



Hawkesbury City Council

general purpose committee minutes

date of meeting: 30 July 2002

location: Council Chambers

time: 9.00am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 30 July 2002

AGENDA

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

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Minutes of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor, on 30 July 2002, commencing at 9.04am.

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

Apologies for absence were received from Councillors Calvert and Paine.

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

Councillor Gilling arrived at the meeting at 9.16am
Councillor Allan arrived at the meeting at 9.50am
Councillor Davies left the meeting at 10.40am
Councillor Williams left the meeting at 12.50pm
Councillor Rasmussen left the meeting at 12.50pm
Councillor Rasmussen returned to the meeting at 1.55pm
Councillor Williams returned to the meeting at 2.30pm
Councillor Conolly left the meeting at 4.27pm
Councillor Davies returned to the meeting at 4.34pm
Councillor Gilling left the meeting at 4.48pm

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Rasmussen that the Minutes of the General Purpose Committee Meeting held on the 25 June 2002, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

64: Proposed Rezoning at Lot 1 DP575488 Ham Street, South Windsor
(P819/475/EVD/ENG30NAX.V06)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Conolly

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That:

1. This matter be deferred to the next Ordinary Meeting.
2. A letter be forwarded to Integral Energy advising that this matter will be resolved when the Government has resolved issues relating to SEPP No. 5 housing.

65: Development Application for Additions to Existing Poultry Farm - Lot 1 DP564277, 412 Stannix Park Road, Ebenezer (MA906/99/EVD/ENG30NAX.V02)

Mr Garry Jennings, the applicant, and Mr Greg Poole, the applicant's representative, addressed the Committee

Mr Danny Riley, Mr Brian Booker, Ms Jackie Verzi and Mr Neville Diamond, respondents, addressed the Committee

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Finch

- A. That approval be granted for the erection of three (3) rearing sheds and reorientation and enlargement of the existing approved shed 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 (Drawing No. 27197/3 Issue "E" dated 14/11/00) submitted with Development Application No. M906/99 dated 25/6/99 and any supportive documentation, except as otherwise provided by the conditions of this consent or as amended in red on the plans.

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

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.

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4. The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy

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.
- 6. This approval does not cover any alternations or additions to the existing dam.
- 7. Shed 5 is to be deleted.

Prior to Issue of Construction Certificate for Sheds 1 and 2

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. **The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.**

- 8. The submission of design plans and calculations for all pavement and drainage works required by this consent.
- 9. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
- 10. Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
- 11. The preparation of a Environmental Management Plan for the activity is to be submitted to Council for approval.

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The Plan is to incorporate the following:

- i) All proposed management measures/practices identified in the Statement of Environmental Effects and reports that accompanied the application.
 - ii) All recommendations or safeguards contained in the reports that accompanied the application.
 - iii) Procedures for logging and dealing with complaints from residents regarding the operation of the activity.
 - iv) Annual reporting on the compliance with the Management Plan and conditions of consent including appropriate measurement of noise and odour generated from the activity.
12. A detailed landscape plan is to be submitted to Council for approval.
Landscaping is to be provided to all boundaries including appropriate native screen plantings.

In this regard, the recommendations of the Flora and Fauna assessment prepared by ESP (Ecological Surveys & Planning Pty Ltd) are to be incorporated into the plan.

Prior to Issue of Construction Certificate for Sheds 3 & 4

- 13. The construction certificate for sheds 3 and 4 shall not be issued in less than twelve months following completion and operation of sheds 1 and 2.
- 14. The submission of an annual report as detailed in the Environmental Management Plan. Should the report demonstrate verification of the predicted outcomes and compliance with the reports provided within the development application, construction certificates will be issued for sheds 3 and 4.
- 15. Compliance with all conditions of consent including landscaping.

Prior to Commencement of Works

- 16. 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.

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17. 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.
18. 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.

19. Erosion and sediment control devices are to be installed and maintained in accordance with Council's Development Control Plan - Soil Erosion and Sedimentation 1994, to ensure that there is no increase of nutrients, litter, vegetative debris or any other waterborne pollutant in any water body (as defined by the Protection of the Environment Operations Act 1997).

Failure to implement or maintain appropriate erosion/sediment control measures is a breach of the Protection of the Environment Operations Act 1997, and the applicant may be held responsible. Such a breach of this act may expose the applicant to an on-the-spot fine of up to \$1500, or further legal action from Council as the appropriate regulatory authority.

During Construction

20. The existing drainage depression in the vicinity of the sheds to be formalised by piping or other means to pass the water to the dam without damage to the building or access roads.
21. All access and manoeuvring areas for the development to be constructed with a sealed pavement and all necessary drainage to minimise potential dust nuisance.

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22. All building work must be carried out in accordance with provisions of the Building Code of Australia.
23. 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) internal drainage lines prior to covering;
 - (f) external drainage lines, prior to backfilling;
 - (g) on completion of the structure.
24. 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.
25. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during times of wet weather or when the site is muddy.
26. All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
27. All stormwater runoff from the shed area (total development area and hard standing areas, access, parking, loading/unloading) shall be directed to the dam. The dam shall be de-sited on an annual basis to maintain sufficient freeboard.
28. All necessary works being carried out to ensure that "any water" flow from adjoining properties is not impeded.
29. No burning of demolition or construction material being carried out on the site.
30. 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.

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31. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
- (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.

Prior to Issue of Occupation Certificate

32. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the Occupation Certificate.
33. To ensure that all necessary services are provided to the development and these services will function properly satisfactory arrangements shall be made with Integral Energy for the provision/extension of services to and within the subject land.
34. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of the Development Consent have been complied with.
35. Occupation of any buildings and the use of the site for the proposed development should not take place until all landscaping is completed, all car parking spaces are constructed and designated and all the conditions of approval have been satisfied.

The Use of the Site

36. The development shall be conducted at all times in accordance with the Environmental Management Plan approved by Council.
37. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood with respect to noise, vibration, odour, dust waste water, waste products or otherwise.
38. The development shall operate such that dust particles do not exceed the prescribed standards under the Protection of the Environment Operations Act 1997 and associated regulations at the property boundaries of the subject site.

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39. All animal enclosures are to be maintained free of rodents and other vermin; maintained in a clean condition to avoid offensive odours, dust, or drainage problems; maintained to prevent the proliferation of flies, lice, fleas, and other insect pests; and enclosed so as to prevent the escape of birds.
40. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NMSW EPA's Industrial Noise Policy (2000), do not exceed 5 dB(A) (LAeq) above background noise levels with respect to noise amenity of residential dwellings and associated outdoor areas.
41. Storage of chemicals and petrochemicals should be contained using an approved bunding material at all times. WorkCover MSDS information for all chemical should be maintained at the site at all times.
42. No manure or spent litter is to be stored outside of the buildings.
43. All manure and spent litter is to be taken from the property in covered loads so as to prevent spillage of contents. New litter/shavings are to arrive on the site in covered loads. Spent litter/shavings shall be removed from the sheds at the removal of each "batch" of birds from each shed and replaced with fresh litter/shavings.
44. Deliveries, pick-ups and other machinery used in conjunction with the activity except those associated with internal feed and water distribution from within the site directly to the sheds shall only occur at the site between the hours of 7am and 10pm weekdays only.
45. All dead birds are to be removed from the site daily, stored under refrigeration at the site, or disposed of in an approved manner. Please note that further Council consent is required for the use of additional composting facilities, incinerators, or other onsite disposal for birds at the development.
46. Compliance with the Australian Model Code of Practice for the Welfare of Domestic Poultry.
47. As part of the farm management, a log book is to be maintained and kept on the premises at all times. Details to be logged should include stocking densities, vehicle movements, refilling of silos and gas tanks, and any complaints made directly to the farm regarding odour, dust, or noise.
48. The area to be used for the approved development being limited to the area shown on the submitted plans.

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49. Any lighting on the site is to be directed in such a manner so that it is not visible to adjoining properties or to drivers on surrounding streets.
 50. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
 51. All waste materials to be stored and disposed of at regular intervals.
 52. The water in the existing dam is not to be used in conjunction with the poultry farm in respect to cooling of the sheds and drinking water, and any other purpose.
- B. A report to be prepared for the Ordinary meeting addressing the following issues:
- (a) "Prior to Issue of Construction Certificate for Sheds 1 and 2" to include Sheds 3 and 4.
 - (b) Condition 12 to be clarified.
 - (c) Deletion of Conditions 13, 14 and 15.
 - (d) Condition 21 to be reassessed in terms of providing concrete access to Stannix Park Road to a distance of 10 metres, then an all weather pavement.
 - (e) Condition 44 hours to be set in conjunction with existing hours.
 - (f) Condition 47 to be reassessed with the applicant and to be further discussed with Council to determine a working solution.
 - (g) Condition 52 to be deleted.

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

- A. That approval be granted for the erection of three (3) rearing sheds and reorientation and enlargement of the existing approved shed 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 (Drawing No. 27197/3 Issue "E" dated 14/11/00) submitted with Development Application No. M906/99 dated 25/6/99 and any supportive documentation, except as otherwise provided by the conditions of this consent or as amended in red on the plans.

This is Page 11 of the Minutes of the GENERAL PURPOSE COMMITTEE MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor, on 30 July 2002.

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

2. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
3. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.
4. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy

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.
6. This approval does not cover any alternations or additions to the existing dam.
7. Shed 5 is to be deleted.

Prior to Issue of Construction Certificate for Sheds 1 and 2

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. **The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.**

8. The submission of design plans and calculations for all pavement and drainage works required by this consent.

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9. Separate practising Structural Engineer's details of all structural concrete and steelwork shall be lodged prior to issue of construction certificate.
10. Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval. Such details shall be approved prior to issue of construction certificate.
11. The preparation of a Environmental Management Plan for the activity is to be submitted to Council for approval.

The Plan is to incorporate the following:

- i) All proposed management measures/practices identified in the Statement of Environmental Effects and reports that accompanied the application.
 - ii) All recommendations or safeguards contained in the reports that accompanied the application.
 - iii) Procedures for logging and dealing with complaints from residents regarding the operation of the activity.
 - iv) Annual reporting on the compliance with the Management Plan and conditions of consent including appropriate measurement of noise and odour generated from the activity.
12. A detailed landscape plan is to be submitted to Council for approval.
Landscaping is to be provided to all boundaries including appropriate native screen plantings.

In this regard, the recommendations of the Flora and Fauna assessment prepared by ESP (Ecological Surveys & Planning Pty Ltd) are to be incorporated into the plan.

Prior to Issue of Construction Certificate for Sheds 3 & 4

13. The construction certificate for sheds 3 and 4 shall not be issued in less than twelve months following completion and operation of sheds 1 and 2.
14. The submission of an annual report as detailed in the Environmental Management Plan. Should the report demonstrate verification of the predicted outcomes and compliance with the reports provided within the development application, construction certificates will be issued for sheds 3 and 4.
15. Compliance with all conditions of consent including landscaping.

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Prior to Commencement of Works

16. 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.
17. 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.
18. 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.

19. Erosion and sediment control devices are to be installed and maintained in accordance with Council's Development Control Plan - Soil Erosion and Sedimentation 1994, to ensure that there is no increase of nutrients, litter, vegetative debris or any other waterborne pollutant in any water body (as defined by the Protection of the Environment Operations Act 1997).

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During Construction

20. The existing drainage depression in the vicinity of the sheds to be formalised by piping or other means to pass the water to the dam without damage to the building or access roads.
21. All access and manoeuvring areas for the development to be constructed with a sealed pavement and all necessary drainage to minimise potential dust nuisance.
22. All building work must be carried out in accordance with provisions of the Building Code of Australia.
23. 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) internal drainage lines prior to covering;
 - (f) external drainage lines, prior to backfilling;
 - (g) on completion of the structure.
24. 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.
25. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during times of wet weather or when the site is muddy.
26. All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
27. All stormwater runoff from the shed area (total development area and hard standing areas, access, parking, loading/unloading) shall be directed to the dam. The dam shall be de-sited on an annual basis to maintain sufficient freeboard.
28. All necessary works being carried out to ensure that "any water" flow from adjoining properties is not impeded.

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29. No burning of demolition or construction material being carried out on the site.
30. 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.
31. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.

Prior to Issue of Occupation Certificate

32. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 prior to the release of the Occupation Certificate.
33. To ensure that all necessary services are provided to the development and these services will function properly satisfactory arrangements shall be made with Integral Energy for the provision/extension of services to and within the subject land.
34. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of the Development Consent have been complied with.
35. Occupation of any buildings and the use of the site for the proposed development should not take place until all landscaping is completed, all car parking spaces are constructed and designated and all the conditions of approval have been satisfied.

The Use of the Site

36. The development shall be conducted at all times in accordance with the Environmental Management Plan approved by Council.
37. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood with respect to noise, vibration, odour, dust waste water, waste products or otherwise.

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38. The development shall operate such that dust particles do not exceed the prescribed standards under the Protection of the Environment Operations Act 1997 and associated regulations at the property boundaries of the subject site.
39. All animal enclosures are to be maintained free of rodents and other vermin; maintained in a clean condition to avoid offensive odours, dust, or drainage problems; maintained to prevent the proliferation of flies, lice, fleas, and other insect pests; and enclosed so as to prevent the escape of birds.
40. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NMSW EPA's Industrial Noise Policy (2000), do not exceed 5 dB(A) (LAeq) above background noise levels with respect to noise amenity of residential dwellings and associated outdoor areas.
41. Storage of chemicals and petrochemicals should be contained using an approved bunding material at all times. WorkCover MSDS information for all chemical should be maintained at the site at all times.
42. No manure or spent litter is to be stored outside of the buildings.
43. All manure and spent litter is to be taken from the property in covered loads so as to prevent spillage of contents. New litter/shavings are to arrive on the site in covered loads. Spent litter/shavings shall be removed from the sheds at the removal of each "batch" of birds from each shed and replaced with fresh litter/shavings.
44. Deliveries, pick-ups and other machinery used in conjunction with the activity except those associated with internal feed and water distribution from within the site directly to the sheds shall only occur at the site between the hours of 7am and 10pm weekdays only.
45. All dead birds are to be removed from the site daily, stored under refrigeration at the site, or disposed of in an approved manner. Please note that further Council consent is required for the use of additional composting facilities, incinerators, or other onsite disposal for birds at the development.
46. Compliance with the Australian Model Code of Practice for the Welfare of Domestic Poultry.
47. As part of the farm management, a log book is to be maintained and kept on the premises at all times. Details to be logged should include stocking densities, vehicle movements, refilling of silos and gas tanks, and any complaints made directly to the farm regarding odour, dust, or noise.

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48. The area to be used for the approved development being limited to the area shown on the submitted plans.
49. Any lighting on the site is to be directed in such a manner so that it is not visible to adjoining properties or to drivers on surrounding streets.
50. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
51. All waste materials to be stored and disposed of at regular intervals.
52. The water in the existing dam is not to be used in conjunction with the poultry farm in respect to cooling of the sheds and drinking water, and any other purpose.
- B. A report to be prepared for the Ordinary meeting addressing the following issues:
- (a) "Prior to Issue of Construction Certificate for Sheds 1 and 2" to include Sheds 3 and 4.
 - (b) Condition 12 to be clarified.
 - (c) Deletion of Conditions 13, 14 and 15.
 - (d) Condition 21 to be reassessed in terms of providing concrete access to Stannix Park Road to a distance of 10 metres, then an all weather pavement.
 - (e) Condition 44 hours to be set in conjunction with existing hours.
 - (f) Condition 47 to contain an additional sentence as follows:

"After 12 months the details of the log book process are to be re-assessed by the Director of Environment and Development in consultation with the applicant."
 - (g) Condition 52 to be deleted.

The amendment was lost

The motion was put and carried.

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

That random after hours noise monitoring be undertaken in the vicinity of the Stannix Park Road development during the remainder of 2002.

66: Medium Density Development Comprising 3 (three) Villa Units - Lot 11 DP 230734, 48 William Street, North Richmond (MA1101/01/EVD/ENG30NAX.V08)

Councillor Sheather declared an interest as his brother owns the property that abuts the back of the development site

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Finch

That the application for medium density development comprising 3 (three) villa units on the subject land, be approved subject to the following conditions:

Department of Land and Water Conservation

General Terms of Approval

1. These General Terms of Approval are only applicable for the works granted on this site, in this consent and are to be carried out in accordance with the plans presented to the Department of Land and Water Conservation (DLWC).
2. These General Terms of Approval are granted for a period equivalent to the consent. If the works are incomplete after this period a renewal application needs to be made no less than one month in advance of the expiry date.
3. All works proposed including stormwater outlets must be designed, constructed and operated so they minimise sedimentation, erosion and scour of the banks or bed of the watercourse and do minimise adverse impacts on aquatic and riparian environments.
4. Erosion and sediment control measures are required to be implemented prior to any works commencing, and maintained for as long as necessary after the completion of works, to prevent sediment and dirty water entering the river system. These measures are to be in accordance with the consent authorities requirements and best management practices as outlined in the NSW Department of Housing's "Managing Urban Stormwater: Soils and Construction" (1998) manual (the "Blue Book").

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5. These General Terms of Approval & Part 3A permit are issued with the proviso that operations shall be carried out on freehold land. Should operations be on Crown Land, these General Terms of Approval are rendered null and void and the occupier of Crown Land should contact DLWC's Crown Lands section.
6. The rehabilitation of the area in accordance with the General Terms of Approval or any direction from DLWC is the responsibility of the permit holder and the owner or occupier of the land.
7. Work as executed survey plans of a professional standard shall be provided to DLWC upon request.
8. If, in the opinion of a DLWC officer, any activity is being carried out in such a manner that it may damage or detrimentally affect the stream or foreshore environment, all work shall cease immediately upon oral or written direction of such an officer.
9. If these General Terms of Approval are breached the permit holder shall restore the site in accordance with the General Terms of Approval and undertake any other necessary remedial actions as directed by DLWC. If any breach of the General Terms of Approval requires a site inspection by DLWC, then the permit holder shall pay a fee prescribed by DLWC for this inspection and all subsequent breach inspections.

Conditions Specific to DA

10. Additional flows to the existing stormwater outlet are not to cause erosion or scour to the bed or banks or Redbank Creek.

General

11. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans (prepared by Ark Drafting Co. Pty Limited numbered 215.2A, 215.3A, 215.4A, 215.5A, 215.6A, 215.11A dated May 2001) submitted with Development Application No. MA1101/01 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.

12. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.

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General Manager

Mayor

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13. Prior to construction of the approved development it is necessary to obtain a Construction Certificate.

14. The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) a local telecommunications carrier

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).

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

16. An occupation certificate is to be obtained on completion of all works and prior to commencement of the approved use. The occupation certificate will not be issued if any conditions of this consent are outstanding.

Prior to Issue of Construction Certificate

17. The submission of engineering designs and calculations covering all works required by this consent.

18. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.

19. The submission of a landscape plan for approval. Such plan shall include a mix of trees, shrubs, perennials and lawn area and is to be prepared by a qualified landscape architect or horticulturist. Lawns areas are to be defined by foundation plants, that is, the lawn area is not to be defined by a fence but rather a planting of medium height trees and shrubs between the lawn and the fence. Landscaping at the front of the site is to adequately screen the visitor car parking space.

20. 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) Open Space and Recreation (\$2,344.00)
- (b) Community Facilities (\$3,317.00)

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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 Contributions 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.

21. The building design shall incorporate components that will provide aircraft noise mitigation in accordance with AS 2021. Details prepared by an accredited acoustical consultant shall be submitted with the construction certificate application.
22. 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 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.

Separate documentary evidence from Integral Energy shall be provided stating that the requirements of that Authority have been met with regard to the nearby high voltage transmission line.

Prior to Commencement of Works

23. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced unless the principal certifying authority for the development to which the work relates:
 - (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act, or
 - (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or

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- (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part.

- 24. Sanitary accommodation shall be provided for workmen throughout the course of the building operations in accordance with the Local Government Act 1993 and the Environment Planning and Assessment Act.
- 25. 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.

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.
- 26. 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,

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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.

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

27. 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.
28. 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.
29. 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.
30. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
31. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the Principle Certifying Authority prior to the commencement of works.

During Construction

32. Inspections shall be carried out and compliance certificates issued by Council or an appropriately accredited person for the following components of construction:
33. The accredited certifier is to provide copies of compliance certificates to Hawkesbury City Council (ref MA 1101/01) within 7 days of issuing such certificates. The registration fee is \$16.00 per certificate.
34. 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.

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35. No spoil, excavated or demolition material from the site being deposited on any public road, footpath, public place or Council owned property without the approval of this office.
36. To reduce nuisance to the surrounding properties, all demolished material and excess spoil from the site shall be disposed of to a location and in a manner to the approval of this office (Note: no material shall be burnt or buried on the site).
37. 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.
38. 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, but are not limited to, water, sewerage, drainage, power, communication, footways, kerb and gutter.
39. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site with a minimum width of 6m.
40. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.
41. 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.

Prior to Issue of Occupation Certificate

42. In order to ensure that the development complies with this consent, the approved use shall not commence until all conditions of this Development Consent have been complied with.
43. Landscaping shall be completed in accordance with the approved landscaping plan and shall be maintained in perpetuity by the existing or future owners and occupiers of the property. In this respect a occupational certificate will not be granted on the application until the landscaping is complete.
44. The submission of a Certificate from a telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones to the development.

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45. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principle Certifying Authority prior to release of the linen plan/occupation of development.

46. To ensure the external appearance of the development is not intrusive or offensive, and does not degrade the visual quality of the surrounding area, the driveway is to be finished in dark earth tone colours.

Use of the Site

47. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan.

67: Modification of Development Consent DA218/90 - Construction of 21 Tunnels - Lot 12 DP736138 and Lot 4 DP610341, 84 and 112 Mulgrave Road, Mulgrave (DA218/90/EVD/ENG30NAX.V12)

Councillor Gilling advised that Mr Rob Tolson's brother was her running partner in the last Council election

Mr Rob Tolson, the applicant, addressed the Committee

Mr Bill Sneddon and Mr Neville Diamond, respondents, addressed the Committee

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Rasmussen

That the modification the subject of this report be approved and Condition 8 of Development Consent DA218/90 be amended to read:

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- “8. *The development shall be carried out in accordance with the Statement of Environmental effects prepared by R A Cole Town Planning Pty Ltd dated June , 1990 and drawings numbered 10/SD116A Sheets 1,2,3 ,7,8 dated 12 February 2001, 10/SD116A Sheets 6 dated 30 January 2001, 10/SD116A Sheets 9 dated 16 February 2001, 2001-219A dated 24 November 2001, and 2001-220A dated 25 November 2001.*”

68: Alterations and Additions to Existing Mushroom Compost Facility, Lot 12 DP736138 and Lot 4 DP610341, 84 and 112 Mulgrave Road, Mulgrave (MA623/02/EVD/ENG30NAX.V14)

Councillor Gilling advised that Mr Rob Tolson’s brother was her running partner at the last Council election

Mr Rob Tolson, the applicant, addressed the Committee

Mr Frank Crino, Mr Bill Sneddon and Mr Neville Diamond, respondents, addressed the Committee

RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Gilling

That the application for alterations and additions to an existing mushroom compost facility at 84 and 112 Mulgrave Road, Mulgrave be approved as a deferred commencement consent subject to the following conditions:

- A. Upon compliance with the condition appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this “Deferred Commencement” consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
- B. The “Deferred Commencement” consent will lapse in 6 (six) months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

Schedule 1

Submission of documentary evidence from the Environment Protection Authority indicating their approval of the proposed odour control system and noise attenuation measures.

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Schedule 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans drawing numbers 10/SD116B(2) Sheets 1 and 4; 10/SD116B Sheets 2, 3 and 5 of 5, DNC-FL01 Issue 5 dated January 1999, DNC-XC01 Issue 3 dated January 1999, DNCWT01 Issue 3 dated January 1999, Cons 4 dated 29 April 2002, Cons 5 dated 2 April 2002, Cons 6 dated 23 May 2002, Cons 8 dated 29 April 2002 and Cons 9 dated 29 April 2002 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. The top of the chimney shall not be greater than 40 metres above finished ground level.
3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
4. Prior to construction of the approved development it is necessary to obtain Construction Certificate.
5. All demolition works are to be undertaken in accordance with the requirements of WorkCover and AS2601.
6. An Occupation Certificate is to be obtained on completion of all works and prior to the commencement of the approved use.

Prior to Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.

7. The submission of engineering designs, roofwater and surface water drainage systems and calculations covering all works required by this consent.

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8. Details demonstrating that the proposed works comply with the Building Code of Australia are to be submitted.
9. Submission of an Environmental Management Plan for approval by Council. The EMP shall be prepared in accordance with the provisions of the EIS Guideline Composting , Department of Urban Affairs and Plan, September 1996 and any relevant EPA guidelines.
10. Submission of final details of the proposed chimney and bio-scrubber and associated odour modelling demonstrating that the proposed system will comply with EPA criteria. Note, the top of the chimney shall not be greater than 40 metres above finished ground level.
11. Submission of details demonstrating that the final design and operation of the facility will comply with EPA noise criteria.

Prior to Commencement of Works

12. 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.
13. 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.
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. 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.

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.

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16. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
17. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994.

During Construction

18. All building work must be carried out in accordance with provisions of the Building Code of Australia.
19. All fill to be compacted by truck rolling or similar to a standard suitable for the end use.
20. The modification of any site drainage made necessary by the filling is to be carried out to the satisfaction of Council. Flows from the site are not to be re-directed onto adjoining properties.
21. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
22. 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.
23. 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.
24. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
25. All material to be used for the purposes of landfilling is to be free of any contaminants or toxic material and is to consist only of virgin excavated natural material.
26. Analytical reports are to be submitted to Council for all material imported to the site for the purposes of landfill. Such reports are to contain full details of the material's origin, soil and chemical composition, and quantity. Appropriate documentation is to be submitted to Council prior to importation of the material.
27. All demolition, construction and associated work necessary for filling and construction being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.

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28. No burning of demolition or construction material being carried out on the site.
29. 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.
30. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.
31. Details of the amount, origin and distance of filling material travelled on local roads is to be submitted to Council in accordance with Council's Section 94 Contribution Plan. Payment at a rate of 3 cents per tonne per kilometre of fill transported on local roads to the site will be required. A copy of the Contributions Plan may be inspected at Council Offices. Final payment is to be made to Council with 30 days of the finalisation of filling.

The Use of the Site

32. Substrate dispatched from the site shall not exceed 600 tonnes per week.
33. All sound producing plant, equipment, machinery, fittings, and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises to within the limits prescribed by the Noise Control guidelines.
34. The facility is to be operated in such a manner as to comply with EPA criteria for the emission of noise and odour.
35. The facility is to be operated in such a manner as to not interfere with the amenity of the neighbourhood, in respect of noise, vibration, smell, dust, waste or waste products, or otherwise.
36. The 24 hour operation as described in the Schedule of Operations submitted with the application is for a trial period of 12 (twelve) months from the start of the said operations provided that truck and loading movements are restricted to existing operating hours until the enclosure works have been completed and inspected by Council officers. Written advice is to be given to Council within 7 (seven) days of the start of the 24 hour operations. At the end of the 12 (twelve) month period Council will examine the performance of the facility with respect to compliance with EPA noise criteria and the predictions made in the noise planning assessment submitted with the application.

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The operator of the site is advised that additional noise monitoring/modelling may be required to be submitted in order to demonstrate such compliance.

An **amendment** was moved by Councillor Woods seconded by Councillor Williams

That the application for alterations and additions to an existing mushroom compost facility at 84 and 112 Mulgrave Road, Mulgrave be approved as a deferred commencement consent subject to the following conditions:

- A. Upon compliance with the condition appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this “Deferred Commencement” consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
- B. The “Deferred Commencement” consent will lapse in 6 (six) months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

Schedule 1

Submission of documentary evidence from the Environment Protection Authority indicating their approval of the proposed odour control system and noise attenuation measures.

Schedule 2

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans drawing numbers 10/SD116B(2) Sheets 1 and 4; 10/SD116B Sheets 2, 3 and 5 of 5, DNC-FL01 Issue 5 dated January 1999, DNC-XC01 Issue 3 dated January 1999, DNCWT01 Issue 3 dated January 1999, Cons 4 dated 29 April 2002, Cons 5 dated 2 April 2002, Cons 6 dated 23 May 2002, Cons 8 dated 29 April 2002 and Cons 9 dated 29 April 2002 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. The top of the chimney shall not be greater than 30 metres above finished ground level.

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3. Compliance with the provisions of the Environmental Planning and Assessment (Amendment) Act 1979, and the Building Code of Australia.
4. Prior to construction of the approved development it is necessary to obtain Construction Certificate.
5. All demolition works are to be undertaken in accordance with the requirements of WorkCover and AS2601.
6. An Occupation Certificate is to be obtained on completion of all works and prior to the commencement of the approved use.

Prior to Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.

7. The submission of engineering designs and calculations covering all works required by this consent.
8. Details demonstrating that the proposed works comply with the Building Code of Australia are to be submitted.
9. Submission of an Environmental Management Plan for approval by Council. The EMP shall be prepared in accordance with the provisions of the EIS Guideline Composting , Department of Urban Affairs and Plan, September 1996 and any relevant EPA guidelines.
10. Submission of final details of the proposed chimney and bio-scrubber and associated odour modelling demonstrating that the proposed system will comply with EPA criteria. Note, the top of the chimney shall not be greater than 30 metres above finished ground level.
11. Submission of details demonstrating that the final design and operation of the facility will comply with EPA noise criteria.

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Prior to Commencement of Works

12. 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.
13. 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.
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. 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.

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.
16. The name and licence number of the licensed contractor/builder who has been contracted to do or intends to do the work must be submitted to Council in writing by the owner prior to the commencement of any work relevant to this approval.
17. The submission of a Compliance Certificate under Section 73 of the Water Board (Corporatisation) Act 1994.

During Construction

18. All building work must be carried out in accordance with provisions of the Building Code of Australia.

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19. All fill to be compacted by truck rolling or similar to a standard suitable for the end use.
20. The modification of any site drainage made necessary by the filling is to be carried out to the satisfaction of Council. Flows from the site are not to be re-directed onto adjoining properties.
21. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
22. 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.
23. 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.
24. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
25. All material to be used for the purposes of landfilling is to be free of any contaminants or toxic material and is to consist only of virgin excavated natural material.
26. Analytical reports are to be submitted to Council for all material imported to the site for the purposes of landfill. Such reports are to contain full details of the material's origin, soil and chemical composition, and quantity. Appropriate documentation is to be submitted to Council prior to importation of the material.
27. All demolition, construction and associated work necessary for filling and construction being restricted to between the hours of 7am to 5pm Monday to Friday and 8am to 1pm Saturdays.
28. No burning of demolition or construction material being carried out on the site.
29. 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.
30. A sign is to be erected adjacent to the access point to the site for the duration of the site works stating the following:
 - (a) owner of site and address;
 - (b) person/company carrying out site works and phone number;
 - (c) consent number and date of approval; and
 - (d) approval duration of site works.

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31. Details of the amount, origin and distance of filling material travelled on local roads is to be submitted to Council in accordance with Council's Section 94 Contribution Plan. Payment at a rate of 3 cents per tonne per kilometre of fill transported on local roads to the site will be required. A copy of the Contributions Plan may be inspected at Council Offices. Final payment is to be made to Council with 30 days of the finalisation of filling.

The Use of the Site

32. Substrate dispatched from the site shall not exceed 600 tonnes per week.
33. All sound producing plant, equipment, machinery, fittings, and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises to within the limits prescribed by the Noise Control guidelines.
34. The facility is to operated in such a manner as to comply with EPA criteria for the emission of noise and odour.
35. The facility to is be operated in such a manner as to not interfere with the amenity of the neighbourhood, in respect of noise, vibration, smell, dust, waste or waste products, or otherwise.
36. Hours of operation are to remain the same as they currently exist.

The amendment was lost

The motion was put and carried.

69: Proposed Tourist Facility - 32C Berambing Crescent, Berambing (MA1308/01/EVD/ENG30NAX.V07)

Mr Lionel Buckett, the applicant, addressed the Committee

Councillor Sheather tabled correspondence from Neville and Nichola Hungerford, respondents

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Rasmussen

That:

1. This matter be deferred until the August General Purpose Committee meeting.

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2. A site inspection be carried out (at a time to be determined).
3. This report be a subject of a Councillor briefing session after the August General Purpose Committee meeting, where the proposal can be more fully investigated and further discussed.

70: Regional Vision and Planning Framework for Western Sydney
(GT225/003/EVD/ENG30NAX.V09)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Rasmussen

That one representative and one alternate representative be nominated to the Local Government Advisory Committee for the Regional Vision and Planning Framework for Western Sydney Project.

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Sheather

That Councillor Allan be nominated as representative and Councillor Calvert be nominated as an alternate representative to the Local Government Advisory Committee for the Regional Vision and Planning Framework for Western Sydney Project.

71: Extensions to Mcgraths Hill Companion Animal Pound, Mulgrave Road, Mcgraths Hill
(GT020/427 Pt1/ENG/ENG30NBX.E11)

286 RESOLVED on the motion of Councillor Rasmussen seconded by Councillor Finch

That:

1. The Committee exercise its delegation as Committee of the Whole.
2. The Tender of Denning Constructions Pty Ltd, 101 Goods Road, Oakville for extensions to the McGraths Hill Companion Animal Pound Mulgrave Road, McGraths Hill for the sum of \$159,863.64 (one Hundred and fifty nine thousand eight hundred and sixty three dollars and sixty four cents (Excluding GST)), be accepted and the necessary documents be executed under Seal of Council.

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72: Identification Signs for Hawkesbury Harvest (GP070/028/EVD/ENG30NBX.V10)

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Rasmussen

That Council resolve to permit members of the Hawkesbury Harvest Farm Trail to display one identification sign complying with the designs in Attachment 1 or Attachment 2 in addition to any approved advertising signs. No development consent is required for the Hawkesbury Harvest identification sign. Any other advertising signs on the property must comply with Hawkesbury Development Control Plan.

73: PlanFirst Implementation (GM001/034 Pt2/EVD/ENG30NBX.V03)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That Council contact Planning NSW to inform them that it would be happy to be part of a pilot study for the preparation of new PlanFirst instruments, especially if this led to a more interactive and user friendly format for Local Environmental Plans and Development Control Plans.

74: Regional Illegal Dumping (RID) Squad (GW010/033 Pt1/EVD/ENG30NCX.V04)

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Allan

That the information be received.

75: Windsor Leagues Club - Status of Court Proceedings Concerning Rodeos (MA1388/00, MA1470/01/EVD/ENG30NCX.V05)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Finch

That the information be received.

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76: Section 96 Modification - Poultry Farm at Lot 4602 DP 1006929, 481 Creek Ridge Road, Glossodia (MA1375/99)

Mr Neville Diamond, respondent, addressed the Committee

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Gilling

That the information be received.

SECTION 2 - INFRASTRUCTURE

26: Street Lighting - Coach House Place/Road, Kurrajong Heights (0326/R Pt3//ING30NBX.C05)

This item was dealt with in conjunction with Item 34, Supplementary Infrastructure section.

27: Parks and Reserves Mowing & Maintenance Contract (GC270/113, GC270/114/ENG/ING30NBX.E07)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That:

1. The current contracts to both Cleetondale and Tony Brown Pty Ltd be extended 12 (twelve) months till the 1 June 2003.
2. Cleetondale rates are to remain the same, plus any CPI increase.
3. Tony Brown Pty Ltd rates are to remain the same, plus CPI, with the exception of the following two parcels of land:
Bilpin Oval (Parcel 18) to increase by an additional \$50 (fifty dollars) per month
Bell Bird Look (Parcel 20) to increase by an additional \$40 (forty dollars) per month.
4. The McMahon Park Oval be removed from the contract with Tony Brown Pty Ltd and be offered to the Sports Council contractor, subject to agreement in relation to costs. Alternatively, quotes be obtained for the work.

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28: FARM project - Fatalities and Accidents On Rural Main Roads - Speed Prevention and Fatigue Over Short Distances Projects (GG025/001 PT16/ENG/ING30NBX.E01)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Finch

That funding from the IPWEA of \$10,000 (ten thousand dollars) for the FARM project Fatigue Over Short Distances and the funding from the RTA of \$10,000 (ten thousand dollars) for the FARM project Speed Prevention be accepted.

29: Chaseling Road (0327/R PT2, GR120/003 PT4/ENG/ING30NBX.E02)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That the northern end of Chaseling Road be renamed to Chaseling Road North and the southern end be renamed to Chaseling Road South.

30: Powell Park - Tennis Club (PK/052/ENG/ING30NBX.E06)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Finch

That the Powell Park Tennis Club Inc. be relinquished of their responsibility as a 377 committee.

31: Stormwater Flow Lot 10 (DP856819) 233 Greens Road, Lower Portland (717/R, P717/127/ENG/ING30NBX.E04)

Mrs Lorraine Hunt, respondent, addressed the Committee

RECOMMENDED on the motion of Councillor Gilling seconded by Councillor Finch

That Council staff speak to the owner of the property, Mrs Hunt, and report the outcome back to the Ordinary meeting.

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32: Water Tanker Filling Point - Old Bells Line of Road/Kurrajong Road, Kurrajong
(GW20/008 Pt3/ENG/ING30NBX.E09)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That:

1. The remaining hydrant at the intersection of Kurrajong Road and Old Bells Line of Road, Kurrajong be time restricted to:

7am to 6pm Monday to Friday
8am to 4pm Saturdays
2. Additional hydrants be installed in consultation with Sydney Water before any are removed.

33: Roads Program Budget - Jim Anderson, MP (GG021/074 PT12/ENG/ING30NCX.E08)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That the information be received.

Supplementary Reports

34: Street Lighting - Coach House Place/Road, Kurrajong Heights (0326/R
Pt3/ENG/ING30LBX.E10)

This item was dealt with, in conjunction with Item 26, Infrastructure section
Mr Warwick Lloyd-Martin, respondent, addressed the Committee

A motion was moved by Councillor Williams seconded by Councillor Rasmussen

That:

1. The street light at the end of the cul-de-sac and the intermediate light in Coach House Place, Kurrajong Heights be removed and the light at the intersection of Coach House Road and Bells Line of Road, Kurrajong Heights remain.

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2. Consultation be undertaken with adjacent property owners, in future, prior to the implementation of street lighting in a street.

The motion was lost

RECOMMENDED on the foreshadowed motion of Councillor Conolly seconded by Councillor Finch

That the existing 80w mercury flouride lanterns at the intersection of Coach House Place and Coach House Road, Kurrajong Heights and also at the end of the cul-de-sac on Coach House Place be replaced with 50w mercury flouride low glare lanterns.

35: Capital Assistance Grant (P1829/810/ENG/ING30LCX.E11)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Finch

That the information be received.

SECTION 3 - ORGANISATION AND RESOURCES

61: Monthly Financial Report - June 2002

(GF011/005/FNC/OGB26NAX.F09//OGG30NAX.C06)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That the information be received.

62: Local Government Association - Election of Executive (GL040/001

Pt7/GMA/OGG30NAX.G02)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That the information be received.

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63: Delegates Expenses and Interstate Travel - Airports and Aviation Outlook Conference 2002 (GA020/004 PT 7/GMA/OGG30NAX.G04)

Councillor Rasmussen declared an interest as he has been nominated to attend the Conference

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That Council approve attendance by Councillor Paul Rasmussen at the Airports and Aviation Outlook Conference in Adelaide from 11 to 14 November 2002.

64: Hawkesbury Regional Museum (P2021/40 Pt3/GMA/OGG30NAX.G14)

287 RESOLVED on the motion of Councillor Finch seconded by Councillor Conolly

That the Committee exercise its delegation as Council and instruct architects, Pont Williams and Leroy, to proceed to the design/development stage, and to obtain necessary approvals for the Hawkesbury Regional Museum in accordance with the functional brief prepared by International Conservation Services and the requirements of the Ministry of the Arts.

An **amendment** was moved by Councillor Allan seconded by Councillor Woods

That Council instruct architects, Pont Williams and Leroy, to proceed to the design/development stage, and to obtain necessary approvals for the Hawkesbury Regional Museum in accordance with the functional brief prepared by International Conservation Services and the requirements of the Ministry of the Arts.

The amendment was lost

The motion was put and carried.

65: Australian Local Government Women's Association National Biennial Conference - Corridors of Change (GL040/008 Pt 2/GMA/OGG30NBX.G07)

Councillor Finch declared an interest as she has been nominated to attend the Conference

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RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That Council supports the attendance of Councillors Finch and Paine at the Australian Local Government Women's Association National Biennial Conference from Wednesday, 30 October to Friday, 1 November 2002, at an estimated cost of \$1,500 (one thousand five hundred dollars) each.

66: Australian Sister Cities Association Conference (GP092/004/GMA/OGG30NBX.G13)

Councillor Sheather declared an interest as he has been nominated to attend the Conference

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That Council supports the attendance of Councillor Sheather at the National Australian Sister Cities Association Conference from 18 to 22 October 2002, at an estimated cost of \$1,900 (one thousand nine hundred dollars).

67: Independent Building Report of Council's Premises Located at 15 George Street, Windsor (Next to Governor Phillip Park) being Lot 1 DP 998507 (P1620/90 Pt2//OGG30NBX.C05)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That:

1. This matter be deferred to allow presentation of a report from Governor Phillip Park Association at the next General Purpose Committee meeting.
2. A valuation of the property be obtained and further reported at the next General Purpose Committee.

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68: Remuneration for Councillors and Mayor (GA030/014/CSV/OGG30NBX.C01)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Gilling

That the fee for Councillors be \$12,125 (twelve thousand, one hundred and twenty five dollars), for the Mayor \$25,605 (twenty five thousand, six hundred and five dollars), and the Deputy Mayor be paid 15% of the Mayor's fee, to be deducted from the Mayoral allowance.

69: Bellbird Hill Lookout Expressions of Interest (GC316/015 Pt5, P243/5425 Pt1, LEP005/98 Pt1, PK140 Pt2//OGG30NBX.C03)

Mr Bob Benton, proponent, addressed the Committee

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Allan

That:

1. A Plan of Management for Bellbird Hill Reserve be completed.
2. A meeting be organised between Council staff, representatives from Hawkesbury Rainforest Network Incorporated, Bellbird Hill Bushcare Group, National Parks and Wildlife Services and Save the Heights Action Group.

70: 'Do the Five Save Lives' Campaign (GC280/004 Pt4/CSV/OGG30NBX.C08)

Councillor Finch declared an interest as she is employed by Meroo Function Centre

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Davies

That Council sponsor the "Kids Alive Do the Five Pantomime" and allocate \$3,900 (three thousand nine hundred dollars) to the initiative from the existing corporate communications budget allocation.

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71: Wine, Food and Music Affair (GC030/029Pt6//OGG30NBX.C10)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That:

1. Council acknowledge the resolution by Hawkesbury Wine, Food and Music Affair Inc. to wind up the incorporated association and accept the accumulated services of \$15,752.00 (fifteen thousand, seven hundred and fifty two dollars) as a contribution towards the Wine, Food and Music Affair in October 2002.
2. A Committee of Council, with secretarial and support services being provided by Council staff, be established to support the Hawkesbury Wine, Food and Music Affair.
3. 3 (three) Councillors be nominated to this Committee of Council.

RECOMMENDED on the motion of Councillor Davies seconded by Councillor Rasmussen

That Councillors Allan, Finch and Sheather be nominated to the Committee to be established to support the Hawkesbury Wind, Food and Music Affair.

**72: Hawkesbury Eisteddfod - Request for Donation of Hall Hire Costs
(GF008/001/CSV/OGG30NBX.C12)**

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Finch

That Council agree to support the Hawkesbury Eisteddfod by way of meeting room hire costs at the Windsor Function Centre of \$14,664.35 (fourteen thousand six hundred and sixty four dollars and thirty five cents) inclusive of GST to be funded from the Food and Wine Affair budget allocation.

73: Hawkesbury Carnivale Celebrations (GE030/002/CSV/OGG30NBX.C09)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Finch

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That:

1. The information be received.
2. Council participate as a major sponsor in the event to the level of \$4,500.00 (four thousand five hundred dollars) as endorsed in the current budget.

74: Programs for Indigenous Residents (GA010/001//OGG30NBX.C11)

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Williams

That the information be noted.

QUESTIONS WITHOUT NOTICE:

1. Councillor Sheather requested a copy of the Bushfire Act, as he had requested during the course of the meeting.

The General Manager advised that he had been unable to obtain a copy of the Act however, had a copy of the Regulations which related to the operation of the Brigade System. He also advised that the Regulations did not come into effect until 1 September 2002.

2. Councillor Davies referred to the Corner of March Street and Bosworth Street, Richmond and advised that another sign had been erected in the front yard of a house, advertising "Numero Uno Pizzeria".

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

3. Councillor Rasmussen requested an update on the extension of the al fresco dining area in Thompson Square.

The General Manager advised that he had recently received a telephone call indicating that written approval would be provided, for five years, from the Heritage Council. He advised that work would commence upon receipt of the approval.

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4. Councillor Rasmussen referred to Peppercorn Place and a potential problem with water run-off into the basement of the property next door and enquired if Council was aware of the problem.

The General Manager advised that enquiries would be made with the owner. The Director of Asset Services and Recreation advised that a dish drain had been installed and, as such, there should be no additional water.

5. Councillor Williams advised that Pitt Town residents had requested access to the keys, or provision of a copy of the keys to be held within the community, for the locked gates on Old Stock Route Road flood evacuation route. He understood the keys were currently held with National Parks and Wildlife Service.

The General Manager advised that the residents would be required to forward correspondence, stating reasons for the request, as the keys were currently held with the SES.

6. Councillor Williams referred to sites throughout the floodplain containing large volumes of unsecured tires, giving the Go Kart track at Wilberforce and Moxies Dairy as examples, and raised concerns that in the event of a flood, the tires would float away. He enquired if it would be possible to organise to have the tires in the floodplain anchored.

The General Manager advised that the matter would be investigated.

7. Councillor Williams advised that it had been suggested to him that dogs be euthanised or humanely killed and snap frozen, instead of being buried, in order to transport to Korea, where dogs are eaten.

8. Councillor Williams referred to unsightly air conditioning/refrigeration units that had been fitted to the outside of buildings throughout the City and enquired if a policy could be formed to require the units to be incorporated into buildings.

The General Manager advised that this issue would be addressed as part of the Design Guidelines however, advised that some refrigeration units were designed for external use only.

9. Councillor Williams referred to the Garry White building on the corner of Macquarie and Bridge Streets, Windsor and advised that it was adorned with signs, some of which were advertisements not related to the business conducted at the building.

The General Manager advised that the matter would be investigated.

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10. Councillor Allan advised that an email complaint had been received in relation to flooding at the causeway on Tennyson Road which caused the roadway to become slippery and hazardous.

The Director of Asset Services and Recreation advised that the causeway did flood on a recurring basis during storms and advised that barricades were used to stop use at those times. He also advised that investigations had been carried out in relation to installing calverts to raise the level of the causeway.

11. Councillor Finch requested an update relative to the kerbside clean-up.

The General Manager advised that surveys had been sent out and some responses had been received. He also advised that the matter may be reported to the September General Purpose Committee meeting.

The meeting terminated at 5.12pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 27 August 2002.

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Mayor