

Hawkesbury Shire Council

BUSINESS PAPER

Ordinary Meeting..... 11 1 MAY 1982

HAWKESBURY SHIRE COUNCIL

Council Chambers,

WINDSOR, N.S.W. 2756

6th May, 1982

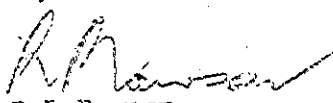
The Shire Planner
Hawkesbury Shire Council
Council Chambers
WINDSOR. N.S.W. 2756

Dear Sir:

You are hereby requested to attend
an ORDINARY MEETING of the Council to be held in the Council Chambers,
Windsor, on TUESDAY, 11th May, 1982 at 7.30 p.m.
for the transaction of the following business :

1. CONFIRMATION OF MINUTES
2. MINUTES FROM THE PRESIDENT
3. NOTICES OF MOTION
4. CORRESPONDENCE
5. REPORTS FROM COMMITTEES
6. REPORTS FROM OFFICERS
7. QUESTIONS WITHOUT NOTICE
8. QUESTIONS WITH NOTICE
9. ORDERS OF THE DAY
10. PUBLIC QUESTION TIME

Yours faithfully,


R.L. Rawson.
Shire Clerk.

Minutes of the Meeting of the Council of the Shire of Hawkesbury, held at the Council Chambers, Windsor on Tuesday, 13th April, 1982 commencing at 7.30 p.m.

PRESENT: Councillor B.E. Brown, President, and Councillors E.A. Buttsworth, P.A. Dunn, F.E. Henry, J.J. Horrex, A.L. Knight, I.T. McEwan, G.G. Michael, J.E. Nicholson, R.W. Rose, R.F. Rotherham and C. Sullivan.

An apology for absence was received from Councillor Rose, who would be arriving late at the meeting.

- 155 RESOLVED on the motion of Councillor Michael seconded by Councillor McEwan that the apology be accepted.

CONFIRMATION OF MINUTES

- 156 RESOLVED on the motion of Councillor Buttsworth seconded by Councillor Knight that the Minutes of the Ordinary Meeting of Council held on 9th March, having been circulated amongst the members of Council be confirmed.
- 157 RESOLVED on the motion of Councillor Nicholson seconded by Councillor Sullivan that the Minutes of the Special Meeting of Council held on 23rd March, 1982, having been circulated amongst the members of Council be confirmed.
- 158 RESOLVED on the motion of Councillor Sullivan seconded by Councillor Buttsworth that the Minutes of the Special Meeting of Council held on 30th March, 1982, having been circulated amongst the members of Council be confirmed.

CORRESPONDENCE

SECTION A - LETTERS FOR ATTENTION

A1. UNITED NATIONS ASSOCIATION OF AUSTRALIA - YEAR OF THE TREE TOWARDS THE GREENING OF AUSTRALIA - URBAN FORESTRY. C45/7.

- 159 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Nicholson that the United Nations Association of Australia be informed of Council's proposals relating to the promoting of tree planting within the Shire as an on-going programme, the current proposals for 1982 and where applicable the supply of information that has been requested regarding existing plantings.

A2. DEPARTMENT OF MAIN ROADS, N.S.W. - INTERSECTION WITH GROSE VALE ROAD AND TERRACE ROAD, NORTH RICHMOND. M130/16.

- 160 RESOLVED on the motion of Councillor Horrex seconded by Councillor McEwan that the Department of Main Roads be informed that Council will undertake the necessary roadworks associated with the installation of traffic signals at the intersection of Bells Line of Road (M.R. 184) and Grose Vale Road, North Richmond and such construction to be carried out from funds of \$50,000 provided in the Capital Works Programme for this purpose.

A3. KEEP AUSTRALIA BEAUTIFUL COUNCIL, N.S.W - TIDY TOWNS COMPETITION. G90/5.

- 161 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Nicholson that Council assist the Keep Australia Beautiful Council in circulating various community groups and business organisations to submit entries for the 1982 Tidy Towns Competition and authority be delegated to the Shire Clerk and Health Surveyor to endorse on Council's behalf any entries received.

13/4/82

Councillor Rose arrived at this stage.

A4. DEPARTMENT OF YOUTH AND COMMUNITY SERVICES - SEMINAR "THE INTERDISCIPLINARY CHALLENGE - A CASE STUDY OF HOUSING FOR AGED PERSONS". C48.

- 162 RESOLVED on the motion of Councillor Nicholson seconded by Councillor McEwan that the letter be received.

A5. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - A LUNCH-TIME MEETING, THURSDAY, 29TH APRIL, 1982. C48/1.

- 163 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Horrex that the information be received.

A6. HAWKESBURY AREA COMMITTEE FOR CHILDREN WITH SPECIAL NEEDS - FACILITIES FOR COMMUNITY HEALTH CENTRE. C45.

- 164 RESOLVED on the motion of Councillor Horrex seconded by Councillor Rotherham that Council seek the views of the Health Commission regarding the matters raised by the Committee.

A7. TERRY ALLEN, WINDSOR TURF SUPPLIES - COMPLAINT BY MR. & MRS. J. ROSS. DA32/80.

- 165 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Knight that Mr. Allen be advised that in the event of any legal action which may be undertaken, Council's files etc. would be made available as a result of the normal legal processes.

A8. HAWKESBURY HISTORICAL SOCIETY - CHANGE OF NAME. 625-3.

- 166 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Buttsworth that the area known as "The Breakaway" be renamed "Denis McMahon Field" subject to the concurrence of the Geographical Names Board.

A9. UPPER HAWKESBURY POWER BOAT CLUB - RENAMING OF THE PENINSULA, WINDSOR.

Moved by Councillor Rotherham seconded by Councillor Horrex that the area including and adjacent to the boat ramp be named "The Windsor Marine Stadium".

The motion was lost.

- 167 RESOLVED on the motion of Councillor Dunn seconded by Councillor Knight that the whole of the area known as The Peninsula be renamed "Governor Arthur Phillip Park" subject to the historical fact being checked that it was on the corner of South Creek and the river that he named the Hawkesbury River in 1789.

SECTION B - LETTERS SUBMITTED FOR INFORMATION

- 168 RESOLVED on the motion of Councillor Rose seconded by Councillor Rotherham that letters B1 to B32 be received and appropriate replies forwarded where necessary.

B1. UPPER HAWKESBURY POWER BOAT CLUB - APPRECIATION. A5, A7/23.

B2. MR. K.H. MCLEOD, SECURITY PEEP HOLE INSTALLATIONS - APPRECIATION. B3. SHIRES ASSOCIATION OF NEW SOUTH WALES - LOCAL GOVERNMENT SALARIED OFFICERS' AWARD. S205/26.

B4. LOCAL COMMUNITY SERVICES ASSOCIATION - 1982 ALLOCATIONS FOR NEIGHBOURHOOD CENTRES. G95/6.

- B5. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - NON-VOTING AT LOCAL GOVERNMENT ELECTIONS. C48/1.
- B6. DEPARTMENT OF LOCAL GOVERNMENT, LOCAL GOVERNMENT ELECTIONS TASK FORCE - PROPOSED TRANSFER OF CONTROL OF LOCAL GOVERNMENT ELECTIONS TO STATE ELECTORAL COMMISSIONER. E73.
- B7. DEPARTMENT OF LOCAL GOVERNMENT AND LANDS - CIRCULAR NO. 3447 - TRAVELLING EXPENSES PAYABLE TO MEMBERS OF COUNCILS AND COUNTY COUNCILS. C44/1, C50/9.
- B8. THE MINISTER FOR HOME AFFAIRS AND ENVIRONMENT, THROUGH MR. A. CADMAN, MEMBER FOR MITCHELL - NATIONAL AVIATION MUSEUM. A4/2.
- B9. MACQUARIE TOWNS PRESERVATION SOCIETY - 1982 RESTORATION AWARDS. C40/5.
- B10. THE COUNCIL OF THE SHIRE OF SUTHERLAND - APPRECIATION. A5, B28/19.
- B11. KURRAJONG EAST PUBLIC SCHOOL - LERN SCHEME. L125/4.
- B12. DEPARTMENT OF LOCAL GOVERNMENT & LANDS - FIREWORKS: QUEEN'S BIRTHDAY. C44/1.
- B13. MINISTER FOR SOCIAL SECURITY, THROUGH MR. A. CADMAN, MEMBER FOR MITCHELL - CHILD CARE. C43.
- B14. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - AUSTRALIA DAY AWARD. A9/3.
- B15. CITY OF HOBART - SISTER CITY CONVENTION. C48/4.
- B16. TELECOM AUSTRALIA - SOUTH WINDSOR AREA. T216.
- B17. METROPOLITAN WASTE DISPOSAL AUTHORITY - WASTE: SITE STORAGE AND HANDLING GUIDELINES. G90/13.
- B18. WINDSOR PRE-SCHOOL ASSOCIATION, MANAGEMENT COMMITTEE - MEETING MINUTES. C43/4.
- B19. LOCAL GOVERNMENT OFFICE, DEPARTMENT OF LOCAL GOVERNMENT AND LANDS - CIRCULAR NO. 3444 - CODE OF PRACTICE FOR THE DISPOSAL OF ASBESTOS - CONTAINING WASTE MATERIALS. C44/1.
- B20. HAWKESBURY YOUTH CLUB - APPRECIATION. C45/10.
- B21. HAWKESBURY DISTRICT TENNIS ASSOCIATION - NEW CONSTITUTION. C51/23.
- B22. DAVID C. HUGHES - POLLUTION OF HAWKESBURY RIVER. P177/2.
- B23. AUSTRALIAN COUNCIL OF LOCAL GOVERNMENT ASSOCIATIONS - PROCEEDINGS OF THE 1981 CONFERENCE. C48/1.
- B24. AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION - 9TH AUSTRALIAN BI-ANNUAL CONFERENCE. C48-3.
- B25. HAWKESBURY DISTRICT EISTEDDFOD SOCIETY - APPRECIATION. A5.
- B26. HERITAGE WEEK 22-28 MARCH, 1982 - APPRECIATION. C40/8.
- B27. MINISTER FOR LOCAL GOVERNMENT & LANDS THROUGH MR. K.R. ROZZOLI, M.P. - PROPOSED AMENDMENT TO LOCAL GOVERNMENT ACT, 1919. G90-13.
- B28. MR. P.A. TROJA - 1982 RATES & CHARGES. 4422(C).
- B29. DEPARTMENT OF MAIN ROADS, N.S.W. - PASSING LANE AT MULGRAVE ROAD. M130/16.
- B30. LOCAL GOVERNMENT OFFICE, DEPARTMENT OF LOCAL GOVERNMENT AND LANDS - CIRCULAR NO. 3453 - AMENDMENT OF ORDINANCE NO. 4 ("STAFF MATTERS") UNDER LOCAL GOVERNMENT ACT, 1919. C44/1.
- B31. WINDSOR & DISTRICT SCOTTISH PIPE BAND - APPRECIATION. B20/2.
- B32. MEMO FROM THE SECRETARY OF HUNTER VALLEY CONSERVATION TRUST - 22ND ANNUAL FLOOD MITIGATION CONFERENCE. C48/2.

REPORTS FROM COMMITTEES

FINANCE COMMITTEE'S REPORT

1. ACCOUNTS PAID:

- 169 RESOLVED on the motion of Councillor Sullivan seconded by Councillor Nicholson that the accounts be confirmed as shown hereunder:

13/4/82

<u>Fund</u>	<u>Voucher Nos.</u>	<u>Total</u>
General Fund	15938-16247	698,074.38
Sewerage Fund	282113-282115	229,432.77
Trust	645-668	83,060.65
		\$1,010,567.80

SHIRE CLERK'S REPORT10. BUSH FIRE FIGHTING FUND ESTIMATES 82/83 FINANCIAL YEAR. B27/8.

- 170 Moved by Councillor Rotherham seconded by Councillor Nicholson that the Bush Fire estimates for 1982/83 totalling \$182,495 be adopted and submitted to the Bush Fire Council of New South Wales.

An amendment was moved by Councillor Horrex seconded by Councillor McEwan that the Bush Fire estimates for 1982/83 totalling \$240,495 be adopted and submitted to the Bush Fire Council of New South Wales.

The amendment was lost.

The motion was then put and carried.

SHIRE PLANNER'S REPORT1. POSITION OF DEPUTY SHIRE PLANNER

The Shire Clerk advised that the current salary of the Senior Planner is \$24,898. The appointment of the Deputy Shire Planner means an annual increase of \$1856, taking his salary to \$26,754 per annum.

- 171 RESOLVED on the motion of Councillor Sullivan seconded by Councillor Nicholson that Items 2 to 7 of the Finance Committee's Report dated 30th March, 1982 as recorded on Pages 1 to 6 of the Minutes of the Finance Committee be adopted.

WORKS COMMITTEE'S REPORT - 23rd March, 1982

- 172 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Sullivan that the Works Committee's Report dated 23rd March, 1982 as recorded on Page 1 of the Minutes of the Works Committee be adopted.

WORKS COMMITTEE'S REPORT - 30th March, 1982

- 173 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Sullivan that the Works Committee's Report dated 30th March, 1982 as recorded on Pages 1 to 5 of the Minutes of the Works Committee be adopted.

DEVELOPMENT COMMITTEE'S REPORTDEVELOPMENT APPLICATIONS1. J.S. & H.L. PETERS - OLD BELL'S LINE OF ROAD, KURRAJONG - ESTABLISHMENT OF A CHILD CARE CENTRE IN THE EXISTING DWELLING HOUSE. DA1/82.

The Shire Planner advised that the applicant had since the Development Committee Meeting, received approval from the Department of Youth and Community Services to increase the maximum number of children to 16 and two staff members.

- 174 RESOLVED on the motion of Councillor Rotherham seconded by Councillor McEwan that Council consent to the application subject to the following conditions:

13/4/82

1. Use of the premises is to be restricted to a maximum of sixteen children and two staff members.
- 2.-6. Standard conditions (a), (b), (c), (h), (r).
7. All materials in the building are to comply with the requirements of Ordinance 70.
8. A 1.5 metre high child resistant fence is to enclose all external play areas and any other areas accessible by any means from the building. All gates are to be fitted with child proof latches of an approved design.
9. Approval being obtained from and compliance with the provisions of the Department of Youth and Community Services.
10. In respect of condition (9) above, proof of compliance is to be forwarded to Council prior to the starting of operations of the pre-school.

CORRESPONDENCE

2. HAWKESBURY LEGACY GROUP - REQUESTING COUNCIL SUPPORT TO THE CREATION OF A LOCAL ENVIRONMENTAL PLAN TO PERMIT NO. 10 EAST MARKET STREET, RICHMOND, TO BE USED AS A "LEGACY HOUSE". 1147.

Councillor McEwan declared an interest in this application.

- 175 RESOLVED on the motion of Councillor Rotherham seconded by Councillor McEwan that the Development Committee's Report dated 30th March, 1982 as recorded on Pages 1 to 13 of the Minutes of the Development Committee be adopted with the exception of:

Development Application Item 1 - J.S. & H.L. Peters - Old Bell's Line of Road, Kurrajong - Establishment of a Child Care Centre

which has already been considered by Council, Minute No. 174.

EXTRACTIVE INDUSTRY COMMITTEE'S REPORT - 29th March, 1982

- 176 RESOLVED on the motion of Councillor Dunn seconded by Councillor Rotherham that the Extractive Industry Committee's Report dated 29th March, 1982 as recorded on Page 1 of the Minutes of the Extractive Industry Committee be adopted.

EXTRACTIVE INDUSTRY COMMITTEE'S REPORT - 6th April, 1982

- 177 RESOLVED on the motion of Councillor Michael seconded by Councillor Sullivan that the Extractive Industry Committee's Report dated 6th April, 1982 as recorded on Page 1 of the Minutes of the Extractive Industry Committee be adopted.

REPORTS FROM OFFICERS

SHIRE CLERK'S REPORT

- 178 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Horrex that the Shire Clerk's Report be received.

1. INVESTIGATION OF SISTER CITY PROPOSAL. C50/10.

- 179 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Horrex that the report be adopted.

2. PROPOSED BICENTENARY COMMUNITY COMMITTEE. REPORT BY COMMUNITY ARTS OFFICER. C40/2.

- 180 RESOLVED on the motion of Councillor McEwan seconded by Councillor Rose that:

1. The Committee be composed as follows:

Shire President	... Chairman
Deputy Shire President	
Council's Senior Administrative Officer	... Secretary to Committee
Shire Engineer	
Community Arts Officer	
Principal, Hawkesbury College of Advanced Education	
Officer Commanding, R.A.A.F. Base	
Inspector of Schools	
Representative of the Press	
Representative of Chambers of Commerce	
Mrs. J. Peare	... Community representative

2. The committee have the right to invite interested members of the community to join the committee and establish sub committees.
3. The committee be requested, as a matter of priority, to confer with the State Bicentenary authority to establish the policy on funding for local projects and events.

3. COMMUNITY & CULTURAL CENTRE - MONTHLY STATEMENT OF LETTINGS. C51/3.

- 181 RESOLVED on the motion of Councillor McEwan seconded by Councillor Rose that the report be received.

4. COMMUNITY ARTS OFFICERS' NATIONAL SEMINAR - REPORT BY COMMUNITY ARTS OFFICER. A11.

- 182 RESOLVED on the motion of Councillor Nicholson seconded by Councillor Rotherham that the report be received.

5. CERTIFICATE AS TO STATE OF ACCOUNTS WORK.

- 183 RESOLVED on the motion of Councillor Michael seconded by Councillor Dunn that the report be received.

6. 1982/83 LOAN PROGRAMME. B23/9.

- 184 RESOLVED on the motion of Councillor Knight seconded by Councillor Buttsworth that the 1982/83 Capital Works Programme be revised with \$600,000 being provided for Glossodia Water and \$192,000 for construction of kerbing, guttering and footpaving, subject to the necessary allocation being received.

SHIRE ENGINEER'S REPORT

- 185 RESOLVED on the motion of Councillor Dunn seconded by Councillor Horrex that the Shire Engineer's Report be received.

1. BRIDGE CONSTRUCTION - TERRACE ROAD
2. ROAD CONSTRUCTION
3. CAR PARK CONSTRUCTION
4. FLOOD MITIGATION
5. NEW SOUTH WALES SPECIAL GRANT FOR EMPLOYMENT
6. ROAD RESEALING
7. MAINTENANCE
8. PARKS & GARDENS
9. COUNCIL CHAMBERS EXTENSION
10. OTHER BUILDINGS
11. COUNCIL INDUSTRIAL SUBDIVISION

13/4/82

12. SUBDIVISION DEVELOPMENT13. PERMANENT CONSERVATION ORDER - THOMPSON SQUARE14. 1982 LOCAL GOVERNMENT ENGINEERS' CONFERENCE

- 186 RESOLVED on the motion of Councillor Dunn seconded by Councillor Horrex that Items 1 to 14 be received.

15. DRAINAGE EASEMENT - LOT 126 D.P. 214752 GOLDEN VALLEY DRIVE, GLOSSODIA. 1714.

- 187 RESOLVED on the motion of Councillor Rose seconded by Councillor Knight that the documents relating to the extinguishment of the existing easement and creation of a new drainage easement within Lot 126, D.P. 214752, Golden Valley Drive, Glossodia, be completed and the Common Seal of Council be affixed thereto.

16. SUBDIVISIONS APPROVED UNDER DELEGATED AUTHORITY.

- 188 RESOLVED on the motion of Councillor Dunn seconded by Councillor Rotherham that the action taken be confirmed.

17. SEWERAGE

Received.

18. SUBDIVISION APPLICATION - R.K. CAMBRIDGE & CO. - LOT 2 AND PART LOT 1, CASTLEREAGH ROAD, AGNES BANKS - SUBDIVISION CREATING FIFTEEN (15) ALLOTMENTS. DA601/81, S82/23).

- 189 RESOLVED on the motion of Councillor Rose seconded by Councillor Horrex that approval be granted subject to:

- 1.-7. Standard conditions (subdivision) 1, 3, 6, 8 \$18,000, 9, 11 and 12.

Approval of subdivision under Part 12 of the Local Government Act, 1919, as amended, be granted subject to:

- 1.-14. Standard conditions A (i), (iii), (vi), (vii), (viii), (ix), (x), (xi).
Standard conditions B (i), (ii) residential, (iii), (vi), (vii), (viii).
15. Submission of documentary evidence that easements have been acquired where necessary over adjoining private land.

19. CHANGING OF STREET NAME - HAM STREET, WINDSOR. R190-18.

- 190 RESOLVED on the motion of Councillor Rose seconded by Councillor Buttsworth that Ham Street between Cox Street and Mileham Street be re-named Hudson Street and that the name of Ham Street between Stewart Street and Fairey Road remain unaltered.

20. FLOOD PLAIN MANAGEMENT STRATEGY REPORT - FUTURE PROGRAMMING.23. PROPOSED FIVE YEAR FLOOD MITIGATION PROGRAMME.

- 191 RESOLVED on the motion of Councillor Horrex seconded by Councillor Michael that the undermentioned priorities be adopted:

Description	Benefits	Approx. Cost
Installation of flood gates at George Street, Windsor (Benefit/Cost: 1)	Flood protection of residential area	\$30,000
Bank protection work along Hawkesbury River at Howes Park	Protection of parkland, urbanised area including residential streets	\$310,000
Raising of Road McGraths Hill to Windsor and possible installation of flood gates	Road raising is recommended to provide flood-free access to Windsor. Flood gates would protect land south-west of Windsor but further investigations are needed before gates are installed	Not available
Raising of Pitt Town Road	Flood free access to Pitt Town	Not available
Local raising of Windsor Road near Curtis Road	Provides outlet for the township of McGraths Hill	Not available

a. Flood forecasting and flood warning flooding	Such predictions help mitigate losses due to	)))))
b. Flood plain mapping - to establish those areas of the valleys of the Hawkesbury, Colo & Macdonald Rivers that are subject to flooding for the various recurrence intervals	In association with flood forecasting mitigates losses due to floods and readily illustrates those lands which are flood liable	))) \$60,000)))
Public information - display and distribute flood pain maps, include information on flood liable lands in notices and certificates, provision for warning and information signs erected at bridges, flood ways, etc.	To provide public awareness of the areas and extent of flooding and provide warning of potential hazardous situations	\$35,000
Environmental Planning - preparation of regional planning for flood management in conjunction with the Department of Environment and Planning	Guidelines for policies and strategies in the flood plain management plan	Not available

13/4/82

21. SUBDIVISION APPLICATION - LOT 9 & PT. LOT 10, SECTION 25, WINDSOR STREET, RICHMOND, CREATING THREE (3) NEW LOTS. S82/6.

- 192 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Buttsworth that condition 4 - "Construction of concrete kerb and gutter, together with the adjacent road pavement and footway opposite to and for the full frontage of the proposed new lots. Such construction to be to the satisfaction of Council's Engineer", to the approval to the subdivision of Lot 9 and Part Lot 10 Section 25, Windsor Street, Richmond be varied to the following: "Construction of concrete kerb and gutter, together with the adjacent road pavement and footway opposite to and for the full frontage of the proposed new lot fronting Claremont Street.

22. 49TH BRIDGE TO BRIDGE POWER BOAT CLASSIC. A7/23, C51/25.

- 193 RESOLVED on the motion of Councillor Dunn seconded by Councillor Buttsworth that permission be given to the Upper Hawkesbury Power Boat Club to conduct the running of the 49th annual Bridge to Bridge Power Boat Classic on Sunday, 2nd May, 1982, and that the ramp be closed to the public on this day, subject to the Upper Hawkesbury Power Boat Club meeting the cost of the necessary advertisements for the closure of the Peninsula.

23. PROPOSED FIVE YEAR FLOOD MITIGATION PROGRAMME.

See Item 20, Minute No. 191.

SHIRE HEALTH & BUILDING SURVEYOR'S REPORT

- 194 RESOLVED on the motion of Councillor Rotherham seconded by Councillor McEwan that the Shire Health & Building Surveyor's report be received.

1. BUILDING APPLICATIONS

- 195 RESOLVED on the motion of Councillor Rotherham seconded by Councillor McEwan that the report be received.

2. FOURTH NATIONAL CONFERENCE ON WASTE MANAGEMENT. C48.

- 196 RESOLVED on the motion of Councillor McEwan seconded by Councillor Nicholson that the report be received.

3. WILBERFORCE PRE-SCHOOL KINDERGARTEN.

- 197 RESOLVED on the motion of Councillor Michael seconded by Councillor McEwan that the report be received.

4. BUILDING APPLICATION 280/81. B25/1.

- 198 RESOLVED on the motion of Councillor Dunn seconded by Councillor Knight that Council vary its policy in this particular instance to allow the construction of the proposed dwelling.

5. TENDERS FOR THE SUPPLY AND FITTING OF TWO GARBAGE COMPACTOR BODIES.
7. TENDERS FOR THE SUPPLY AND FITTING OF TWO GARBAGE COMPACTOR BODIES.

- 199 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Michael that the tender of Gar Pac Industries of 225 North Rocks Road, North Rocks to provide and fit two 7.5 cubic metres compactor bodies, including hydraulic tailgates and high pressure washing plants to the cabs and chassis supplied by Council, be accepted for the sum of \$27,706.00.

6. EARTH WEEK, 1982.

- 200 RESOLVED on the motion of Councillor Buttsworth seconded by Councillor Rotherham that the report be received.

7. TENDERS FOR THE SUPPLY AND FITTING OF TWO GARBAGE COMPACTOR BODIES.

See Item 5, Minute No. 199.

8. EARTH WEEK, 1982 - DISTRIBUTION OF TREES. (SEE ITEM 6, HEALTH AND BUILDING SURVEYOR'S REPORT).

- 201 RESOLVED on the motion of Councillor Buttsworth seconded by Councillor Rotherham that the report be received.

SHIRE PLANNER'S REPORT

- 202 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Horrex that the Shire Planner's report be adopted.

1. PROPOSED RESIDENTIAL FLAT BUILDING - HOBARTVILLE (DA250/81).

- 203 RESOLVED on the motion of Councillor Michael seconded by Councillor Horrex that consideration of the application be deferred pending inspection by the full Committee.

2. TOURISM - ESTABLISHMENT OF TOURIST INFORMATION FACILITY.

- 204 Moved by Councillor Buttsworth seconded by Councillor McEwan that:

1. The objectives for tourism set out in the report be adopted.
2. Negotiations be authorised for the purpose of purchasing a suitable site at McGraths Hill for land on which there is to be established a tourist information centre as indicated on Council Plan No. 82-T220.

An amendment was moved by Councillor Nicholson seconded by Councillor Michael that the matter be further investigated pending receipt of the valuation of the property.

The amendment was lost.

The motion was then put and carried.

3. LAND AND ENVIRONMENT COURT.

- 205 RESOLVED on the motion of Councillor Sullivan seconded by Councillor Knight that Council advise the Local Government Association of New South Wales regarding the manner in which the Land and Environment Court has dealt with the appeals by J.C. Fitch and P.S. Graham & Associates.

4. LOCAL ENVIRONMENTAL PLAN.

- 206 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Nicholson that the information regarding the Local Environmental Plan for the Shire of Hawkesbury be received.

5. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - IMPLICATIONS OF SHADDOCK AND ASSOCIATES V PARRAMATTA CITY COUNCIL. C44/2, C42/1.

- 207 RESOLVED on the motion of Councillor McEwan seconded by Councillor Sullivan that the report be received.

13/4/82

6. HAWKESBURY RACE CLUB - ESTABLISHMENT OF AN OPEN AIR MARKET WITHIN THE HAWKESBURY RACECOURSE. DA 791/81. DEFERRED ORDINARY MEETING 9/3/82.

Councillor Brown as Chairman of the Hawkesbury Race Club declared an interest in the application and vacated the Chair and left the meeting room.

The Deputy Shire President then took the Chair.

- 208 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Dunn that Council support the preparation of a Local Environmental Plan.

The Deputy President then left the Chair and the President returned to the meeting and the Chair.

7. DEVELOPMENT APPLICATION - N.J.E. JOHNSON. DA281/81.

- 209 RESOLVED on the motion of Councillor Rose seconded by Councillor McEwan that the application in accordance with the development plans submitted be approved subject to the following conditions:

- 1.-12. Standard conditions (a) for any building alterations necessary, (b), (c), (g), (h), (i) 10, (j), (l), (p), (q), (v), (w).

CHIEF LIBRARIAN'S REPORT

- 210 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Nicholson that the Chief Librarian's report be received.

1. 1982 PUBLIC LIBRARY DELEGATION TO MEET PREMIER NEVILLE WRAN ON 24TH MAY, 1982.

- 211 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Nicholson that Council support the delegation.

2. POLICY ON ASSISTANCE TO PUBLIC LIBRARIES.

- 212 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Nicholson that the report be received.

QUESTIONS WITHOUT NOTICE

Councillor Rotherham referred to the Shire Engineer's reply in regard to his previous question regarding public telephones at South Windsor and asked what the procedure was regarding following these matters up.

The Engineer advised that this would be followed up by Council's internal system.

Councillor Rotherham referred to the disastrous situation regarding the Strawberry Farm industry at Mountain Lagoon and sought permission to bring before Council a motion in an endeavour to assist the farmers.

- 213 RESOLVED on the motion of Councillor Sullivan seconded by Councillor Michael that permission be granted for the motion to be brought forward.

- 214 RESOLVED on the motion of Councillor Rotherham seconded by Councillor McEwan that Council write to the New South Wales Minister for Agriculture, Mr. Hallam, in support of local strawberry plant propagators and strawberry growers who have suffered a crippling economic disaster as a direct result of mild yellow edge virus in nucleus stock plants supplied by the New South Wales Department of Agriculture and requesting compensation to allow for a crop destruction in a genuine effort to eradicate this disease.

Councillor Dunn referred to previous requests regarding the pedestrian right of way owned by Council between Woodhills Carpark and Windsor Street. He asked if the area could be investigated with a view to making it more attractive. He suggested the installation of concrete tubs for the planting of shrubs. He referred to the tree overhanging the toilets, the sign indicating the toilets which is pointing east west instead of north, and the general untidy condition of the access.

The Shire Engineer to submit a comprehensive report to the next Committee meeting.

Councillor Dunn asked if the availability of emergency power during the winter months had been investigated in view of Council's computer system.

The Shire Clerk advised that the question had been looked into very fully and stated that the Engineer would bring forward a report to the next Finance Committee as the cost would be extremely high.

Councillor Sullivan stated that, during weekends particularly, the garbage receptacles in Richmond Park are not big enough and by late afternoon they are overflowing. He asked if the bins could be duplicated or larger bins provided.

Engineer for attention.

Councillor Sullivan referred to the Glossodia/Freemans Reach area and the large number of small trees growing along the side of the road and asked if these could be removed whilst they are small. He stated that they are causing visibility obstruction on the corners.

Engineer for attention.

Councillor Rose stated that before the amalgamation plastic garbage bags were illegal to be left on the kerbside to be collected and he had noticed that recently garbage bags had been picked up by the garbage staff. He referred in particular to the large pile of garbage bags in March Street between Bosworth Street and Chapel Street.

The Health Surveyor stated that the Union has placed a ban on the collection of garbage bags because of the danger to the collectors. In relation to the property referred to by Councillor Rose, letters had been left in the letter boxes. The situation had improved for a while and had now reverted back to its previous state. He stated that recently one of Council's employees had an accident with a garbage bag to his leg to the extent that he cannot continue with that type of work. He stated that broken glass in plastic bags is dangerous and he felt the ideal solution was to use the garbage bag as a liner inside the garbage bin and for that purpose only or for grass, etc. during clean up days.

Councillor Rose asked if the rubbish in March Street could be picked up or returned inside the property.

Referred to Health Surveyor for attention.

Councillor McEwan asked if the Shire Engineer had any immediate plans to restore parts of the footpath in the main street of Windsor where the Gas Pipeline were carrying out work.

The Engineer advised that the work is in progress.

13/4/82

Councillor Henry referred to a type of cane growing in the sewer absorption trench near the Vineyard Public School and asked if a letter could be forwarded to the Department of Main Roads or Blacktown Council.

Engineer for attention.

Councillor Knight asked if people had the right of appeal regarding rural rating if their application had been refused by Council.

The Shire Clerk advised that Council was endeavouring to inspect as many properties as possible and the procedure has been adopted that if the applicant is dissatisfied with the basis for rating then they are asked to give details and a further inspection is made. After the inspection a report is given to him and a decision made. If the people are still dissatisfied they have the right of appeal to the new Land and Environment Court.

Councillor Knight asked if people are informed of their right of appeal to the Land and Environment Court.

The Shire Clerk stated that he did not think that this was being done at present but felt that it should be done as is done with development applications.

The Shire Clerk stated that in this particular case, if the people concerned are still unhappy would they ring him and the matter would be looked at again.

Councillor Knight referred to his question raised at the last Development Committee in regard to the status of land at Port Erringhi, Ebenezer, and stated that he had referred to the fairways and not the golf course.

The Deputy Shire Clerk stated that the matter is being investigated and a report would come before the next Committee meeting.

Councillor Horrex referred to a previous Notice of Motion regarding the relocation of the works depot in Fairey Road.

The Shire Engineer advised that a report would be available for the June meeting.

Councillor Buttsworth asked if the limbs of trees on the road at the College end of Southee Road could be removed.

Engineer for attention.

Councillor Buttsworth referred to the realignment of The Terrace which was originally placed in the 1981 programme and which was now set down for September/October in this year.

The Shire Engineer advised that the work would be carried out between August and October.

Councillor Nicholson referred to the dangers caused by the unevenness of many parts of the footpath in the commercial area of Richmond.

Engineer for attention.

13/4/82

Councillor Nicholson referred to the need for more rubbish bins in the Pughs Lagoon area at weekends.

Engineer for attention.

Councillor Nicholson asked if any further information had been received regarding the possible future restoration of Bowman Cottage which is rapidly falling down.

The Shire Clerk advised that the Department would be contacted tomorrow.

Councillor Dunn stated that some time ago he asked if Council would take up with the Railway Department moving Vineyard Station down to Level Crossing Road. He stated that the existing Vineyard Railway Station is in a very bad state, half of the timber on the platform had been removed, the shelter shed did not have one complete wall standing and the guttering was lying all over the place.

Referred to the Engineer to take up the question of the relocation with the Department of Railways and also the restoration of the existing railway station.

QUESTIONS FROM THE GALLERY

The President then invited questions from the Gallery.

The meeting terminated at 10.28 p.m.

Submitted to and confirmed at the meeting of Council held on 11th May, 1982.

..... President

Minutes of the Special Meeting of the Council of the Shire of Hawkesbury, held at the Council Chambers, Windsor on 27th April, 1982 commencing at 9.30 a.m.

PRESENT: Councillor B.E. Brown, President, and Councillors E.A. Buttsworth, F.E. Henry, J.J. Horrex, A.L. Knight, I.T. McEwan, R.W. Rose, R.F. Rotherham and C. Sullivan.

Apologies for absence were received from Councillors G.G. Michael and J.E. Nicholson.

- 215 RESOLVED on the motion of Councillor Sullivan seconded by Councillor McEwan that the apologies be accepted.

Councillor Horrex arrived at the meeting at 9.38 a.m.

1. AGREEMENT FOR EXTRACTION OF MATERIAL FROM CORDNERS CORNER. F84-5.

The Shire Engineer referred to discussions at the Extractive Industry meeting held on 29th March, 1982 wherein it was suggested that the Contract be reviewed on a 12 monthly basis. He stated that in the Conditions of Contract under Condition No. 4 it was proposed that payment be revised on a quarterly basis and asked that Condition 14 be deleted from the Conditions of Contract and this was agreed to by the meeting.

Councillor Horrex arrived at this stage, the time being 9.38 a.m.

- 216 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Sullivan that the words "that provision for extension at Council's discretion" be added to Condition 1 of the terms of contract.
- 217 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Sullivan that subject to the above alterations and Council's Solicitor being satisfied with the final draft, the contract be executed under the Seal of Council.

The meeting terminated at 9.47 a.m.

Submitted to and confirmed at the meeting of Council held on 11th May, 1982.

.....President

PRECIS OF CORRESPONDENCE

ORDINARY MEETING - 11TH MAY, 1982

SECTION A - LETTERS FOR ATTENTION

A1. EDUCATION COMMISSION OF NEW SOUTH WALES - EDUCATION FOR RURAL AREAS. S196.

Advising that the Education Commission has been requested by the State Government to review the educational needs and services for country areas, and inviting public submissions on any related issue. The Commission is also seeking broad community submissions covering all levels of education: pre-school, primary, secondary, TAFE, tertiary, adult and continuing education, and would appreciate Council's assistance in developing a submission which focusses on issues in its local government area. Suggesting that ways in which Council could assist could include convening *two sessions* a public meeting, establishing a local committee to co-ordinate submissions, and making a Council submission on behalf of the local community. Advising that the closing date for submissions is 15th June, 1982.

S.C. - IT IS RECOMMENDED THAT publicity be given by Council to the invitation to make submissions. ✓

A2. THE ALICE SPRINGS TOWN COUNCIL - SISTER CITIES CONVENTION, ALICE SPRINGS. C48/4.

Advising that the next convention will be held in Alice Springs on Tuesday, 28th and Wednesday, 29th September, and requesting details of Council's attendance.

(S.C. - This Council is a member of the Association and has been attending previous conventions.)

IT IS RECOMMENDED THAT the Convention be attended and members of the ~~Council~~ *Committee* are asked to advise the Shire Clerk if they will be available. ✓

A3. C. LAYCOCK - RESIGNATION. S1/8P.

Resigning from Council from Friday, 14th May, 1982 as she is leaving the district and thanking Council for the valuable experience gained and requesting a reference under seal.

(S.C. - Mrs. Laycock has been an excellent employee.) ✓

IT IS RECOMMENDED THAT a reference be given under Seal.

A4. LIBRARY COUNCIL OF N.S.W. - FINANCIAL ASSISTANCE FOR PROVISION OF PUBLIC LIBRARY SERVICE. L125, G95/11.

Advising that the Premier has requested that the Library Council of New South Wales review the pattern of State Government financial assistance to local government authorities in respect of the cost of providing public library service, for formulation of the 1982/83 State Budget. Stating that financial assistance is currently offered in three ways:

11/5/82

Per capita subsidy payable on a dollar for dollar basis up to a maximum which is at present \$1.20 per head of population. The Budget allocation for subsidy payments is approximately \$6.1m in 1981/82;

Special Grant funds allocated by the Premier on the recommendation of the Library Council on the basis of guidelines which emphasise special needs and the benefits derived from co-operation. Special Grants are allocated to individual library services or to groups of libraries developing co-operative projects. The allocation for Special Grant funds in the 1981/82 Budget is \$3.15m.

Interest Subsidy which provides a dollar for dollar reimbursement of interest payable on loans raised to provide accommodation for public libraries, bookmobiles, initial bookstock and other items of capital expenditure. To be approved projects must meet specified guidelines and a limit of \$500,000 applies in 1981/82 to the total amount which may be recommended for subsidy. Payments for interest subsidy are met from the allocation for Special Grant funds.

Requesting Council's views upon the funding and information in regard to the use made of Special Grants before 15th May, 1982.

(Note from C.L. :-

1. An increase in the per capita subsidy would have greatest benefit in those areas with a large population base. However, it is desirable that this be increased from the present \$1.20 per head which was established in 1978.
2. Special grant funds have been of very great benefit to this Council's library service.

It was through such funds that the Pilot Study into school and public library co-operation in the Windsor area and eventually LERN (Local Educational Resources Network) was established.

In seeking background details from the Public Libraries Division in relation to this matter, there is concern that the Premier's Department may hold the opinion that Special Grants are no longer required by some Councils. These grants have proved to be of great benefit to this area and particularly in relation to fostering co-operation and rationalising of resources.

3. Although Council was unable to benefit from the Interest Subsidy in relation to its two new library buildings, the projected growth in the Shire means that this form of assistance is most certainly to be of advantage in the future.

It needs to be emphasised that the disadvantages of providing a library service to this very large Shire, include the many sparsely settled communities and the fact that some of the larger population centres e.g. Glossodia, East Kurrajong, etc. are some kilometres from the major centres of Windsor and Richmond.

	<u>Population</u>	<u>Distance from Windsor</u>
Kurrajong	2,000	16 kilometres
East Kurrajong	500	16 kilometres
Glossodia	3,000	12 kilometres
Wilberforce	1,500	7 kilometres

11/5/82

Therefore, the per capita subsidy is disproportionate to the costs incurred in providing library service to the population in this Shire.

In conclusion, the current allocations of the available funds are satisfactory, but over the years the funds have considerably reduced in real terms. In order to counteract this trend, indexation of special grants and a mechanism for conducting an annual review of the per capita subsidy should be implemented.)

A5. OPAL ACCESS - TOURIST PROMOTION. T220.

Requesting permission to use Council's crest on a series of souvenir cutlery identifying the Hawkesbury Shire, and if possible for Council to supply copies of the art work.

S.C. - IT IS RECOMMENDED THAT Opal Access be advised that Council has no objection to the use of the crest.

A6. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - 1982 ANNUAL CONFERENCE - 17/20TH OCTOBER - GOULBURN. C48/1.

Advising that the 1982 Annual Conference will be held in Goulburn from 17th to 20th October; pointing out that closing date for motions, nominations of delegates and observers and nominations for the Executive is 16th July; and stating that since 1983 is the Centenary of the Association, the Executive has decided to hold the 1983 Conference in Sydney to allow a programme of celebrations to be arranged in conjunction with the Conference.

(S.C. - In accordance with adopted procedures, Notices of Motion, if any, are to be submitted no later than Wednesday, 2nd June, in order that they may be placed in the business paper as Orders of the Day for consideration by Council at the meeting on 8th June. If any member of Council wishes to attend the Conference, would they please advise the Shire Clerk.)

A7. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - GENERAL CIRCULAR NO. 2, 1982. C44/2.

1. IMPOUNDING OF SKATEBOARDS AND BICYCLES

Referring to the 1980 Conference resolution seeking authority for councils to impound bicycles and skateboards being ridden in pedestrian malls or other places, which was referred to the Department of Local Government who indicated that the areas mentioned would be private property and therefore not feasible to give councils control over skateboards in such areas and further, they would come under the offences in Public Places Act and police would be able to deal with offences. A complaint has been received regarding the use of skateboards and bicycles in the Lane Cove Plaza causing distress to pedestrians. The council is seeking an amendment to the legislation to permit the impounding of the bikes or skateboards by the council ranger for a limited period.

(H.S. - Council's approach in these matters has been to interview the children concerned indicating that the matter will be taken up with their parents should they persist with this activity. The dangers to the children themselves and to pedestrians are pointed out and generally the response is good. The latest area where problems of this nature have occurred is at Hobartville where the earth works associated with the construction of the new shopping centre has attracted children with their B.M.X. type bicycles.

11/5/82

They had caused concern to the persons using the existing shopping centre and been in considerable danger themselves with shoppers using the adjacent parking area. Recent inspections have indicated that this problem has been largely resolved. It is felt that the proposal to impound those articles would not achieve better results. The Association will be advised.)

2. SYDNEY ROAD HIERARCHY

Referring to the Traffic Authority of New South Wales' decision to proceed with the preparation of a road hierarchy for the Sydney Metropolitan area and stating that even though there is support for the principle of a Sydney Road Hierarchy, concern has been expressed at the way in which councils are being induced to prepare the various schemes, and obviously to implement their proposals without any commitment or intention of commitment from the State Government. Advising that the Association is initiating discussion with the Traffic Authority and recommending that councils defer the adoption of the Sydney Road Hierarchy plan until clear guidelines have been set out by the Traffic Authority.

(S.E. - It is considered essential that the Council in relation to their areas establish a road hierarchy for the roads in its area. This enables the Council to formulate forward planning for road improvements on a needs basis particularly in relation to a standard of road works applicable to the traffic volume. The intention for the total hierarchy for the Sydney metropolitan area is to get some uniformity for roads traversing more than one Local Government area which could happen where one Local Government authority designs the low classification for a heavy traffic route in this area and the adjoining Local Government authority designs a higher classification for the same road as it enters that authority's area. The initiative has been given to each Council to determine the hierarchy for this area and the Traffic Authority is assisting with the compilation to avoid changes of classification as mentioned above.

3. ACCIDENT COMPENSATION

Advising that the New South Wales Law Reform Commission will soon call for submissions into its inquiry into accident compensation. The Association's policy is that a universal accident compensation scheme, which would guarantee compensation for every person injured in this state, should replace the existing system of common law damages, workers' compensation and social welfare payments and the Association will accordingly be making a submission supporting such a scheme. Seeking details from Councils who have been involved in accident compensation particularly through personal injury negligence actions and workers compensation payments within the last ten years.

(D.S.C. - The Council has no knowledge of any claims over the last ten years.)

4. RATING APPEALS

The 1979 Annual Conference called for amendment of Section 133 of the Local Government Act which provides that rating appeals where the UCV is under \$10,000 shall be heard in the nearest Court of Petty Sessions and above that amount in the Land and Environment court, to raise the demarcation amount to \$40,000. The Minister for Local Government has proposed that quick and inexpensive rating appeals would best be handled if the Land and Environment Court were to deal with all appeals. Seeking Council's advice.

D.S.C. - IT IS RECOMMENDED THAT Council support the proposal that all appeals be dealt with by the Land and Environment Court.

11/5/82

5. COMMUNICATION WITH MEMBER COUNCILS6. COMPREHENSIVE REVIEW OF EDUCATIONAL NEEDS AND SERVICES IN RURAL NEW SOUTH WALES

The Education Commission of New South Wales has been requested by the state government to examine the special needs of education in country New South Wales. The Commission is seeking submissions from a broad cross-section of the State.

Acting Librarian - IT IS RECOMMENDED THAT Council make a submission to the Education Commission.

7. IMPOUNDING OF SHOPPING TROLLEYS

Advising that the Minister has approved the amendment of Section 510C of the Local Government Act to provide that the applicant shall pay the council the actual cost to the council, as determined by it, of storing a prescribed article, subject to the maximum charge prescribed in Ordinance No 30A; by adding the word "forthwith" to subsection (5)(a) in relation to the service of a notice by the council on the owner of the article; and to require the council to notify the owner of the article, if known, of the time and place fixed for the sale of the article by public auction. The Office of Local Government advised that it has been considered that it would be more practical and provide more flexibility if negotiation between retailers and councils if the prescribed charge of \$30 was amended to a maximum charge rather than a flat charge and if it was made incumbent upon councils to fix their charge having regard to the actual costs of storage of impounded trolleys.

(H.S. - The proposed amendments to Section 510C of the Local Government Act have the following effects:-

- (a) An applicant to release the impounded article shall pay the Council's actual cost to the Council as determined by it up to the maximum charge of \$30. The legislation at the present provides the release fee at \$30 per article.
- (b) The amendments require Council to advise the owner forthwith of the impounding should the owner be known.
- (c) Require Council to advise owner, if known, of time and place of sale of impounded article.

8. TASK FORCE ON PERSONAL AND COMMUNITY SERVICES AT THE LOCAL LEVEL

Advising that this report was completed and presented to the Minister for Local Government and Lands in December, 1981 and to date no action has been taken on the recommendation that the report be released for three months public comment by the Government. Councils are asked to consider supporting the Associations' approach to the Premier and the Minister for Local Government and Lands on this matter by raising it with their local state members.

D.S.C. - IT IS RECOMMENDED THAT Council support the Association.

9. SUBSIDIES FOR COMMUNITY SERVICES STAFF FROM DEPARTMENT OF YOUTH AND COMMUNITY SERVICES

Advising that subsidies for community workers and youth workers through the Department are, and have been, \$5,000 per annum since 1976 although more substantial subsidies are available for other types of employment.

11/5/82

The Association's policy is that such subsidies should represent two thirds of total employment costs. Stating that it is timely to draw this to the attention of the Minister through the local members.

(S.C. - The matter has been taken up with the Local Member.)

10. TAX DEDUCTIONS: ALDERMANIC ALLOWANCES AND ELECTION EXPENSES

Representations have been made through the local Federal Members of Parliament seeking support for amendments to the Taxation Laws to permit election expenses incurred by candidates for Local Government to be tax deductible and also to provide for allowances paid to Alderman to be classed as non-taxable income. So far, the Government has not seen its way clear to amend the law. On the matter of tax deductions of Aldermanic allowances the Treasurer indicated that the local Government Act was amended in December 1980 to increase the maximum amount of allowances paid for attendance at council meetings from \$500 to \$1,000. A deduction of up to \$1,000 per annum will be allowed without the need to furnish particulars of actual outgoings, provided the persons concerned give some affirmative statements as to the amount and nature of expenses incurred. If actual expenditure is less than \$1,000 a deduction will be limited to the amount actually expended. It remains open to councillors to claim an amount greater than \$1,000 which would be determined on a factual basis and full details of actual expenditure would be required.

11. RATE PEGGING LEGISLATION.

C. A. L. J.
Suggesting that councils contact their State Members of Parliament, and the Premier, on the question of rate pegging legislation. The Associations are still vehemently opposed to the concept of rate pegging because of its inefficiency and the way in which it curbs local decision making. It seems unfair that councils revenue raising is limited by action of the State Government when the State's own instrumentalities and departments are not similarly limited and required to exercise economy. Councils are asked to draw this to the Government's attention and to ask that any future rises in charges and levies by the State on Local Government be held to the same level as rate-pegging increases.

C. Deslaur - to abolish rate pegging legislation.

12. AMENDMENT TO ENVIRONMENTAL PLANNING AND ASSESSMENT ACT - MINISTERIAL POWER TO REZONE LAND

Advising that prior to the August sitting of Parliament State Cabinet is to consider a proposed amendment to this Act which would restore to the Minister, at least partially, the power to initiate rezoning which existed pursuant to S342Y of the Local Government Act prior to the repeal of part XIIIA in 1979. Representatives of the Association and other interested groups met with Mr. Wran and Mr. Bedford on 13th April. As a result of the meeting the Premier agreed to accept submissions from interested groups until the end of May.

(S.P. - Council has already made a submission in support of the Association.)

13. AMENDMENTS TO REGULATIONS UNDER ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND MISCELLANEOUS ACTS (PLANNING) REPEAL AND AMENDMENT ACT 1979

Amendments to the Regulation under the EPA Act include:

- (a) Councils are now compelled to give public notice of their intention to prepare a development control plan.

Clause 22(1) E.P.A. Act change word "may" to "shall"

Amendments appeared in A.G. on 27/11/1981 11/5/82

- (b) A \$500 increase in development application fees subject to a requirement that unspent amounts be refunded and an increase in the maximum fee from \$25,000 to \$50,000.
- (c) Details of energy requirements and conservation measures are to be included in environmental impact statements.
- (d) When determining development applications, Councils are required to consider whether adequate provision has been made for access for disabled persons.
- (e) Extension of existing use provisions to cover the use of land, as well as the erection of buildings and the carrying out of works.
- (f) Section 149 Certificates must now include information about "the general nature" of s101 directions.
- (g) Canals constructed in association with the subdivision of land into ten or more residential allotments are designated developments. Other categories of designated developments are narrowed (marinas, canning and bottling works, chemical factories or works, concrete batching works, metallurgical works, paper or pulp rubber or plastic works and scrap metal recovery works). The extraction of shale is now a designated development.

Clause 12.
of Summary Act
Clause
25 Reg

32 (572)

(412)

51

68

Schedule
2.

Schedule
3.

Amendments to the Regulation under the Miscellaneous Acts (Planning) Repeal and Amendment Act, 1979 provide for:

- (a) The lapsing of consents obtained under former planning instruments (under Part X11A of the Local Government Act). Section 99(5)-(11) of the EPA Act is to apply to such consents in certain circumstances. This enables councils to serve a notice on developers requiring that a development which has been commenced to be completed within a specified period of time (not less than 12 months).
- (b) s3242ZA does not apply to development applications for consent to dual occupancy.

(S.P. - In relation to the last item above, Council's code requires the advertising of dual occupancy applications.)

14. ROADS REGISTER

The Technical Sub-Committee of the Associations is anxious to ensure that when submissions are made to governments for increased roads funds, the Statistical data used is as current as possible and it is important, therefore, that this type of data is kept up to date so that the Associations, the Department of Transport, and the Department of Main Roads can be aware of the current situation and the amount of funding deficiency as applied to road lengths and surfaces. Pointing out that there does appear to be good reason for development and maintenance of a register of road conditions encompassing all data relating to all roads within council areas and it could be that this sort of register will become increasingly necessary over time.

(S.E. - There are significant values in maintaining a road register apart from the extraction of statistical data for completion of reports to other authorities. The records in relation to individual roads assist in the preparation of maintenance and re-construction programmes. The information necessary for maintaining a complete roads register is suitable for the incorporation into a computer programme and investigations are currently underway to this end.)

15. SISTER CITY CONVENTION

11/5/82

A8. THE COUNCIL OF THE SHIRE OF HORNSBY - ERECTION OF CLASS I BUILDINGS. B25/1.

Advising that the above council is regularly experiencing a problem with the erection of Class 1 buildings (single dwelling houses), in that they are frequently constructed without proper regard to the building alignment or boundary setbacks, the reasons for errors including incorrectly placed survey marks, incorrect reading of approved plans, measurement errors etc., and this becomes apparent when the builder or owner applies for a 317A Certificate. Advising that it is fully appreciated that Clause 8.5 of Ordinance 70 empowers Council to require the submission of a certificate of survey at an early state of the building, but council is only empowered to do this in the case of dwellings, where it is of the opinion that the levels or width of the allotment, or other exceptional conditions of the site, necessitate the submission of a certificate, and furthermore Council must determine by special resolution in the individual cases that such a certificate shall be submitted and as the vast majority of dwelling applications are approved by the Chief Building Surveyor under delegation the whole benefit of approval by delegation would be destroyed if each case had to be by special resolution. Stating that the above council has made an unsuccessful approach to the Minister for Local Government to have the Ordinance amended to enable Councils to request the provision of a survey certificate and if it appears warranted and in order to gain support for the proposed amendment it is requested that, should this Council be experiencing similar difficulties, to make representations through your local Member of Parliament seeking an alteration to the Ordinance.

(H.S. - Where a building application is received showing the proposed position of the building on the site to be on or close to the boundaries or the statutory setbacks from side boundaries a certificate of survey is requested to be submitted at the completion of the footings. This request is not made in the case of minor buildings or when proposed clearances are such as to obviate any real risk of encroachment. The submission of such a certificate at an early stage of construction is of significant protection for the owner as it will identify any encroachment at a stage when relatively inexpensive adjustments can be made.

In the vast majority of cases in my experience applicants welcome the protection of their investment such a procedure affords however should it become necessary, the matter would be put to Council for their determination thereby gaining strict compliance with the approval procedure laid down by Ordinance 70. This happens so rarely that I cannot remember ever having to report such a matter to Council.

✓ IT IS RECOMMENDED THAT the procedure adopted by this Council be advised to the Shire of Hornsby which may assist them to overcome the difficulty they are experiencing.)

A9. MINISTER FOR YOUTH AND COMMUNITY SERVICES - GRANT. G95/19, C43/2.

Advising of the approval of a grant of \$75,000 from the New South Wales Children's Services Fund Allocation for the establishment of a Multi-purpose Children's Centre in South Windsor, conditional upon Council contributing the balance of costs required to complete the project. Requesting notification of acceptance of the grant and conditions prior to the preparation of necessary Deeds of Agreement.

✓ D.S.C. - IT IS RECOMMENDED THAT the grant be accepted with appreciation and the seal of Council be affixed to the necessary documents.

11/5/82

A10. WESTERN SYDNEY REGIONAL ORGANISATION OF COUNCILS - STADIUM, CUMBERLAND OVAL, PARRAMATTA PARK. W275.

Advising that at its meeting on 5th April, 1982, the Regional Organisation resolved to request from member Councils their view, if any, on the development of a stadium at Cumberland Oval in Parramatta Park.

A11. THE MARITIME SERVICES BOARD OF N.S.W. - USE OF FREEMANS REACH. 625-31.

Advising that the Board is considering an application by the Barefoot Water Ski Association for the use of Freemans Reach on three occasions each year and for a fourth occasion every fifth year so as to conduct their various title events and seeking Council's views in this regard.

(S.E. - Freemans Reach extends from the Breakaway upstream to approximately opposite Wire Lane. This section of river has a speed limit of 8 knots and generally is not subject to activity by speed boats. The Reach is a suitable distance from residential development and the noise factor would probably have little impact in this locality. There could however, be conflict with the quiet uses of this section of the Hawkesbury River which is utilised for swimming at Cordners Corner, Gorricks Lane, Hibberts Lane and by the occupants living along this Reach. Canoeing is also popular along this stretch of river.

There has been little, if any, extraction of the material from the river bed on that section of the Reach between the Breakaway and Hibberts Lane but that section between Hibberts Lane and Wire Lane has generally been extracted. It is noted that this latter section is the section of the river adjoining to the residential development extending from The Terrace Park to Wire Lane and as such the water ski activity could be objectionable to those residents.)

IT IS RECOMMENDED THAT the Maritime Services Board of New South Wales be informed that Council is not in favour of the use of the Freemans Reach on the Hawkesbury River for water ski activities, even on a limited basis for the reasons that this section of river has traditionally been used for a quieter form of water recreation such as swimming and canoeing and it is considered that this type of activity should be the predominant use in the future.

A12. OFFICE OF THE DIRECTOR OF STATE EMERGENCY SERVICES AND CIVIL DEFENCE - CONTROLLER - WESTERN DIVISION. S206.

Advising that Mr. David Sanson has been appointed as Controller of State Emergency Services Sydney Western Division.

(S.E. - Mr. Don Woodhill, Controller for Sydney Western Division of the State Emergency Services, resigned his position effective from the 30th April, 1982 completing 26 years of active service with the State Emergency Services Civil Defence Organisation.

The Pro Director of State Emergency Services has advised his appointment of Mr. David Sanson as Controller of State Emergency Services Sydney Western Division, replacing Mr. Don Woodhill.)

IT IS RECOMMENDED THAT Council forward its appreciation to Mr. Don Woodhill for the services that he has rendered to this area in his position of Controller Western Division and that congratulations be offered to Mr David Sanson on his appointment to that position.

11/5/82

A13. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - LOCAL GOVERNMENT BOUNDARIES
COMMISSION. L128-2.

Inviting Councils to submit nominations considered suitable for appointment by the Executive of the Association to the panel of names to be submitted to the Minister for Local Government and Lands to serve on the Boundaries Commission. Emphasising that any person interested should be aware that it is likely to be a time consuming exercise, in many weeks of the year involving up to three days, often in the country. The nominations should be submitted to the Association not later than 27th May.

Zinn	1. Zions
Hemington	2. Hemington
Percival	3. Percival
Bingham	4. Bingham

11/5/82

SECTION B - LETTERS SUBMITTED FOR INFORMATION

IT IS RECOMMENDED THAT the letters in this section be received and appropriate replies forwarded where necessary.

B1. THE N.S.W. SOCIETY FOR CRIPPLED CHILDREN - APPRECIATION. A5.

Thanking Council for its donation of \$50.00 towards the supply of goods and services to the children in their care.

B2. CALTEX OIL (AUSTRALIA) PTY. LIMITED - DONATION. A11/1.

Forwarding cheque in the sum of \$3,000 for the Art Exhibition and stating that they consider this community project a very highly regarded and worthwhile one and wishing Council every success with the Exhibition.

B3. DEPARTMENT OF MOTOR TRANSPORT - BUS TURNING BAY - WINDSOR HIGH SCHOOL. S196/26.

Referring to Council's correspondence concerning the provision of a bus bay in Mulgrave Road and application for a subsidy from the Departmental funds provided for this work and advising that whilst the Department agrees that this type of bus bay will vastly improve the bus turn around and remove the danger aspect of buses reversing, unfortunately, there are no funds provided for this type of work, only the annual grant given to Councils for maintenance of roads traversed by omnibuses within their area.

(S.E. - Estimated cost to carry out the works associated with the bus turning bay in Mulgrave Road at Windsor High School is \$19,040.

Application was made to the Department of Motor Transport for subsidy towards the cost of these works resulting in the reply above. it is noted that the annual grant given to this Council by the Department of Motor Transport is \$1,870 towards the maintenance of roads on bus routes.

Advice has also been forwarded to the Department of Education on the cost of the proposed works seeking funding from that Department toward the cost.)

B4. MR. & MRS. N. THYRD - APPRECIATION. C51/3.

"My wife and I would like to formally advise you upon the different and most commendable aspects of your Windsor Community and Cultural Centre.

From the first contact which was by telephone to the Managing office, where a lady, Mrs. Kay Kelland, was very obliging. Then we made our first personal visit where we met John Day, who was extremely helpful. During the ensuing weeks prior to the wedding reception, which was to celebrate the marriage of our daughter.

When the big day arrived, after much planning and nail biting, events came and went with generally 'no hitches', the time came when our guests arrived at the hall. I suppose we could write a number of pages filled with praise, congratulations and pats on the back, but my wife and I would like to condense all of this in saying that the occasion was a terrific success and our thanks to John Day and his wonderful happy and most co-operative staff.

11/5/82

I would like to point out to you that it is now some months since the reception and it is still a talking point with the guests, we have received some seven letters from people who were really impressed plus quite a number of telephone calls.

To you Sir, John Day and staff, congratulations on a magnificent job - it was a pleasure to pay the bill.

There is one other item which we should advise you of - during the reception our newly married daughter left her purse with a sum of money amounting to \$200 together with credit cards etc. One of John's staff, Peter Holland found this purse while cleaning the hall the next day and passed it on to John Day who then phoned us the news. It is not often enough we strike honesty of this calibre."

B5. OFFICE OF THE DIRECTOR OF STATE EMERGENCY SERVICES AND CIVIL DEFENCE - APPOINTMENT OF CONTROLLER, SYDNEY WESTERN DIVISION. S206.

Advising of the resignation of Mr. D.C. Woodhill and the subsequent appointment of Mr. David Sanson as Controller of the State Emergency Services, Sydney Western Division. Stating that Mr. Sanson has been a volunteer member of the State Emergency Services for a number of years and more recently has been Deputy Division Controller.

B6. PAHLMAN-TACK INTERNATIONAL - TELEPHONE SERVICES IN THE 045 STD ZONE. T216.

Forwarding a copy of a letter sent to Mr. Ian Sinclair, Minister for Communications, regarding the appalling state of the telephone services in the 045 STD Zone. Stating that the situation in the area regarding the telephone services between Richmond/Windsor and the City in particular is degenerating further, and they consider the situation to be quite desperate. Stating that the inane reasons given by the authorities that the Windsor exchange is antiquated and overloaded, and nothing can be done in the immediate future because of Telecom Australia's lack of funds, are quite ludicrous in view of the fact of Telecom's reported profit last financial year in excess of \$240,000,000. Also stating that this area does not have the same benefit of the Lower Blue Mountains area, which last year was brought in under the mantle of the outer Sydney Metropolitan area, thereby reducing the scale of charges for all subscribers in that district.

(S.C. - The Company's address is Griffin Road, North Richmond, and the charges for the North Richmond area following Community Access 80 are the same as for the Lower Blue Mountains/Penrith area).

B7. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - REPORT OF WORKSHOPS HELD FOR AMALGAMATED COUNCILS. C48, C50.

Forwarding a report prepared on the two workshops held recently for the Councils amalgamated as of 1st January, 1981. Matters dealt with were: financial problems such as actual cost to the new council arising directly from amalgamation, loan allocation; rating, grants; industrial problems; management problems, and suggestions for the restructured Boundaries Commission based on experience.

11/5/82

B8. MOTOR CYCLE RESTORERS PRESERVATION CLUB - APPRECIATION. A5.

Thanking Council for its permission to hold their motor-bike display on 28th March, and advising that the day was a great success. Stating that, due to the public reaction, and with Council's approval, they hope to make the display an annual event, coinciding with the end of Heritage Week.

B9. STATE POLLUTION CONTROL COMMISSION - WATER QUALITY IN THE NEPEAN/HAWKESBURY RIVER SYSTEM. H100/5, R188, P177/2.

Advising that the Commission has carried out extensive water quality studies in the Nepean/Hawkesbury River system over the past three years and the results are currently being analysed and written up as a study report which will be available for general distribution in the second half of 1982.

It is also advised that the forthcoming report will address aspects of water quality which are of concern to Council. For example, the impacts of existing sewerage treatment works will be detailed and the effects of increased discharges to the river system between now and the year 2000 due to expansion of population in the Nepean/Hawkesbury catchment will be predicted.

In addition recommendations as to ameliorative measures will be included in the report.

(H.S. - This advice is in response to correspondence to the Commission indicating concern regarding the quality of the river waters following various reports in the media recently.

It is pleasing to note that the Commission has been continuing extensive water quality studies over the past three years and that the report will be available shortly.

Contact with the Commission will continue in order that a copy of the forthcoming report will be able to be obtained as soon as possible.)

B10. MINISTER FOR HOME AFFAIRS AND ENVIRONMENT THROUGH MR. A. CADMAN, M.P., MEMBER FOR MITCHELL - AVIATION MUSEUM AT CLARENDON. A4/2.

Referring to representations in support of the establishment of a national aviation museum at Clarendon and advising that the Government has not made a decision so far but he will ensure that the representations are taken into account when this matter is next under consideration.

11. PUBLIC WORKS DEPARTMENT - FINANCIAL ASSISTANCE. G2/134.

Advising that Council's application for financial assistance under the Vote-to-Assist programme has not been successful this year and inviting applications for a grant next financial year which close on 31st August, 1982. Stating that the Department maintains a policy which provides whenever possible for the incorporation of features to assist the handicapped and Council should allow for this section of the community when formulating its programme for such works.

(S.E. - The application for assistance was made in respect of the following:-

- | | |
|---|---------|
| 1. Kurmond Public School - sealing of bus turnaround in front of school, Bells Line of Road. | \$4,000 |
| 2. Development of Reserve, Manning Close - Andrew Thompson Drive, McGraths Hill - water supply, turf, tree and shrub planting and installation of playground equipment. | \$4,800 |

11/5/82

3. McLeod Park, corner George and Campbell Streets,
Windsor - improve water supply, tree planting
and park seats

\$4,000

A programme will be submitted to the next Works Committee for inclusion in the Vote-to-Assist Programme for 1983.)

B12. MRS. M. LEIJEN - APPRECIATION. L125.

Stating that she does not require the services of the Council Library because they have moved and advising that the family enjoyed being members of the library and taking advantage of the facilities. Congratulating Council for such a lovely building and accessories and wishing Council all the best for the future with the library.

B13. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. SHIRES ASSOCIATION OF N.S.W. -
SPECIAL CIRCULAR - PROPOSED LOCAL GOVERNMENT ORGANISATION MANUAL. C44/2.

The Association have advised that they are establishing a working party to develop and extend upon the Corporate Planning Manual. The working party will prepare material to be incorporated into a new manual titled "The Local Government Organisation Manual".

The Association is seeking nominations for membership of the working party.

Report of the Meeting of the Finance Committee held at the Council Chambers, Windsor on Tuesday, 27th April, 1982 commencing at 11.20 a.m.

PRESENT: Councillor B.E. Brown, President, and Councillors E.A. Buttsworth, P.A. Dunn, F.E. Henry, J.J. Horrex, A.L. Knight, I.T. McEwan, R.W. Rose, R.F. Rotherham and C. Sullivan.

Apologies for absence were received from Councillors G.G. Michael and J.E. Nicholson.

1. ACCOUNTS PAID:

THE ACCOUNTS SUBMITTED be confirmed as shown hereunder:

<u>Fund</u>	<u>Voucher Nos.</u>	<u>Total</u>
General Fund	016248 - 017034	2,234,685.18
General Fund Loan Account No. 1	517954, 517959	191,482.37
General Fund Loan Account No. 2	517955	100,000.00
General Fund Loan Account No. 3	417848	100,000.00
General Fund Loan Account No. 6	517961	101,690.00
General Fund Loan Account No. 8	517953, 517956, 517957	247,505.00
General Fund Loan Account No. 9	417849, 517952	100,000.00
General Fund Loan Account No. 10	417850	58,362.90
General Fund Loan Account No. 13	517960	91,482.36
General Fund Loan Account No. 14	517951	203,282.00
General Fund Loan Account No. 15	517958	100,000.00
Sewerage Local Fund	282116	100,000.00
Trust Fund	669 - 731	1,562,458.00
Main Roads Trust Fund	262214 - 262215	185,576.81
		5,376,524.62

2. STATEMENT OF BANK BALANCES, INVESTMENTS & FORM 2:

THE STATEMENT OF Bank Balances as shown on Form 2 showing the position of the Bank Accounts be received.

3. FINANCIAL STATEMENT FORM 2A:

THE FINANCIAL STATEMENT be received and the amounts shown as expenditure to be incurred over the estimates be now voted.

4. CORRESPONDENCE

ITEM 1: (File R186/10)

CORRESPONDENT: THE COUNCIL OF THE MUNICIPALITY OF ROCKDALE

SUBJECT: INCREASES IN VALUATIONS

Advising that their Council is concerned by disparities in the percentage increases in valuations and stating that valuations effective for rating purposes in 1981 and 1982 saw marked differences in the percentage increases for single unit home owners not only in different sections of the Municipality but even in adjoining streets and further stating that valuations in long established single residential areas where any difference in valuations arising from allotment sizes should be clearly established by this time.

11/5/82

Suggesting the introduction of a system whereby all properties are given a base figure and this figure remains constant unless some substantial change occurs such as a change in zoning or a subdivision, and this base figure used as the Rating Base Figure, thereby all property owners would pay the same percentage increase in rates and not a varying increase. Stating that their Council submitted this proposal to the Minister for Local Government who rejected the proposal because of the creation of inequities, but further stating their Council has difficulty in accepting the Minister's views because of the inequities in the present system and requesting Council to submit the proposal to our Council to ascertain whether it would support such a variation.

SHIRE CLERK

The basis of the valuation of land is to represent the highest and best usage of the land. In having regard to the size of Hawkesbury Shire and the varying land usage and zoning, the introduction of a base valuation system as suggested by Rockdale Council would unfairly represent the value of the land and the market pressures.

It is felt that the suggested base valuation system would introduce a combination of a rating and taxing basis on the land. There have been many reports and papers, including the report by the Royal Commission of Inquiry into Rating, Valuation and Local Government Finance, which state that the current system of valuation is still the fairest.

Recommendation

Rockdale Municipal Council be advised that Council does not support the proposed change in the method of valuation.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2:

(File 3496(C), R186/6, D64)

CORRESPONDENT:

1. COUNTRY WOMENS ASSOCIATION OF N.S.W. - KURRAJONG BRANCH
2. KURRAJONG PUBLIC SCHOOL P. & C. ASSOCIATION
3. EAST KURRAJONG SCHOOL OF ARTS

SUBJECT:

FINANCIAL ASSISTANCE

1. Country Womens Association of N.S.W. - Kurrajong Branch

Forwarding payment of \$225 for the 1982 rates and requesting a donation equivalent to this amount.

(S.C. - A donation has been made in previous years to this Association and funds have been provided for a further donation in 1982.)

2. Kurrajong Public School P. & C. Association

Requesting a donation to assist the Association in buying a piano costing \$1,500 for the Kurrajong Public School.

(S.C. - Council has, in previous years, made donations of \$50 to Schools for their magazines and citizenship prizes of \$50 and \$30 to the High Schools and Primary Schools respectively. It is felt that Council is unable to make donations to other school activities as no provision has been made in the 1982 Estimates.)

11/5/82

3. East Kurrajong School of Arts

Requesting Council to make a donation of \$165.92, which is the amount of the School of Arts' 1982 Rates.

(S.C. - Provision has been made in the 1982 Estimates for a donation to this organisation.)

Recommendation

1. The amount of \$225, being the amount of the 1982 rates, be paid as a donation to the Country Womens Association of N.S.W., Kurrajong Branch.
2. The Kurrajong Public School P. & C. Association be advised that Council has made no provision in the 1982 Estimates and is unable to give assistance for the purchase of a piano.
3. The 1982 Rates of \$165.92 be paid as a donation to the East Kurrajong School of Arts.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File 1008(W), R186/6, A7)

CORRESPONDENT: 1. SYDNEY MODEL AIRFIELD PTY. LTD.
2. THE ROYAL LIFESAVING SOCIETY - AUSTRALIA

SUBJECT: FINANCIAL ASSISTANCE

1. Sydney Model Airfield

Requesting financial assistance from Council in paying the 1982 rates on the Club's property at Davis Lane, Pitt Town. Advising that the Club does not trade, and its only income is from club fees paid by members of the Radio Controlled Models Club of N.S.W., which is used to maintain the airfield and tractor with mower attached used to cut the sewn grass airstrips. Stating that income for 1981 was \$990 and expenses \$1,047, and in order to meet the 1982 Rates, fees will have to be increased, and these are already at a high level when compared to other Clubs in the State. The rates for 1982 amount to \$387.14.

(S.C. - No provision has been made in the 1982 Estimates for a donation to this organisation).

2. The Royal Life Saving Society - Australia

Seeking Council's support by becoming a Corporate Member, the annual subscription being \$250, and holding the office of Annual Governor in 1982. Advising that the Society's role is primarily to educate, instruct and train all sections of the community in life saving techniques and last year over 155,000 persons successfully completed life saving examinations conducted by the Society. Nevertheless drownings still occur, particularly those involving very young children in swimming pools.

(S.C. - It is felt that Council will receive little benefit for the cost of membership to this organisation and no provision has been made in the 1982 Estimates for this amount).

11/5/82

Recommendation

The Sydney Model Airfield and the Royal Life Saving Society - Australia be advised that no provision has been made in the 1982 Estimates and Council is unable to assist at this time.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File 665/2324)

CORRESPONDENT: RODNEY LEWIS & COMPANY

SUBJECT: ROAD WIDENING & CLOSURE - PORTION 71 WRIGHTS CREEK ROAD

Advising that his clients will accept the sum of \$1,250 for the above land upon condition that Council also pays their legal expenses in relation to the Deed of Release.

S.C. REPORT

Portion of this property is being acquired under the Public Roads Act for road widening. The Valuer has assessed compensation at \$1,250.

Recommendation

Mr. & Mrs. J. Munns be paid \$1,250 compensation, including their legal costs, and the seal of Council be affixed to all documents.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File 625-203)

CORRESPONDENT: WINDSOR COUNTRY CRICKET CLUB

SUBJECT: TURF WICKETS

Forwarding list of expenses incurred by their Club in the preparation and maintenance of the McQuade Park turf wickets during the 1981/82 season.

S.E. REPORT

Preparation of the turf wickets in the Shire is undertaken by the Cricket Association and Cricket Clubs as follows:-

McQuade Park - Windsor Country Cricket Club
 Richmond Park - Richmond Cricket Club
 Oakville Oval - Hawkesbury District Cricket Association
 Woodlands Park - Hawkesbury District Cricket Association
 Pughs Lagoon (2 grounds) - Hawkesbury District Cricket Association

Payment for the 1980/81 season was made on the basis of payment of \$500 per wicket prepared and it is proposed that a similar payment be made for the past season.

11/5/82

Recommendation

Payment of \$500, \$500 and \$2,000 be made to the Windsor Country Cricket Club, the Richmond Cricket Club and Hawkesbury District Cricket Association respectively for the preparation and maintenance of the turf wickets over the 1981/82 cricket season.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File 921-10)

CORRESPONDENT: SHADDICK, BAKER & PAULL

SUBJECT: SALE OF LOTS 10, 11 AND 12, WOODLANDS PARK
INDUSTRIAL ESTATE

Advising that their clients, A.S. Wheeler Pty. Limited, have obtained finance to construct building works on this property and asking Council to agree to the registration of a second mortgage on completion of the purchase from Council.

S.C. REPORT

When the sale has been completed the properties will be subject to a first mortgage to Council. A.S. Wheeler Pty. Ltd. have obtained finance to construct the building and request Council's approval to register a second mortgage.

Recommendation

Approval be granted to the registration of a second mortgage.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File 625-147)

CORRESPONDENT: THE PROSPECT COUNTY COUNCIL

SUBJECT: SUPPLY OF ELECTRICITY TO PUBLIC RESERVE
BOUNDARY ROAD, GLOSSODIA

Advising that the above extension will come under their Council's Non Urban Extension Policy and it will therefore be necessary for your Council to contribute \$7,390 towards the cost of extension and stating Hawkesbury Shire Council could be eligible for refunds of \$2,000 for each Council approved residence connected directly to the work to which it has contributed, provided these connections are made within four years of the supply being made available. Further stating that the estimated cost will remain current for three months from the date of their letter (2nd April) and the estimated cost does not include any poles or excess service aeralials within the reserve as these are the responsibility of this Council.

S.E. REPORT

The extension of the electricity supply in Boundary Road terminates approximately 300 metres from the entrance to the Boundary Road Reserve. At present there is an amenities building on the reserve and Council has resolved to make available the building (ex S.E.S.) at Catherine Street, Windsor to the Hawkesbury Valley Pony Club for erection on this reserve.

11/5/82

There are four properties on this section of road which could be developed by the erection of a dwelling and it is reasonable to assume that at least two dwellings would be erected in the next four years.

Recommendation

Prospect County Council be requested to extend the electricity mains to supply electricity to Boundary Road Reserve and that the amount of \$7,390 be charged to the vote for Parks & Gardens Maintenance.

COMMITTEE'S RECOMMENDATION

THE ADJOINING LANDOWNERS be approached to ascertain whether they are interested in participating in the extension of the electricity mains.

ITEM 8: (File A6/266)

CORRESPONDENT: HENRY DAVIS YORK, SOLICITORS

SUBJECT: PORTION 57 FRANCIS STREET, RICHMOND - MRS. D. SMALL

SUBMITTED TO THE FINANCE COMMITTEE MEETING OF 30TH MARCH. DEFERRED FOR INSPECTION AT THIS MEETING.

The Committee inspected the property. See later report.

ITEM 9: (File D64)

CORRESPONDENT: HAWKESBURY DISTRICT PLAYGROUPS RESOURCE CENTRE

SUBJECT: ASSISTANCE

Requesting Council's assistance to purchase an Aqua-Lab Canal system to the value of \$255 to add to the equipment for use by local playgroups and child care organisations.

SHIRE CLERK

Council has provided an area in the basement of the Community & Cultural Centre for the resource centre of the Hawkesbury District Playgroup. It is felt that Council is unable to provide any further assistance to this group and no provision has been made in the 1982 Estimates.

Recommendation

Council advise the Hawkesbury District Playgroup that it is unable to provide assistance for the purchase of an Aqua-Lab Canal system.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 10: (File S206, D64)

CORRESPONDENT: NEPEAN RESCUE ORGANISATION & SQUAD

SUBJECT: FINANCIAL ASSISTANCE

Enclosing a copy of a document from the Rescue and Emergency Services Co-ordination Committee clarifying the Nepean V.R.A. role of response to emergency situations and stating they understood that Council felt that there may be a duplication of the roll played by Council's S.E.S. unit in this regard and trusting the document will clarify the matter.

The following was advised at Council's meeting on 12th January, 1982:-

"Stating that the Nepean Rescue Organisation have been operating in areas covered by Penrith and Hawkesbury Councils for the last six years and have received financial assistance from Penrith City Council. Stating that with 40% of the Squad calls being in the area administered by Hawkesbury Council, they are seeking financial assistance from Council for 1982. At present the Organisation has an overdraft of \$12,500 with expected cost of operation during the coming year of approximately \$10,000."

S.E. REPORT

Council in regard to the original request at its meeting of 12th January, 1982 requested a further report be submitted on this matter. Information relating to the Nepean Rescue Organisation & Squad is that during 1981 of the 178 calls for assistance 110 related to motor vehicle instances. Further of the 178 calls 46 related to the area of Hawkesbury Shire. Calls for assistance in 1982 also represent 25% of calls emanating from the Shire. The procedure for call out is via the N.S.W. Volunteer Rescue Association radio frequency operated by the Communication Centre, Police 23 Division, Penrith. The calls emanate from both the Central District Ambulance and the N.S.W. Police Department. The Nepean Rescue Organisation & Squad have streamlined their communications system to the extent where their response to calls is an average of three minutes. Attendance time varies depending upon the location of the accident.

On close examination of the respective roles of the N.S.W. Volunteer Rescue Association and the S.E.S. Organisation it appears that the V.R.A. does not duplicate the role of the S.E.S. as the former attends to emergencies which are primarily accident situations and the call out which is necessary for both organisations emanates from either the Police or Ambulance authority. Where an accident is of larger proportions, such as the Granville Rail Disaster, the responsible authorities would call out all available resources to such an occurrence, however for this area a strong liaison has been established between the authorities and the V.R.A., particularly in regard to the response to call outs and there is no doubt that the V.R.A. is performing a valuable community service.

The Nepean Rescue Organisation & Squad will have a display at the Hawkesbury Show.

Recommendation

A donation of \$2,000 be made to the Nepean Rescue Organisation & Squad to assist in that organisation's rescue activities carried out within Hawkesbury Shire.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 11: (File 625-9)

CORRESPONDENT: NORTH RICHMOND PARKS COMMITTEE 527

SUBJECT: PROVISION OF TOILETS - NORTH RICHMOND PARK

Requesting the provision of public toilets adjacent to the areas of the Soccer and Touch Football fields due to the number of players and spectators utilising the area. Advising that presently these people use the facilities of the Hawkesbury Sporting Club, but as extensions are in progress, these facilities will not be available. Further advising that through conversation with the Hawkesbury Sporting Club it is possible that toilet facilities could be incorporated on the end of the Club at a minimal cost, and requesting Council to consider this suggestion.

S.E. REPORT

The Parks Committee have submitted details of a proposal for the erection of external toilets to the rear of the Sporting Club premises providing accommodation for both male and female, the quote for the works being \$18,810. Whilst Council has an area on lease for recreational purposes from the Hawkesbury Sporting Club the lease area does not cover the site of the proposed toilets, such being on land owned and utilised by the Hawkesbury Sporting Club. The proposal is practical in regards to the availability of the connection of the sewer to the existing facilities of the Sporting Club. There are however serious legal implications in regard to the expenditure by Council in the order of \$18,000 on land over which it has no tenure.

There is no doubt that toilet facilities are necessary in this general location due to the development of additional playing fields on the land leased from the Hawkesbury Sporting Club but these toilets should be provided on land under Council control. Further investigation will be necessary to establish whether toilets on the North Richmond oval serving the additional playing fields may be able to be connected to the sewer.

A further report will be submitted on completion of these details.

Recommendation

The North Richmond Parks Committee be informed that Council will investigate the provision of toilets to serve the additional playing fields in the North Richmond Sporting Complex but is unable to concur with the proposal for the erection of the toilets on land owned by the Hawkesbury Sporting Club.

COMMITTEE'S RECOMMENDATION

The North Richmond Parks Committee be informed that Council will investigate the provision of toilets to serve the additional playing fields in the North Richmond Sporting Complex but is unable to concur with the proposal for the erection of the toilets on land owned by the Hawkesbury Sporting Club because of legal difficulties.

SHIRE CLERK'S REPORT

ITEM 1 : (File R186-3)

SUBJECT : REBATE OF RATES TO PENSIONERS.

At the meeting of Council on 9th March, it was resolved :

"That a report be brought forward indicating costs to Council in granting pensioner rebates in future years, to various levels above the present Government subsidy levels."

The Government policy is to grant a subsidy of 50% of the combined General Rate up to a maximum of \$150 and in the case of Sewerage and Water Funds, a 50% subsidy up to a maximum of \$75.

This means that pensioners in our area receive a subsidy of up to \$150 for the combined General Rate and up to \$75 for the Windsor Sewerage Rate. The combined General Rate includes local loan rates for water and sewerage schemes which have been constructed by the Metropolitan Water Sewerage & Drainage Board.

If the subsidy for the combined General Rate is less than \$100, Council gives a rebate of rates to take the amount up to \$100. Because the combined General Rate is increasing, the number of instances where 50% of the combined General Rate is less than \$100 is decreasing. It is estimated that the cost of the rebate to Council in 1982 will be \$10,000.

If Council were to provide a greater rebate for every \$50 given to pensioners the cost to Council would be \$50,000. This means that for the first \$50 rebate, the additional cost to Council would be \$40,000. The cost can be simplified by noting that for each additional dollar rebate granted to pensioners, the cost to Council would be approximately \$1,000.

It is felt that the responsibility for pensioner subsidies and/or rebates lies with the Government and not with the local authority.

Recommendation

The report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE CLERK'S REPORT

ITEM 2 : (File S13/41)

SUBJECT : DISPOSAL OF LOT 1, CASTLEREAGH ROAD, RICHMOND
& LOT 12, OLD KURRAJONG ROAD, RICHMOND.

Representations were made to the Commonwealth Government regarding the disposal of the above areas because they were subject to a grant of \$110,000 under the 1973/74 Area Improvement Programme. One of the conditions of the grant required the Council to obtain the concurrence of the Minister for Urban & Regional Development before disposal of the properties. The Department of Urban & Regional Development has been abolished and Council's proposal has been handled by the Department of National Development & Energy.

The Department wrote on 27th August, 1981 in reply to Council's application and after setting out the terms of the conditions which applied to the 1973/74 Area Improvement Programme, stated :

"In these circumstances it is necessary to consult with the NSW Department on the proposals you make. Moreover, although the Commonwealth does not wish to unduly delay settlement, the Department of Finance has indicated that the original projects approved do not appear to have been completed and that any settlement should include a return to the Federal Government of a share of the funds raised from the sale of the two pieces of land or the equivalent value from change of use.

As any final proposal must be agreed between Commonwealth and State Ministers the Secretary of the State Department of Local Government has been asked to contact you on this matter to determine the details of any proposal to the Commonwealth as soon as possible. A copy of the letter to him is enclosed."

In response to the letter in similar terms to that forwarded to the Council on 27th August, the New South Wales Department of Local Government and the State Treasury have been endeavouring to arrive at a satisfactory determination of the Department of Finance's requirements in the above paragraph regarding a return to the Federal Government of a share of the funds raised from the sale.

Numerous discussions have taken place between the Federal Department and the New South Wales Department of Local Government, the State Treasury and myself. The question seems to be should Council pay interest on the grant of \$110,000 as well as refunding that amount, or, should Council be required to refund the grant only. If interest was payable, the amount of interest would be approximately \$81,000, making a total amount of \$191,000.

It can be argued that Council should not have to make any payment at all because the total proceeds from the disposal of the two properties will be used for public recreation. If the Commonwealth Government insists on a refund of the money, then it would be unreasonable to require the Council to pay interest on that amount. It is felt that the best course to adopt in an endeavour to determine the matter as quickly as possible would be to advise the New South Wales Department of Local Government that Council is prepared to make a refund of the grant and in doing so, seek the support of Mr. A. Cadman, Parliamentary Secretary to the Prime Minister and Member for Mitchell.

It is appreciated that a number of matters require determination by Council in regard to the disposal of the two properties and it is intended to bring forward a further report to Council when agreement has been reached with the Commonwealth Government.

SHIRE CLERK'S REPORT

ITEM 2 Continued :

Recommendation

The New South Wales Department of Local Government be advised that in response to the letter from the Minister for National Development & Energy of 27th August, 1981, Council is prepared to refund the grant of \$110,000.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

SHIRE CLERK'S REPORT

ITEM 3: (File G95/1)

SUBJECT: GRANTS COMMISSION INSPECTION, 31ST MARCH, 1982

The tour of inspection, static display and visual presentation for the visit by the Local Government Grants Commission on 31st March was very well received and numerous compliments were given by individual Commission members on the excellence of the total presentation.

The discussion in the afternoon of the visit was mainly on the combined details of the 1979 Annual Statements of Account for the former two Councils. Some points raised by the Commission are discussed below:

1. Outstanding Rates and Extra Charges

The Grants Commission expressed the opinion that outstanding Rates and Extra Charges as at 31st December, 1979 was high.

The position for Hawkesbury Shire, after deducting postponed rates under Section 160C, is as follows:

Balance brought forward to 1st January, 1981	\$682,511
Balance as at 31st December, 1981	\$654,428

It can be seen that there has been an improvement in the position at 31st December, 1981, particularly as the recovery period was considerably reduced because the 1981 rates were not levied until 27th March and subsequently did not become due until 30th April. Every effort will be made in 1982 to make a substantial reduction of the outstanding rates and charges.

2. Loans Borrowed Having Unexpended Balances for more than Two Years

The following loans have been borrowed having balances which have not been utilised for two years:

Loan No.	Purpose	Balance
60	Glossodia Water	10,000
64	Glossodia Water	1,350
68	Glossodia Water	1,000
72	Flood Mitigation	21,128
74	Bridge Construction	82,017
76	Glossodia Water	50,000
86	Glossodia Water	100,000
87	Bridge Construction	125,000
89	Glossodia Water	200,000
90	Glossodia Water	50,000

The payment to the Metropolitan Water Sewerage and Drainage Board for the construction of the Glossodia Water Scheme will be made when required. The loans for flood mitigation and bridge construction will be expended in 1981/82.

3. Working Funds Position

The Grants Commission referred to the Working Funds Accumulated Deficit.

11/5/82

It is estimated that the Working Funds Accumulated Deficit as at 31st December, 1981 is \$119,828 and on current trends will be a deficit of \$81,446 as at 31st December, 1981 as shown in the Financial Statement Form 2A to this meeting.

It is hoped that this position will improve during the year.

4. Long Service and Sick Leave Reserve

To improve the Working Funds position, the Grants Commission suggested that portion of the Long Service and Sick Leave Reserve which had a balance as at 31st December, 1980 for the combined Councils of \$559,053, be brought to account in the Working Funds and thereby reduce the deficit.

It is to be noted that payments made from this Reserve in 1981 amounted to \$421,722 which included a loan to Hanna Match Pty. Ltd. of \$48,620 and the purchase of Computer Equipment of \$40,000. The cash balance held in Reserve as at 31st December, 1981 is estimated to be \$237,331 in addition to the loans \$88,620, giving a total Reserve of \$325,951.

The liability for long service and sick leave as at 31st December, 1981 is estimated to be \$1,273,624.

Council is no longer required to transfer to the Reserve an amount equivalent to the increase in the liability in the current year. However, it is necessary to maintain a Reserve sufficient to meet current commitments.

It is felt that funds should not be transferred to the Working Funds.

This Reserve is also utilised for the purchase of assets, such as computer equipment, and other capital works.

5. Plant Hire Surplus - Windsor Municipal Council, 1979

Plant Hire Rates for Windsor Council's Plant in 1979 were charged to Works at the recommended Department of Main Roads rates and this resulted in a surplus of plant hire income over the plant running costs of \$78,385. The operations of Council plant was as follows:

Plant running costs	\$94,857
Plant hire income	\$173,242
Surplus on operations	\$78,385

It is to be noted that there was no error in recording this information and that there was a surplus on the operations of the plant in 1980 of \$69,559.

Submitted for Council's information.

Recommendation

The report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 4: (File 3857/1)

SUBJECT: SALE OF RESIDUE LAND, PART PORTION 103 COMLERoy
AND ROXANA ROADS, KURRAJONG

Colo Shire Council acquired the above land for road widening purposes and Council has been negotiating with the Department of Administrative Services acting for the Australian Telecommunications Commission concerning the residue of the site being utilised for a telephone exchange.

Council at its meeting of the 13th October, 1981 resolved that this residue be offered to the Australian Telecommunications Commission for \$11,000. This valuation did not take into consideration the set back line to Comleroy Road. Council's Valuer has indicated a value of \$10,000 and negotiations have been proceeding with Telecom on this basis.

Telecom Australia have now requested Council grant the Commission permissive occupancy of the site pending formalisation of the acquisition.

Recommendation

1. The Commission be granted a Permissive Occupancy of the site until the acquisition has been completed.
2. The Commission be advised that Council is prepared to sell the property for \$10,000 and the Seal of Council be affixed to the transfer documents.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File C51/2)

SUBJECT: LEASE OF PREMISES - COUNCIL CHAMBERS,
WILBERFORCE - THE NATIONAL PARKS & WILDLIFE
SERVICE

The National Parks & Wildlife Service wishes to lease part of the Council Chambers, Wilberforce at \$60.00 per week for a two year period with an option for a further three year term. This property has been occupied by the Service since January, 1981.

Recommendation

A lease be granted to the Service commencing 1st January, 1982 for a period of two years with an option for a further two years at a rental of \$60.00 per week subject to the amount being reviewed if the option is renewed, and the Seal of Council be attached to all documents.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File M136)

SUBJECT: MICROFILMING

Investigations have been carried out into the best method of storing and handling Council's large volume of files.

11/5/82

There are at present some 24,000 files in current use and Council will no doubt appreciate the storage area required for such a large number of files.

Provision was made in the 1982 Estimates to commence microfilming all Council's filing records in an endeavour to ease the storage problems.

During the course of investigation, systems in use in other Local Government areas have been inspected and it is proposed to introduce a microfilming records system for Hawkesbury Shire Council, subject to Council's concurrence, from 1 July, 1982.

It is proposed that the first procedure be the microfilming of the 13,500 property files which are currently in use and then to microfilm the 10,500 general files.

Once the microfilming has been complete and to facilitate the introduction of the microfilm record system from 1 July, 1982 it will be necessary for Council to purchase sufficient equipment.

In the 1982 Estimates, an amount of \$15,000 was provided and this amount would be totally used for the microfilming of the 13,500 property files. Therefore, to enable the system to be introduced as proposed, it would be necessary for additional funds to be made available. \$15,000 would be required for microfilming equipment and a further \$10,000 would be required to microfilm the 10,500 general files. These funds could be made available from the Long Service Leave Reserve and repaid over a period of 3 years.

The proposed system would give Council an efficient and up to date microfilmed records system allowing easy retrieval of information.

It is also proposed that at the same time, Council's file recording system will be computerised and will allow for more efficient maintenance of the recording of file movements and correspondence.

Recommendation

The sum of \$25,000 be made available from the Long Service Leave Reserve to facilitate the installation of the microfilming system and that this amount be repaid over a period of 3 years.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File C45/14)

SUBJECT: REPORT BY COMMUNITY ARTS OFFICER - SENIOR CITIZENS' WEEK

Senior Citizens' Week was held throughout the State from 7th to 14th March. It was celebrated in the Shire by the traditional free concert and afternoon tea and an exhibition of Senior Citizens' arts and crafts in Windsor Library. This year events were organised by the Senior Citizens' Centre, Richmond and Glossodia Community Information & Neighbourhood Centre.

The concert and afternoon tea was attended by approximately 350 people. Transport is arranged to allow the frail to attend from St. John of God Hospital, Richmond Nursing Home, Windsor Lodge, Fitzgerald Home and the Tuesday Friendship Club. A bus was provided which ran from the Senior Citizens' Club and return. Financial assistance of \$500 for the performing fees of the concert party was received from the Premiers Department of New South Wales. Assistance towards the cost of transport and afternoon tea was provided by Richmond Ex-Servicemens Club, Windsor R.S.L. Club, Windsor Lions Club and Kurrajong Rotary Club. Considerable assistance is given each year by volunteers from women's organisations, who provide private transport and assist with the serving of afternoon tea. Without this assistance, it would be impossible to ensure that the many frailer senior citizens could attend.

11/5/82

The Senior Citizens' arts and crafts exhibition was very popular. There were many problems involved in the collection and return of items to exhibitors, but because of the enthusiasm which this exhibition has engendered with Senior Citizens it is proposed to make this an annual attraction for Senior Citizens' Week. Twenty-eight exhibitors displayed seventy-five items of painting and craft.

With the assistance of Council's Community Arts Officer, both Glossodia Neighbourhood Centre and Richmond Senior Citizens' Centre organised afternoon socials with afternoon tea and entertainment which were well received.

Recommendation

The report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8: (File S205/27)

SUBJECT: ATTENDANCE BY STAFF - CONFERENCES & SEMINARS

<u>Conference or Seminar</u>	<u>Person Attending</u>	<u>Date</u>
Community Services Course conducted by Local Government Association	Peter McVay	3/6th May
		7/10th June

Recommendation

The report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE CLERK'S LATE REPORT

ITEM 9 : (Files 3729, 4605, 4609 (W))

SUBJECT : STATEMENT OF CLAIM - JOHN ZAMMIT & SANDRA ZAMMIT
LOTS 5 & 8, D.P.259040, SPRINGWOOD ROAD, AGNES BANKS.

This claim in the New South Wales Supreme Court was received on Friday, 23rd April and has been referred to the Government Insurance Office for attention.

The Plaintiffs are alleging a claim against D.W.Gooding, First Defendant, and Hawkesbury Shire Council, Second Defendant. The details of the claim on the First Defendant are stated in the Statement. In the case of the Second Defendant, the Plaintiffs' claim is in regard to footings - stating that they were undersized and defective; the issue of 317A Certificates; inspections by Council's Officers; and the duty of the Council to take reasonable care. The Plaintiffs claim damages, costs and interest pursuant to Section 94 of the Supreme Court Act.

Recommendation

The report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

SHIRE ENGINEER'S REPORT

ITEM 1: (File C51/1)

SUBJECT: COUNCIL CHAMBERS, WINDSOR

With the advent of the accommodation of all staff the Windsor Council Chambers Building and the implementation of additional programmes on Council's computer associated with the advantages of bulk purchasing the need has arisen for suitable storage for computer and office stationery. This storage is necessary to prevent any damage to the packaged stationery which causes problems in printing through duplication and computer machinery.

An investigation has been made of the area of the basement of the Council Chambers where the dock area would be more advantageous for utilisation as a goods receiving and storage area as well as providing space for the storage of survey equipment.

The estimated cost of increasing the area and providing shelving is \$3,650. This would provide a store area of 19.8 square metres and 23.8 square metres of storage of survey equipment.

Recommendation

The amount of \$3,650 be voted for the enclosing of the dock area at the basement of the Council Chambers to provide increased spaces for goods receipting and stationery store and survey equipment.

COMMITTEE'S RECOMMENDATION

/ THE RECOMMENDATION BE adopted.

11/5/82

SHIRE HEALTH SURVEYOR'S REPORT

ITEM 1: (File G90)

SUBJECT: GARBAGE SERVICES

As Council is aware the current contract with Richardson's Waste Services expires at the end of this year and as previously advised it is proposed to provide similar and effective collection services to the scavenging districts of the whole of the Shire following the expiry of that contract.

Accordingly, it is desirable to determine the type and method of services at this stage in order that necessary equipment, vehicles and the like may be able to be obtained so the new service may commence at the beginning of 1983.

Some of the advantages of utilising the relatively new 240 litre plastic wheeled cart system were outlined to Council previously and in terms of efficiency, service to the user and cost, particularly in the long term, this method does indeed have many advantages.

To assist Council in making the decision as to proposed methods, four proposals were looked at in detail. Each proposal was examined as to necessary plant and labour requirements and individually costed to give the necessary comparisons. The costing to which reference is made was carried out on the basis of providing funding for all aspects of the garbage account including administrative expenses, costs associated with technical services by Council's Health Department, operation of Council's two waste depots at South Windsor and East Kurrajong and the like. In order to gain a realistic comparison with existing charges, which are \$52.00 per annum in the former municipal area and \$41.00 per annum in the former shire area, it should be noted that costings do include a loading to simulate the cost which Council would be likely to incur by the end of 1982. For example, allowances made for wages not only include the very recent and significant rises which have occurred but also an additional loading of 10% to cover any further rise which may occur during the latter part of this year. While the costs shown do include such allowances, it should be noted that when actual estimates are prepared for 1983, some variation may occur when a better understanding of applicable costs for that period will be had.

Additionally, it is proposed in order to ensure the smooth and proper operation of the service, to provide for back-up vehicles to be available in case of mechanical breakdown and the provision of a garbage foreman whose duty will be to oversee the whole operation, supervise the commencement and finish of each shift, ensure that the vehicles are fuelled and, as far as practicable, free from mechanical problems, allocate back up vehicles where necessary, attend to complaints, missed services and the like. Allowance for this person has also been made in these costings.

Proposal A

To provide a twice weekly bin service to urban areas; to provide a once weekly waste cart service to all other parts of the scavenging districts; to provide for a monthly clean up service to all premises within the various scavenging districts.

The urban areas to which reference is made in this proposal are as follows:

Richmond
North Richmond
Agnes Banks
Windsor
Pitt Town
Wilberforce
Glossodia
Freemans Reach

Cost: \$54.00 p.a.

11/5/82

Proposal B

To provide a twice weekly bin service to cater for the collection of an unlimited number of bins, together with a monthly clean up throughout all scavenging districts.

Cost: \$66.00 p.a.

Proposal C

To provide for the collection of an unlimited number of bins twice per week in the same urban areas as in Proposal A; to provide for the collection of an unlimited number of bins once per week in other parts of the scavenging districts; to provide for a monthly clean up to all scavenging districts.

Cost: \$55.00 p.a.

Proposal D

To provide for a once weekly waste cart service to all scavenging districts; to provide for a monthly clean up to premises within all scavenging districts.

Cost: \$58.00 p.a.

Proposals A and C were included in an endeavour to obviate the need to operate vehicles over the outer lying collection runs twice weekly but it is felt that these proposals fail Council's obvious desire to provide a similar and comparable service to all areas.

Proposal B is similar to that operating at present in the former municipal area and whilst certainly a good service, is significantly more expensive as shown. Because of the higher labour content and the additional vehicle running expenses associated with Proposal B, these additional costs will grow even more apparent in the long term.

For these reasons, Proposal D is favoured as being the optimum method of garbage collection to be implemented in the Shire from the beginning of 1983.

It is proposed that Council would purchase the required waste carts at an estimated cost of \$500,000 and issue same to householders for their own use. The purchase price of these carts will be amortized over a five year period and will be replaced when accidentally damaged or when worn out, and will always remain the property of Council. These bins are particularly sturdy and I know of one overseas authority which has been utilising them now for nine years, and over that period a total of 1.8% of the bins have needed to be replaced.

As the system proposed is quite new to this area, and differs significantly from the conventional bin collection which most people are used to, there will no doubt be many queries as to its operation. I will endeavour to pre-empt and answer some likely enquiries.

Will the waste carts supplied be sufficient in capacity to cater for the average household for one week?

The waste cart has a capacity of 240 litres which is the equivalent of in excess of 4.5 standard garbage bins. In a recent survey carried out in Wagga Wagga where the system has been introduced, 98% of those surveyed advised that the cart's capacity was sufficient for their needs. As it is proposed that the collection vehicles will be able to handle bins as well as carts, there will be no reason that one or two bins cannot be put out for collection with the cart for those few cases where sufficient capacity may not be available.

11/5/82

As some areas of the Shire now receive a collection twice weekly, some may feel they are disadvantaged by now receiving only one collection per week.

The opportunity was taken when in Melbourne recently to personally interview several residents of an area that had recently implemented the waste cart service. These residents had previously received a twice weekly bin service and were 100% in favour of the new service with no feeling whatever of being disadvantaged in any way. The results of the Wagga Wagga survey indicate that 96% of all those surveyed agreed that the once weekly service was sufficient for their needs.

Are the waste carts manageable for elderly or frail people?

Again, several elderly people utilising this system in Melbourne were interviewed and all agreed that the carts were easy and convenient to handle. The Wagga Wagga survey reported that 97% overall and 100% of pensioners surveyed agreed that the carts were more convenient to handle than bins. If, however, any person in this area desired to continue to utilise bins because of particularly steep terrain or many steps, poor health or the like, these bins could also be serviced without difficulty.

Are the waste carts easy to keep clean?

It is normal practice for the householder to place a little warm water in the cart after it has been emptied, clean with a mop and invert to drain and dry before re-using.

Some people may feel where very long driveways are involved that it is easier to take bins from the house to the road by car.

In these circumstances, either that can be done or the cart left inside the gate, being filled during the week from bins or garbage bags and the cart wheeled outside the gate near the road for collection.

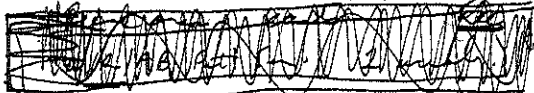
Recommendation

The service described in Proposal D be commenced in 1983 and tenders be invited for the supply of necessary equipment.

*Finance
Committee*

COMMITTEE'S RECOMMENDATION

THE SERVICE DESCRIBED in Proposal A be commenced in 1983 and tenders be invited for the supply of necessary equipment.



QUESTIONS WITHOUT NOTICE

Councillor Rotherham asked if there was still a report to come to the Finance Committee about the possibility of selling the cricket field to the Polo Club as he had noticed the Polo Club using the cricket field.

The Shire Clerk advised that the Club had approached the Council to see whether it would be possible to have some use of the field and they were asked to confer with the Cricket Club which they did and they were able to come to some arrangement regarding the use of the field. He stated that in the last paragraph of the first page of his report he had advised that there were a number of questions about the disposal of the two properties still to be resolved by Council and that they would be the subject of a report.

*All of shire except W/R/Pett. Town/Ag. Bk.
on twice weekly unlimited bins, rubbish
on trailers once weekly. \$55/ann.
Three monthly clean up.*

Councillor Dunn asked if an investigation could be carried out regarding the possibility of enlarging the commuter car park at Richmond railway station as he had noted that it was full at 8 a.m. in the mornings.

Engineer for attention.

Councillor Sullivan referred to the planting of trees in the Bicentenary Park and noted that it would appear that some of the trees which had already been planted are not Australian native trees, and asked in future planting programmes that native plants applicable to the area be planted.

The Shire President advised that a soil investigation revealed that certain types of trees, including some Australian native plants, were not suitable for the soil in that area.

Councillor Dunn advised that expert advice had been received from an agronomist and the Chief Horticulturist at the College who devised the planting of the shrubs.

Councillor Rose advised that he had been using the train service for some months now and had noted most of the time a bus service had been used, and asked if it would be worthwhile for an approach to be made to the Urban Transit Authority and the State Rail Authority for buses to be used during peak times between Richmond and Blacktown.

The matter to be investigated.

Councillor McEwan sought information regarding the current situation regarding Golac.

The Deputy Shire Planner advised that the Shire Planner spoke to the State Pollution Control Commission on Friday. Their advice was that they did not consider an injunction an appropriate form of action under the Clean Waters Act and the Shire Planner was not of the opinion that this was acceptable, and that he was pursuing the matter.

Councillor McEwan referred to the times of operation of Bridge Sands for the extraction of material at North Richmond. He stated that he understood that it was to cease at 5 p.m. in the afternoon, and that representations had been made to him that they had been operating during the last week up until 6 p.m. in the evening.

Referred to Deputy Shire Planner for investigation.

Councillor Buttsworth asked if a report could be brought forward in relation to Council's land in Baker Street, and the shortage of parking there.

A report to be submitted.

Councillor Horrex referred to the pronounced odour of chlorine in the drinking water supplied at the meeting and asked if the Health Department could check this out.

The Health Surveyor advised that checks are made of the river water.

Councillors Rose, Sullivan, Knight and Buttsworth left the meeting at this stage.

11/5/82

CORRESPONDENCE

ITEM 8: (File A6/266)

CORRESPONDENT: HENRY DAVIS YORK, SOLICITORS

SUBJECT: PORTION 57 FRANCIS STREET, RICHMOND - MRS. D. SMALL

SUBMITTED TO THE FINANCE COMMITTEE MEETING OF 30TH MARCH. DEFERRED FOR INSPECTION AT THIS MEETING.

Stating that they act on behalf of Mrs. D. Small, and advising that at a recent meeting between Mrs. Small and an officer of Council, it was made quite clear that Mrs. Small did not intend to sell any part of her Richmond property, and therefore rejects the Council's offer.

SHIRE CLERK

This land has an area of 10.18 hectares and the valuation is \$75,000.

Discussions have taken place with Mrs. Small regarding the acquisition of the land by Council, but she has advised that she is not prepared to sell the property as she wishes to bequeath it to a grandson.

The land adjoins the Richmond Ex-Servicemen's Club Sporting & Recreation Complex. The recreation area is a battleaxe shape and the narrowness of the "handle part of the battleaxe" does cause some difficulties in the establishment of the complex, particularly in the provision of amenity buildings, and it is important that the 10.18 ha. be acquired for addition to the recreation area as it is essential for the proper development of the complex.

As agreement cannot be reached, it is felt that there is no other alternative than to resume the property.

Recommendation

Notice of Intention to Resume be served on the owner of Portion 57, Francis Street, Richmond, for recreation purposes.

COMMITTEE'S RECOMMENDATION

NOTICE OF INTENTION to Resume be served on the owner of Portion 57, Francis Street, Richmond, for recreation purposes.

The meeting terminated at 4.50 p.m.

Report of the Meeting of the Works Committee held at the Council Chambers, Windsor on Tuesday, 27th April, 1982 commencing at 9.48 a.m.

PRESENT: Councillor B.E. Brown, President, and Councillors E.A. Buttsworth, P.A. Dunn, F.E. Henry, J.J. Horrex, A.L. Knight, I.T. McEwan, R.W. Rose, R.F. Rotherham and C. Sullivan.

Apologies for absence were received from Councillors G.G. Michael and J.E. Nicholson.

Councillor Dunn arrived at the meeting at 9.57 a.m.

WORKS COST STATEMENT

THE STATEMENT BE received.

CORRESPONDENCE

ITEM 1: (File E74/1, 665-2345)
CORRESPONDENT: THE PROSPECT COUNTY COUNCIL
SUBJECT: STREET LIGHTING

Approving the erection of street lights in Woods Road, South Windsor at an increased annual charge of \$210.08 and enclosing Plan C100848A showing proposed installations to be erected in conjunction with the laying of underground reticulation works in the area.

S.E. REPORT

Plan C100848A is displayed on the notice board at this meeting. It is noted that there is no capital charge for the installation of the street lighting.

Recommendation

Authority be given for the installation of street lights in Woods Road, South Windsor at an increased annual charge of \$210.08 to the annual street lighting charge.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File S1710, E74/1)
CORRESPONDENT: THE PROSPECT COUNTY COUNCIL
SUBJECT: IMPROVED STREET LIGHTING GARFIELD ROAD,
OAKVILLE

Attaching plan No. F100856 detailing proposed improved street lighting in the above nominated location and advising the improvement proposed will involve the installation of one 150 watt sodium high pressure street light, representing a total annual charge increase of \$150.80 and the required capital contribution will be \$170.00.

S.E. REPORT

Plan No. F100856 is displayed on the notice board at this meeting. It is noted that the installation involves one only 150 watt sodium high pressure street light. This lighting is considered desirable at this location.

Recommendation

The amount of \$170 being the capital contribution for the provision of the street light as indicated on Plan No. F100856 be voted and that the additional charge of \$150.80 be approved to the annual street lighting charge.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File 665-209)

CORRESPONDENT: C.P. & R.E. DRAPER

SUBJECT: DEDICATION OF ACCESS ROAD OFF BLAXLANDS RIDGE ROAD, KURRAJONG

Requesting Council to correct the dip where the above road leaves Blaxlands Ridge Road, correct the weed problem and advise when the road may become "dedicated".

S.E. REPORT

C.P. & R.E. Draper have requested dedication of the Crown Road leading from Blaxlands Ridge Road to Portion 2 Parish of Merroo. The road is located on the southern side of Blaxlands Ridge Road opposite the Blaxlands Ridge Primary School and the length affected is approximately 200m. A locality plan indicating the subject road is displayed on the notice board at this meeting. This dedication would afford public road access to Portions 2 & 48 Parish of Merroo. Maintenance attention has been provided to this access.

Recommendation

The un-named Crown Road serving Portions 2 and 48 Parish of Merroo be dedicated and that the authority of Council be given to the fixing of its Common Seal to the documents necessary to effect such dedication.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

CORRESPONDENCE

ITEM 4: (File 665-804)

CORRESPONDENT: MRS. B.M. SUTERS

SUBJECT: BLUE GUM CREEK BRIDGE ON HERMITAGE ROAD

Requesting Council to make urgent repairs to the above bridge plus provision for two lanes as it is dangerous in its present state.

S.E. REPORT

Arrangements have been made for repairs and clearing of sight distance on the approach to the timber bridge over Blue Gum Creek. It is not practical to widen the existing timber structure to provide for dual traffic lanes and the reconstruction of the bridge to provide for two lanes is estimated to cost \$120,000. No funds have been provided for this purpose but the matter has been referred for consideration in the Capital Works Programme.

Recommendation

Mrs. Suters be informed that repair works and improving the sight distance to the timber bridge over Blue Gum Creek on Hermitage Road, Kurrajong have been put in hand for completion in the near future however Council has not provided, at this time, funds for re-construction of this structure and such will be considered in a future Capital Works Programme.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File 4100(C))

CORRESPONDENT: PETERS & LUDLOW

SUBJECT: D.J. LYNE

Advising that if Council is prepared to use the moneys presently allocated in supplying 40 metres of .46 metres diameter piping or such other piping as may be approved by Council's Engineer, D.J. Lyne will undertake in accordance with the original request, to carry out the necessary work and labour in the excavation, installation and laying of piping, together with the clearing of his land at his own expense.

S.E. REPORT

Council at its meeting held on 9th March, 1982 in consideration of a request for providing underground drainage on the above land resolved that the above drain be constructed at an estimated cost of \$300 and the above correspondence emanates from Council's advice of this decision. The estimated cost of supplying the requested reinforced concrete pipes is \$820.

Recommendation

Subject to an undertaking by Mr. D.J. Lyne that he will do all things necessary in the construction of an underground pipeline over Lot 156 Lt. Bowen Drive, Bowen Mountain on the basis of Council providing 40m. of 0.46m. diameter R.C.P., that such pipes be provided at a cost to Council of \$820.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

CORRESPONDENCE

ITEM 6: (File S196/28, S196/17, R190)

CORRESPONDENT: 1. K.R. ROZZOLI ON BEHALF OF VINEYARD PUBLIC SCHOOL P. & C. ASSOCIATION
2. MARAYLYA PUBLIC SCHOOL P. & C. ASSOCIATION

SUBJECT: PEDESTRIAN ACCESS TO PUBLIC SCHOOLS

1. K.R. Rozzoli, M.P. on behalf of Vineyard Public School P. & C. Association

Advising that recently the Department of Education decided to police the free bus transport regulations more closely and as a result, all children living within 1.6 km of the school no longer receive free bus transport from primary school onwards, however in many areas to walk along the edges of the road is very dangerous, particularly in the Vineyard area the shortest route being along the busy Windsor Road where there are no pathways and the grass is too high to walk through conveniently. Requesting Council to give urgent attention to footpaths within 1.6 km of schools in view of the ever present danger in which children are being placed.

2. Maraylya Public School P. & C. Association

Advising that as school buses do not pick up students who live within a 1.6 km radius of the Maraylya Public School, unless parents pay \$2.00 per week for them, many of the children have to walk on the road to get to school as there are no walkways available. Requesting Council to take action to provide safer conditions for these students.

S.E. REPORT

These are similar requests to that received in respect of Freemans Reach Public School and possibly other schools in the Shire arising from the decision of the Department of Education to discontinue school bus services for students within a 1.6 km radius of schools.

Recommendation

The Engineer be authorised to provide reasonable footway facilities for school children up to a 1.6 km radius from public schools in the rural areas of the Shire.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE ENGINEER'S REPORT

ITEM 1: (File 665-613)

SUBJECT: PROVISION OF FOOTPATH - FRANCIS STREET,
RICHMOND

Arising from a Question Without Notice - Ordinary Meeting 9th February, 1982.

The existing footpath consists of lawn and earth while the footpath along this section of Francis Street is restricted by the branches from the footpath trees.

At the Bosworth Street end and past No. 138 a high level footpath is provided while between 148 and 150 a large tree and vine blocks the pedestrians, who, have to detour out to the kerb to walk round the obstruction.

Unfortunately this tree and a short length of the surrounding ground is above normal footpath level and if it is proposed to remove the tree, action would be required to adjust the footpath levels with provision of a new fence for the properties where the existing fence would be undermined. In fact the tree roots would damage the fence during removal. This tree is near the mid point of the block.

Towards Chapel Street a high batter exists in against the fence of "Josieville" but adequate room is available for pedestrians.

Action is being taken to mow the footpath past those properties where the grass requires attention and it is proposed that the branches of the street trees be cut back to assist pedestrians. A compromise will be necessary to strike a balance between the needs of the pedestrians and retention of the attractive shape of the line of trees.

A report is to be submitted to the Works Committee for May for a kerb and gutter programme and consideration will be given to this section of Francis Street in that submission. Some further design considerations are necessary on this particular footpath to accommodate paving with minimum effect on the existing tree planting.

Recommendation

The information above be received and that consideration of footpaving in Francis Street, Richmond between Bosworth Street and Chapel Street be given in the compilation of the Kerb and Gutter and Footpath Capital Works Programme.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Councillor Dunn arrived at this stage the time being 9.57 a.m.

ITEM 2: (File C51/1, C51/3)

SUBJECT: EMERGENCY POWER SUPPLY

Investigations were carried out early in 1982 in respect of the provision of emergency power supply to serve the administrative offices, the Community and Cultural Centre and the Central Library. At that time and in view of the intentions expressed by the media that there would be little likelihood of interruptions to power supply and the costs involved in establishing an emergency power supply source no further action was taken. Further subsequent events have indicated a very strong possibility, particularly during the winter months in peak load situations, that there will most probably be interruptions to electrical power supplies.

SHIRE ENGINEER'S REPORT

(ITEM 2 CONTINUED)

The effect of a prolonged interruption to power supply would be as follows:-

Council Chambers

Some 19 workplaces would be in complete darkness, a large percentage of other work places would have insufficient light for normal work. The P.A.B.X. system cannot function without power. The computer with its programme for word processing, cash receipting, rating, accounts and property information would not operate and the programme storage could be adversely affected by an unscheduled power failure. Some 18 typewriters, copying machines, offset and plan printing machines operate only with electrical power sources.

Community & Cultural Centre

An interruption to power supply would adversely affect any major function not only in respect of lighting but also in respect of other facilities such as food preparation and dispensing of beverages. This would have the disadvantage of converting a well organised function into a disaster and also avoid the necessity for cancelling any large functions.

Central Library

The prime functions in the Central Library are entirely dependent upon good lighting and such is not available from natural sources. This facility would be extremely handicapped in the event of power supply interruptions.

The estimated cost for providing a 150kva diesel power alternator with associated alterations to switch boards is \$53,000. To provide a suitable brick structure to enclose the alternator would cost a further \$9,000, the total cost being \$62,000.

Apart from the buildings mentioned above the alternator could be utilised as an emergency back up for the pump stations in the Windsor Sewerage Scheme where such are affected by a localised power interruption to ensure that the sewerage system is still operative. It is noted however that in a black out situation the alternator will serve primarily the buildings mentioned above.

The operating costs would average \$70.00 per hour. This cost would reduce should the alternator be required in excess of 20 hours per annum.

Recommendation

Council purchase a 150 kva diesel alternator (trailer mounted) with provision of a brick building to house the alternator for the purpose of serving the Council Chambers, Community & Cultural Centre and Central Library during times of interruptions in the electrical power supply and that the amount of \$62,000 be voted for this purpose.

COMMITTEE'S RECOMMENDATION

A FURTHER REPORT be submitted by the Shire Engineer.

SHIRE ENGINEER'S REPORT

ITEM 3: (File 202/59/80)

SUBJECT: J.J. MCGUIRE & J. CLAYTON - SUBDIVISION
PORTION 200 & PART PORTION 163, 164 OFF
HERMITAGE ROAD, PARISH OF KURRAJONG, KURRAJONG
HEIGHTS

An application for the subdivision of the above land creating three (3) new lots was approved in the following:-

- A. Development Consent No. 175/1980 subject to the following conditions:-
1. The submission and approval of an application to subdivide under Part 12 Division 2 of the Local Government Act, 1919, as amended.
 2. Documentation acceptable to Council that Prospect County Council will supply electricity to each of the proposed allotments.
 3. The production of evidence acceptable to the Shire Engineer that the land has suitable legal and physical access from Hermitage Road and that this access be constructed to the land and within the land to each of the proposed allotments to the satisfaction of the Shire Engineer.
- B. Subdivision approval dated 29th December, 1980, subject to the following conditions:-
1. The submission of a linen plan of subdivision, together with six (6) exact copies, suitable for lodgment with the Registrar General.
 2. The applicant producing to Council a certificate from the Metropolitan Water Sewerage and Drainage Board that the applicant has complied with the requirements relating to the plan of subdivision of Section 34B of the Metropolitan Water Sewerage and Drainage act.
 3. The compliance with the conditions of Consent No. 175.
 4. The provision of all-weather trafficable surface to the proposed right of way, such works to be to the satisfaction of Council's Engineer.

The applicant has requested that Condition 3 of the Interim Development Consent, that is, "The production of evidence acceptable to the Shire Engineer that the land has suitable legal and physical access from Hermitage Road and that this access be constructed to the land and within the land to each of the proposed allotments to the satisfaction of the Shire Engineer", be deleted to enable the registration of the plan of subdivision.

A locality plan indicating the subject land is displayed at this meeting and it is noted that the land has no frontage to a public road. Condition 3 of the Development Consent was imposed to ensure that each of the lots would have vehicular access to a public road, being Hermitage Road.

In relation to the provision of access to the subject land, the applicant requested Council in March, 1981, for the dedication of the existing track leading from Hermitage Road as a public road. Council, following inspection, resolved interalia that the applicants be informed that Council does not intend to provide a public road over the existing access.

SHIRE ENGINEER'S REPORT

(ITEM 3 CONTINUED)

Whilst the applicant is still utilising the track for the purpose of gaining access to Portion 200, it is understood that the resolution of the right of usage of the track is subject to dispute by the affected landholders and that the matter is yet to be determined by the High Court.

This subdivision has been proceeding since 1976 where Council has consistently required the establishment of legal access in relation to the proposed new lots and for subsequent landholders of the proposed lots the Council should maintain its requirement to ensure that such lots do have all-weather vehicular access.

The other outstanding conditions are:

Development Consent, Condition 2 - "Documentation acceptable to Council that Prospect County Council will supply electricity to each of the proposed allotments." No documentary evidence has been produced in accordance with Condition 2 at this time. The applicant, however, has indicated that they have their own engine driven electricity supply and it would appear that the applicant is also seeking relief from this condition.

Subdivision Approval, Condition 3 - "The compliance with the conditions of Consent No. 175." This condition is covered by the previous remarks.

Condition 4 - "The provision of all-weather trafficable surface to the proposed right of way, such works to be to the satisfaction of Council's Engineer." The construction of the right of way within the subdivision to this date has been formed only and does not provide a satisfactory all-weather surface. Whilst the applicant is obtaining access at this time, it is noted that it is by means of a four-wheel drive vehicle. The general intention of the requirement for vehicular access, is for a conventional passenger vehicle.

There has been no decision of Council to defer consideration of the subdivision as the necessary approvals have been granted. It will be obvious from the above that the applicant has not complied with the conditions relating to such approval. There appears to be some considerable difficulty in relation to the establishment of the legal access from the subject land to Hermitage Road, however, because of this uncertainty Council should ensure that the legal access is established beyond doubt in respect of all new lots that are created in the proposed subdivision.

Note: There are three existing lots for which separate title would be available upon each of which a dwelling may be erected, among other conditions, subject to:

"The provision of vehicular access to the land at the applicant's expense to the satisfaction of Council's Engineer."

Recommendation

(a) Development Consent No. 175 of 1980, conditions being:

1. That submission and approval of an application to subdivide under Part 12 Division 2 of the Local Government Act, 1919, as amended.
2. Documentation acceptable to Council that Prospect County Council will supply electricity to each of the proposed allotments.

3. The production of evidence acceptable to the Shire Engineer that the land has suitable legal and physical access from Hermitage Road and that this access be constructed to the land and within the land to each of the proposed allotments to the satisfaction of the Shire Engineer;

be varied by the deletion of Condition 2.

- (b) The applicant be informed that Council is not prepared to delete Condition 3 of Development Consent No. 175 of 1980 for the reason that Council has an obligation to the existing and future landholders of all of the lots in the proposed subdivision to ensure that suitable vehicular access is available to each and every lot.

COMMITTEE'S RECOMMENDATION

- (a) Development Consent No. 175 of 1980, conditions being:

1. That submission and approval of an application to subdivide under Part 12 Division 2 of the Local Government Act, 1919, as amended.
2. Documentation acceptable to Council that Prospect County Council will supply electricity to each of the proposed allotments.
3. The production of evidence acceptable to the Shire Engineer that the land has suitable legal and physical access from Hermitage Road and that this access be constructed to the land and within the land to each of the proposed allotments to the satisfaction of the Shire Engineer;

be adhered to.

- (b) The applicant be informed that Council is not prepared to delete Condition 3 of Development Consent No. 175 of 1980 for the reason that Council has an obligation to the existing and future landholders of all of the lots in the proposed subdivision to ensure that suitable vehicular access is available to each and every lot.

ITEM 4: (File E74/3)

SUBJECT: TRANSMISSION LINE EASEMENT - LOT 2, D.P.
588210 DIGHT STREET, RICHMOND

The Prospect County Council advises it is in the process of acquiring easements over a recently constructed transmission line and requests agreement to the crossing of this Council's Easement to Drain Water in Lot 2, D.P. 588210.

No objection is seen to this proposal which is at this location, only a widening of an existing Transmission Line Easement.

Recommendation

Prospect County Council be advised that Council is agreeable to the crossing of the Easement to Drain Water on Lot 2, D.P. 588210 by the proposed Easement for Transmission Line.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Minutes of the meeting of the Local Traffic Committee held at the Council Chambers, Windsor, on Monday, 19 April, 1982, commencing at 10.00 am.

PRESENT:

Hawkesbury Shire Council

Councillor F E Henry
Mr J R Gilmore, Deputy Shire Engineer
Mr O F Earle, Design Supervisor

Police Department

Sgt K McPhee
Sgt M Roughly

Department of Main Roads

Mr G Bilton

APOLOGIES:

Councillor J E Nicholson, MBE

1. P Rees (T225; 665-1218)

Traffic conditions corner East Market Street and Lennox Street, Richmond.

THAT COUNCIL BE requested to prepare plans for the provision of a "Round-About" at the intersection for further consideration of the Local Traffic Committee. Further, that the Department of Main Roads be requested to undertake a traffic count at the intersection.

2. Windsor Chamber of Commerce. (665-265)

"Stop" signs corner George Street and Bridge Street, Windsor.

THAT THE CHAMBER of Commerce be advised of the need for signs to control traffic at cross roads under the state policy, and that "Stop" signs provide further safety over a "Give Way" installation and are needed in view of the sight distance problem existing at the intersection.

3. Bilpin Parents & Citizens Association.

Speed restrictions through Bilpin.

THAT THE DEPARTMENT OF MAIN ROADS be requested to give consideration to widening the formation at the eastern entrance of the school to provide for a passing lane.

THAT THE REPRESENTATIVES of the Department of Main Roads advised that a number of checks have been made of the speed zoning through Bilpin and the zones are considered appropriate following the extension provided at the western end approximately 12 months ago.

4. Freemans Reach Parents & Citizens Association (S196-8; 665-710).

Traffic conditions between Freemans Reach Public School and Freemans Reach Village area.

Referred for further consideration from March meeting.

THE COMMITTEE WAS ADVISED of the action being taken by Council to provide a footpath on the western side of Gorricks Lane and it was proposed that a further review be undertaken on completion of the construction of the footpath and the provision of the upgrading of the sign posting.

5. Cycleway, Cox Street, Windsor, to Entrance of RAAF Base off Percival Street.

Council proposals for the cycleway along Richmond Road on the south western side to Rickaby Creek, and then crossing the existing road bridge and along to Percival Street, referred from March meeting.

Preliminary design plans were submitted to the meeting.

IT WAS RECOMMENDED THAT:-

- a) The Committee does not favour the use of the existing bridge for cyclists under the restricted width available, and considered that an additional bridge or an attachment to the bridge should receive consideration.
- b) Further concern was expressed as to the accident potential to cyclists at the commencement and end of the cycleway as proposed and that further consideration should be given to the means of crossing into Percival Street and Cox Street.
- c) That prior to any implementation of any cycleway within the Shire, that Council seek the proposed guide lines in respect of the implementation of cycleways from the Traffic Authority.
- d) That the Department of Main Roads be asked to provide formal advice as to their consideration of the proposal.

It was noted that a high proportion of heavy vehicles cross the bridge.

6. The Crusader Union of New South Wales.

Requesting the supply of "Please Drive Carefully, Children Crossing" signs for the roadway that runs through their camp on Upper Colo Road, Colo.

AN INSPECTION SHOWED that site distance in the vicinity of the camp is restricted and it was recommended that "Children Crossing" signs be erected to provide warning that children cross the road in this area.

7. Councillor J E Nicholson

Requesting that provision be made for signs to warn of school children crossing Grose Wold Road to reach Grose View school.

THAT THE MATTER be referred to the next Local Traffic Committee meeting for further consideration.

8. Councillor P Dunn

Requesting consideration to the relocation of the bus parking zone Windsor Street, Richmond, northern side just east of Bosworth Street to near the ambulance station.

THAT THE MATTER be referred to the Department of Motor Transport for their consideration and advice as to a suitable relocation for the bus zone.

9. Department of Main Roads

Requesting the provision of signs to indicate a narrow bridge on the approach to the bridge over Wheeny Creek on Upper Colo Road.

THAT SIGNS DESIGNATING "No Passing or Overtaking", and

Item 9 continued:

width markers be erected at the bridge. Also that a Chevron hazard marker be provided on the curve just past the bridge when approaching from the east.

Item 5 Continued:-

Consultations were held with representatives of the Traffic Authority and the Department of Main Roads on Tuesday, 20 April, 1982, where a revised mode of cycleway was suggested. Details of this are being prepared for submission to the Local Traffic Committee for further consideration.

THAT CONSIDERATION of this item be deferred pending further report from the Local Traffic Committee.

The Meeting terminated at 11.35am.

COMMITTEE'S RECOMMENDATION3. Bilpin Parents & Citizens Association.

THE TRAFFIC COMMITTEE address itself to the specific request of the Bilpin P. & C. Association for the widening of the formation at the eastern end of the School to provide a passing lane.

THE BALANCE OF the report be adopted.

The meeting terminated at 10.30 a.m.

.....President

HAWKESBURY SHIRE COUNCIL

STANDARD CONDITIONS - DEVELOPMENT APPLICATION

- (a) Submission and approval of a Building Application, plans and specifications complying with Ordinance 70.
- (b) No advertising structures to be erected, displayed or affixed on any building or land without the prior approval of Council under Ordinance 55.
- (c) The development being conducted in such a manner so as not to interfere with the amenity of the neighbourhood, in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
- (d) Screen walls are to be provided to screen open yard activities and are to be of an approved design, details of which are to be submitted with the Building Application.
- (e) No materials, goods or vehicles to be stored or vehicles parked between the building and the street alignment.
- (f) Any building to be used for the purpose of storage and sale of food shall be constructed in accordance with the requirements of the Pure Food Act and Regulations.
- (g) Details of waste roof and surface water disposal to be submitted with the Building Application and to be disposed of to Council's requirements.
- (h) Provision of toilets in accordance with the requirements of Ordinance 44 of the Local Government Act.
- (i) Parking to be provided for ... vehicles in accordance with the regulations of Council's Code for Off Street Parking. Parking spaces and aisle widths to conform to Council's specifications for the Layout of Parking Areas.
- (j) Parking areas, aisles and driveway accesses to be constructed, drained, sealed and marked to Council's requirements, full details to accompany the building application.
- (k) An approved physical barrier being provided between public places, vehicle accessways, parking areas and the surrounding landscaped area.
- (l) A detailed plan of landscaping to be submitted and approved by Council prior to the approval of the Building Application, with landscaping to be completed prior to occupation of the building.
- (m) Provision of full width concrete vehicular entrance(s) to the satisfaction of Council's Engineer.
- (n) Provision of full width concrete footpath over the full frontage of the development.
- (o) Provision of half width concrete footpath over the full frontage of the development.
- (p) All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Shire Health Surveyor.
- (q) No goods or signs to be displayed on the footpaths, pedestrianways, roadways, landscaped areas, parking areas or in the vicinity.
- (r) Provision of a garbage receptacle storage area adjacent to the street alignment to the satisfaction of the Shire Health Surveyor.
- (s) Provision of a clothes drying area which is to be effectively screened from public roads and reserves, details of screen design and materials to be submitted with the Building Application.
- (t) A contribution of \$... towards Parks and Recreation Areas based on \$400.00 per unit.
- (u) Development consent being obtained for the use of the building/each factory unit prior to occupation taking place.
- (v) Provision of satisfactory vehicular access to the land to the requirements of the Council's Engineer.
- (w) Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
- (x) All raw materials, finished goods and vehicles awaiting service and/or repairs to be stored within the building and all work performed to be confined to within the building.
- (y) Buildings to be demolished as part of a this approval as shown on the application as submitted.
- (z) Exterior surfaces of the proposed structure being painted or treated with a dark toned non-reflective material in such a manner as to cause the structure to blend with the landscape of the site and its surroundings. Such painting or treatment to be completed to the satisfaction of Council's Health Surveyor within six calendar months of erection.

HAWKESBURY SHIRE COUNCIL

STANDARD CONDITIONS - DEVELOPMENT APPLICATION

SUBDIVISIONS UNDER ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

1. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of underground electrical reticulation to each of the resultant lots of the subdivision.
2. Submission of a Certificate from Prospect County Council that satisfactory arrangements have been made for the provision of electricity to each of the resultant lots of the subdivision.
3. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of underground cables for telephones through the subdivision.
4. Submission of a Certificate from Telecom Australia that satisfactory arrangements have been made for the provision of cables for telephones through the subdivision.
5. The provision of road widening free of cost to the Council to the requirements of the Council's Engineer.
6. The provision of road widening to the requirements of the Department of Main Roads.
7. Dedication to the Council as public reserve the land shown on the approved subdivision plan.
8. The payment to the Council the sum of ... being a contribution towards the establishment and embellishment of public reserves in lieu of provision of adequate public reserve within the subdivision.
9. The submission to and approval by the Council of a satisfactory application under Part XII of Division 2 of the Local Government Act, 1919, as amended.
10. The payment to the Council the sum of ... being a contribution for construction of downstream drainage.
11. Tree planting with the protection of tree-guards is to be provided in the new roads to the rate of two trees/lot, the siting and species to be to the satisfaction of Council's Engineer.
12. Provision of access to each of the lots to the requirements of the Shire Engineer.

HAWKESBURY SHIRE COUNCIL

STANDARD CONDITIONS - SUBDIVISION APPLICATION

SUBDIVISIONS UNDER PART 12 OF THE LOCAL GOVERNMENT ACT, 1919 (AS AMENDED)

A SUBDIVISIONS

- (i) The submission of the plan of subdivision, together with nine (9) exact copies thereof, suitable for lodgement with the Registrar General.
- (ii) The dedication, free of cost to Council, of road widening to the requirements of Council's Engineer.
- (iii) The submission of a Certificate from the Metropolitan Water, Sewerage and Drainage Board stating that the requirements, relating to the plan of subdivision of Section 34B of the Metropolitan Water, Sewerage and Drainage Act, 1964, have been satisfied.
- (iv) Satisfactory arrangements being made with the Council for the provision of sewerage to the subdivision.
- (v) The construction of vehicular access, free of cost to Council, to each lot in this subdivision, such construction to be to the requirements of Council's Engineer.
- (vi) The creation of easement/s to drain water for conveyance of stormwater to the requirements of Council's Engineer.
- (vii) The construction of underground drainage, adequate to cater for stormwater discharge, as assessed by "Australian Rainfall and Runoff", to the requirements of Council's Engineer. Satisfactory provision is to be made for the discharge of upstream drainage across the subdivision and discharge of drainage downstream of the subdivision through to the natural watercourse complete with easements as required.
- (viii) The construction of kerbing and guttering opposite to and for the full frontage of the residential lots together with the building of footway with paving and sealing of the road shoulder, to the requirements of Council's Engineer.
- (ix) The provision of common drainage lines and easements 1.2m wide in favour of the allotment served thereby for the conduct of roof water to the nearest appropriate stormwater drain, where applicable.
- (x) Submission of a plan and specification of any land regrading and/or filling. Topsoil to be stockpiled and respread over the finished surface.
- (xi) Construction of access to battleaxe allotments (complete with a dust free surface) in accordance with the requirements of the Council's Engineer.

B ROAD OPENING APPLICATIONS

- (i) Construction of road and drainage works are not to commence until five (5) copies of the plans and specifications of the proposed works are submitted to and approved by Council's Engineer.
- (ii) The new road/s be classified as road/s.
- (iii) The construction of residential roads to conform to Council's standard requirements for residential roads.
- (iv) The construction of secondary (rural) roads to conform to Council's standard requirements for secondary (rural) roads.
- (v) The new road/s to be named
- (vi) Street name signs to be provided at the junction of the new road/s.
- (vii) Underground stormwater drainage is to be provided within the new road/s, adequate to cater for the discharge as assessed from "Australian Rainfall and Runoff" as well as construction of underground drainage for the discharge of stormwater from the road reserve.
- (viii) The creation of easements to drain water and/or drainage reserves over the site of drainage discharge.

Report of the Meeting of the Development Committee held at the Council Chambers, Windsor on Tuesday, 27th April, 1982 commencing at 10.30 a.m.

PRESENT: Councillor B.E. Brown, President, and Councillors E.A. Buttsworth, P.A. Dunn, F.E. Henry, J.J. Horrex, A.L. Knight, I.T. McEwan, R.W. Rose, R.F. Rotherham and C. Sullivan.

Apologies for absence were received from Councillors G.G. Michael and J.E. Nicholson and accepted.

DEVELOPMENT APPLICATIONS

ITEM 1: (File DA102/82)
APPLICANT: P. PARLOW
OWNER: R.J. ROBERTS
LAND & LOCATION: LOT 27 D.P. 13541 GROSE VALE ROAD, KURRAJONG
CNR. GROSE VALE & OLD BELLS LINE OF ROAD -
DIRECTORY D8 MAP 21B
ZONING: I.D.O. 3 COLO - RESIDENTIAL 2(a1) AND
HAWKESBURY L.E.P. 30
APPLICATION: USE EXISTING BUILDING FOR THE STORAGE
RESTORATION AND REFURBISHING OF ANTIQUES AND
THE SALE BY RETAIL OF ANTIQUES, SECONDHAND
GOODS AND ARTS AND CRAFTS

S.P. REPORT

The subject land is triangular, has an area of 1,385m² and is considered adequate to contain the proposed development. The land was the subject of Local Environmental Plan No. 30, gazetted on 26th March, 1982 which Plan amends Clause 76 of Interim Development Order No. 3 Shire of Colo to permit the use of the land for shops and/or commercial premises. Access is available to the site from both Bells Line of Road and Grose Vale Road and ample space is available on site for vehicle parking.

The existing building has an area of 216m² and generates a demand for six (6) car parking spaces at the ratio of one (1) space for each thirty seven (37) square metres of gross floor area.

Recommendation

Development consent be granted to the use of the existing building for the storage, restoration and refurbishing of antiques and the sale by retail of antiques, arts and crafts and secondhand goods subject to the following conditions:

1.-10. Standard Conditions (a), (b), (c), (h), (i) 6, (1)(Old Bells Line of Road frontage), (p), (q), (v) and (w).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File DA 12/82)
APPLICANT: WELLINGS SMITH & BYRNES
OWNER: BRICKSANDS PTY. LTD.
LAND & LOCATION: LOT A (RESUB.PT. PORS. 245/246 PARISH OF
WILBERFORCE) SACKVILLE ROAD, EBENEZER. EAST
SIDE OF ROAD, DIRECTORY B10 MAP 16
ZONING: I.D.O. 3 COLO - NON URBAN 1(b1)
APPLICATION: CONVERSION OF EXISTING DWELLING TO RESTAURANT
WITH ASSOCIATED PARKING

11/5/82

S.P. REPORT

The subject land is regular in shape, has an area of 9.662ha. and is considered adequate to contain the proposed development.

Although there is an apparent conflict of use with the existing extractive industry established on the land the latter use has a limited life span and is scheduled to cease no later than December 1984.

The proposed restaurant is well removed from the present workings and any conflict that may arise will diminish with the passage of time.

The submission indicates on site parking for twenty (20) vehicles which is considered adequate to service the development.

Any consent of Council should be conditional upon satisfactory progress being made in the restoration of the land.

The subject land has frontage to Main Road 181 and the proposal was submitted to the Department of Main Roads and the Traffic Authority for comment.

Both Authorities, whilst not supporting the proposal require similar works that include adequate on site car parking, layout and servicing area; improvements to the Main Road at the driveway entrances in the form of a passing lane; upgrading of the access driveway to the development to make it readily apparent to approaching motorists and the clearing of vegetation and trees on the inside of the curve to improve visibility.

The proposed development is a use permissible within the zone.

Recommendation

Development consent be granted to the use of the existing dwelling house as a restaurant catering to a maximum of fifty (50) patrons, generally in accordance with the plan submitted with the application subject to the following conditions:

1. The submission of a building application in respect of all renovations, additions and fittings proposed for the building.
- 2.-11. Standard Conditions (b), (c), (e), (f), (g), (h), (i)(20), (l), (v) and (w).
12. Liquid and solid waste disposal proposals shall be submitted to Council concurrently with the building application for approval.
13. Provision of improvements to the Main Road at the driveway entrances in the form of a passing lane, such works to be to the requirements of the Department of Main Roads and to be constructed to the satisfaction of Council's Engineer.
14. Clearing of vegetation and trees on the inside of the curve in the Main Road frontage to improve visibility such clearing to be to the requirements of the Department of Main Roads and to be completed to the satisfaction of Council's Engineer.
15. There being a commencement of progressive restoration of excavated areas to the satisfaction of the Shire Planner prior to use of premises as a restaurant.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 3: (File DA32/82)
 APPLICANT: J. GOUGH
 OWNER: J. GOUGH
 LAND & LOCATION: PORTION 71, PARISH OF WILBERFORCE AND LAND IN D.P. 606537 LOCATED ON THE NORTH-EASTERN SIDE OF THE HAWKESBURY ROAD BETWEEN WINDSOR AND ARGYLE REACHES ADJOINING AND TO THE SOUTH-WEST OF MACQUARIE PARK. DIRECTORY REFERENCE B9, MAP 11
 ZONING: I.D.O. 3 COLO - PT. NON URBAN B1 AND PART NON URBAN B2
 APPLICATION: FARM RESTORATION AND ESTABLISHMENT OF A TURF FARM

S.P. REPORT

The application is for the removal of accreted sandy material for the establishment of a turf farm. Deposits are up to 2.5 metres in depth and the applicant has estimated that approximately 90,000m³ will need to be removed to restore the land to the original soil level. As the prime objective in this particular case is to provide suitable farming area for extension of the existing turf farm on the adjoining land, it is considered that the application should not be treated as an extractive industry but one of farm restoration as favoured by Council at its meeting of 8/9/81. Council may therefore deal with the application.

Removal of material in the manner proposed would leave an isolated levee around the edge of the public reserve between portion 71 and the River. In order for the area to be finished in a neat and aesthetic manner and so as not to cause any adverse effect on the River floodway it will be necessary for the material contained in this levee to be removed. This may not be done until such time as the consent of the Department of Lands and the Public Works Department have been obtained.

Access to the site is through the eastern end of Macquarie Park off Windsor Road, thence through the existing turf farm. Maintenance of this access should be at the applicants expense by the imposition of a levy on material removed.

Removal of material is to be undertaken in eight areas commencing at the north-western corner of portion 71, working anticlockwise with each area being restored following completion of removal of material. No more than three areas should be worked at once. In this way the turf farm will be progressively established.

Recommendation

- A. The application for removal of material for farm restoration be consented to subject to the following conditions:
1. The following information is to be submitted and final approval of the Shire Engineer given prior to commencement of any work.
 - (a) Final batter grades.
 - (b) Bearings and distances on control lines.
 - (c) The location of a recoverable base line referred to both the north-eastern boundary of the sites and points A, C and F as shown on the plans with the development application.
 - (d) A suitably located bench mark to A.H. datum.
 - (e) Notes covering working details and final restoration proposals.

11/5/82

2. A work as executed plan is to be provided at the completion of works or after 12 months, whichever is sooner.
 3. Access to the site is to be via one route only located at the eastern end of Macquarie Park utilising the existing bitumen road from Windsor Road for a distance of approximately 70 metres thence to the north-east of the kiosk across the existing turf farm to Portion 71. This road is to be constructed to the requirements of the Shire Engineer and is to be maintained at the applicant's expense with suitable measures taken to abate dust. The applicant is to pay to the Council a levy of 20c per cubic metre of material removed for the maintenance of the bitumen road to Windsor Road. All spillage on the park access road and the Windsor Road intersection is to be removed daily by the applicant.
 4. Any stockpiles resulting from the removal operations are not to exceed 3 metres in height above the ground level in the immediate area.
 5. Suitable precautions are to be taken to prevent any material being washed into or in any way deposited in the River to the satisfaction of the Shire Engineer.
 6. Standard condition (c).
- B. Council refer the matter of removal of material from the public reserve to the Lands Department and the Public Works Depot for the purpose of obtaining consent to carry out the works required to regrade the public reserve area to conform with the finished restored levels of portion 71.

COMMITTEE'S RECOMMENDATION

THE PROPERTY BE inspected.

ITEM 4:	(File DA 97/82)
APPLICANT:	HAWKESBURY SHIRE COUNCIL
OWNER:	HAWKESBURY SHIRE COUNCIL
LAND & LOCATION:	LOT 1, (110) MARCH STREET, RICHMOND
ZONING:	W.P.S. - RES. 2(c)
APPLICATION:	MINOR ADDITIONS TO EXISTING SENIOR CITIZENS CENTRE FOR THE PURPOSE OF A GAMES ROOM

S.P. REPORT

The proposal is to add to the area of existing games room at the rear of the building by a small addition of approximately 8m x 2.5m. The extension is of a minor nature and may be approved.

Recommendation

Approval be granted subject to the following conditions:-

- 1.-2. Standard Conditions (a) and (g).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 5: (File DA 81/82)
 APPLICANT: H. & E. NEDELA
 OWNER: H. & E. NEDELA
 LAND & LOCATION: LOT 12, D.P. 244920, DOWLING PLACE, SOUTH WINDSOR
 ZONING: W.P.S. - GENERAL INDUSTRIAL 4(a)
 APPLICATION: EXTENSION TO EXISTING WAREHOUSE

S.P. REPORT

The application is to erect additions to the existing and approved warehouse on the land being currently used for the display, storage and sale of ceramic wall and floor tiles. The proposed extension is approximately 400m² and generates a demand for additional car parking. The proposal is reasonable and may be approved.

Recommendation

Approval be granted subject to the following conditions:

- 1.-10. Standard Conditions (a), (b), (c), (e), (g), (h), (i) (an additional 4), (j), (w) and (x).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File DA79/82)
 APPLICANT: MR. C. BORRETT, COMPANY SECRETARY, GOLDLINE PROPERTIES PTY. LTD.
 OWNER: GOLDLINE PROPERTIES PTY. LTD.
 LAND & LOCATION: LOT 2, D.P. 572611 ON THE SOUTH WEST SIDE OF BAKER STREET, WINDSOR, APPROXIMATELY 42 METRES NORTH WESTERLY FROM GEORGE STREET
 ZONING: W.P.S. - BUSINESS GENERAL 3(a)
 APPLICATION: ERECTION OF A COMMERCIAL BUILDING TO CONTAIN AN ARCADE OF EIGHT SHOPS ON THE GROUND FLOOR WITH OFFICES ABOVE

S.P. REPORT

The application is to be considered on the basis of amended plans received by Council on 16/4/82 following discussions with the applicant company's agent.

The proposed development does not contravene the provisions of the Windsor Planning Scheme Ordinance.

The proposed building is to be set back from the street boundary from 900mm to 2.0 metres to the line of the main wall of historic cottage adjoining and to the south. The rear wall of the building is to be 2.4 metres from the face of the kerb in the parking area and the 2.4 metre walkway along the lane boundary is to be separated from the lane by a physical barrier to discourage on street parking.

Under the provisions of Council's off-street Parking Code 25 spaces are required calculated as follows:

Total floor space of shops and offices, excluding arcade, balcony and stairwell	1363m ²
Less floor space of existing use	482m ²
	881m ²
881m ² @ 1 space per 37m ² = 24 spaces	

11/5/82

No on-site parking is proposed and therefore the requirement will need to be satisfied by means of a contribution of \$3200 per space or \$76,800.

No facilities have been included on the site for the loading and unloading of goods. The Council may allow an area within the parking area to be defined for this purpose and such an area will be equivalent to two parking spaces lost which will require a further contribution of \$6,400, bringing the total contribution to \$83,200.

Recommendation

The application be approved subject to the following conditions:

- 1.-8. Standard conditions (a), (b), (f), (g), (h), (p), (q) and (r).
9. Payment to the Council of the sum of \$83,200 in lieu of the provision of off-street parking and area for the loading and unloading of goods calculated on a floor space of 881m² and allowing for the loss of two spaces in the parking area which are to be designated for the loading and unloading of goods.
10. Submission of a separate application for the use of the individual shops other than for the uses contained in Schedules 1 and 2 of the Windsor Planning Scheme Ordinance to the exclusion of service stations, refreshment rooms, and self-service coin operated laundries.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7:	(File DA94/82)
APPLICANT:	R.I. & J. BUTTON
OWNER:	R.I. & J. BUTTON
LAND & LOCATION:	LOT 1, D.P. 206978, NO. 13 SLOPES ROAD, NORTH RICHMOND
ZONING:	I.D.O. 3 COLO - NON URBAN 1(b1)
APPLICATION:	DUAL OCCUPANCY INVOLVING THE CONVERSION OF AN EXISTING BASEMENT AND THE ERECTION OF AN ENSUITE AND LAUNDRY

S.P. REPORT

The application may be dealt with under the provisions of State Environmental Planning Policy No. 2 - Dual Occupancy. With regard to Council's code the applicant has indicated that the existing residence has four covered car parking spaces. A number of conditions are to be imposed to ensure compliance with Council's code.

Recommendation

Council consent to the application subject to the following conditions:-

- 1-4. Standard conditions (a), (g), (l), (t) \$400.
5. Provision of a minimum water storage capacity of 22,400 litres for the proposed additional dwelling.
6. Provision of two covered car parking spaces and one visitor's parking space.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 8: (File DA100/82)
 APPLICANT: PETER J. SPARKES
 OWNER: PETER J. SPARKES
 LAND & LOCATION: LOT 3, D.P. 501205, NO. 50 PECKS ROAD, NORTH RICHMOND
 ZONING: I.D.O. 3 COLO - RESIDENTIAL A1
 APPLICATION: DUAL OCCUPANCY INVOLVING THE ERECTION OF AN ADDITIONAL DWELLING
 OBJECTIONS: NIL

S.P. REPORT

The application may be dealt with under the provision of State Environmental Planning Policy No. 2 - Dual Occupancy. It is considered that the provision of some landscaping along the pecks Road frontage would improve the development. In this regard conditions are to be imposed to cover landscaping and to ensure compliance with the other provisions of Council's Code.

Recommendation

Approval be granted subject to the following conditions:-

- 1-4. Standard conditions (a), (g), (m), (t)\$400.
5. The provision of on site parking for three vehicles at the rate of one for each dwelling and one visitor space.
6. A detailed plan of landscaping, including the provision of some native trees between the existing dwelling and the Pecks Road frontage, to be submitted and approved prior to the issue of a building permit such landscaping to be completed prior to occupation of the new dwelling.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 9: (File DA352/81)
 APPLICANT: GOSPERS WINDSOR BUS SERVICE PTY. LTD.
 OWNER: GOSPERS WINDSOR BUS SERVICE PTY. LTD.
 LAND & LOCATION: LOT 1 D.P. 21482 GEORGE STREET, SOUTH WINDSOR
 LOCATED ON THE EASTERN SIDE OF GEORGE STREET,
 CORNER OF THORLEY ROAD
 ZONING: W.P.S. - NON URBAN 1(b) SUBJECT TO L.E.P. NO. 35
 APPLICATION: EXTENSION OF THE EXISTING BUS DEPOT

S.P. REPORT

The proposal is to extend the existing bus depot presently located on the adjacent Lot 5, by erecting an additional bus shelter shed, together with an additional driveway to Thorley Street, and associated hard standing area for buses.

At the meeting of 9/6/81 Council resolved to support the preparation of a L.E.P. to permit the use. The L.E.P. has now been gazetted.

The proposal complies with the requirements of L.E.P. No. 35 and may be approved.

11/5/82

Recommendation

Approval be granted in accordance with the plan submitted with the application, subject to the following conditions:-

- 1-6. Standard conditions (a),(b),(c),(g),(l),(v).
7. The area between Thorley Street and the proposed bus shelter shed being landscaped to provide full and effective screening of the development.
8. An adequate turning area being maintained within the site so that all vehicular movement to and from the site are in a forward motion.
9. All vehicles are to be contained on site and no vehicles are to be parked on either street frontage when not in use.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 10:	(File DA126/82)
APPLICANT:	N. & S. WILKES
OWNER:	N. & S. WILKES
LAND & LOCATION:	LOT 21 D.P. 28331 TERRACE ROAD, FREEMANS REACH
ZONING:	I.D.O. 3 COLO - N.U.I. (b1)
APPLICATION:	THE ESTABLISHMENT OF A "STOCK HOME" INVOLVING THE USE OF AN EXISTING BUILDING CONTAINING 4 STABLES

S.P. REPORT

The applicant proposes to establish a horse stud and training establishment on the land and the stables are for this use.

The land is adequate to contain the use and may be approved.

Recommendation

That approval be granted subject to:-

- 1-5. Standard Conditions (a),(b),(c),(g),(z).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 11:	(File 342/81)
APPLICANT:	P. & J. HUPALO
OWNER:	P. & J. HUPALO
LAND & LOCATION:	LOTS 8 & 9 SECTION 3 D.P. 1093 GEORGE STREET, WINDSOR. LOCATED ON THE WEST SIDE OF GEORGE STREET, BETWEEN RICHMOND ROAD AND BRABYN STREET
ZONING:	W.P.S. - RESIDENTIAL 2(a) V.S. - SPECIAL BUSINESS 3(b)
APPLICATION:	EXTENSION OF EXISTING USED CAR SALES YARD

11/5/82

S.P. REPORT

The proposal is to extend the existing showroom workshop and car display areas on the subject property. An additional driveway is to be constructed and off-street parking is to be provided for 14 vehicles which is adequate under Council's code.

At the meeting of 9/6/81, Council resolved to support a L.E.P. to permit the above use and the L.E.P. has now been gazetted.

The application complies with L.E.P. No. 28, and may be approved.

Recommendation

Approval be granted in accordance with the plans submitted with the application, subject to the following conditions:-

- 1-8. Standard Conditions (a),(b),(c),(g),(i-14),(j - No goods, vehicles or signs...), (w).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 12:	(File DA78/82)
APPLICANT:	MR. S. BIANCOTTI
OWNER:	MR. S. BIANCOTTI
LAND & LOCATION:	LOT 5, D.P. 250109 LOCATED ON THE NORTH EASTERN SIDE OF WILLIAM STREET APPROXIMATELY 48 METRES NORTH WESTERLY FROM GROSE VALE ROAD
ZONING:	I.D.O. 3 COLO - RESIDENTIAL A1
APPLICATION:	ERECTION OF A RESIDENTIAL FLAT BUILDING CLASS A
OBJECTIONS:	NIL

S.P. REPORT

The proposed development is a permissible use with the consent of Council in a residential A1 zone.

The proposed development will not contravene Council's code for residential flat buildings.

There are no objections to the development.

Adequate parking has been provided in accordance with Council's Parking Code. The visitor parking space has been provided between the building and the street and will preclude the turning of vehicles using the carport to unit No. 2. In order to provide for forward site ingress and egress to unit 2 this space will need relocating. In order to achieve this it may be necessary to set the building back further from the street.

Recommendation

Council approve the application subject to the following conditions:

- 1.-7. Standard conditions (a), (g), (l), (m) entrances, (r), (o) and (t)
\$400.

11/5/82

8. Three parking spaces are to be provided in accordance with Council's Code for off-street parking. Provision is to be made for the turning of vehicles to allow forward site ingress and egress. To achieve this the visitor parking space may require relocating and the proposed building may require to be set back further from the street.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 13:	(File DA98/82)
APPLICANT:	W.M. & P.H. TONKIN
OWNER:	W.M. & P.H. TONKIN
LAND & LOCATION:	LOT 5, D.P. 253783 SACKVILLE ROAD, EBENEZER. LOCATED ON THE NORTH WESTERN SIDE OF SACKVILLE ROAD, DIRECTORY E2, MAP 11
ZONING:	I.D.O. 3 COLO - NON URBAN 1(b1)
APPLICATION:	CONVERSION OF THE EXISTING RESIDENCE BY AN ADDITIONAL DWELLING UNDER THE DUAL OCCUPANCY
OBJECTIONS:	NIL

S.P. REPORT

The proposal is to extend the existing residence by an additional dwelling under the provisions of Sydney Regional Environmental Plan No. 2. The existing dwelling, which is located near the front boundary of the property is to be resited approximately 250m from the road alignment. The proposed extension is to be connected to the existing dwelling by a double carport and pergola.

The proposal generally complies with the requirements of Council's code except that provision has not been made for one visitors parking space required under the Code. The application was advertised with no objection being received.

Recommendation

Approval be granted in accordance with the plans submitted with the application, subject to the following conditions:

- 1.-6. Standard conditions (a), (g), (l), (s), (t) \$400, (v).
7. Two covered parking spaces and one visitors parking space are to be provided in accordance with the regulations of Council's code for off-street parking.
8. Provision of a minimum water storage capacity of 22,400 litres for the additional dwelling.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 14: (File DA63/82)
 APPLICANT: ZUIDVELD ENTERPRISES PTY. LTD.
 OWNER: ZUIDVELD ENTERPRISES PTY. LTD.
 LAND & LOCATION: LOT 8, D.P. 27627, NO. 38 STAHL'S ROAD,
 OAKVILLE, LOCATED ON THE NORTH EAST SIDE OF
 ROAD, BETWEEN MERIN ROAD AND BOCK'S ROAD
 ZONING: W.P.S. - NON URBAN 1(c)
 APPLICATION: ERECTION OF AN ADDITIONAL POULTRY SHED
 OBJECTIONS: MR. & MRS. J. CATANA OF OAKVILLE

S.P. REPORT

The proposal is to erect an additional poultry shed on the subject property. Two poultry sheds already exist on the site.

The proposal does not comply with Council's code in two respects. Firstly, the code requires side boundary setbacks to be 22m, whilst the proposed shed indicates a setback of 10m from one of the side boundaries. It is considered that it is possible to relocate the shed to comply with this requirement. Secondly, Council's code requires a minimum of 4 ha. for the establishment of a poultry farm. The subject property has an area of 2.6 ha.

The proposal has been advertised with one objection being received. The objection mainly dealt with odours being emitted from the existing poultry farm and with trucks entering and leaving the premises late at night. The Shire Health Surveyor will be investigating the odour objection and it is considered that they are only of a temporary nature. Vehicular movements to and from the site should be restricted to daylight hours only.

Since a poultry farm is already established on the site, it is considered that the erection of an additional poultry shed on the site may be approved.

Recommendation

Approval be granted in accordance with the plans submitted with the application subject to the following conditions:

- 1.-5. Standard conditions (a), (b), (c), (g) and (w).
6. The proposed poultry shed be relocated ~~22m~~¹⁰ from the side boundary as *see report* required under Council's code.
7. Delivery vehicles entering and leaving the site being restricted to daylight hours between Monday and Saturday only.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 15: (File DA124/82)
 APPLICANT: F. & D. SWAVLEY
 OWNER: F. & D. SWAVLEY
 LAND & LOCATION: LOT 8, D.P. 613649 BELLS LINE OF ROAD, KURMOND
 ZONING: I.D.O. 3 - NON URBAN 1(b2)
 APPLICATION: ESTABLISHMENT OF A STOCK HOME INVOLVING THE
 ERECTION OF A BUILDING TO STABLE FOUR HORSES
 AND TO STORE FEED

S.P. REPORT

The proposed building is to stable horses in conjunction with the proposed use of the property as a "stock home". The keeping of horses for gain or reward requires consent. The proposal is reasonable and may be approved.

11/5/82

Recommendation

Approval be granted subject to:

- 1.-5. Standard conditions (a), (b), (c), (g) and (z).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 16:	(File DA99/82)
APPLICANT:	BRESDON CONSTRUCTIONS
OWNER:	BRESDON CONSTRUCTIONS
LAND & LOCATION:	LOT 1, D.P. 261702 ANDERSON PLACE, WINDSOR, LOCATED ON THE NORTH EASTERN SIDE OF ANDERSON PLACE CORNER OF MILEHAM STREET
ZONING:	W.P.S. - GENERAL INDUSTRIAL 4(a)
APPLICATION:	ERECTION OF FOUR FACTORY UNITS

S.P. REPORT

The proposal is to erect four factory units on the subject site. The factory units are set back 12m from Mileham Street and 5m from Anderson Place which complies with Council's code. This area is to be landscaped.

Provision has been made for 17 off-street parking spaces, however, under Council's code 20 spaces are required. It is considered that there is adequate land on site to provide the additional 3 spaces. Adequate provision has been made for the loading and unloading of goods.

The application complies with the requirements of the Windsor Planning Scheme Ordinance and may be approved.

Recommendation

Approval be granted in accordance with the plans submitted with the application subject to the following conditions:

- 1.-13. Standard conditions (a), (b), (c), (g), (i) 20, (j), (l), (p), (q), (u) each factory unit, (v), (w) and (x).
14. Fire hose reels shall be installed in accordance with Part 27.3 Ordinance 70 or alternatively the building shall be divided into areas with a minimum of 500m² using a four hour Fire Resistance Rating Fire Wall as per part 16.11 of Ordinance 70.
15. No fencing shall be within the building lines to either Anderson Place or Mileham Street.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 17:	(File DA90/82)
APPLICANT:	MESSRS MORROW & GORDON, ARCHITECTS
OWNER:	BANK OF NEW SOUTH WALES
LAND & LOCATION:	LOT A, D.P. 383011 ON THE NORTH EASTERN CORNER OF WINDSOR STREET AND WEST MARKET STREET, RICHMOND
ZONING:	W.P.S. - BUSINESS GENERAL 3(a)
APPLICATION:	ALTERATIONS AND EXTENSIONS TO THE EXISTING BANK BUILDING

11/5/82

S.P. REPORT

The subject building as near as can be determined, was erected in the mid-1930's. Basically, the building has a "Manhattan" style facade to Windsor Road with a recessed balcony on the upper floor. This facade extends part of the way along the side of the building to West Market Street. The rear part of the building has originally been constructed for residential purposes and is mostly of single storey.

The main aesthetic appeal of the building when viewed from along West Market Street and to the west along Windsor Road are the hip roofs, all of which including the portico are in absolute symmetry, and lead the eye in a graceful rising line from the single storey at the rear to the upper part of the front of the building. The massiveness of the facade obscures these roofs from Windsor Road.

The application proposes to extend the Windsor Street facade along West Market Street but only of one storey in height. The hip roof over the rear section is to be removed and replaced with a flat roof with a raised central section stepped to emulate the upper parapet on the Windsor Street facade. Window treatment to the West Market Street frontage comprises three different styles from "wall of glass" towards the front to multiple horizontal rectangular to vertical narrow rectangular towards the rear. The window treatment to the rear comprises similar vertical narrow rectangular to "port hole" style. The rear of the building is adorned by a canopy presenting a one metre by one metre profile to the street.

Architectural expertise able to give informed comment on the proposal is not available within the Council, however based on proportion, geometry and a general aesthetic approach, firstly, the intent to recreate the main facade at a single level destroys the proportions of the building; secondly, what is considered to be the main aesthetic appeal of the building when viewed from the rear, namely the symmetrical hip roof system, will be destroyed and replaced by unsympathetic horizontal and vertical planes; and finally, the window treatment comprising four different styles appears to be totally unsympathetic and out of character with the existing building.

The above matters were discussed with the applicant architects who were adamant that the architectural style of the proposed development was of a similar era and would not be detrimental to the existing building. Agreement was reached that the window treatment should be more in keeping with the existing but apart from that and other minor cosmetic treatment, no changes were proposed.

Under the provisions of the Windsor Planning Scheme the Council may approve the application but in light of the above it is considered that this should not be done unless the applicant architects are prepared to accept amended plans retaining the existing aesthetic elements of the building. Should it come to the point where a refusal may be deemed necessary it is considered that this could be upheld should an appeal result.

Recommendation

Messrs Morrow and Gordon, Architects, acting for the Bank of New South Wales, be advised that Council would be prepared to consent to extensions to the bank building provided that amended plans are submitted retaining the character of the existing building and in particular the symmetrical hip-roof system and sympathetic window treatment.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 18: (File DA 125/82)
 APPLICANT: MRS. A. MAURITZ
 OWNER: MRS. A. MAURITZ
LAND & LOCATION: LOT 9, RESUB. OF PART PORTION 16, PARISH OF
 BILPIN, WOLKA ROAD, BILPIN
 ZONING: I.D.O. 3 COLO - NON URBAN 1(b1)
 APPLICATION: ESTABLISH A RETAIL PLANT NURSERY

S.P. REPORT

The applicant proposes to erect one shed (10m x 10m) for the display of plants and materials and for the storage of tools and fertilizer. It is also proposed to cover an area 30m x 10m with shade cloth for the display and sale of plants. The shed and the covered area have a setback of 40m from the road alignment. Trees have been planted in the area surrounding the proposed development.

The proposal makes provision for 6 off-street parking spaces which is considered to be sufficient for the development. The hours of operation would be from 9 a.m. to 5 p.m. on weekends only.

It is considered that this type of development is suitable for the site and the use is permissible under I.D.O. 3 Colo.

Recommendation

Approval be granted in accordance with the plans submitted subject to the following conditions:

- 1.-5. Standard conditions (a), (b), (c), (i) 6, (z).
6. A detailed plan of landscaping to be submitted and approved by Council prior to operation of the nursery.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 19: (File 80/82)
 APPLICANT: MR. AND MRS. J. VELLA
 OWNER: MR. AND MRS. J. VELLA
LAND & LOCATION: LOT 13, D.P. 244920 DOWLING PLACE, WINDSOR,
 LOCATED ON THE NORTH-EASTERN SIDE OF THE
 CUL-DE-SAC, DIRECTORY REFERENCE C6, MAP 26
 ZONING: W.P.S. - INDUSTRIAL GENERAL 4(a)
 APPLICATION: ESTABLISH A FACTORY BUILDING HAVING A FLOOR
 AREA OF 395M² TO BE USED FOR THE CARRYING OUT
 OF REPAIRS TO FARM MACHINERY

S.P. REPORT

The proposed use is classified as a car repair station and is allowable in an industrial zone with the consent of the Council.

The development will not contravene the provisions of the Windsor Planning Scheme Ordinance however it will be necessary for the proposed building to be set back 5 metres from the closest boundary (being a rear boundary) in order to comply with Council's Industrial Code.

11/5/82

There is no specific parking requirement for car repair stations contained in Council's Parking Code. The seven spaces proposed to be provided are considered adequate for the proposed development. The apron in front of the spaces is to have a minimum width of 6 metres.

Recommendation

The application be approved subject to the following conditions:

- 1.-14. Standard conditions (a), (b), (c), (d), (e), (g), (h), (j), (l), (m), (p), (q), (w), and (x).
15. Seven car parking spaces are to be provided in accordance with the plan accompanying the development application. The apron giving access to the parking spaces is to be widened to 6.7 metres.
16. The proposed building is to be set back five metres from the eastern most rear boundary so as to conform with Council's Industrial Code as amended.
17. No building is to be erected closer than ten (10) metres from the boundary of Dowling Place with the front fence to be erected on or behind this line.
18. The area between the ten metre building line and the street is to be landscaped in accordance with plans required by condition (6) above.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 20:	(File DA41/82)
APPLICANT:	R.F. & P.A. ROTHERHAM
OWNER:	R.F. & P.A. ROTHERHAM
LAND & LOCATION:	PORTION 91 OF PARISH OF MERROO, LOCATED ON THE WESTERN SIDE OF COMLEROY ROAD, KURRAJONG, APPROXIMATELY 700 METRES NORTH OF THE INTERSECTION WITH BLAXLAND'S RIDGE ROAD. DIRECTORY REFERENCE F9, MAP 13
ZONING:	I.D.O. 3 - NON URBAN 1(b1)
APPLICATION:	ESTABLISHMENT OF AN ECOLOGICAL EDUCATION CENTRE WITH HOSTEL STYLE ACCOMMODATION, SALE OF BOOKS, POSTERS, FILMS, SOUVENIRS AND PROJECT MATERIALS, AND A NATIVE PLANT NURSERY

S.P. REPORT

The proposed development is for a total of 10 cabin type buildings to be used as follows:

1. Buildings 4-7 for museums being classified as an educational establishment.
2. Building 2 for a lecture hall being classified as an educational establishment.
3. Buildings 8, 9 and 10 for accommodation units being classified as boarding houses - hostels.
4. Buildings 1 and 3 for an office/store and toilet facilities being ancillary uses.

In addition to the above it is intended to provide a parking area, picnic area and walking trails.

11/5/82

All of the above uses are permissible with the consent of Council in a non-urban B1 zone.

As required by I.D.O. 3 Colo the application has been referred to the Traffic Authority but to date no reply has been received. The application has been discussed with the Police Traffic Branch which advises the Authority and the only matter of concern is the provision of bus parking. A condition will be imposed to ensure this.

While this section of Comleroy Road is not classified as a main road, the application has been referred to the Department of Main Roads which in reply has advised that there is no objection subject to adequate on site parking being provided and the clearing of high grass and low scrub to improve sight distance at the point of access.

There are no specific requirements for the subject development in Council's off-street parking code. It is recommended that parking be provided as follows:

Accommodation Units @ 2 spaces per unit = 6
(6 persons per unit)
Education establishment (lecture hall and museum) = 14
(based on anticipated number of persons of 60 including accommodation)

Total - 20

Bus parking = 2 spaces
Staff parking = 1 space per 2 staff

The subject land is in an Environmental Protection Area and therefore the provisions of Clauses 45 and 46 of I.D.O. 3 will be applicable.

Recommendation

The application be consented to subject to the following conditions:

1. Provision of an on-site parking area to accommodate 20 cars and 2 buses. The access driveway and parking area is to be constructed to the requirements of the Shire Engineer. Particular attention should be given to clearing of scrub and grass at the access point from Comleroy Road to improve sight distance. Adequate space is to be provided on the site to allow for turning of vehicles to ensure forward site ingress and egress.
- 2.-7. Standard conditions (a), (f), (g), (h), (p) and (z).
8. No trees are to be removed from the subject land without the prior consent of Council.
9. Compliance with the provision of Clause 45 of I.D.O. 3 Colo.

Councillor Rotherham declared an interest in this application.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 21:	(File DA110/82)
APPLICANT:	NEWLINE PRODUCTS PTY. LTD.
OWNER:	W.R. SMITH
LAND & LOCATION:	LOTS 1 AND 2, D.P. 210846 WINDSOR ROAD, VINEYARD ON CORNER OF CHAPMAN ROAD OPPOSITE VINEYARD PUBLIC SCHOOL
ZONING:	W.P.S. - NON URBAN 1(b)
APPLICATION:	CHANGE THE EXISTING NON-CONFORMING USE OF A STORE SELLING ANIMAL HIDE PRODUCTS TO THAT OF AN OFFICE IN CONJUNCTION WITH THE DISPLAY AND SALE OF PORTABLE GARDEN AND STORAGE SHEDS

11/5/82

S.P. REPORT

The subject property has operated spasmodically over recent years and because it only has the status of a non-conforming existing use Council can only consent to the proposal if it is satisfied that the use has not ceased for a period of 12 months or more at any time since use first operated as required under the then provisions of the County of Cumberland Scheme and more recently the Windsor Planning Scheme and now the Environmental Planning and Assessment Act, 1979.

There seems to be some contention as to whether the use has continued over the years or whether in fact the use has legally ceased. Council's records make no indication as to whether the use has, or has not, ceased and there have been various conflicting reports depending on the persons asked. There is no doubt that the premises have operated on occasional weekends over the more recent years but it is doubted whether this satisfies the existing use provisions of the Act.

The premises are in disrepair and are an "eye-sore" and there is no doubt that a redevelopment as proposed would enhance the overall appearance of the site.

However, the proliferation of a non-conforming use, where there is an apparent legal opportunity to have such use cease, is contrary to good planning practice.

The onus under the Act of Proof in these cases rests with the applicant and it is not considered that this has been done to Council's satisfaction.

On this basis it is considered that the application should be refused.

Recommendation

The development of Lots 1 and 2, D.P. 210846 Windsor Planning Scheme, Vineyard, be refused as in Council's opinion the existing non-conforming use rights have terminated in accordance with the Environmental Planning and Assessment Act, 1979 and Council is, therefore, not empowered to allow another non-conforming use.

NOTE: The applicant's attention should be brought to the provisions of the Act and legal precedence which place the onus of proof of these types of matters directly with the applicant and that Council is empowered to reconsider the matter should conclusive proof of evidence of continued use be submitted.

Mr. Smith addressed the meeting and advised that he had submitted supporting evidence that the property had been used during the period in question for the sale of various items.

COMMITTEE'S RECOMMENDATION

MR. W.R. SMITH BE advised that the onus of proof for a matter of change of use is directly with the applicant and that as a result of information submitted by him that this will be investigated by Council and a further report placed before Council's Ordinary Meeting on 11th May, 1982.

DEVELOPMENT APPLICATIONS

ITEM 22 : (File DA 818/81)
 APPLICANT: A.V. & M. de Quincey
 LAND AND LOCATION: Hawkesbury River from Windsor to Wisemans Ferry
 ZONING: Not zoned
 APPLICATION: Operation of a river cruise vessel

S.P. REPORT

The applicant proposes to establish and operate a tourist cruise vessel from Windsor bridge downstream to the Wisemans Ferry area and return incorporating other stop-off points as yet not finally determined. The development will require a suitable wharf structure and will generate a demand for parking and possibly other onshore facilities e.g. booking office, toilets etc.

In his submission the applicant has stated that "The aim of the proposed development is to re-introduce the very beautiful and historic Upper Hawkesbury River, Hawkesbury Shire and its founding Pioneers to Local, City, Interstate and Overseas visitors ... we are sure the development will be an asset and a unique Tourist Attraction to the Hawkesbury Shire ... it is proposed that the cruise will be of 3 hours duration, during which a very accurate commentary will be given relating to the early Upper Hawkesbury District and River, its Pioneers and its present status ... to this end we would wish to involve the Hawkesbury Historical Society and or other local experts to assist with the commentary content."

The applicant goes on to indicate that he considers the most suitable area for embarkation is that adjacent to the now redundant Council boat launching ramp and wharf, adjacent to the Windsor bridge, but in discussions it was indicated to the applicant that this might not be the most suitable site and, as such, he was open to suggestions.

The application was referred to the Maritime Services Board who have raised no objection to the proposed operation subject to normal licensing provisions.

The Shire Engineer has indicated that the existing wharfage is inadequate for the proposed use, that there could be some problem for the existing wharf site being utilised for the proposed development in view of lack of parking facilities in the immediate vicinity and that Council has not allocated funds for any improvements to the wharf.

Council at its meeting of 9th March, 1982 recognised that the tourist and recreational use of the River as proposed was desirable and, as such, it is felt that consideration should be given to locating the cruise vessel wharf in the Peninsula area or on an area fronting the River between Palmer Street and the Windsor bridge, presently zoned as an open space reservation, currently in various ownerships, or the adjoining existing open space area under Council's control.

The applicant wishes to seek approval by Council prior to committing funds to the construction of the boat and hopefully seeks to start operations for the coming summer tourist season.

In order to give the applicant an indication of the range of conditions he is to comply with it is felt that Council should approve the application subject to conditions and that the actual wharf location be discussed with the applicant, Shire Engineer, Shire Planner and other relevant authorities and that this matter be submitted to a subsequent meeting of Council.

DEVELOPMENT APPLICATIONS

(ITEM 22 CONTINUED)

A scale model of the boat has been built and will be available for Council inspection at the committee meeting.

Recommendation

Council approve of the application for use of the Hawkesbury River for the establishment of a river cruise vessel to seat a maximum of 50 passengers plus crew subject to the following conditions:

1. Should any food be prepared, stored or displayed for sale on the vessel then such relevant precincts of the vessel shall comply with the requirements of Regulation 77 of the Pure Food Act, and the vessel shall be licensed annually as a "Refreshment Room" under the provisions of Ordinance 69 of the Local Government Act, 1919.
2. All solid and liquid human wastes arising from the use of the vessel shall be collected, treated and disposed to Council's satisfaction. Separate details of such waste collection, treatment and disposal shall be lodged with Council for approval.
3. All solid and liquid trade wastes arising from the use of the vessel shall be collected and disposed to Council's satisfaction. Separate details of such waste collection and disposal shall be lodged with Council for approval.
4. Any noise arising from the use of the vessel shall be controlled so as not to create a noise nuisance to inhabitants in the vicinity of the river route and so as not to contravene the provisions of the Noise Control Act, 1975.
5. Appropriate public risk insurance policies being maintained by the operators.
6. Adequate on-board fire fighting equipment/appliances being provided and maintained by the operators. Separate details of such fire fighting provisions shall be lodged with Council for approval.
7. Adequate provision being made for the securing of the vessel during times of flood
- 8-11 Standard conditions (a) (for any onshore structure), (b), (g) and (q)
12. The construction at applicant's expense of a suitable wharf structure in a location to be determined by Council, such construction to be to the satisfaction of the Shire Engineer, Maritime Services Board and the Public Works Department.
13. The provision of an adequate onshore area for the parking and manoeuvring of buses and other vehicles associated with the development incorporating an area sufficient for the parking of a minimum of 20 vehicles for patrons. (Note: depending on location of the wharf structure in condition 12 above Council may, in lieu of providing all or part of the 20 car spaces, accept a contribution for car parking at the rate applicable at the time, currently \$2,000 per space.)

DEVELOPMENT APPLICATIONS

(ITEM 22 CONTINUED)

14. The submission of details of the proposed stop-off points including land owners' consent and approval by Council prior to their utilisation.
15. The vessel being licensed by the Maritime Services Board and complying with any conditions in respect of such license at all times.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

SUBDIVISION APPLICATIONS

ITEM 1: (File DA785/81, S31/130)
 APPLICANT: MR. W. WILSON (ON BEHALF OF OWNER REQUESTING
 RE-CONSIDERATION OF APPLICATION)
 OWNER: MR. J. MARTINS
 LAND & LOCATION: LOT A (R.P. 99206) 620 GEORGE STREET, SOUTH
 WINDSOR
 ZONING: W.P.S. - PART RES 2(d) AND PART RES 2(a)
 APPLICATION: SUBDIVISION INTO ALLOTMENTS
 OBJECTIONS:

S.P. REPORT

This application was dealt with by Council at its meeting of 12/1/82 and refused as it was considered prohibited under Clause 44(1)(a) of the Windsor Planning Scheme in that it proposes an allotment under the prescribed minimum frontage requirements. The allotment in question was a battle axe lot with a frontage of 4m. whereas the minimum frontage requirement is 18m. This clause apparently contains a wording anomaly as most similar clauses in planning instruments exclude battle axe lots from the minimum requirements.

The wording has been altered in the new Hawkesbury L.E.P., presently with the Department of Environment & Planning, to cater for this and as it is only a matter of interpretation of Clause 44 of the Windsor Planning Scheme it is now considered that Council can properly approve of the subdivision and, in fact, it it were not for the fact that the matter has already been refused it could have been dealt with under SEPP 4.

Recommendation

Approval be granted subject to the following conditions:-

- 1-3. (Standard Conditions E.P.A. Act) 2, 8 (\$840), 9.
- 4-11. A(i), A(iiv), A(iv) as part of the land does not drain to existing sewer main, site of house to be approved by the Shire Engineer, A(v), A(vi), A(viii), A(ix), A(xi).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File DA253/81)
 APPLICANT: K.P. O'DONNELL
 OWNER: METRONA PASTORAL CO. PTY. LTD. - LOT 7
 G. & M. STRINGER - PT. POR. 178
 LAND & LOCATION: LOT 7, D.P. 236535 MOUNTAIN VIEW CLOSE,
 KURRAJONG, PT. POR. 178 PARISH KURRAJONG OFF
 HERMITAGE ROAD, KURRAJONG. EASTERN SIDE
 HERMITAGE/MOUNTAIN VIEW CLOSE, DIRECTORY B4,
 MAP 8
 ZONING: I.D.O. 3 COLO - NON URBAN 1(b1)
 APPLICATION: AN ADJUSTMENT OF BOUNDARIES INVOLVING
 SUBDIVISION

S.P. REPORT

This application was first lodged on 14th April, 1981, however the authority of the principal landowner involved in the adjustment was received by Council on or about 14th April, 1982, together with an amended plan of proposed subdivision identified by reference 80/103/7P.

11/5/82

The submission proposes a minor adjustment of boundaries between the holdings of adjoining land-owners to provide physical access to the presently land-locked Pt. Portion 178, Parish Kurrajong and is in conformity with the provisions of clause 22(1)(b) of Interim Development Order No. 3, Shire of Colo, and may be approved.

Recommendation

Approval be granted to the development of Lot 7, D.P. 236535 Mountain View Close and Part Portion 178, Parish Kurrajong off Hermitage Road, Kurrajong generally in accordance with the plan submitted with the application and identified by reference 80/103/7P subject to the following conditions:

- 1.-3. Standard conditions 2, 9 and 12.
4. The provision of an all weather access to the main body of the larger allotment resulting from the adjustment, such access to be constructed at applicant's expense to the requirements of Council's Engineer, plans and specifications of that access to be submitted to and approved by Council's Engineer prior to commencement of any construction.
5. The smaller allotment resulting from the adjustment shall have an area of not less than 2.031 ha. whilst the larger allotment resulting from the adjustment shall have an area of not less than 10 ha.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3:	(File DA118/82, S82/19)
APPLICANT:	L.Z. CLARK
OWNER:	L.Z. CLARK
LAND & LOCATION:	LOT 3 DP.575467 PEBBLY HILL ROAD, CATTAI, LOCATED ON THE EASTERN SIDE OF ROAD AND BOUNDED ON THE NORTHERN SIDE BY REEDY ROAD
ZONING:	W.P.S. - NON URBAN 1(C)
APPLICATION:	SUBDIVISION CREATING 5 ALLOTMENTS AND OPENING A NEW ROAD

S.E. REPORT

Access to the area from Pebbly Hill Road is above the 16m. contour. Road widening will be required along Reedy Road to provide for the future construction with adjustment of the allotment boundaries to comply with the minimum area requirements.

S.P. REPORT

The subject site has an area of approximately 13.5 ha. and it is proposed to subdivide the site by creating 4 allotments with areas of approximately 2 ha and the remaining allotment with an area of 3.09 ha. Each allotment will have access from the proposed new road and one of the proposed allotments will also have access from Pebbly Hill Road.

Part of the site is below the 1 in 100 year flood level (16m contour line), however there is adequate land in each of the proposed allotments to permit the erection of a dwelling house.

The application complies with the requirements of Council's subdivision code and with the W.P.S.O.

11/5/82

Recommendation

Approval be granted in accordance with the plans submitted with the application, subject to the following conditions:-

- A. 1-4. Standard conditions (subdivision) 2, 8(\$960), 9, 12/
- B. 1-11. Conditions of Approval A(i), A(ii) to provide for 70kph design speed on Reedy Road; A(iii), A(v), A(vi), B(i), B(ii) rural, B(iv), B(vi), B(vii), B(viii).
- 12. Construction of proposed new road complete with all work required at the intersection with Reedy Road.
- 13. Provision of 6m corner splays at the intersection of the new road with Reedy Road together with additional land in the eastern side to provide 100m site distance.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4:	(File DA96/82)
APPLICANT:	W.M. PAYNTER
OWNER:	W.M. PAYNTER
LAND & LOCATION:	LOT 12 D.P. 613791; LOT 554 D.P. 43738 & PT. PORTION 21 PARISH WILBERFORCE, SACKVILLE ROAD, EBENEZER, WESTERN SIDE ROAD, DIRECTORY B9 MAP 16
ZONING:	I.D.O. 3 COLO - NON URBAN 1(b1)
APPLICATION:	ADJUSTMENT OF BOUNDARIES IN CONJUNCTION WITH SUBDIVISION
OBJECTIONS:	

S.P. REPORT

The allotments offered for adjustment together form a parcel of land that is reasonably regular in shape has a combined area of approximately 24.5 ha. and is considered suitable for adjustment and subdivision in the manner proposed.

The three existing allotments are capable of development under the terms of the Instrument, the larger by subdivision, the two lesser by the erection of dwelling houses.

The allotments resulting from the proposed adjustment are considered preferable to those existing and, whilst the residual land is subject to flood inundation each allotment created contains land that is at, or above the level expected to be reached by the one in one hundred year flood.

The proposed adjustment and subdivision complies with the requirements of Clauses 19(2), 20(2), 21(1) and 22(1)(f) of the instrument and may be approved.

Recommendation

That development consent be granted to subdivision in accordance with drawing number 8132/1 submitted with the application and subsequently amended on 16th April, 1982 subject to the following conditions:-

- 1-4. Standard conditions 2, 8(\$320), 9, 12.

11/5/82

5. Provision of an all weather vehicular access to the main body of the proposed Lot 3, such access to be constructed to the requirements of Council's Engineer.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File DA128/82)
 APPLICANT: A.J. CAMPTON
 OWNER: C. & K. DALLEY
 LAND & LOCATION: LOT A, D.P. 378820 OLD PITT TOWN ROAD, CORNER
 OLD PITT TOWN AND SAUNDERS ROADS, OAKVILLE
 ZONING: W.P.S. - NON URBAN 1(c)
 (2ha minimum size)
 APPLICATION: SUBDIVISION CREATING 4 ALLOTMENTS

S.E. REPORT

A bitumen surfaced road exists on the two property frontages.

S.P. REPORT

The subject land has an area of 9.02 ha. with frontages to Saunders Road and Old Pitt Town Road of 242m and 248m respectively. Three of the proposed allotments will have areas of 2ha. with the fourth utilizing the residue, 3.02 ha. The larger lot has a battle-axe shape to accommodate two large dams which effectively take up the axe head component. Given the circumstances this irregular shape is considered acceptable.

Recommendation

Approval be granted in accordance with the plans submitted, subject to the following conditions:-

- 1-4. A. Standard Conditions (Development Application) (2), (8 - \$720), (9) & (12).
5. The demolition of sheds encroaching the boundaries of the proposed lots 101, 102 and 103.
- 6-10. B. Standard Conditions (Subdivision Application) A(i), A(ii)
 Provision of 7.5m. splay corner at the intersection of Old Pitt town road and Saunders Road, A(iiv), A(v), A(vi).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

CORRESPONDENCE

ITEM 1: (File A2/20, A2)

CORRESPONDENT: WINDSOR CHAMBER OF COMMERCE

SUBJECT: DEVELOPMENT OVER HOLLAND'S PADDOCK CAR PARK

It was decided that the property be inspected. The property was inspected at approximately 4 p.m. See later report.

ITEM 2: (File 267(W))

CORRESPONDENT: P. FISHER, ADESE PTY. LTD.

SUBJECT: NO. 51 BOSWORTH STREET, RICHMOND

The correspondent has requested Council's support to the preparation of a Draft Local Environmental Plan for a proposal to erect a residential flat building Class "B" containing 7-8 villa units on the subject site.

The property is zoned Pt. Residential 2(a) and Pt. County Road Widening Reservation under the Windsor Planning Scheme. The existing dwelling on the site is affected by a Section 130 Order under the Heritage Act. The site has an area of 2359m² and the area included in the road widening reservation is approximately 390m².

The correspondent's proposal is to retain the existing dwelling and to erect the proposed development at the rear. The correspondent has advised that the development would be designed embodying design principles reminiscent of the nineteenth century and that the development would be in complete harmony with the historic cottage complementing it with a well designed attractive building.

The correspondent did not submit a plan of the proposal with the request. However, providing the development was designed in sympathy with the existing dwelling and the development complied with the requirements of Council's code, there is merit in the proposal.

Recommendation

1. Council prepare a draft Local Environmental Plan over No. 51 Bosworth Street, Richmond, in support of the correspondent's proposal and that the matter be forwarded to the Department of Environment and Planning along with the necessary map and information required by Clause 5 of the Regulation of the Act.
2. The Department be advised that in Council's opinion an environmental study is not required.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File D2/7/68)

CORRESPONDENT: S. & C. MANSLEY

SUBJECT: EXTENSION OF USE OF EXISTING APPROVED RADIATOR REPAIR AND AUTO AIR CONDITIONING BUSINESS

LAND: LOT 1, R.P. 34001, 329 GEORGE STREET, WINDSOR

11/5/82

S.P. REPORT

The correspondent has requested Council approval to his selling motor vehicle spare parts and accessories along with the existing radiator repairs. The air conditioning content of the approved use was never carried out but the sale of batteries and suspension parts, being part of the original use of tyre sales, has continued.

The zoning of the land is presently residential 2(c) and as such the use is non-conforming within the zone. The proposed zone under the Varying Scheme is Special Business 3(b) within which the proposed use would conform. The sale of motor vehicle spares and accessories is seen as a normal aside to a business of this nature, however cannot be approved by Council at this time.

Recommendation

The correspondent be advised that Council sees merit in his proposal but that it cannot be approved within the existing residential zone but Council will be in a position to approve of an application for the proposed use when the Varying Scheme changing the zone to Special Business 3(b) is gazetted.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File 1148(W))
CORRESPONDENT: I.L. MEAKIN
SUBJECT: NO. 12 EAST MARKET STREET, RICHMOND

The correspondent has requested Council's support to rezone the above property to General Business 3(a). The property is currently zoned Special Business 3(b) and is being used as a medical centre. The correspondent has advised that a 3(a) zoning would assist him in the long term planning for his property pending the retail and commercial growth of the district.

Under the varying scheme it is proposed to rezone a property adjoining the subject property to a 3(a) zoning, however, the subject property and other surrounding it will retain the 3(b) zoning.

The subject property may be classed as being within a fringe retailing area where a 3(b) zoning is suitable. The main retail centre of Richmond lies between Bosworth and West Market Streets. It is therefore considered that a 3(b) zoning is suitable for the subject property and should be retained.

The correspondent should be advised that the Hawkesbury Draft Local Environmental Plan which contains the varying scheme will be exhibited at which time he may make a further submission. Such a submission would be assessed having regard to the prevailing conditions of retailing in Richmond at that time.

Recommendation

1. Council not support the preparation of a Local Environmental Plan to permit No. 12 East Market Street, Richmond, being rezoned to General Business 3(a).

11/5/82

2. The correspondent be advised that Council considers that the present Special Business 3(b) zoning is more suited to fringe retailing areas. However, Council will consider a further submission from the correspondent upon exhibition of the Hawkesbury Draft Local Environmental Plan which plan incorporates the Windsor Planning Scheme Varying Scheme.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SECTION B - LETTERS SUBMITTED FOR INFORMATION

IT IS RECOMMENDED THAT the letters in this section be received and appropriate replies forwarded where necessary.

1. DEPARTMENT OF ENVIRONMENT & PLANNING - 335 WINDSOR STREET, RICHMOND.
DA343/81.

Advising that the Minister for Planning & Environment has approved of the making of a Local Environmental Plan to permit use of the land for the sale of antiques, paintings, bric-a-brac and the like.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

SHIRE PLANNER'S REPORT

ITEM 1: (File P160/40)

SUBJECT: CHANGE OF USE OF PREMISES

The following is a list of changes of use or minor subdivisions notified in accordance with State Environmental Planning Policy No. 4.

<u>Property</u>	<u>Proposed Use</u>
Lot 24 Walker Street, Windsor	Detailing of used cars
72A Old Bells Line of Road, Kurrajong	Hairdresser
Lot 19 Francis Street, Richmond	2 lot subdivision
Shop 8, 285-289 Windsor Street, Richmond	Coffee Lounge
Lot 102 Slopes Road, Kurrajong	Adjustment of common boundary

Recommendation

The report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File 68A/191/77)

SUBJECT: EXTRACTIVE INDUSTRY - EAST KURRAJONG - GOLAC

The above extractive industry was approved by the Planning and Environment Commission in March 1979 subject to fourteen (14) proposed conditions. In the consent subsequently issued by the Commission in June only two (2) of the original conditions were included.

In June 1981 Council resolved to institute legal action in relation to a number of matters including - unauthorised structures, extractive operations outside the area of approval, restoration, movement of heavy vehicles and the construction of silt traps.

The matter was subsequently referred to Council's Solicitor in June and he initiated action in having appropriate affidavits and statements prepared. At the same time the matter was referred to the State Pollution Control Commission.

In July a Judge of the Land and Environment Court was approached by Counsel for Council seeking ex parte orders relating to the operation. These were not granted, instead a hearing was set down for the parties. At that hearing terms of settlement were discussed and verbally agreed to. These were subsequently drafted by Counsel Mr. N. Hemmings and forwarded to Council in September 1981.

At its October meeting Council concurred with the terms and, accordingly, advised its solicitor. In November the State Pollution Control Commission advised that the Company had failed to provide evidence as required by them of the stability of a dam constructed in a natural watercourse. They indicated that the Company had been instructed to cease all works.

11/5/82

In November the Solicitor for Golac advised that the terms of settlement were not acceptable and that the company directors were considering alternatives. The matter was pressed with the Company and, in December, its Solicitor advised that Mr. Howarth, director of the Company, was gravely ill having undergone major surgery. It was, therefore, impossible for him to receive instructions. Again the matter was pressed by Council.

On 9th December, the Shire Planner discussed with Mrs. Howarth the Company's operations. She indicated that her husband was unlikely to be in a position to undertake Company activities for some considerable time and in the meantime, a Mr. Cooper was to be Mr. Howarth's representative.

Mr. Cooper was contacted and he indicated that an auction was to be held to sell all the plant on lease to the Company, leaving a few small items. He indicated that he intended to comply with the notice of the State Pollution Control Commission. At that time it was decided to take no further action while the State Pollution Control Commission had action in hand. This action, in fact, would have rectified the major adverse impact of the development.

At the same time, the Court was asked to leave Council's action in a position where it could be restored with seven day's notice.

The Committee will be aware that the Company did not subsequently comply with the notice of the State Pollution Control Commission and that the Commission subsequently prosecuted. At the second hearing the company indicated that it intended to defend the matter. The hearing is now set down for June. Since that time Council has approached the State Pollution Control Commission seeking advice as to why injunctive action has not been sought. It is understood that the Commission is considering this course of action currently and advice in this regard should be available to the Committee.

In the meantime Council's Solicitor has been instructed to restore Council's action in the Land and Environment Court and this is taking place.

Recommendation

The information regarding the extractive industry at East Kurrajong be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3:

SUBJECT: WHEENY CREEK STUDY AREA

Council has received correspondence from Mr. A.H. Bow of Revesby requesting Council to give favourable consideration to approving the resited dwellings he has placed on freehold land within the Wheeny Creek Study Area. At this time the matter has been referred to the Department of Environment and Planning, who have a direction over the area requiring the referral of all development matters and to the Inter-Departmental Committee that has been set up by the Minister for Environment and Planning to determine a plan of management for the area.

Council's concern at the considerable time that has elapsed since the Study Area was first declared, and since the development took place, has been expressed to both bodies.

11/5/82

Recommendation

The information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File B27/4)

SUBJECT: WOLLEMI NATIONAL PARK

At a recent meeting of the Bushfire Captains it was resolved that the brigades be represented on the Interdepartmental Committee by either Council's Fire Control Officer or the Blaxlands Ridge Brigade Captain.

The Interdepartmental Committee was set up by the Ministers for Planning and Environment and Local Government and Lands, and Council's representative was determined at one representative similar to the other organisations involved, being the Lands Department, the National Parks and Wildlife Service and the Department of Environment and Planning. Council's representative is the Shire Planner.

It is unlikely that the Ministers would accept additional membership from one organisation without accepting the same from others, thus making the Committee an unworkable size. What is acceptable, however, are advisers to the individual representatives on individual matters. The matter has been discussed by the Shire Planner with the Fire Control Officer and this liaison will be maintained during the period of operation of the Committee.

In order to keep committees at workable sizes, and in an endeavour to achieve early results, it is desirable to have only one representative on technical committees and for that representative to liaise with other experts when required. In this instance the major matter is that of planning and, therefore, the Shire Planner was nominated as the representative.

Recommendation

That the Bushfire Captains be advised that Council was only allowed one representative on the Interdepartmental Committee, as were all organisations. Further, the Council's representative is the Shire Planner and he will liaise with the Fire Control Officer on all matters regarding fire management as they affect the plan of management.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File DA731/81)

SUBJECT: E.M. & W.C. DUNSTAN, LOT 11 SECTION P, NO. 20
ARGYLE STREET, SOUTH WINDSOR

Council at its meeting of 8th December, 1981 resolved to not grant consent to the use of existing buildings on the subject land for the establishment of a plumbing/drainage business and the storage of trucks, plant and equipment.

Messrs. Smail, Rhodes and Company, Solicitors, representing the applicants have written:

11/5/82

"Mr. & Mrs. Dunstan have instructed us to proceed on their behalf in the Land and Environment Court by way of appeal against the Council's resolution of 8th December last refusing their application to use the premises at 20 Argyle Street for their plumbing and drainage business.

You will recall that the subject site has existing use rights for panel beating and spray painting. Our clients were of the view that their proposed use thereof would be far less objectionable than the present use and they were therefore most surprised to hear of the Council's rejection of this proposal, notwithstanding that an objection was lodged by an adjoining owner or owners.

Prior to us instituting proceedings in the Land and Environment Court we think that the Council should reconsider the matter and we ask therefore that it be re-submitted for this purpose. We can provide evidence of the benefit to the locality of the proposed changed use and of the investment in the premises by Mr. & Mrs. Dunstan in the belief that they would be able to carry out their business there. These are factors which we think have not been given due weight by the Council. The Council's own wishes to direct development into the South Windsor Industrial Area should, we consider, have no relevance in this context.

We believe that our clients will succeed in their appeal. We do not, however, wish to waste their money and the Council's on a lengthy hearing which could be avoided. It is for this reason that we seek a re-consideration by the Council of its decision herein."

The application has been re-examined having regard to the arguments advanced in the request for reconsideration and the following assessment is presented for the guidance of Council:

- That the premises have an existing use right as a panel beating and spray paint workshop is not disputed however capital investment is necessary for the buildings to be made to conform with the requirements of Ordinance 70 to enable premises to continue to be registered under the Shops, Factories and Industries Act; and
- That Council is empowered to consent to a change of use from an existing non-conforming use to another, different non-conforming use is not disputed however for Council so to do would effectively perpetuate a non-conforming use of prime residential land.
- The land is presently zoned Residential (a) which zoning provides for development of the land by the erection of either a dwelling house or a Residential Flat Building Class "A" (two dwellings) whilst the Varying Scheme proposes that the land be zoned Residential 2(c) which zoning would provide for development of the land by the erection of a residential flat building containing not more than eight (8) units.
- It is considered that approval of the application would be contrary to the best interests of the public in that such an approval would establish a non-conforming use more capable of resisting economic and social pressures for redevelopment of the land for residential purposes.

Recommendation

That Council re-affirm its decision of 8th December, 1981 that approval be not granted for the use of Lot 11, Section P, No. 20 Argyle Street, South Windsor as a plumbing/drainage business premises, including storage of trucks, plant and equipment, on the grounds that:-

11/5/82

1. The proposed use is contrary to the provisions and intent of the Windsor Planning Scheme and the proposed Varying Scheme, which schemes recognise the land as being best suited to residential use;
2. Approval of the application would prolong the adverse effect on the amenity of the surrounding residential area by the establishment of a non-conforming use more capable of resisting the economic and social pressures to re-develop the site for residential purposes.
3. Approval of the application would be contrary to the best interests of the public in that it would preclude the development of the site for its best and fairest use, that of housing.

The Shire Clerk advised that Mr. George Rhodes, Solicitor for the applicants, had rung this morning and asked if the item could be deferred as he wished to make a further submission.

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE deferred.

ITEM 6:

(File 3657-2)

SUBJECT:

LAND AT PORT ERRINGHI

Councillor Knight has requested information regarding the purported dedication of land for public purposes at Port Erringhi. The following information is given as a result of a search of Council's files.

No officer who dealt with the matter is still employed by Council.

In early 1960 Council considered a subdivision of Portion 489 and part Portion 120 in the Parish of Wilberforce. The proposal was to create 50 residential sized lots with several areas being designated for recreational use. Pursuant to a direction previously issued, the matter was referred to the then State Planning Authority for their concurrence and consent. A condition of the eventual approval was that an area, namely Lot 54 DP 232576, be purchased by Council for a nominal sum. The contract for the sale was to provide that the transfer of such land was not to take place for 10 years from the date of contract. A search of records reveals that the contract date was 14th March, 1966.

A Mr. & Mrs. Ellis were the contractual parties with Council. Mr. Ellis passed away on 23rd August, 1971 and the title of the land passed to Mrs. Ellis. On 31st August, 1971 Mrs. Ellis transferred the land to Port Erringhi Pty. Ltd. presumably without the knowledge of the contractual arrangement referred to above for a consideration of \$62,500.

In February 1979 the Shire Clerk wrote to the Planning and Environment Commission referring to the approval of the State Planning Authority requesting any documentation held by the Commission relating to the condition of approval requiring transfer of the land. At the same time, a search was undertaken of the land's ownership and any encumbrances, and Council's solicitors requested to advise regarding any actions they had in the matter. The search indicated that the land was owned by Port Erringhi Pty. Ltd. with the only encumbrance being a mortgage. Subsequently, there was considerable correspondence with Council's solicitor and the Planning and Environment Commission.

In May 1980, as a result of Council becoming aware that the property was under sale, a caveat was lodged against the title. Later in 1980 the caveat was removed upon advice from Council's solicitor that, in his opinion, Council was unlikely to survive an appeal and, in fact, be involved in substantial damages in maintaining the caveat.

11/5/82

In withdrawing the caveat Council pursued with the purchasers of the land the registration of a restriction as to user, restricting all future use on the land to that existing at the date of purchase. Agreement was reached with the landowner, the land surveyed by Council's Surveyor and photographed. As a result, a restriction as to user has been registered on the title of land in Volume 10641 Folio 54 under the Common Seal of the Shire of Hawkesbury being affixed by resolution of 15th April, 1981. The restriction applies to the registered proprietors and their respective executors, administrators and assigns, including purchasers and restricts the use of the land for any other purpose other than that for a swimming pool, weatherboard shed, recreation sheds and portion of one caravan - all of which are existing on the land at present.

Recommendation

That the information regarding land in Volume 10641 Folio 54 off Port Erringhi Road, Ebenezer be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File 372/5, A2079/002, L2/80)

SUBJECT: LAND - BOWMAN & HOBART STREETS, RICHMOND

Solicitors acting for the owner, Mr. N. Caruso, of Schofields, of land being Lot 12 Bowman Street and Lot 14 Hobart Street, Richmond have indicated that their client wishes to build on the sites notwithstanding advice that the land is proposed to be zoned Reserved for Special Uses (Drainage) in the Varying Scheme. The land is currently zoned Residential 2(a).

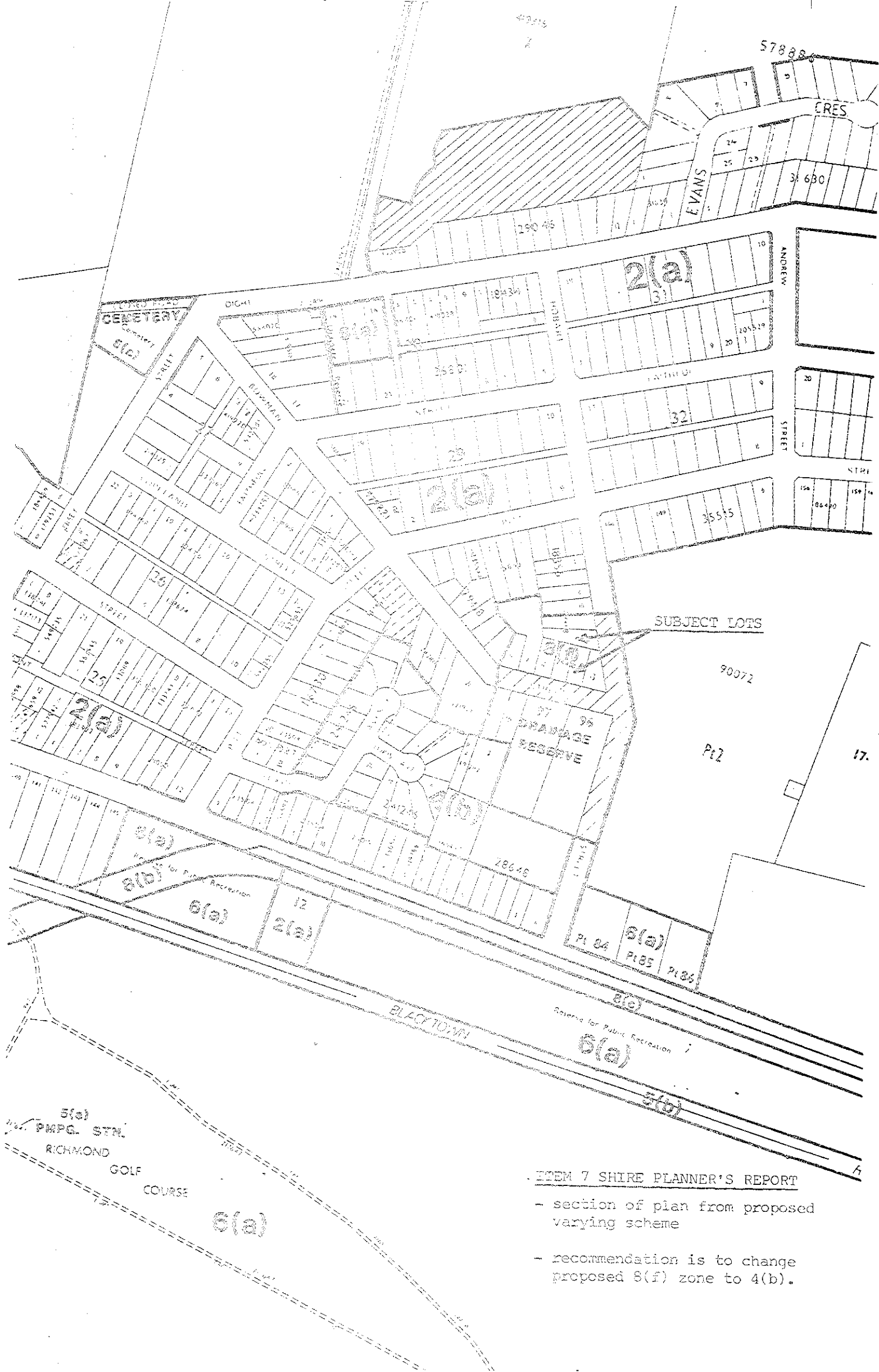
The land is immediately west of the R.A.A.F. Base and within one of the highest noise exposure levels as determined by the Department of Defence.

The land is in part of a depression that does not drain at present. The general area is proposed as part of the Richmond Drainage Scheme and this requires a pipeline from the bend in Bowman Street to be taken north west back through the crest to discharge on the Richmond Lowlands. This work is listed initially as Stage 3 of the major Richmond Drainage Scheme. At present the drainage is by absorption, with overflow towards the R.A.A.F. Base.

In 1979 a refusal by Council to build on Lot 10 Bowman Street was subsequently approved by the Local Government Appeals Tribunal subject to conditions relating to the construction of Bowman Street and appropriate building matters.

In the Varying Scheme, adjoining land to the west off Lukis Avenue is proposed to be zoned Light Industrial. If the subject land remains zoned Special Uses, then Council would be required to acquire the land and only be able to use it in the future for open space purposes. There is no demand in the immediate locality for open space and the area is generally not suitable. In view of the inadequate drainage of the area and the proximity of the flight path, the two lots in question and surrounding land are not suitable for residential purposes, but would be suitable with appropriate drainage to light industrial purposes and resolve the issue of acquisition.

It is considered that Council should object to the proposed rezoning to Special Purposes when the Scheme is placed on exhibition in the near future and propose a zoning of Light Industrial. Light industrial development with appropriate drainage would be suited to the land.



ITEM 7 SHIRE PLANNER'S REPORT

- section of plan from proposed varying scheme
- recommendation is to change proposed 8(f) zone to 4(b).

11/5/82

Recommendation

That Gubbay & Erickson be advised that Council is not prepared to allow residential development on Lot 12 Bowman Street and Lot 14 Hobart Street, Richmond, but is prepared to object to the proposed zoning of Special Uses in the Varying Scheme and propose a Light Industrial zoning when the Scheme is placed on exhibition in the near future. Further, that subsequent light industrial use of the land would be subject to Council's normal code and provisions related to the drainage of the area generally.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8:

(File 2813)

SUBJECT:

PROPOSED SUBDIVISION - PORTION 290 PARISH OF
KURRAJONG - BOWEN MOUNTAIN

Council at its meeting of 9th February, 1982 resolved not to support a proposal to subdivide the above land as it was outside the minimum provisions of the current planning instrument and not recognised as having subdivision potential in the Council's Rural Lands Policy. The proposal was to subdivide the land into a number of large sized residential lots.

The applicants' consultants have now written to Council requesting reconsideration of the matter for the following reasons:-

- the land has distinct natural and developed qualities which make it suited to large lot residential subdivision;
- no inspection has been made of the site to appreciate its potential;
- the major issues of servicing could be resolved and a modified proposal put forward.

The subject land is in a similar position to a number of other lots in this vicinity and surrounding other residential areas of the Shire. It does have a degree of natural beauty and, possibly, some future potential for subdivision when the issues of servicing, nature conservation, the development of other residential areas, etc., are resolved. At the present time, there are no particular attributes of this lot that do not apply to others in the area. The other issues inherent in the further subdivision of rural lands and their consequences were discussed in detail in the Rural Lands Policy and still apply.

Recommendation

That Colin C. Donges & Associates be advised that Council adheres to its decision not to support a variation to allow for residential subdivision of Portion 290 in the parish of Kurrajong, Kurrajong Lane, Bowen Mountain.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 9: (File 182)

SUBJECT: PROPOSED SUBDIVISION OF LAND - KURRAJONG HILLS

Council has received correspondence from Melba J. Austin, solicitor, and E.H. Ness and T.J. Buckett, the executors of a will by Helen Ness late of Bells Line of Road, Kurrajong Hills.

In part the will states that part of land in Certificate of Title Volume 2559 Folio 117 and being Lot T as indicated on a sketch annexed to the will, is to be given to Ronald Geoffrey Ness, the son of the late Helen Ness.

Further, the will states that should the Local Government regulations at the time of her death prevent the subdivisions as proposed being put in effect, then the lots as defined are to be given to the persons nominated as joint tenants until such time as they release the right.

There are two subdivisions proposed in the will - one requires the adjustment of boundaries between two lots and which may be approved by Council. The other - the one subject to this report - requires the excision of a lot regular in shape and having dimensions of 64m x 44m from an area of approximately 3 hectares.

It is stated by the persons involved that Mrs. Ness granted the land to her son in the late 1950's and since that time he has established a shed for the storage of his truck and other associated equipment in conjunction with his business. Due to family circumstances, the land was never transferred, although this would have been possible during the 1950's.

It is not possible under the current planning instrument for Council to approve the subdivision as proposed.

The circumstances surrounding the matter are different from all others where subdivision outside the existing planning instruments has been proposed and not one likely to create any precedent except in similar circumstances, including being denoted in a will.

The appropriate application and fee has been submitted for consideration by Council with a view to supporting a draft local environmental plan. The matter has been discussed with the trustees of the will and, while an order could be sought from the court to have the subdivision allowed, in the particular circumstances it is considered reasonable that Council support the proposal.

Recommendation

That Council resolve to prepare a draft local environmental plan for a subdivision of land being that contained in Volume 2559 Folio 117 Bells Line of Road, Kurrajong Hills in accordance with the will of Helen Ness dated 9th June, 1981 as witnessed by Melba J. Austin, Solicitor of Kurrajong Heights.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

11/5/82

ITEM 10: (File 3363)

SUBJECT: LIGHT INDUSTRIAL LAND - CNR. WINDSOR & PAGET
STREETS, RICHMOND

Council has received correspondence from Elap Pty. Ltd., who are the owners of land around the south western side of the intersection of Windsor and Paget Streets and being Lots 1, 2 & 3 Windsor Street and Lots 2, 3 & 4 Paget Street. All of the land is currently zoned Light Industrial. In the Varying Scheme the land fronting Windsor Street is proposed Special Business with that fronting Paget Street remaining Light Industrial. The land in Paget Street adjoins the boundary of the railway. The adjoining zones in Paget and Windsor Streets are Residential 2(c).

The company has requested a change in the proposed zoning to Special Business for the land proposed to remain as Light Industrial in Paget Street.

The land in Paget Street to remain Light Industrial consists of two vacant lots and two with residences, one associated with a small light industrial use in a building at the rear of the residence. The purpose of the area remaining Light Industrial could have been to protect this use. The use would be protected no matter what the zoning, however, the Light Industrial zone would allow the present use to expand and the other lots to be developed for industrial purposes in a street where the dominant use is residential. Opposite the industrial zone in Paget Street is a substantial block of flats that adjoin the railway line.

A rezoning of the Light Industrial to Special Business is considered the best for the lots concerned.

Recommendation

That Elap Pty. Ltd. be advised with respect to its land, being Lots 2, 3 & 4 Paget Street, Richmond, that Council is prepared to object to the existing Light Industrial zone when the Scheme is placed on exhibition in the near future on the basis of having the land rezoned Special Business 3(b).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 11: (File P160-25)

SUBJECT: URBAN LAND RELEASES AND CONSOLIDATION

Submitted for the information of the Committee. See later report.

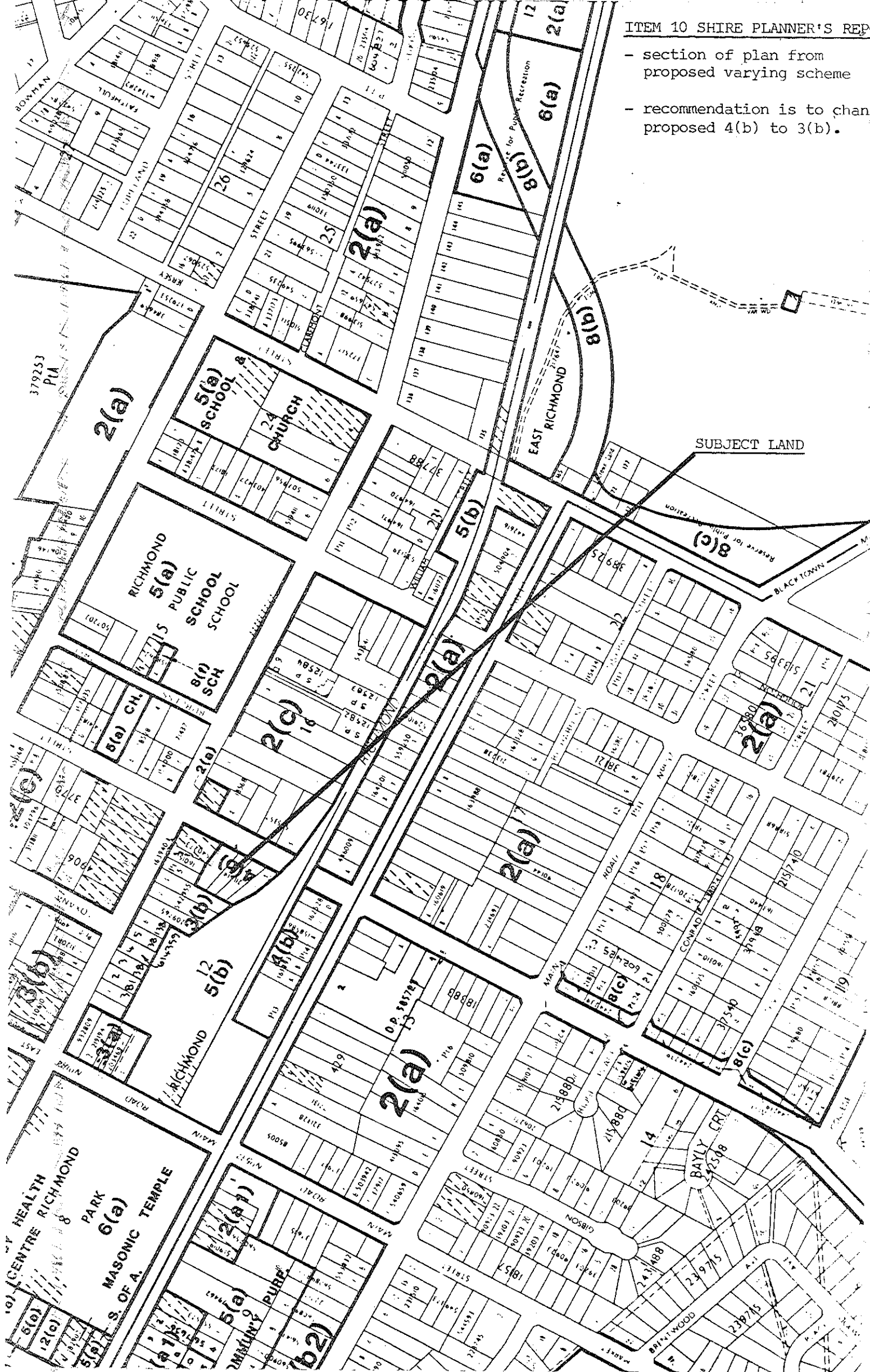
ITEM 12: (File 68A/234/77)

SUBJECT: APPEAL - J.C. FITCH - GREYHOUND ESTABLISHMENT,
YARRAMUNDI

In October 1976 Council received a development application from J.C. Fitch proposing the establishment of a greyhound stud incorporating a trial track on land being Lot 8 D.P. 557489 Mountain Avenue, Yarramundi. In December 1976 Council refused the application on a number of grounds. Subsequently, in March 1977, the applicant lodged an appeal against Council's decision with the Local Government Appeals Tribunal. The appeal was not proceeded with until 1979 when the Land and Environment Court allowed the matter to be heard before the Senior Assessor, N.R. Bignold.

- section of plan from proposed varying scheme

- recommendation is to change proposed 4(b) to 3(b).



11/5/82

Council has now been forwarded a copy of the decision whereby the Court orders as follows:

- " 1. That the application be allowed.
2. That the final orders of the Court to be stayed pending submission to the Court of -
 - (i) appropriate plans depicting the development proposal as referred to in the reasons for decision;
 - (ii) draft conditions of consent as agreed upon by the parties.
3. That the matters referred to in Order 2. be filed in Court within three (3) months of the date of these orders and in the event of the parties not agreeing to the conditions of consent that liberty be granted to either party to apply to the Court for further directions and orders.
4. That upon satisfactory compliance with order 2. and 3. formal development consent, subject to appropriate conditions, be granted.

Ordered: 4th March, 1982. "

The decision of the Court is lengthy and, in fact, takes twenty five foolscap pages. Certain findings are made at law adverse to Council's submissions relating to the use of that part of the land that is flood liable. The Court has indicated its willingness to approve of part of the development over the land that is flood liable as shown on the maps that form part of the planning instrument. Clause 47 of the instrument that relates to flood liable lands states in part that floodway lands and fringe lands may be developed for the purpose of agriculture, caravan parks, forestry, open space, picnic grounds and amenity blocks, roads and subdivision and for purposes ancillary thereto with the consent of the Council, but for no other purposes. The instrument describes separately from agriculture the use of "stock home", this being a building or place where cats, dogs or horses are bred or trained or accommodated and nurtured for gain or reward. This definition was placed in the order in 1978 as a result of a number of legal cases where it was held that the training and accommodation of cats, dogs or horses was not agriculture, but commercial.

In this current matter the Court has held that there could be ambiguity in relation to the categories of development "agriculture" and "stock home" in so far as the two terms overlap, thus allowing that part of the development proposed, being the trial track, to be located on flood liable lands.

Neither the Council in dealing with its planning instrument, nor the Department of Environment and Planning, have ever made this interpretation, but seen the two definitions as being entirely separate. In this instance, however, one must weigh the rest of the decision with the interpretation of the definitions. Overall the Court has a mind, indicated through the decision, to approve the development as proposed. any legal challenge by Council would be on the Court's interpretation of the definitions and even if this were successful, it is unlikely that the Court's decision would be changed.

Originally the development application proposed the establishment of a substantial greyhound development, including a trial area open to the general public. This was subsequently modified for the Court to one of a private nature. This reduced scale of development and the requirement for the applicant to place a revised proposal before the Council prior to any approval being granted, enables the Council the opportunity to impose conditions appropriate to minimise any impact from the development on surrounding lands and their residents.

11/5/82

At the same time Council can take action to remove from the definition of "agriculture" the purposes included in the definition "stock home" and thus remove the possibility of the same decision being made in the future.

To date the applicant has not made any submissions to Council relative to the decision.

Recommendation

That Council, as a result of the decision by the Land and Environment Court in the matter of J.C. Fitch and Council, resolve to prepare a draft local environmental plan whereby the definition of "stock home" is omitted from the meaning ascribed to "agriculture" within Council's planning instrument.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 13:

(File 1176-410)

SUBJECT:

EBENEZER UNITING CHURCH

In January this year the Minister for Environment and Planning made a permanent conservation order pursuant to Section 44 of the Heritage Act over the area containing the Uniting Church in Coromandel Road, Ebenezer. The action in having the order placed on the property came as a result of a proposal by some members of the church to establish a portable type building as a Sunday school on the land.

The church has subsequently engaged consulting planners and architects to prepare a master plan for the area that has now received the approval of the Heritage Council subject to the approval of this Council. The plan covers matters of buildings that are proposed to be erected on the site and, in addition, raises the issue of access and management of the adjoining recreational area.

Recently a site meeting was held with the local Minister, the consultant planner, Mr. T. Corkhill, and the Shire Planner. At that meeting the master plan was outlined and initial sketches shown. The church and the consultants have requested time to address the committee with the completed copies of the plan to indicate their development proposals for the area and to discuss the management of the adjoining reserve.

Recommendation

That the matter of the development of the Uniting Church at Ebenezer and the surrounding recreational area be discussed with representatives of the church and their consultant planners.

Reverend Allen Russell and Mr. T. Corkhill, Consultant Planner, addressed the meeting. Reverend Russell and Mr. Corkhill presented a number of sketches showing the Church's plans for the development of the area and discussed the management of the adjoining reserve. They advised the Committee that the Church would be making a submission to Council at a later date.

COMMITTEE'S RECOMMENDATION

THE REPRESENTATIONS FROM the United Church be received that a submission would be made to Council at a later date, and the Church be commended on its approach in the matter.

11/5/82

ITEM 14: (File DA250/81)

SUBJECT: PROPOSED RESIDENTIAL FLAT BUILDING -
HOBARTVILLE

The Committee inspected the property. See later report.

ITEM 15: (File P160-33)

SUBJECT: DEVELOPMENT APPLICATIONS APPROVED UNDER
DELEGATION OF AUTHORITY

The following development applications were approved under delegated authority subject to conditions:

<u>Applicant</u>	<u>Land</u>
<u>Dwelling Houses</u>	
Bisley Homes Pty. Ltd.	Lot 10, M.R. 181, Central Macdonald
V.C. Anderson	Lot 2 West Portland Road, Ebenezer
The Uniting Church In Australia Property Trust (NSW)	Lot 2 Grose Wold Road, Grose Wold
M.G. Christian	Por. 20 & 21 Parish Macdonald, M.R. 181, St. Albans
A.V. Jennings Homes	Lot 230 Grand Parade, Glossodia
P.J. Clarke	Lot 102 Redbank Road, North Richmond
L. West	Lot 25 Gormley Street, Freemans Reach
Maxlyn Homes	Lot 14 Mokari Street, North Richmond
J. Mackenzie & L. Smith	Lot 1 Ginahgullah Avenue, Grose Vale
A.T. Isherwood	Lot 11 Sherwood Street, Kurrajong
R.W. & J.L. Nicholas	Lot 99 Michael Street, North Richmond
S. Mitchell	Lot 5 George Street, Wilberforce
W. Gent	Lot 103 Lt. Bowen Drive, Bowen Mountain
R.A. Pont	Lot 4 Wheelbarrow Ridge Road, Colo Heights

<u>Applicant</u>	<u>Land & Application</u>
Y. & M. Robb	Pt. Lot 1 Hawkesbury Road, Yarramundi - Dwelling house and garage
J. & P. Sultana	Lot J Freemans Reach Road, Freemans Reach - Machinery shed

Recommendation

The report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Councillors Sullivan and Rose left the meeting at this stage.

11/5/82

SHIRE PLANNER'S REPORT

ITEM 11: (File P160-25)

SUBJECT: URBAN LAND RELEASES AND CONSOLIDATION

The Minister for Planning and Environment has written to Council regarding the Government's desires to restore the balance between new land releases and urban consolidation. The Minister has asked officers of the Department of Environment and Planning to discuss the matter with officers of Council and Councillors. Three senior officers from the Department will be at the Development Committee to outline the Government's policy and discuss the matter or urban consolidation generally.

The Council's adopted objectives for its residential releases have been relayed to the Minister and the Department and these included those to encourage urban consolidation. The Council's urban development priorities, as resolved, are as follows:-

- where possible, renew and maintain existing urban areas;
- develop vacant and under-utilised land within existing residential areas and presently served by streets, water and other public services. Open space, historic buildings, recreational opportunities and the distinct identities of village and neighbourhoods should be preserved;
- where urban development is necessary outside existing residential zones, use land that is immediately adjacent. Non-contiguous development would be appropriate when needed to accommodate planned open space, agricultural preservation or community development.

In addition, an assessment is currently being made of areas where Council could increase the density of existing zones and increase the area for medium density housing. The basis of this information will be available to the Committee.

Recommendation

Submitted for the information of the Committee.

Mr. G. Goodwin, Head of the Planning Division North, Ms. S. Holliday, Regional Manager, Sydney West, and Miss M. Zammatities representing the Planning and Environment Commission addressed the Council regarding the Department's proposals for urban land release and consolidation. Ms. Holliday advised that the Department has been asked to report to the Government by 30th June on what each local government Council area in Sydney is going to be doing about increasing their urban density.

A video cassette made of the Minister outlining the need to increase residential densities within the urban areas of the Sydney region was shown to the Committee. Ms. Holliday advised that the Department was consulting with local Councils on the appropriate means for achieving increased densities in each local government area and had a commitment to report to the government on the results of these consultations by 30th June. She outlined a number of housing issues such as rising costs, high interest rates, population decline in suburbs and population growth in the region. She also outlined the options available to the Council to ensure increase of residential development, such as town houses, villas, semis with two storey limit and control over density, strata titles, dual occupancies, etc.

The Shire President asked when it was required that Council should make its submission and Ms. Holliday asked if it could be provided by early June at the latest.

11/5/82

Councillors Knight and Buttsworth left the meeting at this stage.

CORRESPONDENCE

ITEM 1: (File A2/20, A2)

CORRESPONDENT: WINDSOR CHAMBER OF COMMERCE

SUBJECT: DEVELOPMENT OVER HOLLAND'S PADDOCK CAR PARK

S.P. REPORT

Council has received correspondence from the Windsor Chamber of Commerce regarding the possible acquisition of land currently occupied by the Holland's Paddock Car Park and its use for a retail shopping development.

The Chamber states that the shopping development be raised above the existing land with levees to control the flooding in the area. The Shire Planner was at the Chamber of Commerce meeting when the matter was raised and the members felt that the area was one of the only large areas available in the town on which could be located a large floor space retail development, which they saw necessary for the town's commercial development.

As Council will be aware from previous reports, the two motor vehicle dealers currently occupy the larger areas available for redevelopment in the town, with other areas requiring the consolidation of smaller lots.

The Holland's Paddock area is currently zoned Special Uses Parking and Recreation and would thus require a variation to the zoning to allow for commercial development. Raised commercial development above the 1 in 100 year flood frequency would be possible as would the placing of a levee along the Terrace Road frontage of the area to increase the level at which the area was subject to flooding. Hydraulic investigations would be needed to ascertain the level achievable and its effect. In addition, it would be desirable to have the Johnson Street access available prior to any such implementation as the Terrace would be cut for access when the levee was in use.

The land is owned by the Metropolitan Water Sewerage and Drainage Board and leased by Council for car parking purposes. Any development over the land could have a visual impact on the surrounding area due to the need to raise the building to the 1 in 100 year flood frequency. In addition, the access to the development would need to be known and assessed, with possibilities existing for access through the existing arcade or to New or Johnson Streets.

A retail development with a large floor area would certainly improve the service level available in Windsor. With the alternative being available for similar development on either of the lots currently occupied by the car dealers and the current proposal to establish a motor village on the Windsor Road, it is considered that any action over the Holland's Paddock car park area should await a proposal from a developer. Council could indicate its basic attitude only to the Chamber and then await such a submission.

Recommendation

That the Chamber of Commerce be advised that Council concurs with the principle of encouraging a larger retail floor space development into the Windsor commercial area and, to enable such development, has taken recent action to establish a motor village on the Windsor Road that would possibly free larger areas currently zoned Commercial within the town centre.

11/5/82

With regard to the Holland's Paddock car park area, a detailed submission would need to be submitted indicating proposed development, its access, both pedestrian and vehicular, and its visual impact on the surrounding area.

The Committee inspected the property.

COMMITTEE'S RECOMMENDATION

THE CHAMBER OF Commerce be advised that Council concurs with the principle of encouraging a larger retail floor space development into the Windsor commercial area and, to enable such development, has taken recent action to establish a motor village on the Windsor Road that would possibly free larger areas currently zoned Commercial within the town centre.

With regard to the Holland's Paddock car park area, a detailed submission would need to be submitted indicating proposed development, its access, both pedestrian and vehicular, and its visual impact on the surrounding area.

ITEM 14: (File DA250/81)

SUBJECT: PROPOSED RESIDENTIAL FLAT BUILDING - HOBARTVILLE

Referred from Ordinary Meeting 13th April, 1982 - deferred pending inspection by the full Committee.

Council at its Ordinary Meeting on 9th March, 1982 deferred consideration of an application by Mrs. K. Popovski proposing the erection of a residential flat building Class "A" on land being Lot 1084 in D.P. 245717 on the northern corner of Luttrell Street and Minchin Avenue, Hobartville.

Following the meeting, Mr. Popovski was interviewed by the Senior Development Planner regarding the proposal. The reasons for the refusal recommended to Council were elaborated to Mr. Popovski and he was advised to consider an alternative design of the building by establishing a two storey development which would leave adequate area on the site for the manoeuvring of vehicles, garden and landscape areas and drying area. Mr. Popovski was not amenable to this suggestion as his own house adjoins the subject land and he did not like the idea of being overlooked by an adjoining two storey building.

Council has received an objection to the proposal reinforcing a previous objection from Mr. & Mrs. A. Tobin adjoining landowners. The grounds for their objection are loss of privacy caused by the original proposal extending past the building line of their house and the buildings in the rest of the street, and the noise from the proposed driveway of the development that was next to their bedrooms.

The land area of the site is inadequate to allow for the satisfactory establishment of two 2-bedroom flats with reasonable associated facilities of parking, landscaping and drying areas. The only method of achieving satisfactory site usage is via a two storey building and this is unacceptable to both adjoining owners - one being the applicant.

In the circumstances, the recommendation made to the March meeting is proposed.

Recommendation

Council refuse the application for a residential flat building Class "A" on Lot 1084 in D.P. 245717 corner of Luttrell Street and Minchin Avenue, Hobartville on the following grounds:

1. Parking on the site is not satisfactory in that no provision has been made for forward site ingress and egress of vehicles.
2. The development is considered to be unsuitable for the site for reason of size and siting of the building.
3. The development is considered to be out of character with development on other land in the locality which comprise single dwellings.
4. The proposed development is not in the public interest.

This property was inspected by Councillors Brown, Rotherham, McEwan, Henry and Dunn and they recommend the adoption of the Shire Planner's Report.

The meeting terminated at 4.50 p.m.

SHIRE CLERK'S REPORT.

ORDINARY MEETING - 11th MAY, 1982.

The Shire President & Councillors.

Gentlemen:

1. "BOWMAN COTTAGE", WINDSOR STREET, RICHMOND. H105/14

At the meeting of Council on 13th April, the question was asked by Councillor Nicholson as to whether Council had any information on the possible future restoration of Bowman Cottage as it was rapidly falling down.

A letter was forwarded by Council to the Department of Environment and Planning on 27th May, 1981, drawing attention to the condition of the building and seeking advice as to any proposals the Department may have for its renovation or restoration. The Department was also asked to have some remedial work carried out to the building to prevent any further deterioration.

The Department replied on 16th July, 1981 advising that it had made arrangements with the Government Architect for urgent remedial repairs to be carried out to the building to prevent any further deterioration, and had also requested the Government Architect to prepare detailed plans for the restoration of the building.

A further letter has now been forwarded to the Department, again drawing attention to the rapid deterioration of the building; advising of Council's concern; and asking that early and favourable consideration be given to having this restoration work carried out as a matter of urgency.

It will be noted in the Deputy Premier's address at the Official Opening of the Boat Ramp on 17th April when he referred briefly to other works being undertaken by the Department of Public Works in the Region, he advised that the Government is preparing a conservation management plan for Bowman Cottage and that \$50,000 had been allocated for urgent repairs.

IT IS RECOMMENDED THAT the report be received.

2. PENSIONER CERTIFICATES - APPLICATIONS FOR SUBSIDY. R186/4

IT IS RECOMMENDED THAT application be made for subsidy in respect of rates owing by pensioners, written off or reduced in 1981 and that an undertaking be made under the Seal of Council that in the event of subsidy being made to Council in respect of the writing off or reduction of rates owing by pensioners in pursuance of Section 160AA, 160B and 503(1)(f)(fl) of the Local Government Act, 1919, as listed and audited totalling \$7,214.39 that proceedings will not be subsequently taken for their recovery.

The Auditor has certified that a claim on the State Government of \$6,668.59 is payable in terms of the subsidy specified under the Local Government Act.

3. VACATION PLAY CENTRES. REPORT BY YOUTH RECREATION OFFICER. C43/8

Advice has been received from the Department of Sport & Recreation of approval for the following Vacation Play Centres to be conducted with Council's co-operation during the 1982 May School holidays :

Oakville Primary School	17th to 21st May
Hobartville Primary School	10th to 21st May
Windsor South Primary School	10th to 21st May
Glossodia Community Hall	17th to 21st May
McMahons Park, Kurrajong	10th to 14th May

The details will be advertised in the local papers in order to promote the centres to ensure their success as far as possible.

IT IS RECOMMENDED THAT the report be received.

4. COMMUNITY & CULTURAL CENTRE - MONTHLY STATEMENT OF LETTINGS. C51/3

As required by Ordinance 26, Clause 9, hereunder are details from the Hall Letting Register for April, 1982 :

<u>Date of Engagement</u>	<u>Purpose</u>	<u>Person or Body Responsible for Engagement</u>
1st April	Blood Bank	Windsor Branch Red Cross Society
2nd April	Dance	* Hawkesbury District Motor Cycle Club
3rd April	Wedding	* Mr. Wilson
3rd April	Wedding	* Mr. Holland
5th April	Dinner	* Gideons International
5th April	Concert	* Windsor Music House
6th April	Practice	Macquarie Towns Symphony Orchestra
10th April	Wedding	* Mr. Sibthorpe
10th April	Jazz Concert	* Hawkesbury Jazz Society
13th April	Practice	Macquarie Towns Symphony Orchestra
14th April	Meeting	* Hawkesbury District Cricket Assoc.
16th April	Fashion Parade	Wilberforce Pre-School Centre
17th April	Seminar	* Amway Pty. Ltd.
17th April	Wedding	* Mr. Page
18th April	Jazz Concert	* Hawkesbury Shire Council
18th April	Meeting	* Charismatic Christians
20th April	Dinner	* Quota Club of Windsor
20th April	Meeting	St. Matthews Catholic Church
24th April	Wedding	* Mr. Edwards
27th April	Practice	Macquarie Towns Symphony Orchestra
		* Paying functions.

IT IS RECOMMENDED THAT the report be received.

5. CONTRACTS & DOCUMENTS FOR SIGNATURE.

IT IS RECOMMENDED THAT the Seal of Council be affixed to the undermentioned document :

Application for Subsidy	...	State Library of N.S.W. - application for subsidy of \$42,060 for 1982.
Deed of Release	...	Estate late M.M. Ryan - Acquisition Lot B, Catherine Street, Windsor.

6. COLO HIGH SCHOOL - AMENITIES BUILDING.

The former Colo Shire Council reached agreement with the Department of Education whereby Council would construct an amenities block at the school and that the playing fields that had been provided by the Department would be made available for joint community and school use.

The agreement reached with the Department provided that the site on which the amenities block was located would be leased to Council. The amenities block has been completed at a cost of \$60,000 and the Department have been requested to have the necessary lease documents drawn up. To date however these documents have not been available and the amenities building is at present not being utilised.

SHIRE CLERK'S SUPPLEMENTARY REPORT

ORDINARY MEETING - 11TH MAY, 1982

The Shire President & Councillors.

Gentlemen:

8. WILBERFORCE PRE-SCHOOL KINDERGARTEN. C43-2.

The Wilberforce Pre-School Kindergarten will commence operations at the beginning of the second term in May 1982. The Committee formed have met and appropriate staff have been appointed and equipment purchased.

The Department of Youth and Community Services have indicated that a subsidy will be available for the Centre however the first subsidy payment may not be received until after the Centre commences operation.

The Pre-School Kindergarten Committee have requested Council assistance by way of an advance in order that they may meet salaries and wages until the grant is received.

It is anticipated that the grant will be received within one month after the Centre commences operation.

The Committee have submitted an estimate of income and expenditure for the first two months of operations and if the grant is not received within that time, then the Committee will need financial assistance. It is suggested that Council make available by way of an advance, up to \$2,000 to assist the Committee in meeting its running costs.

This amount will not be made available in one lump sum, however it will be by progressive payments if required.

IT IS RECOMMENDED THAT Council make an advance of up to \$2,000 available to the Wilberforce Pre-School Kindergarten to meet its initial running costs and such amount to be repaid in full to Council upon receipt of the grant.

R.L. Rawson,
Shire Clerk.

Several reminders have been forwarded to the Education Department but to date nothing has been forthcoming.

It is proposed that a Committee be formed under Section 527 of the Local Government Act for the care, control and management of the amenities block and the playing fields.

It is suggested that a Committee of 5 would be sufficient, one member being the nominee of Colo High School, one member being a nominee of the Colo High Parents & Citizens Association and three community representatives.

It is felt that it is necessary to proceed on this matter whilst awaiting the lease documents from the Department.

It will of course be necessary to ensure that all legal requirements and insurances, etc. are satisfactory.

IT IS RECOMMENDED THAT Council appoint a Committee under Section 527 of the Local Government Act for the care, control and management of the amenities building and playing fields situated at Colo High School and that the Committee consist of:

- (a) 1 member nominated by the Colo High School.
- (b) 1 member nominated by the Colo High Parents & Citizens Association.
- (c) 3 community representatives.

7. DATA PROCESSING - PROPERTY INFORMATION SYSTEM.

The Property Information System was designed primarily as a general purpose information gathering system based on property assessment numbers.

This system allows unlimited amounts of information to be stored in relation to each assessment number. The availability and retrieval of this information will be an invaluable tool in Council's operations. This system allows recording of information such as:

- . details in relation to all building applications
- . licenses
- . notices issued
- . works to be undertaken
- . all planning details, i.e. zoning and details of development applications, etc.

Basically the system will allow for the recording of all information that is available to Council in relation to any property within the Shire.

It would be appreciated that it has been an enormous task involving the co-operation of all departments to achieve this system.

IT IS RECOMMENDED THAT the report be received.

R.L. Rawson,
Shire Clerk.

SHIRE ENGINEER'S REPORT

ORDINARY MEETING - 11 MAY, 1982

The Shire Clerk,
WINDSOR.

1. GENERAL

Assistance was provided with preparations for the official opening of the boat ramp; provision of services for the "Tom Quilty" ride; Anzac Day commemoration; during the Easter weekend; and attention was given to the approach roads leading to the Hawkesbury Showgrounds.

2. BRIDGE CONSTRUCTION - TERRACE ROAD

Work has proceeded through April with the pouring of the concrete on the southern abutment on 22 April, 1982. Work is proceeding on the erection of formwork for the northern abutment.

3. ROAD CONSTRUCTION

West Portland Road

Earthworks for the project are near completion.

4. STORMWATER DRAINAGE

Richmond Drainage

Work has commenced on the pipeline from Bensons Lane through to Francis Street.

5. NSW SPECIAL GRANT FOR EMPLOYMENT

Hobartville Drainage Channel

Work is in progress on provision of a concrete invert in the section of the drainage channel between Harold Avenue and Lawrence Street at the rear of the Hobartville shops.

Bi-Centenary Park - Ham Common

On Sunday, 18 April, the initial tree planting on the area was undertaken by the Committee appointed by Council with assistance from members of local service clubs; the RAAF and students of the Hawkesbury Agricultural College. Preparation of the area was undertaken by the Council, trees have been staked, mulched, and are receiving regular watering to promote establishment.

Installation of the fence along the roadside is again proceeding with completion through to the Rest-A-While anticipated by 14 May, 1982.

The water supply for the area now extends from the Rest-A-While to the Richmond end of the Common.

6. ROADS RESEALING

The sealing programme continued with completion of the reseal on the following roads.

George Street, Windsor: Bridge Street - Palmer Street.

Kable Street, Windsor: Macquarie Street - George Street.

Mountain View Close: Vineyard.

Mulgrave Road: section near Curtis Road.

Spinks Road, Glossodia: Mitchell Drive - Golden Valley Drive.

Pebbly Hill Road: Whitmore Road - Dural Road.

A short length on Pebbly Hill Road remains to be completed.

7. MAINTENANCE

Centre-line marking was renewed and/or provided along the following roads:-

Boundary Road, Maraylya.

Grose Vale Road, through North Richmond.

Freemans Reach Road; Gorricks Lane; Creek Ridge Road & Spinks Road through to Mitchell Drive.

Main Road 519; Comleroy Road & Blaxlands Ridge Road. Selected lengths.

George Street, Windsor; Richmond Road to Macquarie Street.

Gravel resheeting has been completed on Main Road 181 above St Albans and gravelling of the pavement Chaseling Road, Webbs Creek as approved by Council has been attended to.

Kerb and gutter has been relaid in George Street, Windsor, Fitzgerald Street to Johnson Street, and the footpath prepared for placement of the bitumen pavement. Both Prospect County Council and Telecom have advised of main laying work to be undertaken through the Windsor commercial area.

Attention has been given to maintenance patching, gravelling and grading of roads throughout the Shire including work on Bonner Road, Agnes Banks; Bells Lane, Kurmond; 53 - 65 Golden Valley Drive and drainage at end of Stewart Lane, Wilberforce.

Slashing of roadsides has continued and the street sweeping programme continued in the urban areas.

8. PARKS & GARDENS

Turfing has been undertaken around the amenities building at Brinsley Park, attention given to the grounds at the St Albans cemetery, and a general clean-up undertaken at Macquarie Park.

Regrading of the tennis court at Powells Park has commenced in preparation for the new court surface.

Attention was given to removal of low branches on trees in Bell Street, Ross Street, and Church Street, Windsor, and Fracis Street, Richmond.

Installation of a new pump in the fountain at Paine Park has been completed.

9. BUILDINGS

Hobartville Shops

Footings have been completed and preparation for the base slab is in progress.

Windsor Swimming Centre - Extension of Clubhouse

Brickwork has been completed to floor level.

Old Council Chambers, Windsor

Repair work is nearing completion. It was necessary to underpin the north-western corner of the building.

Council Property - 16 Kable Street, Windsor.

Repair to cement render on walls is being carried out at weekends so as not to interfere with the use of the building.

Vandalism

Replacement of doors Powell Park amenities block; two water closets at amenities block at the Rest-A-While on Ham Common; and 36 broken louvres on amenities block Woodlands Park.

10. COUNCIL INDUSTRIAL SUBDIVISION

Earthworks have been completed and respreading of topsoil back over the area is now proceeding.

Roadways have been formed to subgrade level and the pavement base is being graded and consolidated ready for kerb and gutter construction.

Construction of the drainage pits is well advanced.

Work has commenced on extensions of the sewer mains and the major inlet manhole to the pumping station.

11. SEWERAGE

The installation of a new platform in Pump Station "C", Macquarie Street along with the removal of the old platform has been completed.

A short mains extension was carried out to provide for the house connection Lot 158 Mileham Street, Windsor.

Chokes in Council reticulation mains were relieved in Fitzgerald Street, Mileham Street, Catherine and Macquarie Streets, whilst three blockages were attended to in the service line to Richmond Park Toilets.

A valve chambers has been constructed on the rising main to Pump Station "I".

12. SUBDIVISION DEVELOPMENT

FILE S81/106 & S81/114; Hawkesbury Valley Holdings, Pecks Road, North Richmond.

Roadworks have been completed.

FILE S81/91 & S82/25; Threlkeld Drive, Cattai.

Roadworks for the two developments is well advanced.

FILE S81/104.

Work has commenced on the new road (Forrester Place) to serve the subdivision. J Cox & N Clark, road off Pitt Town - Dural Road, Maraylya.

FILE S1724; Tasman Securities, Collith Avenue, Windsor.

Roadworks have reached the stage where the pavement is ready for sealing.

FILE S1715; cnr Woods and Mileham Streets, South Windsor.

Extension of the sewer main to serve the development and through to the Housing Commission land Woods Road, is complete except for the underbore across Woods Road.

13. JOINT COUNCIL RIVER ADVISORY COMMITTEE

The meeting at Penrith, 30 April, 1982, was addressed by Dr R J Macdonald, S.P.C.C.; and Mr B Powis and Mr T Hazzard H.A.C., regarding the preservation of water quality along the Hawkesbury River in respect to surveys and the work being carried out on this subject.

The meeting was advised that further work will be undertaken on the Penrith Waste Water Plant to provide for nutrient removal and that attention is being given by the Metropolitan Water Sewerage & Drainage Board to waste water treatment plants that discharge into South Creek.

The S.P.C.C. study on the Hawkesbury River has been completed and the report should be available within the next few months.

The representative of the Metropolitan Water Sewerage & Drainage Board indicated that further expansion of the North Richmond water filtration plant will be undertaken by the Board to provide for the further needs of the supply areas.

Item 13 Continued:

With regard to possible land irrigation of the waste water discharge, the Board indicated that studies have shown that an area of 3 000ha would be required in respect to the Glenfield Plant on the Georges River, and 15 000ha in respect to works discharging along the Hawkesbury River for this method of disposal for the treatment works.

14. STAFF - C. DALEY. S1/8(P).

Mr. C. Daley, Assistant Works Engineer, has now been awarded Certificate of Qualification as Local Government Engineer - Certificate No. 2213.

Mr. Daley previously attained the Diploma of Technology in 1980 and Degree of Bachelor of Engineering in 1981, he is currently undertaking post graduate studies leading to Master of Engineering in Local Government attaining for the first semester 2 distinctions and a credit.

IT IS RECOMMENDED THAT Council extend its congratulations to Mr. Chris Daley on his attaining the Department of Local Government Certificate of Qualification as Local Government Engineer.

R.F. Cranston,
SHIRE ENGINEER

SHIRE ENGINEER'S SUPPLEMENTARY REPORT

ORDINARY MEETING 11TH MAY, 1982

The Shire Clerk,
WINDSOR

15. EXTRACTION OF MATERIAL - CORDNERS CORNER (FILE: F84/5)

Council, at its Special Meeting held on 27th April, 1982, approved conditions relating to the Contract with M.D.G. Haulage Pty. Ltd., the draft documents were forwarded to that firm and in response have asked Council to consider the following alterations to the proposed Contract:

- (1) Term of Contract: M.D.G. Haulage Pty. Ltd. would desire an option for renewal of the Contract for a further period of 2 years from the date of the Contract.
- (6) Quantity of Material: M.D.G. Haulage Pty. Ltd. believes that the quantity of material to be extracted should also be subject to such things as floods, strikes, lockouts or other unforeseen incidents.

Discussions have been held with the Principals of M.D.G. Haulage Pty. Ltd., regarding the term of the Contract. The minimum quantity of material as specified to be extracted as specified at twentyfivethousand tonnes (25,000 tonnes) per quarter (13 weeks). Due to the location of the proposed extraction there is extreme possibility that the progress of the works will be interrupted by natural causes, e.g. floods and the possibility of interruptions to removal of material due to disputes.

IT IS RECOMMENDED THAT:

1. The Contract be for a period of two years and such Contract may at the discretion of Council be extended for a further period up to a maximum of four years from the date of the Contract.
2. An inclusion be made in respect of the Clause where the minimum quantity of material remains at 25,000 tonnes per quarter less the pro rata rate for the number of days production lost as a result of floods, strikes, lockouts or other unforeseen incidents.

R.F. Cranston,
SHIRE ENGINEER

SHIRE HEALTH AND
BUILDING SURVEYOR'S REPORT
ORDINARY MEETING 11/5/82

The Shire Clerk
WINDSOR

1. BUILDING APPLICATIONS

The following is a summary of building applications received during the month of April. Applications received during April, 1981, shown in brackets.

<u>No.</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
49 (123)	New Dwellings	\$2 223 709	(\$4 627 821)
67 (79)	Additions to Dwellings	477 943	(511 055)
3 (2)	Residential Flat Buildings	1 640 000	(85 000)
50 (68)	New Buildings other than Residential	874 286	(582 264)
7 (7)	Additions to Buildings Other than Residential	43 980	(190 500)
8 (8)	Swimming Pools	47 430	(60 070)
1 (-)	Addition to Dwellings - Dual Occupancy Units	30 000	(-)
<u>185</u> <u>(287)</u>		<u>\$5 337 348</u>	<u>(\$6 056 710)</u>

Building applications received up to the end of April, 1982. Approvals for the corresponding period during 1981 shown in brackets.

<u>No.</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
132 (293)	New Dwellings	\$5 927 012	(\$11 158 415)
180 (191)	Additions to Dwellings	1 336 780	(1 388 800)
5 (5)	Residential Flat Buildings	3 380 000	(430 000)
135 (165)	New Buildings other than Residential	2 005 713	(1 341 231)
23 (21)	Additions to Buildings Other than Residential	329 480	(663 500)
34 (36)	Swimming Pools	214 760	(252 875)
1 (-)	Addition to Dwellings - Dual Occupancy Units	30 000	(-)
<u>510</u> <u>(711)</u>		<u>\$13 223 745</u>	<u>(\$15 234 821)</u>

SHIRE PLANNER'S REPORT

ORDINARY MEETING - 11TH MAY, 1982

The Shire Clerk,
WINDSOR

1. DEVELOPMENT APPLICATION - F. & E.H. PAULL. DA131/82.

APPLICANT/OWNER: F. & E.H. PAULL
LAND & LOCATION: LOT 2, D.P. 589379, NO. 311 WINDSOR STREET,
RICHMOND, LOCATED ON THE NORTH EASTERN SIDE OF
WINDSOR STREET BETWEEN BOSWORTH AND CHAPEL
STREETS
ZONING: W.P.S. - RESIDENTIAL 2(c) SUSPENDED BY I.D.O. 53
FOR OFFICES
V.S. - RESIDENTIAL 2(a1)
APPLICATION: USE THE EXISTING BRICK COTTAGE FOR A MEDICAL
PRACTITIONER'S CONSULTING ROOMS

The former Municipal Council supported a suspension application to permit the subject existing dwelling to be used for the purposes of offices.

Adequate area is available at the rear of the site for the two off-street parking spaces required under Council's code. Landscaping is to be provided at the front and rear of the property which is considered to be adequate.

The proposal complies with the requirements of I.D.O. 53, Municipality of Windsor and may be approved.

IT IS RECOMMENDED THAT approval be granted in accordance with the plans submitted with the application, subject to the following conditions:

1.-8. Standard conditions (a), (b), (c), (i) 2, (j), (l), (m) and (q).

2. DEVELOPMENT APPLICATION - A. & R. PALMER. DA133/82.

APPLICANT/OWNER: A. & R. PALMER
LAND & LOCATION: LOT 2, D.P. 602252, NO. 267 GEORGE STREET,
WINDSOR, LOCATED ON THE NORTH WESTERN SIDE OF
STREET BETWEEN NEW AND CATHERINE STREETS
ZONING: W.P.S. - RESIDENTIAL 2(c)
V.S. - RESIDENTIAL 2(a)
APPLICATION: USE THE EXISTING DWELLING FOR THE PURPOSE OF
DISPLAY AND SALE OF ANTIQUES

The subject site contains a small cottage which was recently restored by the National Trust. The property is subject to a S130 Order under the Heritage Act and is also included on the Historical Buildings Map in the proposed Windsor Varying Scheme.

At the meeting of 11/8/81 Council supported the preparation of a Local Environmental Plan to permit the above use. A Local Environmental Plan has now been gazetted.

The proposed days of operation are Saturday and Sunday. Ample space is available at the rear of the building for off-street car parking and the applicant has advised that four sealed parking spaces will be provided, which complies with Council's code. The applicant has also proposed substantial landscaping of the site.

11/5/82

The application complies with Hawkesbury Local Environmental Plan No. 32 and may be approved.

IT IS RECOMMENDED THAT approval be granted in accordance with the plans submitted with the application, subject to the following conditions:

- 1.-9. Standard conditions (a) for any internal alterations, (b), (c), (i) 4, (j), (l), (q), (v) and (w).

3. POULTRY SHED - 38 STAHL'S ROAD, OAKVILLE. DA63/82.

Council's attention is brought to Development Application Item 14 of the Development Committee.

Following representations from the applicant, the site was further inspected concerning the requirement of setback from side boundaries. If the relocation takes place it would place the structure too close to a dam and water crossing and as a result it is considered that the setback should be 10m as in the applicant's submission. The nearest adjoining owner was spoken to and raises no objection.

IT IS RECOMMENDED THAT condition no. 6 of the Development Committee recommendation be altered to:

"The proposed poultry shed being located not closer than 10m from the side boundary as indicated on the plan accompanying the application."

4. DEVELOPMENT APPLICATION - NEWLINE PRODUCTS PTY. LIMITED. DA110/82.

APPLICANT:	NEWLINE PRODUCTS PTY. LIMITED
OWNER:	W.R. SMITH
LAND & LOCATION:	LOTS 1 AND 2, D.P. 210846 CORNER WINDSOR AND CHAPMAN ROADS, VINEYARD, OPPOSITE PUBLIC SCHOOL W.P.S.
ZONING:	CHANGE THE EXISTING NON-CONFORMING USE OF A
APPLICATION:	STORE SELLING ANIMAL HIDE PRODUCTS TO THAT OF AN OFFICE IN CONJUNCTION WITH THE DISPLAY AND SALE OF PORTABLE GARDEN AND STORAGE SHEDS

This matter was considered by Council's Development Committee at its meeting on 27th April, 1982 (D.A. Item 21) at which time the Committee recommended that the applicant's attention be drawn to the provisions of the Act which places the onus of proof on the applicant to prove continuation of the use.

Briefly, the proposed use is not permissible in a non-urban B zone. However, the application seeks to change the use of a purported existing non-confirming use of the sale of animal hide products to the establishment of an office and display area for portable garden and storage sheds.

Subsequent to the Development Committee meeting the applicant has submitted Statutory Declarations and supporting documentary evidence from Mr. Antony Richard Ridgeway, Managing Agent for the property, and Mr. Norman Edward Lee, handyman for Mr. Ridgeway.

Both of these declarations refer to a visit to the premises on 9th January, 1982 and more particularly to the shop/kiosk. Both Mr. Ridgeway and Mr. Lee state that the shop was open at this time.

Mr. Ridgeway also refers to his visiting the property a number of times between September 1979 and January, 1982 and has sworn that the shop/kiosk has been open continuously during this period.

11/5/82

These declarations are sufficient for Council to recognise existing use rights for the operation of the shop/kiosk.

No evidence has been submitted that the existing use rights extend beyond the use of the shop/kiosk, i.e. covering an area of land other than that occupied by the shop/kiosk.

Section 107(3) of the Environmental Planning and Assessment Act, 1979 states ".... a use shall be presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months."

An inspection of the site shows that the buildings are in a poor state of repair and there is an air of decay of the property. No evidence could be found of the property having been used for what is considered to be in excess of twelve months other than the shop/kiosk which is in better repair than the other buildings.

Accordingly, it is considered that in terms of Section 107 of the Act mentioned above, all existing use rights other than for the shop/kiosk can be presumed to have been abandoned. (Note: The Statutory Declarations refer only to the shop/kiosk and not to the use of the total land area).

The use that the applicant seeks to establish, although no limits have been defined in the application, will by virtue of the type of business extend far beyond the existing use rights in that it proposes use of the land area additional to the shop/kiosk.

Council may not therefore approve the application without referral to the Department of Environment and Planning as it is an increase of a non-confirming existing use. The matter will also require referral to the Department of Main Roads, Traffic Authority and Police Traffic Branch and as the proposed use is traffic generating and likely to interfere with Traffic on Windsor Road, it is doubtful that these Authorities would support the application.

IT IS RECOMMENDED THAT:

1. The applicant be advised that, following submission of Statutory Declarations by Messrs Ridgeway and Lee, the Council recognise existing use rights for the use of the shop/kiosk only and having an area of 32m², however under the provisions of Section 107(3) of the Environmental Planning and Assessment Act, 1979, and as the contrary has not been established, all other existing use rights are presumed to have been abandoned.
2. The Council considers that the proposed use will extend well beyond the established existing use rights and for the reasons above the application is refused.

5. DUAL OCCUPANCY - 50 PECKS ROAD, NORTH RICHMOND. DA100/82 .

Council is referred to Development Application Item 3 of the Development Committee paper of 27th April, 1982.

Since the committee report was drafted a letter of objection has been received on the application by Mrs. E. Blain of Campbell Street, North Richmond, objecting generally to dual occupancy on the basis of decreased value of established homes.

It is considered that the objection is not well founded and from discussions with other Councils it is believed that dual occupancy has no adverse effect on residential land values.

IT IS RECOMMENDED THAT the letter of objection be received.

11/5/82

6. MR. A. TCHADOVITCH - 223 WINDSOR STREET, RICHMOND - REQUESTING
RECONSIDERATION OF CONDITION OF CONTRIBUTION FOR CAR PARKING FOR COMMERCIAL
DEVELOPMENT ON THE ABOVE LAND. DA26/82.

Council at its meeting of 9/3/82 resolved to approve of a shopping and office development subject to conditions, one of which was the payment of a contribution of \$24,000 in lieu of providing on-site parking. This was calculated at the rate of \$2,000 per space for the 8 spaces required under the code and an additional 4 spaces which are presently contained, or at least capable of being contained, on site and which will be deleted by the proposed development.

The correspondent seeks a reduction of this to 6 spaces on the basis that he did not seek compensation from Council when the car park land at the rear was resumed and that additionally when he built a new shop in 1980 Council waived a condition of one space contribution on the basis of him upkeeping the walkway from Windsor Street through his land to the Council car park.

In consideration of these matters:

1. The acquisition of the rear section of the land originally owned by Mr. Tchadovitch was completed in 1969, however there were a number of other owners who did not seek compensation at the time due to the direct advantage to them of a large public car park. In addition some 13 years has passed since that event.
2. The upkeep of the arcade by Mr. Tchadovitch was in return for the waiving of the payment of a contribution for one parking space.

Accordingly, on the above grounds it is considered that the parking contribution should not be reduced.

However, further investigation shows that none of the previous consents, other than mentioned above, imposed parking requirements and therefore that part of the contribution relating to the four spaces existing on the site may not have been properly imposed.

On this basis it is considered that the parking contribution may be reduced by \$8,000 being 4 spaces at \$2,000 per space.

IT IS RECOMMENDED THAT condition (10) of Development Consent No. 81/1982 of 10/3/82 be deleted and the following condition substituted:

"Payment of a contribution of \$16,000 towards the provision of off-street parking not provided with the development calculated at the rate of \$2,000 per space for the eight (8) spaces required by Council's Code."

G. McCully,
Shire Planner

SHIRE PLANNER'S SUPPLEMENTARY REPORTORDINARY MEETING - 11TH MAY, 1982

The Shire Clerk,
WINDSOR

7. COUNCIL PLANNING PROPOSALS - RESIDENTIAL RELEASE PROGRAMME: RURAL
 LANDS POLICIES (File P160-31)

Prior to the amalgamation both former Councils had a number of planning proposals with the Department of Environment and Planning. During 1981 the Department's advices were that Council should co-ordinate all of its previous proposals into consolidated strategic planning documents. This was subsequently undertaken and three documents, the Population Distribution and Profile, Residential Release Proposals and Rural Lands Policies were produced and adopted by Council.

These were all forwarded to the Department in 1981 with Departmental officers indicating their general acceptance and considerable support for Council's initiative in undertaking planning work at the level.

Following numerous requests for information relating to the current status of the proposals, the general response is that the matters are with the Urban Development Committee. The most recent letter from the Department dated 10th May, 1982 is as follows:

- " I refer to the Department's letter of 5th February, 1982 and Council's reports on Release Strategy and Rural Lands.
2. I wish to inform you that the Urban Development Committee is still pursuing its deliberation of reports by the Department of Environment and Planning on the question of rural residential development and Council's Release Strategy.
3. You may be assured that as soon as the Urban Development Committee has completed their consideration of the matters I will inform you of the outcome. "

The Urban Development Committee is one convened by the Department of Environment and Planning with membership from all State Departments and Authorities involved in land release and development. This Committee reports its recommendations to the Housing Sub-committee of Cabinet.

From discussions with officers of the Department it would appear that issues have been brought into the consideration of Council's proposals that are unknown to Council. Since the planning documents and Council's resolutions thereon have been made public, there has been expectation and a degree of speculation on land within the Shire that requires resolution. In the circumstances, it is recommended that Council seek a deputation to the appropriate Ministers to inform them of the situation and to request some decision as soon as possible. The deputation should consist of a maximum of five members and include representatives of both former Councils who are aware of the planning policy development over recent years.

IT IS RECOMMENDED THAT Council seek a deputation to the appropriate State Ministers relative to Council's adopted planning policies for residential and rural releases in an endeavour to obtain a resolution of current proposals and that the deputation consist of the Shire President, Clr Dunn, the Shire Clerk, Shire Engineer and Shire Planner.

8. DEVELOPMENT - BAKER STREET, WINDSOR - DEVELOPMENT COMMITTEE ITEM 6
(FILE DA/79/82)

The Committee is referred to Item 6 of the Development Committee that refers to the erection of a commercial building in Baker Street between a group of early Victorian cottages. Since the Committee Meeting there have been representations regarding the proposal from Dr. D. Bathgate of Baker Street, the National Trust and the Macquarie Towns Preservation Society. The representations do not directly object to the proposal, but indicate the significance of the existing cottages and streetscape and their concern that the current proposal is unsympathetic as an infill development.

Their concern is warranted and discussions with a representative of the developing company have indicated the company's willingness to redesign the street front. At this time it is recommended that the application be deferred to the next Development Committee Meeting later in May.

IT IS RECOMMENDED THAT development item 6, being the erection of a commercial building on Lot 2 DP 572611 Baker Street, Windsor, be deferred for consideration at the May Development Committee.

Garry M. McCully,
SHIRE PLANNER.

CHIEF LIBRARIAN'S REPORT

ORDINARY MEETING - 11TH MAY, 1982

The Shire Clerk,
WINDSOR.

1. PROGRESS REPORT - LERN.

1. A list of audio-visual software held in all the 33 member institutions has been started and it is hoped that it will be completed by the end of second term, 1982. The computer facilities at Kuring-gai College of Advanced Education are being utilised and funding from the State Library of New South Wales, will cover the cost of this major undertaking.
2. The first meeting of the LERN Management Committee will be held on 31st May - representatives from the Council and schools will be present to adopt the Constitution and discuss the implementation of inter-school lending within the network.
3. Subscriptions are now being paid by the schools to the network and it is encouraging to note that their enthusiasm and support continues to grow as the following figures show:

Borrowing of LERN kits last 6 months of 1981: 214
Borrowing of LERN kits first 3 months of 1982: 356

4. New kits are continually being developed by the unit and emphasis has been placed on museum material and display. To this end a static display on Australian aborigines is being built so that school children and members of the community may make educational visits to the unit. Other main subject areas currently being collected are centred around Primary Science and language.
5. The Co-ordinator has been the guest lecturer at a number of Department of Education in-services held on Resource Sharing and the Council has been publicly commended for its commitment and innovation in supporting such a scheme. Recognition has also come from other local government areas together with interstate libraries and the Department of Education who have visited the unit. The Minister for Education, The Hon. Ron Mulock, also inspected the LERN courier van and was given information on the network.
6. Plans to provide resources for the community in both formal and informal education have met with success as requests for materials over a wide range of subjects have been satisfied. It is hoped that this area will grow as the demand increases.
7. An in-service to be held on June 15th will be paid for by the Department of Education and will include lectures and demonstrations on ways in which teachers can maximise on the resources offered by LERN.

P. Poulson,
Acting Chief Librarian.

79/82

GOLDLINE PROPERTIES

135 BLUES POINT ROAD NORTH SYDNEY NSW 2060 TELEPHONE (02) 436 1844

Attention: Shire Clerk.,
Hawkesbury Shire Council.,
Council Chambers,
George Street,
WINDSOR. N.S.W. 2756.

Goldline Properties Pty Ltd
Taskul Pty Ltd
Pesca Properties Pty Ltd
Empimall Holdings Pty Ltd
Aequinus Properties Pty Ltd

11th May, 1982.

Dear Sir,

Re: Baker Street Development.

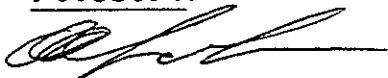
We refer to our Development Application lodged with Council and prepared by Mr. W. Wilson of Wilberforce.

Prior to submitting these plans Mr. C. Borrett conferred with Mr. W. Wilson with regard to the facade of the property shown in the plans. He was assured by Mr. W. Wilson that the plans could be modified to provide for a more historic facade in keeping with the environment.

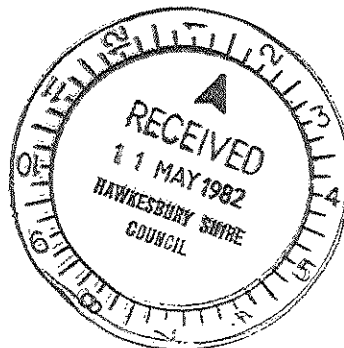
It has always been our intention to blend the building with the area and we would like to assure Council this will be done.

Yours faithfully,

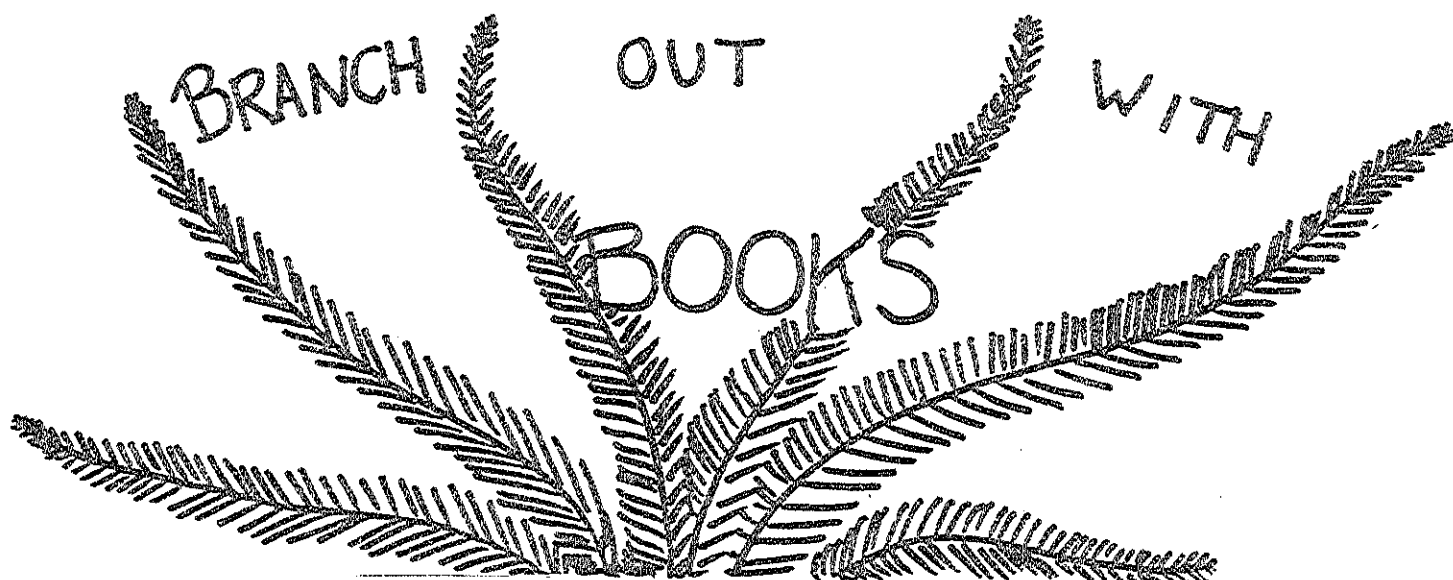
D.L. ABRAHAMS.
Director.



C.J. BORRETT.
Director.



BOOK WEEK 1982



YOU ARE INVITED TO PARTICIPATE IN HAWKESBURY
SHIRE LIBRARY'S BOOK WEEK 1982 PROGRAMME.

- * FREE FILMS FOR SCHOOL CLASSES VISITING WINDSOR
AND RICHMOND LIBRARIES BETWEEN JULY 19TH TO
JULY 30TH, 10 AM TO 3 P.M.
BOOKINGS ONLY - PHONE WINDSOR (045) 77 3357
RICHMOND (045) 78 2002
- * VISIT THE BOOK AND TOY FAIR IN WINDSOR
COMMUNITY & CULTURAL CENTRE, DIGHT STREET,
WINDSOR.
THURSDAY JULY 22 - 10 AM TO 4 PM.
FRIDAY JULY 23 - 10 AM TO 7 PM.
SATURDAY JULY 24 - 10 AM TO 3 PM.
- * LERN ALL ABOUT IT - DISPLAY AT RICHMOND LIBRARY.
- * FREE FAMILY FILM NIGHT.
FRIDAY 23 JULY 7.30 PM TO 9 PM IN THE TEBBUTT
ROOM, WINDSOR CENTRAL LIBRARY, DIGHT STREET,
WINDSOR. PROGRAMME INCLUDES THE SPOOF "BLAZE
GLORY" AND THE CLASSIC TALE "FERDINAND THE BULL".
- * SEE THE LIFESIZE DISPLAY AT WINDSOR CENTRAL
LIBRARY OF THE CHARACTERS FROM "SNOW WHITE AND
THE SEVEN DWARFS" FROM JULY 19 TO JULY 30.

PHONE WINDSOR (045) 77 3357 OR RICHMOND (045)
78 2002 FOR FURTHER DETAILS.
