



Hawkesbury City Council

special meeting business paper minutes

date of meeting: 8 October 2001

location: Council Chambers

time: 6.30pm

**SPECIAL
Meeting Minutes**

Meeting Date: 8 October 2001

Page 2

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 8 October 2001, commencing at 6.30pm.

PRESENT: Councillor R P Stubbs, Mayor and Councillor L Allan, B J Calvert, K F Conolly, P F Davies, G J Gilling, C A Paine, L C Sheather, L A Williams, and C J Woods.

An apology for absence was received from Councillors Finch and Rasmussen.

- 457 RESOLVED on the motion of Councillor Paine seconded by Councillor Conolly that the apology be accepted.

Councillor Paine left the meeting at 6.35pm
Councillor Rasmussen arrived at the meeting at 6.45pm
Councillor Gilling left the meeting at 7.00pm
Councillor Gilling returned to the meeting at 7.40pm

117: Lot 191 DP 751656, 1344 Singleton Road, East Kurrajong - Mushroom substrate production (LEP18/96, DA170/98/EVD/ORJ08SAX.V01)

Councillor Paine declared an interest as her son-in-law is Manager of Elf Farms, Mulgrave

Councillor Gilling advised that Mr David Tolson was her running partner in the Local Government election

Mr Chris Gough, representing the applicant, addressed the Council

The following respondents addressed the Council:

Ms Sue Gleeson, Mr John Hermitage, Mr John Viale, Mr Frank Cook, Ms Jenny Linklader, Mr Craig Spillane, Mr Andrew Hodgson, Ms Sue Guymer, Mr Phillip Males, Mr Brian Mitchell, Ms Val Males, Ms Marie Noble, Mr Max Hatherly (representing the Hawkesbury River Management Trust), Mr John Murphy (representing CHANGE and authorised to speak on behalf of the Nature Conservation Council), Mr Benjie Williams (representing Action to Save the Hawkesbury), Ms Nicoline Kronast, Mr Bill Sneddon and Ms Gerry Whitmont and Mr Jeff Hincks (representing the Colo River Catchment Action Group)

**SPECIAL
Meeting Minutes**

Meeting Date: 8 October 2001

Page 3

458 RESOLVED on the motion of Councillor Williams seconded by Councillor Sheather

That:

1. Council's solicitors be instructed to defend the appeal lodged by Elf Farms Supplies Pty Ltd (LEC Proceedings NO. 10522/99).
2. Council's solicitors be instructed to advise the Court that Council is of the opinion that the designated development application for a mushroom substrate production facility at Lot 191 DP 751656, 1344 Singleton Road, East Kurrajong should be refused for the following reasons:
 - i. The proposed development is inconsistent with the objects of the Environmental Planning and Assessment Act 1979.
 - ii. The proposed development is inconsistent with the provisions of Hawkesbury Local Environmental Plan 1989.
 - iii. The proposed development is inconsistent with the provisions of Sydney Regional Environmental Plan No 20 (No 2 - 1997).
 - iv. The proposed development is prohibited by draft Hawkesbury Local Environmental Plan 1989 - Amendment No 132.
 - v. The proposed development will have a significant and unreasonable adverse impact on the environment and the existing and future amenity of the area.
 - vi. The site is unsuitable for the proposed development.
 - vii. The proposed development is not in the public interest due to the amount of private land affected by potential loss of amenity.
3. By agreement with Elf Farm Supplies Pty Ltd, Council's solicitors be instructed to seek a deferment of the hearing of LEC Proceedings No. 10522/99 until Development Application MA923/01 has been determined and LEC Proceedings No. 10196/2001 are resolved.

**SPECIAL
Meeting Minutes**

Meeting Date: 8 October 2001

Page 4

An **amendment** was moved by Councillor Conolly seconded by Councillor Gilling

That:

1. Council's solicitors be instructed to defend the appeal lodged by Elf Farms Supplies Pty Ltd (LEC Proceedings NO. 10522/99).
2. Council's solicitors be instructed to advise the Court that Council is of the opinion that the designated development application for a mushroom substrate production facility at Lot 191 DP 751656, 1344 Singleton Road, East Kurrajong should be refused for the following reasons:
 - i. The proposed development is prohibited by draft Hawkesbury Local Environmental Plan 1989 - Amendment No 132.
 - ii. The proposed development will have a significant and unreasonable adverse impact on the environment and the existing and future amenity of the area due to the lack of air scrubbing and enclosure.
 - iii. The site is unsuitable for the proposed development.
 - iv. The proposed development is not in the public interest due to the amount of private land affected by potential loss of amenity.
3. By agreement with Elf Farm Supplies Pty Ltd, Council's solicitors be instructed to seek a deferment of the hearing of LEC Proceedings No. 10522/99 until Development Application MA923/01 has been determined and LEC Proceedings No. 10196/2001 are resolved.

The amendment was lost

The motion was put and carried.

The meeting terminated at 8.10pm.

Submitted to and confirmed at the meeting of Council on 13 November 2001.

.....
Mayor