

# Ordinary Meeting Of Council

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## Wollondilly Shire Council

### Minutes

**Monday 16 March 2015**

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The meeting commenced at 6.32pm and was held in the Council Chamber 62-64 Menangle Street, Picton NSW 2571.

## WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 March 2015, commencing at 6.32pm

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## **RECORDING OF MEETINGS**

The Mayor stated that in accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting and the use of electronic media during the proceedings is not permitted. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

## **PRESENT**

Councillors: Mitchell (Mayor), B Banasik, Law, Terry, M Banasik, Hannan, Gibbs and Landow.

## **ALSO PRESENT WERE**

General Manager, Executive Director Community Services and Corporate Support, Director Planning, Manager Governance, Manager Financial Services and one Administration Officer.

## **NATIONAL ANTHEM**

The Mayor requested that everyone stand for the Australian National Anthem.

## **ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the traditional Custodians of the Land:

I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present.

## **APOLOGIES AND LEAVE OF ABSENCE REQUESTS**

TRIM 88-10

An apology for Cr Amato was accepted for this meeting.

## DECLARATION OF INTEREST

TRIM 528-6

Cr Mitchell declared a Perceived Pecuniary Conflict of Interest in Item PE1 - Modification of Consent relating to the continued use of an Animal Boarding and Training Establishment at 45 Hilton Park Road, Tahmoor. He stated that ten years prior to the lodgement of this Development Application, Mitchell Concreting Pty Ltd was engaged to perform concreting works at the address subject to this Development Application. Cr Mitchell advised that he would leave the meeting during consideration of this matter and not vote on the matter.

Cr B Banasik declared a Non-Pecuniary (Significant) Conflict of Interest in Item PE1 - Modification of Consent relating to the continued use of an Animal Boarding and Training Establishment at 45 Hilton Park Road, Tahmoor. He advised that a close relative of his lives in the neighbouring property to this development. Cr B Banasik stated that as he was unable to remove the source of the conflict he would leave the meeting and not take part in the consideration or vote on this matter.

Cr M Banasik declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE1 - Modification of Consent relating to the continued use of an Animal Boarding and Training Establishment at 45 Hilton Park Road, Tahmoor. He advised that a distant relative of his lives in the vicinity of the property subject to this development. Cr M Banasik stated that he believed he was capable of bringing an impartial mind to this matter and proposed to remain present in the meeting and vote on this matter.

Cr Landow declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE1 - Modification of Consent relating to the continued use of an Animal Boarding and Training Establishment at 45 Hilton Park Road, Tahmoor. He advised that a distant relative of his lives in the vicinity of the property subject to this development. Cr Landow stated that he believed he was capable of bringing an impartial mind to this matter and proposed to remain present in the meeting and vote on this matter.

Cr Law declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item IN4 – Recommendations of the Local Traffic Committee Meeting – 18 February 2015. The interest related to traffic Item 2 – Picton ANZAC Day March and Commemoration on 25 April 2015. Cr Law advised that he is the Chair of the Picton ANZAC Day Committee. He noted that there is no benefit to the Committee or himself as a result of his position in this instance. The annual Picton March and Service is well established and has been in existence for over 30 years, long before his involvement in Council. He advised that the Committee doesn't ask for any financial support or favour from Council in conduct of this activity. Cr Law stated that he would remain present in the meeting and vote on this matter.

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Executive Director Community Services and Corporate Support, Ally Dench declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE1 - Modification of Consent relating to the continued use of an Animal Boarding and Training Establishment at 45 Hilton Park Road, Tahmoor. She advised that her brother-in-law lives at 65 Hilton Park Road, Tahmoor which is in the same street as the development. Therefore there is potential that this could be perceived as a conflict. The director advised that she intended to remain in the meeting for any discussions on this matter stating that she will not be involved in any decision making process relating to the proposed modification. The director stated that she believes there are sufficient checks and balances in place to ensure ethical sound decision making in relation to this matter. She added that should the General Manager wish her to leave and remove herself from any discussions she would be happy to do so if required.

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## CONFIRMATION OF MINUTES

TRIM 88-10

### 25/2015 Resolved on the Motion of Crs M Banasik and Law:

That the Minutes of the Ordinary meeting held on Monday 9 February 2015, as circulated, be adopted as true and correct with the following amendments:

The draft Minute on page 8 has been identified as incorrect and should read:

Quote

“Cr Terry declared a Non-Pecuniary Conflict of Interest *in Item EN3 – Review of Suction Street Sweeping Service* based on legal advice she had received ...”

Unquote

The draft Minute on page 102 has been identified as incorrect and should read:

Quote

“That the Wollondilly Cemeteries Policy be adopted ...

4.5.1 *Cemetery plots are not sold but are licenced to the owner. Council may grant a burial licence in respect of a burial site in a cemetery.*

4.5.14 All burial plots for the first interment shall be excavated to a depth of 2.1metres/2100mm with the exception of Bargo Cemetery where the acceptable depth is 1.5metres/1500mm for a single interment only. ...”

Unquote

The draft Minutes on pages 3 and 110 have been identified as incorrect, references to EN1 should read:

Quote

“EN3”

Unquote

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

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**MAYORAL MINUTE**

TRIM 531

On Wednesday 11 February 2015 Thirlmere Primary School held their Leaders Induction Assembly. Unfortunately I was unable to attend and would like to thank Marcello Chiodo, Manager Information Technology for attending on my behalf.

Marcello handed out badges to Technology Monitors.





## WOLLONDILLY SHIRE COUNCIL

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Also on Wednesday 11 February 2015 Council was visited by Elizabeth Rogers of Regional Arts NSW along with STARTS Executive Officer Susan Conroy.



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On Thursday 12 February 2015 a prize presentation for the Summer Reading Program was held in the Library. I would like to thank Deputy Mayor, Cr Simon Landow for attending this presentation on my behalf.



## WOLLONDILLY SHIRE COUNCIL

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On Friday 13 February 2015 Council held its National Apology Day event and I would like to thank Cr Hilton Gibbs for attending this event on my behalf.





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On Saturday 14 February 2015 Cr Judith Hannan attended the Lachlan Regional Transport Committee Meeting held at Harden Council Chambers.

Also on Saturday the Steam Festival Ball was held at the Rail Transport Museum Thirlmere and attended by Cr Judith Hannan; General Manager, Luke Johnson; Executive Director Community Services & Corporate Support, Ally Dench; Manager - Economic Development & Tourism, Tate Ryan and Economic Development Team Leader, Diane Gardiner.



## WOLLONDILLY SHIRE COUNCIL

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On Saturday 21 February 2015 the official Opening of Tahmoor Sportsground Netball Canteen Alterations was held. I was accompanied by Jai Rowell, Member for Wollondilly at this opening to acknowledge his funding for these works. I would also like to thank Cr Hilton Gibbs for attending this opening.



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I attended the official Opening of the new Picton Fire Station on Tuesday 24 February 2015.

Pictured below are Jai Rowell, Member for Wollondilly; Captain William (Bill) Morris of the 421 Station Picton; The Hon. Stuart Ayres MP, Minister for Emergency Service and Commissioner Greg Mullins, Fire & Rescue NSW.





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On Thursday 26 February 2015 a Mayoral Reception was organised for the 2015 HSC High Achievers. Other attendees included: Cr Hilton Gibbs (also representing MP Jai Rowell Member for Wollondilly), Luke Johnson, General Manager; Ally Dench, Director Community Services and Corporate Support; Alan McManus the Head of School Services Secondary from the Diocese of Wollongong; Christine Tasker, Director Public Schools NSW Macarthur Network as well as Principals and representatives from local schools; parents and families of students.



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On Friday 27 February 2015 I attended a morning tea to celebrate the 100th year birthday celebrations of Wollondilly resident Mr Noel Raymond Pearse (known as Bob to his friends). It was a great pleasure to present Mr Pearse with a congratulatory letter and a Certificate on this very special day. Jai Rowell, Member for Wollondilly also attended.





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The Thirlmere Festival of Steam was held on Sunday 1 March 2015. The weather was beautiful which brought in record crowds for this year's event.



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On Friday 6 March 2015 the Dunbar Street Playground at Silverdale was officially opened.

Jai Rowell, Member for Wollondilly attended this event along with Michael Malone, Director Infrastructure Planning. I would like to thank Cr Hilton Gibbs for attending on my behalf.



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I am very pleased to advise that it was announced on Friday the 6 March 2015, by Jai Rowell MP, Member for Wollondilly that NSW Government Property has agreed to allow Transport for NSW to sell to Council land required to build a new Station for the Bargo RFS Brigade at 10 Avon Dam Road, Bargo. Whilst obtaining this approval from NSW Government Property is a significant and critical step forward in the process, there are still several items that need to be resolved before Council have tenure over the land and the Station can be built.

On Tuesday 10 March 2015 Council held the official launch of the Lights at Picton Sportsground. Angus Taylor, Member for Hume; Jai Rowell, Member for Wollondilly; Luke Johnson, General Manager and Robert Szoszkievicz Acting Infrastructure and Traffic Team Leader also attended this opening.





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On Thursday 12 March 2015 I attended the Student Leader Induction Assembly at Tahmoor Public School. Jai Rowell, Member for Wollondilly and Angus Taylor, Member for Hume also attended.



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Today I attended the Wollondilly Heritage Centre & Museum for a Seniors Week Activity "My first home when I got married". It was great to hear the stories and see photos of people's first marital home which were many and varied. I also launched the booklet Music and Memories of WW1.

I would like to thank the committee for putting on a terrific morning tea and organising a great event.



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In January 2015 Council received a request for \$1,000 financial assistance from Southern Tablelands ARTS (STARTS) to support a project called The Great Southern Line Anzac Story.

Council was provided with an overview of the proposed project and are very supportive of the project as:

- It strongly aligns with our commitment to arts development locally and regionally;
- It reflects important local and regional historical themes by exploring links between the stories of local Anzacs and the region's rail heritage;
- There are opportunities for community involvement in the gathering of stories, the process of conception, and through associated community events;
- There will be broader learning and research opportunities flowing from the project.

This application has been assessed against the program criteria and deemed eligible to receive funding through the Financial Assistance Program as per the criteria for organisations and recommended for approval. I propose that Council support this application and approve the requested financial support.

*The Mayor invited Councillors to address the meeting.*

Cr Hannan

*Cr Hannan advised that 10 March 2015 was International Women's Day and that she had attended an event held in Tahmoor. The CEO of Olivia's Foundation had given an inspiring address.*

Col Mitchell  
Mayor  
16 March 2015

**26/2015      Resolved on the Motion of Crs Mitchell and Landow:**

**That the Mayoral Minute be accepted.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Planning and Economy

PLANNING AND ECONOMY

Cr B Banasik left the meeting at 6.45pm due to a previously declared conflict of interest in this matter.

The Mayor vacated the Chair due to a previously declared conflict of interest in this matter. The Deputy Mayor took the Chair.

PE1 Development Application No. 010.2013.00000085.002 - Modification of Consent relating to the continued use of an Animal Boarding and Training Establishment at 45 Hilton Park Road, Tahmoor  
1006 010.2013.00000085.002

27/2015 Resolved on the Motion of Crs Hannan and M Banasik:

That Application to Modify Development Consent 010.2013.00000085.002 for the continued use of an animal boarding and training establishment at Lot 10 DP 792784 / No. 45 Hilton Park Road, Tahmoor be approved (in part) and the consent be amended as follows:

a) The description of the development is amended to read as follows:

“Proposed Development: Continued Use of an animal boarding and training establishment – the breeding and training of dogs”.

b) The amendments to Conditions 1(3), 1(5), 3(1), 5(2), 10(7), 10(17) and 13(2) are not supported for the following reasons:

Condition 1(3) – The existing condition does not prevent the land being used for companion animals beyond the five (5) year time limit, it only prevents further use for commercial purposes.

Condition 1(5) – Insufficient information has been submitted to Council, such as a schedule of works or any justification as to why the condition has not been satisfied. A revised time limit is recommended of three (3) months from the determination of the modification.

Condition 3(1) – the inclusion of the portion of the land rearward of the existing training yard, approximately 6,000m<sup>2</sup> is beyond the scope permitted by the provisions of Section 96 of Environmental Planning and Assessment Act 1979. The inclusion will result in the expansion of the use of the site permitted by Development Consent 010.2013.00000085.001 by 287.5%.

Planning and Economy

Further, the noise impact assessment report did not fully assess the potential noise impacts on the adjoining and nearby landowners and as no additional information and/or noise mitigation controls have been proposed to demonstrate there will be no adverse impacts.

Condition 5(2) - insufficient information was provided to Council to justify an extension of time. While the Development Engineering Section has not raised any issue with the proposed extension of time, they have raised concerns with the vehicle crossover and to address the deficiencies in the vehicular access. The extension to hours of operation and allowing the public to buy dogs directly from the site will exacerbate the problems currently experienced. Due to these issues, the works are required to be completed within twelve (12) months of the date of the determination of the original application, being 19 May 2015 to prevent any further erosion, sedimentation and impacts on the public road.

Condition 10(7) – the amendment to this condition be refused as the confinement of the dogs will aid in reducing noise impacts upon adjoining and nearby landowners and occupiers. The recommended amended consent will allow for the continuation of the development beyond five (5) years and for six (6) dogs to remain onsite thereafter in association with the animal boarding and training establishment (in addition to any companion animals) and as such, operation controls are recommended to provide surety to Council and any concerned parties to address noise generation issues.

Condition 10(17) – the inclusion of the portion of the land rearward of the existing training yard, approximately 6,000m<sup>2</sup> is beyond the scope permitted by the provisions of Section 96 of Environmental Planning and Assessment Act 1979. The inclusion will result in the expansion of the use of the site permitted by Development Consent 010.2013.00000085.001 by 287.5%. Further, the noise impact assessment report did not fully assess the potential noise impacts on the adjoining and nearby landowners and as no additional information and/or noise mitigation controls have been proposed to demonstrate there will be no adverse impacts.

Condition 13(2) – insufficient evidence has been provided to Council detailing why compliance with the conditions of consent are not feasible. The amendment to the condition is not supported on the basis the original conditions of consent were imposed to aid in noise reduction, increase onsite infiltration for water runoff and to aid in reducing the visual impact of the development from adjoining properties and from public places.



Planning and Economy

- c) **Condition 4(3)(a) is inserted to ensure drainage connection is undertaken in accordance with the relevant Australian Standards.**
- d) **The consent be amended to read as follows:**
  - 1. **COMPLIANCE**

**These conditions are imposed to ensure that the development is carried out in accordance with the conditions of consent and the approved plans to Council's satisfaction.**

- (1) **Development Consent is granted for the continued use of an animal boarding and training establishment – the breeding and training of dogs at Lot 10 DP 792784, 45 Hilton Park Road, Tahmoor.**
- (2) **Development shall take place in accordance with the plans submitted in respect of Development Application No. 010.2013.00000085.001, except where varied by Application to Modify Development Consent 010.2013.00000085.002 received by Council on 19 November 2014 and where varied by the following conditions:**
- (3) **This consent is only valid for a period of five (5) years from the date of the decision of Wollondilly Shire Council to approve the application. This consent to use the land for an animal boarding or training establishment is therefore only valid until 19 May, 2019. After 19 May, 2019 no further use of the land for an animal boarding or training establishment is permitted. Note: the keeping of dogs for personal companion animals will still be permitted after this date.**
- (4) **By 19 May, 2019 all kennels in excess of those required for personal companion animals shall be removed from the site.**
- (5) **A Building Certificate issued under Section 149A of the Environmental Planning & Assessment Act 1979 shall be provided to Council within three (3) months of the date of the determination of Application to Modify Development Consent 010.2013.00000085.002 for all structures on the property except for the dwelling.**
- (6) **This consent permits the keeping, breeding and training of dogs on the site.**

**The commercial boarding of dogs not owned by the occupant of the land is not implied and/or approved as part of this Development Consent.**

Planning and Economy

Further development consent is required prior to any commercial boarding of animals.

- (7) No dogs are permitted to use the area of land between the quarantine kennel/dwelling house and the front property boundary (the front yard area forward of the dwelling) unless an internal fence 1.5 metres in height has been installed and is no less than *five (5)* metres in from the external fence along the Hilton Park Road frontage of the exercise yard.

Such fence shall either be post and rail or post and wire in construction and shall be dog proof with bottom wiring buried to prevent digging under the fence.

The fence shall be constructed prior to the issue of the Building Certificate subject of Condition 1(5) of this consent.

- (8) All dogs on the premises shall be micro chipped.
- (9) Only dogs in the ownership of the residents of the land may be housed on the land.
- (10) Unless permitted by another condition of this consent, there shall be no tree clearing unless the vegetation is:
- (a) Within the footprint of an approved building, access driveway or other structure; or
  - (b) Within three (3) metres of the footprint of an approved building; or
  - (c) preventing the achievement of the minimum asset protection zone requirements under the relevant planning for bushfire protection guidelines.

In this condition Tree Clearing has meaning as described in Clause 5.9(3) of Wollondilly Local Environmental Plan, 2011.

## 2. NOISE

These conditions have been imposed to ensure the proposal complies with the relevant provisions of the Industrial Noise Policy of the NSW Department of Environment and Climate Change and the Protection of the Environment Operations Act, 1997.

- (1) The use of land for an animal boarding and training establishment must not cause any 'offensive noise' as defined by the provisions of the Protection of the Environment Operations Act 1997.

Planning and Economy

**Offensive noise means noise:**

- a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
  - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; or
  - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or
- b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

**3. CONSTRUCTION GENERAL**

These conditions have been imposed to ensure that all construction work is undertaken to an approved standard and related approvals.

- (1) No additional kennels, dog runs or other structures associated with the animal boarding and training establishment may be constructed on the land.

All use of the land for an animal boarding and training establishment must be restricted to the existing kennels, exercise yards, day pens and training yards as shown on the submitted site plan approved by Development Consent 010.2013.00000085.001.

- (2) Any damage to the Council footway, road or other land shall be restored in accordance with Council's specifications prior to the issue of the Building Certificate required by this consent.

**4. DRAINAGE/STORMWATER**

These conditions have been imposed to ensure drainage/stormwater is appropriately managed.

- (1) Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.
- (2) All drainage works shall be carried out in accordance with the Plumbing and Drainage Act 2011 and relevant Australian Standards except where otherwise provided in the Local Government Act 1993, or the Local Government (General) Regulation, 2005.

Planning and Economy

In relation to any approval for the installation of drainage works associated with this development under Section 68 of the Local Government Act 1993, the works shall be inspected by Wollondilly Shire Council prior to backfilling of drainage lines or the tanks.

- (3) All stormwater and rainwater runoff from the roof of each structure shall be integrated into the existing stormwater system and/or to a rainwater collection tank.

Downpipes, gutters and/or any overflow pipes shall be provided to ensure that such water does not scour the earth. Dissipation devices shall be installed so that water is not directly disposed of onto the earth, reducing erosion and sedimentation concerns.

All works subject of this condition shall be completed prior to the issue of the Building Certificate.

- (4) Deleted.

5. PUBLIC ROADS

These conditions have been imposed to ensure all public road works required by the development are provided to an adequate standard.

- (1) The access driveway shall be upgraded from the edge of bitumen seal to the concrete strips with compacted road base and/or sandstone and in accordance with the Wollondilly Shire Council's adopted Design and Construction Specification.

Prior to the driveway works, a property entrance application form shall be submitted to Council's Infrastructure section for approval.

- (2) The upgrade of the access shall be completed by 19 May 2015.

6. EROSION AND SEDIMENT CONTROL

These conditions have been imposed to minimise the impact of the Development on the environment and on adjoining properties.

- (1) All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
- (2) Erosion and sediment control devices are to be installed where necessary to prevent sediment laden run off leaving the site. These devices are to be maintained during all works and beyond this period where necessary.

Planning and Economy

## 7. INSPECTIONS

These conditions have been imposed to ensure that construction works are undertaken to an approved standard.

- (1) The engineering works shall be inspected by the Principal Certifying Authority at the following stages of construction to ensure they comply with Council's Construction Specification and associated approvals:
  - Prior to commencement of any construction work on the site, after erosion and sediment control and traffic control measures are implemented
  - At completion of works.

**Note:** It is the responsibility of the applicant or contractor to notify the Principal Certifying Authority when inspections are required. Failure to notify may lead to additional work being required prior to issue of inspection certificates. A minimum of 24 hours' notice is required for inspections where Council is the Principal Certifying Authority.

## 8. WASTE MANAGEMENT

These conditions have been imposed to ensure that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and to maintain clean and tidy premises:

- (1) All waste and refuse shall be collected on a daily basis and stored in a manner in which it does not create any odour nuisance, pose an environmental risk and/or threat, or have any detrimental impact upon the amenity of the surrounding area.

## 9. SERVICES

These conditions have been imposed to ensure that an adequate level of services are provided for the development:

- (1) Prior to the commencement of any plumbing and/or drainage work where Wollondilly Shire Council is the appropriate regulatory authority, separate approval must be obtained under Section 68 of the Local Government Act 1993.
- (2) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Planning and Economy

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to “Water Servicing Co-ordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of the Building Certificate.

- (3) Deleted
- (4) Deleted
- (5) No stormwater shall be disposed of within forty (40) metres of any gully, drainage swale/depression and/or intermittent watercourse.
- (6) Any wastewater generated by the development shall not reduce, compromise or adversely impact upon the existing sewage management facility for the existing dwelling or any associated effluent disposal areas.

**10. OCCUPATION & USE**

These conditions have been imposed to ensure the development and associated activities/operation are acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its operation:

- (1) The kennels shall not be occupied as a residence or domicile.
- (2) The premises shall be maintained in a clean and tidy state at all times.
- (3) The footpaths shall be kept clear of signs, fixtures and goods at all times.
- (4) The premises shall be constructed and operated in such a manner so as not to interfere with the amenity of the neighbourhood by reason of the emission of discharge of noise, fumes, vapour, steam, soot, ash, dust, waste water, waste water products, grit, oil or other harmful products of the industry.
- (5) The premises shall be operated so that it shall not give rise to an “offensive odour” as defined in the Protection of the Environment Operations Act, 1997.

Planning and Economy

**Offensive odour means an odour:**

- (a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances:**
    - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; or**
    - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or**
  - (b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.**
- (6) All feed and odorous materials shall be stored in sealed containers.**
  - (7) Dogs are to be confined to their kennels and adjoining exercise yards or day pens at all times, except when using the exercise and training yard identified on the approved plan or when in transit.**
  - (8) When dogs are being moved on site they shall be suitably restrained or contained to prevent escape from the site.**
  - (9) A phone number shall be provided, and placed on a sign at the front of the property, for concerned residents to contact the premises at any time should issues arise in regard to the impacts of the development.**

**This phone number shall be monitored continuously.**

**The sign shall have an area no greater than 0.5m<sup>2</sup> and shall be located between 1 (one) and three (3) metres measured from the front property boundary.**

**The sign shall be designed, located and constructed in a manner that ensures it is legible from Hilton Park Road.**
  - (10) Only biodegradable chemicals are permitted to be used for cleaning out of any structure approved by this development consent.**
  - (11) All servicing, deliveries, pickups/drop offs and the like shall be undertaken only between 7am to 5pm, Monday to Saturdays.**



Planning and Economy

Such activities on Sundays and/or Public Holidays are not permitted.

- (12) The maximum number of dogs permitted to be kept onsite at any one time for breeding and training is ten (10) except where varied by Condition 10(13).

This does not include dogs kept for the purposes of companion animals or puppies under six (6) months of age.

- (13) The number of adult dogs on the land shall be reduced by natural attrition during the course of this consent until the number is *six (6)* or less.
- (14) A maximum of *two (2)* litters of puppies may be bred/produced on the land during any one year. Puppies produced from other sources are not permitted to be housed on the land.
- (15) A maximum of two (2) dogs are permitted to use any exercise yard at any one time.
- (16) Any lighting used in association with the animal boarding and training establishment shall be shielded and directed so as to not cause any annoyance to adjoining and nearby landowners/occupiers or to passing motorists on adjoining or nearby roads.
- (17) Only those areas shown on the approved plans of development as a kennel, day pen, exercise yard and/or training yard or quarantine pen shall be used for animal boarding and training.

At no time shall the area of land between the southern exercise and training yard and Myrtle Creek be used.

#### 11. SIGNS

These conditions have been imposed to ensure that signs are properly designed, located and maintained so as not to impact upon the existing streetscape.

- (1) An application under the provisions of the Environmental Planning & Assessment Act 1979 shall be submitted to and approved by Council prior to the erection and/or display of any advertising signs unless the sign is exempt development as defined by that Act.
- (2) No advertising flags or banners or the like are to be erected on or attached to Council's footpaths, street lights or telegraph poles.



## 12. HERITAGE

These conditions have been imposed to ensure that development is carried out in a manner sensitive to the heritage values in the locality.

- (1) Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with Section 146 of the Heritage Act 1977.
- (2) Should any Aboriginal relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service (NPWS) should be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974.

## 13. LANDSCAPING

These conditions have been imposed to reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance.

- (1) Within four (4) weeks of the date of the determination of Application to Modify Development Consent 010.2013.00000085.002, a revised landscape plan, drawn to scale by a person with horticultural qualifications or similar (such qualifications must be endorsed on the plans) shall be submitted to and approved by Council. This plan shall generally be in accordance as shown on the landscape plan prepared by Joy Hafey (Drawing No. 1), with the addition of landscaping along the Hilton Park Road frontage between the two (2) fences identified in condition 1(7) of this consent. NOTE: By resolution of Council on 19 July 2010 all plants used in landscaping must be native species endemic to the area and the planting of conifers is not permitted. For more information on acceptable species for the locality, please refer to Table 1: Recommended Groundcover and Small Shrub Species (under 1 metre) for the Shire, Table 2: Recommended Shrub Species (1 to 5 metres) for the Shire and Table 5: Southern Area: Bargo, Buxton, Tahmoor and Thirlmere from Section 2.4 Landscaping from the Wollondilly Development Control Plan 2011 Volume 1 – General.
- (2) Prior to the issue of the Building Certificate, any sheet metal, colourbond and/or corrugated iron used for fencing along the property boundaries shall be removed in order for landscaping to be established and to improve the rural landscape character of the area.

Planning and Economy

- (3) At maturity, the landscaping shall form a non-penetrative visual screen and the trees and/or shrubs shall have a maturity height no less than two (2) metres in accordance with Control 3, Section 2.3.6 Landscaping from the Wollondilly Development Control Plan 2011 Volume 2 Primary Agricultural and Rural Uses.
- (4) Landscaping established as part of this consent shall not impact upon any areas used and to be used for onsite sewage management.
- (5) All landscaping shall be installed in accordance with the approved Landscape Plan prior to the issue of the Building Certificate.

The landscaping must be maintained in accordance with the details provided on that Plan at all times throughout the life of the development.

**14. PRESCRIBED CONDITIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.**

These conditions are imposed as they are mandatory under the Act.

**SIGNS TO BE ERECTED ON BUILDING, SUBDIVISION AND DEMOLITION SITES**

- (1) In accordance with Section 80A (11) of the Environmental Planning & Assessment Act, 1979, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work; and
  - (b) Showing the name of the Principal Contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - (c) Stating that unauthorised entry to the work site is prohibited.
- (2) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (3) This Clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Planning and Economy

**15. ADVICES**

- (1) During the course of construction, care must be taken to prevent damage to any public utility or other service and the applicant will be held responsible for any damage caused by him or his agents, either directly or indirectly. Any mains, services, poles, surface fittings etc. that require alterations shall be altered at the applicant's expense and to the satisfaction of Council and the authority concerned.**
- (2) The following service providers should be contacted before commencement of construction to establish their requirements:**

  - **Dial before you dig (various services) 1100**
  - **Telstra (telephone) 1 800 810 443**
  - **Endeavour Energy (electricity) 131 081**
  - **AGL (gas) 131 245**
  - **Sydney Water (water & sewer) 132 092.**
- (3) At all times work is being undertaken within the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.**
- (4) The developer and any contractor or sub-contractor used to carry out any work authorised by or out of this approval on Council owned or controlled land, is to carry the following insurance, copies of which are to be produced to Council upon request:**

  - **Motor Vehicle Insurance (comprehensive or property damage) for all self-propelled plant, as well as valid registration or RTA permit (Including CTP insurance). Primary producer's registration is not registration for use on Public Road construction work.**
  - **Workers Compensation Insurance.**
  - **Twenty Million Dollar Public Liability Insurance.**
- (5) The land is subject to the provisions of Clause 5.9 of Wollondilly Local Environmental Plan, 2011 and Section 2.3 of Volume 1 of Wollondilly Development Control Plan 2011 with regard to the preservation of trees and vegetation.**

**Under these plans consent may be required for tree clearing beyond the limits set by this consent. If you intend to remove any vegetation you should make yourself familiar with the provisions of both plans.**

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**The plans may be viewed on Council's website at [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or at Council's offices at 62-64 Menangle St, Picton.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Terry, M Banasik, Hannan, Gibbs and Landow

The Mayor and Cr B Banasik returned to the meeting at 6.47pm. The Mayor resumed the Chair.



Planning and Economy

PE3 **Stargard Crescent Planning Proposal**

41

TRIM 7549

29/2015 **Resolved on the Motion of Crs B Banasik and Law:**

1. That Council as the delegated responsible planning authority adopt and make the draft Local Environmental Plan for land being:

**Lots 24, 25, 26, 27 and 28 DP 1173845 being Nos 1, 3, 23, 25 and 27 Stargard Crescent, Picton to amend Wollondilly Local Environmental Plan, 2011 as follows:**

- amend the Land Zoning Map 008F for Lots 24, 25, 26, 27 and 28 DP 1173845 from RE2 Private Recreation and RE1 Public Recreation to R5 Large Lot Residential
- amend the Lot Size Map 008F for Lots 24, 25, 26 and 27 DP 1173845 from no minimum lot size to a minimum lot size of 4,000m<sup>2</sup> and for Lot 28 DP 1173845 from no minimum lot size to a minimum lot size of 1.5ha
- amend the Height of Building Map 008F for the land zoned RE1 Public Recreation on Lot 28 DP 1173845 from no maximum height of building to a maximum height of 9m.

2. That in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979 Council makes the plan as outlined above and requests Parliamentary Counsel and the Department of Planning and Environment to make arrangements for the drafting and notification of the amended Local Environmental Plan.

3. That the applicant and persons who made submissions regarding the Planning Proposal be notified of Council's decision.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow







Planning and Economy

PE6 Compliance Policy - Minor Amendment

47

TRIM 5374

32/2015 Resolved on the Motion of Crs Hannan and Terry:

1. That Clause 4.5 of the Compliance Policy be amended to read:

4.5 Council must consider a range of factors when determining whether a particular matter will warrant further investigation. Council's Customer Action Requests system is to be updated with the following details during the course of any investigation of a complaint:

- (i) Details of initial research or inspection, if any;
- (ii) Provide reasons to support initial action which may include, but not be limited to:
  - matter reported is part of an approved targeted program;
  - relevant history of non-compliance
  - matter reported is the subject of an exemption
  - matter reported poses an immediate risk to public health and or safety
  - matter observed/reported has the potential for serious environmental impacts
  - matter observed/reported contravenes a development consent or is contrary to the provisions of the Environmental Planning & Assessment Act, Local Government Act, POEO Act, Companions Animal Act or other relevant legislation.
- (iii) Subsequent follow-up actions are noted making reference to actions as outlined in Clauses 4.7.1 - 4.7.12.
- (iv) The complainant must be advised of the outcome or proposed action and this advice recorded in the CARS system outlining the manner in which this advice/information has been communicated to the complainant.
- (v) The CRM is to be clearly updated with the outcome of the investigation and if applicable the reasons for not taking further action as outlined under Clause 4.4 of the Compliance Policy.

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Planning and Economy

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2. **That references throughout the Policy to 'Deputy General Manager' and 'Manager Development' be replaced with 'Director Planning' and 'Manager Compliance' respectively.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Planning and Economy

PE7 Draft Growth Management Strategy - Impact of "A Plan for Growing Sydney"  
243773 TRIM 3522-2

33/2015 Resolved on the Motion of Crs B Banasik and Law:

1. That exhibition of the Draft Growth Management Strategy be delayed until endorsed by the NSW Department of Planning Environment pending the completion of the investigations into a potential Growth Centre in the Macarthur South area.
2. That Council endorse our participation in the investigation into a potential new Growth Centre in Macarthur South as requested by the Department of Planning and Environment.
3. *That it be noted, in relation to the investigation work into the Macarthur South area that Council has yet to establish its position regarding the inclusion or exclusion of certain localities in the potential new Growth Centre.*
4. *That Council's final determination of these planning proposals be deferred until completion of the studies into the Macarthur South investigation area estimated to be six months as per the advice of the Department of Planning.*
5. *That Council commence an independent mediation process that includes key community representatives and further invitations are extended to representatives from the Chamber of Commerce, Appin Scouts, Appin Historical Society, Appin Men's Shed and Sporting Groups. The independent mediator to report on the issues raised by the community as part of the final planning assessment report.*
6. That the Department of Planning and Environment be requested to undertake community engagement with the residents of Wollondilly to keep them informed of the investigation to ensure transparency in the process.
7. *That Council advise the Joint Regional Planning Panel of this resolution and suggest that any planning proposal currently being considered by the Panel be deferred pending completion of the investigation study into the Macarthur South area.*

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Planning and Economy

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- 8. That Council write to the Local Member stressing the importance of the timeframe for undertaking the Macarthur South investigations.**

On being put to the meeting the motion was declared CARRIED.

Vote For: Crs B Banasik, Law, Terry, M Banasik, Mitchell, Gibbs, and Landow

Vote Against: Cr Hannan

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Governance

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**GOVERNANCE**

**GO1            Notice of Motion Status Report - March 2015**

103

TRIM 5253

**34/2015        Resolved on the Motion of Crs M Banasik and Terry:**

**That Council note the March Notice of Motion Status Report.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Governance

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Governance

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**GO2**                    **Proposed Adjustments to Current Organisational Structure**                    TRIM 582  
238277

**35/2015**                **Resolved on the Motion of Crs B Banasik and M Banasik:**

1. That the proposed adjustments to the Organisation Structure outlined in this report be adopted noting the following Senior Staff designations remain unchanged:
  - General Manager
  - Executive Director Community Services and Corporate Support
  - Director Planning
  - Director Infrastructure & Environment
  
2. *That the job title of the Manager Economic Development be amended to Manager Economic Development & Tourism and that the Organisational Structure Diagram be amended accordingly.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

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Governance

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**GO3**            **Register of Disclosed Interests**  
256

TRIM 2502-8

Items GO3 to GO5 were moved concurrently.

**36/2015**        **Resolved on the Motion of Crs M Banasik and Law:**

1.    **That Council adopt the following positions as “Designated Positions” under Section 441 of the Local Government Act, 1993:**
  - **Manager Economic Development & *Tourism***
  - **Director Planning**
  - **Director Infrastructure & *Environment***
  - **Waste Education Officer.**
  
2.    **That changes to the position title be noted for the following:**
  - **Executive Director Community Services and Corporate Support was known as Deputy General Manager.**
  
3.    **That the Disclosure of Interests 449 Returns be tabled and received by the General Manager at this Council Meeting.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

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Governance

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**GO4**            **Write-off of Bad Debts**  
28079

TRIM 139

**37/2015**        **Resolved on the Motion of Crs M Banasik and Law:**

**That the debt of \$30,000.00 be written off and debtor account number 10338.03 be marked as written off in the ledger.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Governance



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Governance

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**GO5**                    **Investment of Funds as at 31 January 2015**                    TRIM 1022-2  
112

**38/2015**                **Resolved on the Motion of Crs M Banasik and Law:**

**That the information and certification in relation to the investment of Council funds as at 31 January 2015 be noted.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Governance









Infrastructure

7. **Written evidence is provided to Council prior to the event showing \$20 million public liability insurance indemnifying Wollondilly Shire Council and NSW Police.**
8. **All signs relating to the closures and detours must be in place prior to the event and be removed after the event accordingly.**
9. **An appropriate Traffic Control Plan in accordance to the RMS "Traffic Control at Work Sites" manual by a suitably qualified person must be submitted to the Council prior to the event.**
10. **Traffic Management is undertaken by accredited Traffic Controllers and in accordance with the approved Traffic Management Plan.**

Unanimous

2. **Picton Branch's ANZAC Day March & Commemoration on 25th April 2015**

52

TRIM 2487

**RECOMMENDATION**

T02/15

1. **That Council approves the road closure of Menangle Street (west) behind Picton Hotel and Argyle Street and Argyle Street to Memorial Park, between the hours of 6.30am and 7.00am on 25th April 2015 for the staging of "The ANZAC Day March" subject to the following conditions:**
2. **NSW Police and RMS give concurrence to the event.**
3. **Notice of Intention to hold Public Assembly to be submitted to the Police.**
4. **Notice of the event is to be published in a local newspaper/s at least seven (7) days prior to the event advising of the road closures, the detours and the time these changes apply.**
5. **Organisers shall notify the following people/organisations of the event and impacts for traffic management:**
  - **All residents along the affected route and side roads within the route.**
  - **Bus Operator of the area.**
  - **Emergency services including RFS (Rural Fire Service), Ambulance, Police and NSW Fire Brigade.**

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Infrastructure

6. Access shall be maintained for all residents and emergency service vehicles.
7. Written evidence is provided to Council prior to the event showing \$20 million public liability insurance indemnifying Wollondilly Shire Council and NSW Police.
8. All signs relating to the closures and detours must be in place prior to the event and be removed after the event accordingly.
9. An appropriate Traffic Control Plan in accordance to the RMS "Traffic Control at Work Sites" manual by a suitably qualified person must be submitted to the Council prior to the event.
10. Traffic Management is undertaken by accredited Traffic Controllers and in accordance with the approved Traffic Management Plan.

Unanimous

3. Warragamba ANZAC Day March & Centenary Commemoration on Saturday 25th April 2015

52

TRIM 2487

RECOMMENDATION

T03/15

1. That Council approve the road closure of that part of Fourteenth Street, Warragamba between Twentieth Street and Weir Road between the hours of 10.30am and 12.00pm on Saturday, 25th April 2015 for the staging of "The ANZAC Day March" subject to the following conditions:
2. NSW Police and RMS give concurrence to the event.
3. Notice of Intention to hold Public Assembly to be submitted to the Police.
4. Notice of the event is to be published in a local newspaper/s at least seven (7) days prior to the event advising of the road closures, the detours and the time these changes apply.

Infrastructure

5. **Organisers shall notify the following people/organisations of the event and impacts for traffic management:**
  - All residents along the affected route and side roads within the route.
  - Bus Operator of the area.
  - Emergency services including RFS (Rural Fire Service), Ambulance, Police and NSW Fire Brigade.
6. **Access shall be maintained for all residents and emergency service vehicles.**
7. **Written evidence is provided to Council prior to the event showing \$20 million public liability insurance indemnifying Wollondilly Shire Council and NSW Police.**
8. **All signs relating to the closures and detours must be in place prior to the event and be removed after the event accordingly.**
9. **An appropriate Traffic Control Plan in accordance to the RMS "Traffic Control at Work Sites" manual by a suitably qualified person must be submitted to the Council prior to the event.**
10. **Traffic Management is undertaken by accredited Traffic Controllers and in accordance with the approved Traffic Management Plan.**

Unanimous

4. **Friesian Way, Picton – Request for “No Stopping” Zone (R5-400)**  
52 TRIM 1093

**RECOMMENDATION**

T04/15

**Council to investigate further and report back with results of consultation with affected residents.**

Unanimous

5. **General Business**

**“A Little Adventure” fundraising ride between Adelaide to Bathurst on 1st & 13th March 2015.**

52

TRIM 2487



Infrastructure

**Speeding Issues on Elvy Street Bargo**

This issue is to be deferred.

**Lower Speed limit for Barkers Lodge Road, The Oaks**

Clr Hilton Gibbs received a petition for a lower speed limit at The Oaks, Barkers Lodge Road, for speed to be reduced to 80 klm/ph for the full stretch of Barkers Lodge Road or from at least The Oaks to The Old Oakes Rd.

**Response from RMS:**

RMS has not completed speed zone review as yet, open to community suggestion. Dean of RMS would like a copy of petition and review to take place. (Copy given to RMS post meeting).

**Crash Statistics**

Rob Szoszkiewicz asked *Police* is there any formal process of recording crash statistics. RMS replied that Council needs look at a system as to how to broaden search patterns (i.e: insurance companies).

**Bus Zone at Noongah St Bargo**

Chris Moule from Picton Buslines is applying for a bus zone to be put in Noongah Street Bargo, due to increased traffic movements since new supermarket on main road opened. Clr Col Mitchell suggests an exit/entry on Noongah St for supermarket traffic to avoid a possible traffic incident.

**RECOMMENDATION**

T05/15

That the information be noted.

Unanimous

**6. RMS Report**

As of Monday (23/02/2015) Appin Road from Appin to Bulli will now be 90 klm/ph.

From 23/03/2015 the 80 klm zone will be extended from Maldon to just past Allied Mills Picton.

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Infrastructure

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**RECOMMENDATION**

**T06/15**

**That the information be noted.**

**Unanimous**

**7. Police Report**

**Nil**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Late Report

LATE REPORT

43/2015 **Resolved** on the Motion of Crs B Banasik and Landow:

**That Council suspend standing orders to deal with the Late Report IN5.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

IN5 **Proposed Agreement for Easement - Eastern Gas Pipeline over Wilton Road, Lisa Road and Macarthur Drive**

10845

TRIM 8439

44/2015 **Resolved** on the Motion of Crs B Banasik and Landow:

1. That Council agree to enter into an Agreement to grant Easements in favour of Jemena Eastern Gas Pipeline over three (3) public roads for the purposes of constructing the Eastern Gas Pipeline. The proposed easements will cross over Wilton Road, Lisa Road and Macarthur Drive, Wilton.
2. That in accordance with the Local Government Act 1993 (NSW) Section 377(1)(h) the Mayor and General Manager be authorised to execute all necessary documents relating to the Agreement for Easements including those documents that require the Common Seal of Council.
3. That Council's staff negotiates the amount of compensation payable pursuant to s.22A of the Pipelines Act 1967 (NSW) and the agreement with Jemena for the proposed easements over Wilton Road, Lisa Road and Macarthur Drive, Wilton.
4. That Council's staff negotiates with Jemena for the Agreement to include the following requirements:
  - (a) Construction works for the easements be applied separately including concurrence from the Roads and Maritime Services.
  - (b) Measures to be taken to ensure that any required bush or road regeneration occurs after installation of the pipeline.

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Late Report

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- (c) That the intended Construction Environmental Management Plan that addresses the identified deficiencies in the REF and complies with the applicable policy and legislative framework be supplied to Council prior to commencement of works so that Council is satisfied that the proposal will not result in any significant environmental impacts. Council staff will be available to assist the applicant with consultancy if necessary.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

**45/2015** **Resolved on the Motion of Crs B Banasik and Landow:**

**That Council resume standing orders.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

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Notice of Motion

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**NOTICE OF MOTION**

TRIM 6416-5

**NOM 1**      **Notice of Motion No. 1 submitted by Cr Hannan on 20 February 2015 regarding Tree Planting on Argyle St, Picton**

**46/2015**      **Resolved on the Motion of Crs Hannan and Law:**

- 1.    That a report come to Council urgently on the plane trees in the Main Street of Picton.**
- 2.    That the report include all options.**
- 3.    That consultation with the Picton Chamber of Commerce, Shop Keepers and the community be conducted prior to the report coming back to Council.**
- 4.    That any new street scapes be considered as well.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

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Notice of Motion

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TRIM 6416-5

**NOM 2**      **Notice of Motion No. 2 submitted by Cr Terry on 26 February 2015 regarding a community meeting between representatives from Douglas Park and Illawarra Coal**

**47/2015**      **Resolved on the Motion of Crs Terry and Law:**

- 1. That Council convene a meeting with invited community members of Douglas Park and representatives of Illawarra Coal to facilitate a consultation between the parties regarding Illawarra Coal's proposed gas extraction and power plant development in the Douglas Park area.**
- 2. *That the Local Member be advised of this motion.***

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 March 2015, commencing at 6.32pm

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Notice of Motion

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TRIM 6416-5

**NOM 3**      **Notice of Motion No. 3 submitted by Cr Terry on 3 March 2015 regarding growth in Agricultural Lands**

**48/2015**      **Resolved on the Motion of Crs Terry and Landow:**

**That Council write to the Department of Planning advocating for the development of a Sydney Rural Land Study to strengthen the integration of policy to protect, maintain and address potential conflicts of growth into existing Agricultural lands.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 March 2015, commencing at 6.32pm

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Notice of Motion

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TRIM 6416-5

**NOM 4      Notice of Motion No. 4 submitted by Cr Terry on 3 March 2015 regarding Biodiversity Legislation**

Cr Hannan left the meeting at 8.10pm and returned at 8.13pm.

**49/2015      Resolved on the Motion of Crs Terry and Gibbs:**

**That Council write to the Minister *for the* Environment outlining the concerns over the protection and management of biodiversity as recommend by the Final Report on the review of Biodiversity Legislation in NSW.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 March 2015, commencing at 6.32pm

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Notice of Motion

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TRIM 6416-5

**NOM 5**      **Notice of Motion No. 5 submitted by Cr M Banasik on 13 March 2015 regarding the promotion of agriculture in Wollondilly Shire**

**50/2015**      **Resolved on the Motion of Crs M Banasik and Terry:**

**That Wollondilly Shire Council write to the Federal and State Government's requesting support for the promotion of agriculture within our shire. Particularly the establishment of new farms within our shire. Further that copies of this motion be sent to the Rural Industry Liaison Committee, *Economic Development Advisory Group* (EDAG), Wollondilly Tourism Committee and our local members.**

On being put to the meeting the motion was declared CARRIED.

Vote:    Crs Law, B Banasik, Terry, M Banasik, Mitchell, Hannan, Gibbs and Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 March 2015, commencing at 6.32pm

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Closing

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**CLOSING**

There being no further business, the Mayor declared the Ordinary Meeting closed at 8.23pm.

This and the preceding 65 pages are the Minutes of the Ordinary Meeting of Council held on Monday 16 March 2015 and were confirmed in the subsequent meeting held on Monday 20 April 2015.

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Mayor