council's resolution for refusal in relation to Item 169 of the General Purpose Committee as reported to the Ordinary Meeting on 9 July 1996 regarding Amendment of Development Consent to Permit the Erection of an Additional 15 Units - Approved Aged Persons Housing Development for 71 Units - King Road, Wilberforce - Gary White Property Centre (DA236/93, DA175/95/ED)

Councillor Books tabled a petition signed by 584 people.

- 7 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert that the application to amend DA236/93 by the inclusion of an additional 15 units generally in accordance with the amended layout prepared by R & P Collis Drafting Services, Issue E, and dated 15 April 1996 be approved subject to :-

- A. Compliance with the conditions of development consent in Council's letter of 21 September 1994.
- B. A revised water cycle study being submitted demonstrating the feasibility of disposal of effluent including the impact of the proposal on the water balance of the area and water quality of the Hawkesbury-Nepean River.
- C. That the applicant be advised that Lot 1 DP516593 is not included in either the development application or development approval and that any development of Lot 1 DP516593 will require the separate consent of Council.

NOTICES OF MOTION

- 8 RESOLVED on the motion of Councillor Calvert seconded by Councillor Allan that Council continue to support the North Western Sydney Regional Development Organisation and that letters be forwarded to the relevant Minister, The Hon John Sharp MP and the Local Federal Liberal Members condemning the action of disbanding the Regional Development Organisation.

That Council meet with the other member Councils of REDO to investigate funding opportunities for ongoing support of the North Western Sydney Regional Organisation.

QUESTIONS FROM THE GALLERY

The Mayor then invited Questions from the Gallery.

1. Mr Geoff Farrance asked why had Council's garbage rates increased 77% in one year as against 8% over the previous two years.

The Director Environment & Development advised that Council's overall rate increase was 30%. He referred to the introduction of 140 litre bins at a cost of \$111.00 per annum as against the price of the 240 litre bin at \$186 per annum.

The General Manager referred to the environmental costs associated with the EPA guidelines for landfill.

2. Mr Farrance referred to the uncontrolled use of Council and public land by the public as a car sales yard, and the use by a commercial operator of an open grassed area in front of the property for the display of vehicles for sale contrary to the development consent.

The Director Environment & Development stated that the traditional approach has been to instal "No Parking" signs and "No Standing" signs. He is not aware of any other avenue other than legal action.

3. Mr Farrance referred to Item 2 - Environment - relating to the Woolworths Supermarket development at South Windsor. He expressed concern about Conditions 5 and 12 and asked if Council has the right to make these a condition of refusal.

The Director Environment & Development stated that he believed that Council does.

4. Mr Frank Waddell expressed concern that there were two tenders for the one job.

Mr Farrance also sought advice in this regard.

The Director Asset Services & Recreation advised that Council can accept one tender and the non conforming tender allow flexibility for works outside the contract.

5. Mr Phil Donnelly asked what does Council intend to do about the hours of operation at the Basketball Stadium, the light spillage, how does Council intend to control it, what does Council intend to do about the left hand side of Stewart Street. Council has agreed to have the driveway removed twice and asked when did it intend to fulfil its word.

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The Director Asset Services & Recreation advised that the design has been completed and undertook to follow the matter up with the contractor to-morrow. He believed that Council had resolved not to move the driveway.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

SECTION 1 - ENVIRONMENT

1: ERECTION OF A DWELLING-HOUSE - LOT 2 DP214168 NO. 39 WHITMORE ROAD, MARAYLYA (DA65/96/EVD)

Item 30 of the Supplementary Report - Reports for Determination - was considered in conjunction with Item 1.

9 RESOLVED on the motion of Councillor Books seconded by Councillor Mackay:

THAT THE APPLICATION be approved subject to the following conditions :

1. A minimum habitable floor height standard of 15.3 metres (fifteen point three) AHD.
2. Submission of a Building Application and Septic Tank Application in accordance with the Building Code of Australia and other applicable regulations.

2: WOOLWORTHS SUPERMARKET AND ASSOCIATED CAR PARKING FOR 221 CAR SPACES PROPOSAL - LOTS 1 AND 2 DP630616 GEORGE AND MACQUARIE STREETS, SOUTH WINDSOR DA96/96/EVD

10 RESOLVED on the motion of Councillor Calvert seconded by Councillor Allan that

A. THE DEVELOPMENT application for the proposed Woolworths supermarket be refused for the following reasons:-

1. The proposed development is prohibited in the Residential 2(a) zoning of the land.

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2. The proposed development is contrary to the zone objectives of the Residential 2(a) zone under HLEP 1989.
3. The proposal is a significant enlargement, expansion and intensification of an existing use activity and is considered contrary to the objectives of the EP & A Act and Regulations.
4. The proposed development represents a commercial development in a residential area which would normally require rezoning.
5. The proposed supermarket is considered to have an adverse economic impact on existing and planned retail supermarkets within the Hawkesbury City local government area.
6. Insufficient justification has been given as to why the supermarket should not be located within or next to a business zone, eg. Windsor Town Centre.
7. The proposed development makes inadequate provision for landscaping to adequately screen the development from the north and eastern elevations to the adjoining residential properties.
8. The proposed development is out of character with the residential area as the building is a large commercial building with no architectural relief to the adjoining residential properties.
9. The proposed development will have an adverse impact on the adjoining residential area by reason of noise and associated activities particularly at night interfering with the amenity of adjoining properties.
10. Disposal of stormwater discharge through residential properties to Woods Road from the site is not available.
11. Due to the likely adverse impacts the proposed development is not in the public's interest.
12. The approval of an "out-of-town" supermarket will have an adverse economic and social impact on the existing Windsor and South Windsor Shopping Centres.

3: TENNIS COURT LIGHTING PROPOSAL - PART PORTION 123 PARISH

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KURRAJONG "GOLDFINDERS", OLD BELLS LINE OF ROAD, KURRAJONG
(ADJACENT TO BRIDGE OVER LITTLE WHEENY CREEK) (BA0277/96 PT01/EVD)

11 **MOVED** on the motion of Councillor Sheather seconded by Councillor Allan

THAT THE APPLICATION to erect tennis court lighting on the existing tennis court be approved subject to the following conditions:

1. The tennis court lights may be used up to 7 (seven) nights per week until 9.30 pm but may only be used after 9.30 pm on not more than 3 (three) nights per week and on those 3 (three) nights they are to be extinguished no later than 10.30 pm.
2. The use of the court is to be limited to private use, i.e., no hiring of the court to the general public.
3. The lights and reflectors are not to be capable of direct viewing from the adjoining residences.
4. A planting screen of appropriate species, pot size and spacing to be determined by the Director Environment and Development, be planted between the tennis court and the creek from the shed to past the opposite end of the tennis court
5. That the application in relation to the light usage be reviewed in 12 (twelve) months.

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12 An amendment was moved by Councillor Calvert seconded by Councillor Searle that

THE APPLICATION to erect tennis court lighting on the existing tennis court be approved subject to the following conditions:

1. The tennis court lights may be used up to 7 (seven) nights per week until 9.30 pm but may only be used after 9.30 pm on not more than 3 (three) nights per week and on those 3 (three) nights they are to be extinguished no later than 10.30 pm.
2. The use of the court is to be limited to private use, i.e., no hiring of the court to the general public.
3. The lights and reflectors are not to be capable of direct viewing from the adjoining residences.
4. A planting screen of appropriate species, pot size and spacing to be determined by the Director Environment and Development, be planted between the tennis court and the creek from the shed to past the opposite end of the tennis court.

The amendment was lost.

The motion was then put and carried.

4: OUTDOOR ADVENTURE EDUCATION PROPOSAL - LOT 2 DP581458 NO. 333 WHEELBARROW RIDGE ROAD, COLO HEIGHTS (DA76/96/EVD)

MOVED on the motion of Councillor Sheather:-

THAT THE APPLICATION be approved, subject to the following conditions :-

1. The development being limited to that described in the application and the additional information and plans submitted with the letter dated 14 June 1996.
2. The maximum number of people on site (excluding residents) being limited to 25 persons without further approval of Council.
3. Two additional toilets are to be provided close to the proposed camping area to be either drained to a septic tank and absorption area or alternatively two composting toilets be

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constructed. Hand basins are to be provided for each toilet.

These toilets are to be installed prior to any camping (not including the use of the shed bunkhouse). Full details to be submitted with building and septic tank applications.

4. Two additional showers and hand basins are to be provided on site prior to any camping (not including the use of the shed bunkhouse). Full details are to be submitted with a building application.
5. The development is not to involve the employment of any person other than the residents of the property.
6. The use of trail bikes as part of adventure education courses is prohibited.
7. The camping area be restricted to the slope beside the pine forest where there is no line of sight to either neighbour or in the bunkhouse or both.

The motion lapsed for the want of a seconder.

- 13 **MOVED** on the motion of Councillor Books seconded by Councillor Allan that the 2 (two) parties get together and try to reach a compromise and that a Fire Control Plan be prepared.

An amendment was moved by Councillor Paine seconded by Councillor Calvert that approval be given for the rope course on Mr Klein's property subject to the following conditions :-

1. No overnight camping.
2. Restriction of the hours of operation from 9am to 5pm and 9am to 6pm on daylight saving hours.
3. Four (4) out of the seven (7) days be utilised per week.

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The amendment was lost.

The motion was then put and carried.

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Moved on the motion of Councillor Paine seconded by Councillor Calvert that this item be resubmitted for discussion.

The motion was lost.

5: SUBDIVISION TO CREATE THREE ALLOTMENTS WITH BUILDING ENTITLEMENTS PLUS A FOURTH COMMUNITY LOT - LOT 18, DP 30468 NO.26 CLIFF ROAD, FREEMANS REACH - APPLICANT FALSON AND ASSOCIATES; OWNER J & G TAYLOR (SA0106/95 PT01/EVD)

14 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT THE INFORMATION concerning subdivision of Lot 18 DP 309468 Cliff Road, Freemans Reach, be received.

6: RECLASSIFICATION OF COMMUNITY LAND AND REZONING TO OPEN SPACE 6(C) (PRIVATE RECREATION) - LOT 1 DP582018 CORNER RIFLE RANGE ROAD AND GEORGE STREET, WINDSOR (10/96/EVD)

15 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT COUNCIL RESOLVE to:-

1. Prepare a Local Environmental Plan to rezone Lot 1 DP582018 Rifle Range Road, Windsor, from 6(a) (Open Space) (Existing Recreation) to 6(c) (Open Space) (Private Recreation).
2. That the Local Environmental Plan referred to in 1. above incorporate the reclassification of the subject land from Community Land to Operational Land.
3. If no submissions are received objecting to the plan, the plan be referred to the Department of Urban Affairs and Planning in accordance with Section 68 of the Act.
4. The Director Environment and Development be given delegated authority to proceed in this matter should no objections be received.
5. Windsor Leagues Club be advised of Council's resolution.

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7: DRAFT LOCAL ENVIRONMENTAL PLAN 24/95 - AMENDMENT NO. 68 - DEVELOPMENT CONSENT FOR DAM CONSTRUCTION (LEP24/95/EVD)

- 16 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT THE DRAFT plan be forwarded to the Department of Urban Affairs and Planning requesting the Minister to gazette the plan.

8: TELSTRA MOBILE PHONE BASE STATION PROPOSAL AT THE EXISTING WATER TOWER OFF OLD PITT TOWN ROAD, SCHEYVILLE (P1936/142/EVD)

- 17 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT HIRST CONSULTING Services Pty Ltd be advised that Council does not object to the proposed Telstra mobile phone base station at the existing water tank off Old Pitt Town Road, Scheyville.

9: TELSTRA MOBILE PHONE BASE STATION PROPOSAL AT 26 FAIREY ROAD, SOUTH WINDSOR (P606/15/EVD)

- 18 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT HIRST CONSULTING Services Pty Ltd be advised that Council does not object to the proposed Telstra mobile phone base station at 26 Fairey Road, South Windsor.

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10: REZONING PROPOSAL - REDEVELOPMENT OF MILLERS NURSERY TO ESTABLISH AN AGRICULTURAL MUSEUM, SERVICE STATION, RESTAURANT, DRIVE THROUGH FOOD OUTLET AND CONSOLIDATION OF EXISTING NURSERY - LOTS 1, 2 AND 3 DP959819 WINDSOR ROAD, MCGRATHS HILL (LEP14/96/EVD)

- 19 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine
THAT THIS ITEM be deferred.

11: DRAFT LOCAL ENVIRONMENTAL PLAN 4/95 - AMENDMENT NO. 41 - REZONING OF THE RESIDUE ALLOTMENT IN THE SUBDIVISION OF LOTS 4 & 5 DP786671, LOT 7 DP738354, LOTS 80 & 90 DP834019 AND LOTS 22, 24, 26-29, 32-41 INCLUSIVE DP17870 - "KEMSLEY DOWNS", GROSE VALE ROAD, NORTH RICHMOND (LEP4/95; LEP4/96/EVD)

- 20 RESOLVED on the motion of Councillor Mackay seconded by Councillor Searle that this application be further reported to Council.

12: VINEYARD DEVELOPMENT STRATEGY (LEP0017/96/EVD)

- 21 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine
1. THAT COUNCIL write and make representations to the Minister and Director for Urban Affairs and Planning to have the Vineyard area and relevant areas in the Blacktown City Council Local Government Area declared as areas under investigation on the Urban Development Program.
 2. That Council write to Blacktown City Council inviting them to make a joint representation to the Minister and Director in accordance with 1 above.
 3. That negotiations continue with Sydney Water to find a solution to providing reticulated water to the area.

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13: RURAL LANDS STUDY (GT150/015/EVD)

22 RESOLVED on the motion of Councillor Allan seconded by Councillor Calvert that

1. Council adopt the Draft Issues Paper and the Draft Statement of Purpose, Aims and Objectives and forward it to the Rural Lands Sub-Committee for consideration.
2. Council adopt the methodology for the project as detailed in the report.
3. A report be brought forward following initial comments from the Rural Lands Sub-Committee and to finalise the Consultant's brief.
4. That the applicants be referred to the Intermediate Committee and they be interviewed individually. That the Sub-Committee work out the criteria and the applications be dealt with as a normal position.

14: NOISE ATTENUATION OF NEW DWELLINGS WITHIN FLIGHT PATH OF RICHMOND RAAF BASE (GT125/001 PT2/EVD)

23 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

1. THAT TENDERS be called for a one-off comprehensive acoustic report, which is to be prepared by a suitably qualified acoustic consultant, covering a range of expected dwelling construction types with appropriate noise attenuation to be built within the ANEF affected area adjacent to the Richmond RAAF Base.
2. That a report be submitted back to Council following close of submissions.

15: WATER SUPPLY TO DEVELOPMENT WITHIN HAWKESBURY LOCAL GOVERNMENT AREA - SYDNEY WATER (GW020/007/EVD)

24 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT THE INFORMATION be received.

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16: REQUEST FROM THE WINDSOR DOWNS HOME OWNERS' ASSOCIATION TO ADOPT THE COVENANTS APPLYING TO THE WINDSOR DOWNS ESTATE AS AN ENVIRONMENTAL PLANNING INSTRUMENT (LOCAL ENVIRONMENTAL PLAN AND/OR DEVELOPMENT CONTROL PLAN) (GT100/001 PT02; SA046/89 PT04/EVD)

25 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT COUNCIL CONFIRM previous advice given to the Windsor Downs Home Owners' Association that the enforcement of the covenants is not the responsibility of Council and, further, that it would be inappropriate for them to become environmental planning instruments as many are contrary to Hawkesbury Local Environmental Plan 1989 and require a regularity framework which would be unduly restrictive and beyond the resources of Council.

17: DRAFT DEVELOPMENT CONTROL PLAN - SIGN POLICY (DCP002/94 PT01/EVD)

26 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

COUNCIL EXHIBIT THE Draft Development Control Plan - Sign Policy for 28 (twenty eight) days in accordance with the Environmental Planning and Assessment Regulations.

Further that each of the Chambers of Commerce be provided with a copy of the draft for comment.

18: DRAFT LOCAL ENVIRONMENTAL PLAN - NO.32 FAIREY ROAD, SOUTH WINDSOR - SCHAFFER CORPORATION (LEP009/96;DA115/96;DA116/96/EVD)

27 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

1. THAT THE DIRECTOR Environment and Development exercise delegated authority to determine the Draft Local Environmental Plan - Amendment No.77 subject to no objections being received.
2. That the Director Environment and Development exercise delegated authority to determine DA115/96 and DA116/96 subject to no objections being received.

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19: DRAFT REGIONAL ENVIRONMENTAL PLAN NO. 20 - HAWKESBURY-NEPEAN RIVER 1996 (GT192/001 PT03/EVD)

- 28 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT COUNCIL invite the appropriate people, including representatives of the Department of Agriculture, farming groups and the University of Western Sydney, Hawkesbury, to come and have a look at the establishments in the Hawkesbury to show them that Council can plan and control the problems that these issues could create.

20: LOCAL ENVIRONMENTAL PLANS PROGRESS REPORT (GT090/001 PT02/EVD)

- 29 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

That the information be received.

SECTION 3 - ORGANISATION AND RESOURCES

1: MONTHLY FINANCIAL STATEMENTS - JUNE 1996 (GF011/005 PT04/FNC)

- 30 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

THAT THE INFORMATION be received.

2: WORKERS' COMPENSATION - SELF-INSURERS LICENCE RENEWAL (GI055/007 PT1/CSV)

- 31 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

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1. An application be made to the WorkCover Authority to renew Council's licence for Workers' Compensation.
2. The Common Seal of Council be affixed to the necessary documentation.

3: GLOSSODIA VILLAGE SHOPPING CENTRE (GC283/56 PT2/CSV)

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

THAT:-

1. Council endorse the concept plan for the construction of an additional 8 (eight) shops at Glossodia Village Shopping Centre and proceed with the project.
2. The tenant mix for the new shops as outlined in this report be supported in principle, with leases including rentals and shop allocation to be negotiated and reported back to Council.
3. The preliminary estimate of \$750,000 (seven hundred and fifty thousand dollars) for the cost of the project be endorsed and the final project budget be determined by Council once tenders and quotations for the construction works are received, with funding to be from the Property Development Reserve.
4. The Seal of Council be affixed to any necessary documentation required at this stage.

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4: KURRAJONG HEIGHTS BUSH FIRE BRIGADE (P2007/90 PT01/CSV)

33 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine

1. THAT THE proposal submitted for the establishment of a Bush Fire Brigade Headquarters in Powell Park adjoining Stanley Avenue, be notified to adjoining residents and their views in relation to the proposal sought.
2. The Powell Park Management Committee be advised of the proposal.
3. The Kurrajong Heights Bush Fire Brigade be advised of Council's decision in relation to the matter.

5: LANDSCAPING WORKS PROPOSAL - MACQUARIE PARK HOUSE, WINDSOR (GC283/064 PT06/CSV)

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

THAT AN AMOUNT of \$20,000 (twenty-thousand dollars) be allocated from the Property Development Reserve, toward the laying of a pressed concrete hard surface and associated landscaping as outlined in this report.

That the Macquarie Park Committee be asked to meet before the next Ordinary Meeting to provide some input and make comment on the finishes that need to go into the final product.

Councillor Calvert reported on the meeting of the Macquarie Park Committee held last week.

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SECTION 4 - REPORTS FOR DETERMINATION

1: LEGAL COSTS - REQUESTS FOR ASSISTANCE (GL001/005 PT2/GMA)

- 35 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather

That the Associations be advised that in the absence of further information that indicates the broad Local Government implications for the landfill matter at Penrith to Local Government, the Council declines to make its contribution of \$4,038 (four thousand and thirty eight dollars). In relation to the defamation matter, that the Council considers where the newspaper made an appropriate retraction, that the defamation was to the Corporate Body and it had the right of a response in the public arena, that the matter should not have proceeded further and accordingly, Council also declines to make its contribution.

2: CATCHMENT MANAGEMENT - PROPOSED STUDY (GP021/001 PT01/GMA)

- 36 RESOLVED on the motion of Councillor Sheather seconded by Councillor Lawson

That a Councillor be nominated to be on the Committee with Councillor Books being nominated.

3: INSURANCE TENDER 1996/97 (GI001/004/CSV)

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

That Jardine Australian Insurance Brokers Pty Ltd be appointed as Council's Insurance Broker for a 2 (two) year period and that the specific categories of insurance as detailed in this report amounting to approximately \$83,825.46 (eighty three thousand eight hundred and twenty five dollars and forty six cents) be renewed for the period 20 August 1996 to 20 August 1997.

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4: LEASING PROPOSAL - 520 WINDSOR ROAD, VINEYARD (P2342/322 PT01/CSV)

38 RESOLVED on the motion of Councillor Sheather seconded by Councillor Lawson

The Council lease Lot 22 DP513364 (No. 520) Windsor Road, Vineyard, to Mr Henry Faltas, subject to the following terms and conditions:-

1. The Lease be for a period of 5 (five) years and in accordance with the Agricultural Tenancies Act.
2. Payment of a commencing rental of \$100 (one hundred dollars) per week (\$5,200 [five thousand two hundred dollars] per annum), with the rental to be reviewed annually in line with movements in the Consumer Price Index for Sydney.
3. The Lessee to be responsible for payment of all outgoings on the site including Rates and Taxes.
4. The Lessee to comply with the conditions of the easement over the site applied by TransGrid.
5. The Lessee be responsible for all legal and survey costs associated with the leasing.
6. The Seal of Council be affixed to the necessary documentation.

5: ACQUISITION FOR ROAD PURPOSES PROPOSAL - GRONO FARM ROAD, WILBERFORCE (P720/175 PT01/CSV)

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

1. That Council acquire an area of land 905.5 square metres, identified as Lot 10 in the unregistered Deposited Plan of Acquisition being part of Lot 11 in Deposited Plan 842517, for road purposes from Mr G and Mrs K Hamill for the sum of \$10,000 (ten thousand dollars).
2. That Mr and Mrs Hamill's reasonable legal expenses be borne by Council.
3. That all relevant documents be completed under the Seal of Council.

6: DOCUMENT FOR EXECUTION UNDER SEAL (GC283/138 PT01/CSV)

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General Manager

Mayor

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40 RESOLVED on the motion of Councillor Sheather seconded by Councillor Allan

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

7: RICHMOND SWIMMING CENTRE SITE (GP080/001 PT4/CSV)

41 MOVED on the motion of Councillor Allan seconded by Councillor Lawson that the information be received at this stage and reported to a future General Purpose Committee Meeting.

AN AMENDMENT was moved by Councillor Calvert seconded by Councillor Mackay

That a Plan of Subdivision be prepared for the Richmond Swimming Centre site in East Market Street, Richmond ie Lot 2 DP202288, excising an area of 8,400m² which adjoins properties fronting Hereford Street. Further, that following the preparation of the Plan of Subdivision:-

- (i) a Local Environmental Plan be prepared to change the zoning of the newly created lot to Residential 2(a);
 - (ii) a Local Environmental Plan be prepared to reclassify the newly created lot as 'operational';
 - (iii) subject to (i) and (ii) being approved, a development application be lodged for the construction of up to 28 two storey townhouses on the site; and
 - (iv) once all approvals are obtained, expressions of interest be invited for the sale, ground lease or joint development of the site.
2. That relevant swimming clubs/associations and the Sports Council be advised of Council's decision.
3. A report on the overall swimming pool planning needs for the area be prepared for Council.

The amendment was lost

The motion was then put and carried.

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8: HAWKESBURY LOCAL ECONOMIC DEVELOPMENT BOARD - STATUS REPORT (GM001/021 PT3/CSV)

- 42 RESOLVED on the motion of Councillor Sheather seconded by Councillor Allan

The information be received and noted and that the Council support the Agriculture Search Conference to be held on Saturday 26 October 1996.

9: PENSIONER REBATE - ANNUAL CHARGES SEWERAGE FUND (GR010/006 PT05/FNC)

- 43 RESOLVED on the motion of Councillor Paine seconded by Councillor Sheather

That:-

1. A concessional rebate of a maximum of 50% (fifty percent) of the annual charge for sewerage services under Section 582 of the Local Government Act, be available for pensioners.
2. The rebate be applied similar to the provisions of Section 575 of the Local Government Act, as to eligibility.

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

- 44 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert

That approval be granted to the application by the NSW Water Ski Association Ltd for:-

1. Exclusive use of Governor Phillip Reserve on Sunday 24 November 1996, subject to:
 - a. the Association paying to Council a contribution of \$520 or \$1 per person, whichever is the greater;
 - b. the Reserve being left clean and tidy upon completion of the event; and

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- c. the applicant being wholly responsible for removal of rubbish from the site during the event and including final clean up.
- 2. Suspension of service of those ferries listed below during the times stipulated, subject to scheduled conditions:-

Wisemans Ferry	10.45am - 11.15am
Webbs Creek Ferry	10.45am - 11.15am
Lower Portland Ferry	10.50am - 11.20am
Sackville Ferry	10.55am - 11.25am

- 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 c (one eighth) page size;
 - b. that signs be erected at the Associations cost, in locations as required by the Director Asset Services and Recreation 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 the Director Asset Services and Recreation; 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 and 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);

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- c. North Street, between Arndell and Palmer Streets; and
- d. Palmer Street between Pitt Street and George Street.

11: WSROC MANUAL OF BEST PRACTICE ON ACCESS FOR THE MOBILITY IMPAIRED (GT230/10 PT11/ENG)

- 45 RESOLVED on the motion of Councillor Paine seconded by Councillor Lawson

That the project be supported, and an allocation of \$3,000 (three thousand dollars) be made as Council's contribution to the funding of the study.

12: ROAD SAFETY OFFICER PROGRAM (GT230/005 PT03/ENG)

- 46 RESOLVED on the motion of Councillor Paine seconded by Councillor Searle

That the ongoing Road Safety Program, including the position of Road Safety Officer, within the Council structure be endorsed until the Year 2000, with a further review of the Program subject to the RTA recommendations.

13: CONTRACT FOR MAINTENANCE OF GRAVEL ROADS IN THE ST. ALBANS DISTRICT - CONTRACT NO. 00796 GT020/325 PT01/ENG

The General Manager read a precis of a late letter received from Dr Kate Short, President of the Macdonald Valley Progress Association.

Moved on the motion of Councillor Books seconded by Councillor Paine that there be a further report to Council.

- 47 **AN AMENDMENT** was moved by Councillor Calvert seconded by Councillor Baczynskyj that

- 1. The Schedule of Rates tender submitted by Australian Grader Hire in accordance with

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the provisional amount of \$163,455 (one hundred and sixty three thousand four hundred and fifty five) for the maintenance of gravel roads in the St Albans area for the period 1st October, 1996 to 30th September, 1999 be accepted.

2. All documents be executed under the Seal of Council.

The amendment was carried.

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

14: CAPITAL ASSISTANCE FUNDING PROGRAM (GG021/172 PT03/ENG)

- 48 RESOLVED on the motion of Councillor Lawson seconded by Councillor Allan

That Council again support the principal of a Committee approach to prioritising the Capital Assistance Funding Projects and a Councillor be appointed to the Committee with Councillor Baczynskij being appointed.

15: METROPOLITAN GREENSPACE PROGRAM GRANTS (GG021/179, PK/006/ENG)

- 49 RESOLVED on the motion of Councillor Calvert seconded by Councillor Paine

That Council accept the Grants.

16: COMPOSTING LEP AND DCP AND MACDONALD VALLEY DCP (GA025/001, DCP002/96, DCP004/92/EVD)

- 50 RESOLVED on the motion of Councillor Calvert seconded by Councillor Paine

That Council resolve to:-

1. Adopt the DCP for composting facilities.
2. Adopt the Macdonald Valley DCP.

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3. Prepare a Draft LEP to enable composting facilities with consent in the City of Hawkesbury.

17: DEED OF AGREEMENT - LINK ROAD SANCTUARY DRIVE, WINDSOR DOWNS (SA85/90, 1967/R/EVD)

- 51 RESOLVED on the motion of Councillor Calvert seconded by Councillor Allan

That Council affix its seal to the submitted Deed and refund the \$390,000 (three hundred and ninety thousand dollars) security in return for the payment of a contribution of \$260,000 (two hundred and sixty thousand dollars).

18: DEVELOPMENT, BUILDING AND SUBDIVISIONS - LENGTH OF APPROVALS (GT090/002/EVD)

- 52 RESOLVED on the motion of Councillor Calvert seconded by Councillor Sheather

1. Council adopt 5 (five) year approvals for development, building and subdivisions in accordance with the provisions of the Environment Planning and Assessment Act and Local Government Act.
2. Staged and Deferred Approvals be limited to 3 (three) year period in accordance with the relevant Acts.

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19: STATE GOVERNMENT'S REFORM FOR THE LAND USE, PLANNING AND NATURAL RESOURCES APPROVALS SYSTEM (GT150/011/EVD)

53 RESOLVED on the motion of Councillor Sheather seconded by Councillor Lawson

That the Principal Policy Officer of the Cabinet Office be advised that Council is supportive of the directions for reform outlined in the Green Papers and looks forward to ongoing consultation in the drafting of any legislation.

20: DEMOLITION OF UNAUTHORISED STRUCTURE - LOT 35 DP246385 NO. 36 HARRIS STREET, WINDSOR (P823/520 PT2, BA1391/94 PT01/EVD)

54 RESOLVED on the motion of Councillor Allan seconded by Councillor Paine

1. That Council call for tenders for the demolition of the structure on the site.
2. That the structure be demolished once a suitable tender is received.

SECTION 5 - REPORTS FOR INFORMATION

21: PUBLIC SCHOOLS DEVELOPMENT - PROVISION OF FACILITIES (1311/R, 2311/R/GMA)

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

That the information be received.

22: REPORTS REQUESTED BY COUNCIL - STATUS AS AT 13 AUGUST 1996 (GC280/005 PT03/GMA)

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

That the information be received.

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23: REGIONAL ROADS - VALUATION (GC230/032/GMA)

- 57 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather
That the information be received.

24: AUSTRALIAN PIONEER VILLAGE (GA050/001 PT02/CSV)

- 58 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather
That the information be received.

25: WASTE DISPOSAL - EPA's DRAFT REGULATORY IMPACT STATEMENT (GW010/022 PT02/EVD)

- 59 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather
That the information be received.

26: WASTE MINIMISATION AND MANAGEMENT ACT (GW010/022 PT2/EVD)

- 60 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather
That the information be received.

27: SITE WISE - EROSION AND SEDIMENT CONTROL POLICY AND PRACTICE (GE020/014/EVD)

- 61 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather
That the information be received.

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**28: DRAFT LOCAL ENVIRONMENTAL PLAN - 7/95 - GLENROY STUD.
KURMOND ROAD, FREEMANS REACH (LEP007/95, LEP17/96/EVD)**

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

That the information concerning the refusal of the Section 65 Certificate for Draft Local Environmental Plan 7/95 (Glenroy Study) be received.

SECTION 6 - REPORTS OF COMMITTEES

FRIENDS OF THE HAWKESBURY ART COLLECTION

- 63 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 4 July 1996 as recorded on Pages 89 to 92 be received.

HAWKESBURY LOCAL ECONOMIC DEVELOPMENT BOARD

- 64 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert that the Minutes of the Hawkesbury Local Economic Development Board meeting held on 5 July 1996 as recorded on Pages 93 to 95 be received.

HERITAGE ADVISORY COMMITTEE

- 65 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather that the Minutes of the Heritage Advisory Committee meeting held on 18 July 1996 as recorded on Pages 96 to 98 be received.

LOCAL TRAFFIC COMMITTEE

- 66 RESOLVED on the motion of Councillor Calvert seconded by Councillor Allan that the Minutes of the Local Traffic Committee meeting held on 19 July 1996 as recorded on Pages 99 to 105 be adopted.

This is Page of the Minutes of the ORDINARY No 1 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 13 August 1996.

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LOCAL BUSINESS DEVELOPMENT ADVISORY COMMITTEE

- 67 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert that the Minutes of the Local Business Development Advisory Committee meeting held on 26 July 1996 as recorded on Pages 106 to 107 be received.

HAWKESBURY CULTURAL COMMITTEE

- 68 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert that the Minutes of the Hawkesbury Cultural Committee meeting held on 29 July 1996 as recorded on Pages 108 to 110 be received.

FRIENDS OF THE HAWKESBURY ART COLLECTION

- 69 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 1 August 1996 as recorded on Pages 111 to 113 be received.

HAWKESBURY LOCAL ECONOMIC DEVELOPMENT BOARD

- 70 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert that the Minutes of the Hawkesbury Local Economic Development Board meeting held on 2 August 1996 as recorded on Pages 114 to 117 be received.

SUPPLEMENTARY REPORTS

29: STREET PARADE - TEMPORARY ROAD CLOSURE (GE030/002 PT02/CSV)

- 71 RESOLVED on the motion of Councillor Allan seconded by Councillor Lawson

That the following temporary road closures be permitted on Saturday 7 September:-

1. Windsor Street, Richmond, between Chapel Street and East Market Street between 10am and 12noon on the 7 September.

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2. The area bounded by Chapel, Francis, Windsor Streets and Smith Park from 9.30am to 11.30am and Chapel Street from Windsor Street to Bells Line of Road for the same period.

30: ERECTION OF A DWELLING-HOUSE - LOT 2 DP214168 NO. 39 WHITMORE ROAD, MARAYLYA DA65/96/EVD

See Item 1 - Environment - General Purpose Committee.

31: SEWERAGE - FREEMANS REACH, GLOSSODIA AND WILBERFORCE (GS047/003 PT05/GMA)

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

That the information be received.

32: COURT CASE - CUNLIFFE - Vs - HAWKESBURY CITY COUNCIL (DA96/95/EVD)

- 73 RESOLVED on the motion of Councillor Calvert seconded by Councillor Paine

That the information be received.

QUESTIONS WITHOUT NOTICE

1. Councillor Calvert asked if there were any further developments regarding Rifle Range Road and Colonial Drive. He asked what is going to be done with the access road since Council has closed off Collith Avenue.

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The General Manager advised that discussions have not yet taken place with the Director-General of the Department of Urban Affairs and Planning about these specific issues, however, the meeting would be next week and these matters will be taken up at that time.

The Director Asset Services & Recreation advised that he had not received any response back from Mr Rozzoli as yet.

2. Councillor Paine asked what is happening about the end of Gadds Lane and whether the signs had been looked at as yet.

The Director Asset Services & Recreation advised that an estimate of cost is being prepared and he would be talking to the lady concerned this week.

3. Councillor Paine referred to a letter from the Kurmond School P & C regarding problems with crossing Bells Line of Road and sought an update on what is happening at this location.

The Director Asset Services & Recreation advised that there has been continued consultation on this matter and undertook to ascertain the current position and advise Councillor Paine.

4. Councillor Paine referred to a report which was to have come to this meeting from the Hawkesbury Triathlon Committee, which she understood had been withdrawn. She stated that she had been advised that the Triathlon had been cancelled.

The General Manager stated that the Hawkesbury Triathlon Committee has never reported to Council. The report referred to was a staff report and not in a satisfactory format to go to Council. If someone else has made a decision then it certainly has not been made by the staff. That will be a decision to be made by the Committee appointed by the Council.

5. Councillor Allan asked if the graffiti on Ridge Fountain could be attended to.

The Director Asset Services & Recreation advised that he had issued instructions to have the work carried out and undertook to follow the matter up.

6. Councillor Allan asked if it is possible to have footpaths washed or brushed so that they can be cleaned.

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The Director Asset Services & Recreation advised that the street sweeper crew sweep rubbish up from the footpath as part of their duties.

The General Manager advised in relation to washing that there is also the issue of sedimentation to receiving waters and, therefore, unacceptable.

7. Councillor Books advised that he had received a number of calls from Mr Barry Burns of Wilberforce about the compressor at the Abattoir going night and day ever since last Friday and asked if anything could be done about this problem.

The Director Environment and Development stated that he had rung the Abattoir about it but has heard nothing further either from the Abattoir or Mr Burns.

The Mayor advised that this would be followed up to-morrow.

8. Councillor Books referred to the broken section of footpath outside the Sun Sing Restaurant and asked if this could be attended to.
9. Councillor Books asked if any progress has been made with a meeting with Mr Rozzoli, who was going to put a submission together to the Minister regarding the embargo on water licences.

The Director Environment & Development stated that as far as he was aware Council had not received any support from the Hawkesbury Nepean Catchment Management Trust.

Councillor Searle advised that he had spoken to both Mr Rozzoli and Mr Crawford following that meeting and they were both supportive of putting together a submission but had indicated to him that they were looking at Council to provide the secretariat.

10. Councillor Books asked how long would it take to get the people concerned to come to Council and talk about the new REP 20.

The Mayor advised that something would be organised as soon as we can.

11. Councillor Sheather referred to an event to be held in Richmond Park the weekend after next and asked if the grandstand could be pressure cleaned before this event.

The Director Asset Services & Recreation advised that this can be done.

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12. Councillor Lawson asked what is happening about the Corporate Image Document.

The General Manager advised that the staff are preparing some alternatives.

13. Councillor Baczynskyj asked if Council had been submitted a petition of 584 residents in support of the additional 15 units for the Retirement Village at Wilberforce.

The General Manager advised that the only document he has is the one that was handed to him to-night and it reads *"We the undersigned, are very supportive and in favour of the proposed retirement village, King Road, Wilberforce"*. The date at the top of the document shows 23rd October 1995 and at the bottom of the document it states *"584 signatures to 27/10/95"* and signed by John Miller.

14. Councillor Baczynskyj sought advice as to the current position in regard to the amenities at Richmond Park.

The Director Asset Services & Recreation advised that the plans have been received and it is close to calling tenders.

15. Councillor Baczynskyj asked if the money left over from erecting the DAMIT signs could be used to clean up the signs.

The Director Environment & Development stated that he felt that they should be taken down.

16. Councillor Searle asked if a report had been done on the sulo and split bins that they have in other areas for the collection of recyclable waste.

The Director Environment & Development advised that Council had just tendered for the recycling service and there will be a report coming before the next Committee Meeting covering not only tenders, but about seven different options for picking up recyclables including co-mingled 240 litre bins, 240 litre bins with dividers in them and a whole host of options.

17. Councillor Searle asked about the redevelopment of Lukis Street, Windsor Road and that area at the end of the airport.

The Director Environment & Development advised that they are fairly advanced with a Development Control Plan which should go to the next General Purpose Committee Meeting.

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18. Councillor Searle asked if the draft Development Control Plan for solar efficiency had been ratified by Council.

The Director Environment & Development undertook to ascertain the current position.

19. Councillor Searle advised that he had received a call from Mr Fitzpatrick advising that the white post had been knocked over into a culvert at the Corner of Grose Wold Road and Avoca Road, Grose Wold and cars were going into the culvert. There is no warning sign and asked if this could be investigated first thing in the morning.

20. Councillor Books provided an article which appeared in the Sunday Telegraph re rising imports, which may be of interest.

The Mayor asked Councillor Books to table the article.

The meeting terminated at 12.25am.

Submitted to and confirmed at the meeting of Council on 3 September 1996.

.....Mayor