



Hawkesbury City Council

general purpose committee minutes

date of meeting: 30 September 2003

location: Council Chambers

time: 9:00am

GENERAL PURPOSE COMMITTEE

Business

Meeting Date: 30 September 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 30 September 2003, commencing at 9.00am.

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

Apologies for absence were received from Councillors P F Davies, B J Calvert and G J Gilling.

RESOLVED on the motion of Councillor Stubbs, Mayor and seconded by Councillor Conolly that the apologies be accepted.

RESOLVED on the motion of Councillor Sheather and seconded by Councillor Finch that the Minutes of the General Purpose Committee Meeting held on the 26 August 2003 be confirmed.

Councillor Rasmussen arrived at the meeting at 9.11am

Councillor Allan arrived at the meeting at 10.45am

The following recommendations were passed as resolutions of the Committee:

MAYORAL MINUTE

Tamba International Exchange Association

430 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Stubbs, Mayor seconded by Councillor Allan

That Council nominate a Councillor to attend the Tamaba International Exchange Program's Friendship Park Opening to be held in late October 2003.

A **MOTION** was moved by Councillor Paine, seconded by Councillor Allan

That Councillor Finch attend, as the Mayor's representative, to the Tamba International Exchange Program's Friendship Park Opening to be held on the 17 and 18 October 2003.

The motion was put and carried.

A **MOTION** was put to also send Councillor Sheather to the Tamba International Exchange Program's Friendship Park Opening to be held on the 17 and 18 October 2003.

The motion was lost.

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SECTION 1 - ENVIRONMENT

62: 3 (Three) Townhouses - Lot 19 DP207834, 42 Grose Vale Road, North Richmond NSW 2754 (DA0357/03/EVD/ENI30NAX.V09)

Mr Don Shaddick, proponent, addressed the Committee

Mrs Pat Knot, Mr Tony Smith and Mr Mark Tame, respondents, addressed the Committee

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Paine

That the application for 3 (three) townhouses be refused for the following reasons:

1. The proposed development is inconsistent with and will be prohibited by the provisions of draft amendment 130 to Hawkesbury LEP 1989.
2. The design of the proposed development will not provide an acceptable level of amenity for future residents.
3. The proposed development does not comply with the requirements of the Hawkesbury Development Control Plan, in particular Chapter 1, Part D - Residential Development.
4. In the circumstances, approval of the development would not be in the public interest.

63: Regulation of Open Burning, General Approval (15638/EVD/ENI30NBX.V01)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That the General Approvals for the Hawkesbury Local Government Area be prepared under the provisions set out under the (Control of Burning) Regulation, to allow rural and residential properties to burn dead and dry vegetation in accordance with the Rural Fire Service "Guidelines for Pile Burning" June 2003 subject to a list of safety conditions and type/quantity of materials, between the months of April to September each year without reference to Council.

64: Zone Boundary Investigation and 112 Horans Lane, Grose Vale (19424, 79347/EVD/ENI30NBX.V06)

Mr Laurie Horan, Mrs Christa Magee, Ms Carole Maher, proponents, addressed the Committee

Mr Roger Gain, Mr Brian McKinlay, Mr Peter Young, Mr David Burn, Mr Greg Hansell and Mr John Mahaffy, respondents, addressed the Committee

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RECOMMENDED on the motion of Councillor Williams seconded by Councillor Finch

That:

1. The information be received; and
2. The zone boundary remain in its current location, including 112 Horans Lane, Grose Vale.
3. Council resolve not to pursue this matter any further.

65: Animal Establishment - Lot 396 DP 664634 No.77 Godalla Road, Freemans Reach (DA1387, 18143/02/EVD/ENI30NBX.V05)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

The information to be received.

66: Review of Determination Under Section 82A of the Environmental Planning and Assessment Act 1979 - Lot 1 DP 1028107, 34 Chaseling Road, Wisemans Ferry (27427/EVD/ENI30NCX.V10)

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Rasmussen

That a further report be provided to the next Ordinary Meeting.

67: Participation Agreement and Cooperation Agreement between Resource NSW and Hawkesbury City Council for the Pre-Treatment Facility at South Windsor. (80423, 74352/EVD/ENI30NCX.V02)

Mr Bill Snedden, addressed the Committee

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Sheather

That:

1. Designs for the construction of a new gatehouse, weighbridge system, and transfer station be commenced during October 2003, with an expected completion date of the construction

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works in December 2004, after the necessary tendering and reporting processes have been completed.

2. The cost to construct the gatehouse, weighbridge system and transfer station be taken from the waste reserve, accumulated for expenditure on waste related matters.
3. The suggested strategy numbered 1 (one) to 4 (four) in the report, be commenced during October 2003, with an expected completion of the strategy tasks by November 2004.

Supplementary Reports

68: Demolition of Existing Structures, Construction of 6 (Six) Townhouses and Strata Subdivision, Lot 2 DP 564874, 40A Bosworth Street, Richmond
(DA0575/03/EVD/ENI30LAX.V11)

Mr Bob Tchadovitch, applicant's representative, addressed the Committee

RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Finch

That:

1. Council support the applicants SEPP No. 1 objection to the minimum lot provisions of Clause 12 of Hawkesbury Local Environmental Plan 1989
2. The application be approved subject to the following conditions:

General

1. To confirm and clarify the terms of this approval, the development shall be carried out in accordance with the approved stamped plans submitted with Development Application No.DA0575/03and any supportive documentation, except as otherwise provided by the conditions of this consent or as amended in red.

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

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4. An occupation certificate is to be obtained on completion of all works. The occupation certificate will not be issued if any conditions of this consent are outstanding.
5. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited;
 - (b) Integral Energy;
 - (c) Natural Gas Company; and
 - (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).
6. All design and construction works are to be carried out strictly in accordance with the requirements of Hawkesbury Development Control Plan - Appendix E.
7. 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.
8. The applicants shall make themselves aware of any use restriction relevant to this property and shall comply with the requirements of the Section 88b instrument relevant to this subdivision and property.
9. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. The registration fee is \$16.00 per certificate.
10. In accordance with Section 146 of the Heritage Act 1977 the Heritage Council is to be notified of the discovery or location of any "relics". "Relics" are defined in Section 4 of the Heritage Act 1977.

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.

11. Arrangements are to be made for the provision of common drainage and the disposal of drainage from the site. Where the disposal of drainage involves the provision of drains

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across land owned by others, drainage easements of adequate width shall be provided for which documentary evidence must be submitted.

12. 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 (\$7,110.00)
- (b) Community Facilities (\$10,216.00)

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.

13. An amended landscaping plan providing for the amendments to the site plan is to be submitted to Council for approval.
14. 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.
15. Details demonstrating compliance with the Building Code of Australia (Housing Provisions) shall be provided to the Principle Certifying Authority for separate approval.
16. Detailed engineering plans and specifications relating to the work shall be submitted.
17. Separate details of the proposed roofwater and surface water drainage system shall be lodged in duplicate for approval.
18. Submission of proof of the payment of the Building Industry Long Service Levy where the value of civil works exceeds \$25,000.
19. Construction of civil works including road and access works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director Asset Services and Recreation or an accredited certifier.

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20. Payment of a design checking fee of \$227.80 and inspection fee of \$355.80 are required when submitting Engineering plans for approval. This amount is valid until 30 June 2004. Fees required if an accredited certifier is used will be provided upon request.
21. The submission of a satisfactory Erosion and Sediment Control Plan (ESCP) prepared in accordance with the State Government guidelines titled "Managing Urban Stormwater: Soils and Construction (1988)".

Prior to Commencement of Works

22. 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
 - (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.

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

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- (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.

- 25. 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.

The enclosed warning sign shall be affixed to the sediment fence/erosion control device at all times.

- 26. 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.
- 27. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1997.
- 28. 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.
- 29. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
- 30. The approved plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the approved plans will be appropriately stamped. Sydney Water has a number of business offices, including Blacktown, Katoomba, Parramatta and Penrith.
- 31. Separate application shall be made to Council's Asset Services & Recreation Department for the construction and location of the proposed crossover. (Refer to enclosed agreement form for driveways).
- 32. Written permission to discharge stormwater is to be obtained from downstream owners and submitted to Council.

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Additional Conditions relating to Demolition Works

33. Prior to demolition of the residence current photographs of all elevations of the dwelling are to be submitted to Council.
34. All demolition works are to be undertaken in accordance with the requirements of the WorkCover Authority and AS2601
35. At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
 1. The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, buys, shoring or any combination of these, shall be added for stability where necessary.
 2. Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to the localised high winds. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
 3. The site shall be secured at all times against the unauthorised entry of persons or vehicles.
 4. Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.
36. Before commencing work, any existing accumulations of dust are to be collected, placed in suitable containers and removed. Selection of appropriate collection techniques, such as vacuuming or hosing down, shall take account of the nature of the dust and the type of hazard it presents (e.g. explosive, respiratory etc.).
37. Dust generated during stripping or during the breaking down of the building fabric to removable sized pieces shall be kept damp until it is removed from the site or can be otherwise contained. The use of excess water for this purpose is to be avoided.
38. It should be borne in mind that in certain environments and under certain stimuli, deposits of combustible dust on beams, machinery and other surfaces may be subject to flash fires, and suspensions of combustible dusts in the air can cause them to explode violently (see NFPA Handbook).
39. All demolished material and excess spoil from the site shall be disposed of at a location and in a manner approved of by Council. No material is to be burnt on site.

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40. Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
41. Removal of asbestos or materials containing asbestos fibres, shall be in accordance with the NOHSC Code of Practice.
42. Precautions to be observed and procedures to be adopted during the removal of dangerous or hazardous materials other than asbestos, shall be in accordance with the relevant State regulations pertaining to those materials.
43. All demolition, vegetation and excavated material removed from the site is to be removed by a contractor licensed by the Environmental Protection Authority to deal with such wastes. These wastes are to be disposed of at a depot authorised to receive such wastes and copies of delivery dockets are to be submitted to Council upon completion of works.

During Construction

44. All building work must be carried out in accordance with provisions of the Building Code of Australia.
45. All part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 are to be submitted to Council within seven (7) days of the date of issue. The registration fee is \$16.00 per certificate.
46. All demolition, construction and associated work necessary for the carrying out of the development is restricted to between the hours of 7.00am and 6.00pm on Mondays to Fridays and between 8.00am and 4.00pm on Saturdays.
47. 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).
48. 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.
49. 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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50. The buildings shall be set out by a Registered Surveyor and the Survey Certificate of the building shall be lodged with the principal certifying authority upon completion of the footings and prior to the external wall construction proceeding above floor level.
51. 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.
52. All work must be carried out in accordance with the provisions of Hawkesbury Development Control Plan, Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification"
53. 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.
54. The provision of conduit/ducts under new driveways to the requirements of Integral Energy, in accordance with Integral Energy drawing 049759H dated 14/7/1987. Conduit and ducting material is available from Integral Energy.

Prior to Issue of Occupation Certificate

55. Removal of the existing redundant layback crossing.
56. The submission of a Surveyor's Certificate stating that all buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks.
57. The submission of a Surveyor's Certificate stating that all pipelines are contained within the proposed/existing easements.
58. Design and construction of site drainage shall be carried out in accordance with Council's Hawkesbury Development Control Plan Appendix E Civil Works Specification Part 1 Design Specification and Part 2 Construction Specification. Full details of works shall be submitted for approval with the building application. On-site detention shall be provided to maintain all stormwater discharges from the 1:1 year flood at pre-development levels.
59. All necessary works being carried out to ensure that flow from adjoining properties is not impeded.
60. 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.
61. 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.

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In this respect a occupational certificate will not be granted on the application until the landscaping is complete.

62. The submission of a Certificate from Telstra Australia that satisfactory arrangements have been made for the provision of cables for telephones to the development.
63. 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 principal certifying authority prior to release of the occupation of development.

64. 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.

65. Submission to Council of a report from the author(s) of the Noise Assessment submitted with the application and the report demonstrating compliance with AS2021 certifying that the required building construction techniques and materials have been installed.
66. A report by the Design Engineer and a works-as-executed (WAE) drawing by either a suitably qualified Engineer or Registered Surveyor of the stormwater detention basin(s) and stormwater drainage system are to be submitted to and approved by Council prior to the release of the Occupation Certificate. The report from the Design Engineer is to state the conformance or otherwise of the as constructed basins in relation to the approved design. The WAE drawings shall indicate the following as applicable:
- (b) invert levels of tanks, pits, pipes and orifice plates
(c) surface levels of pits and surrounding ground levels;
(d) levels of spillways and surrounding kerb;
(e) floor levels of buildings including garages;
(f) top of kerb levels at the front of the lot;

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- (g) dimensions of stormwater basins and extent of inundation;
- (h) calculation of actual detention storm volume provided.

Use of the Site

- 67. All landscaping shall be permanently maintained in a good condition and in accordance with the intent of the landscaping plan. This includes landscaping of the private courtyard areas.
- 68. The visitor parking spaces are to be signposted and made freely available to visitors
- 69. An appropriately licensed private garbage and recycling collection service is to be provided to the development. All collection personnel are to collect bins from the within designated bin storage area as shown on the plans. All collection vehicles are to stand wholly within the site during collection and are to enter and exit the site in a forward direction.

Prior to Issue of Subdivision Certificate

- 70. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to 'Your Business' section of Sydney Water's web site at www.sydneywater.com.au then the 'e-developer' icon or telephone 13 20 92.

Following application a 'Notice of Requirements' will detail 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 Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.

- 71. Submission of a Certificate from Integral Energy that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
- 72. Submission of a Certificate from an approved telecommunications provider that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
- 73. The submission of the plan of subdivision, together with 4 (four) exact copies thereof, suitable for lodgement with the Registrar General.
- 74. Payment of a linen release fee of \$41.20. This amount is valid until 30 June 2004.
- 75. The completion of the development including all civil works in accordance with Council approvals covered by this consent.

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SECTION 2 - INFRASTRUCTURE

32: Governor Phillip Reserve, Windsor - 2003 Pubmart Bridge to Bridge Water Ski Classic - NSW Water Ski Association (79354/ENG/INI30NBX.E03)

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That the application be approved subject to:

1. Banks of lights are to be set up in such manner that illumination is not directed at or spill onto Wilberforce Road.
2. Full detail of this proposal is to be included in the letter-drop to residents required by Council in approving the Association's application on 12 August 2003.

33: Windsor - Parking (79344/ENG/INI30NBX.E07)

Councillor Paine declared an interest in this item as her residence is adjacent to the Kable Street Carpark

Mr Trevor Devine and Mr Walter Kullen, respondents, addressed the Committee

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Woods

That further consideration for the provision of additional parking in Windsor, excepting the ongoing negotiations with Hawkesbury District Health Service Ltd, be deferred until such time as the Hollands Paddock development proposal has been finalised.

34: Half Pipe Skate Ramp at North Richmond Community Centre (26504, 17830/ENG/INI30NBX.E05)

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Finch

That:

1. The half pipe skate ramp be removed from the North Richmond Community Centre and taken to the depot for assessment.
2. Funds to be set are to be considered in the next financial years budget to turn this ramp into a portable ramp, should the ramp be in suitable condition.

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3. Council pay for the repairs to the adjoining colour bond boundary fence.

35: Un-named Public Road, Upper Colo - Naming Proposal (79346/ENG/INI30NBX.E02)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That public comment be sought regarding naming of the presently un-named public road extending from Colo Heights Road to the Colo River, as Hulbert Road.

36: Australiana Pioneer Village - Heritage Listing (23267, 80175/ENG/INI30NBX.E08)

Mr Brian McKinlay, proponent, addressed the Committee

RECOMMENDED on the motion of Councillor Sheather seconded by Councillor Rasmussen

That:

1. The listing of Australiana Pioneer Village (Lot 22, DP829589) on the State Heritage Register be supported and the Heritage Office be advised of the support.
2. Mrs Jan Barklay-Jack be thanked for her support in relation to this matter.

37: North Richmond Mainstreet Committee - Public Toilets (82907/ENG/INI30NBX.E09)

RECOMMENDED on the motion of Councillor Finch seconded by Councillor Paine

Subject to satisfactory negotiations with the owner / managing agent of the property regarding agreement to access and individual responsibilities of the parties concerned, Council agree to undertake the cleaning of the toilets adjacent to Bi-Lo on a once per day basis.

38: Capital Assistance Program (78139/ENG/INI30NBX.E06)

- 431 RESOLVED** by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Paine seconded by Councillor Rasmussen

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That the application, as listed, be supported:

1. Windsor Bowling Club - upgrade of Automatic Watering System.
2. The Sydney Showjumping Club Inc. - upgrade of Amenities and Caretakers Block

39: Cabbage Tree Road, Grose Vale (79344/ENG/INI30NBX.E04)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Finch

That:

1. The provision of a pedestrian access between Grose Vale Road and the Bush Fire Shed along the alignment of the unformed road not proceed.
2. The \$12,000.00 (twelve thousand dollars) allocated for the provision of a pedestrian access be reallocated towards widening the eastern road shoulder of Cabbage Tree Road between Grose Vale Road and the private access road including line marking and guide posts.

SECTION 3 - ORGANISATION AND RESOURCES

75: Monthly Financial Report - August 2003 (GF011/005/FNC/OGI30NAX.F05)

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That the information be received.

76: Outstanding Receivables - Arrears of Rates and Charges 2002/2003 (107/FNC/OGI30NAX.F10)

Mr Trevor Devine, proponent, addressed the Committee

RECOMMENDED on the motion of Councillor Rasmussen seconded by Councillor Sheather

That:

1. The report on the outstanding receivables and arrears of Rates and Charges for 2002/2003 be received.

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2. Rates and Charges totalling \$35,131.74 (thirty five thousand, one hundred and thirty one dollars and seventy four cents) be abandoned against the 2002/2003 rating year in accordance with the Local Government Act, 1993
3. The abandonment of other receivables totalling \$2,384.50 (two thousand, three hundred and eighty four dollars and fifty cents) under delegated authority to the Responsible Accounting Officer be noted.
4. Other receivables totalling \$2,008.50 (two thousand and eight dollars and fifty cents) requiring a resolution of Council be written off in accordance with the Local Government (Financial Management) Regulation, 1993.

77: Social Plan Regulation - Required Documentation (79341, 80231/CSV/OGI30NBX.C12)

432 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Allan seconded by Councillor Woods

That:

1. Council receive the Hawkesbury Social Plan 2003-2004 and the plan be placed on public exhibition for a period of 28 days to provide the opportunity for residents and community groups to comment on the plan.
2. Council receive and release the Hawkesbury Social Atlas 2003

78: Richmond Golf Club Funding Request (38630/CSV/OGI30NBX.C07)

Mr Ron Slym, proponent, addressed the Committee

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Williams

That:

1. A further report be provided to the General Purpose Committee meeting including details of a quotation for the construction of the brick fence.
2. The report to include revisiting the long term lease arrangements with the Richmond Golf Club.

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RECOMMENDED on the motion of Councillor Conolly seconded by Councillor Allan

That guidelines be developed for setting out a criteria to community groups and clubs who decide to make application to Council for an interest free loan.

79: Request to hold Twilight Markets (107/CSV/OGI30NBX.C11)

Mr Trevor Devine, respondent, addressed the Committee

433 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Sheather seconded by Councillor Paine

That:

1. Windsor Mall Craft Group Incorporated be advised be advised that Council will provide a mail out to the shop keepers in the Windsor Mall area asking for their feedback as to whether they have any objections to the holding of the twilight markets on Saturday, 29 November and Friday, 12 December, 2003 between the hours of 4.00pm to 9.00pm.
2. The results of the mail out be reported back to the October GPC meeting.

80: Rural Fire Service Estimates 2004-2005 (GF004/001 Pt 2/CSV/OGI30NBX.C09)

434 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Conolly seconded by Councillor Rasmussen

That the Rural Fire Service be advised of Councils decision for approval relating to the estimates for 2004/05 of \$948,786 (nine hundred and forty eight thousand, seven hundred and eighty six dollars).

81: Dedication Land for Road Purposes - 21 Johnston Street, Windsor (30781/CSV/OGI30NBX.C01)

RECOMMENDED on the motion of Councillor Paine seconded by Councillor Rasmussen

That this item be deferred to the next General Purpose Committee meeting

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82: Hawkesbury City Council -v- Elf Farm Supplies Pty Ltd and Ors - Conduct of Mr Neville Diamond (39192, 79347/EVD/OGI30NBX.V08)

Councillor Paine declared an interest as her son-in-law is employed by the Tolson Group

Mr Bill Snedden, Mrs Kim Smith, Mr Graham Price and Mr Neville Diamond, respondents, addressed the Committee

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Finch

That:

1. a) Mr Diamond be restricted to a 1 (one) hour interview with Council's Public Officer or representative per week with an appointment being made at a reasonable time prior to his arrival.
b) Any such limitations cannot impede the statutory rights of the public to information (e.g. under the Freedom of Information Act, the Local Government Act or the Environmental Planning and Assessment Act.), this communication be in writing only and be made with the Public Officer.
2. This determination is reviewable after 6 (six) months by the General Manager and, if refused, referred to Council.
3. All communications to and from Mr Diamond be in writing.

83: National Water Initiative (82029/CSV/OGI30NCX.C06)

RECOMMENDED on the motion of Councillor Woods seconded by Councillor Rasmussen

That:

1. The information be received.
2. Council write to the Deputy Prime Minister congratulating him on the initiative and proposed funding put forward also directing his attention to the Hawkesbury/Nepean River System.

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84: Proposed Federal Governments Plan to cut Funding to the University of Western Sydney (935/CSV/OGI30NCX.C13)

RECOMMENDED on the motion of Councillor Allan seconded by Councillor Paine

That:

1. The information be received.
2. Hawkesbury City Council continues to support this campus.
3. Council continues to engage in discussions with the University of Western Sydney and the Federal members, Kerry Bartlett and Jackie Kelly to ensure the viability of the Hawkesbury Campus.

Supplementary Reports

85: Proposed Sub-Licence - Shop 5 Glossodia Shopping Centre (79900, 38869/CSV/OGI30LBX.C14)

435 RESOLVED by the Committee exercising its delegation as Committee of the Whole on the motion of Councillor Rasmussen seconded by Councillor Finch

That:

1. Council consent to the sub licence between Mr Andrew Ball and Community ATM Pty Limited for the installation of an Automatic Teller Machine in the window of Shop 5 Glossodia Shopping Centre.
2. All documents be executed under the Common Seal of Council.

QUESTIONS WITHOUT NOTICE:

1. Councillor Finch tabled correspondence that was received from Helen Walker of Mountains Community Transport Inc in relation to residents who need help with transport to and from their medical and hospital appointments.

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2. Councillor Finch referred to a memo given by the Mayor regarding the Arthritis Foundation Bike Ride event that was going to be held and asked how the Hawkesbury City could go about being included in that event as some information had to be given.
3. Councillor Finch tabled correspondence from Garry Medina in relation to him opposing the proposed alterations to the dwelling at 89 The Terrace, Windsor, DA 1095/03.
4. Councillor Finch tabled correspondence from Howard and Joan Elsey of Neich Road, Maraylya in relation to DA1025/03 and the noise complaints that they had.
5. Councillor Paine referred to an e-mail that she had received from Kate Short in relation to the problems down at St Albans and asked if we could get a response to that e-mail.

The Director Environment and Development advised that this would be done and copies of the response would be given to the Councillors.

6. Councillor Paine asked if it was possible to get somebody to issue an order to clean up the old service station site on Macquarie Street.

The Director Environment Development advised that this could not be done as it was currently subject to a de-contamination report being completed, but advised that as soon as the de-contamination report was completed, Council would take action.

7. Councillor Paine asked if Council could issue an order, to the house next to Geoff Moss' surgery on Macquarie Street, to be cleaned up.

The Director Environment and Development advised that this would be done.

8. Councillor Paine asked how the North Bligh Park development was going and asked how the meetings were progressing and what were the outcomes from these meetings.

The Mayor advised that meetings had been held and more are to be held in the future and Councillors would be advised when these were to be held.

9. Councillor Paine referred to the Freemans Reach/Glossodia/Wilberforce Sewerage Scheme and advised that the committee of people that was formed some years ago had stopped. She asked if Council could form a working party so we can push this along to get that area

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sorted as there was heaps of potential out there. Councillor Paine put herself and Cllr Williams forward to be on that Committee.

10. Councillor Allan requested clarification on SEPP5 in relation to the industrial zone and how it was then looked at as a planning tool to aged housing and asked if there was any outcome from that and where it was up to.

The Director Environment and Development advised that it was not the department's intention to make industrial land available for SEPP5. The only restrictions Council can now rely on are those that arise from flooding and we have to analyse the new flood model to see what new lands will be excluded.

11. Councillor Allan referred to comments from the community regarding the delays in getting DAs and BAs out of Council i.e. four weeks for a swimming pool. She asked if the Director Environment and Development could give a presentation to the planning workshop on this as he had given to the HEDAC committee.

Director Environment and Development advised this could be done.

12. Councillor Allan wanted to thank Mark Long, Farooq Portelli and Esther Anderson on their outstanding presentation that was given to an international Government on Local Government and wanted to point out their commitment to Council.

13. Councillor Woods referred to Buttsworth Bridge and asked what the date of construction of that bridge was.

The Director Asset Services and Recreation advised that this information would be provided.

14. Councillor Williams referred to the allegations in regard to the Tinder Creek Sandmine and asked if the consents had been followed up and if a license had been received from the EPA and if the Tinder Creek Sandmine had a certificate

15. Councillor Williams referred to the \$250,000 Development Application that was copied around to Councillors earlier in the meeting by Mr Neville Diamond and asked if it was to do with ELF Farm Supplies and if it was to do with the current \$15,000,000 works going on at the moment.

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The Director Environment and Development advised that the Development Application was for a shed in 2001 and advised that there was a number of DA's on Tolson file and it would need to be looked into to find out what the supplied DA was for.

16. Councillor Williams asked if a DA had been received today if it would be given a date stamp.

The Director Environment and Development advised that a document number is allocated to all correspondence received by Council and the front page of all DAs are stamped, but not every page.

17. Councillor Williams referred to the proposed Telstra mobile phone tower site on the old Water Board Tower Site at Glossodia. He advised that five homes would be under the 100m minimum regulation rule. The residents were riotous. He asked if the distance regulations could be revisited and set at a 500m minimum. Councillor Williams asked if Telstra could bypass Council due to Commonwealth legislation and were not required to submit a DA.

The Director Environment and Development advised that DAs were not required for mobile phone towers as they were considered low impact, the LEP was changed to accommodate that. Council would have to make a submission to Telstra outlining why we think the towers are too close to neighbours. It is regulation for telecommunication companies to use existing towers to mount on (even if not their own) if the tower is within a certain distance to the proposed tower site.

18. Councillor Williams referred to Coromandel Road, Ebenezer and asked if the speeds had been reduced to 60km/hr yet.

The Director Asset Services and Recreation advised that it went through the Local Traffic Committee and then had been referred to the RTA.

19. Councillor Conolly referred to the issues raised by Councillor Williams earlier and asked if we had received the report from staff on information regarding Tinder Creek as it was previously intended to be.

The General Manager advised that Mr N Diamond has given him a 4-5 page document last week and he intends to reply and investigate the issues raised in this correspondence.

20. Councillor Conolly referred to the new flood modelling that was coming out and asked when it was going to be put to a workshop.

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The Director Environment and Development advised when next available briefing session was, the map would be shown.

21. Councillor Conolly referred to the response given to Councillor Williams in regard to the mobile phone tower issue and asked if a report could be provided explaining how the 'no consent required for phone tower' came about and what we would need to do to make telecommunication groups need a DA again to erect towers.

The Director Environment and Development advised that this would be done.

22. Councillor Rasmussen asked if a working group had been formed relating to Pre-treatment Facility.

The Director Environment and Development advised that nominations of Councillors would be done at next Ordinary meeting.

23. Councillor Rasmussen asked if Council was sending anyone to the CRC for Irrigations Futures Workshop being held on 7 October 2003 at UWS Richmond.

The Mayor advised that Council would be sending somebody.

24. Councillor Rasmussen asked if the independent consultant to review the SES's Methodology for Pitt Town had been selected.

The Director Environment and Development advised that Molino Stuart was the independent consultant.

25. Councillor Rasmussen referred to desenting reports and asked if Council was going to follow State and Federal guidelines - what guidelines do we have to follow.

The Director Environment and Development advised he would investigate and report back to Council.

26. Councillor Rasmussen referred to the meeting he attended with Agnes Bank residence regarding their power supply service in rural areas as it had been interrupted consistently over the past 6 to 8 months and is Council able to talk to Integral Energy about the interruptions.

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The Director Asset Services and Recreation advised that the matter would be investigated.

27. Councillor Rasmussen referred to the Agnes Banks crematorium and asked if the issue had been resolved and if the DA had been withdrawn.

The Director Environment and Development advised that an e-mail had been sent this morning advising that the land had been sold and no new DA to date had been submitted.

28. Councillor Rasmussen asked if there had been a release of land between the Driftway and Bonner Road, Agnes Banks and asked if Council knew anything about it.

The Director Environment and Development advised that he would take it up with Penrith City Council as it is in their area. He also advised that residents of Agnes Banks should also contact Penrith City Council.

29. Councillor Rasmussen referred to sewerage for Agnes Banks and asked if it was still on the cards and if it was, when would they have it.

The Director Asset Services and Recreation advised that it would be looked into, but believed it was on the current Financial year budget.

30. Councillor Rasmussen asked if it was possible to do a DCP for Agnes Banks and what would be involved in that.

The Director Environment and Development advised it was possible, but queried its priority in Council's workload given change is not great at Agnes Banks. It would be matter for Council to allocate resources to it at Budget time.

31. Councillor Sheather asked if Council collected Section 94 contributions on behalf of the RTA or for them.

The Director Environment advised that he did not think it was legally possible the matter was raised at the last Pitt Town Advisory Committee, but it is still being verified.

32. Councillor Sheather referred to the site at Woodland's Park that has been fenced off. Has there been arrangement on where to maintain it. The EPA has drilled a test bore on the gutter line outside the fence and put a concrete cap around it and a barrier pole, but there are no illumination signage on it, but it looks like the diggings are sitting in drums that only have a six month life span. Can we have a look at it and see if it is appropriate.

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33. Councillor Allan requested a letter to be sent to the Penrith Panthers encouraging them for the Grand Final game on the weekend.

The Mayor advised that this would be done.

The meeting terminated at 6.30pm, 30 September 2003.

Submitted to and confirmed at the meeting of the General Purpose Committee held on 28 October 2003.

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Mayor