



Hawkesbury City Council

general purpose committee minutes

date of meeting: 28 September 1999

location: Council Chambers

time: 9:30am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 28 September 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 28 September 1999, commencing at 9.30am.

PRESENT: Councillor R P Stubbs, Mayor and Councillor L Allan, B J Calvert, K F Conolly, D Finch, G J Gilling, C A Paine, P R Rasmussen, L C Sheather, L A Williams, and C J Woods.

Apology for absence were received from Councillor P F Davies

RESOLVED on the motion of Councillor Allan and seconded by Councillor Paine that the apology 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 24 August, 1999, be confirmed with the following amendment:

Page 11 - Councillor Allan to be included in the list of Councillors present at the site inspection.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

20: Lot 182 DP701978 276 Hermitage Road, Kurrajong "Little Island"
(SA0089/97/EVD/ENI28NAX.V07)

Mr Gordon Wren, Mr Robert Junor, consultants, and Mr Howard Harris, applicant, addressed the Committee

That a site inspection be carried out.

A site inspection was carried out at 2.25pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillor L Allan, B J Calvert, K F Conolly, D Finch, G J Gilling, C A Paine, P R Rasmussen, L C Sheather, L A Williams, and C J Woods:

That:

1. The application for modification received on 26 March 1999 be determined in the following manner:

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- (a) The description of development is modified to read "32 Lot Neighbourhood Scheme Subdivision (30 lots with dwelling entitlements).
- (b) Modify Condition 4 by removing the words "Schedule III" and replacing with the words "Schedule 4".
- (c) Deletion of Condition 21 and replacement with the following:

"The access road from Hermitage Road adjacent to Lot 3 DP385376 is to be Neighbourhood Property. A right of carriageway is to be created for the adjoining Lot 182 DP701978 (Middle Island)".

The reason for the above determination is to achieve compliance with Hawkesbury Local Environmental Plan 1989, as amended.

2. The modification received on 24 June 1999 to delete Condition 4(ix) be refused for the following reason:

Deletion of the condition of consent requiring the reuse of treated effluent for toilet flushing is likely to have unacceptable environmental impacts on the natural environment.

21: Construction of a Shop at Lot 11 DP576544 No. 120 Francis Street, Richmond (M 874/99/EVD/ENI28NAX.V12)

That the development application for erection of a retail shop be approved subject to the following conditions:

General

1. 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.
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. The applicant is advised to consult with:

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- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s). Sydney Water Corporation Limited may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made of the Corporation's requirements for the eventual operation of the approved use.

5. No excavation or site works shall be commenced prior to the issue of the construction certificate.

Prior to Issue of Construction Certificate

6. A monetary contribution is to be paid to Council, pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, towards the provision of the following public facilities in the locality:

- (a) Public Car Parking (\$61,068)

The above contributions have been determined in accordance with Hawkesbury Section 94 Contribution Plan. A copy of the Contributions Plan may be inspected at Council's Offices, George Street, Windsor.

Contributions are to be paid prior to issue of the construction certificate.

The amount of contribution payable under this condition has been calculated on the basis of costs as at the date of consent. In accordance with the provisions of the Contribution Plan, this amount shall be INDEXED at the time of actual payment in accordance with movement in the Consumer Price Index as published by the Australian Bureau of Statistics. In this respect the attached fee schedule is valid for 3 (three) months.

7. Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with the plans and specifications to accompany any Construction Certificate.
8. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.

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9. The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier:
 - (a) A Section 73 Certificate issued by the Sydney Water Corporation Limited or other evidence of Sydney Water's non-objection to the commencement of work on the basis of service availability.
 - (b) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.
10. The creation of a right of carriageway for access from Richmond Mall car park to Lot 11 DP576544 at not cost to Council.

Prior to Commencement of Works

11. 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 1 toilet for every 20 persons or part of 20 persons employed at the site.

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 facility 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.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

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

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This condition 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.

13. If the work involved in the erection or demolition of a building:

- (a) is likely to be dangerous to a person in a public place or adjoining property;
- (b) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- (c) involves the enclosure of a public place,

a hoarding or protective barrier must be erected between the work site and the public place. such hoarding or barrier must be designed and erected in accordance with Council's *Local Approvals Policy* and WorkCover requirements/guidelines.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

The applicant is to provide drawings and details to Council's Building Surveyor for approval **prior** to such installation/erection.

- 14. 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
- 15. 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.
- 16. 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.

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17. 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.
18. Construction of car parking area not to commence until three (3) copies of plan or specification of the proposed works are submitted to and approved by the Director of Asset Services and Recreation.

During Construction

19. All building work must be carried out in accordance with provisions of the Building Code of Australia.
20. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) piers;
 - (b) steel reinforcement;
 - (c) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (d) wet area flashing, after the installation any bath and shower fixtures;
 - (e) on completion of the structure;
21. 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.
22. The building shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the Principal Certifying Authority upon completion of the footings and prior to the external wall construction proceeding above floor level.

Prior to Issue of Occupation Certificate

23. To ensure parking necessary for the development is provided and kept clear and available, three (3) off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, as shown on the approved plan.

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Use of Site

24. The spillage of light, if any, shall be controlled so as not to reduce the amenity of adjoining residences.
25. Any internal or external alterations being the subject of a separate development application.

22: Storage of Scrap Metal, Motor Vehicle, Drums - Lot 423 DP751665 38 Vollers Lane, Freemans Reach (P2204/20/EVD/ENI28NAX.V08)

Mr Grant Douglass, applicant, addressed the Committee.

That failing compliance with the Orders already issued, the provisions of Section 121ZJ of the EP&A Act be enforced and the works carried out by Council under the following schedule.

1. Mr Douglass and Mr & Mrs Galea be advised in writing that they are to comply with the Order and that if the works are not completed by 14 November, 1999, Council will carry out the works.
2. That any cost incurred by Council in performing the works be directed to Mr Douglas and Mr & Mrs Galea for payment.
3. That tenders be sought for the works to be carried out.
4. That the work be performed by Council if the requirements directed in correspondence to Mr Douglass and Mr & Mrs Galea are not performed in the manner required or in the specified period.

23: Order to Remove Unauthorised Dwelling - Lot 385 DP664631 No. 26 Old East Kurrajong Road, East Kurrajong (P1504/20 PT01/EVD/ENI28NAX.V05)

Mr & Mrs Portelli, owners, addressed the Committee.

That:

1. A site inspection be carried out.
2. A further report be brought to the Ordinary Meeting.

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A site inspection was carried out at 3.30pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillor L Allan, B J Calvert, K F Conolly, D Finch, G J Gilling, C A Paine, P R Rasmussen, L C Sheather, L A Williams, and C J Woods.

24: Proposed 13 Lot Subdivision of Lots 1 & 2 DP255340, Lot 13 DP613296, Lot D DP174059 and Lot 1 DP86789 Comleroy Road, Kurrajong, Under the Provisions of State Environmental Planning Policy No 1 (M 371/99/EVD/ENI28NAX.V11)

Councillor Allan advised that she lives at 862 Comleroy Road, approximately 8km from the development.

Mr Brian McKinlay, applicant, and Mr Glen Falson, applicant's representative, addressed the Committee.

That a site inspection be carried out.

A site inspection was carried out at 3.00pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillor L Allan, B J Calvert, K F Conolly, D Finch, G J Gilling, C A Paine, P R Rasmussen, L C Sheather, L A Williams, and C J Woods.

That:

1. Council not support the application under State Environmental Planning Policy No. 1.
2. The application for a 13 (thirteen) lot subdivision be refused for the following reasons:
 - i. the proposed subdivision is prohibited under Clause 11 of Hawkesbury Local Environmental Plan 1989;
 - ii. the proposed development is inconsistent with the objectives of the Rural 1(c1) zone;
 - iii. the proposed development is likely to have unacceptable environmental impacts;
 - iv. the site is unsuitable for the development as proposed; and
 - v. approval of the development would not be in the public interest.

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- 25: Hawkesbury Nepean Catchment Management Trust (GT225/009 Pt04/GMA/ENI28NAX.G01)**

That the information be received

- 26: Blaxlands Ridge Ponds (P209/535 Pt4/GMA/ENI28NAX.G15)**

Ms Sue Gleeson, resident, addressed the Committee.

That the information be received.

- 27: Local Heritage Assistance Fund - Determination of Grant Applications (GH020/041 PT04/EVD/ENI28NBX.V16)**

That Council approve the grants identified in this report and the applicants be advised accordingly.

- 28: Update of Legal Matters - Proposed Open Area Test Site for Electromagnetic Interference/Energy - Lot 2 DP751632 No. 714 Upper Colo Road, Upper Colo (DA 90/98/EVD/ENI28NBX.V13)**

That Council defend the appeal in the Supreme Court of Appeal.

- 29: Development Application for Mushroom Substrate Production - Lot 191 DP751656 Singleton Road, Blaxlands Ridge (DA170/98/EVD/ENI28NBX.V17)**

Councillor Paine declared an interest as her son-in-law is an employee of Elf Mushrooms.

Mr Don Shaddick, representing the applicant, addressed the Committee.

That:

1. Council note the information.
2. Council defend the Appeal in the Land and Environment Court.

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30: Lot 12 DP223001 No. 420 Old Stock Route Road, Pitt Town - Rural Industry for Repair of Farm Machinery (M 609/98/EVD/ENI28NBX.V18)

Ms Maureen Madden and Mr John Hagar, objectors, addressed the Committee.

That:

1. Council instruct solicitors to commence appropriate proceedings against the applicant for a breach of the Act.
2. A further report be brought to the Ordinary Meeting outlining the implications of Council withdrawing the consent.

31: 1142 Bells Line of Road Kurrajong Heights - Lot 10 DP 719776 LEP Amendment No.107 (LEP005/98Pt01/EVD/ENI28NCX.V09)

That:

1. The information be received.
2. A further report be brought back to the Ordinary Meeting outlining the types of proposals that would be suitable for this site.

SECTION 3 - ORGANISATION AND RESOURCES

15: University Research Funding (GM001/034 Pt1/GMA/OGI28NAX.G02)

That Council support the University of Western Sydney in its submission to the Minister for Education in Government of the possible disastrous effects that the proposals in the Green Research Paper "New Knowledge, New Opportunities" could have on the University and the Greater Western Sydney Region. The Council seek the support of its Federal Member, Kerry Bartlett in this matter and make a submission to the Minister.

16: National General Assembly of Local Government (GL040/001 Pt5/GMA/OGI28NAX.G01)

That this report be received for information

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17: Australian Broadcasting Authority - Draft Licence Area Plans (GT001/007 Pt01/GMA/OGI28NAX.G03)

Councillor Rasmussen advised that he is the Chairman of the radio station.

That Council advise the Australian Broadcasting Authority that it supports the change in frequency for 2VTR-FM and the increase in power to permit it to broadcast to a wider area supporting information to the Hawkesbury Local Government Community. That it also supports the reservation of further technical capacity for national services in Richmond and Windsor area and making available technical specifications to improve the reception of the existing Sydney AM stations.

18: Waste Board Director Appointments (GW010/022 Pt 11/GMA/OGI28NAX.G04)

That a Councillor be recommended to the Minister for appointment as Director of the Western Sydney Waste Board and Mr Garry Baldry, Manager of Environment & Waste be nominated as Deputy Director. Further, that the Council determine if it wishes to nominate a representative from the community or areas of commerce and industry.

Councillor Paine was nominated to represent Council on the Board.

19: Monthly Financial Report - August 1999 (GF011/005/FNC/OGI28NAX.F07)

That the information be received.

20: Request for Donation - Cumberland Women's Health Centre Inc. (GF008/001 Pt20/CSV/OGI28NBX.C06)

That Hawkesbury City Council support the Cumberland Women's Health Centre Inc. Project by donating \$300.00 (three hundred dollars).

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21: Request for Donation of Venue Hire - Hawkesbury Area Senior Day Care Centre Inc.
(GF008/001 PT20/CSV/OGI28NBX.C05)

That Hawkesbury City Council support Hawkesbury Area Senior Day Care Centre Inc. Year of the Older Person Celebration by donating \$640.00 (six hundred and forty dollars) towards the cost of venue hire.

QUESTIONS WITHOUT NOTICE:

1. Councillor Paine enquired what was happening with the roundabout at the corner of Blacktown Road and George Street.

The General Manager advised that an injunction had been taken out against the Roads and Traffic Authority which has prevented works being completed.

Councillor Paine requested that a media release be prepared as Council were bearing the brunt of this.

The General Manager advised that Council were not responsible for these works but could request the Roads and Traffic Authority prepare a media release.

2. Councillor Allan enquired if the Director of Environment & Development was available for a site meeting with residents of Peel Parade at 8.00am on Wednesday 29 September in relation to sheds which have been erected in the area.

The Director of Environment & Development advised that he was unable to attend due to prior commitments, however, he would have a staff member attend on his behalf.

3. Councillor Williams made reference to Item 18, Waste Board Director Appointments, in the Organisation & Resources section of the business paper. He enquired if representatives were currently appointed to this Board or if there were vacancies for new community representatives. He further enquired what the process was for nomination for the filling of these positions and if it was open to nominations from the community.

The General Manager advised that to his understanding all appointments end on 30 January, 2000. He advised that all directorships would become vacant at which time anyone can make a recommendation to the Minister. It is then a matter for the Minister to recommend to Cabinet the appointments of the Directors.

Councillor Williams requested that this nomination process be explained to him in more detail at a later time.

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4. Councillor Sheather enquired when Councillors will be having an information session to address issues of finance, engineering and building & development.

The Mayor advised that it is proposed to have an informal discussion at lunch time to determine some dates.

5. Councillor Rasmussen enquired if there was a facility to address business or questions arising from the previous minutes. He enquired if Questions Without Notice was the appropriate time to address these issues as he had several questions relating to items. He enquired if it is permissible to raise business from minutes gone past or if they had to be dealt with as they come along.

The Mayor advised that if a Councillor was seeking information there were two ways in which this could be done. The first way being to raise it and ask a question without notice and the second being to raise the issue either individually with Council staff or to submit a written request for the information.

6. Councillor Rasmussen enquired if it was possible to get a listing of activities or actions that Council has taken to secure the maintenance of the RAAF base being retained at Richmond.

The Mayor advised that he is in regular contact with our Federal Member, Mr Bartlett, and is taking his advice. He further advised that this information could be reported to him.

7. Councillor Calvert enquired what action Council could take in relation to people selling motor vehicles in their front yards.

The General Manager advised that to date Council has not taken action against any person selling vehicles from within their own property, however, Council Rangers have put notices on windscreens of vehicles where there are groups on road sides.

8. Councillor Calvert referred to the current commencement time of the General Purpose Committee meetings. He enquired if it was possible to discuss the changing of the commencement time.

The Mayor advised that it was intended to discuss this matter at lunch time.

9. Councillor Finch enquired as to the current status of lighting in Memorial Park at Kurrajong.

The Director of Asset Services & Recreation advised that approval has been given to erect a pole in the park and that the matter is proceeding. He advised that he would investigate this matter further.

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10. Councillor Gilling tabled a letter from Mr Trevor Devine from Havelock Real Estate in relation to Waste Management Business Category.

11. Councillor Gilling enquired when Packer Road would be repaired as it is in a state of disrepair with numerous potholes.

The Director of Asset Services & Recreation advised that this would be investigated.

12. Councillor Gilling enquired when the Lower Portland Ferry would be back in service. She further enquired that if future there would be an annual dry-dock to prevent this from happening again.

The Director of Asset Service & Recreation advised that it is anticipated that the Ferry will be re-floated on Friday and hopes to have it operational by next Friday. He further advised that with the methodology used to repair the Ferry it may not be necessary to remove it from the water for at least two to three years and will be receiving additional information in relation to this issue.

The meeting adjourned for site inspections at 12.45pm.

The meeting terminated at 4.00pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 26 October, 1999.

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Mayor