



Hawkesbury City Council

general purpose committee minutes

date of meeting: 30 March 1999

location: Council Chambers

time: 4.00pm

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 30 March 1999

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 March 1999, commencing at 4.00pm.

PRESENT: Councillor R P Stubbs, Mayor and Councillor L Allan, A W Baczynskyj, H J M Books, R G Calvert, R D Searle, and L C Sheather.

Apologies for absence were received from Councillors M E Lawson, W J Mackay, P J Minturn, C A Paine and R Sahasrabuddhe

RESOLVED on the motion of Councillor Allan and seconded by Councillor Calvert that the apologies be accepted.

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Books that the Minutes of the General Purpose Committee Meeting held on the 23 February, 1999, be confirmed.

The following recommendations were passed as resolutions of the Committee:

Councillor Paine arrived at 4.15pm

MAYORAL MINUTES

1. Overseas Travel - Cllr Sheather (GA030/014)

Councillor Sheather declared an interest in this item as it directly relates to him.

410 **RESOLVED** on the motion of Councillor Stubbs seconded by Councillor Books that

Council vote the sum of \$3,300 (three thousand three hundred dollars) for a visit by Councillor Sheather to Tamba and Temple City.

2. 1999 Western Sydney Industry Awards (GP090/017 Pt02)

411 **RESOLVED** on the motion of Councillor Stubbs seconded by Councillor Allan that

That the information be received.

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SECTION 1 - ENVIRONMENT

88: Erection of a 30 metre high telecommunication pole, 12 panel antennas, 0.6 metre diameter microwave dish, equipment hut and associated equipment - Lot 1 DP601428 No. 615 Windsor Road, Vineyard (MA860/98/EVD/ENC30NAX.V04)

Mr Robert Laycock representing Telstra Corporation, applicant, addressed the Committee.

That the approval be granted subject to the following conditions:

Advisory

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Telstra Mobile Networks numbered NX26093/B2, NX26093/B7 and NX26093/B) submitted with Development Application No. MA860/98 dated 18 December, 1998 provided by the conditions of this consent.

Note: modifications to the approved plans will require the lodgement and consideration by this organisation of a separate application pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979.

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. No excavation or site works shall be commenced prior to the issue of the construction certificate.

Prior to the Issue of Construction Certificate

5. Submission of proposed colours of the pole and equipment and approval of this colour scheme before any work on the site commences. Colours shall be dark toned and comprise of green or grey to blend with the surrounding landscape.
6. The fenced area around the development is to be set back a minimum of 2.0 metres from the adjoining boundary.
7. Provision of a landscape screen around the fenced area to screen the buildings and lower part of the pole from adjacent properties. Landscaping plan to be approved by Council before any work commences on the site.

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8. All equipment that can be adversely affected by immersion in floodwaters to be located above the 17.3m AHD level.

Prior to Commencement of Works

9. Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of litter, vegetation debris or other water borne pollutants in accordance with Council's Development Control Plan 1/94 - Soil Erosion and Sedimentation
10. The applicant or person having the benefit of this development consent must give at least two days notice prior to commencement of works to Council of the intention to commence works. This notice is to be given in accordance with form 7 of the Environmental Planning and Assessment Regulation 1998.
11. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 4(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

12. All building work must be carried out in accordance with provisions of the Building Code of Australia.
13. All necessary works being carried out to ensure that "any water" flow from adjoining properties is not impeded.
14. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.

Prior to Issue of Occupation Certificate

15. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
16. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect an occupational certificate will not be granted on the application until the landscaping is complete.

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Use of the Site

17. The pole and equipment to be maintained in the colour scheme as approved and any modification or replacement equipment is to be painted in the same colour scheme.
18. Any maintenance carried out on the pole and equipment to be undertaken only during daylight hours and in a manner that will not adversely affect the residents or neighbouring properties.

89: Construction of a dwelling and formalising existing building works - Lot 1 DP717341 No. 608 Chaseling Road, Leets Vale (MA779/98/EVD/ENC30NAX.V03)

Ms Mary Ashton, applicant, addressed the Committee.

That:

- A.** The application be refused for the following reasons:
1. The proposed building site is located on flood prone land and adequate area is available on the opposite side of Chaseling Road to erect a dwelling on this lot on flood free land.
 2. The proposed building site is higher than land between the building site and Chaseling Road and residents in the proposed dwelling could be marooned on an island, cut off from access to Chaseling Road.
 3. The erection of a dwelling as proposed on flood prone land could increase the demand for the services of the State Emergency Service during flood time.
 4. The proposed dwelling and other buildings, being located in a floodway, in the flow path of the Hawkesbury River in flood times, could be damaged by fast moving flood waters and the debris carried by flood waters.
 5. The proposed dwelling and other buildings could be damaged by their immersion in flood waters during flood times.
 6. Approval of the application as submitted could be used as a precedent for Council to approve other development on flood prone land and legalise development erected without Council approval.
 7. The proposal is not in the public interest.

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- B. Council take action to ensure the existing buildings are not used for residential accommodation and rendered uninhabitable.
- C. The owner be requested to lodge an application for a building certificate for the remaining unauthorised structures. Prior to issue of any building certificate Council will need to be satisfied that the sheds are capable of withstanding a 1 in 100 year flood event.

90: Extension of operating hours and use of building for functions - Lot 12 DP834771, 99 Gadds Lane, Kurmond (MA124/99/EVD/ENC30NAX.V11)

Mr A Radnovic, applicant, addressed the Committee.

Mrs Therese Allerton, objector, addressed the Committee.

That the information be received.

91: Recreation Establishment Comprising Education Workshops and Camping Ground (MA439/98/EVD/ENC30NAX.V15)

Mr Allan Watts and Ms Jackie Segal, applicants, and Mr Brian Mills on behalf of the applicant, addressed the Committee.

Ms Elspeth Murphy, Ms Pam Price, Mr Paul Killian and Mr Jim Murphy, objectors, addressed the Committee.

Submissions were tabled from Ms Jill Hayes, Mr Sol Voron and Dr John Cameron in support of the application.

That the proposal to hold educational workshops and operate a camping ground on land being Lot 32 DP753828 No. 718 Webbs Creek Road, Wisemans Ferry, be refused for the following reasons:

1. Access to the site being unacceptable.
2. The proposed means of effluent disposal being contrary to State Guidelines creating the potential to pollute Webbs Creek and Wetland No. 74 identified under SREP 20.
3. The potential for the development to generate noise in excess of EPA Guidelines.
4. The flood liability of the land and a limited evacuation route for large numbers of people.

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5. The proposed development does not comply with the Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995.

92: Variation to 88B Instrument regarding effluent disposal - Lot 31 DP664633 No. 188 Tizzana Road, Ebenezer (SA127/97/EVD/ENC30NBX.V06)

That:

1. Council agree to the amendment of the 88B Instrument to allow the installation of mechanically aerated effluent disposal system to Lots 5 and 12 of Subdivision No. SA127/97 in accordance with the geotechnical engineers report submitted.
2. Council agree to support any future requests for a mechanically aerated effluent disposal system relating to Lots 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16 and 18 in SA127/97 subject to:
 - i The irrigation area being located down slope from any building location.
 - ii Pasture type grass, or similar, is to be planted over the irrigation area to promote evapotranspiration.
 - iii All effluent is to be contained within the irrigation area by construction of cut-off drains on the uphill side, to divert stormwater run-off from the irrigation area and earth mounds on the downhill side of the irrigation area to prevent effluent run-off from the site area.
 - iv In order to prevent aerosol spray from coming into contact with humans, adequate buffer zones are to be provided. A buffer distance of 3.0m may be adopted where the irrigation area is located down gradient of driveways, buildings and boundaries. The buffer distance should be increased to 6.0m if the irrigation area is located up gradient of these features.
 - v The irrigation area is to be situated a minimum of 40m from any watercourse (creek).
 - vi Suitable plants are to be planted in the buffer zones to minimise drift of aerosol spray. A medium salt tolerant crop/plant, with a reasonably high phosphorous absorption capacity, should be planted in the irrigation area.
 - vii Irrigation of effluent is not to be carried out during wet weather. A temporary storage tank with a minimum capacity of 15m³ is to be provided to retain effluent during wet weather conditions. A small moisture sensor is to be installed into the system to divert effluent into the storage tanks during wet weather.

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3. Lots 15, 17, 19, 20 and 21 be required to install an "Ecomax System" unless it can be demonstrated that an alternative system will perform to at least an equivalent level to that of the "Ecomax System".
4. The General Manager have delegated authority to determine future applications to vary the existing Council imposed 88B Instruments to allow the installation of an alternative effluent disposal system, subject to an acceptable report being submitted from a geotechnical engineer justifying any variation.
5. The owners of each lot pay all legal costs associated with amending any Instrument.

93: Follow up report on the environmental flows in the Hawkesbury- Nepean River
(GR060/081/EVD/ENC30NBX.V14)

That the information be received.

94: Sewage Management Facilities (Septic Tanks) - Licensing (GS080/008
PT05/EVD/ENC30NBX.V08)

That:

1. The category structure and charges contained in the report, be adopted by Council.
2. An application for funding be submitted to the Department of Local Government prior to 1 September 1999, requesting funding to make up the short fall between fees collected for inspections, and the actual cost of implementing the legislative requirements.
3. The fees collected for inspections and late registrations, fund the resources required to comply with the requirements of the Sewage Management Facility legislation.

95: Parking Restrictions (GC330/004 PT01/EVD/ENC30NBX.V09)

That:

1. The car park owned by Council behind the Macquarie Arms Hotel in Baker Street be known as the "Baker Street" car park and it be included with other Council car parks in having the standard two hour limit for parking, and that the car park be patrolled on a routine basis.

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2. A sign be erected in the Richmond Oval car park, giving notice that the car park is for recreational parking only, and that the use by motor lorries and tow trucks is restricted to a ten minute period.

96: Draft Local Environmental Plan 2/99 Lot 1 DP515413, Pt Lot 4 DP207634 and Lot 30 DP136234 No's 6-10 Macquarie Street, Windsor (LEP2/99/EVD/ENC30NBX.V02)

That this matter be further reported to Council.

97: Update of Legal Matter - Proposed Open Area Test Site for Electromagnetic Interference/Energy - Lot 2 DP751632, 714 Upper Colo Road, Upper Colo (DA90/98/EVD/ENC30NBX.V12)

That the information be received.

98: Status Report - Wilberforce Abattoir (P1102/560Pt07/EVD/ENC30NCX.V10)

That the information be noted.

SECTION 2 - INFRASTRUCTURE

31: Section 377 Delegation for Council Cemetery Committees (P1515/671, P2309/468 & P2359/1020/ENG/INC30NBX.E04)

That Council delegate powers under Section 377 of the Local Government Act to the St Albans Cemetery Committee, the Pitt Town Cemetery Committee and the Lower Portland Cemetery Committee for the care and management of the respective cemeteries.

32: Local Government & Shires Association - Enhancing the Role of Local Government in Rural Land Management (GM001/002 Pt4/ENG/INC30NBX.E07)

The report on Rural Land Management be adopted and the Local Government & Shires Associations of NSW be informed of the content of the report.

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**33: Geographical Names Board - Suburb Boundaries (GB010/001
Pt2/ENG/INC30NBX.E06)**

That the proposed name of Tennyson Ridge for that area currently known as Tennyson be adopted for the purpose of public consultation with those people currently residing in the defined area with the matter being reported to Council for final determination following the period of consultation.

34: Men Of The Trees 'Filling The Gaps' Project (GP010/001/ENG/INC30NBX.E03)

That the information be received.

35: Streetscape Improvements - Coles (0731/R Pt10/ENG/INC30NBX.E09)

The proposed pergola project adjacent to the Post Office Arcade not proceed and the funds allocated for this project be utilised in the footpath restoration and landscaping project adjacent to Coles in George Street.

**36: 1998/1999 Repair Program - Regional Roads (GG021/114, 0722/R
Pt6/ENG/INC30NBX.E10)**

That Council accept the \$90,000 (ninety thousand dollars) allocation offered for the reconstruction of a 700 metre section of Grose Vale Road between Grose River Road and Bells Road, Grose Vale.

37: Wilberforce Park Toilets (PK021 Pt2/ENG/INC30NBX.E12)

That a letter be distributed to houses surrounding the park advising of Council's "intention to demolish" the park toilets prior to demolition.

**38: St Albans Reserve - Exclusive Use - St Albans Folk Festival Organising Committee
(PK/048 PT02/ENG/INC30NBX.E08)**

That the application be approved subject to compliance with the following conditions:

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1. The applicant being allowed to erect a marquee on St Albans Reserve, subject to the following conditions:
 - a. the fire rating and smoke index of the marquee shall comply with the requirements of the Building Code of Australia;
 - b. adequate means of egress to be provided, with illuminated exit signs evenly distributed throughout in compliance with the Building Code of Australia; and
 - c. adequate portable extinguishers to be provided adjacent to exits.
2. The applicant being allowed use of the Council reserve next to the tennis courts and St Albans reserve for camping subject to the following conditions:
 - a. a copy of a public liability policy for \$10,000,000 (ten million dollars) and indemnifying Hawkesbury City Council, is to be submitted prior to the event by the applicant;
 - b. the applicant ensuring no undue interference being occasioned to other patrons of the reserve; and
 - c. the applicant ensuring noise levels be kept to a reasonable level.
3. The applicant obtaining all necessary permits/approvals in relation to amusement devices/rides.
4. The applicant contacting Council's Environmental Health Officer with regard to the sale of Hot Foods.
5. The applicant undertaking a letter drop to all affected residents in proximity to the reserve, with that letter advising full details of the event.
6. If required, the applicant to obtain appropriate licence from the Licensing Branch of the NSW Police Service, for the sale of alcoholic beverages at the proposed event.
7. The Reserve to be left clean and tidy with the applicant being responsible for collection and placement of all waste, into receptacles provided by Council. The applicant is to lodge with Council a bond of \$750 (seven hundred and fifty dollars) which is refundable, less any deductions as a result of costs incurred by Council, administrative or otherwise, to clean the area.

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8. As part of the Council's arts and cultural program, a contribution to the value of \$980 (nine hundred and eighty dollars) be made to cover the costs of portable toilets and garbage disposal.

39: Windsor Road/Groves Avenue Intersection (2342/R, 745/R/ENG/INC30NBX.E13)

That the Roads & Traffic Authority be requested to provide the additional funding required to undertake the intersection improvements at Groves Avenue and Windsor Road and if unsuccessful in this approach the matter be further reported to Council within three (3) months.

40: McQuade Park Oval - Fence (PK/203 Pt/ENG/INC30NCX.E01)

That the information be received.

Supplementary Reports

41: Grandstand - McQuade Park (PK/203/ENG/INC30LBX.E14)

That the information be received.

SECTION 3 - ORGANISATION AND RESOURCES

45: Monthly Financial Report - February 1999 (GF011/005 PT04/FNC/OGC30NAX.F01)

That the information be received.

46: Communications Tower - Kurrajong Heights (P243/1775 PT01 & DA135/96/GMA/OGC30NAX.G02)

That in 1998/99 Council provide 2VTR-FM with a donation of \$1,600 (one thousand six hundred dollars). Further that it be indicated that the Council would favourably consider providing this

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amount each year based on the circumstances at the time with an indexation equivalent to the cost of electricity or the Consumer Price Index whichever is the larger. Further, that anyone approaching Council in relation to use of this tower by radio stations be refused.

**47: Unique Australian Horse Sports - Year 2000 Event (P1829/810
Pt2/GMA/OGC30NAX.G04)**

That provision be made in the 1999/2000 Budget for assistance to the Unique Australian Horse Sport event at Clarendon by provision of in kind support, which may include garbage collection, road maintenance service and a civic reception with total costs in the order of \$10,000 (ten thousand dollars).

**48: Tourist Information Centre (GA030/004 PT03, GT050/008,
GT050/005/GMA/OGC30NAX.G05)**

That the Council at its next Planning Workshop consider its formal policy position in the area of Economic Development and specifically in the area of tourism.

**49: Request from charities for free entry to the Waste Management Facility
(P2018/55/EVD/OGC30NBX.V03)**

That:

1. Upon written request from registered charities with authorised "opportunity" type shops in the City, that a \$100.00 donation be made to the charity, to offset waste disposal charges annually.
2. The \$100.00 donations be deducted from the waste budget.

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Supplementary Reports

50: Former Hawkesbury Hospital Site - Proposed Library
(P731/3005/GMA/OGC30LAX.G08)

Council engage the Building and Planning Advisory Service to prepare the design brief for the proposed library on the former Hospital site in the amount of \$9,000 (nine thousand dollars).

51: Leave of Absence - Councillor L C Sheather (GA020/014/GMA/OGC30LAX.G06)

Leave of absence be granted to Councillor Sheather from the Ordinary Meeting of Council to be held on 13 April 1999.

QUESTIONS WITHOUT NOTICE:

1. Councillor Allan advised that she has received correspondence from and had discussions with residents of Francis Street regarding the speed and volume of traffic along this street. She requested that the Director of Asset Services and Recreation raise this matter at the next Local Traffic Committee Meeting and keep her informed of its outcome.
2. Councillor Sheather enquired about the inappropriate play equipment that was removed from the City's parks some time ago. One of the areas in question is the Bilpin Hall and he asked if there were any proposals to replace the removed equipment.
3. Councillor Sheather requested that overgrown road verges around Bilpin be mowed and the trees trimmed.

The Director of Asset Services and Recreation requested a list of locations so that this work can be undertaken.

4. Councillor Sheather enquired as to the status of the locked up toilets at Wisemans Ferry.

The Director of Asset Services and Recreation advised that he has made representations to the Roads and Traffic Authority for them to fund a new building. Recent advice is that the Roads and Traffic Authority will fund a new toilet block and they are currently investigating the possibility of installing composting toilets.

5. Councillor Searle enquired in relation to the Francis Street item that Councillor Allan raised, from which end of the street the correspondence referred to.

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The General Manager advised the entire length.

Councillor Searle advised that the park at the end of Francis Street may be closed which would overcome some of the traffic issues.

6. Councillor Baczynskyj requested a report on Windsor Road and the status with the by-pass in terms of funding.

The Director of Asset Services and Recreation advised that the Roads and Traffic Authority are currently looking at the cost benefit of two options, one on the northern side and one on the southern side of the railway.

7. Councillor Baczynskyj advised that had been approached by a member of the Kurrajong Heights Bush Fire Brigade regarding their fire shed.

The General Manager advised that the site had been visited last week by the Fire Control Officer who is responsible for the area, the Director of Asset Services and Recreation and the Building Services Manager about finalising the building program.

8. Councillor Baczynskyj enquired about the walkway through Richmond Oval and advised that every time it rains it goes under water.

The Director of Asset Services and Recreation advised that as part of the redevelopment of Richmond Oval there are a number of choices to place a new pathway, but in the meantime the existing path will be drained.

9. Councillor Baczynskyj enquired as to why the trailer advertising an election candidate situated on March Street was not removed.

The General Manager advised that if it is a registered vehicle the Council cannot move it that it would be a matter for the State Electoral Commission. Action by the Council to have it declared an advertising sign takes some time and is at some cost.

Councillor Baczynskyj asked for a letter stating such.

10. Councillor Searle asked for an answer on the status of the Park Management Plan and the closing of the park at the end of Francis Street.

The Director of Asset Services advised that it had been advertised and will be reported to Council on completion.

11. Councillor Paine enquired as to the progress on the survey that went out on the Wilberforce Hall.

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The Director of Asset Services and Recreation advised that a meeting had been held last week with the Wilberforce Hall group. He advised that this matter would be reported to the next General Purpose Committee Meeting.

12. Councillor Paine advised that she has had representations from some of the residents who live opposite the grandstand that burnt down on Sunday morning in McQuade Park, Windsor.

The General Manager advised that the residents concerned be written to advising them of Council's position.

13. Councillor Paine advised that she received a telephone call from residents in James Ruse Close who were experiencing offensive odours coming from the turf farms

The meeting terminated at 7.07pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 27 April, 1999.

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Mayor