



Hawkesbury City Council

ordinary meeting business paper minutes

date of meeting: 11 November 1997

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 11 November 1997, commencing at 7.30pm.

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

Chaplain Murray Earl from the Hawkesbury Ministers Association gave the opening prayer at the commencement of the meeting.

Councillor Mackay arrived at 8.00pm.

SECTION 1 - CONFIRMATION OF MINUTES

- 165 **RESOLVED** on the motion of Councillor Allan and seconded by Councillor Stubbs that the Minutes of the Ordinary Meeting held on 14 October, 1997, having been circulated amongst the members of Council be confirmed.

SECTION 3 - REPORT OF THE GENERAL PURPOSE COMMITTEE

Environment

38: Proposed 122 Lot Community Title Subdivision - Lot 2 DP749638 and Lot 8 DP13446 - Nepean Park, 474 Springwood Road, Yarramundi - Applicant: McKinlay Morgan and Associates (SA156/96/EVD/ENK04NAX.V18)

Moved on the motion of Councillor Lawson seconded by Councillor Paine.

That the application not be approved subject to the following reasons:

1. The proposed development is considered to be out of character with the surrounding area.
2. The proposed subdivision is considered to be over-development of the site.
3. The proposed subdivision to be an undesirable precedent for similar proposals in the locality.

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4. The Yarramundi area lacks basic social infrastructure (public schools, child care, public transport, health care etc.) to support a large "urban" subdivision.
5. Poor access in periods of flooding and the potential demands which will be placed on the Roads and Traffic Authority for the elevating of the Yarramundi crossing of the Hawkesbury River.
6. The proposed development is not considered to be in the public interest.

The motion was lost.

166 RESOLVED on the motion of Councillor Sheather seconded by Councillor Books.

A That a deferred commencement consent be issued as follows:

- 1 Submission of written evidence that the Environmental Protection Authority has or will license the proposed sewerage treatment plant and reusage of the recycled water.

B Upon compliance with 1 above subdivision consent be issued subject to the following:

Stage 1 Creating 42 rural/residential lots, access road from Springwood Road community lots and a large residue lot.

1. The subdivision shall be in general accordance with the submitted plan dated 13 October, 1997, Plan No. 89354:LL:3 and supporting documentation except where amended by conditions of this consent.
2. The provision of reticulated sewer to each rural residential lot in the stage.
3. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.
4. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
5. Submission of a Certificate from Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
6. Payment of a cash contribution of \$151,781 (one hundred and fifty one thousand

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General Manager

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seven hundred and eighty one) for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment. A refund of \$91,666 (ninety one thousand six hundred and sixty six) of this amount will be made upon construction of the community building in Stage 2 and it being transferred to Council.

7. The dedication and full construction of the new roads including pathways and the drainage thereof. Construction standards and form to be determined in consultation with Council's Subdivision and Development Engineer.
8. The creation of reciprocal rights of way over the access handles to Lots 4 and 5 and construction of a 4.5m wide compacted crushed rock pavement and any necessary drainage along the access handles and across the footway to Lots 4 and 5. The maximum grade is to be 1 in 6.
9. The creation of easements to drain water (4m wide and 10m long) over the site of drainage discharge from roads free of cost to Council.
10. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetative debris or other water borne pollutants during and after development. Details shall be submitted and approved prior to any works commencing.
11. Street name signs to be provided at the junction of the new road/s.
12. The new road/s to be named (to be advised).
13. The new road/s be classified as rural road/s.
14. Construction of road and drainage works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environmental Development and the Roads and Traffic Authority for any works in Springwood Road including payment of any fees, contributions or securities required by the Roads and Traffic Authority.
- 14(a) The reduction of the speed limit on Springwood Road from 100kmph to 80kmph be addressed by the Local Traffic Committee.
15. A design checking and inspection fee calculated at \$50 per hour or \$10 per metre of road whichever is the lesser must be paid prior to release of the linen plan. This

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amount is valid until 30 June, 1998.

16. The single access point to the proposed development being relocated 30 (thirty) metres further south on Springwood Road than its indicated position on Plan No. 89354 dated 4 February, 1997 to enhance sight distance of traffic approaching from the south together with the provision of an acceleration lane on Springwood Road upon turning north from the proposed estate and the extension of the right-turn holding bay for southbound traffic.
17. The demolition of the existing buildings and structure on the site where they encroach on proposed lot boundaries, in accordance with work cover requirements.
18. The creation of suitable restrictions on the use of land covering water collection and storage generally in accordance with the reports prepared by Toby Fiander and Associates submitted in support of this application. The actual wording and form to be arrived at in consultation with Council's Subdivision and Development Engineer.
19. The provision of sediment and nutrient control works within the development to maintain or improve the existing quality of stormwater discharge from the site.
20. Landscaping of the section of the site generally in accordance with the Landscape Master Plan and Report prepared by EDAW. Details to be submitted and approved prior to commencement of construction.
21. The bushfire access trail running from Mahons Creek Road and skirting the western perimeter to the south-west boundary shall be of gravel construction to allow for all weather access and a vegetation free barrier between the bush and the development. This trail is to be of sufficient width to allow for passing bays.
22. The remainder of the bush fire access trail network shall be grassed and of sufficient width to allow for passing bays and the end of the trail to have provision for tankers to be turned around. The trail shall be wide enough for tankers to easily negotiate bends and be able to carry a fully laden fire tanker.
23. The entire trail network shall be constructed to the satisfaction of Council's Fire Control Officer.
24. A Management Statement complying with Schedule 111 of the Community Land Development Act, shall be lodged and approved by Council prior to issue of the final plan of subdivision. This statement shall include provisions covering:
 - (i) No dwellings to be erected on the community property.

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- (ii) Maintenance of the fire trails so as to prevent scrub regrowth which may pose a fire hazard to the development and to provide for access for bushfire vehicles at all times to the satisfaction of Council's Fire Control Officer.
 - (iii) The maintenance of any nutrient and sediment control works within the community property.
 - (iv) The provision of an emergency potable water supply to each lot in the subdivision.
25. The submission of a plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
26. Payment of a linen release fee of \$1,860 (one thousand eight hundred and sixty). This amount is valid until 30 June 1998.
27. Each allotment created shall have an area of not less than 2,700m² and not more than 1.0 ha.
28. The fulfilment of any requirements of Transgrid.
29. The creation of a restriction on the use of land prohibiting the further subdivision of the rural residential lots created by this subdivision.
30. The creation of a restriction on the use of land prohibiting the erection of more than one dwelling house on any of the rural residential lots created by this subdivision.

Stage 2 Creating 40 Rural/Residential Lots, Community Lots and a Large Residue Lot

- 1. The subdivision shall be in general accordance with the submitted plan dated 17 December, 1997, Plan No. 89354:LL:3 and supporting documentation except where amended by conditions of this consent.
- 2. Lots 53 and 54 being amended to remove the area contained within the timbered area to the north and to provide for the fire access clear of the timbered area. This area to be added to the community lot adjoining.
- 3. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.

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4. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
5. Submission of a Certificate from Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
6. Payment of a cash contribution of \$58,649 (fifty eight thousand six hundred and forty nine) for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
7. The dedication and full construction of the new roads including pathways and the drainage thereof. Construction standards and form to be determined in consultation with Council's Subdivision and Development Engineer.
8. The creation of easements to drain water (4m wide and 10m long) over the site of drainage discharge from roads free of cost to Council.
9. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetative debris or other water borne pollutants during and after development. Details shall be submitted and approved prior to any works commencing.
10. Street name signs to be provided at the junction of the new road/s.
11. The new road/s to be named (to be advised).
12. The new road/s be classified as rural road/s.
13. Construction of road and drainage works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environmental Development.
14. A design checking and inspection fee calculated at \$50 per hour or \$10 per metre of road whichever is the lesser must be paid prior to release of the linen plan. This amount is valid until 30 June, 1998.
15. The creation of suitable restrictions on the use of land covering water collection and storage generally in accordance with the reports prepared by Toby Fiander and

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Associates submitted in support of this application. The actual wording and form to be arrived at in consultation with Council's Subdivision and Development Engineer.

16. Landscaping of the section of the site generally in accordance with the Landscape Master Plan and Report prepared by EDAW. Details to be submitted and approved prior to commencement of construction.
17. The bush fire access trail network shall be grassed and of sufficient width to allow for passing bays and the end of the trail to have provision for tankers to be turned around. The trail shall be wide enough for tankers to easily negotiate bends and be able to carry a fully laden fire tanker.
18. The entire trail network shall be constructed to the satisfaction of Council's Fire Control Officer.
19. A Management Statement complying with Schedule 111 of the Community Land Development Act, shall be lodged and approved by Council prior to issue of the final plan of subdivision. This statement shall include provisions covering:
 - (i) No dwellings to be erected on the community property.
 - (ii) Maintenance of the fire trails so as to prevent scrub regrowth which may pose a fire hazard to the development and to provide for access for bushfire vehicles at all times to the satisfaction of Council's Fire Control Officer.
 - (iii) The maintenance of any nutrient and sediment control works within the community property.
 - (iv) The provision of an emergency potable water supply to each lot in the subdivision.
20. The construction of the 300m² community building and car park within the community lot in a location and to standards and designs determined in conjunction with the Subdivision and Development Engineer. Full details to be submitted and approved prior to commencement of construction.
21. The dedication as public reserve of the area occupied by the community building, car park and curtilage free of cost of Council.
22. The submission of a plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

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23. Payment of a linen release fee of \$1,820 (one thousand eight hundred and twenty). This amount is valid until 30 June 1998.
24. Each allotment created shall have an area of not less than 2,700m² and not more than 1.0 ha.
25. The creation of a restriction on the use of land prohibiting the further subdivision of the rural residential lots created by this subdivision.
26. The creation of a restriction on use of land prohibiting the erection of more than one dwelling house on any of the rural residential lots created by this subdivision.

Stage 3 Creating 40 Rural/Residential Lots and Community Lots

1. The subdivision shall be in general accordance with the submitted plan dated 13 October, 1997, Plan No. 89354:LL:3 and supporting documentation except where amended by conditions of this consent.
2. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.

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3. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
4. Submission of a Certificate from Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
5. Payment of a cash contribution of \$57,183 (fifty seven thousand one hundred and eighty three) for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
6. The dedication and full construction of the new roads including pathways and the drainage thereof. Construction standards and form to be determined in consultation with Council's Subdivision and Development Engineer.
7. The creation of easements to drain water over (4m wide and 10m long) the site of drainage discharge from roads free of cost to Council.
8. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetative debris or other water borne pollutants during and after development. Details shall be submitted and approved prior to any works commencing.
9. Street name signs to be provided at the junction of the new road/s.
10. The new road/s to be named (to be advised).
11. The new road/s be classified as rural road/s.
12. Construction of road and drainage works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environmental Development.
13. A design checking and inspection fee calculated at \$50 per hour or \$10 per metre of road whichever is the lesser must be paid prior to release of the linen plan. This amount is valid until 30 June, 1998.

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14. The creation of suitable restrictions on the use of land covering water collection and storage generally in accordance with the reports prepared by Toby Fiander and Associates submitted in support of this application. The actual wording and form to be arrived at in consultation with Council's Subdivision and Development Engineer.
15. Landscaping of the section of the site generally in accordance with the Landscape Master Plan and Report prepared by EDAW. Details to be submitted and approved prior to commencement of construction.
16. The bush fire access trail network shall be grassed and of sufficient width to allow for passing bays and the end of the trail have provision for tankers to be turned around. The trail shall be wide enough for tankers to be turned around. The trail shall be wide enough for tankers to easily negotiate bends and be able to carry a fully laden fire tanker.
17. The entire trail network shall be constructed to the satisfaction of Council's Fire Control Officer.
18. A Management Statement complying with Schedule 111 of the Community Land Development Act, shall be lodged and approved by Council prior to issue of the final plan of subdivision. This statement shall include provisions covering:
 - (i) No dwellings to be erected on the community property.
 - (ii) Maintenance of the fire trails so as to prevent scrub regrowth which may pose a fire hazard to the development and to provide for access for bushfire vehicles at all times to the satisfaction of Council's Fire Control Officer.
 - (iii) The maintenance of any nutrient and sediment control works in the community property.
 - (iv) The provision of an emergency potable water supply to each lot in the subdivision.
20. The submission of a plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
21. Payment of a linen release fee of \$1,740 (one thousand seven hundred and forty). This amount is valid until 30 June 1998.
22. Each allotment created shall have an area of not less than 2,700m² and not more than

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1.0 ha.

23. The creation of reciprocal right of ways and construction of the battle axe handles to Lots 103 and 104 with a 3.5m wide compacted crushed rock pavement and all necessary drainage. Details to be submitted and approved prior to construction.
24. The creation of a restriction on the use of land prohibiting the further subdivision of the rural residential lots created by this subdivision.
25. The creation of a restriction on the use of land prohibiting the erection of more than one dwelling house on any of the rural residential lots created by this subdivision.

39: Modification of Development Consent Lot 1 DP540497 No. 79 Bells Line of Road, Kurrajong - Valley View Cafe (DA35/90/EVD/ENK04NAX.V05)

Councillor Minturn declared an interest in this item as he is an adjacent business owner.

167 **MOVED** on the motion of Councillor Lawson seconded by Councillor Baczynskyj.

1. Pursuant to Section 102 of the Environmental Planning and Assessment Act 1979, Development Consent dated 23 April, 1990 on Council file DA35/90 for the establishment of a tourist facility on Lot 1 DP540497 No. 79 Old Bells Line of Road, Kurrajong be modified in the following manner:
 - (a) delete Condition 8 and substitute the following new conditions:

"8. Operating hours shall be limited to 10.00am to 10.00pm Monday to Saturday and 8.00am to 7.30pm Sundays. Any alteration of these hours will require the approval of the Director of Environment and Development."
 - (b) Additional condition on Council's letter dated 1 March, 1991 be deleted.
 - (c) The restriction of a maximum of 8 (eight) tables be deleted.
 - (d) The verandah not be used.

An **amendment** was moved by Councillor Sheather seconded by Councillor Books.

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1. Pursuant to Section 102 of the Environmental Planning and Assessment Act 1979, Development Consent dated 23 April, 1990 on Council file DA35/90 for the establishment of a tourist facility on Lot 1 DP540497 No. 79 Old Bells Line of Road, Kurrajong be modified in the following manner:
 - (a) delete Condition 8 and substitute the following new conditions:

"8. Operating hours shall be limited to 10.00am to 10.00pm Monday to Saturday and 8.00am to 7.30pm Sundays. Any alteration of these hours will require the approval of the Director of Environment and Development."
 - (b) Additional condition on Council's letter dated 1 March, 1991 be deleted.
 - (c) The restriction of a maximum of 8 (eight) tables be deleted.
 - (d) The use of the verandah be limited to the side portion with no use of the rear section to 7.00pm for a trial period of 6 (six) months for the purposes of dining.

The amendment was lost

The motion was then put and carried.

40: Radio Transmitting Tower and Associated Facilities at Kurrajong Heights Park Reserve (R58673) Trust, Warks Hill, Kurrajong Heights
(DA135/96/EVD/ENK04NAX.V11)

Moved on the motion of Councillor Sheather seconded by Councillor Books.

That this matter be deferred and reported to the next General Purpose Committee.

That the General Manager report any other findings in relation to these matters.

168 AN **AMENDMENT** was moved by Councillor Lawson seconded by Councillor Baczynskyj

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That the proposed construction of a telecommunication tower and associated equipment hut and fencing be approved subject to the following conditions:

- A1. The development being carried out substantially in accordance with plans and specification contained in the document "*Proposed transmitting tower & Associated Facilities at Kurrajong Heights Park (R58673) Reserve trust, Warks Hill Road, Kurrajong Heights*" dated August 1997.
- A2. Submission of a building application, plans and specifications complying with the Building Code of Australia
- A3. Council investigate the feasibility of erecting the facility without constructing the proposed access track.
- A4. The facility is to comply with Australian Standard AS2772.1 relating to the emission of electromagnetic energy.

The amendment was carried.

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

41: 16 Lot Subdivision, Lot 3 DP528956, Lots 78 & 84 in approved subdivision of Lot 9 DP708335, Lot 6 DP861098, Lots 17 & 18 in approved subdivision of Lot 60 DP815570, Lot 213 DP751665, Parish of Wilberforce, County of Cook, Hadden Farm, East Kurrajong Road, Wilberforce (SA13/97/EVD/ENK04NAX.V17)

Councillor Books declared and interest in this item as he has done work for this project.

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

- A. That the Council support the SEPP1 objection and seek the Director of the Department of Urban Affairs and Planning's concurrence to the SEPP1 objection.
- B. That Council support the application and issue a "deferred commencement consent" subject to the applicant satisfying the following matters within two years from the date of the consent:

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1. Submission of a Wetland Management Plan, prepared by a suitably qualified consultant who has expertise in wetland management, that provides a balance between the current grazing activities occurring in and around the wetland and its long term conservation. The plan should be prepared in accordance with the principles of the Hawkesbury/Nepean Catchment Management Trust Guide for Preparing Wetland Management Plans. The plan should determine the current state of the wetland, the impacts on the wetland from current grazing activities and determine a balance between the grazing activities and an improvement of the wetlands environmental qualities.
 2. The applicant is to provide geotechnical details in relation to the nature of soils found underlying the Iron Bark Woodland which the access road proposes to traverse. In this respect the applicant is to satisfy Council that the Iron Bark Woodland does not constitute the Cumberland Plain Woodland vegetation community as declared by the scientific community and registered under the Threatened Species Conservation Act 1995.
 3. A full and systematic archaeological survey of the road and housing sites (plus effluent disposal areas) be undertaken to the satisfaction of Council.
 4. That a full geotechnical and water balance report be undertaken for each of the proposed housing sites so as to determine the suitability of each site for on-site effluent disposal and the appropriate location for the on-site effluent disposal area. This area is to then be detailed on the plan of subdivision in the form of a restriction as to user under Section 88B of the Conveyancing Act.
 5. Legal flood free access being gained over adjoining land in the form of "right of way" or some other similar legal method. This is to include a permanent surface and gated emergency access route entirely above the 1 in 100 year level flood frequency to East Kurrajong Road. The details of this route and its surface and arrangements for opening of the gate and the agreement of the adjoining land owner to the use of the land for this purpose are to be finalised to the satisfaction of Council.
 6. An investigation be undertaken to ascertain whether the proposed subdivision constitutes a habitat for either the Yellow Bellied Glider or Sugar Glider and in the event that it does, a revised 8 (eight) point test is to be carried out to the satisfaction of the Director of Environment and Development.
- C. Subject to the applicant submitting satisfactory information detailed in the above items, consent be granted subject to the following conditions.

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Approved Plans

1. To confirm and clarify the terms of Council's approval, the development shall be carried out in accordance with the approved, stamped plans (prepared by Bowdens Numbered 126725/02 Amendment C dated drawn 21 December, 1996) submitted with SA13/97.

Note: Modifications to the approved plans will require the lodgement for consideration by Council of a separate application.

Contributions

2. Payment of a cash contribution of \$46,198.89 (forty six thousand one hundred and ninety eight dollars and eighty nine cents) for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.

Environment

3. In order to maintain an appropriate balance between the conservation of the wetland and the on-going grazing of Lot 104, recommendations contained within the Wetland Management Plan, accepted by Council, are to be incorporated into the subdivision and on-going management of the site. In this respect recommended physical works, such as revegetation, rehabilitation and fencing, are to be completed prior to the release of the line plan. On-going management is to be incorporated into a conservation agreement between the land owner and Council which is to be finalised prior to the release of the linen plan.
4. Erosion and sedimentation control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetative debris or other water borne pollutants. Details shall be submitted and approved prior to any works commencing.
5. In order to protect ground water, receiving waters and the wetland, a Section 88B Instrument is to accompany the title of each allotment requiring the use of the "Eco-max" system for the on-site disposal of waste water and the use of such systems, in accordance with the recommendations contained within the geotechnical and water balance report which is to be prepared as part of the deferred commencement condition to this consent.

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6. On the basis of the geotechnical and water balance report the recommendations of the Archaeological Investigations and advice from the Ecological Consultant, an area is to be designated on each lot, under Section 88B of the Conveyancing Act, nominating an area of 1500m² for the erection of a dwelling, on-site effluent treatment and disposal, access, landscaping and recreation. This area is to be cleared of vegetation as part of the subdivision and prior to release of the line plan. This work is to incorporate revegetation using native grasses and erosion and sedimentation controls.
7. In order to protect koala food trees on the site, a Section 88B Instrument is to accompany the title of each allotment stating that trees listed under Schedule 2 of SEPP44 are not to be cleared.
8. In order to minimise environmental impacts and impacts on the landscape of the area, the only vegetation that is to be cleared as part of the development is that required for the access road to service the subdivision, 1500m² for housing sites etc. as part of Condition 6, and any necessary work that is required to be undertaken as part of the bushfire management of the subdivision.
9. Development is to be carried out in accordance with the recommendation of the Wetland Management Plan including any user restrictions that are to accompany the land title under Section 88B of the Conveyancing Act.
10. Detail is to be provided in relation to the suitability of each lot for use by hoofed animals. Investigations are to be carried out by a suitably experienced person who has knowledge in relation to the stocking capabilities of land in conjunction with an ecological consultant. A Section 88B restriction as to user is to accompany each lot restricting the use of each lot for use by hoofed animals and agricultural use of the land in general in accordance with the recommendations of the relevant detail. This detail is to be provided with the engineering plans.
11. A Section 88B Instrument is to accompany the title of each allotment restricting vegetation clearing to the 1500m² identified on the plan for use by a dwelling, landscaping, access road, private open space and on-site effluent disposal.
12. A Section 88B Instrument is to accompany the title of each allotment prohibiting the keeping of cats.
13. Temporary management of soil stockpiles should be provided by appropriate soil protection techniques such as biodegradable matting and/or suitable mulches. Timing for rehabilitation and initial stabilisation is to occur immediately. Temporary

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erosion control structures are to be removed only once the area is successfully stabilised. Seeding type and rates recommended by the Soil Conservation Service to stabilise the batters is to be followed. Fast growing native grass such as Weeping Meadow Grass is to be used in addition to the seed type recommended by the Soil Conservation Service.

Services

14. Dedication of a 6m by 6m splay corner free of cost to Council at the intersection of the new road and East Kurrajong Road, i.e. on Lot 102 and Lot 2 DP528956.
15. The dedication and full construction of the new roads and the drainage thereof.
16. Construction of a 3.5m wide compacted crushed rock pavement and any necessary drainage along the access strip where not already provided to Lot 101. The maximum grade is to be 1 in 6.
17. The creation of easements to drain water (4m wide and 10m long) over the site of drainage discharge from roads free of cost to Council.
18. Street name signs to be provided at the junction of the new road/s.
19. The new road to be named to the satisfaction of the Director of Environment and Development.
20. The new road be classified as rural road.
21. Construction of road and drainage are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director of Environment and Development.
22. A design checking and inspection fee calculated at \$50 per hour or \$10 per metre of road, whichever fee is the lesser must be paid prior to the release of the linen plan. This rate is valid until the 30 June, 1998.
23. Lot 100 is to be modified so as to provide it with access to the existing right of carriageway to Royerdale Place.
24. The minimum road surface level to be equivalent to the 20% flood event.
25. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.

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26. Payment of a linen release fee of \$780 (seven hundred and eighty). This amount is valid until 30 June 1998.
27. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.
28. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
29. Submission of a Certificate from Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.

Aboriginal Archaeology

30. Prior to any works or any archaeological investigation being undertaken, liaison with the Deerubbin Local Aboriginal Land Council is to be initiated.
31. Any works associated with the subdivision are to be undertaken in accordance with the recommendations of the Archaeological Investigations undertaken in accordance with deferred commencement condition 4.

Fire Threat Management

32. A Section 88B positive covenant is to be placed on all titles providing for access and bushfire mitigation works to be carried out by Hawkesbury City Council's Fire Control Officer.
33. A gate with twin locks is to be provided for the evacuation route across Lot 104 to McMahons Road. One lock is to be used for residents, the other lock for the Hawkesbury Fire Control Officer.

42: Extension of existing tyre landfill - Lot 2 DP123962, 62 Level Crossing Road, Vineyard (DA133/97/EVD/ENK04NAX.V21)

The General Manager read a letter from N E Peare Pty Ltd.

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

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- A. That Council issue a deferred commencement approval under Section 91AA of the Environmental Planning and Assessment Act 1979 subject to:

The applicant obtaining an EPA licence to operate a waste disposal facility in accordance with this application. A copy of the licence is to be forwarded to this office.

- B. Upon satisfying Part A, consent be granted subject to the following conditions:

1. The proposed landfill being carried in accordance with drawing numbers SO1 and SO2 dated February 1997, facsimile of cell layout dated 23 October 1997 and details contained within the application dated April 1997 and additional information dated 4 September 1997.
2. Full compliance with the Waste Minimisation & Management Regulation 1996 and the EPA Environmental Guidelines for Solid Waste Landfills.
3. All EPA reporting requirements are to be complied with and a copy of the Waste Contributions Monthly Reports are to be forwarded to the Director Environment and Development Division of Hawkesbury City Council for Council's records.
4. No tyre landfilling is to occur within 5 metres of the existing water course as shown of drawing SO1 and cell layout dated 23 October 1997.
5. Any and all flood or storm event damage to the landfill is to properly repaired within 30 days.
6. All tyres are to be de-walled prior to burial.
7. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
8. The subject development, including landscaping, is to be maintained in a clean and tidy manner to the satisfaction of the Director Environment & Development at all times and any direction given in this regard is to be complied with forthwith.
9. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.

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10. No excavated material, including soil, shall be removed from the site.
11. The topsoil shall be stripped and stockpiled and used to cover the landfill.
12. The filled area, including batters, shall be grassed to the satisfaction of the Director Environment and Development immediately after filling takes place.
13. All fill to be adequately compacted by track rolling or similar.
14. The landfill site shall be secured to prevent the depositing of any unauthorised material.
15. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
16. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
17. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
18. The hours of operation being limited to 7.00am to 5.00pm Monday to Friday.
19. All works are to be completed within three (3) years of commencement. Written advice of the date of commencement is to be forwarded to Council within 7 days of commencement.
20. The minimum finished surface grade must be 2% in order to allow satisfactory surface run off and overcome potential ponding or waterlogging above the finished tyre trenches.
21. The tyres shall be covered with a minimum of 1 metre of compacted soil material to assist entire tyre compaction and retention.
22. The area to be used for tyre disposal in accordance with Condition 1 is to be marked on site with prominent and permanent survey marks.
23. The individual tyre landfill cells must include a herringbone lateral drain in order to allow subsurface drainage and mitigate against the potential raising of the water table

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24. The finished surface level of the landfill is to be a maximum of 1.5 metres above the existing surface level. A contour depth of fill plan is to be submitted verifying finished surface levels.
25. A landfill environmental management plan (LEMP) shall be submitted for approval of Council prior to any works commencing. The LEMP is to be in the prescribed format as shown in "EIS Guidelines - Landfilling", Department of Urban Affairs and Planning.
26. Batter slopes of the land fill are not to exceed 1 in 6.
27. Piezometers are to be drilled down to a depth of 3 - 5m below the existing water table and are to be licenced by the Department of Land and Water Conservation.
28. The payment of a bond or bank guarantee of \$10,000 (ten thousand) for rehabilitation and restoration of the landfill operation. Should the plan of rehabilitation not be carried out in accordance with the plan, this money will be used for such work. The performance bond for rehabilitation of the site will be reviewed annually with a review of the conditions of consent.

43: Proposed Manager's Residence - Hawkesbury Retreat, Paradise Point - 78 Greens Road, Lower Portland. (DA/BA1128/97/EVD/ENK04NAX.V19)

Moved on the motion of Councillor Baczynskyj seconded by Councillor Mackay

That this matter be deferred until after resolution of the outstanding matters associated with the caravan park.

171 AN AMENDMENT was moved by Councillor Books seconded by Councillor Paine.

That the matters of the proposed Manager's Residence and the request to allow the installation of manufactured homes be reported in its entirety to the General Purpose Committee.

The amendment was carried.

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

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- 44: Development Application for proposed extension to the existing sandstone quarry by the installation and operation of sandstone cutting/sawing equipment and associated facilities - Lot 4 DP556534, Lot 1 DP437699 and Part Lot 106 DP751656, Bull Ridge Road, East Kurrajong (DA235/97/EVD/ENK04NAX.V14)**

Councillor Calvert declared an interest in this item as his Company purchases sandstone from this Company.

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

That approval be granted subject to the following conditions:

1. The entire operation is to be carried out generally in accordance with the details contained in:
 - i. the development application and accompanying report dated 24 September, 1997 from Sydney Sandstone of 7 (seven) pages and 4 (four) photographs
 - ii. plans (2 sheets) numbered 31197 dated 17 June, 1997 prepared by RE and PA Collis Design and Site Plan prepared by M J Head and Co.
 - iii. Acoustical Impact Statement dated September 1997 prepared by RSA Acoustics of 10 pages.

except to the extent that the provisions of such documents are revised or modified by the terms and conditions of this consent.

2. Compliance with the requirements of the Environment Protection Authority and evidence of compliance shall be provided to the Council in writing within 14 (fourteen) days of receipt of any licence or approval received from the Environment Protection Authority.
3. Compliance with the requirements of the Department of Land and Water Conservation (Soil Conservation Service of NSW).
4. From the date of this consent the applicant shall pay or procure payment to Council of a contribution under s.94 of the Environmental Planning and Assessment Act, 1979, at the rate of 51.3 cents per tonne of all processed materials transported from the site and in respect of the said contributions the following provisions shall apply:
 - i. the said contributions shall be calculated and paid monthly from the date of

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General Manager

Mayor

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this consent becoming effective;

- ii. the said contribution will be indexed and adjusted annually as from the date of this consent becoming effective in accordance with the Road Construction Index applicable to each year ending 30 June for the duration of the development consent ("the consent duration") and the said adjustment to the contribution shall take effect from and including July each year of the consent duration.

On or before the 14th day of each month the applicant shall delivery or procure delivery to the Council copies of weighbridge or other returns or records certified as true and showing the quantities of extracted materials transported from the site during the immediately preceding month and the Council will then as soon as it can conveniently do so issue to the applicant an invoice for the contribution payment for the month, which payment the applicant will pay to the Council within fourteen (14) days of the date thereof.

The Council has the right to inspect and to have the original records relating to any of the extracted material (including numbers and types of laden trucks and trailers and load quantities transported from the site) audited by any person nominated by its internal accountant at any time as and when he or she may be required so to do in writing.

The Council will pay all of the said contribution payments into a specially identified account for payments towards the rehabilitation, restoration, repair and/or maintenance of State regional and local roads used by trucks transporting material from the site.

5. The proposed sedimentation dam shall be cleaned out whenever its capacity is reduced by 25%.
6. Stormwater run-off from the proposed buildings shall be directed through oil and grease separators.
7. Fuel spills on the site shall be cleaned up immediately. Any contaminated area shall be rehabilitated to the satisfaction of the Council. The contaminated ground shall be removed from the site and deposited at Council's waste depot.
8. No sandstone, partly finished or finished products are to be imported to the site.
9. Trucks entering or leaving the quarry shall be required not to travel along that section

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of Bull Ridge Road which is located east of the access road to the quarry, apart from trucks delivering material for works associated with Bull Ridge Road or with properties fronting or accessible only from that road.

10. The sandstone sawing/cutting operation associated activities and maintenance and repair to plant and equipment shall be limited to 7.00am-5.15pm Monday to Friday and 7.00am-12.15pm Saturdays. No work to be carried out on Sundays and public holidays. Any alteration to these hours will require the approval of the Director of Environment and Development.
11. During the hours of operation of the sandstone sawing/cutting operation and associated activities the level of noise shall not exceed 5 dB(A) above the existing background noise level when measured at any boundary of the site.
12. All necessary steps are to be taken to suppress dust, generated as a result of the development, to the satisfaction of the Director of Environment and Development.
13. Sedimentation control devices shall be maintained during the development, to the satisfaction of the Director of Environment and Development.
14. Submission of a building application, plans and specifications complying with the Building Code of Australia.
15. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
16. Provision of toilets in accordance with the requirement of the Building Code of Australia.
17. Submission of a schedule of proposed external finishes including sample materials for consideration and approval in conjunction with the submission of a building application.
18. No signs shall be displayed on the footpaths, pedestrian ways, roadways or in the vicinity.
19. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
20. Parking shall be provided for 6 (six) vehicles in accordance with Council's

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Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.

21. Council staff shall inspect the sandstone sawing/cutting operation at approximately monthly intervals to ensure conditions are being met as required and to undertake any noise monitoring deemed necessary by the Council.

The cost of such inspections and monitoring shall be borne by the applicant at an hourly rate as determined by award rates and quarterly reports shall be submitted to Council presenting the results of such inspections.

22. (a) Any change in plant or equipment or relocation of any plant or equipment requires the consent of Council.
- (b) The Director of Environment and Development list the plant and equipment to be utilised in the operation. Further that the all equipment currently on site be listed.

45: Development Application for Proposed Training Centre for the Guide Dog Association of NSW and ACT - Lot 1 DP617415 No. 16 Jordan Avenue (and Spinks Road), Glossodia (DA236/97/EVD/ENK04NAX.V13)

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

That approval be granted subject to the following conditions:

1. All vehicular access to the development to be via Spinks Road, visitor parking to be relocated to the northern side of the administration building and construction of a sealed rural type access to suit the access to Spinks Road. Full details to accompany the building application.
2. All vehicular roads to be constructed with a sealed pavement and any necessary drainage. Full details to be submitted with the building application.
3. All development to be located clear of the natural depression that crosses the site to the requirements of the Director of Asset Services and Recreation, full details to accompany the building application.

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4. Disposal of all solid dog faeces, waste water and wash down water to be to the requirements of the Direct of Environment and Development and Environment Protection Authority, full details to accompany the building application.
5. The development plan and layout to be amended to incorporate the following measures with full details to accompany the building application:
 - i. All development to be sited a minimum of 5.0m from the western boundary and the area between the development and the 5.0m line to be densely planted to screen the development from the adjoining property.
 - ii. Provision of a 1:6 landscaped mounding between the administrative building and Jordan Avenue to assist in noise attenuation for the residents of Jordan Avenue. The height of the mounding to be to the specifications of the applicant's Acoustic Engineer with the design adequate to ensure no adverse noise impact occurs to the residents of Jordan Avenue opposite the site.
 - iii. Dogs to be controlled during feeding times to ensure no adverse impact occurs to adjoining residents. This may require that any troublesome and noisy dogs be fed in enclosed soundproof kennels.
 - iv. All internal kennels are to be acoustically designed to ensure noise emitted as a result of the development does not exceed 5 dB(A) above the ambient noise level when measured at the nearest site boundary.
 - v. Noise generated by any and all outside activities to be controlled such that any noise emitted does not exceed 5 dB(A) above the ambient noise level when measured at the nearest residential building.
6. Any staff security flood lights to be connected to a timer to turn off after a 15 minute period and to be positioned and focussed so that they do not shine near any adjacent site.
7. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the building application.
8. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity.
9. Submission of a Certificate from Telstra Australia that satisfactory arrangements

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have been made for the provision of cables for telephones.

10. Submission of a building application, plans and specifications complying with the Building Code of Australia.
11. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
12. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Director Environment and Development.
13. A waste management plan shall be submitted for consideration with the building application. Such plan shall address any builder's waste and waste generated during day to day operations and shall include types and quantities, recycling, reuse, storage and disposal.
14. Provision of toilets in accordance with the requirements of the Building Code of Australia.
15. No excavation or site works shall be commenced prior to the issue of the building permit.
16. The air handling system installed on the premises shall be registered with Council in accordance with Part 6 of the Public Health Act 1991, Microbial Control.
17. Parking shall be provided at the rate of one space per employee in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
18. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
19. Access address and identification address for the purpose of deliveries, mail and visitor access to be registered as Spinks Road.
20. Submission of a schedule of proposed external finishes including sample materials for consideration and approval in conjunction with the submission of a building application.

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21. The premises are to be landscaped and screened in accordance with a plan of proposed planting to be submitted to Council for consideration and approval concurrently with the submission of a building application. Such landscaping and screening is to be carried out in a manner which will ensure the kennels and exercise yards cannot be viewed from the street or from adjoining residences.
22. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
23. Not more than 90 (ninety) dogs are to be accommodated on the premises at any given time.
24. Concrete floors are to be provided to all kennels.
25. The development shall be carried out in accordance with Plan No.9710 Drawings No. S1 and S2, dated August 1997 except where modified by Conditions of this Consent.
26. Erosion and sedimentation control devices shall be installed and maintained during construction. Details shall be submitted and approved prior to any works commencing.
27. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.
28. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
29. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.

**46: Proposed 23 Lot Subdivision - Lot X DP419316 Dight Street, Richmond
(SA65/97/EVD/ENK04NAX.V16)**

The General Manager read the conclusion from a report from Christopher Hallam and Associates.

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174 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs.

A. The application to subdivide be approved subject to:

1. The subdivision shall be in general accordance with the submitted plan dated 5 May, 1997 (Ref No. S.1196).
2. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the linen plan.
3. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
4. Submission of a Certificate from Telstra that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
5. (a) Dedication of 3m by 3m splay corners free of costs to Council at the intersection of the new road and Dight Street.

 (b) Construct a roundabout at the intersection of Dight Street and the new subdivision road with appropriate traffic calming devices. The roundabout be constructed in conjunction with the Consultants report to the approval of the Director of Asset Services and Recreation.
6. Payment of a cash contribution of \$81,444 (eighty one thousand, four hundred and forty four) for recreational buildings, park improvements and community facilities as a consequence of the subdivision of land. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
7. Payment of a cash contribution to works of \$1,870 (one thousand, eight hundred and seventy) for tree planting in Council's footway. This sum will remain fixed for a period of 3 (three) months after which it will be recalculated at the rate applicable at the time of payment.
8. The dedication and full construction of the new road and the drainage thereof.
9. The provision of interallotment drainage covering all lots not draining directly to a public road and the creation of necessary easements free of cost to Council.
10. The creation of easements to drain water (4m wide and 10m long) over the site of

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drainage discharge from roads onto proposed Lot 23, long free of cost to Council.

11. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetative debris or other water borne pollutants. Details shall be submitted and approved prior to any works commencing.
12. Street name signs to be provided at the junction of the new road.
13. The new road to be named (to be advised).
14. The new road be classified as residential road.
15. Construction of road and drainage works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Environment and Development.
16. A design checking and inspected fee calculated at \$50 (fifty) per hour or \$10 (ten) per metre whichever is the lesser must be paid prior to release of the line plan. This rate is current until 30 June, 1998.
17. The creation of a restriction on the use of the land pursuant to Section 88B of the Conveyancing Act that no objection shall be raised by the registered proprietor (or any person claiming through the registered proprietor) to the carrying out of extraction activities (sand and gravel mining) in the vicinity of Richmond lowlands.
18. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
19. Payment of a linen release fee of \$1,020 (one thousand and twenty). This amount is valid until 30 June 1998.
20. Each allotment created shall have an area of not less than 500m².
21. The submission of a soil contamination report certifying that the land is suitable for residential use prior to release of the linen plan. Alternatively submission of a site history for the past 20 (twenty) years which indicates that contamination is not likely to have occurred.
22. The creation of a restriction on the use of the land pursuant to Section 88B of the Conveyancing Act that no objection shall be raised by the registered proprietor (or

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any person claiming through the registered proprietor) to the carrying out of medium density housing (duplexes, town houses, villas, etc.) which complies with Council's Development Control Plan.

23. The residue Lot 23 is to be consolidated with a residential lot to provide a building entitlement or, alternatively, that a Section 88b Restriction as to User be imposed prohibiting the erection of a dwelling on Lot 23 and stipulating that it may only be used for agricultural purposes.

47: Proposed 36 lot Rural/Residential Subdivision and Golf Course - Lots 20 and 21 DP748280, Peel Parade, Kurrajong (SA45/97, SA46/97, DA108/97/EVD/ENK04NAX.V09)

- 175 RESOLVED on the motion of Councillor Allan seconded by Councillor Lawson.

That this matter not be supported.

Councillor Books asked that his name be recorded against this motion.

- 176 RESOLVED on the motion of Councillor Allan seconded by Councillor Lawson.

That the application be refused for the following reasons:

- 1 The application is not consistent with Amendment 14 of the Hawkesbury Local Environmental Plan 1989.
2. Inadequate flora and fauna investigations.
3. Not consistent with the original intention of the local environmental plan requiring an 18 hole golf course.
4. The development is going to have undesirable impact on the visual quality of the area.
5. Water discharges from the site will not maintain existing levels of water quality.
6. Not in the public interest.

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- 48: Havelock Street subdivision - Increase in height of landfill for dwelling construction from 15.0 metres to 16.0 metres.**
(DA0117/97Pt01;DA0283/97Pt01/EVD/ENK04NAX.V15)

Councillor Books declared an interest in this item as he did the original works on this site.

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

That the application be deferred.

- 49: Draft Local Environmental Plan for Rural 1(d) Zone Lot 14 being Part of Lot 2 DP629053, Part Lot C DP160847 and Part Lot E DP164199 Richmond Road, Clarendon (Prestonville) (LEP4/97 (Amendment No. 93)/EVD/ENK04NBX.V06)**

Councillor Sheather declared an interest in the matter as a relative works for Mr Tolson's son but proposed to speak on the matter.

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

That:

1. Council exercise its delegations pursuant to Section 69 of the Environmental Planning and Assessment Act 1979.
2. Forward the plan to the Department of Urban Affairs and Planning for final gazettal.

- 50: Hawkesbury Sustainable Agriculture Development Strategy**
(GT150/015/EVD/ENK04NBX.V10)

- 179 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs

That Council resolve to place the Draft Hawkesbury Sustainable Agriculture Development Strategy Report on exhibition for a period of 10 (ten) weeks and that the exhibition commence immediately after this General Purpose Committee meeting.

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51: Draft Development Control Plan 3/97 - Telecommunications Facilities (DCP 3/97/EVD/ENK04NBX.V20)

180 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs

That in accordance with the provisions of Section 20(1) of the Environmental Planning and Assessment Regulations 1994, Council adopt Development Control Plan 3/97 for Telecommunications Facilities in the amended form detailed in this report.

52: Request to allow the installation of manufactured homes - Hawkesbury Retreat, Paradise Point, Lower Portland (DA026/97/EVD/ENK04NBX.V12)

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

That this matter be reported in conjunction with Item 43 of the Environment Section of the Report of the General Purpose Committee.

53: Proposed 122 lot community title subdivision - Nepean Park - Erratum (SA0156/96/EVD/ENK04LAX.V28)

This item was dealt with in conjunction with Item 38 of the Environment Section of the Report of the General Purpose Committee.

54: Radio Transmitting Tower and associated facilities - Kurrajong Heights - Erratum (DA0135/96/EVD/ENK04LAX.V27)

This item was dealt with in conjunction with Item 40 of the Environment Section of the Report of the General Purpose Committee.

55: Communications Tower Kurrajong Heights (DA135/96/GMA/ENK04LAX.G29)

This item was dealt with in conjunction with Item 40 and Item 54 of the Environment Section of the Report of the General Purpose Committee.

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**56: Proposed 23 lot subdivision - Lot X DP 419316 Dight Street Richmond.
(SA0065/97/EVD/ENK04LAX.V25)**

This item was dealt with in conjunction with Item 46 of the Environment Section of the Report of the General Purpose Committee.

Organisation and Resources

**13: Richmond Mainstreet Program - Request for Funding (GT070/024
Pt01/GMA/OGK04NAX.G06)**

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

1. That Council support the Mainstreet Program to the extent of \$8,000 (eight thousand) in Stages 1-4 as required. Funding is to come from savings in street lighting charges.
2. That Council in principle does not support a special rate as they are divisive within the community.

An **amendment** was moved by Councillor Mackay seconded by Councillor Stubbs.

That Council support the Mainstreet Program to the extent of \$8,000 (eight thousand) in Stages 1-4 as required. Funding is to come from savings in street lighting charges.
The amendment was lost.

The motion was then put and carried.

**14: Monthly Financial Report - September 1997 (FO11/005
PT04/FNC/OGK04NAX.F03)**

183 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs

That the information be received.

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**15: Westpool Bulk Purchasing - Comprehensive Motor Vehicle Insurance
(GI030/081/CSV/OGK04NBX.C04)**

184 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs.

That Council renew its comprehensive motor vehicle insurance with GIO Australia at a premium of \$75,000 (seventy five thousand dollars).

16: Richmond Park - Proposed Upgrading (P202 PT06/GMA/OGK04LAX.G11)

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

That funds of \$112,000 (one hundred and twelve thousand) (being the saving in street lighting charges with \$8,000 to go to the Mainstreet Program) be voted for works in 1997/98 with further funding for major works to be considered in the 1998/99 program in conjunction with the master plan of the park.

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SECTION 4 - REPORTS FOR DETERMINATION

83: Christmas Decorations - Chamber of Commerce Groups (GF008/001
Pt16/GMA/ORK11NAX.G13)

186 RESOLVED on the motion of Councillor Allan seconded by Councillor Mackay.

That funding annually allocated to local business groups for decoration and promotion, be used to purchase new Christmas decorations which will remain the responsibility of Council. Further, that local chamber and business groups be consulted regarding decoration alternatives.

84: Sale of 16A McMahons Park Road, Kurrajong (GC285/034
PT1/CSV/ORK11NBX.C03)

187 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Mackay.

That compensation in the amount of \$2,500 (two thousand five hundred) plus reasonable legal and survey expenses be paid to Mr R & Mrs S Goodier for the acquisition of an easement for services through their property, No. 28 McMahons Park Road, Kurrajong. Further, that the necessary documentation be completed under Seal of Council.

85: Documents for Execution under Council Seal (GC283/157
PT01/CSV/ORK11NBX.C18)

188 RESOLVED on the motion of Councillor Mackay seconded by Councillor Lawson

That the Seal of Council be affixed to the lease of Shop 11 Glossodia Village Shopping Centre.

86: Annual Statements of Accounts 1996/97 (GF001/001
PT03/FNC/ORK11NBX.F20)

189 RESOLVED on the motion of Councillor Sheather seconded by Councillor Sahasrabuddhe.

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That the:-

1. Report on the Annual Statements of Accounts for the period to 30 June, 1996/97 be received.
2. Receivables of \$32,198.70 be abandoned in accordance with the Local Government Act (1993).

87: Quarterly Review as at 30 September 1997 (GF4/3 PT1/FNC/ORK11NBX.F19)

190 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs

That the quarterly review of the 1997/98 Management Plan and Financial Statement for period to 30 September 1997 be adopted.

**88: Directional Signage - Mulgrave Industrial Area (GR120/004
Pt5/ENG/ORK11NBX.E17)**

Councillor Calvert declared an interest in this item as he owns a property in one the streets but wishes to speak on the matter.

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

That subject to a minimum of ten (10) users for a site that the proposed installation proceed for that site.

**89: Review of RTA Sydney Directorate Consultative Forum (GT230/016
Pt4/ENG/ORK11NBX.E11)**

192 RESOLVED on the motion of Councillor Searle seconded by Councillor Stubbs

That the Roads & Traffic Authority be informed that Council supports the Consultative Forum in its present format and is not in favour of the proposed change to a local forum format.

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**90: Extensions to John Morony Correctional Centre (GT090/003
PT9/EVD/ORK11NBX.V08)**

193 RESOLVED on the motion of Councillor Mackay seconded by Councillor Stubbs.

That Council resolve to make a submission to the Department of Urban Affairs and Planning expressing its concern at the lack of consultation with the local community over the development

That Penrith City Council be contacted in regard to sending a joint submission to the Department of Urban Affairs and Planning.

SECTION 5 - REPORTS FOR INFORMATION

**91: Hawkesbury Nepean River Catchment Management Trust (GP021/001
PT1/GMA/ORK11NCX.G06)**

194 RESOLVED on the motion of Councillor Books seconded by Councillor Lawson

That the information be received.

92: Accommodation for Aged Care (GC100/004 Pt1/GMA/ORK11NCX.G09)

195 RESOLVED on the motion of Councillor Mackay seconded by Councillor Books

That the information be received.

**93: Hawkesbury Sporting Club - Car Parking (DA71/94 &
SA88/97/GMA/ORK11NCX.G14)**

196 RESOLVED on the motion of Councillor Books seconded by Councillor Allan

That the information be received.

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94: Reports Requested by Council - Status as at 10 November, 1997 (GC280/005 PT03/GMA/ORK11NCX.G04)

197 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs
That the information be received.

95: Bush Fire Estimate 1997/98 (GC070 PT09/FNC/ORK11NCX.F21)

198 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs
That the information be received.

96: Review of Noxious Weeds by Hawkesbury River County Council (GE020/013/ENG/ORK11NCX.E15)

199 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs
That the information be received.

97: Draft Local Environmental Plan Amendment No. 87 Lot 2 DP501880 Bells Line of Road and Lot 18 DP793094 Slopes Road, North Richmond (LEP16/96/EVD/ORK11NCX.V02)

200 RESOLVED on the motion of Councillor Searle seconded by Councillor Mackay.
That the information be received.

98: Lower Hawkesbury River Flood Study (GR060/032/EVD/ORK11NCX.V07)

201 RESOLVED on the motion of Councillor Sheather seconded by Councillor Stubbs
That the information be received.

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**99: Compulsory Acquisition - 16 Rifle Range Road, South Windsor -
CONFIDENTIAL** *(It is recommended that this matter be Confidential under
Section 10(2)(d) of the Local Government Act, 1993, as it relates to proposals for:
the sale or purchase of land; the rezoning of land; entering into contracts of any
kind, if prior knowledge of those proposals could confer an unfair financial
advantage on any person)*

202 RESOLVED on the motion of Councillor Mackay seconded by Councillor Stubbs that
Council go into Committee of the Whole.

203 RESOLVED on the motion of Councillor Mackay seconded by Councillor Stubbs that the
Committee of the Whole resume to Open Council.

That the General Manager reported that whilst in the Committee of the Whole the
Committee considered advice on the compulsory acquisition of 16 Rifle Range Road, South
Windsor and now RECOMMENDS that the General Manager, or his nominee, be authorised
to negotiate up to a maximum sum for settlement for the acquisition of 16 Rifle Range Road,
South Windsor from Liberty Investments Pty Ltd. Further, that the Seal of Council be
affixed to any necessary documentation.

SECTION 6 - REPORTS OF OTHER COMMITTEES

The Friends of the Hawkesbury Art Collection - 2 October 1997

204 RESOLVED on the motion of Councillor Mackay and seconded by Councillor Stubbs that
the Minutes of The Friends of the Hawkesbury Art Collection meeting held on 2 October
1997 as recorded on Pages 77 to 79 be received.

Hawkesbury Local Economic Development Board - 3 October 1997

205 RESOLVED on the motion of Councillor Allan and seconded by Councillor Mackay that the
Minutes of the Hawkesbury Local Economic Development Board meeting held on 3 October
1997 as recorded on Pages 80 to 82 be adopted.

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Local Traffic Committee - 17 October 1997

- 206 RESOLVED on the motion of Councillor Mackay and seconded by Councillor Sheather that the Minutes of the Local Traffic Committee meeting held on 17 October 1997 as recorded on Pages 83 to 87 be received.

SUPPLEMENTARY REPORTS

100: Tax on Club Gaming Machines (GG010/005 PT02/GMA/ORK11LCX.G23)

- 207 RESOLVED on the motion of Councillor Baczynskyj seconded by Councillor Allan.

That the information be received and that a letter be sent to State Government thanking them for their political explanation for imposing a new Club Tax and asking whether they could inform us if any part of the additional revenue gained from Hawkesbury clubs, that would otherwise have contributed to local organisations, will be returned for distribution to those organisations.

An **amendment** was moved by Councillor Sheather seconded by Councillor Lawson.

That the information be received.

The amendment was lost.

The motion was then put and carried.

**101: Radio Transmitting Tower and Associated Facilities - Kurrajong Heights
(DA0135/005 PT02/GMA/ORK11LCX.G23)**

This matter was dealt with in conjunction with Item 40 of the Environment Section of the Report of the General Purpose Committee.

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**102: Award for Excellence in Planning - Royal Australian Planning Institute -
Hawkesbury Wildlife Corridor Plan (GT021/197/EVD/ORK11LCX.V24)**

208 RESOLVED on the motion of Councillor Searle seconded by Councillor Stubbs.

That the information be received.

**103 Water Standpipes - Kurrajong, North Richmond, Wilberforce and Pitt Town
(GW020/008 PT02/ENG/ORK11LBX.E25RESOLVED)**

Moved by Councillor Sheather seconded by Councillor Searle.

That the information be received and it be reported to the next General Purpose Committee.

209 AN AMENDMENT was moved by Councillor Books seconded by Councillor Mackay.

That the existing overhead standpipes at Kurrajong, North Richmond, Wilberforce and Pitt Town be removed following a three month period of notification by way of advertisements in local newspapers and signs installed at each overhead standpipe.

The amendment was carried.

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

**104: Additional Information - Item 47 of the General Purpose Committee - Proposed
36 Lot Rural/Residential Subdivision and Golf Course - Lots 20 and 21
DP748280, Peel Parade, Kurrajong (SA45/97, SA46/97,
DA108/97/EVD/ORK11LBX.V27)**

This matter was dealt with in conjunction with Item 47 of the Environment Section of the Report of the General Purpose Committee.

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- 105: Additional Information - Item 38 of the General Purpose Committee - Proposed 122 Lot Community Title Subdivision - Lot 2 DP749638 and Lot 8 DP13446 - Nepean Park, 474 Springwood Road, Yarramundi - Applicant: McKinlay Morgan and Associates(SA156/96/EVD/ORK11LCX.V28)**

This item was dealt with in conjunction with Item 38 of the Environment Section of the Report of the General Purpose Committee.

- 106: Additional Information - Item 46 of the General Purpose Committee - Proposed 23 Lot Subdivision - Lot X DP419316 Dight Street, Richmond (SA65/97/EVD/ORK11LCX.V26)**

This item was dealt with in conjunction with Item 46 of the Environment Section of the Report of the General Purpose Committee.

QUESTIONS WITHOUT NOTICE

1. Councillor Mackay advised that he has been approached by the lady who runs the coffee shop next to Loder House. She wishes to install an air conditioning unit on the ground floor in addition to the existing upstairs unit. She has been advised by the Heritage Office that this may cause a possible infringement of curtilage to the Loder House.

The Director of Environment and Development advised that he has already spoken to the coffee shop owner in relation to this matter.

2. Councillor Mackay informed Council that in excess of \$31,000 was raised on the Camp Quality Caper.
3. Councillor Stubbs enquired as to the status of the landscaping at the previously approved truck sales yard at McGraths Hill.

The Director of Environment and Development advised that correspondence has been sent to the applicant, however is unsure if plans have yet been submitted and will investigate this matter.

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4. Councillor Allan advised Council of a recent dispute between shop owners in Baker Street and the Mall, Windsor, about the positioning of 'A' frames. She asked if it were permissible for people from side streets to place them in the Mall.

The Director of Environment and Development advised that our policy does not cover the use of side streets but we do allow them subject to appropriate insurance and sitings.

Councillor Allan enquired if there was any monitoring of this situation.

The Director of Environment and Development advised that we do not arbitrate as to where they are situated.

Councillor Searle indicated that he was of the belief that all 'A' frames were to be in front of the business they were advertising.

The Director of Environment and Development will investigate this matter

5. Councillor Sheather requested that Council write a letter of thanks to Brad McGee, Commonwealth Games Cyclist, in recognition of his support of Bike Week in the Hawkesbury City over the past two years.

The Mayor advised that a letter would be sent thanking him.

6. Councillor Sheather enquired if the roundabout at the top of George Street is Council or Roads and Traffic Authority's responsibility and could the problem that has been occurring there be fixed.

The General Manager advised that it was the Roads and Traffic Authority's responsibility.

7. Councillor Sheather enquired if action had been taken in regard to a rock breaker in Manns Road, Wilberforce, being used to smash cast iron.

The Director of Environment and Development advised that a staff member visited the site today in order to speak to the property owner and have them cease this activity.

The Mayor advised that he has also taken action in regard to this matter.

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8. Councillor Books enquired as to why the "Turn Right After Stopping Sign" has been removed from the traffic lights on the corner of Baker and Macquarie Streets..

Councillor Searle advised that these signs have been removed wherever audiotactile signals are in place.

9. Councillor Sahasrabuddhe enquired as to the status of the water samples sent for testing from outside McDonald's in Richmond.

The Director of Environment and Development advised that samples have been tested and a Health Officer has spoken to McDonald's and it is suspected that the problem is caused by landscape watering.

10. Councillor Sahasrabuddhe enquired if we have received correspondence in regard to the motion moved by Councillor Stubbs regarding the development of a special economic zone.

The General Manager advised that we have written to the Federal Member for Regional Development but have not received any correspondence to date.

11. Councillor Baczynskyj requested that the advertising for the application for a truck depot in Manns Road be extended to include the residents in Grono Farm Road.

The General Manager advised that this would be done.

12. Councillor Baczynskyj requested that all the residents of Lower Portland who have shown an interested in the development of the caravan park be invited to the next General Purpose Committee meeting.

The Mayor advised that this would be done.

13. Councillor Baczynskyj enquired as to whether the "no stopping" sign in Windsor Street, Richmond was our responsibility and could something be done about replacing it.

Councillor Searle advised that this matter has been taken up on several occasions with the RTA and have been advised that this is the most appropriate sign due to the split usage of this area.

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The Mayor undertook to write to the Roads and Traffic Authority expressing our concerns and seek alternative measures in regard to this signage..

14. Councillor Minturn requested that the electric BBQ and toilet lighting in McMahon's Park Kurrajong be repaired.

The Mayor advised that these would be repaired.

15. Councillor Minturn requested that a letter be sent to the Minister enquiring as to when he is going to remove the other emergency services off the GRN.
16. Councillor Searle requested that the paving at Kurrajong Village, where it has been lifted by tree roots, be repaired.
17. Councillor Searle advised that he has received correspondence from the owners of 14 Pitt Street regarding the Horse Drawn Tours. The carriage is currently being parked on the grass. He enquired as to whether in future it was appropriate to enforce a condition that these type of vehicles be garaged off the main road or on private property.

The Director of Environment and Development advised that the property in question had changed hands during the processing of the application and this will be looked into and reported back to Councillor Searle.

18. Councillor Searle requested that the Director Asset Management and Recreation respond to correspondence from the Parks Group in regard to the proposed BMX Track at Redbank Reserve, North Richmond.

Councillors Paine and Sheather also requested a copy of this response.

Councillors Mackay, Books and Sheather tabled a rescission motion that Council rescind the motion on Item 47 in this business paper Proposed 36 lot Rural/Residential Subdivision and Golf Course - Lots 20 and 21 DP748280, Peel Parade, Kurrajong.

The meeting terminated at 11.45pm.

Submitted to and confirmed at the meeting of Council on 9 December, 1997.

.....Mayor

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This is Page of the Minutes of the ORDINARY No 4 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 11 November 1997.

General Manager

Mayor