



Hawkesbury City Council

general purpose committee minutes

date of meeting: 23 October 2001

location: Council Chambers

time: 9:00am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 23 October 2001

AGENDA

- **APOLOGIES.**
- **CONFIRMATION OF MINUTES.**
- **SECTION 1 - ENVIRONMENT.**
- **SECTION 2 - INFRASTRUCTURE.**
- **SECTION 3 - ORGANISATION AND RESOURCES.**
- **NEXT MEETING.**

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 3

Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 23 October 2001, commencing at 9.00am.

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

Apologies for absence were received from Councillors P F Davies, P R Rasmussen, L Allan, C J Woods and C A Paine.

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

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Conolly that the Minutes of the General Purpose Committee Meeting held on the 25 September 2001, be confirmed.

Councillor Davies arrived at the meeting at 9.05am
Councillor Rasmussen arrived at the meeting at 9.10am
Councillor Woods arrived at the meeting at 11.25am
Councillor Calvert left the meeting at 11.30am
Councillor Gilling left the meeting at 11.35am
Councillor Gilling returned to the meeting at 11.50am
Councillor Williams left the meeting at 12.15pm
Councillor Gilling left the meeting at 12.15pm
Councillor Gilling returned to the meeting at 12.30pm
Councillor Paine arrived at the meeting at 1.00pm

The meeting adjourned at 1.00pm for site inspections
The meeting reconvened at 3.30pm

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

95: Two Storey Dwelling - Lot 25 DP742749, No. 17 North Street (Cnr. Palmer Street), Windsor (MA266/01/EVD/ENJ23NAX.V02)

Mr Edgar Phipps and Ms Lyn Baker, respondents, addressed the Committee

This is Page 3 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 23 October 2001.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 4

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Sheather

That a site inspection be carried out.

A site inspection was carried out at 1.40pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillors K F Conolly, P F Davies, D Finch, G J Gilling, C A Paine, P R Rasmussen, L C Sheather and C J Woods.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Finch

That the application not be supported with the appropriate reasons to be reported to the Ordinary meeting.

96: 2 (two) Lot Subdivision and Construction of Duplex on Rear Lot at No. 39 Campbell Street, South Windsor, Lot 22, Sec U, DP759096. Modification of Development Consent under Section 96 of the Environmental Planning and Assessment Act 1979 (MA407/01/EVD/ENJ23NAX.V01)

Mr Trevor Devine, representing Susan Dewing, proponent, addressed the Committee.

RECOMMENDED on the motion of Councillor Williams seconded by Councillor Gilling

A. That the modification under Section 96 of the Environmental Planning and Assessment Act 1979 be approved and amended in the following manner:

1. The amendment to Condition 2 be declined.

2. Condition 52 be amended as follows:

“52. The creation of a 1.5m wide right of carriageway along the north western boundary of proposed Lot 221 benefitting Lot 222 together with the construction of a centrally located 1.2m wide by 75mm thick concrete pathway within the right of way. The concrete path paving is not to be placed until services have been placed or conduits laid within the right of way.”

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 5

3. Condition 54 be added:

“54. The construction of the rear lane from Campbell Street to and over the frontage of the site with kerb and gutter on the south eastern side, a 4.5m wide sealed pavement, any necessary drainage together with any works necessary to make this effective.”

- B. That further information in relation to the easement and Condition 51, relating to the requirement for the construction to be 500mm above ground level, be reported to the next Ordinary meeting.

97: Application for Aquaculture Farm (Four Ponds, Hydroponics and Shed) - Lot 3 DP616812, No 634 Grose Vale Road, Grose Vale (MA1565/00/EVD/ENJ23NAX.V03)

Mr Mickaill, the applicant, addressed the Committee.

Mr Paul Hobill, Ms Julie Powers, Mr Michael Powers and Mr Bill Sneddon, respondents, addressed the Committee.

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Finch

That the application for Aquaculture Farm comprising 4 (four) ponds, 1 (one) sediment pond, rural shed and hydroponics at Lot 3 DP616812, No. 634 Grose Vale Road, Grose Vale, 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. MA1565/00 and any supportive documentation, except as otherwise 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.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 6

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.
5. This consent is restricted to 4 (four) earthen ponds, 1 (one) sediment pond, rural shed for purging facilities and hydroponics cultivation. Any further development of the site including netting of the ponds for predator trapping requires further approval from Council.
6. All ponds are to be aligned along the contours to minimise cut and fill.
7. The ponds are to be constructed only as water becomes available.

General Terms of Approval - NSW Fisheries

8. The Minister for Fisheries may, if the Minister thinks fit, suspend, revoke, vary or add to any of the conditions of a permit.
9. An aquaculture permit is not transferable.
10. Except where specific exception is made, all provisions of the Fisheries Management Act 1994, the Regulations made thereunder and Landbased Aquaculture Policy, are to be strictly complied with.
11. Where applicable, the permit-holder shall obtain and keep current the approval of and any necessary licences issued by government agencies including the authorities listed below:
 - Department of Land and Water Conservation (DLWC)
 - Environment Protection Authority (EPA)
 - Department of Urban Affairs and Planning (DUAP)
 - NSW National parks and Wildlife Service (NEWS)
 - Waterways Authority
 - Local Shire or Municipal Council
12. The Director of Fisheries or any officer of the Department shall be allowed access to the premises covered by an aquaculture permit at all reasonable times and the permit-holder shall cooperate by facilitating inspection of the premises and fish therein. Information obtained from these inspections will be regarded as confidential and will not be divulged to other fish farmers unless necessary for the purposes of regulation of the industry or for disease control.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 7

13. Upon request, the permit holder shall supply, in writing, any reasonable information relating to the fish farm sought by the Director of Fisheries or any other officer of the Department. Changes in particulars (ie business address, trading name or change of directors) must be notified to the Department in writing within 28 (twenty eight) days.

14. An annual production report, covering production and sales for each financial year, is to be submitted to the Department before 30 September each year.

15. Unless otherwise specified, for the purposes of a permit:

"Fish" means the eggs, milt, larvae, juveniles and adults of the species authorised by a permit.

"Waters" means all waters that are within the limits of the State and include rivers, creeks, lakes, lagoons and artificial dams, tanks, reservoirs, ponds, canals, channels, waterways, estuaries and the ocean.

"Sell" includes -

- (a) sell by wholesale, retail, auction or tender;
- (b) barter or exchange;
- (c) supply for profit;
- (d) offer for sale, receive for sale, or expose for sale;
- (e) consign or deliver for sale;
- (f) have in possession for sale; or
- (g) cause, or allow any of the above to be done.

"Premises" means all or part of the lands referred to in a permit and includes all structures thereon.

"Hatchery" means a facility for the maintenance and maturation of broodstock, spawning (natural and artificial) and larval rearing to fingerling or post-larval stage.

"Extensive" means aquaculture undertaken without providing supplementary food for fish that are being cultured.

"Intensive" means aquaculture undertaken by providing supplementary food for fish that are being cultured.

"Food" includes any form of nutrient.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 8

16. The permit holder shall not propagate, hatch or rear species of fish other than those specified in a permit.
17. A permit holder shall not cross breed species of fish without the written approval of the Department.
18. The permit holder shall not extend the propagation, hatching or rearing of fish beyond the facilities covered by a permit. Any extension of operations or expansion of facilities requires written approval from the Department.
19. The permit holder shall maintain during the term of the permit, the right to occupation of the land or to immediate possession of the land on which the fish farm is situated for the purpose of aquaculture.
20. The permit holder shall prevent fish escapement into waterways from any authorised area covered by a permit.
21. The permit holder shall not obtain any live fish from any person, whether in New South Wales, interstate or overseas, unless that person is authorised as a supplier of fish under State and/or Commonwealth legislation.
22. A person must not bring into New South Wales, live fish of a species not taken in New South Wales' waters without the authority of a permit.
23. A record of all purchases and sales of fish is to be maintained by the permit holder. The record shall include the date, names and addresses, the species name, life-cycle-stage, quantity and species of fish.
24. The permit holder shall not liberate live fish into any waters, by themselves or their agents, except those species authorised by the permit into the waters of the fish farm specified by the permit, or sell live fish for such purpose, without the prior approval in writing from the Director of Fisheries.
25. The permit holder shall not sell any live fish interstate without first obtaining authorisation from the fisheries authority in that State, or sell any live fish overseas without first obtaining relevant approvals from the Australian Quarantine Inspection Service (AQIS) and the Australian Nature Conservation Agency (ANCA).
26. The permit holder shall not liberate, sell, offer or consign for sale any species other than those propagated, hatched, reared or grown on the premises to which a permit applies.

This is Page 8 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 23 October 2001.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 9

27. Fish sold for human consumption must not be smaller than the legal minimum size for each species unless the permit holder (other than Class F permit holders) has authority under a permit to sell prohibited size fish.
28. The permit holder shall issue to each purchaser of any fish species cultured on the premises, a receipt showing the number of fish of each species purchased.

Disease

29. The permit holder shall notify the Department within 24 hours of the discovery of any declared disease (see appendix), unusual disease or any significant event associated with the welfare of the fish on the premises (eg. Unexplained or significant fish mortalities, >5% of fish stock loss in a week). See Appendix for list of Declared Diseases.
30. Where any Declared Disease or other disease exists, or is reasonably suspected of existing on the farm premises covered by a permit, a permit holder shall carry out any directions so ordered by the Director of Fisheries for the treatment or destruction of fish including quarantine of the premises. Any such order shall remain in effect until revoked by the Directory of Fisheries in writing.
31. The permit holder must not sell, give away or release to waterways, any fish if it is known or suspected to be infected with a Declared Disease. The holder shall take precautions specified in writing by the Director of Fisheries to prevent the escape of fish or disease from the farm.
32. All outlets must be screened to prevent the escape of fish. A screen no greater than 1mm must be used for eggs and fry, a screen no greater than 5mm for fingerlings, and a screen no greater than 15mm for post-fingerling fish.
33. No effluent is permitted to reach any waterway except for farms licensed by the EPA to discharge effluent into waterways.

Conditions Relating to the Sale and Stocking of Indigenous Freshwater Fish of NSW

34. Live fish may be sold to other farmers holding a current permit authorising the farming of that particular species of indigenous fish; or to a fish wholesaler, retailer or restaurant for human consumption; to a registered wholesaler or retailer of aquarium fish; or to a recognised outlet authorised under State and/or Commonwealth legislation.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 10

35. Live fish may also be sold to farm dam owners for stocking farm dams. Of the western, drainage species, only silver perch (*Bidyanus bidyanus*), golden perch (*Macquaria ambigua*) and eel-tailed catfish (*Tandanus tandanus*) may be sold for stocking arm dams on the eastern drainage. Permit holders must advise people purchasing fish for stocking farm dams on the eastern drainage that dams must be above the 1 in 100 year flood level and not be susceptible to overflow that would allow fish to escape.
36. Murray cod (*Maccullochella peelii peelii*) may only be cultured or stocked in farm dams on the western drainage.
37. Silver perch may not be grown for sale in farm dams (See "Aquaculture Permits for Silver Perch" Policy).
38. No fish may be sold for the purpose of stocking natural waterways and public impoundment's without first obtaining a Fish Stocking Permit issued for those waters by the Director of Fisheries.

Conditions Relating to the Farming of Indigenous Freshwater Fish in NSW

39. All outlets must be screened to prevent the escape of fish. A screen no greater than 1mm must be used for eggs and fry, a screen no greater than 5mm for fingerlings, and a screen no greater than 15mm for post-fingerling fish.
40. No effluent is permitted to reach any waterway.

Conditions Relating to the Sale and Stocking of Freshwater Crayfish

41. Live yabbies, *Cherax destructor*, may be sold to farm dam owners for stocking farm dams, or to a registered wholesaler or retailer or aquarium fish. The permit holder must advise people wishing to stock yabbies into eastern drainage dams that they can not stock yabbies where there are known populations of other species of freshwater crayfish that could be threatened by their introduction. This information is available from the NSW Fisheries. In addition, the dams must be above the 1 in 100 year flood level and not susceptible to overflow.
42. Live crayfish may only be sold to other fish farmers holding a current permit authorising the farming of that species, to a fish wholesaler, retailer or restaurant (authorised under state and/or Commonwealth legislation) for human consumption or to a registered wholesaler or retailer of aquarium fish. The permit-holder must advise the aquarium dealer that only the yabby *Cherax destructor* may be stocked into NSW waters.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 11

43. Freshwater crayfish of a species not indigenous to NSW may not be stocked into New South Wales' water.
44. All ponds, raceways or other tanks containing marron (*Cherax tenuimanus*) or redclaw (*Cherax quadricarinatus*), or any species of crayfish not native to the area where the fish farm is located, must be surrounded by an unbroken fence extending at least 60cm above ground and 30cm below ground, and constructed of a smooth material (eg. plastic sheeting, galvanised iron) to prevent the escape of stock. Fences will be required where yabbies are to be grown on the eastern drainage in areas where native species of crayfish are present, as the introduction of yabbies may present a threat to native crayfish stocks.

Conditions Relating to Farming Freshwater Crayfish

45. All outlets must be screened to prevent the escape of crayfish. A screen no greater than 2mm must be used to prevent the escape of juveniles.

Prior to Issue of Construction Certificate

46. A Part 3A permit is required to be obtained from the Department of Land & Water Conservation prior to issue of Construction Certificate.
47. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
48. To ensure compliance with environmental planning instruments, codes and policies which relate to the subject land, the design and layout of the development shall be modified in the following manner:
 - (a) The height of the shed is to be reduced to a maximum height of 5m.
49. In order to ensure effective environmental management and rehabilitation of the development site, an Environmental Management and Rehabilitation Plan for the development site shall be prepared by a qualified professional Civil Engineer. The Plan shall address (without being limited to) the earthworks and erosion control and site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by a qualified professional Civil Engineer.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 12

Where circumstances change during construction and those circumstances could not have been foreseen, the consent authority may require erosion or sediment control works to be carried out in addition to or instead of those work specified.

50. The submission of design plans for all civil works covered by the consent together with a certificate from a suitably qualified engineer to the effect that the design are structurally adequate and that the site will remain stable during and after construction including when operating at full capacity.
51. A water balance report undertaken by a suitable qualified person is to be submitted prior to issuing the construction certificate. This report is to address (but not limited to) excess water from ponds, consumption of water from the hydroponics and disposal of excess water onto the land.
52. Documentary evidence of the issue of a Part 3A permit from the Department of Land and Water Conservation.

Prior to Commencement of Works

53. 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.
54. 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.
55. In order to avoid pollution and sedimentation of the Hawkesbury-Nepean River Catchment, the following erosion and sedimentation controls will apply:
 - (a) runoff and erosion controls shall be installed prior to clearing of site vegetation in accordance with Council's development control plan titled "Soil Erosion Sediment Control";
 - (b) topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping;
 - (c) uncontaminated runoff shall be intercepted upsite and diverted around all disturbed areas;

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 13

- (d) runoff detention and sediment interception measures shall be applied to the land to reduce flow velocities and to prevent topsoil, sand, aggregate, road base, spoil or other sediment escaping from the site or entering any downstream drainage easements or natural watercourses;
- (e) the capacity and effectiveness of runoff and erosion control measures shall be maintained at all times;
- (f) pollution control devices shall be installed and maintained to ensure there is no increase in the downstream levels of nutrients, litter, vegetative debris, and other water borne pollutants;
- (g) stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water shall be stored clear of any drainage line or easement, natural watercourse, footpath, kerb or road surface;
- (h) measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto any sealed roads serving the development; and
- (i) an erosion control plan showing detailed runoff and erosion control measures shall be prepared by a qualified engineer prior to any works commencing on-site. This plan shall incorporate (without being limited to):
 - (i) upsite interception of uncontaminated runoff and diversion of it around disturbed areas;
 - (ii) sediment interception measures (catch drains, contour banks, detention basins, settling ponds, haybale or gabion barriers, sediment traps, silt fences, etc) sufficient to prevent sediment and other debris leaving the site or entering downstream drainage lines;
 - (iii) regular maintenance of erosion control works; and
 - (iv) satisfactory disposal of intercepted sediment.

56. 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.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 14

During Construction

57. All building work must be carried out in accordance with provisions of the Building Code of Australia.
58. 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;
 - (b) piers;
 - (c) steel reinforcement;
 - (d) 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;
 - (e) external drainage lines, prior to backfilling;
 - (f) on completion of the structure;
59. All work is to be carried out in accordance with the recommendations within the Geotechnical report prepared by Brinks and Associates dated 16 July 2001 and the approved Environmental Management Plan.
60. All necessary works being carried out to ensure that “any water” flow from adjoining properties is not impeded.
61. No excavated material, including soil, shall be removed from the site.
62. The topsoil shall be stripped and stockpiled and used to rehabilitate disturbed areas.
63. The disturbed area, including batters, shall be grassed immediately after works take place.
64. 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.
65. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by running water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or road surface.
66. To avoid any unnecessary site disturbance, the excavated and filled areas are to be graded and drained in a manner that will not be detrimental to adjoining properties or the environment and all constructed batters are to be topsoiled and turfed.

This is Page 14 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 23 October 2001.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 15

67. Topsoil is to be stripped and stockpiled from the excavation and wall areas before the dam wall is constructed, with the stockpile located clear of any natural watercourse. Sediment control fencing is to be then placed around the stock pile.
68. The embankment is to be completed with 100mm (one hundred) of top soil. It is to be planted with a good holding grass such as kikuyu or couch. Trees or shrubs are not to be planted on the embankment as roots may provide seepage paths for water.
69. The dam wall is to be adequately compacted by track rolling or similar in layers no greater than 150mm.
70. 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.
71. The site shall be kept clean and tidy during the construction period and all rubbish shall be removed from the site upon completion of the project to the satisfaction of this office.
72. The developer is responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.
73. All work is to be carried out under the direct supervision of a geotechnical engineer.
74. Prior to filling the ponds with water the submission of a certificate from a suitably qualified engineer to the effect that the works have been completed in accordance with the approved plans and that the work and the site will remain stable after the ponds are filled.

The Use of the Site

75. Those areas nominated on the approved plan for landscaping are to be planted with native species endemic to the area and of a mature height.
76. Trees and shrubs are to be kept clear from the dam wall at all times. When trees or shrubs grow on or near a wall and eventually die, the decomposing roots form tunnels which lend to seepage and leaks. Shrubs also provide cover for rabbits which can damage the wall by burrowing.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 16

77. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) (LAeq) above background noise levels with respect to noise amenity of residential dwellings.
78. No advertising structures to be erected, displayed or affixed on any building or land without prior approval. Any unauthorised advertising structure will be removed at the expense of the advertiser.
79. No signs shall be displayed on the footpaths, pedestrianways, roadways or in the vicinity.
80. Any mass mortalities of fish are to be stored appropriately and disposed of immediately to a suitable rendering facility.
81. Documentary evidence in the form of receipts as to when and how much water is imported to the site is to be maintained for periodic auditing by the Department of Land and Water Conservation.

98: Application to remove significant trees under Council's Tree Preservation Order (GE020/031 Pt6/ENG/ENJ23NBX.E10)

Mrs Lorraine Hunt, the applicant, addressed the Committee.

A site inspection was carried out at 2.30pm. Councillors present at the inspection were Councillor R P Stubbs, Mayor and Councillors K F Conolly, P F Davies, D Finch, G J Gilling, C A Paine, P R Rasmussen, L C Sheather and C J Woods.

- 493 RESOLVED by the Committee exercising its delegation as Whole Council on the motion of Councillor Gilling seconded by Councillor Paine

That permission be granted for the trees to be lopped to 2.5 metres in accordance with the arborist report.

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Paine

That staff liaise with the property owner in regard to the drainage from the road to the river with a further report to be provided to Council in this regard.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 17

99: 714 Upper Colo Road, Upper Colo - Proposed Outdoor Testing Site for Electromagnetic energy - Update on Legal Proceedings (DA90/98/EVD/ENJ23NBX.V05)

Mr Bill Sneddon, respondent, addressed the Committee.

RECOMMENDED on the motion of Councillor Davies seconded by Councillor Finch

That Council's solicitors be instructed to pursue the recovery of costs from Ms Bongers for LEC Proceedings No. 40023/99 and file a Notice of Motion seeking costs for the hearing of the Notice of Motion initiated by Ms Bongers.

100: Hawkesbury Development Control Plan (DCP1/99/EVD/ENJ23NBX.V08)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Conolly

That:

1. The information be received.
2. The Hawkesbury Development Control Plan be amended as outlined in the above report.
3. The Hawkesbury Development Control Plan be placed on public exhibition for an additional period of 28 (twenty eight) days.
4. A new chapter be prepared in consultation with the Disability Advisory Committee to address access and mobility.
5. A draft local environmental plan be prepared to amend the adoption date for Exempt and Complying development using the best practise guidelines.
6. Council exercise its delegation in respect of Section 65 and Section 69 of the Environmental Planning and Assessment Act 1979 in preparing the above draft local environmental plan.
7. In respect of the draft local environmental plan, a local environmental study not be prepared.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 18

101: Proposed Orders for Mushroom Substrate Production - 84 Mulgrave Road, Mulgrave
(P136/445/EVD/ENJ23NBX.V09)

Ms Marie Noble, Mr Bill Sneddon, Mr Neville Diamond and Ms Jackie Verzi respondents,
addressed the Committee

494 RESOLVED by the Committee exercising its delegation as Whole Council on the motion of Councillor Williams seconded by Councillor Sheather

That:

1. Council instruct its solicitors that Council agrees to the Draft Orders as attached to this report and to have the Orders put in place.
2. Should the operator default on the Orders, that Class 4 proceedings be commenced.

102: Residential Development and Proposed Multi Unit Housing Zone
(LEP1/01/EVD/ENJ23NBX.V07)

RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Rasmussen

That:

1. A revised Housing Strategy be prepared and forwarded to the Department of Urban Affairs and Planning for approval.
2. Upon approval of the revised Housing Strategy Submission Council proceed with the preparation of the draft local environmental plan to introduce a Multi Unit Housing Zone.

103: Tracking Sensitive Development (GE020/029/EVD/ENJ23NCX.V11)

Mr Neville Diamond, respondent, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Finch

That the information be received.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 19

SECTION 2 - INFRASTRUCTURE

49: Bell's Line of Road/Grose Vale Road/Terrace Road Intersection (0243/R Pt 10/GMA/INJ23NAX.G02)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

The member for Londonderry, Mr Jim Anderson, be thanked for his representations on Council's behalf and that he further be requested to assist in having this matter brought forward for construction as soon as possible, given the continual extending delays that occur during the AM and particularly PM peaks.

50: Hollands Paddock Car Park (P1408.95/0 Pt2/GMA/INJ23NAX.G04)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That Pirasta Pty Limited be thanked for their offer for Council to lease the area known as the Hollands Paddock Car Park on a monthly basis for the sum of \$1.00 (one dollar) (if claimed), and in doing so that Council provide the applicable insurances and undertake any necessary maintenance, with the Seal of Council being placed on any necessary documents.

51: Glossodia Road Hierarchy - Mitchell & Boomerang Drives (1316/R, 0210/R Pt3/ENG/INJ23NBX.E05)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That the Glossodia Road Hierarchy previously adopted by Council be amended to provide for:

1. The construction of a 9 (nine) metre carriageway in Mitchell Drive between Macquarie Place and Ian Street.
2. The construction of a 10 (ten) metre carriageway in Boomerang Drive between Spinks Road and Ian Street.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 20

52: Canon - Ham Common and Memorial Park, Windsor (GM020/003, PK/254 Pt2/ENG/INJ23NBX.E06)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That:

1. The Windsor R&SL Sub-Branch proposal to restore the World War I 25 pound military piece located in Memorial Park, Windsor and the restoration of the World War II 25 pound military piece previously located in Ham Common to be relocated to Memorial Park, Windsor be supported and assistance be given in transporting those items throughout the restoration process.
2. The two Japanese Ack-Ack guns formerly located in Ham Common and now stored at the Works Depot, along with the World War II mortar currently located in Memorial Park, Windsor be offered to the North Fort Artillery Museum.

53: Proposed Acquisition of Land for Public Road Purposes part Lot 10 in DP856819, 233 Greens Road, Lower Portland (717/R, P717/127/ENG/INJ23NBX.E07)

Mrs Lorraine Hunt, owner of the property, addressed the Committee.

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Finch

That

- A. Council commence normal proceedings to acquire part of Lot 10, DP856819 shown on sketch plan 'A' attached for public road purposes, subject to the Land Acquisition (Just Terms Compensation) Act 1991.
- B. A report be prepared in relation to the drainage issue and any costs associated with repair.

54: Tender for Contract for Caretaking & Operation - Lower Portland Ferry (GT020/412 Pt1/ENG/INJ23NBX.E01)

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Sheather

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 21

That:

1. Fresh tenders be invited for the operation of the service on the basis of extended hours of operation.
2. The current service provider be asked to continue operations until the tenders can be advertised, evaluated and reported back to Council.
3. Baulkham Hills Shire Council be consulted prior to the Ordinary meeting in relation to this proposal.

SECTION 3 - ORGANISATION AND RESOURCES

102: Monthly Financial Report - September 2001 (GF011/005/FNC/OGJ23NAX.F08)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That the information be received.

103: John Morony Correctional Centre (GT090/003 Pt11/GMA/OGJ23NAX.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.

104: Constitutional Recognition of Local Government (GE001/001 Pt2/GMA/OGJ23NAX.G03)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Paine

That Council strongly support the Constitutional Recognition of Local Government and assist the Local Government and Shires Association's campaign in this regard.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 22

105: Outstanding Receivables - Arrears of Rates and Charges 2000/2001 (GF001/001/FNC/OGJ23NAX.F10)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Paine

That:

1. The report on the outstanding receivables and arrears of Rates and Charges for 2000/2001 be received.
2. Rate and Charges totalling \$48,333.77 (forty eight thousand, three hundred and thirty three dollars and seventy seven cents) be abandoned against the 2000/2001 rating year in accordance with the Local Government Act, 1993.
3. The abandonment of other receivables totalling \$2,469.48 (two thousand, four hundred and sixty nine dollars and forty eight cents) under delegated authority to the Responsible Accounting Officer be noted.
4. Other receivables totalling \$62,679.61 (sixty two thousand, six hundred and seventy nine dollars and sixty one cents) requiring a resolution of Council be written off in accordance with the *Local Government (Financial Management) Regulation, 1993*.

106: New Commercial Lease - Shop 4, Hobartville Shopping Centre (GC283/008 PT3/CSV/OGJ23NBX.C06)

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Sheather

That:

1. That a new lease be granted to Mr and Mrs Gresham for Shop 4, Hobartville Shopping Centre for the purposes of a retail liquor outlet.
2. The lease term is 5 (five) years with a 5 (five) year option. The commencing rent is \$190.00 (one hundred and ninety dollars) per week (\$9,880.00 [nine thousand eight hundred and eighty dollars] per annum plus GST) to be reviewed annually to CPI for Sydney and to market at the commencement of the fourth year and at the commencement of the option. Outgoings are also payable at the rate of 8.77% of centre outgoings and are currently estimated at \$1,410.00 (one thousand four hundred and ten dollars).

This is Page 22 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 23 October 2001.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 23

3. Public liability insurance in the sum of \$10 million and plate glass and workers compensation insurance is required to be supplied by the tenant.
4. All construction costs, application fees and Council's lease preparation and registration fees are payable by the applicant.
5. The lease is subject to the applicant obtaining development approval and a Liquor Licence for the premises.
6. The seal of Council be affixed to necessary legal documents.

107: Land in Greenway Crescent, Windsor (P740/15 PT3, GC283/086 PT2/CSV/OGJ23NBX.C09)

Mr Ron Soper, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Davies

That:

1. The information be received.
2. Additional information be reported to the Ordinary Meeting.

108: Buckingham Street, Pitt Town (0268/R/CSV/OGJ23NBX.C02)

RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Rasmussen

That Council accept the transfer of Buckingham Street, Pitt Town.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 24

109: Community Cultural Grants (G021/218/CSV/OGJ23NBX.C11)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Paine

That applications received in the September round of the Community Cultural Grants Program be approved.

110: Community Donations Program (GF008/001/CSV/OGJ23NBX.C12)

Mayor Stubbs declared an interest as he is a member of Friends of the Hawkesbury Art Collection

Councillor Woods declared an interest as she is a director of Hawkesbury Christian Centre

Councillor Rasmussen declared an interest as he is a director of Hawkesbury Radio

There being no quorum no recommendation was made and the item was referred to the Ordinary Meeting.

Mr Vic Bartlett and Mr John Christie addressed the Committee.

111: Progress Report on the Implementation of New Business Systems Software (GT020/401/CSV/OGJ23NCX.C04)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Davies

That the information be received.

QUESTIONS WITHOUT NOTICE:

1. Councillor Finch tabled correspondence from constituents.

The General Manager advised that responses would be provided.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 25

2. Councillor Finch enquired if Council had a covered storage area large enough to fit a railway carriage following a request from Ian Dodd from TRAK.

The General Manager advised that there were no such facilities available.

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

The General Manager advised that this matter was to be discussed at the next Councillor Workshop scheduled for 6 November 2001. He advised that Council had received further interest in the old building for a similar use to that approved previously and the architects, who have been invited to attend the workshop, have provided preliminary sketches as they had to completely revamp a major part of the building to accommodate the art gallery.

4. Councillor Paine requested an update on the museum site and any associated costs including whether those costs had been budgeted.

The General Manager advised that the Director of Asset Services and Recreation and the archeologist had received approval to undertake the dig and that work was currently being arranged. The General Manager advised that the figure was approximately \$1.2 million which was within the \$15 million budget.

5. Councillor Paine referred to correspondence tabled at the last Ordinary meeting relative to the flagpole in Thompson Square, Windsor.

The Director of Asset Services and Recreation advised that after researching this matter, it was noted that the flagpole had not been concreted in and he was unable to find anyone who could explain how it had originated. He advised that due to the fact that the current flagpole possibly had no approval, the matter should probably be the subject of a report. The General Manager advised that Council had some flagpoles from the Olympics, one of which could be installed, subject to Heritage Council approval.

6. Councillor Conolly referred to the public meeting at McMahons Park and enquired whether any instructions or a brief is given to valuers when Council requests a valuation of a parcel of land.

The General Manager advised that Council advises the valuer of the intention to acquire a piece of land for a particular purpose.

Councillor Conolly enquired if the valuation was provided on the basis that that strip could not exist as a separate lot otherwise - it is only because Council wants to buy it that it would be subdivided.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 26

The General Manager advised that because Council are a preferred purchaser, the valuation increases, and this was indicated at around \$10,000.00. The method used by the valuer was the before and after method i.e. what the land was worth now and what it was worth after the land for the park has been excised.

Councillor Conolly advised that he did indicate to people at the meeting that he would put it back to Council that another valuation be sought on the purchase of land at the park to try to resolve the differences involved.

7. Councillor Rasmussen asked for an update on the RAAF Economic Impact study.

The General Manager advised there was no further information to report.

8. Councillor Rasmussen asked for an update on the LES for Pitt Town.

The Director of Environment and Development advised that the consultants had postponed the meeting with the principal land owners, to allow the residents more time to respond. He advised that the delay would not affect the timing on the completion of the LES.

9. Councillor Davies referred to the earlier question relating to McMahon Park and advised that he was in possession of a further valuation from John Kershaw. He enquired if it might be appropriate to forward a copy to the first valuer to seek his comments. He advised that the valuation from John Kershaw that had been sent to Council, specifies \$108,000.00 for the land starting from \$40,000.00 for the land. He advised that the valuer arrived at that amount by taking one-tenth of the \$450,000.00 minus a small amount and he then added on other factors that he drew from the acquisition of land.

The General Manager advised that the valuer Council used was the valuer Council has used in every resumption case and never lost.

10. Councillor Sheather referred to an earlier question without notice relating to flashing lights on vehicular ferries and enquired if stationary lights, similar to those used on barriers, could be installed on each end of the ferry during the Canoe Classic.

The Director of Asset Services and Recreation advised this matter would be investigated.

GENERAL PURPOSE COMMITTEE

Minutes

Meeting Date: 23 October 2001

Page 27

11. Councillor Sheather referred to the plans for the flood levels and asked that the flood level at East Wilberforce going into Ebenezer, be reassessed as he considered the current flood level is incorrect.

The General Manager advised this would be investigated.

12. Councillor Sheather enquired about local drainage flooding and if it would be possible to have photos taken that would show the proposed works or indeed, if we have problems how we might resolve those local flooding issues.

The General Manager advised that all floods of any proportion are photographed by the State and we have purchased copies of the photos going back to 1964. The General Manager advised that the drains are designed to a certain frequency, bridges at 1 in 100 year flood frequency and road culverts vary between 1 in 5 and 1 in 20 years.

13. Councillor Sheather asked for an update on the Ham Common Skate Park.

The General Manager advised that correspondence had been forwarded to the three RSL clubs and he had received a phone call on 22 October 2001 from the President of the Windsor Sub-Branch advising his Committee had met and they considered it a very favourable project and would write and support the matter. The Director of Asset Services and Recreation advised that a Development Application had been lodged.

14. The General Manager referred to the issue of jetskis on the Hawkesbury River and advised that a response had been received from the Waterways on 22 October 2001, indicating that jetskis have been banned in other locations. He advised that the Waterways will be monitoring their use on the Hawkesbury as well as other areas however, if a problem occurs we should advise them or if any particular Council wishes to have jetskis banned from certain areas for good reason, then the Authority would consider the matter.

The meeting terminated at 4.42pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 27 November 2001.

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Mayor

This is Page 27 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 23 October 2001.

General Manager

Mayor