



Hawkesbury City Council

general purpose committee minutes

date of meeting: 27 November 2001

location: Council Chambers

time: 9:00am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 27 November 2001

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 27 November 2001, commencing at 9.05am.

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

Apologies for absence were received from Councillors B Calvert, P F Davies, L Allan and L C Sheather.

RESOLVED on the motion of Councillor Gilling and seconded by Councillor Rasmussen that the apologies be accepted.

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Gilling that the Minutes of the General Purpose Committee Meeting held on the 23 October 2001, be confirmed.

Councillor Sheather arrived at the meeting at 9.07am

Councillor Allan arrived at the meeting at 9.43am

Councillor Davies arrived at the meeting at 11.10am

Councillor Davies left the meeting at 3.30pm

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

104: Regional Skateboard Park - Lot 133 DP752032 Windsor Street, Clarendon (Ham Common) (M1286/01/EVD/ENK27NAX.V14)

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Sheather

A. That the application be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans submitted with Development Application No. MA1286/01 and any supportive documentation, except as otherwise provided by the conditions of this consent.

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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.

Prior to Commencement of Work

4. Toilet facilities are to be provided at or in the vicinity of the work site for construction workers.
5. A sign must be erected in a prominent position:
 - (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.
6. A protective barrier must be erected around the work site and the public place.
7. 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. The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.
8. 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.
9. The applicant shall advise Council of the name, address and contract number of the principle certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.

During Construction

10. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
 - (a) erosion controls, site works and site set out; and
 - (b) on completion of the structure.

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11. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
12. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
13. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.

Use of the Site

14. Provision of suitable garbage bins in the vicinity of the skateboard park.
- B.** A report be prepared for the Ordinary Meeting outlining funding options and allocations, this report to also address funding allocations for the North Richmond skateboard park facility.

105: Assistance with Legal Costs (GL001/005 Pt3/GMA/ENK27NAX.G05)

Mr Neville Diamond addressed the Committee

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That the Local Government and Shires Association be advised that the Council is prepared to contribute its share towards the costs of Griffiths City Council's legal expenses and, in doing so, has incurred itself considerably more costs in similar matters. The details of Hawkesbury's matters be provided to the Association to assist in obtaining action from the State Government in this matter.

106: John Morony Correctional Centre (GR120/004 Pt 6/GMA/ENK27NAX.G01)

Councillor Sheather declared an interest as his son is an employee of the John Morony Correctional Centre

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Finch

That the information be received.

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107: Jet Skis (GR060/011 Pt6/GMA/ENK27NAX.G03)

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Gilling

That the information be received.

108: Land known as Hollands Paddock Car Park (P0731/400 Pt3/EVD/ENK27NBX.V02)

Ms Mary Iacovella, adjoining property owner, Ms Wendy Sledge, local resident, Mr Neville Diamond and Mr Rodger Haggarty, local resident addressed the Committee

A motion was moved by Councillor Allan seconded by Councillor Paine

That Council not proceed with the reclassification of that area bounded by the southern side of the driveway on the parkland adjacent to Hollands Paddock Carpark, The Terrace and Johnston Street.

The motion was lost

A motion was moved by Councillor Conolly seconded by Councillor Sheather

That:

1. Council pursuant to Section 54 of the Environmental Planning and Assessment Act and in accordance with the Best Practice Guidelines prepare a Draft Local Environmental Plan to effect the reclassification of that area of land bounded by the southern side of the driveway on the parkland adjacent to Hollands Paddock Carpark, The Terrace and Johnson Street.
2. That Council engage the services of a consultant town planner with appropriate qualifications to hold the public hearing to be held in conjunction with this LEP preparation.
3. Council advise the Department of Urban Affairs and Planning accordingly.

The motion was lost

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RECOMMENDED on the foreshadowed motion of Councillor Rasmussen seconded by Councillor Allan

That:

1. A discussion take place at the February workshop addressing the issues.
2. Council undertake a public meeting with residents to discuss the best use of the land.

The foreshadowed motion was put and carried.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Paine

That the information provided in a letter tabled in the meeting, from Pirasta Pty Limited indicating that the subject land is not for sale, be received.

109: Penalties Notice Offences - Environmental Planning and Assessment Act 1979 and Regulations 2000 (GE20/029/EVD/ENK27NBX.V04)

Mr Neville Diamond addressed the Committee

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Conolly

- A. That the following procedure for the issuing of penalty notices under the provisions of Schedule 5 of the Environmental Planning and Assessment Regulations 2000 be adopted:
 1. First time offenders be given a minimum of 24 hours to rectify a specific offence. If upon expiration of the specified time period effective the offence has not been rectified to the satisfaction of Council the offender be issued with an infringement notice.
 2. Repeat offenders be issued with an on the spot infringement notice at the time of the offence being observed.
 3. Authority to vary time frames for compliance be delegated to the Director Environment and Development.
 4. Authority to issue infringement notices be delegated to appropriate staff members.

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- B. That the draft fees be advertised and, subject to submissions received, be commenced from 1 January 2002.

110: Windsor Leagues Club Proposed Rodeo Test Event - 15 December 2001, Lot 1 DP879466, No. 698 George Street, South Windsor (MA1470/01/EVD/ENK27NBX.V10)

Mr Karl Berzins, speaking on behalf of the applicant, addressed the Committee
Mr Jim Gilmour, respondent, addressed the Committee

544 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That:

1. The Committee exercise its delegation as Committee of the Whole.
2. Following public notification, consideration of any submissions received and assessment, the Application be determined by the Director of Environment and Development under delegated authority, only if the event is concluded by 8.30pm with packing up of equipment to be completed by 10.00pm.

111: Hawkesbury-Nepean Local Government Advisory Group (GR060/075Pt04/EVD/ENK27NBX.V07)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That Council participate in the Lower Hawkesbury Nepean Rehabilitation Works Funding Programs for this and subsequent years by making submissions to the Department of Land and Water Conservation by 15 January 2002 in the areas of:

1. Alligator weed suppression in conjunction with the Hawkesbury River County Council.
2. River bank vegetation stabilisation in accordance with Council's current works priority.

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112: Temporary Food Stalls (GL079/001 PT2/EVD/ENK27NBX.V08)

Mr Trevor Devine, addressed the Committee

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Sheather

That this matter be deferred until community consultation has taken place with stall holders and event organisers.

113: Proposed Amendment to Hawkesbury Local Environmental Plan 1989 - Change Definition of “general store” (GT225/003 PT13/EVD/ENK27NBX.V09)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That Council resolve to prepare a Draft Local Environmental Plan using the Best Practice Guidelines which amends Hawkesbury Local Environmental Plan 1989 by inserting into Clause 5 the following definition of "general store":

"general store" means a shop used for the sale by retail of general merchandise, which may include facilities of a post office, and where the gross floor area of the building or part of any building used or intended to be used for those purposes does not exceed 200 square metres.

114: Draft local environmental plan 8/98 - Amendment 108 to Hawkesbury Local Environmental Plan 1989 (LEP8/98/EVD/ENK27NBX.V11)

Mr David Gregory, member of Hawkesbury Harvest, and Mr David Mason, from the Department of Agriculture and Chair of Hawkesbury Harvest, addressed the Committee

Mr Neville Diamond addressed the Committee

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Finch

That:

1. The draft local environmental plan be amended to allow “agriculture” within the Rural Living zone.

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2. The Department of Urban Affairs and Planning be requested to amend the Section 65 Certificate to allow agriculture within the Rural Living zone.
3. Council undertake and produce a Development Control Plan defining “*intensive agriculture*”.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That a report be prepared for Council addressing issues such as buffer zones and pollution emanating from activities, and methods of measuring the impact beyond property boundaries in order to minimise conflict.

115: Review of Council Policy for the Application of State Environmental Planning Policy No. 1 to Rural Subdivisions (GT190/001, GT225/013/EVD/ENK27NBX.V12)

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Allan

That Council resolve to adopt the following addition to Council Policy PEU0018Z for the application of State Environmental Planning Policy No. 1 to rural subdivisions.

- (iv) *Applications to re-subdivide existing undersized allotments, where no additional entitlements will result and where there are no unresolved objections, be determined by Council staff under delegated authority.*

SECTION 2 - INFRASTRUCTURE

55: 2001/2002 Works Program - Amendment (GT230/011/ENG/INK27NBX.E03)

This item was dealt with in conjunction with Item 61, Supplementary Section 2 - Infrastructure

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Paine

That:

1. 2001/2002 Works Program be amended as follows utilising funds previously provided for the construction of a link between Bligh Park and South Windsor:

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Project	Amount
Intersection of sealed and gravel roads. Staged sealing of approximately 30m gravel road sections on the approach to sealed road intersections. This work will alleviate the potentially hazardous situation, associated with vehicle stability at these locations: Gunbower Road/Bowen Mt Road Serpentine Road/Bowen Mountain Road Mt Tootie Road/Bells Line of Road Moles Road/Singleton Road <i>[The above projects were removed from the Draft 2001/2002 Works Program to provide, partial funding towards the Link Road Project]</i>	 \$10,000.00 \$10,000.00 \$10,000.00 \$ 7,000.00
Seal a 50m section of Old East Kurrajong Road along its approach to Creek Ridge Road. This gravel section has a history of vehicle instability and violent confrontations involving neighbours	\$16,000.00
Sub Total	\$53,000.00

2. The balance of funds not be allocated pending further information relating to the development of North Bligh Park.

56: Regional Road Block Grant (GG21/35 PT6/ENG/INK27NBX.E04)

RECOMMENDED on the motion of Councillor Woods seconded by Councillor Gilling

That:

1. The "Ex 3x3" Council determined Grant in the amount of \$128,000.00 (one hundred and twenty eight thousand dollars) be utilised on the rehabilitation of failed regional road pavements as follows:

Project	Amount
Freemans Reach Road, Freemans Reach - rehabilitate approximately 180 lineal metres of failed pavement just north of the first bend from Wilberforce Road	\$58,000.00
Sackville Road, Sackville - rehabilitate approximately 250 lineal metres of failed pavement just north of Wymarks Lane	\$70,000.00

2. The inclusion of Cycleways funding be discussed at the February Planning meeting.

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- 57: Request For Council To Become Trust Manager Of New Crown Reserve, Springwood Road, Yarramundi - Lots 188-191 DP 803295, Lot 90 DP 786549, Portions 57 and 293 in Parish Nepean, County Cook (P825/105; P825/130/ENG/INK27NBX.E05)**

Councillor Rasmussen declared an interest as an adjoining property owner

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That Council become Trust Manager of the new Crown Reserve, Springwood Road, Yarramundi - Lots 188-191 DP 803295, Lot 90 DP 786549, Portions 57 and 293 in Parish Nepean, County Cook.

- 58: Regional Play and Recreation Area - Ham Common, Clarendon (GG021/172 PT5/ENG/INK27NBX.E02)**

545 RESOLVED on the motion of Councillor Paine seconded by Councillor Woods

That:

1. The Committee exercise its delegation as Committee of the whole.
2. The proposal for a Regional Play and Recreation Area at Ham Common, Clarendon, be endorsed and that the additional \$60,000.00 (sixty thousand dollars) funding required be allocated in the 2002/2003 budget.

Supplementary Reports

- 59: Contract for Operation and Caretaking - Lower Portland Ferry (GT020/412 Pt1, GT240/010 Pt4/ENG/INK27LBX.E06)**

Mr Don Shaddick, solicitor acting on behalf of Macca's Ferry Service, addressed the Committee

546 RESOLVED on the motion of Councillor Sheather seconded by Councillor Williams

That the Committee exercising its delegation as Committee of the Whole:

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1. Decline to invite fresh tenders or applications, as referred to in the Local Government Tendering Regulation for the caretaking and operation of the Lower Portland Ferry Service, as tenders had been called twice with only 2 (two) tenders being received in the first instance and 1 (one) in the second instance. Open tendering for selective tendering following further public advertisement would be unlikely to result in additional tenderers as the only recognised contractors for service of this type had tendered previously.
2. The contract for operation and caretaking of the Lower Portland Ferry Service when formalised, be with Hawkesbury Ferry Services.

**60: Water Tanker Filling Point - Old Bells Line of Road/Kurrajong Road, Kurrajong
(GW020/008 Pt3/ENG/INK27LBX.E07)**

Mr Christopher Hallam, local resident, addressed the Committee

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Sheather

That:

1. Sydney Water be requested to close the water tanker filling facility at the intersection of Old Bells Line of Road and Kurrajong Road, Kurrajong with the small diameter filling point for residents to be retained until an alternative site can be identified by Sydney Water.
2. A report be prepared for the Ordinary Meeting addressing issues related to the impact of closing the filling facility at Kurrajong, on the Bush Fire Brigade and on residents within the location of filling points.
3. An alternate site be identified in Kurrajong which would be suitable for hydrants, and Sydney Water be requested to provide a facility at that site before closure of the facility at the intersection of Old Bells Line of Road and Kurrajong Road, Kurrajong.
4. Sydney Water be requested to restrict the hours of operation of the existing filling facility at the intersection of Old Bells Line of Road and Kurrajong Road, Kurrajong while alternate sites are being investigated.

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61: 2001/2002 Works Program - Amendment (GT230/011/ENG/INK27LCX.E08)

This matter was dealt with in conjunction with Item 55, Section 2 - Infrastructure

SECTION 3 - ORGANISATION AND RESOURCES

112: Monthly Financial Report (GF011/005/FNC/OGK27NAX.F08)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That the information be received.

113: Graduate Recruitment Program (GU001/005/GMA/OGK27NAX.G05)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Rasmussen

In principle support be given to the proposed graduate recruitment program.

114: Payment of External Organisations (GC210/014 PT3, GC155/001 PT3, GM001/021 PT14, GT070/018//OGK27NAX.C01)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Finch

That the information be received.

115: Support for Writers of Local History (GR030/051 PT2/CSV/OGK27NAX.C02)

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Gilling

That:

1. The Local Studies - Guidelines for Publications be adopted as a matter of policy.

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2. Funding be provided from within the current cultural budget.

116: Sister City Exchange Donations (GP092/004/CSV/OGK27NBX.C03)

547 RESOLVED on the motion of Councillor Allan seconded by Councillor Finch

That:

1. As a Committee of the Whole, \$500.00 (five hundred dollars) be given to each of the 6 (six) students on the December 2001 exchange program with Temple City, United States of America.
2. Both Tamba, Japan and Temple City, USA student exchange programs be financially supported per year. 6 (six) students from each exchange program be given \$500.00 (five hundred dollars). Amount totalling \$6,000.00 (six thousand dollars).

An **amendment** was moved by Councillor Conolly seconded by Councillor Rasmussen

That:

1. As a Committee of the Whole, \$550.00 (five hundred and fifty dollars) be given to each of the 6 (six) students on the December 2001 exchange program with Temple City, United States of America.
2. Both Tamba, Japan and Temple City, USA student exchange programs be financially supported each year. A total of 6 (six) students from each exchange program be given \$550.00 (five hundred and fifty dollars) with this amount to be indexed to CPI annually.

The amendment was lost

The motion was put and carried.

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117: Proposed Sub Licence - Shop 2, Wilberforce Shopping Centre
(GC283/017/CSV/OGK27NBX.C04)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That:

1. Council consent to the sub licence between Mr and Mrs Munro and the St George Bank for the installation of an Automatic Teller Machine in the window of Shop 2, Wilberforce Shopping Centre.
2. All documents be executed under the Common Seal of Council.

118: Hawkesbury Social Plan - Community Needs Report 2001/2002 Update
(GC130/036/CSV/OGK27NCX.C06)

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Rasmussen

That the information be received.

119: Community Development and Support Expenditure Scheme (CDSE) - Update
(GC130/039/CSV/OGK27NCX.C07)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Finch

That the information be received.

QUESTIONS WITHOUT NOTICE:

1. Councillor Gilling tabled correspondence received from the residents of 120 Francis Street, Richmond relating to their block of land which backs onto the Coles site, enquiring whether or not their property should have been fenced under the Coles approval.

The correspondence was tabled and received and a response will be provided.

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2. Councillor Rasmussen tabled correspondence from a resident of Maraylya regarding the removal of playground equipment from Maraylya Park and requesting replacement of the equipment.

The correspondence was tabled and received and a response will be provided.

3. Councillor Rasmussen tabled correspondence from the Media and Government Liaison Officer of the Pitt Town Residents Group and enquired if a response would be provided.

The correspondence was tabled and received.

4. Councillor Rasmussen referred to a meeting he had attended on 26 November 2001 with Pitt Town residents and advised that discussions had taken place relative to the consultation process for the Local Environmental Study. He indicated that the residents were concerned that although the brief to the consultants refers to extensive or wide consultation, none of them had been contacted. He also enquired as to the forum for the consultations with residents and the timeframe.

The Director of Environment and Development advised that the consultation forum would be small groups with the date being 12 December 2001. He advised that the response from the consultants indicated that they did not propose full scale meetings due to the associated costs and advised instead they propose to contact major land owners and major community groups.

5. Councillor Rasmussen requested an update relative to the issue of the tree at Hawkesbury Valley Holden.

The Mayor advised that the property is owned by the Department of Urban Affairs and Planning and is subject to a State Heritage Order and therefore the matter is between DUAP and the adjoining land owners. He indicated that informal discussions had taken place with the Heritage Branch however, was unaware of the outcome at this stage.

The Director of Environment and Development advised that on several occasions, advice had been given to the owners of Hawkesbury Valley Holden that the matter was a private matter between him and the adjoining land owner and Council does not facilitate discussions between private land owners relative to removal of trees on their boundaries. He advised that offers have been made to DUAP to use Council staff to assist in thinning the tree and to inspect the tree to make recommendations, and those offers have been rejected.

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6. Councillor Rasmussen enquired about recent storm damage, particularly to what extent damage had been sustained and any costs incurred by Council, associated with repairs.

The Director Asset Services and Recreation advised that the General Manager had forwarded an interim report from the SES and RFS outlining some of the work that staff had carried out and he advised he would obtain final figures and forward the information to Councillors.

7. Councillor Allan requested a report to Council relative to emergency situations, outlining ways that Council can assist people and gave an example of a property owner having a tree fall on a neighbour's vehicle.

The Mayor advised that the Bush Fire Brigades, SES and Council staff are extremely busy and that on occasions, the service clubs have been able to provide assistance on a volunteer basis to help individuals.

8. Councillor Paine requested an update relative to the Hospital site.

The Director of Community and Corporate Services advised that discussions had taken place with prospective tenants, however negotiations had not progressed the matter any further.

9. Councillor Paine referred to a previous request for a report relative to Council conducting a bi-annual kerbside rubbish pickup and requested an update on the matter.

The Director of Environment and Development advised that a draft report had been prepared.

10. Councillor Paine requested a copy of the guidelines relative to acceptable hours of use for chainsaws.

The Director of Environment and Development advised that he would provide a copy of the guidelines.

11. Councillor Finch tabled a petition from residents of South Maroota relative to the down grading of the Teachers position at South Maroota Preschool to that of Child Care Worker.

The Mayor acknowledged receipt of the petition.

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12. Councillor Finch referred to signs placed around the City of Hawkesbury advertising “Stingers” night club in Richmond and enquired if Council could take steps to stop the signs being placed around the City.

The Director of Environment and Development advised that Council staff routinely removed signs and advised that he was not aware of any action that could be taken to stop the placement of signs.

13. Councillor Finch referred to the issue of cars for sale parked on the side of the road on Bells Line of Road, Kurmond to the East of Comleroy Road on the left hand side.

The Director of Environment and Development advised the matter would be investigated.

14. Councillor Gilling referred to the flagpole at the cemetery and requested an update on the matter of hoisting the flag half mast.

The Director of Asset Services and Recreation advised that he had spoken to staff who advised that there was usually someone in attendance for funerals and this would be done.

The meeting terminated at 5.50pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 29 January 2002.

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Mayor