



Hawkesbury City Council

general purpose committee minutes

date of meeting: 30 June 1998

location: Council Chambers

time: 9:30am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 30 June 1998

AGENDA

- **APOLOGIES.**
- **CONFIRMATION OF MINUTES.**
- **SECTION 1 - ENVIRONMENT.**
- **SECTION 2 - INFRASTRUCTURE.**
- **SECTION 3 - ORGANISATION AND RESOURCES.**
- **NEXT MEETING.**

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 30 June 1998, commencing at 9.30pm.

PRESENT: Councillor R G Calvert, Mayor and Councillor L Allan, M E Lawson, P J Minturn, C A Paine, R D Searle, L C Sheather, and R P Stubbs.

Apologies for absence were received from Councillor A W Baczynskyj, H J M Books, W J Mackay and R Sahasrabuddhe.

RESOLVED on the motion of Councillor Lawson and seconded by Councillor Stubbs that the apologies be accepted.

RESOLVED on the motion of Councillor Allan and seconded by Councillor Sheather that the Minutes of the General Purpose Committee Meeting held on the 26 May, 1998 be confirmed.

Councillor Paine arrived at 9.35am.

Councillor Stubbs left the meeting at 2.15pm.

Councillor Minturn left the meeting at 3.00pm.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

139: Proposed extraction of sandstone, sand and fill materials from existing sand quarry Lot 2 DP587166 and former Crown Reserve Road No. 263 Tizzana Road, Ebenezer (DA57/97/EVD/ENF30NAX.V03)

Mr M Rampe of Harvest Scientific Services, addressed the Committee.

Mr Peter Noble, Ms Jude Holdsworth, Ms Sheena Handmer - Secretary, Ebenezer School Council, and Mr Leigh Williams on behalf of Ebenezer Residents Against Sandstone Extraction, objectors, addressed the Committee.

That a site inspection be carried out.

The Committee inspected the site at 1.45pm. Councillors present at the inspection were the Mayor Councillor R G Calvert, and Councillors L Allan, M E Lawson, P J Minturn, C A Paine, R D Searle, L C Sheather, and R P Stubbs.

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That the Development application be refused for the following reasons:

1. The proposed development will have an adverse impact on the environment of the site and the area generally.
2. The proposed development is likely to adversely affect the quality of the ground water and have an adverse impact on downstream wetlands and other water bodies.
3. The proposed development is likely to have an adverse impact on the landscape and scenic quality of the locality.
4. The proposed development is out of character with development on adjoining lands and in the area generally and the final landform proposed after the quarrying may not be appropriate for the area.
5. The proposed development will have an adverse impact on the lands surrounding the site and along the transport route by the emission of dust and emission of noise.
6. The proposed development will adverse impacts on the amenity of residents surrounding the site, residents along the transport route and residents of the area generally because of increased traffic, noise emissions, dust emissions and damage to road surfaces.
7. The proposed development will increase traffic along the transport route and is likely to create traffic hazards along the transport route, at the entrance/exit to the site, at road intersections and at pedestrian crossings.
8. The truck traffic from the proposed development could adversely affect the road surfaces along the transport route and the sealed road widths at some locations are insufficient to allow two trucks to pass on the sealed pavement.
9. The proposed development is likely to cause soil erosion and pollution from silt laddened run-off water.
10. The proposed development does not conform to requirements of all the Government departments, or public authorities.
11. The proposed development because of its operation and associated activities is likely to adversely affect the existing and future amenity of the area.
12. Because of the likely adverse impacts, approval of the development would not be in the public interest.

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140: Proposed three (3) lot rural subdivision - Lots 521 and 522 DP751665, 94 Reserve Road and 67 Joshua Road, Freemans Reach (SA46/98/EVD/ENF30NAX.V05)

Councillor Allan declared an interest in this item as her husband is the Manager of New Haven Farm.

Mr Glen Falson, representing the applicant, and Mr Peter Hauser, President of New Haven Farm Home, addressed the Committee.

It is recommended that:

- A. The application under State Environmental Planning Policy No. 1 - Development Standards to vary minimum area under Clause 13(2)(b) of Hawkesbury Local Environmental Plan 1989 not be supported.
- B. The application be refused for the following reasons:
 - 1. The proposed subdivision is prohibited as it conflicts with the minimum area provisions for the Rural 1(b) zone as given in Clause 13(2)(b) of Hawkesbury Local Environmental Plan, 1989.
 - 2. The proposed subdivision is contrary to objectives (a) and (d) for the Rural 1(b) zone under Hawkesbury Local Environmental Plan 1989.
 - 3. Approval of the proposed subdivision would create an undesirable precedent.
 - 4. Approval of the proposed subdivision would not be in the public interest.

141: Amended Plans for a Proposed Extension to Existing Windsor Town Shopping Centre Lot 1 DP740132 Lot 14 DP619789, Part Lot 1 DP572611 (Lot 2 DP871860), Lot 2 DP572611, 6-12 Kable Street and No's 3, 7 and 9 Baker Street, Windsor (DA33/98/EVD/ENF30NAX.V08)

It is recommended that approval be granted subject to the following conditions:

- 1. The development shall be carried out in accordance with Plan Numbers APLN 2, 3, 4, 5, 10, 11 dated 18/5/98, 27/5/98, 27/5/98, 18/5/98, 20/5/98 and 20/5/98 respectively, except where modified by conditions of this consent.

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2. Relocation of the sewer line in accordance with the detailed plans approved by the Director of Asset Services and Recreation together with the reconnection of all house service lines to the new or existing sewer lines.
3. Payment of a sewer headworks contribution to Council at the rate of \$3.04 per square metre of the gross floor area of the extensions. This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to the release of the building approval.
4. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Full details of works shall be submitted for approval with the building application.
5. Council must be consulted regarding acceptable discharge limits to the sewerage system. A Trade Waste Agreement must be entered into with Council prior to discharge of trade waste from the premises. A Trade Waste Agreement Application must be submitted and assessed prior to the approval of the building application.
6. Parking shall be provided on site for 162 (one hundred and sixty two) vehicles in accordance with Council's Regulations and Parking Policy. Parking spaces, accessways and aisles to conform to Council's Development Control Plan and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
7. Payment of an amount of \$9,800.00 (nine thousand eight hundred dollars) to Council being the contribution in lieu of one car parking space not provided on the site. This contribution shall remain fixed for a period of 3 (three) months after which time it will be recalculated at the rate applicable at the time of payment. Payment shall be made prior to release of building approval.
8. New parking spaces adjacent to walls where there is no extended aisle for manoeuvring into or out of the parking space to be increased to 3.0m in width, full details to accompany the building application.
9. Creation of a one-way and two way traffic system for the underground parking area as shown in red on the approved plans with arrows clearly marked on the driveways through out the parking area.
10. Parking spaces for the Baker Street office building to be set aside in the dead-end section of the new underground parking area, full details to accompany the building application.

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11. The external appearance, materials, finish and colour of all building work to be to the requirements of the Director of Environment and Development and to be approved before the release of the building application.
12. Existing invert, footpath crossing and sealed driveway to be removed between No. 3 Baker Street and the CES building and the area landscaped with advanced mature trees and shrubs, full details to accompany the building application.
13. The outside loading bay to be only utilised by a small delivery vehicle with the inside loading bay used by large delivery vehicles.
14. Submission of proof that Lot 1 DP740132 has right of way access over Lot 112 DP739120 Baker Street to allow the pedestrian access to Baker Street.
15. Registration of a plan of survey consolidating the site into a single allotment. Documentary evidence to be submitted prior to occupation of the new building.
16. Demolition and construction is only to take place between the hours of 7.00am to 6.00pm Monday to Friday and 7.00am to 1.00pm Saturdays.
17. All necessary steps are to be taken to suppress dust generated during the construction phase of the development, to the satisfaction of the Director of Environment and Development.
18. All damage to existing public roads and footpath areas to be restored to match existing and all works to be to the requirements of the Director of Asset Services and Recreation.
19. The provision of conduit/ducts under any new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.
20. Submission of a building application, plans and specifications complying with the Building Code of Australia.
21. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
22. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Director Environment and Development.
23. Provision of toilets in accordance with the requirements of the Building Code of Australia.

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24. Any building or part thereof to be used for the purpose of storage, preparation or sale of food for human consumption shall be constructed in accordance with the requirements of the Food 1989 and Regulations thereunder and Council's Food Premises Code.
25. No excavation or site works shall be commenced prior to the issue of the building permit.
26. Application being made under the Local Government Act for the demolition of the existing building. Such application shall address noise attenuation, dust control, safety of the public, disconnection of services, reuse/recycling of materials and disposal of any residual materials.
27. The development shall be conducted in such a manner that noise levels measured at any boundary do not exceed 5dB(A) above background noise levels.
28. The submission of an erosion and sedimentation control plan for approval prior to any works commencing.
29. Exit/entrance points are to be clearly signposted and visible from both the street and site at all times. Directional signs are to be provided for the one way traffic system.
30. New boundary fences where removed or damaged shall be provided at the applicant's expense. Details to be submitted with the building application.
31. A detailed plan of landscaping shall be submitted and approved by the Director of Environment and Development prior to the approval of the building application. Such landscaping is to be completed prior to the occupation of the building and shall be maintained for the life of the development.
32. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
33. Development Consent shall be obtained for the use of each shop prior to occupation taking place where the proposed use is not designated on approved plans.
34. All loading and unloading in relation to the use shall take place wholly within the property, and these loading areas shall be kept clear for loading/unloading at all times.
35. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
36. The submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
37. No burning of demolition or construction material being carried out on the site.

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38. No spoil, excavated or demolition material from the site being deposited on any public road, footpath, public place or Council owned property without Council's approval.
39. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the building application.
40. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of underground electrical reticulation to the development.

142: Modification of Development Consents - Lot 2 DP540497 No. 77 Old Bells Line of Road, Kurrajong (DA17/94 & DA337/94/EVD/ENF30NAX.V09)

Councillor Minturn declared an interest as the development is within 60 metres of his business.

Ms Kathy Walker-Shaw, applicant, addressed the Committee.

Mr Brian Warham, objector, addressed the Committee.

That a site inspection be carried out.

The Committee inspected the site at 3.15pm. Councillors present at the inspection were the Mayor Councillor R G Calvert, and Councillors L Allan, M E Lawson, C A Paine, R D Searle, L C Sheather.

There being no quorum no resolution was made and the item referred to the Ordinary Meeting.

143: Proposed Private Park - Yarramundi (DA0144/93/GMA/ENF30NAX.G11)

Mr Peter Graham, representing the applicant, addressed the Committee.

That P S Graham & Associates be advised that the Council supports in principle, the establishment of a private park on the Tilmunda Pastoral Company's land at Yarramundi and in doing so advises that:

1. proposals to extract material from the property to develop the park would need to be the subject of the appropriate environmental studies and applications,

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2. while the principle of the park is supported the actual nature of the establishment and operations would need to be the subject of appropriate studies and development applications.

144: Hawkesbury Sustainable Agricultural Development Strategy (GT150/015 Pt07/GMA/ENF30NAX.G02)

That the information be received.

145: NSW Threatened Species Conservation Act 1995 - Implications on City of Hawkesbury LGA (GE020/055 PT01/EVD/ENF30NBX.V04)

That the information be received.

146: Use of bus shelters by homeless people for sleeping or loitering (GT240/003 PT02/EVD/ENF30NBX.V07)

That:

1. A sign be placed in bus shelters erected in the Hawkesbury City area, informing the public that the bus shelters have been provided for use by community transport patrons and that sleeping or loitering in the shelters is prohibited by order of the Hawkesbury City Council.
2. A penalty notice under the SEINS scheme for an amount of \$100.00 (one hundred dollars) be issued to anyone who refuses to comply with the notice, and that failure to pay the subject fine will result in the matter being heard before the local court.

Supplementary Reports

147: Riverbank Rehabilitation Proposal (DA110/98/EVD/ENF30LAX.V12)

Mr Allan Gardner, Ms Robin Gardner and Mr Craig Turner, representing the Grono Point Landcare Inc., addressed the Committee.

That a site inspection be carried out.

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The Committee inspected the site at 2.30pm. Councillors present at the inspection were the Mayor Councillor R G Calvert, and Councillors L Allan, M E Lawson, P J Minturn, C A Paine, R D Searle and L C Sheather.

That "Deferred Commencement" development consent be issued pursuant to Section 91AA of the Environmental Planning and Assessment Act 1979 for the proposed river bank rehabilitation works subject to the following conditions.

- A. Upon compliance with all conditions appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 91 of the Act.
- B. The "Deferred Commencement" consent will lapse in twelve (12) months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

Schedule 1

- 1. All plans and reports submitted as part of this application are to be certified by the NSW Department of Land and Water Conservation.
- 2. The proposal is to be amended to retain all native vegetation wherever appropriate which currently exists along the river.
- 3. A letter is to be submitted indicating that NSW Fisheries have been consulted and no objections are raised to the amended proposal.
- 4. A letter is to be submitted indicating that NSW Waterways have been consulted and no objections are raised to the amended proposal.

Schedule 2

- 1. The landscaping to be carried out in accordance with the approved plans in consultation with the Department of Land and Water Conservation.
- 2. Excavated areas are to be turfed, not seeded.
- 3. No works to be carried out on Lot 2 DP874065 and Lot 19 DP739629.
- 4. All works to be carried out in accordance with the submitted plans except where amended by conditions of this consent. This is to be certified by a practising civil or structural engineer upon completion of the works.

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5. The works are to be carried out in stages and each section stabilised by revegetating prior to commencement of the next section.
6. Sediment control devices are to be installed to ensure that the works including the rock retaining wall do not lead to degradation of the river water including any increase in turbidity in the vicinity of the works. Additional information is to be provided to the Ordinary meeting on provisions to prevent turbidity.

SECTION 2 - INFRASTRUCTURE

29: Funding for Canoe Jetty in Hanna Park, North Richmond (GR060/001 & PK/227/ENG/INF30NBX.E02)

That funding of \$13,500 (thirteen thousand five hundred dollars) be accepted from the Department of Land and Water Conservation on a dollar for dollar basis, with matching funds allocated from the Parks Improvement Program for the continued development of Hanna Park.

30: Capital Assistance Program 1998/99 - Department of Sport, Recreation and Racing (GG021/172/ENG/INF30NBX.E03)

That the information be received.

31: Coffee Shop - Fitzgerald Street, Windsor (P610/155 PT02/ENG/INF30NBX.E04)

That the information be received.

32: Natural Heritage Trust Funding Program (GG021/205 & GG021/206/ENG/INF30NBX.E05)

That the grants from the Natural Heritage Trust of \$20,000 (twenty thousand dollars) and \$7,000 (seven thousand dollars), for Wilberforce Community Nursery and Argyle Bailey Memorial Reserve, respectively, be accepted.

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33: Un-named Lane Off River Road, Yarramundi (1807/R Pt2; GC283/101 Pt2/ENG/INF30NBX.E08)

Mr John Horan, resident, addressed the Committee.

That:

- 1 Integral Energy be offered a lease of the unconstructed laneway between Lot 1 DP775193 and Lot 2 DP611701.
- 2 A nominal peppercorn ground rental fee of \$1 (one dollar) per annum payable on demand will apply for the term of the proposal and any subsequent lease period.
- 3 The lease rest on correspondence and be reviewed by Council on a five year basis.
- 4 A quote for periodic mowing maintenance of the locked access with an allowance in the estimate to be made for the separate maintenance of street drainage that currently discharges to the area be provided to Integral Energy.

SECTION 3 - ORGANISATION AND RESOURCES

41: Local Government Association of NSW - 1998 Annual Conference (GL040/005 PT05/GMA/OGF30NAX.G01)

That Council nominate its delegates to attend the Local Government Conference.

42: Councillor R Sahasrabuddhe - Leave of Absence (GA030/014/GMA/OGF30NAX.G02)

That leave of absence be granted to Councilor Sahasrabuddhe for the period 30 June 1998 to 2 August 1998 inclusive.

43: Monthly Financial Report - May 1998 (FO11/005/FNC/OGF30NAX.F10)

That the information be received.

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44: 1998/1999 Library Development Grants (GG021/134/CSV/OGF30NBX.C04)

That the grant application for \$48,000 (forty eight thousand dollars) be approved by the Committee as a Whole to enable the application to be forwarded to the State Library prior to 3 July, 1998.

45: Sale of Part Lot 25 in DP260028 - 295 Sackville Road, Wilberforce (GC285/029 PT01/CSV/OGF30NBX.C05)

That:

1. Council undertake a subdivision to enable the sale of part Lot 25 in Deposited Plan 260028 comprising an area of approximately 845.4m² to Brogan Box Pty Ltd. The purchaser be required to complete the necessary drainage works as designed by Council and to the satisfaction of Council's Director Asset Services and Recreation. Brogan Box Pty Ltd to pay to the Council \$6,000.00 (six thousand dollars) for the land plus Council's legal fees; and
2. All necessary documents in this matter be executed under the Common Seal of Council.

QUESTIONS WITHOUT NOTICE:

1. Councillor Paine enquired if the fence surrounding Richmond Oval would create problems when getting the Breast Screening Van on site.

The General Manager advised that the park has a three road frontage and sufficient clearance behind the grandstand and that the fencing will not create a problem.

2. Councillor Paine advised that she has received representations from residents in Francis Street in light of current development of units and enquired if suitable traffic studies had been undertaken.

The Director of Environment and Development advised that the application for the subdivision of dual-occupancy is currently being re-designed and one of the issues to be covered by this is traffic flow.

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3. Councillor Paine tabled a letter from Lucy and Bruce McKittrick of Chapel Street, Richmond and requested that the Director of Asset Services and Recreation reply to it.
4. Councillor Lawson enquired if a development application had been received from Tolsons.

The Director of Environment and Development advised that the development application was received on Friday 26 June and that advertising would commence once it was considered the application was ready.

5. Councillor Sheather advised that he had received a telephone call from residents at The Grove and enquired about the current status of this matter.

The Director of Environment and Development advised that mediation had occurred and that the people from The Grove will be submitting the agreed orders to the Court. He further advised that these orders would consist of a series of things that they will not do until an application has been submitted to Council.

6. Councillor Sheather expressed concern regarding the public meeting for the Wilberforce School of Arts. He requested clarification that no action would be taken until after the public meeting.

The Mayor advised that the resolution of Council was that no action would be taken within the next thirty days and that the outcome of the public meeting would be reported back to Council at which time a determination would be made.

Councillor Sheather requested that the Mayor express his apologies at this public meeting as he was unable to attend.

7. Councillor Allan advised that she has received representations regarding the Mermaid in Ridge Fountain and enquired what was being done about replacing it. She requested that it be included as part of the park upgrading.

The Director of Asset Services and Recreation advised that the image will be scanned into the computer using existing photos to calculate the size.

8. Councillor Allan enquired when and what sort of public meeting would be held in relation to the new Good Board. She further enquired why a public meeting was necessary and whether or not invitations to groups such as Tourism Hawkesbury and the Chambers of Commerce would be sent.

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The Mayor advised that a public meeting would be held once the Board resolved the format of what they want to do. He advised that he thought it would simply be an open public meeting unless the Board makes a decision to send out individual invitations. He also advised that a public meeting was being held to encourage input from the community as this Board, to a large extent, is to run independently of Council with community groups contributing funds.

The meeting terminated at 4.15pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 28 July, 1998.

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Mayor