

Ordinary Meeting Of Council



Wollondilly

Shire Council

Minutes

Monday 15 May 2017

The meeting commenced at 6.30pm 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 15 May 2017, commencing at 6.30pm

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

RECORDING OF MEETING

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. It was requested that mobile phones be placed on silent.

WEBCAST NOTICE

The Mayor advised members of the public present that tonight's meeting is webcast live and requested that as both video and audio transmission is being publically broadcast to please remain quietly seated in the public gallery.

Members of the public are advised, in accordance with Section 18 of the Privacy and Personal Information Protection Act 1998 (PPIPA), that Wollondilly Shire Council records and webcasts live all Ordinary and Extraordinary Meetings of Council held in open session for the purpose of facilitating community access. The webcasts are publically available for viewing on Council's website.

Video footage collected is of the decision making body only, if you do not wish your image to be recorded please remain in the public gallery. Your image, voice, personal and health information may be recorded, publicly broadcast and archived if you speak during the meeting and/or don't remain in the space provided.

The webcasts and webcast recordings are protected by copyright and owned by Council. No part of the proceedings of a meeting of the Council may be recorded, copied or made available to others by members of the public without the authority of the Council.

Council may be required to disclose recordings pursuant to the Government Information (Public Access) Act 2009, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation.

PRESENT

Councillors: Hannan (Mayor), Landow, Gould, Khan, Lowry, Banasik, Deeth, Law and Briggs.

ALSO PRESENT WERE

General Manager, Executive Director Community Services and Acting Corporate Support, Director Planning, Director Infrastructure and Environment, Manager Executive Services, Manager Governance and two Administration Officers.

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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 88-12

There were no apologies noted for this meeting.

DECLARATION OF INTEREST

TRIM 9156

Cr Deeth declared a Pecuniary Conflict of Interest in Item PE3 - Request to include Land at Menangle in Greater Macarthur Investigation. Cr Deeth advised that he is the owner of a property in Station Street, Menangle which adjoins the land in this report. He stated that the outcome of this decision may impact property values. Cr Deeth said he would leave the room and not vote on this matter.

Cr Khan declared a Pecuniary Conflict of Interest in Item PE2 – Development Application relating to a 19 room Motel at Stargard Crescent, Picton. He advised that the applicant for this DA is Corbett Constructions Pty Ltd who is also his landlord. Cr Khan stated that he would leave the room and not vote on this matter.

Luke Johnson, General Manager declared a Pecuniary Conflict of Interest in Item GO4 – Third Quarterly Review of 2016/17 Operational Plan, specifically the part dealing with funding for The Oaks Historical Society, which was dealt with in a separate recommendation. He stated the reason for this declaration was that he is an appointed Patron of The Oaks Historical Society. The General Manager advised that he would leave the meeting during this Item.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

CONFIRMATION OF MINUTES

TRIM 88-12

75/2017 **Resolved on the Motion of Crs M Banasik and Khan:**

That the Minutes of the Ordinary Meeting held on Monday 18 April 2017, as circulated, be adopted as true and correct.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

MAYORAL MINUTE

TRIM 531

I would like to commence this Mayoral Minute with a slide show of photos which were taken on Anzac Day around the Shire. While we are looking at the photos I would like to share with you a song which I heard at a Warragamba ANZAC Day service I attended which made this service very memorable. The song is 'Raise your Glass' and is played by Simply Bushed. I would like to thank them for allowing us to play this tonight.

The PowerPoint slideshow was shown.

During the past month the following events were attended by either me or, as indicated, by other Councillors with details provided on the following pages.

Wednesday 19 April 2017 ANZAC Service Agris Hutrof House, Taara Gardens attended by myself and General Manager, Luke Johnson

Thursday 20 April 2017 ANZAC Service Queen Victoria Park attended by myself, Cr Noel Lowry and Executive Director, Ally Dench

Friday 21 April 2017 site visit Springfield/Ripley Valley attended by myself, Deputy Mayor Robert Khan; Cr Matthew Deeth; General Manager, Luke Johnson; Director Planning, Chris Stewart and Precinct Planner, Wesley Folitarik

Sunday 23 April 2017 Appin Massacre Memorial Service attended by Cr Michael Banasik and Executive Director, Ally Dench

Sunday 23 April 2017 ANZAC Service Menangle Church attended by myself

Sunday 23 April 2017 ANZAC Service Thirlmere Memorial Park attended by myself, Deputy Mayor Robert Khan and Cr Simon Landow

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Tuesday 25 April 2017 ANZAC Service Picton RSL Memorial Park attended by Councillors; General Manager, Luke Johnson and Executive Director, Ally Dench

Tuesday 25 April 2017 ANZAC Service Warragamba Memorial Park attended by myself and Manager Executive Services, Matthew Toro

Tuesday 25 April 2017 ANZAC Service Bargo Sports Club attended by Cr Noel Lowry and Executive Director, Ally Dench

Tuesday 25 April 2017 ANZAC Service Oakdale Workers Club attended by myself and Executive Director, Ally Dench

Thursday 27 April 2017 Small Business Breakfast hosted by Angus Taylor attended by myself, General Manager, Luke Johnson and Manager Economic Development and Tourism, Tate Ryan

Thursday 27 April 2017 ANZAC Service Picton High School attended by myself

Friday 28 April 2017 ANZAC Service Warragamba Public School attended by Cr Michael Banasik

Friday 28 April 2017 PCA Smart Cities Conference, Hobart attended by myself

Saturday 29 April 2017 illuminARTE Festival

Wednesday 3 May 2017 MACROC CEO Breakfast Camden Council attended by Councillors, Executive and Managers

Thursday 4-6 May 2017 Australian Local Government Women's Association Conference attended by myself; Manager Development, Shari Hussein; Manager Compliance, Robyn Cooper and Principal Governance Officer, Toni Spence

Thursday 4 May 2017 meeting with Minister for Tourism Adam Marshall MP attended by myself, Councillor Blair Briggs and Manager Economic Development and Tourism, Tate Ryan

Friday 5 May 2017 Councillors On-Site Visit Spartan Race Site Picton attended by Cr Blair Briggs, Director Planning, Chris Stewart and Jennifer Baldwin

Wednesday 10 May 2017 Thirlmere Lakes Forum attended by myself

Wednesday 10 May 2017 Councillors on-site visit Alco Poultry Farm attended by myself, Robert Khan, Simon Landow, Matt Gould, Director Planning, Chris Stewart and Director Infrastructure and Environment, Michael Malone

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Thursday 11 May 2017 site visit The University of Sydney Camden campus attended by myself; General Manager, Luke Johnson; Director Planning, Chris Stewart; Executive Director, Ally Dench and Manager Economic Development and Tourism, Tate Ryan

This has been a very busy month. It has been an honour for me, my fellow Councillors and members of the Executive Staff to attend a number of Anzac Services across the Shire and I would like to thank them for attending. It is also great to see how many people participated in this year's ANZAC Services. I congratulate everyone involved in organising these events and making them so successful and am proud to see events like these so well supported in Wollondilly.

Council was very pleased to see the Federal Budget included substantial Black Spot Funding of \$1,900,000 for Wollondilly and we extend our appreciation to our Federal Member, Angus Taylor.

The Budget Papers also announced the Government's \$1b Housing Affordability and Infrastructure Facility and a substantial investment in rail.

Wollondilly is planning for the delivery of 16,000 home sites at Wilton which demonstrates a very strong contribution to the Federal and State Governments' housing initiatives, so we are strongly advocating for a fair share of the funding for housing/infrastructure to be allocated to Wollondilly.

We urge the Federal Government to work closely with the State Government and Council to deliver appropriate electrified rail services to Wilton New Town. The delivery of a modern public transport system is clearly fundamentally important.

During May 2017 Council received 1 application for a Donation.

- \$250 NSW Metro Blues U13 State Indoor Cricket Team in Mackay Queensland for Luke Meek

This request has been assessed against the program criteria and deemed eligible to receive funding through the Donations Program.

I would now like to table the following pages of this document which provide more details in regard to events attended.

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On Wednesday 19 April 2017 I attended an ANZAC Service at Agris Hutrof House Taara Gardens and would like to thank General Manager, Luke Johnson for also attending.



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On Thursday 20 April 2017 I attended an ANZAC Service at Queen Victoria Park and would like to thank Executive Director, Ally Dench for also attending.



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On Friday 21 April 2017 a visit to Ripley Valley and Springfield (Brisbane) was organised. I would like to thank Deputy Mayor, Robert Khan; General Manager, Luke Johnson; Director Planning, Chris Stewart and Wesley Folitarik for attending.

Appreciation has been conveyed to the City Planner, City Digital Officer and Cr Andrew Antonioli from Ipswich City Council who all gave up their time for us on the day.



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On Sunday 23 April 2017 the Appin Massacre Memorial Ceremony was held at Cataract Dam, Appin. I would like to thank Cr Michael Banasik and Executive Director, Ally Dench for attending this event on behalf of Council.



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On Tuesday 25 April 2017 the ANZAC Service was held in Picton RSL Memorial Park. It was a very moving service and was extremely well attended again this year.



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

On Thursday 27 April 2017 I attended a Small Business Breakfast hosted by Angus Taylor MP, also Luke Johnson, General Manager and Tate Ryan, Manager Economic Development and Tourism attended this event.



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Picton once again hosted its biggest event with the third illuminARTE festival held on Saturday 29 April. Record crowds attended this event to witness Menangle Street being transformed by building projections.

The Wollondilly Arts Group kicked off the festival with the opening of an art exhibition in the Wollondilly Shire Hall while a Pop Up Exhibition featured artists who contributed to the building projections. The streets were abuzz with markets, music and food, with an array of children's entertainment at the RSL Memorial Park.

On the main stage there were live performances by local musicians throughout the day and into the evening including performances from Missy Lancaster and 2016 Voice Winner, Alfie Arcuri, Fire Dancers from the Leider Theatre, a Fire Breather and Street performers entertained spectators and diners as they soaked up the vibrant atmosphere.

A highlight of the evening was the Lantern Parade which formed part of the official opening where over 60 children paraded their handmade paper lanterns while Picton Strings played the River Song on the main stage.

This event was supported by a number of partners and sponsors and I would like to thank them all for their contribution. I would also like to thank all the staff from Wollondilly Shire Council who worked tirelessly to bring this event together.

The night was capped off with a spectacular fireworks display over the Picton Township.



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On Wednesday 3 May 2017 I attended the MACROC CEO Breakfast held at Camden Council. Heather Nesbitt, Social Commissioner with the Greater Sydney Commission was guest speaker with over 30 years of experience in the area of community infrastructure planning.

I would like to thank fellow Councillors, Executive staff and the Managers who were able to attend this breakfast event.



Left to right:

Cr Warren Morrison, Campbelltown City Council; Cr Rey Manoto, Campbelltown City Council; Cr Karen Hunt, Campbelltown City Council; Cr Michael Banasik, Wollondilly Shire Council; Cr Judith Hannan, President, MACROC, Mayor, Wollondilly Shire Council; Cr Michael Morrison, Deputy President, MACROC, Camden Council; Heather Nesbitt, Social Commissioner, Greater Sydney Commission; Cr Noel Lowry, Wollondilly Shire Council; Cr Theresa Fedeli, Deputy Mayor, Camden Council; Luke Johnson, General Manager, Wollondilly Shire Council; Cr Paul Farrow, Camden Council and Cr Robert Khan, Wollondilly Shire Council.

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On Thursday 27 April 2017 I attended the Picton High School ANZAC Service.



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Thursday 4-6 May 2017 The Australian Local Government Women's Association (ALGWA) held their Annual Conference at Penrith.

Manager Development, Shari Hussein; Manager Compliance, Robyn Cooper and Principal Governance Officer, Toni Spence accompanied me to this conference which was very well attended. We enjoyed some very inspiring presenters from all over the State.

The ALGWA supports women in Local Government with the conference providing an opportunity to share ideas and learn new skills from other Women in Local Government.

I am very supportive of this organisation and the work it does in supporting women in Local Government.



Keynote speaker Robbi Mack

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On Thursday 11 May 2017 I attended a site visit of the University of Sydney Camden Campus.

I would like to thank General Manager, Luke Johnson; Executive Director, Ally Dench; Director Planning, Chris Stewart and Manager, Economic Development and Tourism, Tate Ryan for accompanying me to this facility.



Judith Hannan

MAYOR

May 2017

76/2017 Resolved on the Motion of Crs Hannan and Briggs:

That the Mayoral Minute be accepted.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan
 and Gould

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Planning and Economy

PLANNING AND ECONOMY

PE1 Application to Modify Development Consent No. 010.2005.00058025.005 for an Extension to Existing Poultry Farm at 184B Glendiver Road, The Oaks
269974 010.2005.00058025.005

Planning and
Economy

Cr Gould left the meeting at 6:53pm and returned at 6:55pm.

77/2017 Resolved on the Motion of Crs Landow and M Banasik:

That Application to modify Conditions 1.1, 2.2 and 10.8 of DA 800/05 and Conditions 10.8 (a), (b), (c) and 10.16 of Modification Development Consent 010.2005.00058025.004 at Lot 11 DP 841569, 184B Glendiver Road, The Oaks be determined as follows:

a) Condition 10.8 be amended to read as follows:

10.8 The night time pick-up of birds is permitted by this consent under the following terms:

Clean out of the sheds shall be between 7:00am and 6:00pm weekdays and 7:00am to 1:00pm Saturdays only.

Except in emergency circumstances where the welfare of the birds is at risk, all poultry industry related truck movements *not* associated with the movement of live birds are to be between 7:00am and 8:00pm weekdays and 7:00am to 1:00pm Saturdays only.

Except where required under relevant Work Health and Safety Law; machinery, equipment, forklifts etc. that have beeping reversing alarms must not be used after 6:00pm. Truck engines and headlights are to be turned off during bird pick up operations unless entering or leaving the premises.

Staff, contractors, sub-contractors and the like under the direct control of the grower must abide by a Code of Conduct Agreement with the poultry grower to ensure noise mitigation measures are adhered to when working on site and travelling along surrounding roads.

Planning and Economy

The noise mitigation options included in Table 4 of the 'Noise Management Assessment Alco Poultry Farm 184 Glendiver Road, The Oaks' prepared by Atkins Acoustics are to be implemented *except for replacement of the truck fleet and installation of a remote control system to the gated entry to the Estate or as otherwise varied by a condition of consent.*

ADVISORY NOTE:

In accordance with Council's Enforcement Policy, where repeated complaint(s) about noise impacts on a sensitive receiver are verified by Council, a mediation process will be initiated involving the poultry farm operator, the processor, the truck operator and Council.

Where the mediation session fails to resolve ongoing and substantiated complaints, Council will considered enforcement action under the Protection of the Environment Operations Act including an Order placing restrictions (i.e. curfew) upon night time pick-up of birds with or without an exception for extreme weather conditions.

A breach (other than an exception as described above) of a curfew imposed by an Order may result in Council issuing a Penalty Infringement Notice (PIN) or commencing prosecution proceedings.

b) Condition 10.8(c) be amended to read as follows:

The speed of the trucks servicing the poultry farm on the private road after 5pm shall be limited to 10km/h and require the installation of appropriate signage to limit truck speed.

Details including the speed of truck movements shall be monitored using geo-fence technology within the Glendiver Farm Community Estate. Notification of any breach of the speed limits referred to in this condition shall be notified to the grower, Council and nominated email address provided by the Glendiver Farm Community Estate. The grower shall make all reasonable endeavours to enforce the speed limit.

- c) *Condition 2.2(a) be amended to read as follows:*

2.2(a) Each shed (existing and approved by Development Consent D800-05) shall have louvers or curtains installed and be fully automated to control temperature, humidity and ventilation requirements to address odour concerns and comply with the recommendations of the "Air and Noise Assessment – Poultry Farm, The Oaks – FINAL" report prepared by Air Noise Environment (Project Ref: 3249) dated January 2013 and where superseded by the "Odour Impact Assessment – Changes to Outcomes at Receiver R10" report prepared by Benbow Environmental (ref: 141183-Let3) dated 26 February 2015.

- d) *Condition 3.2 be amended to read as follows:*

3.2 Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining private and public roadways, particularly during wet weather or when the site is muddy.

- e) *Condition 5.2 be amended to read as follows:*

5.2 The road which provides access to the poultry farm through the Glendiver Farm Community Title Estate shall be maintained to an appropriate standard to cater for all vehicles associated with the poultry farm for the duration of that road being used as the primary access to the poultry farm.

ADVISORY NOTE:

The financial agreement currently in place between the grower and Glendiver Farm Community Estate for maintenance of the private access road demonstrates substantial compliance with this condition.

- f) *Condition 10.16 be amended as follows:*

10.16 The night time pickup shall be in accordance with the recommendations of the Good Neighbour Charter 2016.

- g) **Conditions 10.7, 10(8)(a), 10(8)(b) and 11.3 be deleted.**

- h) **Conditions 1.1 as modified in Development Consent 010.2005.00058025.004 be retained.**

- i) **Given the changes to the consent conditions, a consolidated consent be approved subject to this application to modify the consent and as such, the consent be as follows (conditions amended and added will appear in italics and unchanged conditions remain in normal font).**

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.

- 1.1 Development consent is granted for the construction of one (1) additional chicken growing shed on Lot 11 DP 841569, No. 184 Glendiver Road, The Oaks and incorporated conventional shed with natural/conventional ventilation system in accordance with the plans prepared by D & M Consulting titled "Project: - Development for Proposed Poultry Shed" drawing Number. 12479 (Sheets 1, 4 and 5 of 5) dated 22/10/12 submitted with Application to Modify Development Consent 010.2005.00058025.004.
- 1.2 Development shall take place in accordance with plans and information submitted in relation to Development Application No. D800-05 or where superseded by the information and particulars submitted with Application to Modify Development Consent 010.2005.00058025.004 except as varied by the following conditions.
- 1.3 The entire poultry farm, including the existing sheds is to be operated solely in accordance with this development consent.
- 1.4 A Construction Certificate shall be approved by Council or the nominated Accredited Certifier prior to the commencement of any works authorised by this consent.
- 1.5 Development shall take place in accordance with the recommendations of the following reports:
 - "Broiler Farm Management Plan" prepared by Cordina Farms Pty submitted with Application to Modify Development Consent 010.2005.00058025.004
 - "Alco Farm Broiler Farm Truck Noise Management Plan" prepared by Benbow Environmental (Report No.141183_Truck Noise_Mgmt_Rev4) dated March 2015.

Prior to the issue of the Construction Certificate, the Broiler Farm Management Plan subject of this condition shall be endorsed by all relevant parties and submitted to Council.

2. BUILDING DESIGN

These conditions are imposed to ensure that the appearance/construction of building works complies with the aims and objectives of Council's relevant Development Control Plans, Policies and relevant Statutory Regulations.

2.1 All materials and colours to be used in the external construction of the proposed shed shall be complimentary to those of the existing development.

2.2 The conventional ventilation systems for the existing sheds shall be installed and be operational prior to the issue of the Occupation Certificate for the new shed or within one (1) year of the date the determination of Application to Modify Development Consent 010.2005.00058025.004.

2.2(a) Each shed (existing and approved by Development Consent D800-05) shall have louvers *or curtains* installed and be fully automated to control temperature, humidity and ventilation requirements to address odour concerns and comply with the recommendations of the "Air and Noise Assessment – Poultry Farm, The Oaks – FINAL" report prepared by Air Noise Environment (Project Ref: 3249) dated January 2013 and where superseded by the "Odour Impact Assessment – Changes to Outcomes at Receiver R10" report prepared by Benbow Environmental (ref: 141183-Let3) dated 26 February 2015.

Details shall be submitted to Council or the nominated Accredited Certifier for approval prior to the issue of the Construction Certificate.

3. EROSION AND SEDIMENT CONTROL

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

3.1 A Soil and Water Management Plan, in accordance with Council's Design Code DCP and Construction Specification is to be submitted with the Construction Certificate for the development and approved by *Council or the nominated Accredited Certifier*.

The installation of the erosion and sediment control devices identified on the soil and water management plan, is to be completed prior to the commencement of any works on the site and are to remain in place after construction is completed.

Planning and Economy

- 3.2 Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining *private and public* roadways, particularly during wet weather or when the site is muddy.
- 3.3 All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
- 3.4 Topsoil stripped from the construction site is to be stockpiled and protected from erosion until re-used during landscaping.

4. BUILDING GENERAL

These conditions have been imposed to ensure that the structure is constructed to an approved standard and related approvals.

4.1 All construction work shall be:

- (i) restricted to between 7.00am and 5.00pm Mondays to Fridays (inclusive);
- (ii) restricted to between 8.00am and 1.00pm on Saturdays;
- (iii) prohibited on Sundays and Public Holidays unless written approval to vary the hours is granted by Council.

4.2 There being no burning of builder's rubble, felled trees or other material on the site.

4.3 Submission of a Waste Management Plan in accordance with Council's Waste Minimisation and Management guidelines *shall be submitted to Council or the nominated Accredited Certifier* prior to the issue of the Construction Certificate.

5. CARPARKING/LOADING/ACCESS

These conditions have been imposed to:

- (a) Ensure that adequate provision is made for off street parking, appropriate to the volume and turnover of traffic generated by the development.
- (b) Ensure that adequate manoeuvring space is provided for parking areas, loading bays and entry to facilities.

5.1 In accordance with the provisions of Development Control Plan No.7 – Off Street Carparking – 2 all-weather car parking spaces and access thereto shall be provided for the proposed development. Such spaces are to measure not less than 2.6m x 5.5m.

Planning and Economy

Details shall be submitted to Council or the nominated Accredited Certifier for approval prior to the issue of the Construction Certificate.

- 5.2 The road which provides access to the poultry farm *through* the Glendiver Farm Community Title Estate shall be maintained to an appropriate standard to cater for all vehicles that are associated with the poultry farm *for the duration of that road being used as the primary access to the poultry farm.*

ADVISORY NOTE:

The financial agreement currently in place between the grower and Glendiver Farm Community Estate for maintenance of the private access road demonstrates substantial compliance with this condition.

6. LANDSCAPING

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

- 6.1 Compliance with the provisions of Council's Tree Preservation Order. Under the order a person shall not, except with the consent of Council, ringbark, cut down, top, lop or wilfully destroy any tree which:
- (a) Is greater than 3m in height;
 - (b) Has a girth greater than 45cm at a height of 1m from the ground;
 - (c) Has a branch spread greater than 3m.
- 6.2 In order to ensure that the development is adequately landscaped a detailed landscape plan prepared by a person with horticultural qualifications shall be submitted to *Council or the nominated Accredited Certifier* for approval prior to release of the Construction Certificate and shall include the following:
- (a) All existing and proposed site structures;
 - (b) All existing vegetation;
 - (c) Location of proposed planting around the additional shed and ventilation system to screen it from surrounding areas and enhance the landscape character of the site;
 - (d) Details of growth and maintenance.

Planning and Economy

- 6.3 Landscaping is to be installed in accordance with the approved Plan prior to the issue of the Occupation Certificate and maintained in accordance with the details provided on that Plan at all times.

7. STORMWATER

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

- 7.1 Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.
- 7.2 Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system.

A piped drainage system shall be provided to convey runoff from storms up to the 10% AEP. Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP.

8. INSPECTIONS

These conditions have been imposed to ensure that the structure is constructed to an approved standard and related approvals.

- 8.1 The proposed building works shall be inspected by Council or the nominated Accredited Certifier at the following stages of construction to ensure they comply with the Building Code of Australia and associated approvals:
- Prior to commencement of any construction work on the site, after erosion and sediment control measures are implemented
 - Pier holes/footings before pouring of concrete
 - Steel reinforcing before pouring of concrete
 - Structural steel work before covering
 - Roof water drainage before backfilling
 - Retaining wall structure to the excavated area before backfilling
 - Completion of the building work before occupation or use.

9. DEVELOPMENT (SECTION 94A) CONTRIBUTIONS

These conditions are imposed to ensure the adequate provision of public facilities required as a result of the development, the following conditions apply:

- 9.1 Pursuant to Section 80A(1) of the Environmental Planning & Assessment Act, 1979 and the Wollondilly Development Contributions Plan 2005 (as amended by Ministerial Section 94E Direction dated 10 November 2006), a contribution of \$30,000 shall be paid to Council.

This contribution is calculated from Council's adopted Development Contributions Plan (as Amended) in the following manner:

Non-residential Development with proposed development cost between \$100,001 and \$200,000 - 0.5% levy. The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Wollondilly Development Contributions Plan, 2005.

The contribution is to be paid before release of the *Construction Certificate* in accordance with the provisions of the Wollondilly Development Contributions Plan, 2005.

10. OCCUPATION & USE

These conditions are 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 functional operation.

- 10.1 The Occupation Certificate is not to be issued until all relevant conditions have been complied with.
- 10.2 The new shed shall not be occupied until Council or the nominated Accredited Certifier has issued an Occupation Certificate.
- 10.3 The poultry sheds shall be used for chicken production and will have a maximum combined stocking rate of 93,700 birds.

An annual audit shall be supplied to Council on the anniversary of the Occupation Certificate to verify the stocking rate with each growing cycle. Council shall be authorised to make an independent check and clarify that audit with the producer.

Planning and Economy

- 10.3(a) The development shall only be operated as an accredited RSPCA – Australia Approved Farming Scheme (AFS) poultry farm at all times, for the life of the development.**

- 10.4 No manure or spent litter is to be stored external to the sheds.**

- 10.5 All manure and spent litter is to be taken from the property in covered loads so as to prevent spillage of contents.**

New shavings are to arrive on the site in covered loads, and spent litter shall be removed from the sheds at the removal of each 'batch' of birds from each shed and replaced with fresh shavings.

At no stage shall spent litter be retained on the property.

- 10.6 Council shall be provided with a complete list detailing all chemicals used in the operation of the farm prior to issue of the Construction Certificate. Only chemicals approved for use on poultry farms are to be used.**

- 10.7 *deleted***

- 10.8 The night time pick-up of birds is permitted by this consent under the following terms:**

Clean out of the sheds shall be between 7:00am and 6:00pm weekdays and 7:00am to 1:00pm Saturdays only.

Except in emergency circumstances where the welfare of the birds is at risk, all poultry industry related truck movements *not* associated with the movement of live birds are to be between 7:00am and 8:00pm weekdays and 7:00am to 1:00pm Saturdays only.

Except where required under relevant Work Health and Safety Law; machinery, equipment, forklifts etc. that have beeping reversing alarms must not be used after 6:00pm. Truck engines and headlights are to be turned off during bird pick up operations unless entering or leaving the premises.

Staff, contractors, sub-contractors and the like under the direct control of the grower must abide by a Code of Conduct Agreement with the poultry grower to ensure noise mitigation measures are adhered to when working on site and travelling along surrounding roads.

Planning and Economy

The noise mitigation options included in Table 4 of the 'Noise Management Assessment Alco Poultry Farm 184 Glendiver Road, The Oaks' prepared by Atkins Acoustics are to be implemented *except for replacement of the truck fleet and installation of a remote control system to the gated entry to the Estate or as otherwise varied by a condition of consent.*

ADVISORY NOTE:

In accordance with Council's Enforcement Policy, where repeated complaint(s) about noise impacts on a sensitive receiver are verified by Council, a mediation process will be initiated involving the poultry farm operator, the processor, the truck operator and Council.

Where the mediation session fails to resolve ongoing and substantiated complaints, Council will considered enforcement action under the Protection of the Environment Operations Act including an Order placing restrictions (i.e. curfew) upon night time pick-up of birds with or without an exception for extreme weather conditions.

A breach (other than an exception as described above) of a curfew imposed by an Order may result in Council issuing a Penalty Infringement Notice (PIN) or commencing prosecution proceedings.

10(8)(a) Deleted

10(8)(b) Deleted

10(8)(c) The speed of the trucks servicing the poultry farm on the private road after 5pm shall be *limited to 10km/h* and require the installation of appropriate signage to limit truck speed.

Details including the speed of truck movements shall be monitored using geo-fence technology within the Glendiver Farm Community Estate. Notification of any breach of the speed limits referred to in this condition shall be notified to the grower, Council and nominated email address provided by the Glendiver Farm Community Estate. The grower shall make all reasonable endeavours to enforce the speed limit.

10.9 Deleted (under a previous consent).

Planning and Economy

- 10.10 All watering of stock is to be by way of nipple feeders in accordance with the information submitted with the Development Application.**

No cup watering is permitted in any part of any shed.

- 10.11 Prior to the issue of the construction certificate, the approved plans are to be amended to clearly indicate the location and details of a cool room to be utilised for the storage of dead birds.**

- 10.12 There shall not be any storage, stockpiling or keeping of dead birds external to the cool room.**

All dead birds from the poultry sheds are to be stored in the cool room at all times prior to collection by an approved waste contractor, who shall transport the dead birds for disposal at a licenced waste management centre.

Details on the collection and disposal of dead birds from the site, in the form of a contract with an approved waste contractor and a waste management plan outlining compliance with the requirements of this condition is to be submitted to *Council or the nominated Accredited Certifier* for approval prior to the issue of the Occupation Certificate.

- 10.13 (a) The requirements of conditions 10.3 to 10.12 (inclusive) shall be incorporated into a Management Plan for the site.**

The Management Plan is also to adopt the NSW Chicken Farming Guidelines prepared by NSW Agriculture, except where inconsistent with the requirements of the conditions of this consent.

The Management Plan is to be signed by the operator of the farm, the relevant processor and approved by *Council or the nominated Accredited Certifier* prior to the issue of the Occupation Certificate.

The poultry farm must be operated in accordance with the approved management plan at all times.

(b) A Management Plan shall be submitted to council within 6 months of this determination and shall provide a plan which is in accordance with the following:

Planning and Economy

- EMP audit
- Stocking rates
- BFMP
- Good neighbour charter
- RSPCA accreditation.

10.14 The poultry farm shall be conducted 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.

10.15 The poultry farm shall not generate offensive noise or offensive odour as defined under the Protection of the Environment Operations Act 1997.

10.16 *The night time pickup shall be in accordance with the recommendations of the Good Neighbour Charter 2016.*

11. ODOUR MANAGEMENT

This condition is imposed to protect the amenity of the area with respect of odour and to ensure that the development will not result in increased odour impacts.

11.1 Within six months of the commencement of use of the subject sheds odour monitoring shall be undertaken during a week in which the birds are at maximum size.

If this monitoring finds out that the post development odour level at any dwelling is higher than 5OU and is also higher than the predevelopment odour level, a plan of odour management shall be prepared to the satisfaction of Council and implemented within twelve (12) months.

11.2 If Council receives three (3) consecutive lodged and independent complaints in one (1) month in relation to the emission of odour from the subject property or three (3) consecutive lodged and independent complaints in one (1) month in relation to the emission of dust complaint from the subject property and such complaints are verified by Council in accordance with applicable and acceptable industry standards and practices to have arisen from the use of the subject property, then the owners will comply with all such reasonable directions as may be given by Council (after consultation by Council with the owners) with the objective of ameliorating the said impacts.

The one exception to this condition is where such complaints arise from or in circumstances which can only be attributed to natural disasters and the like beyond the control of the owners.

11.3 Deleted.

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

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

12.1 COMPLIANCE WITH BUILDING CODE OF AUSTRALIA

- (1) All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.
- (2) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in clause 187(6) or 188(4).

12.2 EXCAVATIONS AND BACKFILLING

- (1) All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- (2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

12.3 RETAINING WALLS AND DRAINAGE

If the soil conditions require it:

- (1) Retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
- (2) Adequate provision must be made for drainage.

12.4 SIGNS TO BE ERECTED ON BUILDING AND DEMOLITION SITES

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

Planning and Economy

- (a) Stating that unauthorised entry to the work site is prohibited, and
 - (b) Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- (2) Any such sign is to be removed when the work has been completed.
- (3) This clause does not apply to:
 - (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

12.5 TOILET FACILITIES

- (1) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- (2) Each toilet provided:
 - (a) Must be a standard flushing toilet, and
 - (b) Must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facilities approved by the council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the council.
- (3) The provision of toilet facilities in accordance with this Clause must be completed before any other work is commenced.

(4) In this clause:

Accredited sewage management facility means a sewage management facility to which Division 4 of Part 2 of the Local Government General Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

Approved by the council means the subject of an approval in force under Division 1 of Part 3 of the Local Government General Regulation 2005.

Public sewer has the same meaning as it has in the Local Government General Regulation 2005.

Sewage management facility has the same meaning as it has in the Local Government General Regulation 2005.

13. ADVICE

- 13.1 At all times work is being undertaken with 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.**
- 13.2 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 alteration shall be altered at the applicants expense and to the satisfaction of Council and the authority concerned.**
- 13.3 A Road Opening Permit must be obtained from Council before trenching or other excavation work is undertaken within the public road reserve. It is the responsibility of each contractor and/or subcontractor to obtain such a permit. The permit must be held on site and produced when requested by a Council Officer.**
- 13.4 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:**

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- **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 valid registration for use on Public Road construction work.**
- **Workers Compensation Insurance.**
- **Ten Million Dollar Public Liability Insurance.**

Planning and
Economy

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

Vote For: Crs Banasik, Briggs, Khan, Deeth, Lowry, Landow, and Gould

Vote Against: Crs Law and Hannan

Planning and Economy

Cr Khan left the meeting at 7.02pm due to a previously declared Conflict of Interest in this item.

That the development proposal for the establishment of a Motel comprising 19 Rooms and Managers residence, onsite parking at Lot 29 Stargard Crescent, Picton, is refused on the following grounds.

- 1. The proposal is in conflict with the LEP 2011 objective 1.2 (2)(a); *“to provide for the management of natural resources and the protection of the natural landscape character”*.**
- 2. The proposal is in conflict with the LEP 2011 RE2 – Private Recreation zoning objective (1); *“To protect and enhance the natural environment for recreational purposes”*.**
- 3. The proposed vehicle access to the site from Observatory Street will result in an unsatisfactory traffic conflict with Bakers Lodge Road and Stargard Crescent.**
- 4. The development proposal will have a detrimental environmental impact on Stonequarry Creek with regards to runoff and sediment.**
- 5. The development proposal is not considered suitable or compatible with the adjoining and surrounding residential land use.**
- 6. The Motel business activities will introduce unwanted and inappropriate noise activity outside normal business hours, which will have a detrimental impact on the wellbeing, privacy and amenity of adjoining and surrounding residential properties.**
- 7. The applicant has not provided sufficient detailed information for Council assessment regarding the disposal of effluent from the site, which is considered to be defined as a ‘sewage system or works’ under clause 29 of Schedule 3, ‘Designated Development’ of the Environmental Planning & Assessment Regulations.**

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8. The applicant has not provided sufficient detailed information regarding stormwater management or possible site contamination of the subject site.
9. The applicant has not provided sufficient detailed information regarding assessment of the development with regards to an Integrated Development – ‘Bush Fire Prone land’ as prescribed under Section 91 of the Environmental Planning & Assessment Act 1979.
10. The applicant failed to provide a detailed landscape plan to safeguard existing vegetation on the subject site and detail such landscaping to screen and minimise visual impact of the development on adjoining and surrounding residential development.
11. *That other sites owned by the proponent for motels be given priority consideration.*

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

Vote: Crs Banasik, Briggs, Deeth, Law, Lowry, Landow, Hannan and Gould

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Planning and Economy

PE3 **Request to Include Land at Menangle in Greater Macarthur Investigation**
19 TRIM 8520 & 6814

Cr Khan returned to the meeting at 7:09pm.

Cr Deeth left the meeting at 7.09pm due to a previously declared Conflict of Interest in this item.

79/2017 **Resolved on the Motion of Crs Lowry and Banasik:**

1. That Council advise the Department of Planning and Environment that it does not support the inclusion of the stage 1 Mirvac proposal in the Greater Macarthur Priority Growth Area as this proposal is already well advanced through its own assessment process. *Further, it should be noted that Council has not demonstrated any support for this Proposal to this point.*
2. That Council advise the Department of Planning and Environment that it does not support the inclusion of stage 2 and 3 of the Mirvac proposal in the Greater Macarthur Priority Growth Area as.
 - The proposal is inconsistent with Council's Draft Community Strategic Plan.
 - The proposal would have an unreasonable and unsatisfactory impact on the Menangle Landscape Conservation Area.
 - The proposal is contrary to Council's Growth Management Strategy(GMS). *The GMLRA should consider growth options that are consistent with Councils GMS which seeks preservation of agricultural land, biodiversity conservation and rural living through the separation of towns and villages in line with Council's desire for classification as a peri-urban area.*
 - The proposal is contrary to the South West District Plan, particularly in regard to its strategies for the metropolitan rural area and *to the green grid specifically the identification of the Camden Park and Menangle to Georges River Open Space Corridor.*
 - The proposal would be highly visible to the M31 Hume Highway and dramatically alter the scenic vistas from the Highway for visitors to Sydney.

Planning and Economy

- The proposal is contrary to Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean River which discourages large scale, high density or visually intrusive development on waterfront land or on slopes and ridgetops which are visible from the river or the surrounding visual catchment. Most of the land is within the surrounding visual catchment.
- The proposal would have a significant impact on agricultural land and potential impacts on the Appin poultry cluster.
- There is insufficient road infrastructure in place to service this development and insufficient information to determine the level of upgrade required. *Further no plan is in place to mitigate existing road constraints, this includes Menangle Rd, Station St for northbound traffic limited by the existing heritage village, heritage railway bridge, and Douglas Park Drive for southbound traffic.*
- The site is elongated, and the distance from much of the site to Menangle Railway Station means that residents would still be car dependant. There are also concerns about the ability of the Heritage listed Menangle Railway Station to be upgraded to cater for increased patronage.
- There has not been any detailed planning or environmental studies to support the proposal and no master planning exercise has been undertaken.
- Having multiple large scale development fronts in a peri-urban area could detract from the community's goals of getting higher order goods and services through significant urban growth in the Wilton Priority Growth Area.
- Wollondilly is able to achieve its housing targets through other sites already approved. There is planning work being undertaken on proposals consistent with Council's Growth Management Strategy and within the declared Wilton Priority Growth Area that ensure that Wollondilly's share of housing supply will be achieved in the short, medium and longer terms.
- The proposal is inconsistent with previous Council resolutions which were informed by reports to Council and community views.

Planning and Economy

- ***There is no evidence to demonstrate that the best strategic long term use of the land is for residential purposes. The best long term strategic use of the land is for agricultural purposes. The land in question is home to high grade agricultural soils, 1:100 year flood zones, current licenced water rights from the Nepean River and access to rail and road transport ensuring low food miles to the CBD. With the predicted increase in population, council considers the retention of productive land to be a high priority and has critical strategic planning merit. Along with the high concentration of agricultural heritage buildings, high concentration of endangered ecological communities and the Elizabeth Macarthur Agricultural Institute and Camden Park Estate next door, going into the future, the current zoning for primary production/agriculture, is logical and essential.***
- ***The proposal and heritage report fails to meaningfully acknowledge the presence of Gilbulla, surrounding heritage assets and landscape and address the proposals impacts. The desktop report from AECOM fails to also identify many other heritage assets not within the PP but none the less will be impacted within the landscape conservation area.***
- ***Heritage views have not been considered, specifically between Camden Park Estate/EMAI and the Creamery. Further that the relational context and linkages between existing heritage assets and the landscape within which they sit and their value as a whole (Betteridge 2012) has not been identified or considered in AECOM's heritage report.***
- ***The proposal fails to acknowledge the existence and the location of 20 Coal Seam Gas Wells within 2km of the proposal and their impact, particularly regarding the coexistence issues with residential and the 2km buffer zones now required. Council notes that no other residential rezoning in the State of NSW has been approved within the 2km buffer. It should also be noted that there is no clear plan as to when these wells will be capped and that AGL reserve the right to sell the lease to a third party.***
- ***The Federal Department of Environment and Energy is currently conducting the National Assessment of Chemicals Associated with Coal Seam Gas Extraction Study which will examine human health and environment risks. The Greater Macarthur Land Release Area should incorporate any findings in developing further pathways for development near CSG.***

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- *Air quality issues previously identified in the Macarthur South Regional Study 1991.*
 - *Mining coexistence issues have not been resolved with the southern part of the planning proposal with the neighbourhood/employment lands and southern residential area to be impacted by existing approved mining operations being works for and associated with long wall 706, 707B and 708B shown in the plan attached to correspondence from South 32 dated 30 March 2017.*
 - *There are significant physical barriers to this site formed by the railway line, Hume Highway (M31) that will significantly impede internal connectivity and permeability and also raises concerns about the desirability of having new residential lands wedged between the railway and the freeway having regard to potential noise and air quality issues.*
 - *Due to its significant potential to alter the suitability of land for various land use types, no decisions should be made on land release within the proposed Greater Macarthur Priority Growth Area until the location of the Outer Sydney Orbital (M9) has been published in a long term transport strategy for NSW.*
 - *There is insufficient commitment and information to demonstrate that school facilities will be provided in time for any additional population generated by this proposal.*
3. *That a copy of the Council report and resolution be forwarded to the Great Sydney Commission South West District Planning Authority and Department of Planning and Environment.*
 4. *That a copy of the Council report and resolution be forwarded to the Hon. Anthony Roberts Minister of Planning and Environment, the Hon Member for Wollondilly Jai Rowell, The Hon. Lou Amato, MLC.*
 5. *That the results of our lobbying be reported back to a Council Meeting.*
 6. *That Council write to the Menangle Progress Association and thank them for their submission. That the government consider the Menangle Progress Association's submission.*

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

Vote: Crs Banasik, Briggs, Khan, Law, Lowry, Landow, Hannan and Gould

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Planning and Economy

PE4 **Request for Council to prepare a Planning Proposal – 11 Westminster Place, Razorback**
1010

TRIM 8277

Cr Deeth returned to the meeting at 7:30pm.

80/2017 **Resolved on the Motion of Crs Hannan and Khan:**

That this matter be deferred to the June Ordinary Meeting at the applicant's request.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

Planning and Economy

TRIM 6585

Cr Briggs left the meeting at 7:31pm.

81/2017 Resolved on the Motion of Crs Gould and Deeth:

1. That Council support the Planning Proposal for land being:

Lot 78 DP 752012 and adjoining road (12 Bulli Appin Road, Appin)
To amend Wollondilly Local Environmental Plan, 2011 as follows:
 - amend the Land Zoning Map to R2 Low Density Residential
 - amend the Lot Size Map to 975m²
 - amend the Height of Building Map to show a maximum building height of 6.8 metres.
2. That in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979 the Planning Proposal be forwarded to the Director-General with a request to make arrangements for the drafting of the amended Local Environmental Plan and that the Minister make the Plan in the form as detailed in this report and in the Planning Proposal.
3. That the Council support the amendments to WDCP 2011 as publically exhibited and that the amendments be adopted.
4. That in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000 public notice is given of Council's decision in a local newspaper within 28 days.
5. That the applicant and persons who made submissions regarding the Planning Proposal be notified of Council's decision.
6. *That neighbourhood flooding and drainage be addressed during the process.*

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

Vote: Crs Banasik, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

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Planning and Economy

PE6 Responsible Cat Ownership
47

TRIM 562-2

Cr Briggs returned to the meeting at 7:33pm.

82/2017 Resolved on the Motion of Crs Khan and Deeth:

1. That Council consider whether it should establish Wildlife Protection areas within threatened ecological (vegetation and fauna) communities, if so, that a further report be submitted to Council with recommendations as to areas to be established.
2. That a Public Education and Information Program be established for Responsible Cat Ownership and a Responsible Cat Care Brochure be published for the community, encouraging owners to keep their cats contained at night (attached).

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

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Governance

GOVERNANCE

GO1 **Notice of Motion Status Report – April 2017**
264985

TRIM 5253-2

Items GO1 and GO2 were moved concurrently.

83/2017 **Resolved on the Motion of Crs Banasik and Gould:**

- 1. That Council note the April Notice of Motion Status Report.**
- 2. *That the Eco Tourism NOM be added back to the report.***

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan
 and Gould

Governance

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Governance

GO2 **Investment of Funds as at 31 March 2017**
112

TRIM 1022-4

84/2017 **Resolved on the Motion of Crs Banasik and Gould:**

That the information and certification in relation to the investment of Council funds as at 31 March 2017 be noted.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan
and Gould

Governance

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Governance

GO3 **Audit Committee Charter – Interim Review**
238

TRIM 5745-3

85/2017 **Resolved on the Motion of Crs Briggs and Khan:**

That Council endorse the changes outlined in the report and the revised Audit Committee Charter be adopted.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan
and Gould

Governance

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Governance

GO4 Third Quarterly Review of 2016/17 Operational Plan including the Quarterly Budget Review Statement for period ended 31 March 2017

39

TRIM 4960-9

The General Manager left the meeting at 7:39pm due to a previously declared Conflict of Interest in this item.

86/2017 Resolved on the Motion of Crs Briggs and Law:

1. That the information provided in this report be received.
2. That the Quarterly Review, including the Quarterly Budget Review Statement for the period ending 31 March 2017 and proposed adjustments to the 2016/17 budget estimates, be adopted.
3. *That Council, in accordance with Section 356(1) of the Local Government Act 1993, give approval to contribute \$57,000 to The Oaks Historical Society towards the proposed extension of the Wollondilly Heritage Centre.*
4. *That the report note the works that are happening at Blaxlands Crossing.*

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

Governance

WOLLONDILLY SHIRE COUNCIL

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Environment

ENVIRONMENT

EN1 Illegal Dumping Education Initiatives in Wollondilly
660

TRIM 6230

The General Manager returned to the meeting at 7:42pm.

87/2017 Resolved on the Motion of Crs Banasik and Deeth:

That Council accept this report as a response to resolution 369/2016.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan
and Gould

Environment

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Community

COMMUNITY

CO1 Review of the Corporate Sponsorship Policy
271

TRIM 861

The Mayor left the meeting at 7.52pm and the Deputy Mayor took the chair.

88/2017 Resolved on the Motion of Crs Banasik and Khan:

That Council adopt the Draft Corporate Sponsorship Policy.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow and
Gould

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Community

CO2 **Sculptures by the Creek/Public Art**
271

TRIM 993

The Mayor returned to the meeting at 7:55pm and resumed the chair.

89/2017 **Resolved on the Motion of Crs Banasik and Deeth:**

- 1. That Council not proceed with a Sculptures by the Creek project in Picton at this stage, but rather examine longer term opportunities.**
- 2. That Council consider including the preparation of a Public Art Strategy in the 2017/18 Operational Plan.**

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

INFRASTRUCTURE

IN1 Recommendations Local Traffic Committee – 19 April 2017
257634 TRIM 1087

90/2017 Resolved on the Motion of Crs Khan and Lowry:

That Council resolve to adopt the Recommendations of the Local Traffic Committee Meeting of 19 April 2017 as follows:

1. **Proposed line marking modification on Wilton Road**
52 TRIM 1598
 - That Council endorse the line marking modifications on section of Wilton Road as shown in the Minutes of the Local Traffic Committee meeting of 19 April 2017 attached to this report.
 - The modification works to be listed in the Infrastructure Projects list for implementation.
2. **Proposed line marking modification on Burragorang Road**
52 TRIM 1598
 - That Council endorse the line marking modifications on Burragorang Road as shown in Minutes of the Local Traffic Committee meeting of 19 April 2017.
 - The modification works to be listed in the Infrastructure Deferred Projects list for consideration in Council's Management Plan (Budget).
3. **Proposed line marking modification on Barkers Lodge Road**
52 TRIM 1598
 - That Council endorse the line marking modifications on Barkers Lodge Road as shown in Minutes of the Local Traffic Committee meeting of 19 April 2017 attached to this report.

The modification works to be listed in the Infrastructure Deferred Projects list for consideration in Council's Management Plan (Budget).

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan
and Gould

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Infrastructure

IN2 **Yallambi Street, Picton – Parking and Traffic Issues**
1009

TRIM 9418

91/2017 **Resolved on the Motion of Crs Banasik and Khan:**

- 1. *That the information be noted.***
- 2. *That the issues be put on hold as per the request of the residents.***

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan
and Gould

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Notice of Motion

NOTICE OF MOTION

TRIM 6416-7

NOM1 Notice of Motion No. 1 submitted by Cr Banasik on 27 April 2017 regarding Review of National Competition Policies and Tendering Procedures

92/2017 Resolved on the Motion of Crs Banasik and Hannan:

- 1. That Council write to both the Federal and State Governments calling for them to look at reviewing National Competition Policies and tendering procedures so that councils can award contracts to local businesses where practicable *and economical*.**
- 2. That this motion be sent to Local Government NSW as a motion for the Local Government Conference 2017.**

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Notice of Motion

TRIM 6416-7

NOM2 Notice of Motion No. 2 submitted by Cr Banasik on 26 April 2017 regarding Alcohol Free Zones

93/2017 Resolved on the Motion of Crs Banasik and Gould:

That Council renew the Alcohol Free Zones which are out of date throughout the Shire.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

Notice of Motion

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Notice of Motion

TRIM 6416-7

NOM3 Notice of Motion No. 3 submitted by Cr Landow on 10 May 2017 regarding the use of Council Reserves and Sports Fields

Cr Banasik left the meeting at 8:06pm and returned at 8:08pm.

94/2017 Resolved on the Motion of Crs Landow and Law:

That with respect to the use of Council reserves and sports fields for events, Council undertakes a public awareness campaign to ensure that the community is aware that:

- Event organisers need to book the areas or facilities in advance such that they can be sure they are available and that Council can undertake any required preparatory works such as grass cutting. *Preference will be given to those organisations who have a long standing history of use on specific dates.*
- Users have obligations around managing antisocial behaviour, providing an inclusive and welcoming event and cleanliness of Council property during events and insurance matters. A simple document is to be filled out to this effect.
- Events are not to be damaging, disorderly or offensive.

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Notice of Motion

TRIM 6416-7

NOM4 Notice of Motion No. 4 submitted by Cr Gould on 12 May 2017 regarding the Warragamba Dam Wall

95/2017 Resolved on the Motion of Crs Gould and Hannan:

1. That Council seek to be an active participant in any plans or discussions relating to the raising of Warragamba Dam wall, and that we lobby on an ongoing basis to ensure there are no significant negative impacts on any of our communities if it proceeds.
2. That councillors be given a briefing on the proposal and its possible impacts within Wollondilly Shire, including any socioeconomic, environmental and/or indigenous heritage concerns.
3. *That after the briefing Council seeks out an appointment with the Minister for Water to discuss their concerns including reopening the dam wall for tourism.*
4. *That Council investigates any particular implications regarding access to Yerranderie.*

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

Vote: Crs Banasik, Briggs, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 15 May 2017, commencing at 6.30pm

Closing

CLOSING

There being no further business, the Mayor declared the Ordinary Meeting closed at 8:16 pm.

This and the preceding 57 pages are the Minutes of the Ordinary Meeting of Council held on Monday 15 May 2017 and were confirmed in the subsequent meeting held on Monday 19 June 2017.

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Mayor

Closing