



Hawkesbury City Council

general purpose committee minutes

date of meeting: 25 February 2003

location: Council Chambers

time: 9.00am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 25 February 2003

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 25 February 2003, commencing at 9.00am.

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

Apologies for absence were received from Councillors Allan, Calvert, Gilling, Davies and Rasmussen

RESOLVED on the motion of Councillor Woods and seconded by Councillor Paine that the apologies be accepted.

Councillor Rasmussen arrived at the meeting at 9.25am

Councillor Gilling arrived at the meeting at 9.30am

Councillor Calvert arrived at the meeting at 2.00pm

Councillor Conolly left the meeting at 2.00pm

Councillor Finch left the meeting at 4.50pm

Councillor Sheather left the meeting at 5.55pm

Councillor Allan arrived at the meeting at 6.00pm

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Paine that the Minutes of the General Purpose Committee Meeting held on 28 January 2003, be confirmed.

The following recommendations were passed as resolutions of the Committee:

SECTION 1 - ENVIRONMENT

12: Proposed Rezoning at Lot G DP164771, No. 820 Richmond Road, Clarendon (P1829/845/EVD/ENB25NAX.V08)

Mr Brian Fletcher, proponent, addressed the Committee

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Woods

That:

1. A draft local environmental plan be prepared to permit the subject land to be used for a motel.

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2. The draft local environmental plan be prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Department of Planning's Best Practice Guidelines.
3. Council exercise its delegation in respect of s.65 and s.69 of the Environmental Planning and Assessment Act 1979.
4. A Local Environmental Study not be prepared.

- 13: Erection of two buildings, one building to be used as a supermarket and 17 speciality shops, one building to be used for 9 bulky goods retailing units, associated vehicle parking and loading facilities. Lot 2 DP535140, Vol 11156, Fol 248 & Lot 180 DP752061, 264 to 272, Windsor Road, Vineyard NSW 2765 (DA1389/02/EVD/ENB25NAX.V04)**

Mr Walter Kullen and Mr Trevor Devine, proponents, addressed the Committee.

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Sheather

That:

1. Advice be obtained from Council's Solicitors regarding Development Application No. 1389/02 for the erection of two buildings, one to be used as a supermarket and 17 (seventeen) speciality shops and the other to be used for 9 (nine) bulky goods retailing units, and associated car parking and loading facilities on Lot 2 DP535140 and Lot 180 DP979731, 264 to 272 Windsor Road, Vineyard and, if appropriate, the application be refused under Delegated Authority.
 2. Abbott Tout Solicitors be engaged to represent Council in the Land and Environment Court Proceedings No. [1] 10146 of 2003.
- 14: s.96 Modification to Development Consent DA 95/02 - No. Of vehicle movements, hours of operation and emergency repairs to trucks. Lot 4, DP 843500, 66 Canoona Avenue, Windsor Downs NSW 2756 (DA0095/02/EVD/ENB25NBX.V11)**

Councillor Finch declared an interest as the applicant's children are students at her swim school.

Mr Dean Smith and Mr Simon Laird, proponents, addressed the Committee.

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Mr Leon Walker, Mrs Kay Vella representing the Windsor Down Home Owners Association, Mr Bob Handley, respondents, addressed the Committee.

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Sheather

That Council staff undertake a mediation session between the applicant and residents before the Ordinary meeting with the outcomes to be reported to this meeting.

15: Four (4) lot subdivision of Lot 23 DP 250464, 330 Grono Farm Road, Wilberforce (DA1625/01/EVD/ENB25NAX.V09)

Mr Toby Fiander and Laurie Rose, proponents, addressed the Committee.

Mr Ted Books and Mr Brian McKinlay, respondents, addressed the Committee.

RECOMMENDED on the motion of Councillor Williams seconded by Councillor Gilling

That further information be reported to the Ordinary meeting outlining issues raised at this meeting.

16: Section 96 Modification to relocate dam associated with the growing of cut flowers, Lot 7 DP 7571, 89 Boundary Road, GLOSSODIA NSW 2756 (DA005/02A/EVD/ENB25NBX.V10)

Mr Ted Books and Mr Brian McKinlay, proponents, addressed the Committee

Mrs Dianne Lanham, respondent, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Finch

That the Director of Environment & Development meet with the applicant on site with the outcome of this meeting, and possible amendments to the recommendation, to be reported to the Ordinary meeting. Further, that Mrs Lanham be invited to attend this meeting.

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17: Draft Local Environmental Plan 6/00 - Draft Amendment 126 - Protection of Threatened Species and Regionally Significant Wetlands (LEP 6/00/EVD/ENB25NBX.V05)

Mr Kurt Lance, Mr A Currall, Mr Neil Sheddon, Mr Brian McKinlay, respondents addressed the Committee.

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Paine

That

1. The draft local environmental plan not be amended.
2. The draft local environmental plan (Amendment 126) be forwarded to the Department of Planning for finalisation and gazettal.
3. New provisions be prepared and inserted into the Hawkesbury Development Control Plan to reflect the requirements of draft Amendment 126.
4. Discussion be held the Director of Environment & Development and the respondent's representatives and further reported to the next Ordinary meeting.
5. Outcomes of this discussion to be workshopped by Councillors prior to the next Ordinary meeting.

18: Review of Determination - DA408/02 - Re-subdivision of Lots 1 and 2, DP790878, 210 and 226 Kurmond Road, Freemans Reach (DA408/02/EVD/ENB25NBX.V03)

Mr Charles Attard, respondent, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That having reviewed the determination in accordance with S82A of the Environmental Planning and Assessment Act 1979, Council amend the Development Consent notice as follows:

1. Condition 16 of Development Consent DA 408/02 be amended to read:

Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of above ground electricity to each of the resultant lots of the subdivision.

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2. Condition 18 of Development Consent DA 408/02 be deleted.
3. Condition 23 of Development Consent DA 408/02 be deleted.

**19: Tender for removal of soil at Hawkesbury City Waste Management Facility
(107/EVD/ENB25NBX.V01)**

Mr Neville Diamond, Respondent, addressed the Committee

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Gilling

That:

1. Having considered the tenders submitted, Council decline to accept any of the tender applications submitted for Tender No. 003/FY03 - "Tender for soil removal from Hawkesbury Waste Management Facility".
2. Council resolve to not invite fresh tenders or applications for the soil removal, as the current market indicates that offers to purchase would not be forthcoming. Further, no budget allocation has been made to pay for the removal of the soil.
3. Council resolve to enter into negotiations with Mr Kerry Luscombe of Luscombe Contracting Pty Limited, with a view to entering into a contract to purchase and remove the subject soil.
4. All tenderers be notified that none of the tenders for the proposed contract were accepted.
5. Once negotiations have been completed with Luscombe Contracting Pty Limited, that Council enter into a contract with this company under seal of Council, for the purchase and removal of the soil material at \$0.30 (thirty cents) per tonne, and that all soil that is the subject of the contract, is removed from the site within 6 (six) months of commencement of the contract.

**20: Additions to Dillwynia Women's Correctional Centre, The Northern Road, Berkshire
Park (GT090/003Pt11/EVD/ENB25NCX.V02)**

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Woods

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That:

1. The information be received.
2. This Council view with concern the increasing rates of incarceration of women and wish that other methods of rehabilitation be offered.
3. This matter be forwarded to the Minister and Local Member

SECTION 2 - INFRASTRUCTURE

4: Acquisition for Road Purposes (road widening) - Grose Vale Road, Kurrajong (MA1001/01/18837/18838/ENG/INB25NBX.E07)

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Gilling

That:

1. Council acquire by compulsory process that part of Lot 1 in Deposited Plan 62872 (927 Grose Vale Road, Kurrajong) from Mr & Mrs Parker for the sum of \$10,000.00 (ten thousand dollars).
2. All legal and survey costs to be borne by Council.
3. Any fencing and shrubbery relocation as a result of the acquisition to be undertaken at no cost to the owners. Any fencing to be relocated is to be provided at the standard and style of the current fencing.
4. Once acquired reference to future road widening is to be deleted from the property.
5. All necessary documents be executed under the Common Seal of Council.

5: Ham Common Regional Playground (79354/ENG/INB25NBX.E03)

RECOMMENDED on the motion of Councillor Woods seconded by Councillor Paine

That:

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1. Council support the changes made from the community consultation period; and,
2. The Concept design be adopted.

6: Improved Street Lighting Railway Street South, Mulgrave
(1298/79338/ENG/INB25NBX.E06)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Calvert

That the proposal of Integral Energy to install three 150w SHP Lanterns on three existing poles in Railway Street South, Mulgrave be accepted, with the Schedule 1 option of annual charge increase of \$548.52 (five hundred and forty eight dollars and fifty two cents) GST inclusive and a capital contribution of \$2,900.00 (two thousand nine hundred dollars) plus \$290.00 (two hundred and nine dollars) equalling \$2,299.00 (two thousand two hundred and ninety nine dollars). Funding to be provided from the Street Lighting Budget.

7: Request from University of Western Sydney for walking path/cycleway link through Gomebeeree Environs at UWS Hawkesbury Campus (79541/ENG/INB25NBX.E05)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Woods

That the request from the University of Western Sydney Hawkesbury be referred to Council's Bicycle Steering Committee for prioritisation in their five year planning for cycle ways.

8: Cabbage Tree Road, Grose Vale - Road Condition (34701/ENG/INB25NBX.E08)

Mr Bob McCallum and Mr Paul Coffey, respondents, address the Committee

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Sheather

That the maintenance concerns in Cabbage Tree Road be addressed as follows:

1. Owners where vegetation is obstructing site distance be requested to remove or trim vegetation as necessary.

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2. Centre lines with raised pavement markers be implemented where necessary.
3. Additional patching and shoulder works proceed.
4. Reflective guide posts be installed along bends.
5. A reflective chevron and T intersection warning sign be installed at the intersection of Grose Vale/Cabbage Tree Roads.
6. An ongoing program to provide a minimum uniform seal width of 5.5 metres be included in future works programs.
7. Further report and costings be provided to the Ordinary meeting.

9: Proposed Alterations of Boundaries of the Suburb of Kurrajong, North from Bells Line of Road (107/ENG/INB25NBX.E09)

Mr Ray Barnard, Mr Brian Wyborn, Mr Peter Dunn, proponents, addressed the Committee

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Rasmussen

That:

1. The suburb of Kurrajong be amended by addition of the area designated as Comleroy and part of Blaxlands Ridge as shown on Plan No 2003048/A.
2. The Geographical Names Board of NSW be advised of Council's decision for its consideration.

10: Loop Section, Cabbage Tree Road, Grose Vale - Proposed Re-naming: Ezzy Crescent (79338/ENG/INB25NBX.E01)

Mrs Larna Ezzy and Ms Alison Ezzy, proponents, addressed the Committee.

Mr Alan Cox, Mr Paul Coffey, respondents, addressed the Committee.

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RECOMMENDED on the motion of Councillor Finch seconded by Councillor Rasmussen

That a meeting be held with the residents of The Loop Road and Council staff with the outcome to be reported to Council.

11: Reserve for Public Recreation - 855 Comleroy Road, Blaxlands Ridge
(79354/ENG/INB25NBX.E02)

Councillor Rasmussen declared an interest as his property neighbours Yarramundi Reserve.

Mr Neville Diamond, representing Mr Bill Sneddon, and Mrs Brennon, respondents, addressed the Committee.

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Williams

That the Comleroy Road Community be consulted in relation to this matter with the outcomes to be reported to Council. Further, that a letterbox drop be carried out notifying residents to the south up to Comleroy School and a similar north on Comleroy and Blaxlands Ridge Roads with an accompanying advertisement to be placed in local newspapers.

An **amendment** was moved by Councillor Sheather seconded by Councillor Gilling

That the Minister for Land & Water Conservation be requested to revoke the reserve, R45712 for public recreation and should the land be disposed of, request that consideration be given to allocating those funds to the development of the Yarramundi Reserve.

The amendment was lost.

The motion was put and carried.

12: Macquarie Park - Windsor Canoe Club (79354/ENG/INB25NBX.E04)

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Gilling

That:

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1. That the Windsor Canoe Club be allowed usage of Macquarie Park to run the events/training sessions as outlined within their calendar of events.
2. All general conditions of consent are to be adhered to.
3. The Windsor Canoe Club be allowed to store their canoes within the room at the end of the toilet block at Macquarie Park at no charge.

SECTION 3 - ORGANISATION AND RESOURCES

11: Monthly Financial Report - January 2003 (GF011/005/FNC/OGB25NAX.F02)

RECOMMENDED on the motion of Councillor Calvert seconded by Councillor Rasmussen

That the information be received.

12: Fire Services in New South Wales - Local Government's Role (79351/GMA/OGB25NAX.G06)

64 RESOLVED on the motion of Councillor Gilling seconded by Councillor Rasmussen

That the Committee exercise its delegation as full Council and resolve that:

1. Council advise the Local Government Associations that it sees a statewide managed and coordinated Rural Fire Service, with local service arrangements and representation on District Committees to enable input into planning (including hazard reduction), as its favoured model. In terms of finance it sees the funding model of a valuation based property levy, augmented by a tax levy on motor vehicles as the best to meet these requirements. That the Council would be prepared to collect such a levy through its rating system, provided there was an appropriate service charge (say, five percent) and the levy was clearly indicated on the billing system as a State Government Fire Levy.

13: Battle of Vinegar Hill Commemoration (78149/CSV/OGB25NBX.C08)

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RECOMMENDED on the motion of Councillor Allan seconded by Councillor Gilling

That:

1. Consideration be given to allocating \$10,000 (ten thousand dollars) towards the development of regional celebrations planned to commemorate The Battle of Vinegar Hill and \$8,000 (eight thousand dollars) to support local celebrations including a children's pantomime in the 2003/2004 budget.
2. The Member for Macquarie be approached to give support to the Vinegar Hill Commemoration 2004 Steering Committee's proposal to mint a coin and produce stamps to commemorate the event.
3. The Local History Librarian and the Manager for Corporate Communications work with local interest groups to develop a complimentary local celebration.

**14: Demolition of Derelict Houses located in the South Windsor Waste Depot Precinct
(GC281/067/CSV/OGB25NBX.C10)**

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Gilling

That:

1. Council make application to Penrith City Council for the demolition of the two derelict houses located on the properties at Lot 22, The Driftway, Londonderry and Lot 1 (No. 2) Reynolds Road, Londonderry.
2. Expressions of interest be sought from interested parties requiring agistment properties with appropriate advertising being placed in both the Hawkesbury Gazette and the Penrith Press newspapers.
3. During the period of advertising for expressions of interest, appropriate signage be placed on the 2 (two) properties advising that the properties will be used for agistment purposes.

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15: RAAF Commemorative Memorial (77675/CSV/OGB25NBX.C09)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Woods

That:

1. Support for the RAAF Associations proposal for additional plaques on the Commemorative Structure in Bicentennial Park be approved in principle.
2. Consideration be given to allocating funding of \$7,250 (seven thousand two hundred and fifty dollars) towards the construction and opening event in the 2003-2004 Budget.

16: Hawkesbury Crime Prevention Plan - Richmond Youth Streetbeat Project (107/CSV/OGB25NBX.C07)

Mr Marcello Scali, proponent, addressed the Committee

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Paine

That:

1. The information be received.
2. If Council's application to extend the Hawkesbury Safer Community Compact for a further twelve months is successful, then Council to execute a funding agreement with the NSW Attorney General's Department to accept a further twelve months of funding amounting to \$42,000 (forty two thousand dollars) for the Richmond Youth Streetbeat Project.
3. Council to maintain its contribution of \$15,500 (fifteen thousand five hundred dollars) to the Richmond Youth Streetbeat Project for the 2003/2004 financial year.

17: Clarendon Skatepark - Community Safety Management Plan (107/CSV/OGB25NBX.C03)

Mr Jamie Cavanaugh, proponent, addressed the Committee.

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RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Gilling

That:

1. The information be received.
2. Council establish a 'Skatepark and Other Facilities Working Party' to develop a draft Community Safety Management Plan for Skateparks and other Facilities to provide a template for the design, construction and operation of skateparks and other facilities in the Hawkesbury.
3. The draft Community Safety Management Plan for Skateparks and other Facilities be reported to Council for public exhibition and comment.

18: Independent Review Assessment of Dispute between Mr N Baricevic and Council (P1513/360/EVD/OGB25NBX.V11)

Mr & Mrs Baricevic, Mr Bill Sneddon and Mr Neville Diamond, respondents, addressed the Committee.

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Woods

That a committee of three Councillors and the Acting General Manager be established to deal with this matter. Further, the three Councillors be nominated at the Ordinary meeting.

19: Community Needs Report 2002-2003 - Update (107/CSV/OGB25NCX.C05)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Woods

That the information be received.

20: Launch of Community Languages Collection - Hawkesbury City Council Library Service (107/CSV/OGB25NCX.C04)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Calvert

That the information be received.

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QUESTIONS WITHOUT NOTICE

1. Councillor Sheather requested that Councillors be notified of any outstanding legal items.

The Mayor advised that this would be done.

2. Councillor Calvert referred to a report to come to Council on Nuclear Free Zones, and enquired what the current status of this was. He advised that he has submitted a Notice of Motion for the next Ordinary Meeting.

The Director of Environment & Development advised that he was trying to track down the nuclear free secretariat but that they have been unresponsive and is no unsure if they still exist. The Director of Environment & Development advised that he would have a further information for the next Ordinary meeting.

3. Councillor Rasmussen referred to a picture in the Council Committee rooms and enquired if a plaque identifying this river be added.

The Mayor advised that this had not been done as it was not in the Hawkesbury LGA.

4. Councillor Rasmussen requested an update on the status of Yarramundi Bridge.

The Director of Asset Services advised that there was no further information available.

5. Councillor Rasmussen advised that a pile of asbestos had been dumped on RTA land outside his property and requested that this be removed.

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

6. Councillor Rasmussen enquired if there was a change of date to the previously approved Aquatic Festival.

The Director of Asset Services & Recreation advised that the date had been changed due to a clash of dates with the UHPBC. A date is yet to be negotiated of which Council will be advised.

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7. Councillor Williams referred to a newspaper article about the hybrid car and enquired if Council would be receiving a report on this.

The Director of Environment & Development advised that the Purchasing Officer had looked into the cost of purchasing such a vehicle was quite considerable and that the current budget did not allow for such a purchase.

8. Councillor Williams advised that there was fridge and car in pieces in the Chain of Ponds Reserve. He requested these be removed.

The Director of Environment & Development advised that this would be done.

9. Councillor Woods requested an update on what was happening in Thompsons Square as there are currently dead plants outside the Ice Creamery.

The Mayor advised that this would be investigated.

10. Councillor Woods requested that pot holes in Freemans Ridge Road be repaired.

The Director of Asset Services & Recreation advised that this road had been repaired.

11. Councillor Woods referred to street lights at McGraths Hill Flats which are on during the day and not the night. She requested that this be investigated.

The Director of Asset Services & Recreation advised that he had previously investigated the matter and found that they had been working correctly but asked Councillor Woods to advise him of when they were not working correctly so that Integral Energy could be contacted.

12. Councillor Paine referred to the roundabout in Caroon Avenue and enquired when this was to be fixed.

The Mayor advised that this would be investigated.

13. Councillor Paine referred to landfill and messy shops and service station on Windsor Road this side of the produce store. She requested that these properties be approached to be cleaned up.

The Director of Environment & Development advised that this would be investigated.

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14. Councillor Rasmussen enquired what the current legal advice in relation to Hollands Paddock.

The Acting General Manager advised that Council were proposing to cancel the special meeting scheduled for next Tuesday night - 4th March 2003. The issue is one based on legal information provided and that Senior Counsel advice on this information, was being obtained.

The meeting terminated at 6.35pm.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 25 March, 2003.

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Mayor