

HAWKESBURY CITY COUNCIL ORDINARY MEETING

Where People Make the Difference!

BUSINESS PAPER MINUTES

DATE OF MEETING: 9 July 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 9 July 1996, commencing at 7.30pm.

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

The Reverend Janice Freeston, Uniting Church Windsor Richmond representing the Hawkesbury Ministers Association, gave the opening prayer at the commencement of the meeting.

An apology for absence was received from Councillor Books.

- 743 RESOLVED on the motion of Councillor Calvert and seconded by Councillor Paine that the apology be accepted.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

- 744 RESOLVED on the motion of Councillor Sheather and seconded by Councillor Minturn that the Minutes of the Ordinary Meeting of Council held on 11th June 1996, having been circulated amongst the members of Council, be confirmed.
- 745 RESOLVED on the motion of Councillor Sheather seconded by Councillor Calvert that the Minutes of the Special Meeting of Council held on 24th June 1996, having been circulated amongst the members of Council, be confirmed.

MAYORAL MINUTES

1. WENTWORTH AREA HEALTH SERVICE - RESTRICTION OF SERVICES IN THE HAWKESBURY. P418/85 PT01

- 746 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheather that the information be received.

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SECTION 2 - NOTICES OF MOTION

By Councillor M E Lawson GF008/001 PT13:

- 747 RESOLVED on the motion of Councillor Lawson seconded by Councillor Allan that Council make a donation of \$500 (five hundred dollars) to the Young Women's Festival to be held in North Richmond on Saturday, 28 September, 1996 to assist with the operating costs of the day.

Councillor Lawson tabled a letter from the North Richmond Youth Project.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

MAYORAL MINUTE

1. SPORTS COUNCIL - ALLOCATION OF CAPITAL FUNDS GR030/030 PT03

- 748 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather that the Sports Council be allocated \$245,000 (two hundred and forty five thousand dollars) for capital works, with these funds coming from the \$165,000 (one hundred and sixty five thousand dollars) allocated for traffic facilities in West Market Street Richmond and \$80,000 (eighty thousand dollars) for the relocation of the driveway at the Indoor Sports Stadium. Further, that the Sports Council be advised that these funds are for capital works only and that it be requested to advise priorities for its expenditure.

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SECTION 1 - ENVIRONMENT

161: 1. EXHIBITION OF DRAFT LOCAL ENVIRONMENTAL PLAN - "THE ISLANDS", HERMITAGE ROAD, KURRAJONG - PROPOSED 32 LOT COMMUNITY TITLE SUBDIVISION ON LITTLE ISLAND - PROPOSED LIMITS ON DEVELOPMENT
2. APPLICATION FOR A DEFERRED COMMENCEMENT (IN PRINCIPLE) APPROVAL FOR EQUESTRIAN FACILITIES ON MIDDLE ISLAND. (LEP02/96; LEP03/96; LEP04/96; SA065/94; DA065/95/EVD; SA 052/96/EVD)

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

- A. THAT DRAFT local environmental plan 2/96 to permit a 32 (thirty two) lot community title subdivision, 30 (thirty) lots with building entitlements, on part of Lot 182 DP 701978 (Little Island), Hermitage Road, Kurrajong, be referred to the Department of Urban Affairs and Planning for final gazettal. Further that draft local environmental plan 2/96 be amended to prohibit the further subdivision of the "The Islands" being Lot 181 DP 701978 (Middle Island), Lot 182

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General Manager

Mayor

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- B. That draft local environmental plan 3/96 be amended to retain the existing Environmental Protection Scenic 7(d) zone generally over those parts of the “The Islands” labelled:-

2. *Rural Residential Development*
3. *Equestrian & Tourist Facilities*
4. *Passive Recreation*

on the overall concept plan for “The Islands” prepared by McKinlay Morgan & Associates Pty Ltd and dated 31 March 1995.

- C. That draft local environmental plan 3/96 be amended to apply the Environment Protection 7(e) zone to those parts of the “The Islands” generally labelled as 1. *Scenic Reserve* on the overall concept plan for “The Islands” prepared by McKinlay Morgan & Associates Pty Ltd and dated 31 March 1995 incorporating minor changes recommended by the National Parks and Wildlife Service to include native vegetation and not just trees in the removal prohibition and to require development consent for dwellings and to allow fencing and conservation management works with consent.

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D. That a deferred commencement development approval be issued for the equestrian facility excluding the bunkhouse accommodation subject to compliance with the following deferred commencement conditions:-

- . a waste management plan being submitted which demonstrates the removal of manure from the stable complexes off site or alternatively its land application by a manure spreader at a rate which will not result in pollution of surrounding creeks.
- . submission of detailed plans for the equestrian facility showing the location of arenas, stabling (including elevations), manager's residence (including elevations), and the other infrastructure referred to in the application.
- . submission of evidence from the Department of Land and Water Conservation of approval for the licence to extract water for the proposed equestrian facility and irrigation system.
- . no camping on site to be undertaken without the separate consent of Council.

Upon compliance with the deferred commencement conditions that development consent be issued under delegated authority subject to appropriate conditions.

E. That the applicant be advised that the external road construction requirements which would be required as a condition of approval on a community title subdivision application for Little Island would be as detailed in the report being:-

(proceeding from Bells Line of Road)

- Forty six percent (46%) of any required land acquisition costs plus forty six percent (46%) of construction costs to achieve widening of Bells Line of Road at the Hermitage Road intersection to improve sight distance for right turning traffic and the provision of a right turn bay. Plans to be submitted and approved by the Roads and Traffic Authority. Plus the following:-
- Land acquisition costs plus construction to achieve localised widening of Hermitage Road opposite No 90 to increase the pavement width by a maximum of approximately 1.5m (one point five) tapering away either side of the bend. Plans to be submitted and approved by Council.
- Land acquisition costs plus construction to achieve localised widening at the bend opposite the Douglas Farm Road intersection to increase the pavement width by a maximum of approximately 1.0m (one point zero) tapering away either side of the bend. Plans to be submitted and approved by Council.

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- Edge reconstruction adjacent to No.143 Hermitage Road for the frontage of Part Portion 168 DP 751649 (property opposite Douglas Farm Road intersection) being a distance of approximately 400 (four hundred) metres. Work to be done to the satisfaction of the Director Asset Services and Recreation.
- Relocate poles and remove trees close to the road adjacent to No. 144 Hermitage Road for a distance of approximately 400 (four hundred) metres (opposite the edge reconstruction identified above). Work to be done to the satisfaction of the Director Asset Services and Recreation.
- The reconstruction and realignment of the curve outside Lot 1002 DP 848888 (No. 244). Plans to be submitted and approved by Council.
- Construction of Hermitage Road, including a sealed pavement and any necessary drainage from Mountain View Close to the property boundary (note: the road would need to be constructed past this point as a condition of approval for the community title subdivision). The tree in the road reservation at the Mountain View Close intersection should be retained in a traffic island. Plans to be submitted and approved by Council.
- These works be staged in accordance with the AADT for both developments.

Or, alternatively, at the discretion of Council

- One hundred percent (100%) of the required land acquisition costs plus one hundred percent (100%) of the construction costs to achieve widening of Bells Line of Road at the Hermitage Road intersection to improve sight distance for right turning traffic and the provision of a right turn bay. Plans to be submitted and approved by the Roads and Traffic Authority. Plus the following:-

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- Construction of Hermitage Road, including a sealed pavement and any necessary drainage from Mountain View Close to the property boundary (note: the road would need to be constructed past his point as a condition of approval for the community title subdivision). The tree in the road reservation at the Mountain View Close intersection would need to be retained in a traffic island. Plans to be submitted and approved by Council.
- F. That the applicant be requested to withdraw SA052/96 which seeks approval for clearing on Big Island and Middle Island and the subdivision of the whole property into 18 (eighteen) allotments of 40 (forty) hectares or more.

162: PROPOSED TENNIS COURT LIGHTING - PART PORTION 123 PARISH KURRAJONG - "GOLDFINDERS", OLD BELLS LINE OF ROAD, KURRAJONG (ADJACENT TO BRIDGE OVER LITTLE WHEENEY CREEK) (BA277/96/EVD)

Item 282 of the Supplementary Report was dealt with in conjunction with Item 162.

Moved on the motion of Councillor Sheather seconded by Councillor Allan

That the conditions recommended by the General Purpose Committee be revised as follows:

That a deferred commencement development approval be issued conditional upon the applicant satisfying the Director Environment and Development that there will be no illumination from the tennis court lighting beyond the common boundary between the applicant and objector.

Following satisfaction of this condition, the application be approved under delegated approval 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 three nights per week and on those 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 residents or Old Bells Line of Road.
4. A planting screen of appropriate species, pot size, and spacing to be determined by the

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Director of 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. The consent is to expire 6 (six) months from the date on which the tennis court lights are installed, at which time the consent will be null and void. The applicant is to notify Council of the installation date of the lights and is to submit an application to amend the time limit on this consent before the expiration of the 6 (six) month period.

750 **AN AMENDMENT** was moved by Councillor Minturn seconded by Councillor Mackay that this matter be deferred.

The amendment was carried.

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

163: TOWN PLANNING - STRATEGIC WORKS PROGRAM (GT090/001/EVD)

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

THAT COUNCIL RESOLVE to support in principle a greater priority being given to strategic planning (within the existing budgetary constraints) and to receive a report on a priority list of studies that need to be undertaken along with resourcing and timing considerations.

164: TELECOMMUNICATIONS TOWER - 99 GROSE VALE ROAD, NORTH RICHMOND (P722/435/EVD)

752 RESOLVED on the motion of Councillor Calvert seconded by Councillor Mackay that this application be approved subject to the structure being non reflective.

165: ST ALBANS MARKET - LOT 11 DP844973 WHARF STREET, ST ALBANS - AMENDMENT TO HLEP 1989 (P2321/85/EVD)

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

1. THAT A draft Local Environmental Plan be prepared to amend HLEP 1989 by

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inserting a clause on temporary use of non-residential land.

2. St Albans markets be advised that Council raises no objections to the conducting of a Sunday market on the third Sunday of each month, subject to the requirements of the Director, Environment and Development.

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

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

1. COUNCIL ADOPT a priority of water allocation based on existing zoned areas prior to rezoning additional areas.
2. That initially Council agree to the provision of reticulated water to any development which has received subdivision or development approval.
3. A report be brought forward on the impact on the current rezonings on the future allocation of available water connections.
4. A report be brought forward on the investigation of a Residential Strategy for the Council.
5. Sydney Water and DUAP be advised that Council is establishing a procedure of water allocation and intends to conduct a residential strategy for future residential growth.
6. Council invite Sydney Water to address Council.

167: BLIGH PARK NORTH - PROPOSED RESIDENTIAL DEVELOPMENT - ADVICE FROM THE DEPARTMENT OF URBAN AFFAIRS AND PLANNING (LEP016/93 PT03/EVD)

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

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

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THAT A MEETING be convened with property owners in the Bligh Park North area to discuss other land use options including rural residential development.

168: REZONING PART LOT 453 DP749371 THORLEY STREET, GEORGE STREET, COLONIAL DRIVE AND WETHERILL CRESCENT, BLIGH PARK, SOUTH WINDSOR (LEP8/95/EVD)

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

1. THAT NO action be taken pursuant to Section 68 of the Environmental Planning and Assessment Act, 1979.
2. That Council use its delegation to furnish the Section 69 report to the Minister.
3. That the application be referred to the Department of Urban Affairs and Planning for
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169: 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/EVD)

757 RESOLVED on the motion of Councillor Searle seconded by Councillor Paine that this not be accepted.

SECTION 2 - INFRASTRUCTURE

23: TENDERS FOR PLANT HIRE (GT020/323 PT01/ENG)

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

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THAT THE SCHEDULE list for the hire of plant on a comprehensive basis for the period 1 July 1996 to 30 June 1997 be adopted.

24: MACQUARIE STREET ROAD CLOSURE (1341/R PT03/ENG)

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

1. THAT THE MATTER be referred to the Local Traffic Committee with advice that Council would prefer an option other than closure.
2. That residents be invited to address the Local Traffic Committee.

SECTION 3 - ORGANISATION AND RESOURCES

44: COMPULSORY ACQUISITION OF CAR PARK LAND - BAKER STREET, WINDSOR. (P731/140 PT06/CSV)

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

THAT THE INFORMATION concerning the compulsory acquisition of the car park land off Baker Street, Windsor, owned by Nevitoro Pty Ltd be received.

45: RICHMOND SWIMMING CENTRE SITE (GP080/001 PT04/CSV)

761 RESOLVED on the motion of Councillor Allan seconded by Councillor Lawson that this item be deferred pending an investigation as to ownership of the land prior to this and further reported.

46: AUSTRALIAN PIONEER VILLAGE - FINANCIAL REVIEW (GC283/107 PT04/CSV)

See Item 51.

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47: YOUTH ART ENCOURAGEMENT AWARD - ST MONICA'S EXHIBITION
(GF008/001 PT13/CSV)

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

A DONATION OF \$500 (five hundred dollars) be forwarded to the organisers of "Everything Artistic" to support a Youth Art Encouragement Award and that Hawkesbury City Council be acknowledged as a sponsor of this event.

48: FORTHCOMING CULTURAL EVENTS (GC130/032/CSV)

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

THAT A 'MUSIC In The Park' event be supported, incorporating a performance by the SBS Youth Orchestra to be staged in McQuade Park 8th December 1996.

That an allocation of \$4,000 (four thousand dollars) be made to support 'Carnivale' activities in Richmond during September as outlined in this report.

49: MONTHLY FINANCIAL STATEMENTS - MAY 1996 (GF011/005 PT04/FNC)

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

THAT THE INFORMATION be received.

50: HAWKESBURY SPORTS COUNCIL INC - TENDERS FOR MOWING
CONTRACT (GR030/030 PT04/FNC/FNC)

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

1. Option 2 submitted by James Enterprises Pty Ltd, in the amount of \$79,716 (seventy nine thousand seven hundred and sixteen dollars) per annum, being for Areas 1 - 4 as defined in the Tender Specification, be accepted for a period of 2 (two) years, with an

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option of 2 (two) years, and variation each year in accordance with the consumer price index for the Sydney Region, all groups, and

2. Option 3 submitted by G.D. & S.D. Hodgen, in the amount of \$31,351.95 (thirty one thousand three hundred and fifty one dollars & ninety five cents) per annum, being Area 5 as defined in the Tender Specification, be accepted for a period of 2 (t w o) y e a r s , with an option of 2 (two) years, and variation each year i n accordanc e with the consumer p r i c e index for t h e S y d n e y Region.

51. AUSTRALIAN PIONEER VILLAGE - FINANCIAL REVIEW GC 283/107 PT04/CSV

Moved on the motion of Councillor Sheather seconded by Councillor Minturn:

1. That Council adhere to its original commitment when leasing the facility to the Australian Pioneer Village Management Committee and continue to support the Committee in its operations for a further 2 (two) years.
2. That Council meet the additional loss on operations for the 1995/96 operating year (beyond the initial \$28,900 [twenty eight thousand nine hundred dollars]) plus accrual of employee leave entitlements and interest on overdraft not yet charged.
3. That for the 1996/97 Financial Year funds in the sum of \$30,000 (thirty thousand) be allocated if necessary to provide for unforeseen circumstances (eg inclement weather) and monthly financial reports be submitted by the Committee to Council.

Councillor Sheather tabled a letter from Mr Don Morrison of Richmond, which was read in full by the General Manager.

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The motion was lost.

- 766 RESOLVED on the motion of Councillor Lawson seconded by Councillor Calvert 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.

Councillor Sheather indicated that he would be submitting a Rescission Motion.

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SECTION 4 - REPORTS FOR DETERMINATION

252: ACQUISITION OF LAND, MCGRATHS HILL (SA0143; P730/490; DA155/93; LEP020/93; DA0225/92/FNC)

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

1. Part Lot 4 in subdivision Lots 1-10, DP831546 on the corner of Old Hawkesbury Road and Havelock Streets, being an area of 3.436 (three point four three six) hectares, be acquired from R.E.T. Enterprises Pty Limited, in the amount of \$90,000 (ninety thousand).
2. The funds for the acquisition be provided by way of an advance to Hawkesbury Sports Council Inc., from the Property Development Reserve and to be repaid from the repayments of the mortgage to Windsor Leagues Club Ltd.
3. Funding for the drainage works be provided to Hawkesbury Sports Council Inc., by way of an advance from the Property Development Reserve and to be repaid from the repayments of the mortgage to Windsor Leagues Club Ltd.
4. The costs of the further subdivision of Lot 4 be borne by the owner.
5. The necessary documents be executed under Seal of Council.

253: LEASING OF REVEREND TURNER COTTAGE (GC283/039 PT02/CSV)

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

1. That Council lease Reverend Turner Cottage, 360 George Street, Windsor being part of Lot 1 in DP998012, to The Figure Works Pty Limited on the following basis:-
 - a. Term 2 (two) years.
 - b. Option 3 (three) years.
 - c. Annual gross rental \$15,420 (fifteen thousand four hundred and twenty dollars)
 - d. Rent reviewed annually in accordance with CPI.
 - e. Rent reviewed to market at end of initial term.
 - f. Use of demised premises - accountancy practice.

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- g. Lessee's to pay security bond of \$1,285 (one thousand two hundred and eighty five dollars)
- h. Lessee's to provide insurance cover for Plate Glass and \$10 million (ten million) Public Liability.

- 2. All necessary documents be completed under the Seal of Council.

254: ABORIGINAL LAND CLAIMS UNDER DETERMINATION (GA010/011 PT01 AND GA010/012 PT02/CSV)

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

- 1. No objection be raised to the granting of Aboriginal Land Claim 5447, with the Department of Land and Water Conservation requested to address the requirements of Fire Control for the allowance of fire mitigation and fighting, and provision of legal access to and maintenance of fire trails/tracks, when determining this claim.
- 2. No objection be raised to the granting of Aboriginal Land Claim 2836.

255: ANNUAL DONATION TOY LIBRARY (GF008/001 PT12/CSV)

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

That Council donate \$400.00 (four hundred dollars) to the Hawkesbury District Care N Share Toy Library Inc to assist in covering increased rental costs.

256: COMPULSORY ACQUISITION OF CAR PARK LAND, BAKER STREET, WINDSOR. (P731/140 PT06/CSV)

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

That Council resolve to acquire that area of land identified as proposed Lot 3 in the Plan of Subdivision of Lot 1, DP69108 and Lot 1, DP600502 having an area of 1,072m² from Nevitoro Investments Pty Limited and that the land be classified as 'Operational' under the terms of the Local Government Act.

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257: DOCUMENTS FOR EXECUTION UNDER SEAL (GC200/004 PT03/FNC)

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

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

258: ADOPTION OF 1996/97 ESTIMATES AND MANAGEMENT PLAN/SEWERAGE FUND (GR010/006 PT06, GM001/002 PT03/FNC)

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

That the Management Plan and Estimates for 1996/97 as advertised and including the proposed annual charges for the Sewerage Fund be adopted for the 1996/97 financial period.

The proposed annual charges for the 1996/97 financial year are residential properties \$296.00 (two hundred and ninety six dollars), unconnected properties \$195.80 (one hundred and ninety five dollars and eighty cents), business category 1 \$343.00 (three hundred and forty three dollars), business category 2 \$1,716.00 (one thousand seven hundred and sixteen dollars), business categories 3 and 4 \$6,864.00 (six thousand eight hundred and sixty four dollars) pensioner rebate \$87.50 (eighty seven dollars and fifty cents).

The business categories are proposed on the following volumes of waste generated :-

Category 1	Less than 1,000 litres per day
Category 2	1,001 - 5,000 litres per day
Category 3	5,001 - 20,000 litres per day
Category 4	Greater than 20,000 litres per day

A trade waste volume charge of \$1.10 (one dollar and ten cents) per kilolitre was advertised in the 1996/97 draft management plan. Those properties with volumes exceeding 20,000 litres per day (category 4) will attract the trade waste volume charge in addition to the flat charge above. In addition a trade waste mass loading charge may be levied, based on the strength of pollutants in the waste stream in categories 2, 3 and 4.

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The mass load will be calculated on the entire volume discharge, not just the excess and charged according to predetermined rates. Mass loading content may include biochemical oxygen demand (BOD); suspended solids, total grease and oil and other pollutant groups.

Properties which are not connected to the sewer will attract an unconnected annual charge on a similar basis to vacant land charges for domestic waste management.

259: GOVERNOR PHILLIP RESERVE WINDSOR - HAWKESBURY AQUATIC FESTIVAL - EXCLUSIVE USE - HAWKESBURY AQUATIC FESTIVAL ORGANISING COMMITTEE (PK205 PT04/ENG)

Moved by Councillor Sheather that approval be granted to the application by the Hawkesbury Aquatic Festival Organising Committee for:

1. Street parade on Saturday 27 July 1996 subject to appropriate arrangements being made with the NSW Police Service regarding road closures; and,
2. Use of Governor Phillip Reserve, Windsor on Saturday 27 July 1996 and Sunday 28 July 1996 subject to the following conditions:
 - a. with regard to non-exclusive use on Saturday 27 July 1996, the Committees activity not unduly interfering with other patrons use of the reserve and its facilities;
 - b. with regard to exclusive use of the reserve on Sunday 28 July 1996 the applicant paying to Council the applicable contribution rate for exclusive use of the reserve.
 - c. the applicant making immediate payment of the outstanding balance of \$640.00 (six hundred and forty dollars) for exclusive use of Governor Phillip Reserve in respect of the 1995 event;
 - d. the reserve being left clean and tidy with the applicants being responsible for the collection, removal and disposal of all waste from the area; in this regard the applicant is to lodge prior to the event a refundable bond of \$750.00 (seven hundred and fifty dollars), from which all costs incurred by Council, administrative or otherwise, in securing cleanliness of the reserve are to be deducted;
 - e. the applicant effecting a Public Liability Policy in the name of the Hawkesbury

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Aquatic Festival Organising Committee in an amount of not less than \$10,000,000 (ten million dollars) with Hawkesbury City Council being noted on that policy as being indemnified and submitting a copy of that policy to Council by no later than 4.30pm, Friday 19 July, 1996;

- f. the applicant undertaking a letter drop to all affected residents in proximity to the Reserve and as directed by Council, with that letter advising all details of the function;
 - g. the applicant to obtain appropriate licence from the Licensing Branch, NSW Police Service, authorising sale of alcoholic beverages at the proposed function;
 - h. the applicant obtaining appropriate licence from the Dangerous Goods Branch, Workcover in respect of any proposed fireworks display;
 - i. the applicant obtaining all necessary permits/approvals in relation to:
 - (1) hot foods; and
 - (2) amusement devices/rides;
 - j. the applicant to liaise with Integral Energy regarding the supply of power to amusement devices/rides and their proximity to power supply lines;
 - k. should there be any variation or departure from activities undertaken in 1995, the applicant is expressly directed to discuss those variations/departures with the Director, Asset Services and Recreation Division, prior to the event; and,
3. That Council support sponsorship of \$500 (five hundred dollars) for the event.

The motion lapsed for the want of a seconder.

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

That approval be granted to the application by the Hawkesbury Aquatic Festival Organising Committee for:

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Street parade on Saturday 27 July 1996 subject to appropriate arrangements being made with the NSW Police Service regarding road closures; and,

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 - a. with regard to non-exclusive use on Saturday 27 July 1996, the Committees activity not unduly interfering with other patrons use of the reserve and its facilities;
 - b. with regard to exclusive use of the reserve on Sunday 28 July 1996 the applicant paying to Council the applicable contribution rate for exclusive use of the reserve.
 - c. the applicant making immediate payment of the outstanding balance of \$640.00 (six hundred and forty dollars) for exclusive use of Governor Phillip Reserve in respect of the 1995 event;
 - d. the reserve being left clean and tidy with the applicants being responsible for the collection, removal and disposal of all waste from the area; in this regard the applicant is to lodge prior to the event a refundable bond of \$750.00 (seven hundred and fifty dollars), from which all costs incurred by Council, administrative or otherwise, in securing cleanliness of the reserve are to be deducted;
 - e. the applicant effecting a Public Liability Policy in the name of the Hawkesbury Aquatic Festival Organising Committee in an amount of not less than \$10,000,000 (ten million dollars) with Hawkesbury City Council being noted on that policy as being indemnified and submitting a copy of that policy to Council by no later than 4.30pm, Friday 19 July, 1996;
 - f. the applicant undertaking a letter drop to all affected residents in proximity to the Reserve and as directed by Council, with that letter advising all details of the function;
 - g. the applicant to obtain appropriate licence from the Licensing Branch, NSW Police Service, authorising sale of alcoholic beverages at the proposed function;
 - h. the applicant obtaining appropriate licence from the Dangerous Goods Branch, Workcover in respect of any proposed fireworks display;
 - i. the applicant obtaining all necessary permits/approvals in relation to:
 - (1) hot foods; and

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- (2) amusement devices/rides;
- j. the applicant to liaise with Integral Energy regarding the supply of power to amusement devices/rides and their proximity to power supply lines;
- k. should there be any variation or departure from activities undertaken in 1995, the applicant is expressly directed to discuss those variations/departures with the Director, Asset Services and Recreation Division, prior to the event; and,
- 2. In light of the applicant's failure to pay the contribution rate applying to the 1995 event, as well as administrative costs incurred by Council in securing payment, that Council respectfully decline to sponsor events on this occasion.

260: DELEGATIONS FOR LOCAL ENVIRONMENTAL PLANS AND DEVELOPMENT CONTROL PLANS (GE020/029 PT02/EVD)

- 775 RESOLVED on the motion of Councillor Searle seconded by Councillor Minturn that the recommendation not be adopted.

261: WASTE MANAGEMENT - "ENVIRONMENT GUIDELINES: SOLID WASTE LANDFILLS" (P2018.55 PT03/GW001/002/EVD)

- 776 RESOLVED on the motion of Councillor Sheather seconded by Councillor Paine
- 1. That the information concerning the EPA's final "Environmental Guidelines: Solid Waste Landfills" be received.
 - 2. That the Director, Environment and Development negotiate the acquisition of Lot 20 DP25020 The Driftway and Lot 22 DP25020 The Driftway with the matter to be reported back to Council.

262: BUILDING AND DEVELOPMENT - CONCILIATION CONFERENCE PROCEDURE (GE020/029 PT02/EVD)

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

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1. That Council adopt a Conciliation Conference process for development, building and subdivision applications as outlined within this report.

263: DRAFT LOCAL ENVIRONMENTAL PLAN 3/95 AMENDMENT NO 43 LOT 1016 DP241424 - NO 53 CASTLEREAGH ROAD, RICHMOND AND PART OF LOT 1070 DP741457 - PUBLIC RESERVE: MR R ROSE (LEP003/95/EVD)

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

1. That a public hearing under Section 68 of the Environmental Planning and Assessment Act 1979 not be conducted.
2. The draft plan be forwarded to the Minister requesting gazettal of the plan.
3. That Council exercise its delegation in respect of the Section 69 Report to the Minister.

264: TENDER FOR KERBSIDE RECYCLING SERVICE (GW010/025 PT02/EVD)

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

1. That the information concerning the tender for the kerbside recycling service be received.
2. That Council endorse the submission of a tender for the kerbside recycling service by the Branch Manager Environment and Waste with assistance to be provided from a consultant in the recycling industry.

SECTION 5 - REPORTS FOR INFORMATION

265: BUSH FIRE BRIGADE OFFICE BEARERS (GF10/24/GMA)

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

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The information regarding Officers for the Bush Fire Season 1996/97 be received.

266: COURT OF APPEAL PROCEEDINGS - PAYMENT OF FINE (P1609/110 PT12/GMA)

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

That the information be received.

267: REPORTS REQUESTED BY COUNCIL - STATUS AS AT 9 JULY 1996 (GC280/005 PT03/GMA)

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

That the information be received.

268: ABORIGINAL LAND CLAIMS GRANTED (GA010/044 PT01 AND GA010/008 PT01/CSV)

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

That the information be received.

269: HAWKESBURY LOCAL ECONOMIC DEVELOPMENT BOARD - STATUS REPORT (GM001/021 PT03/CSV)

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

That the information be received and noted.

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270: CULTURAL PROGRAM AND FUNDING 1996/97 (GC130/032/CSV)

- 785 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the report be received.

271: HAWKESBURY SPORTS COUNCIL - 1996/97 OPERATING BUDGET (GR030/030 PT03/FNC)

- 786 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information be received.

272: BELLS LINE OF ROAD - STREET TREE PLANTING (243/R PT06/ENG)

- 787 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information be received.

273: THE HAWKESBURY TRIATHLON (GR030/062/ENG)

- 788 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information be received.

274: BUILDING AND DEVELOPMENT BRANCH - PRE-LODGE MENT CONSULTATION (GE020/029 PT02/EVD)

- 789 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information on pre-lodgement consultation be received.

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275: AUSTRALIAN DEFENCE COUNCIL INDUSTRY SITE, ST MARYS - REGIONAL ENVIRONMENTAL STUDY (GT090/003 PT08/EVD)

- 790 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information be received.

276: COURT RESULTS - LAND AND ENVIRONMENT COURT (P209/465, P2342/800/EVD)

- 791 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information be received.

277: PROPOSED 10 LOT SUBDIVISION - BOWEN MOUNTAIN ROAD, BOWEN MOUNTAIN (SA0096/95/EVD)

- 792 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information concerning the appeal by Mr Raymond Cunliffe be received.

278: DAMIT FLOOD RALLY - THOMPSON SQUARE - SUNDAY 23 JUNE 1996 (GC180/006PT03/EVD)

- 793 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
That the information concerning the DAMIT Flood Rally on 23 June 1996 be received.

QUESTIONS FROM THE GALLERY

The Mayor then invited Questions from the Gallery.

1. Mr Geoff Farrance asked how will the community representative be selected for the Agricultural Study.

The Director Environment & Development advised that he proposed to report to Council a list of people and let the Council make a determination.

The General Manager stated that it would depend on the community input as to locality interest or specific interest in a particular issue.

2. Mr Farrance sought advice as to signs erected at Scheyville suggesting that ordnance had been found on the site and telling people to keep out. He also referred to the construction work that had been carried out.

The General Manager advised that a company had been commissioned by the Department of Housing to do a significant search of the Scheyville area which indicated that there was no ordnance left on the site unexploded. He undertook to provide Mr Farrance with a copy of records kept on Scheyville, and to ascertain what work has been carried out.

3. Mr Farrance asked what is the acreage involved at Bligh Park North.

The Director Environment & Development advised that it is about 70 ha.

4. Mr Farrance referred to Item 264 - Section 4 in the Business Paper - Tender for Kerbside Recycling Service and asked whether an audit had been produced to assess the current system.

The Director Environment & Development advised that last year recycling was something in the order of 2,500 tonnes of materials collected. By way of comparison, when the EPA recycle rebate scheme was running, Council was on the mid to high range in Western Sydney.

Mr Farrance asked whether the tender document would be looking at whether or not the recycle bins are going to be separated.

The Director Environment & Development stated that there are a wide range of options as indicated in the report.

5. Mr Farrance referred to the number of people involved in the Bush Fire Brigades and in

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particular the Oakville Bush Fire Brigade.

The General Manager stated that the Oakville Brigade has a greater number of volunteers.

6. Mr Farrance referred to Item 269 of the business paper and in particular Water Licences and asked whether or not they had been completed and what was the outcome.

The Director Environment & Development advised that a meeting had taken place with the Minister Kim Yeadon, about a month ago and with the Land & Conservation Department on the 10 May and was advised that the transfer system would be available for licences within two weeks. A further letter had been forwarded to the Minister seeking advice as to what is going on and how long it would take to resolve the matter.

7. Mr Pat Clerke asked if something could be done about the drainage problem in East Market Street outside McDonalds.

The Mayor advised that this would be investigated.

8. Mr Brian McKinlay referred to Item 274 on Pre-Lodgement Consultation and asked if Council would be monitoring the reporting process to prove to the applicants and the developers that the application will be dealt with expeditiously.

The Director Environment & Development outlined the procedures that would be taken.

9. Mrs E D Leet of 66 East Market Street, Richmond sought advice regarding the traffic impact on East Market Street and Brentwood Avenue, Richmond.

The General Manager advised that this particular issue would be addressed. If a development was to proceed Council would require a traffic assessment and this would have to go to the Local Traffic Committee.

10. Mr Phil Donnelly asked if Council would look at reducing the hours of operation of the Hawkesbury Indoor Stadium and to the problem with noise.

The Director Community Management & Finance advised that there will be a report coming back to Council on an independent assessment of the operations of the Stadium including those matters relating to the mediation conference.

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11. The question was asked as to whether there is a budget for lights at the Hawkesbury Sports Aquatic Centre.

The Director Asset Services & Recreation advised that the poles were being erected today.

11. A member of the Hawkesbury Rural Action Group sought advice as to community involvement in relation to pre-lodgement consultation.

The General Manager advised that he had received a call from Mr Barry Crockford, the President of the Hawkesbury Rural Action Group, regarding this whole issue and a meeting would be arranged so that the Council's current policy on community consultation can be reviewed.

12. Mr Michael Roche referred to the proposed commercial terminal at the RAAF Base Richmond and the type of aircraft involved and the noise factor.

The General Manager advised that Council had commenced negotiations some years ago when a number of businesses had approached the Council about regionalisation of businesses in Australia. He advised of the type of aircraft that would be involved.

NOTICE OF RESCISSION MOTION

The General Manager advised that a Notice of Rescission Motion had been submitted signed by four Councillors in relation to the Australian Pioneer Village - Item 51 of the Ordinary Meeting of 9 July 1996, which will be presented to the August meeting of Council, unless there is a Special Meeting before that date.

SECTION 6 - REPORTS OF COMMITTEES

FRIENDS OF THE HAWKESBURY ART COLLECTION

- 794 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sahasrabuddhe that the Minutes of the Friends of the Hawkesbury Art Collection meeting held on 6 June 1996 as recorded on Pages 93 to 96 be received.

SCHAFFER QUARRY ENVIRONMENTAL MONITORING COMMITTEE

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- 795 RESOLVED on the motion of Councillor Minturn seconded by Councillor Mackay that the Minutes of the Schaffer Quarry Environmental Monitoring Committee meeting held on 19 June 1996 as recorded on Pages 97 and 98 be received.

LOCAL TRAFFIC COMMITTEE MINUTES

- 797 RESOLVED on the motion of Councillor Mackay seconded by Councillor Paine that the Minutes of the Local Traffic Committee meeting held on 21 June 1996 as recorded on Pages 99 to 103 be adopted.

CULTURAL COMMITTEE

- 798 RESOLVED on the motion of Councillor Mackay seconded by Councillor Sheather that the Minutes of the Cultural Committee meeting held on 24 June 1996 as recorded on Pages 104 to 106 be received.

SUPPLEMENTARY REPORTS

279: SUB-LEASE OF MACQUARIE PARK HOUSE (GC283/064 PT06/CSV)

- 799 RESOLVED on the motion of Councillor Mackay seconded by Councillor Calvert
1. That Council agree to a sub-letting arrangement between Mr Frank Taranto and Mr John Stevens (trading as Intercool Pty Ltd) in relation to the ground floor kiosk area of the Macquarie Park House located in Macquarie Park, Windsor, for a period of 3 (three) years with an option to renew for a further 3 (three) years. Rental to be \$100 (one hundred dollars) per week to be reviewed annually in accordance with CPI movements for Sydney and reviewed to market at the commencement of the new option period. The sub-Lessee to also be responsible for outgoings associated with the kiosk facility.
 2. That the Common Seal of Council be affixed to all the necessary documents.

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280: SOUTH WINDSOR WASTE DEPOT - REQUEST FOR NEGOTIATION TO ACQUIRE A THIRD PROPERTY. (P2018/55Pt04;GW001/002/EVD)

800 RESOLVED on the motion of Councillor Calvert seconded by Councillor Allan

That the Director Environment and Development negotiate the acquisition of Lot 21 DP 25020 The Driftway with the matter to be reported back to Council.

281: PROPOSED ROAD CLOSURE AND ROAD OPENING - GREENS ROAD, LOWER PORTLAND. (SA0047/96/EVD)

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

That the Department of Land and Water Conservation be requested to support the closure of road shown as pink on a plan prepared by Bowdens drawing No.25168/07 dated 6 January 1996 with no compensation payable due to Council maintenance prior to 1954. Further that the section of closed road be consolidated in the proposed subdivision by Bowdens and Co. SA0047/96 in exchange for the opening of a 15 metre (fifteen) wide reservation as shown in green on the plan prepared by Bowdens and Co., drawing No.25168/07 dated 6 January 1996. The road opening is to be at no cost to Council with the exception of agreed survey costs.

282: PROPOSED TENNIS COURT LIGHTING - "GOLDFINDERS" OLD BELLS LINE OF ROAD, KURRAJONG - C HALLAM (BA0277/96PT01/EVD)

See Item 162 - Environment Section - General Purpose Committee.

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QUESTIONS WITHOUT NOTICE

1. Councillor Calvert referred to the report of the Community Justice Centre and the matters which Council had guaranteed to do regarding the Hawkesbury Indoor Stadium.

The Director Community Management & Finance advised of the measures that have already been taken to comply with the agreement entered into in regard to access; lighting; emergency doors; waste removal; meeting with the residents; landscaping and security. An independent report on the operation will be reported after the end of the 1996/97 summer season.

2. Councillor Searle asked: 1. Why, when the normal operation hours are deemed to be those in the Community Justice agreement, were they not abided by, and 2. Given that Paragraph 12 under "Communications" states that "Council and residents agree that in the event of a breakdown of this agreement they intend to attend a further mediation at Community Justice Centres to further discuss the issues", there seems to be a breakdown in the agreement now.

The Director Community Management & Finance advised that the operating hours are actually the hours in which the Stadium sporting activities would take place in the Stadium. Access is only provided to a limited number of people to actually set up the facilities. The front doors are opened because with the cold climate people are finding it far more appropriate to be in the foyer area. The operating hours are those adopted in Item 5 with approval for the Manager to extend those hours for special events and that the residents will be advised of those special events prior to the event taking place.

3. Councillor Calvert sought advice on progress regarding traffic facilities in Rifle Range Road and Colonial Drive.

The Director Asset Services & Recreation advised that he had written to The Hon Kevin Rozzoli to request an audience with the Minister.

4. Councillor Paine advised that she had received a letter from the Windsor Mall Craft Group regarding problems with inadequate signage indicating the toilets in Fitzgerald Street and asked if something could be done in this regard.
5. Councillor Paine asked if the Hawkesbury City Sister City Association could be notified when their budget has been approved.

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6. Councillor Paine stated that she had been harassed by a member of the public due to her being on Council. She has spoken to the Police and sought legal representation. She asked if she is to take this up personally as a private individual or does she take it up through the Council.

The General Manager advised that Council as an elected body cannot get a specific order, however, individual members, if there is any great extent of harassment, can seek the assistance of the Police or through a Apprehended Violence Order.

7. Councillor Sheather asked if there is any progress in relation to the "one stop shop" with the Water Board. He suggested similar steps be taken in regard to Owner/Builders Permits.

The General Manager advised that he had had discussions with the Regional Manager, Mr Quinn, and they certainly wish to proceed but are doubtful that some of their own systems will be ready to be implemented. He had written and sought the assistance of the Builders Licensing Board on a number of occasions, but has not had any success as yet. It might be a matter that Council should take up with the Local Government Association.

Councillor Sheather asked if it would be appropriate for a short report to be submitted to the General Purpose Committee.

8. Councillor Sheather sought clarification as to when the money allocated in the budget would be available to the Sports Council.

The General Manager advised that the Council has already voted the money.

9. Councillor Lawson sought advice re the bins in Thompson Square.

The Director Asset Services & Recreation advised that the skip has been delivered to Thompson Square and he believed that the shopkeepers at that location are going to empty the bins at the weekend.

10. Councillor Sahasrabuddhe asked if the cleaning of the carpark behind the Orange Grove Mall is the Council's responsibility or that of the Corporate Body. He had received a complaint that it has not been cleaned.

The General Manager advised that it is Council's responsibility as it is a public carpark.

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11. Councillor Baczynskyj referred to the Windsor Bridge, where there is a walkway on one side of the river and a footpath across the bridge. At the other end of the footway it is necessary to walk up into the middle of the road on a bad bend. He asked if there is any proposals to do anything about that end of the bridge.

The Director Asset Services & Recreation advised that there are two proposals - one is to provide a similar system to that on the eastern end of the bridge, the other one is to extend the path along the embankment and provide a refuge on Putty Road about 200 metres towards Wilberforce.

Councillor Baczynskyj asked if there is any chance of going with the first option.

The Director Asset Services & Recreation replied "Yes".

12. Councillor Baczynskyj asked if Council has any indication as to the status of the bridge. He stated that there is quite an amount of erosion underneath.

The Director Asset Services & Recreation advised that the western side has been sheet piled.

13. Councillor Baczynskyj asked if the flood level sign at McGraths Hill is legal.

The General Manager advised that there is no approval by Council. To date when people wish to make a political statement, Council's action is to let them make that statement which is part of the democratic system. If the sign is either offensive, stays there too long, or gets into disrepair, Council does something about its removal.

Councillor Baczynskyj stated that Council should have it removed if it is an illegal structure.

14. Councillor Baczynskyj referred to a previous request by Councillor Sheather about the possibility of appointment of park rangers to look after our parks.

The General Manager stated there is a two day course available for people to receive training. If the Council wishes to have people appointed they could go through that particular process.

15. Councillor Baczynskyj referred to the problem with golfers using the parks and asked if signs could be erected indicating that golfing was not permitted and advising where the nearest golf course is.

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16. Councillor Minturn asked if it would be possible to have "No Standing" signs erected in front of the fire shed in Kurrajong near the water wheel and the Tourist Information sign. He stated that if Council is prepared to supply signs, the Brigade will dig the holes and erect them.

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

17. Councillor Minturn asked what happened with the soil from the pump station in Ross Street - was it sold or did it go to private use, and did Council get any money for it.

The Director Asset Services & Recreation advised that it was used on a development on that site. Council did not receive any money for it.

18. Councillor Searle asked if there had been any DA or BA submitted by Coles in relation to the earlier proposal on the carpark at Richmond.

The Director Environment & Development advised "No".

19. Councillor Searle advised that a Mrs Kelly from 2 Derwent Street Bligh Park had complained about the access down the side between her property and the next property that allows access into the drainage system behind the house. He believed the access is used by Council or the contractors to get their mowing equipment through and is used by cars creating a nuisance. He asked if this could be investigated and appropriate devices carried out to stop this use.

The meeting terminated at 10.30pm.

Submitted to and confirmed at the meeting of Council on 13 August 1996.

.....Mayor