



Hawkesbury City Council

**ordinary
meeting
business
paper
supplementary**

date of meeting: 14 March 1999

location: Council Chambers

time: 7.30pm

ORDINARY MEETING

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1. Australia Day Awards - Citizen of the Year (GC030/003)

Council, in partnership with the Hawkesbury Gazette and the Richmond Club, during 1999 conducted Citizen of the Month Awards. The twelve monthly award recipients were then nominated for the Citizen of the Year Australia Day Award.

The process during 1999 was most successful, resulting in both a significant increase in the number of nominations for the Australia Day Awards and also the opportunity to acknowledge the contributions to our City of the twelve monthly award recipients.

The Richmond Club have proposed that in order to further enhance the current process the Australia Day Award recipient be selected from the twelve Citizens of the Month.

If this proposal is adopted Council will promote nominations for the award throughout the year rather than in November and December as currently occurs. This is seen as a better method of highlighting the tremendous contribution made by volunteers to the Hawkesbury community and should be supported.

It is recommended that the Citizen of the Year be chosen from the twelve Citizen of the Month recipients and the nomination process be promoted throughout the year.

2. Council Meetings (GC280/003)

Late last year the Council resolved to trial commencement of the General Purpose Committee at 8.00am. This occurred for the October and November meetings and again for the January meeting this year, with the February Committee commencing at 9.00am. The Council's Code of Meeting Practice indicates that the General Purpose Committee Meeting is to commence at 9.30am.

It is now necessary for the Council to determine what time the meetings are to commence if there is to be a change from 9.30am or to revert to the 9.30am time. The matter is causing some confusion in advice to persons who have items on the agenda.

There have been representations from some members of the community that the 8.00am start is too early and there has also been the situation where persons have arrived for the 8.00am start, but the matter has been deferred as other persons involved in the same issue have indicated that they cannot arrive until later in the day.

Apart from the last committee meeting where there was an extraordinary number of persons making representations, the majority of meetings over recent years have finished within the 3.00-5.00pm time area depending on whether inspections are undertaken and how many inspections are made.

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The other issue that has arisen is the actions required by a Councillor declaring a pecuniary interest in the matter and specifically whether they are required to leave the Council Chamber. The provisions of the Act in this matter have changed a number of times over the last 10 years and varying from requiring the member that makes the disclosure leave the Council Table to the member being required to leave the Council Chamber.

Hawkesbury Council itself has debated the issue in the past about the rights of members who have matters on the Business Paper being able to address the Council about the issue and the necessity for them to leave the Chamber. The Code of Meeting Practice has also varied in this matter.

The debate over the need for the member to leave the Chamber (that is, the room entirely) came over the issue of development approvals where the elected member was involved as an applicant and/or landowner. It was seen that having the member present could place an undue amount of pressure on other members. The fact is of course that members can have relatives or friends present in an attempt to influence a decision.

The Act also empowers the Council if it so resolves to require a member who the Council or Committee decides has an interest, to disclose that. The Code of Meeting Practice then requires the member not to be present within the Council Chamber. For this purpose, the current code indicates that the public gallery and the foyer of the building are not regarded as being part of the Council Chamber.

The matter comes down to two issues. Firstly, does the presence of a member declaring an interest in a matter in the Council Chamber (but not at the Council Table) exert an undue influence on some of the other members and secondly, the public perception of what a member does after he or she declares an interest.

In regard to the two matters, it is recommended that the General Purpose Committee Meetings commence at 9.00am and that where a member declares a pecuniary interest, they be required to vacate their Chair and leave the Council Table, but are able to remain in the public gallery or foyer areas.

It is recommended that the Council's Code of Meeting Practice be amended to:

1. 1. Have General Purpose Committee Meetings commence at 9.00am.
2. Where a Councillor discloses a pecuniary interest, they be required to vacate their Chair and leave the Council Meeting Table, however may remain within the public gallery or adjacent foyer areas.

oooO END OF MAYORAL MINUTES Oooo



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ITEM: 154 **Additional Information - Horse Training and Coaching Facility, No. 371 Spinks Road, Glossodia, Lot 8 DP251248**

FILE NUMBER: M823/99/EVD/ORC14LBX.V19

PREVIOUS ITEM: 74, GPC Section 1 - Environment (29.02.2000)

REPORT:

Arising from the inspection of the site by the General Purpose Committee the following issues were raised:

1. Hours of operation;
2. Lighting;
3. Entrance gate;
4. Maximum number of people allowed on the site;
5. Use of effluent to irrigate landscaped areas;
6. The western wall;
7. Public address system; and
8. Car Park Surface

1. **Hours of Operation**

The recommendation to the General Purpose Committee propose the facility operate in daylight hours only. Both the applicant and objectors are concerned regarding this being an imprecise limit. The objectors wish to be more precise when the facility will be operating. The proponent suggests that he wishes to operate the facility into the evenings, particularly in winter time which will obviously require lighting. The objectors are concerned about the spillage of light from the property effecting their local amenity. It is considered the facility should operate from 7.00am to 7.00pm as a training facility. This will require the installation of lights into the roof of the building, however, these lights are not to be used past 6.00pm at night until landscaping is sufficiently advanced to mask their operation. These hours could then be extended subject to the effectiveness of the landscaping.

2. **Lights**

For the facility to operate in the hours as outlined above lights will be required in the roof of the training facility building and before the landscaping has achieved an effective height they should be extinguished at 6.00pm in the evenings.

3. Entrance Gate

The recommendations to the General Purpose Committee was that the existing southern gate be used as an entrance to the facility. The applicant has proposed that the gates be constructed roughly opposite the neighbouring house. It is considered a simple civil compromise would be to locate the entrance gate to the facility approximately 50m south of the current wire gates which will incorporate both the southern gate and the entrance to the new proposal. This will mean there is one entrance only for the public to enter this facility.

4. Maximum Number of People Allowed on the Site

The applicant proposes to teach 4-5 students per session for three, two hour sessions per day. It is considered therefore then that a maximum number of people on the site of 30 (thirty) is appropriate. This will include students and people who are visiting or observing. It is also considered appropriate that the applicant may wish to run display days or demonstration days which more people may be required to attend the site. It is considered that this is appropriate provided the neighbours are notified and the Director of Environment and Development is notified prior to this event taking place.

5. Use of Effluent to Irrigate Landscaped Areas

A landscaping plan will need to be extended to include the western wall and the southern boundary of the car park. It should also include the irrigation of the effluent from the aerated disposal system and this aerated system should be modified to include the water from the horse wash down bay.

6. The Western Wall

The recommendations to the General Purpose Committee propose that the western wall of the building be open however it is considered that in light of the fact the recommendation is now to include lights, this wall should stay closed as proposed on the plans, however, landscaping would need to be extended along to help mask its impact on the neighbours house.

7. Public address system

There is a recommendation written for no public address system. This will need to be modified however to exclude hand-held megaphones, however it should be noted that the overall sound condition being no noise more than 5dB(A) at the boundary above background noise will still apply.

8. Car Park Surface

A suitable condition is required for the surface of the car park which should, in the short term, be made of all weather material. If however this shows sign of wearing after 24 months the car park would need to be sealed with a bitumen surface.

RECOMMENDATION:

Changes to the conditions are as follows:

- Condition 7: Access to the development shall be from a new gate established 50m south of the current wire gates on Spinks Road. This entrance is to serve both this facility and the existing horse jumping arena. The most southern gate is to be used only for farm access purposes.
- Condition 10: A septic drainage system shall be provided. A separate application shall be lodged with Council for approval of the septic tank installation. This system is to be designed to receive the water from the horse wash down area. The effluent from the septic tank installation will be used to irrigate the landscaped area around the horse arena and car park.
- Condition 11: A landscape plan is required to be submitted for approval. This plan needs to introduce more mature trees, shrubs and ground covers, planting of native shrubs along the western wall, the southern wall and the southern area of the car park.
- Condition 31: The construction of a 3m wide bitumen seal access from the existing edge of Spinks Road to the proposed car park. The car park area is to be constructed of an all weather surface in accordance with Council's specifications if however this surface fails to withstand usage after a period of 24 months it will be sealed with bitumen seal.
- Condition 40: Lighting can be installed in the riding arena providing it only operates between the hours of 7.00am and 6.00pm until such time as the landscaping is sufficiently advanced to mask the building at which time the hours of operation can be reviewed by the Director of Environment and Development.
- Condition 43: The hours of operation are to be from 7.00am to 6.00pm seven (7) days per week. All lighting to be extinguished by 7.00pm. Hours of operation can be reviewed once the landscaping has reached sufficient maturity to mask the building.
- Condition 44: At any time no more than 30 (thirty) people not being employees, of the site, be allowed on the site. Up to 4 (four) times a year special events may be held where larger number of people can visit the site provided the neighbours are given prior notification and the applicant contacts the Director of Environment and Development.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 154 Oooo



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