



general
purpose
committee

1
section

environment

GENERAL PURPOSE COMMITTEE - ENVIRONMENT

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ITEM: 40 **Mobile Phone Telecommunications Facility - 171 Old Stock Route Road, Oakville.**

FILE NUMBER: MA847/99/EVD/ENJ26LAX.V12

PREVIOUS ITEM: 33, GPC Section 1 - Environment (26.10.1999)

REPORT:

Council is referred to Item 33 in this business paper. Correspondence dated 25 October 1999 has been received from the applicant, Connell Wagner, requesting that this matter be deferred to allow Optus to consult with local residents.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 40 Oooo

ITEM: 41 **Lot 12 DP223001 No. 420 Old Stock Route Road, Pitt Town - Rural Industry for Repair of Farm Machinery**

FILE NUMBER: M 0609/98/EVD/ENJ26LBX.V10

PREVIOUS ITEM: 30, GPC Section 1 - Environment (28.09.1999)

REPORT:

Introduction

At the Ordinary meeting of 12 October, 1999 Council resolved as follows:

"That:

- 1. Council instruct solicitors to commence appropriate proceedings in the Land and Environment Court against the applicant for a breach of the Act.*
- 2. The applicant be informed that the consent may be invalid.*
- 3. The matter be further reported to the next General Purpose Committee meeting.*
- 4. A site inspection be carried out."*

Questions have been raised about the status of an awning proposed to be attached to the shed. The purpose of this report is to provide information relating to the awning and also to provide a status on works carried out on the site.

Proposed Awning

The applicant jointly lodged development and construction applications, as permitted under the Environmental Planning and Assessment Act, 1979, as amended. The joint applications included site plans which depicted a shed only and structural plans for both a shed and an attached awning. The dimensions of the shed were shown as 18 x 36m and the dimensions of the attached awning were also shown as 18 x 36m, i.e. a combined total roof area of 36 x 36m.

Development consent was issued on 15 January, 1999, and although the site plans only were stamped as approved at that time, condition 1 of the consent read as follows:

"To confirm and clarify the terms of this approval the development shall take place in accordance with the plans submitted with the application excepting as modified by these further conditions."

Note: There were no conditions in relation to the awning.

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The construction certificate was subsequently issued on 6 August, 1999 and the structural plans approved including the plan relating to the awning.

In the absence of the subsequent construction certificate it could be argued that the awning was not approved by the development consent. At the very least there was certainly an inconsistency between the site plan and the structural details. However, given the wording of condition 1 of the consent and the subsequent issue of a construction certificate, it is considered that the applicant is entitled to assume that the shed and the attached awning are approved.

Accordingly it is considered that the attached awning is approved.

Status of Works

An inspection by Council officers on 18 October, 1999 revealed that the slope of the batters to the earth pad has been reduced. It was noted that the toe of the batter appears to have been pushed further towards the boundary and it appears that the batters may still be steeper than the required 3 to 1 (3 horizontal to 1 vertical).

A copy of the approved site plan with an overlay of Council's Surveyors plan will be forwarded to the applicant with a request that he confirm the current situation on site prior to the Ordinary meeting on 9 November, 1999.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 41 Oooo

ITEM: 42 **Nominations from the General Community for Representation on the Western Sydney Waste Board**

FILE NUMBER: GW010/022 PT11/EVD/ENJ26LBX.V11

PREVIOUS ITEM: 18, GPC Section 3 - Organisation & Resources (28.09.1999)

REPORT:

Further to a resolution of Council at the Ordinary Meeting on 12 October 1999 which invited nominations from the general community for a representative on the Western Sydney Waste Board, four nominations/applications have been received.

Nominations have been received from the following persons:

- Ms Maggie Deahm
 Former Federal Member for Macquarie
 Interest - *"... appointed to the Western Sydney Waste Board at its inception and have served as the deputy chair since that time ... would like to remain on the Board to work towards fulfilment of its innovative waste plan ..."*
- Mr Trevor Devine
 Proprietor of Havelock Real Estate, Windsor
 Interest - *"... first hand knowledge of the needs of property owners balanced with the need for efficient handling of waste at an affordable cost..."*
- Ms Sue Gleeson
 Environmental activist
 Interest - *"... community representative from an environmental and planning aspect ...ensure community awareness"*
- Mr Paul Ryan
 Production Manager for a local mushroom growing business
 Interest - *"... I am the manager of a company that is considered to be the world leader in this type of production ... waste management is a growing concern to us all and must be managed properly ...we require sound environmentally and economically sustainable methods ..."*

There are currently three community representatives on the Board who will hold this position until the end of January 2000.

Councils are invited to make a recommendation to the Minister of the Environment by 1 November 1999, of the person or persons that it wishes to have nominated as a community representative on the Board.

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RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 42 Oooo