



Hawkesbury City Council

ordinary meeting business paper supplementary

date of meeting: 8 December 1998

location: Council Chambers

time: 7.30pm

ORDINARY MEETING

Supplementary Table of Contents

Meeting Date: 8 December 1998

Page 2

ITEM	SUBJECT	PAGE
-------------	----------------	-------------

SUPPLEMENTARY AGENDA

-	SECTION 1 - Minutes of Meetings	
	Mayoral Minutes	5
-	SECTION 4 - Reports for Determination	
109:	Request for Donation - NSW Sports Council for the Disabled Inc. GF008/001 PT19/CSV/ORL08LBX.C22	10
110:	Department of Sport and Recreation's Capital Assistance Funding Program GG021/172/ENG/ORL08LBX.E21	11
111:	Tender for Road Construction - Industry Road, Vineyard GT020/367 PT02/ENG/ORL08LBX.E24	13
112:	Container Deposit Legislation - Council's Day of Action GW010/025/EVD/ORL08LBX.V23	15
113:	Urban Development Program GT225/003Pt11/EVD/ORL08LBX.V27	16
-	SECTION 5 - Reports for Information	
114:	Two (2) lot residential subdivision and erection of a single storey dwelling on the vacant lot - Lot 24 DP794424 No. 7 Bayliss Place, North Richmond - Additional Information MA89/98/EVD/ORL08LCX.V25	20

oooO END OF TABLE OF CONTENTS Oooo



ordinary

1

section

minutes of meetings



ordinary meeting

Mayoral Minutes

ORDINARY MEETING

Mayoral Minutes

Mayoral Minutes

Ordinary Meeting - 8 December 1998

1. Universal Declaration of Human Rights GC130/016

December 10, 1998 will mark 50 years since the Universal Declaration of Human Rights was adopted by the United Nations General Assembly. In March this year the Prime Minister, John Howard, issued the following statement :

“The occasion of the 50th anniversary year of the adoption of the Universal Declaration of Human Rights is an opportunity for all of us to reinvigorate efforts to ensure that human rights are enjoyed by all people in all countries.

The principles underlying the Declaration are fundamental elements of the decent, fair and tolerant society which is Australia.

On behalf of the Australian Government, I pledge my country will continue to do all it can to promote and protect the rights enshrined in the Declaration and ensure they become a reality throughout the world.”

The Australian Local Government Association has written to encourage Councils to participate in the matter.

The Declaration is a call for the protection of basic social values that have been so profoundly violated during the Second World and other wars in which men and women for Australia fought to uphold.

I have arranged for copies of the Declaration to be forwarded to all schools in the district and requested that it be distributed and made the subject of information and discussion at school meetings.

It is recommended that this Council as representatives of the people of the City of Hawkesbury :

1. notes that 10 December is International Human Rights Day and the 50th anniversary of the Universal Declaration of Human Rights.
2. affirms the commitment of the Council and the people of the City of Hawkesbury to the Universal Declaration of Human Rights and its fundamental principle that all human beings are born free and equal in dignity and rights; they are endowed with reason and conscience and should act towards one another in a spirit of common humanity, without distinction of any kind such as race, colour, sex, language, religion or birth;

ORDINARY MEETING

Mayoral Minutes

3. notes that in its 30 articles the Universal Declaration lays down basic human rights principles protecting individual and community freedom, providing for democracy, setting out basic standards of living and promoting racial harmony and cultural diversity. These principles are fundamental to our way of life.
4. pledges the Council and people of the City of Hawkesbury to continue to work to realise all human rights for all members of our local community as fundamental elements of the decent, fair and tolerant society to which all Australians are committed;
5. celebrates the human rights achievements of the last fifty years but deplores the fact that appalling violations of human rights continue around the world - may human rights become a reality in the next fifty years;
6. encourages the Australian Government to continue to promote human rights around the world.

2. Tax Reform - Premier's Conferences

The President of the Australian Local Government Association, Councillor John Campbell has written to me regarding the matter of tax reform at the recent Premier's Conference.

He indicated that in November, State Premiers and the Chief Ministers of the Territories met to discuss future inter-governmental arrangements necessitated by the Government's tax reform agenda and particularly the Goods and Services Tax. He had earlier written to the Prime Minister seeking involvement in the conference with the Prime Minister replying "*the Government has clear policies with regard to tax reform and Local Government financing*". He took this as implying that there was no need for Local Government representation or consultation over the nature of very real concerns. This was in stark contrast to previous assurances of consultation before the election.

The Premier's conference affirmed:

- transfer of responsibility for Local Government Financial Assistance (FAG) to the control of states/territories from July 2000
- a broad definition of applicability of the proposed goods and services tax (GST) to "*commercial activities*" of Government including those of Local Government
- extension of the liability of Local Government to the taxes and other spheres of Government.

The Australian Local Government Association with the full support of the State/Territory Associations and an overwhelming majority of delegates at the 1998 National General Assembly advocate changes to the Government's proposals to protect and improve the financial position of Local Government and minimise the impact of a GST on council provided services.

Their formula to achieve these goals is that:

ORDINARY MEETING

Mayoral Minutes

- FAGs must remain as a direct payment from the Commonwealth to Local Government, set at a rate of 6% of GST collections to ensure that Local Government gets both a fair share of the tax take and access to a “*growth tax*” and
- no Local Government activity involving a community service obligation or involving only a nominal fee should be subject to a GST. The Association has provided further evidence in the area of finances to Local Government where

Local Government General Purpose Financial Assistance Grants have been falling as a share of Commonwealth Taxation revenues from just above 0.9% in 1984/85 to 0.6% in 1998/99.

Real Local Government Financial Assistance Grants per capita have also fallen from nearly \$45 per capita in 1984/85 to \$37 per capita in 1998/99.

I would recommend that the Council make urgent and strong representations to the Federal Government and the Member for Macquarie in support of the Australian Local Government Associations position on Tax Reform and Financial Assistance to Local Government.

3. Water

The issue of availability and access to water for the Hawkesbury is one of the district's important issues particularly for the continuation and expansion of agriculture. I understand that when the Penrith Lakes Scheme was being developed there was a proposal to supplement the water from the Nepean River by pumping from the Colo River. This has not proceeded.

There appears to be a current proposal to provide additional water to the Lakes from South Creek.

With the majority of the water in the Nepean/Hawkesbury system diverted to Metropolitan Sydney for its water supply little is left for environmental flows let alone important industrial/agricultural uses. Therefore, any further diversion to the Lakes would only reduce the amount available downstream. There could be an argument that diverting the polluted South Creek waters to the Lakes could see a water quality improvement but I do not consider that this should be at the expense of reduced volumes elsewhere. At this time, I consider the Council should seek advice of the specific proposals for providing water for the Penrith Lakes including the recently approved expansion be alternatives that have been assessed and then determine a policy position.

I would recommend that:

1. the Council write to the Penrith Lakes Development Corporation and the NSW Government advising of concerns to divert waters from the Nepean/Hawkesbury system including South Creek to the Penrith Lakes and seeking their detailed advice on what is proposed;
2. the continuation of agriculture and other associated uses in the Hawkesbury area is absolutely dependent on equitable access to water and this would appear to be severely threatened; and

ORDINARY MEETING

Mayoral Minutes

3. consideration be given to utilising part of the Penrith Lakes Scheme for flood mitigation purposes.

Councillor Rex Stubbs
Mayor

oooO END OF MAYORAL MINUTES Oooo



ordinary

4

section

reports
for determination

ORDINARY

Meeting Date: 8 December, 1998

Item: **109**

ITEM: 109 **Request for Donation - NSW Sports Council for the Disabled Inc.**

FILE NUMBER: GF008/001 PT19/CSV/ORL08LBX.C22

REPORT:

Council has received correspondence from the NSW Sports Council for the Disabled Inc., (Metropolitan West Region) requesting a donation towards a regional swimming carnival being held in the Hawkesbury in March 1999.

The NSW Sports Council for the Disabled Inc., (Metropolitan West Region) was recently established in Penrith and aims to create sporting and recreational opportunities for people with disabilities and to facilitate the integration process of these people into mainstream society.

The organisation is currently planning its first major project within the region - the Metropolitan Regional Swimming Carnival in March 1999. Hawkesbury Oasis Aquatic Centre has been booked for this event from 11.00am-3.00pm. Council has been requested to donate the sum of \$384.00 (three hundred and eighty four dollars) for this event, being the cost of hiring Oasis for the day.

This Regional Swimming Carnival will be considered as a lead up event to the NSW Sports Council State Swimming Championships which will be held next year at the Homebush Bay Aquatic Centre.

RECOMMENDATION:

That Council donate the sum of \$384.00 (three hundred and eighty four dollars) to the NSW Sports Council for the Disabled Inc., (Metropolitan West Region), being the hire fee of the Hawkesbury Oasis Aquatic Centre for the organisation's Regional Swimming Carnival in March 1999.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 109 Oooo

ORDINARY

Meeting Date: 8 December, 1998

Item: **110**

ITEM: 110 **Department of Sport and Recreation's Capital Assistance Funding Program**

FILE NUMBER: GG021/172/ENG/ORL08LBX.E21

PREVIOUS ITEM: 28, Ordinary (08.09.1998)

REPORT:

As reported at the Ordinary Meeting of Council on 8 September 1998, fourteen applications were received for the 1998/99 Capital Assistance Program (CAP). Of these applications, nine have been supported by the Department of Sport and Recreation with a total of \$71,360 (seventy one thousand three hundred and sixty dollars) funding being allocated by the Department to projects in Hawkesbury. The table over page provides a summary of the successful projects and the funding source for each.

Department of Sport and Recreation Grants	\$71,360.00
Total funds provided by applicant groups (including Sports Council & Council)	\$77,660.00

Funds requested from Council (ie for applications not submitted by Council)	\$10,800.00
Funds requested from Sports Council (ie for applications not submitted by SC)	NIL

Total value of projects **\$159,820.00**

Funding of \$14,150 for the shade structure project, and other projects requested from Council, are proposed to be allocated from the 1999/2000 Park Improvement Program.

RECOMMENDATION:

That the 1998/99 Capital Assistance Grants be accepted.

ATTACHMENTS:

AT-1 Summary of successful projects

ORDINARY

Meeting Date: 8 December, 1998

Item: **110**

Applicant Organisation	Purpose of Grant	FINANCE				
		Grant Applied For	Contribution from Organisation	Requested from Council	Requested from Sports Council	Total Project Cost
Bligh Park Community Services	To construct a basketball court at Bligh Park Youth Centre	\$7,800	\$2,000	\$5,800		\$15,600
Pitt Town Public School	To install a full synthetic cricket pitch	\$2,500	\$2,500			\$5,000
Grose View Public School	To construct a multipurpose court	\$19,000	\$14,000	\$5,000		\$38,000
Hawkesbury City Council	To construct a shade structure over playground at Richmond Pool	\$4,150		\$4,150		\$8,300
Hawkesbury Sports Council	To complete fencing the Benson Lane Complex	\$10,000			\$17,100	\$27,100
Hawkesbury District Tennis Association	To upgrade tennis court surfaces at Richmond Tennis Centre	\$10,000	\$20,000			\$30,000
Hawkesbury Sports Council	To install weather shelter with two table/chair combinations and six bench seats at Breakaway Oval	\$5,685			\$5,685	\$11,370
Hawkesbury Sports Council	To install a weather shelter with two table/chair combinations at Icely Park	\$6,540			\$6,540	\$13,080
Hawkesbury Sports Council	To install a weather shelter with two table/chair combinations at Bensons Lane	\$5,685			\$5,685	\$11,370

oooO END OF ITEM 110 Oooo

ITEM: 111 **Tender for Road Construction - Industry Road, Vineyard**

FILE NUMBER: GT020/367 PT02/ENG/ORL08LBX.E24

REPORT:

Lump Sum Tenders for **Tender No. 01098 - Industry Road, Vineyard - Construction** were advertised in the Sydney Morning Herald and closed on 1 December, 1998.

The construction of Industry Road, Vineyard has been proposed to link the two existing end sections of Industry Road providing a thoroughfare between Park Road and Groves Avenue. This proposal coupled with the newly constructed drainage system will allow for the immediate and surrounding industrial area to develop. Access would then be available to properties via Industry Road instead of Windsor Road.

The work is being fully funded by the adjacent property owners who will receive the benefit of the completed project and as such, the formal agreement of each owner will be required prior to amending awarding a tender.

The tendered amounts are for the supply of all materials, plant and labour necessary for the construction of the road (approximately 500m), kerb and gutter, drainage and associated works.

The tenderers listed in ascending order of price are as follows:

Civil Systems Engineering Pty. Ltd.	\$395,077.90
Kenco Construction Pty. Ltd.	\$449,194.00
D. & M. Hughes Civil Engineering Pty. Ltd.	\$464,857.00
Wade Civil Engineering	\$491,697.95
Bitupave Ltd. t/as Boral Asphalt	\$516,404.65
Buildcon Civil Pty. Ltd.	\$621,900.00
J & E Excavations & Plant Hire Pty. Ltd.	\$662,626.00
Roads & Traffic Authority of NSW - Sydney Construction Services Section	\$712,000.00
North Shore Paving Co. Pty. Ltd.	\$744,201.65

Assessment of Tenders

The tenders were assessed on the amount tendered and the capability of the tenderer to complete the works in a satisfactory manner. In this respect, items such as safety, site management, planning and traffic management were considered.

As part of the assessment process, the three lowest priced conforming tendering companies were evaluated and references checked to further determine their capability to carry out the works. Details are as follows:

Civil Systems Engineering Pty Ltd

This company submitted the lowest conforming tender for the works. The tenderer was able to provide evidence within their tender that the company could complete the works in a satisfactory manner within the time frame allocated. The company has performed similar works for other private and local government bodies who were able to confirm satisfactory performance on these works.

Kenco Construction Pty Ltd

This company submitted the second lowest conforming tender which was \$54,116.10 or 14% (fourteen percent) above that submitted by Civil Systems Engineering Pty Ltd. This tenderer also provided information regarding previous similar works completed and how the company could complete the works in a satisfactory manner within the time frame allocated.

D & M Hughes Civil Engineering Pty Ltd

This company submitted the third lowest conforming tender which was \$69,779.10 or 18% (eighteen percent) above that submitted by Civil Systems Engineering Pty. Ltd.. This tenderer has been contracted and has completed satisfactorily a number of roads and drainage construction tasks for Hawkesbury City Council, and going on previous experience the company could complete the works in a satisfactory manner and within the time frame allocated. This company did not include addendum No. 1 in its tender which would have added \$17,775.00 to the tendered amount. This additional \$17,775.00 would have not made any difference to the ranking of the tenders and therefore would not have had any bearing on the outcome.

Based on the above information, it was considered that Civil Systems Engineering Pty Ltd, Kenco Construction Pty Ltd and D & M Hughes Civil Engineering Pty Ltd would be equally capable of constructing these works satisfactorily and accordingly, it is considered appropriate that the tender be awarded to the lowest of the above three mentioned tenders.

RECOMMENDATION:

That:

1. The tender submitted by Civil Systems Engineering Pty Ltd in the amount of \$395,077.90 (three hundred ninety five thousand, and seventy seven dollars and ninety cents) for the construction of Industry Road, Vineyard be accepted. Subject to the agreement of property owners affected by works to fund the proposal)
2. The Common Seal of Council be affixed to the necessary documentation.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 111 Oooo

ITEM: 112 **Container Deposit Legislation - Council's Day of Action**

FILE NUMBER: GW010/025/EVD/ORL08LBX.V23

PREVIOUS ITEM: 52, GPC Section 1 - Environment (24.11.1998)

REPORT:

Further to a report to the General Purpose Committee on 24 November 1998, Council's Day of Action regarding "container deposit legislation"(CDL) was conducted in the Windsor Mall Rotunda between 9.00am and 3.00pm on Thursday 3 December 1998.

The response from the public was most encouraging, with over one hundred and fifty (150) people signing the petition to bring back CDL.

The attitude of the public was most refreshing in that as reported previously, Council would refund ten cents per drink container to those people who brought their containers to the Rotunda on the day. Whilst many people brought containers to the event, only a few would take their deposit money, and those who didn't take the money, congratulated Council on its supporting the cause, and said to put the money towards bringing in the CDL legislation.

All the public that were spoken to, reflected on their childhood or remembered when their kids collected bottles many years ago for pocket money, and some of the public who are truck drivers talked about how, even today, they collect bottles and containers and take them to South Australia if their trucks are going that way, and they have the room, to get the rewards for the containers, which is up to twenty cents per bottle.

It is proposed to continue to collect signatures for the petition until 22 December 1998, and then forward these to The Honourable Mr Bob Carr, Premier of NSW.

RECOMMENDATION:

That:

1. The information be received
2. Signatures in favour of the Container Deposit Legislation be collected up until 22 December 1998, and then forwarded to The Honourable Mr Bob Carr.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 112 Oooo

ITEM: 113 Urban Development Program**FILE NUMBER:** GT225/003Pt11/EVD/ORL08LBX.V27

REPORT:

The Environmental and Strategic Planners' Committee of WSROC has written to Council requesting its support concerning the management of the Urban Development Program. The Urban Development Program is the program operated by the Department of Planning to release land for urban development throughout Western Sydney

This request has arisen following a meeting held at the Department of Urban Affairs and Planning offices in Parramatta where officers of this Council and other Councils affected by the Urban Development Program were briefed by staff from the Department regarding criteria to be applied to land to be selected for the Urban Development Program.

A draft list of criteria was circulated at this meeting and it was clear there was general dissatisfaction with the way the management of the UDP was heading. Subsequently on 12 November 1998, officers of this Council and Penrith, Campbelltown, Fairfield, Camden, Wollondilly, and Baulkham Hills met together with officers of the Hawkesbury Nepean Catchment Management Trust and WSROC to discuss this criteria and the management of the Urban Development Program in general.

A series of resolutions were passed and it was requested for the Chair of the Environmental Strategic Planners' Committee, being Council's Director of Environment and Development to write to all the Councils affected by the UDP with a request that these resolutions be presented to them. The resolutions are as follows:

- "1. That the review of the next stage of the Urban Development Program for Western Sydney be carried out by the Parramatta office of the Department of Urban Affairs and Planning based on the strategic directives issued by the Director-General.
2. That the processes outlined above for the UDP for Western Sydney be referred to WSROC and MACROC Boards requesting their support and referral to the Minister for Urban Affairs and Planning.
3. That individual Councils offer staff resources to assist DUAP to carry out this review of the UDP Program using a commonly derived methodology.
4. That Council would see that this review of the UDP would produce a strategic plan (which may include a Regional Environmental Plan) for the management and future directions of the UDP for Western Sydney."

There was unanimous support at the recently held Environmental Strategic Planners' Committee meeting that these resolutions be presented to the individual Councils involved.

In the past, the UDP Program has been managed by central officers at the Department of Urban Affairs and Planning and presented to Council basically as a *fait accompli*. It is considered that the methodology outlined above will mean that the management of the UDP for Western Sydney will be co-ordinated by the Western Sydney Office of the Department of Urban Affairs and Planning in conjunction with Councils. Ultimately, this should lead to an Urban Development Program that is accepted both by the constituent Councils and by the Regional Office. It is considered that the development of a common set of criteria and its application to lands across Western Sydney to determine which lands are suitable for urban development is a far better approach than the unilateral decisions which have been made in the past.

The methodology would be that once the criteria for selection has been determined, it would then be applied to Councils' individual areas by their own staff and reported back to the officers of DUAP. Thus a regional picture of land capability and suitability across Western Sydney would be accumulated. This process it is hoped, would then produce a co-ordinated land release program which would mean that land released for urban development is capable of being serviced by Government agencies and by the individual Councils affected.

It is considered that this is a great opportunity for Council to move on the "front foot" with other members of WSROC and MACROC and the Department in the management of the urban release program for their own areas. This is a major change in direction for the Urban Development Program and it is a clear recognition of the planning skills, expertise and resources that reside within each of the Councils across the WSROC and MACROC areas and, hopefully, it will assist the Department in producing a far more co-ordinated UDP.

RECOMMENDATION:

It is recommended:

1. Council request the Director General of the Department of Urban Affairs and Planning have the review of the next stage of the Urban Development Program for Western Sydney carried out by the Parramatta office of the Department based on strategic directives supplied by the Director General.
2. That Council write to the Board of WSROC informing them of the support for this process and requesting their support and referral of this matter to the Minister for Urban Affairs and Planning.
3. That Council offer staff resources to assist the Department in the carrying out of the review of the UDP Program using a common derived methodology for this Council's area.

ORDINARY

Meeting Date: 8 December, 1998

Item: **113**

4. That, in Council's opinion, the review of the UDP should produce some sort of strategic plan which may include a Regional Environmental Plan for the management and future directions of the UDP for Western Sydney.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 113 Oooo



ordinary

5
section

reports
for information

ORDINARY

Meeting Date: 8 December, 1998

Item: **114**

ITEM: 114 **Two (2) lot residential subdivision and erection of a single storey dwelling on the vacant lot - Lot 24 DP794424 No. 7 Bayliss Place, North Richmond - Additional Information**

FILE NUMBER: MA89/98/EVD/ORL08LCX.V25

PREVIOUS ITEM: 41, GPC Section 1 - Environment (24.11.1998)

REPORT:

Following the site inspection by the General Purpose Committee, the applicant met with Council staff to discuss possible amendments to the location of the proposed dwelling on the property. An amended plan has now been received which proposes to locate the dwelling 3 metres from the adjoining boundary to the south, originally proposed as 1.4 metres.

It is considered that this amendment may address at least some of the concerns of the adjoining owner related to privacy and overlooking. If Council is of a mind to approve the development, proposed Condition No. 6 would need to be deleted. Attached to this report is a copy of the amended site plan.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

AT-1 Site Plan

ORDINARY

Meeting Date: 8 December, 1998

Item: **114**

oooO END OF ITEM 114 Oooo



ordinary
meeting

end of paper