



Hawkesbury City Council

ordinary meeting business paper supplementary

date of meeting: 8 February 1999

location: Council Chambers

time: 7.30pm

ORDINARY MEETING

Supplementary Table of Contents

Meeting Date: 8 February 1999

Page 2

ITEM	SUBJECT	PAGE
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SUPPLEMENTARY AGENDA

-	SECTION 1 - Minutes of Meetings	
	Mayoral Minutes	5
-	SECTION 4 - Reports for Determination	
131:	Draft Local Environmental Plan 16/95 (Amendment 64) - Rezoning of the Grose Wold Area LEP 16/95/EVD/ORB08LBX.V20	8
132:	2000/2001 Library Development Grant 2000-2001 GG021/134/CSV/ORB08LBX.C16	11
133:	Proposed acquisition for road purposes - Grose Wold Road, Grose Wold GC281/065 PT01/CSV/ORB08LBX.C19	12
134:	Hawkesbury Leisure Centres Incorporated GM001/023/CSV/ORB08LBX.C18	13
-	SECTION 5 - Reports for Information	
135:	Nuclear Free Zone Secretariat GT180/001/GMA/ORB08LCX.G22	17
136:	Richmond Park Enhancement PK/202/ENG/ORB08LCX.E24	18
-	SECTION 4 - Reports for Determination	
137:	Hawkesbury Sporting Club P227/12 PT01/GMA/ORB08LBX.G25	21

oooO END OF TABLE OF CONTENTS Oooo



ordinary

1
section

minutes of meetings



ordinary meeting

Mayoral Minutes

ORDINARY MEETING Mayoral Minutes

Mayoral Minutes

Ordinary Meeting - 8 February 2000

1. NAMING OF FRIENDSHIP BRIDGE - PITT TOWN BOTTOMS ROAD

Governor Arthur Philip and his party, while exploring the Hawkesbury on foot from Rose Hill on 14 April 1791 met a group of Aboriginal Darug people, Gombeetee and his son Yarramundi and their clan near Bardenorang Creek, at that time known as Bardo Narang. This was the first meeting in friendship between Europeans and members of the Darug people.

Correspondence has been received requesting that the bridge near this historic site on Pitt Town Bottoms Road at the crossing of Bardenorang Creek be named "Friendship Bridge".

A request has also been received to establish the unused road reserve on the northern side of Pitt Town Bottoms Road as a memorial heritage site. This second request will require further investigation.

Correspondence has also been received from Colin Gale, Chairman of the Darug Tribal Aboriginal Corporation, indicating that the proposal had been considered at their general meeting on 6 February 2000 and that it was unanimously agreed to support the proposal in its entirety.

It is recommended that the bridge over Bardenorang Creek on Pitt Town Bottoms Road be named Friendship Bridge and that the establishment of a memorial heritage site on the adjoining unused road reserve be further reported to Council following investigation.

2. PARALYMPIC TORCH RELAY

To recognise local government for its strong support of the Sydney 2000 Paralympic Games, the Sydney Paralympic Organising Committee (SPOC) has invited Council to nominate a deserving member of our community to participate in the MAA Sydney 2000 Paralympic Torch Relay. The nominee would be eligible for a chance to win one of a number of torchbearer places allocated specifically to local Government areas.

Following its national tour of capital cities between 5 and 11 October 2000, the MAA Sydney 2000 Paralympic Torch Relay will commence its 750km road journey through 200 New South Wales cities, towns and suburbs on 12 October 2000. Departing Moss Vale, the torch will travel through the Illawarra, Macarthur, Windsor and Hunter regions, then make its way via the Central Coast to Sydney's northern beaches, eastern, southern and western suburbs, before entering the Olympic Stadium on 18 October 2000 to light the cauldron marking the start of the Sydney 2000 Paralympic Games. Successful candidates and their nominating councils will be notified after 30 June 2000.

ORDINARY MEETING Mayoral Minutes
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It is recommended that Matthew Peace, Hawkesbury Young Citizen of 1999, be nominated by Council in recognition of his special contribution to the Hawkesbury community.

oooO END OF MAYORAL MINUTES Oooo



ordinary

4
section

reports
for determination

ITEM: 131 **Draft Local Environmental Plan 16/95 (Amendment 64) - Rezoning of the Grose Wold Area**

FILE NUMBER: LEP 16/95/EVD/ORB08LBX.V20

PREVIOUS ITEM: 130, GPC Section 1 - Environment (29.06.1999)

REPORT:

Background

In November 1995 Council resolved to prepare a draft local environmental plan (LEP) to rezone the Grose Wold area from Rural 1(b) to Rural 1(c1). The plan provided for a minimum subdivision size of 4 hectares and the area had the potential for approximately 70 additional allotments. The draft plan applies to the Grose Wold area generally bounded by the Grose River, Rose River Road, Grose Wold Road and Grose Vale Road.

During the past five years the plan has had a number of amendments, the major one involving the protection of Cumberland Plain Woodland, an Endangered Ecological community under the Threatened Species Act 1995.

In accordance with the Environmental Planning and Assessment Act 1979, the plan was referred to various governmental authorities for comment. The main concern was raised by the National Parks and Wildlife Service (NPWS), again requiring the protection of the Cumberland Plain Woodland found in the locality. A detailed fauna and flora assessment was carried out and the plan was amended to provide for the protection of vegetation in the locality.

At the time it was considered the most appropriate way to protect the vegetation was to zone it Environmental Protection 7(e), a zone used on "Islands" estate at Kurrajong. Furthermore, the 7(e) zone was excluded from calculating the potential lot yield.

Community Consultation

Since Council resolved to proceed with the plan in 1995, the plan has been publicly exhibited on two separate occasions. The Environmental Planning and Assessment Act 1979 requires that draft plans be exhibited for a period of 28 days. The Department of Urban Affairs and Planning (DUAP) issued the Section 65 Certificate on 24 January, 1997 to allow the public exhibition of the plan. The plan was first exhibited from 12 February 1997. Council resolved after this exhibition to proceed with the LEP.

Given the abovementioned concerns of the NPWS, the plan was amended and again placed on public exhibition. The plan was exhibited from 17 February, 1999 to 17 March, 1999 and 70 submissions were received. Over half of the submissions objected to the use of an Environmental Protection 7(e) zone. Given the number of objections raised, a public meeting was held with residents and it was agreed at this time the vegetation would be protected by the use of an

Environmental Constraint Area. The plan was not re-exhibited at this stage as its intent did not change. The NPWS also agreed to the changes as it assisted with the conservation of the vegetation in the locality.

The draft plan was last reported to Council on 29 June, 1999 where it was resolved that:

- "1. *The Draft Local Environmental Plan be amended as outlined in this report.*
2. *The Environmental Constraint Area provisions be introduced into Hawkesbury Local Environmental Plan 1989 and applied in the Grose Wold Area.*
3. *The Draft Local Environmental Plan - Amendment 64 (incorporating amendments in recommendations 1 and 2) be forwarded to the Department of Urban Affairs and Planning for finalisation and gazettal.*
4. *A Draft Development Control Plan be prepared for the Grose Wold Area in accordance with the Environmental Planning and Assessment Act 1979.*
5. *That the displayed map be adopted to accompany the Draft Local Environmental Plan for the Grose Wold area."*

Recent Land and Environment Court Decision

John Brown Lenton and Co. Pty Ltd and Minister for Urban Affairs and Planning and ORS (No. 40129 of 1999, Cowdroy J, 1/12/99)

In December 1999 the Land and Environment Court handed down a decision in the above case that is significant to the making of draft local environmental plans. The decision highlighted the need for councils to thoroughly follow statutory requirements, particularly in relation to community consultation.

The decision related to the making of Amendment 25 to Blue Mountains Local Environmental Plan 1991. The Court found in undertaking the process Blue Mountains City Council failed to consult with adjoining councils whose land bordered land affected. It also found that the Council altered the plan after the public exhibition to such an extent that it was different from that exhibited. The Court decided there had been no public consultation of the new plan and this prevented the Minister from making the LEP.

Implications for the Grose Wold Rezoning

The Grose Wold LEP has been amended since its last public exhibition. The Environmental Protection 7(e) zone has been replaced with an Environmental Constraint Area as per Council's resolution 29 June, 1999. Whilst the intent of the plan remains the same, the provisions have been amended.

It should be noted that the Blue Mountains LEP 1991 - Amendment 25, was substantially different from the exhibited plan. Whilst the Grose Wold LEP has similar intentions to that previously exhibited, it has been altered. The Minister may decide that this requires a re-exhibition of the LEP. It would therefore be prudent for Council to re-exhibit the Grose Wold draft LEP.

It is anticipated that the exhibition will commence on 16 February, 2000 and conclude on 14 March, 2000. The matter will then be reported back to Council for further consideration. The proposed Development Control Plan (DCP) containing specific requirements for subdivision in the locality will be exhibited concurrently. Approximately 350 residents and adjoining residents will be notified of the draft LEP. The details will also be advertised in the Council section of the Hawkesbury Gazette.

RECOMMENDATION:

That draft local environmental plan 16/95 (Amendment 64) be placed on public exhibition for 28 (twenty eight) days in accordance with the Environmental Planning and Assessment Act 1979.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 131 Oooo

ITEM: 132 **2000/2001 Library Development Grant 2000-2001**

FILE NUMBER: GG021/134/CSV/ORB08LBX.C16

REPORT:

It is intending to submit a development grant application to the Library Council of NSW under its Library Development Grant Program for 2000/2001. The application is for a \$40,000 (forty thousand dollars) grant to implement a new Library Computer System. The grant application is required to be submitted by 25 February, 2000.

The existing Library Computer System is an Altarama product called VTLS and was purchased in 1989. Recent advice from the supplier indicates that the product is being phased out by VTLS, and replaced by a new product called Virtua. The Virtua product includes Internet and Windows based modules.

Purchasing the new VTLS product will enable the Library to retain the benefits of staying with the same supplier. This will result in significant cost savings with regard to licencing, training and implementation.

By replacing the existing library computer system with the updated product the Library will be able to provide more accessible computer technology for library patrons.

RECOMMENDATION:

That Council approve the forwarding of a grant application to the Library Council of NSW seeking \$40,000 (forty thousand dollars) in funds to enable the purchase of a new Library Computer System.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 132 Oooo

ITEM: 133 **Proposed acquisition for road purposes - Grose Wold Road, Grose Wold**

FILE NUMBER: GC281/065 PT01/CSV/ORB08LBX.C19

REPORT:

The road alignment of Grose Wold Road at Grose Wold is not contained within the road reserve and encroaches on private land, being Lot 3 in DP 12952.

Discussions have been held with the owner of the property, Grose Valley Properties with a view to acquiring the land for road purposes. The area to be acquired is 3236 square metres with the road formation currently constructed upon it. Also located within the area to be acquired is the Grose Wold Bush Fire Brigade building.

A valuation has been provided by K D Wood Valuations Pty Ltd which assesses compensation in the sum of \$16,000.00 which is significantly lower than a valuation provided by the owners valuer at an amount of \$28,400.00. In order to settle the matter without the additional costs of compulsory acquisition, negotiations were initiated with the owner and they have agreed to accept \$19,000.00 compensation. Council is to meet reasonable legal and survey expenses.

RECOMMENDATION:

That:

1. Council acquire from Grose Valley Properties Pty Ltd an area of 3236m² of land on Grose Wold Road, Grose Vale for road purposes with compensation of \$19,000.00 (nineteen thousand dollars) being payable plus reasonable legal and survey costs to be met by Council.
2. Upon acquisition the land be dedicated as road under the Roads Act 1993.
3. The Common Seal of Council be affixed to all necessary documents

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 133 Oooo

ITEM: 134 **Hawkesbury Leisure Centres Incorporated**

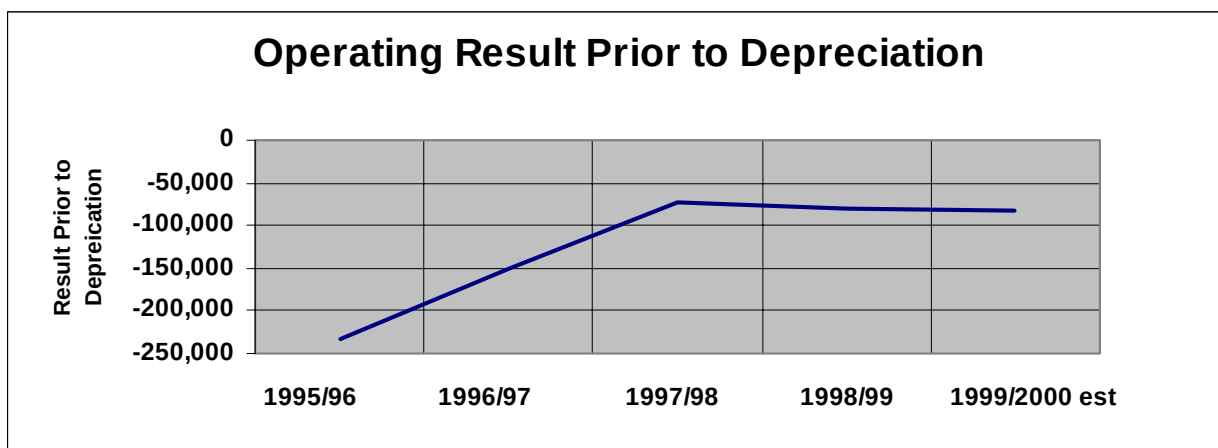
FILE NUMBER: GM001/023/CSV/ORB08LBX.C18

PREVIOUS ITEM: 127, Ordinary (09.02.1999)

REPORT:

The first full year of operations of Hawkesbury Leisure Centres Incorporated occurred in 1995/1996. The Centre's operation can generally be dissected into three main areas being the indoor stadium, fitness and the aquatic centre. It is estimated in 1999/2000 that approximately 580,000 visitations will be provided by these community and recreational facilities.

The financial operations of Hawkesbury Leisure Centres Incorporated for the periods 1995/96 to 1999/2000 are provided in the table below. Following this the results for 1998/99 are dissected into these three main areas outlined above.



Dissection of 1998/99 Results			
	Revenue	Expenditure	Result
Halls	440,639	483,647	(43,008)
Fitness	456,189	409,980	46,209
Acquatics	1,075,524	1,159,181	(83,657)
Total	1,972,353	2,052,808	(80,455)

In a workshop carried out with the new Board and Councillors of Hawkesbury Leisure Centres Incorporated the following strategic visions were agreed to:

- To liaise with Council to ensure that the centres are aligned with the aims and policies for the delivery of recreation and sporting programs.
- To maintain equipment and develop facilities which achieve the highest possible standard at each facility audit.
- Develop, promote and continually update all services to achieve above average visits per metre.
- To achieve Quality Assurance and constantly improve systems so that the efficiency score increases.

During 1999 a report was provided to Council that highlighted the following points:

- Financial operations had been steadily improving over the period.
- Losses incurred largely relate to the cost of maintaining the aquatics centre.

Further to the report in 1999 trends in the operating result have stabilised and it is not expected that future results will provide commercial surpluses.

It was reported in the business paper of 9 February, 1999 that:

"From the outset Hawkesbury Council has accepted responsibility for the structural integrity of the Leisure Centre's buildings, however, HLC was given responsibility for financing the replacement of operating plant and equipment. With significant cash losses in the first years of operations and growing debt servicing commitments, arising from an increasing cash overdraft, the combined aim of maintaining fixed assets and retiring debt is unlikely to be achieved in the medium to long term."

As a result of this report it was resolved to write off the loan of \$300, 000 (three hundred thousand dollars) made to Hawkesbury Leisure Centres Incorporated and to extend the contract with Leisure Australia for the management of Hawkesbury Leisure Centres on an agreement to waive their loan for seed funding of \$100,000 (one hundred thousand dollars).

The financial results for 1998/99 published in Hawkesbury Leisure Centres Incorporated Annual Report indicated a loss before depreciation of \$80,455 (eighty thousand, four hundred and fifty five dollars) and with depreciation and an operating deficit of \$262,417 (two hundred and sixty two thousand dollars, four hundred and seventeen dollars). Whilst it had previously been anticipated that the operating result would continue to be improved the result for 1998/99 and current trends for 1999/2000 continue to indicate losses consistent with previous results.

To maintain the long term financial viability of Hawkesbury Leisure Centres Incorporated in meeting the strategic visions outlined above of not only operating on a day to day basis but to provide the replacement and upgrading of plant and equipment an on-going injection of funds is considered to be essential. For the figures presented for 1999/2000 the operating loss of \$80,455 plus an allocation for the depreciation of plant and equipment being approximately \$58,000 would be required to stabilise the overdraft at current levels. This would provide an opportunity for Board and Management to address long term financial viability.

Prior to the operations of the Oasis Council funded the operations of the South Windsor Swimming Pool in the order of \$116,000 (1993 estimates), not including depreciation.

The Board of Hawkesbury Leisure Centres Incorporated has made every effort to improve the financial operations of the business but has resolved to approach Council for consideration of an annual allocation of funds to ensure the long term operation and level of service and equipment. The Board resolved to ask Council's consideration in the upcoming estimates process.

RECOMMENDATION:

That:

1. The information be received.
2. Council give consideration to an annual allocation of funds for Hawkesbury Leisure Centres Incorporated.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 134 Oooo



ordinary

5
section

reports
for information

ITEM: 135 **Nuclear Free Zone Secretariat**

FILE NUMBER: GT180/001/GMA/ORB08LCX.G22

REPORT:

A report has been requested regarding the Council's policy on nuclear free zones and the associated organisation "Australian Nuclear Free Zone Secretariat".

The Council has in the past been a member of the Nuclear Free Zone Secretariat, however in May 1997 resolved not to further affiliate with the organisation.

The Australian Nuclear Free Zone Secretariat is an organisation that is local government based. Their goal is to promote the concept of a nuclear free future and to assist individuals, communities and governments in their efforts to create a nuclear free Australia and World through the declaration of local nuclear free zones. The organisation was formed in 1983 and indicates that it is not party political. Their members represent a range of views that are opposed to nuclear weapons, uranium mining and nuclear power.

In Australia the movement was initiated by the Movement Against Uranium Mining. The first Australian council to declare itself nuclear free was the City of Collingwood in Victoria in 1977. The movement has now spread world wide with a number of local governments declaring themselves nuclear free.

The organisation sees that the declaration of a nuclear free zone is an act of humanity of personal and social responsibility and a rejection of the nuclear arms race. The organisation sees that Australia, by participating in the uranium industry, contributes directly to the international nuclear fuel cycle and its potential for accidents, weapons proliferation and the creation of toxic radioactive wastes. It also sees that military related nuclear research, the visits of nuclear powered and armed vessels and aircraft, and nuclear war related military facilities are an issue, particularly where they occur in populated regions of Australia. Their position regarding nuclear medicine and its contribution to humanity is not known at this stage.

The last time Council was a member the fee for membership annually was \$500. Contact has been made to ascertain current fees and membership which can be advised to the meeting.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 135 Oooo

ITEM: 136 **Richmond Park Enhancement**

FILE NUMBER: PK/202/ENG/ORB08LCX.E24

PREVIOUS ITEM: 24, GPC Section 2 - Infrastructure (25.01.2000)

REPORT:

An anomaly was identified in the budget consideration area of the report and this has been corrected as shown hereunder.

The funding for the redevelopment of Richmond Park has been allocated as follows:

\$112,000	Saving in street lighting charges in 1997/98
12,000	Section 94
20,000	97/98 Park Improvement Program
<u>110,000</u>	98/99 Park Improvement Program
254,000	

A total of \$186,000 has been expended to date which leaves \$68,000 remaining. Projections for completing the outstanding stages are as follows:

\$ 50,000	Path network
40,000	Park furniture
50,000	Rotunda
30,000	Irrigation outside the oval
120,000	Park lighting
<u>50,000</u>	Playground
340,000	

The following funds have been identified for completing future stages of the redevelopment:

\$ 80,000	Section 94 for Playground and landscaping
20,000	Section 94 for furniture
50,000	Section 94 for rotunda
122,000	Park Improvement Program
<u>68,000</u>	Unspent funds from initial allocations
340,000	

It will be noted in the projections for completing the outstanding stages area the estimated cost for the rotunda has increased from \$45,000 to \$50,000 as this was the amount that was estimated for the Section 94 contribution plan. Accordingly, the total cost has varied from \$335,000 to \$340,000 as shown. Similarly the identification of funds has reflected this cost of \$50,000 in lieu of the original \$15,000 and the Park Improvement Program has been increased from \$84,000 to \$122,000 to meet the total estimated cost of \$340,000. Obviously the improvements funded from the Park Improvement Program will need to be staged due to the limitation on funding in this area.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 136 Oooo



ordinary

4
section

reports
for determination

ITEM: 137 **Hawkesbury Sporting Club**

FILE NUMBER: P227/12 PT01/GMA/ORB08LBX.G25

REPORT:

Correspondence has been received this afternoon from Penrith Rugby League Club Limited (Panthers) Legal Counsel that the matter of the amalgamation of the Hawkesbury Sporting Club with them is before the Licensing Court next Monday 14 February, 2000.

The Club has requested that the Council indicate its position so that the Court will deal with the matter next week.

The Council could object if it saw that there were problems with the Club's operation such as the amenity of the area. The amalgamation of the Club with Panthers has been known and proceeding for some time and it is understood that the amalgamation is in the Club's and its members interests.

RECOMMENDATION:

That Council advise that it has no objection to the amalgamation of the Hawkesbury Sporting Club with the Penrith Rugby League Club Proceeding.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 137 Oooo



**ordinary
meeting**

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