

Hawkesbury Shire Council

BUSINESS PAPER

Ordinary Meeting 13 MAY 1986

Minutes of the Meeting of the Council of the Shire of Hawkesbury, held at the Council Chambers, Windsor on 8th April, 1986, commencing at 7.30 p.m.

PRESENT: Councillor G.G. Michael, President, and Councillors F.Y. Denne, P.A. Dunn, S.E. Durrington, J.J. Horrex, R.F. Rotherham, A.B. Sheridan, W.J. Sledge, C.J. Stanley, F.S. Stevens and R.P. Stubbs.

The Reverend Alan Russell representing the Hawkesbury Ministers Fraternal, read the opening prayer at the commencement of the meeting.

An apology for absence was received from Councillor J.E. Nicholson.

- 141 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the apology be accepted.

The Shire President, on behalf of the Council and the community, welcomed the newly elected Councillor, Councillor Wendy Sledge, to the Hawkesbury Shire Council.

Councillor Sledge responded by thanking everyone for the warm welcome and stated she is looking forward to working with her colleagues and being involved in effective discussions and decisions that affect the community.

CONFIRMATION OF MINUTES

- 142 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Rotherham that the Minutes of the Ordinary Meeting of Council held on 11th March, 1986, having been circulated amongst the members of Council be confirmed, subject to the deletion of Paragraph 2 of the amendment to the motion as shown on the bottom of Page 11 of the Minutes of the Meeting relating to the State Rail Authority and the proposed demolition of the Cottage in Moray Street, Richmond.

The Shire President stated that the report requested in the Questions Without Notice concerning the property in Vincent Road, Kurrajong on Page 17 of the Minutes is no longer required as a Development Application has been received and this will be submitted to the next General Purpose Committee Meeting.

GENERAL PURPOSE COMMITTEE MEETING - 25TH MARCH, 1986

SECTION I - WORKS

SHIRE ENGINEER'S REPORT - ITEM 5 - PARKS IMPROVEMENT PROGRAMME 625

- 143 RESOLVED on the motion of Councillor Stevens seconded by Councillor Sheridan that:
1. The programme of Parks Improvements be adopted subject to any surplus funds in the programme being allocated to Bowen Mountain Park.

2. Some improvements, such as interior painting and alterations to the existing toilet block at Richmond Park be included in the programme.
3. Item 5 - Colbee Park, McGraths Hill be amended to read "Fencing, replacement of artificial surface of wicket, top dressing".

SHIRE ENGINEER'S REPORT - ITEM 8 - ROAD CONSTRUCTION, KERB AND GUTTER - DRAINAGE AND FOOTPATH PAVING. R190/1, R190/2, R190/4

- 144 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stevens that the shoulder sealing of the balance of Kurmond Road from Hibberts Lane to Marlene Street and Marlene Street to the end of the kerb and gutter be considered in the Roadworks allocation for the 1986/87 Loan Works Programme.

SECTION 2 - DEVELOPMENT

DEPUTY SHIRE PLANNER'S REPORT - ITEM 3 - LOT 1, D.P.236785 WINDSOR ROAD, VINEYARD - E.& V.MUSCAT & J.& C.CUTAJAR - 'THE TREES SERVICE CENTRE' - OPERATIONS OF RETAIL PLANT NURSERY.

Councillor Stanley drew attention to the intrusion on to the edge of the roadway of the display of trees, plants and shrubs and it was decided that the matter be taken up by the Shire Planner.

DEPUTY SHIRE PLANNER'S REPORT - ITEM 8 - LOT 8, DP599456 FRANCIS STREET, RICHMOND - R.C.TATE - PROPOSED K-MART SITES - RICHMOND L1/86, P160

Councillor Dunn declared an interest in this matter.

DEPUTY SHIRE PLANNER'S REPORT - ITEM 12 - PROSPECT COUNTY COUNCIL - LANDFILL BY DISPOSAL OF TREE STUMPS AND ASSOCIATED TREE WASTE - PART LOT 4, DP979541 'HALL ESTATE', HALL STREET, PITT TOWN. DA 17/86

Councillor Stanley asked if work had actually been started by Prospect County Council as it has been reported that there has already been some dumping carried out.

The Shire Planner stated that he was not aware of it but would follow the matter up.

DEPUTY SHIRE PLANNER'S REPORT - ITEM 13 - LOT 2, DP 628806, SINGLETON ROAD, COLO HEIGHTS - TINDA PARK - J. & P. STOUT DESIGNATED DEVELOPMENT PROPOSAL - DAM CONSTRUCTION AND EXTRACTION OF SAND - LOT 2 DP 628806 TINDA PARK, SINGLETON ROAD, COLO HEIGHTS DA 192/85

- 145 RESOLVED on the motion of Councillor Dunn seconded by Councillor Stanley that Council prepare a Draft Local Environmental Plan over that part of the land zoned 1(a2) to allow access to the extraction site and that the matter be forwarded to the Department of Environment and Planning for determination.

Further, that the Department be advised that, in Council's opinion, an environmental study is not required prior to the preparation of the plan, as the Environmental Impact Statement and additional information provided by the applicant is considered acceptable in this respect.

DEPUTY SHIRE PLANNER'S REPORTS - ITEMS 15 AND 16 - LOT 1, DP184741 & LOTS 181, 182, DP701978, HERMITAGE ROAD, KURRAJONG - DR. LARKIN - THE ISLANDS. DA290/85

SHIRE CLERK/GENERAL MANAGER'S SUPPLEMENTARY REPORT - ITEM 4 - PLANNING - DR.LARKIN, "THE ISLANDS" OFF HERMITAGE ROAD, KURRAJONG - PROPOSED STRATA SUBDIVISION BY HOFFAH DEVELOPMENT AND CONSTRUCTION DA290/85

- 146 RESOLVED on the motion of Councillor Stevens seconded by Councillor Horrex that :

1. Consideration of the proposal by Hoffah Development and Construction to have Council rezone land being "The Islands" off Hermitage Road, Kurrajong, by way of a draft local environmental plan be deferred at their request.
2. Council seek legal information on its position thus far in its processing of the matter and that those responses outstanding from Government Departments, Council's Fire Control Officer and any other submissions which may be made be received and that the site be inspected and the matter come up for consideration again as soon as possible.

SECTION 3 - FINANCE

CORRESPONDENCE - ITEM 1 - RICHMOND LITERARY INSTITUTE - RICHMOND SCHOOL OF ARTS S197/2

Councillor Stevens declared an interest in this matter as a member of the Committee of the School of Arts.

- 147 RESOLVED on the motion of Councillor Stanley seconded by Councillor Stubbs that the Report of the General Purpose Committee Meeting held on 25th March, 1986, as recorded on Pages 1 to 19 of the Minutes of the General Purpose Committee Meeting be adopted with the exception of :

Section 1 - Works

Shire Engineer's Report - Item No. 5 - Parks Improvement Programme 625

Section 2 - Development

Deputy Shire Planner's Report - Item 13 - Lot 2, DP 628806, Singleton Road, Colo Heights - Tinda Park - J. & P. Stout - Designated Development Proposal - Dam Construction and Extraction of Sand - Lot 2 DP 628806 Tinda Park, Singleton Road Colo Heights DA 192/85

Deputy Shire Planner's Report - Items 15 & 16, Lot 1, DP184741 and Lots 181, 182, DP 7091978, Hermitage Road, Kurrajong - Dr.Larkin - The Islands.

which have already been considered by Council - Minutes Nos. 143, 145 and 146.

GENERAL PURPOSE COMMITTEE MEETING - 1ST APRIL, 1986

1. ROAD CONSTRUCTION; KERB & GUTTER - DRAINAGE AND FOOTPATH PAVING; DRAINAGE RESERVE, PECKS ROAD TO ELIZABETH STREET, NORTH RICHMOND. RI90/1

- 148 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Denne that action be taken immediately to have a grill placed on the downstream end of the drain for the safety of children utilising the area.

That the construction of the drainage works be considered in the 1987 Works Programme.

2. RICHMOND LITERARY INSTITUTE - RICHMOND SCHOOL OF ARTS. S197/2

- 149 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Rotherham that Council make a donation of \$5,000 to the Institute towards the preparation of architectural details for a theatre to be established as an addition to the existing building.

3. LOTS 10 & 11, UWORRA ROAD, WILBERFORCE - PROPOSED DOG KENNELS OF MR. & MRS. I. MITCHELL & MESSRS.J. MUIR & G. CASTLES. DA555/85, DA43/86

- 150 RESOLVED on the motion of Councillor Stanley seconded by Councillor Stubbs that the Shire Planner bring forward a further report on this matter.

4. LOT 1, DP979541 "HALL ESTATE", HALL STREET, PITT TOWN - OWNER - N.CLEARY, APPLICANT - PROSPECT COUNTY COUNCIL - LANDFILL BY DISPOSAL OF TREE STUMPS AND ASSOCIATED TREE WASTE. DA17/86

- 151 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Rotherham that approval be granted, generally in accordance with the details shown on Plan No. B105585A prepared by Prospect County Council subject to compliance with the following conditions :

1. The applicant agrees to indemnify Council against any damage occasioned to the Shire Roads as a result of the proposal and that such agreement to rest on correspondence.
2. The applicant agrees to restore and make good any damage occasioned to the site as a result of any subsequent flood should such occur within a period of 3 years from completion of works. Such agreement to rest on correspondence.
3. Standard condition (DA's) 34.
4. Approval being obtained from both the State Pollution Control Commission and Metropolitan Waste Disposal Authority prior to the commencement of work.
5. Works shall not be carried out outside of the hours 7.00 am - 4.00pm, Monday to Friday (excluding public holidays).
6. Waste material shall be placed in layers having a maximum compacted depth of 1.8m with each layer being covered with a minimum of 150mm of compacted soil on a daily basis.
7. Finished surface levels shall be 500mm above final layer of waste material.
8. The County Council be required to maintain the public roads leading to the area to the satisfaction of the Shire Engineer until the completion of the works.

5. FENCING ALONG WINDSOR ROAD, FRONTAGE OF 'MOTOR VILLAGE' AREA, McGRATHS HILL. DA70/86

- 152 RESOLVED on the motion of Councillor Durrington seconded by Councillor Rotherham that Council adhere to the Committee recommendation of 25th March, 1986 and not require a fence along the Windsor Road frontage of the subject land being Lot 3 DP235303 at McGraths Hill.

EXTRACTIVE INDUSTRY COMMITTEE MEETING - 13TH MARCH, 1986

- 153 RESOLVED on the motion of Councillor Stevens seconded by Councillor Sheridan that the report be adopted.

HAWKESBURY COMMUNITY SERVICES CONSULTATIVE COMMITTEE MEETING - 26TH MARCH, 1986

- 154 RESOLVED on the motion of Councillors Stevens seconded by Councillor Stubbs that the report be adopted.

SHIRE CLERK/GENERAL MANAGER'S REPORTFINANCE AND ADMINISTRATIONCORRESPONDENCE1. COMMONWEALTH BANK OF AUSTRALIA - RENEWAL OF LOANS 174 & 175.
B23/3

- 155 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stevens that the offer be accepted, an application be made to the Minister for approval to raise the loan and the Seal of Council be affixed to the application and mortgage documents.

2. PUBLIC AUTHORITIES SUPERANNUATION BOARD - 1985/86 LOAN
BORROWING PROGRAMME. B23

- 156 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that the offer be accepted, an application be made to the Minister for approval to raise the loan and the Seal of Council be affixed to the application and mortgage documents.

REPORTS1. CERTIFICATE AS TO STATE OF ACCOUNTS WORK. A1/15

- 157 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Horrex that the report be received.

2. STAFF MATTERS - RESIGNATIONS. S1/8P

- 158 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Horrex that the resignations be accepted and that a reference be provided, where requested, under the Seal of Council.

3. COMMUNITY ARTS OFFICER'S REPORT

- 159 RESOLVED on the motion of Councillor Durrington seconded by Councillor Stubbs that the report be received.

4. CONTRACTS AND DOCUMENTS FOR EXECUTION. S13/18

- 160 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the Seal of Council be affixed to the undermentioned documents:

Residential Lease - Faye Smedley - Flat 2, 'Toxana', Windsor Street,
Richmond.

Application for Library Subsidy 1986.

5. COMMUNITY & CULTURAL CENTRE - MARCH BOOKINGS. C51/3

- 161 RESOLVED on the motion of Councillor Durrington seconded by Councillor Denne that the report be received.

6. COMMUNITY EMPLOYMENT PROGRAMME (CEP) PROJECTS. G95/30

- 162 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that Council endorse the risk management system for consideration as a CEP project.

7. HAWKESBURY FAMILY DAY CARE CO-ORDINATOR'S MONTHLY REPORT - MARCH, 1986

- 163 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Durrington that the report be received.

8. HAWKESBURY SHIRE COUNCIL - SHOP 1 MCGRATHS HILL SHOPPING CENTRE - ASSIGNMENT OF LEASE. C51/6/A

- 164 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that Council agree to assignment of the lease of Shop 1 McGraths Hill Shopping Centre to Mr. K. and Mrs. C.L. Ferguson, with all necessary documents to be completed under Seal of Council.

9. ROAD WIDENING ACQUISITIONS/RESUMPTIONS. M123

- 165 RESOLVED on the motion of Councillor Dunn seconded by Councillor Stubbs that Council agree to payment of compensation for land required for road widening, where the amount due is less than \$3,000 at the time an authority to take possession of the land is received and subject to completion of a Deed of Agreement.

10. HAWKESBURY SHIRE COUNCIL - AUSTRALIANA PIONEER VILLAGE - RELOCATION OF SLAB COTTAGE. C51/45

- 166 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that Council agree to relocation of the slab cottage located on Mr. Bill Mangold's property at Garfield Road, Riverstone at an estimated cost of \$3,000.

11. HAWKESBURY SHIRE COUNCIL - AUSTRALIANA PIONEER VILLAGE - EXPRESSIONS OF INTEREST IN VILLAGE OPERATIONS. C51/45

- 167 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Horrex that this matter be deferred for consideration at the next Australiana Pioneer Village Committee Meeting when the Plan of Management will be available for consideration.

12. HAWKESBURY SHIRE COUNCIL - 21 BAKER STREET, WINDSOR -
PROPOSED RETAIL DEVELOPMENT HAWKESBURY VALLEY MOTORS & ADJOINING
PROPERTIES. DA 464/86; P160.

- 168 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Dunn that Council agree to lease 21 Baker Street, Windsor, to Mr. L. Taylor of H.V.M. Investments Pty.Ltd., for \$200.00 per week on a monthly basis, with the agreement to rest on correspondence.

13. HAWKESBURY SHIRE COUNCIL - LOT 20 BLACKMAN CRESCENT, WINDSOR
SOUTH INDUSTRIAL ESTATE - PROPOSED PURCHASE BY ENOCH TAYLOR PTY.
LTD. 802-20

The Treasurer stated that representatives of Enoch Taylor had contacted him to-day. They wished to withdraw the exchange of the boot factory for the industrial land and just proceed with the purchase of the land in Blackman Crescent. The Treasurer asked that Recommendations 2 and 3 be withdrawn.

- 169 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Rotherham that Council agree to:

1. The sale of Lot 20 Blackman Crescent, South Windsor Industrial Estate, to Enoch Taylor & Co. Pty. Ltd. for \$98,000.
2. All necessary documents to be completed under Seal of Council.

14. HAWKESBURY SHIRE COUNCIL - LOTS 15, 31 AND 32 SOUTH WINDSOR
INDUSTRIAL ESTATE. 802-15, 802-31, 802-32

- 170 RESOLVED on the motion of Councillor Durrington seconded by Councillor Denne that Council agree to:

1. the sale of Lot 15 Ham Street, South Windsor, to A. Bignozzi and Associates for \$131,000 with settlement to take place prior to 12th December, 1986.
2. enter into a \$4,000 3 month option for the purchase of Lots 31 and 32 Blackman Crescent, South Windsor, with A. Bignozzi and Associates for \$129,000 with settlement of the sale to take place prior to 12th December, 1986.
3. all necessary documents to be completed under Seal of Council.

15. BICENTENNIAL GRANT - THOMPSON SQUARE RESTORATION. C40/13
H105/11/A

- 171 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that Council concur with the proposed funding alterations for the Thompson Square Precinct restoration whereby:

1. Australian Bicentennial funds are allocated to the reconstruction of the boat clubhouse.
2. An equivalent amount of Council funds to have been used for that purpose, be allocated to the facade restoration as originally proposed.

16. REPORTS, MINUTES ETC. OF OTHER COMMITTEES AND ORGANISATIONS.
C50/3

- 172 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Rotherham that the report be received.

17. REPORTS REQUESTED BY COUNCILLORS

- 173 RESOLVED on the motion of Councillor Dunn seconded by Councillor Stubbs that the report be received.

Councillor Stanley referred to a previous decision of Council regarding an investigation to be carried out and a report eventually submitted to Council concerning the setting up of a sporting funding operation. He asked if this report could be incorporated in the list of reports requested by Councillors and a report brought forward.

18. RENTAL HOUSING TRUST. S13/41

- 174 Moved by Councillor Dunn seconded by Councillor Durrington that Council not take up the option.

An amendment was moved by Councillor Stevens seconded by Councillor Rotherham that the present offer be rejected and the matter be referred back to Council staff for further report to the next General Purpose Committee Meeting.

The amendment was lost.

The motion was then put and carried.

ENGINEERING

CORRESPONDENCE

1. PROSPECT COUNTY COUNCIL - IMPROVED STREET LIGHTING - CHAPEL STREET, RICHMOND - FRONT OF RETIREMENT VILLAGE. E74/1

- 175 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Horrex that the additional street lighting in Chapel Street, Richmond, be approved.

2. THE COMMISSIONER FOR DEPARTMENT OF MAIN ROADS - DEVELOPMENT OF THE STATE'S MAJOR ROADS. M130

- 176 RESOLVED on the motion of Councillor Horrex seconded by Councillor Durrington that:

1. the D.M.R. Task Force be advised of the priority for works on the main road system through the Shire;
2. the D.M.R. be requested to increase funding to Council for improvement works on main roads within the town areas; and

3. Council funds be directed to improvement works on main roads within town areas to meet Council's proportion where grants are received.

3. P.J. ROBERTS - BOAT RAMP CONTRACT. C51/25/A

- 177 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Stanley that the contract with P.J. Roberts be amended to provide for attendance on six days in May and September and five days in June, July and August subject to attendance during the school holidays.

4. UPPER HAWKESBURY POWER BOAT CLUB 1986 BRIDGE TO BRIDGE POWER BOAT RACE, 4TH MAY, 1986. 625/205

- 178 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Denne that approval be granted to the application by the Upper Hawkesbury Power Boat Club for exclusive use of Governor Phillip Reserve on 4th May, 1986 until 2.30pm on that date, with the Club paying 40% of nett gate receipts to Council.

REPORTS

1. ABORIGINAL LAND CLAIM - PARISH OF LOCKYER. P160-70

- 179 RESOLVED on the motion of Councillor Durrington seconded by Councillor Rotherham that objections be lodged to the claims by the Metropolitan Local Land Council for land in the Parish of Lockyer, County of Northumberland in respect of the following matters:
 1. Claim No. 2599 over Permissive Occupancy 1973-8 Windsor held by Hawkesbury Shire Council for Quarry and Stockpiling Area (Shale) on the basis of continuing usage.
 2. Claim No. 2601 over Trigonometrical Reserve No. 19691 on the basis of use for survey and mapping control and claim No. 2600 for right of access to the Trig. Reserve.
 3. Claim No. 2414 in respect of the need for continued right of access to Portions 15 and 40 Parish of Lockyer, owned by the Estate of the late M. Dean.
 4. Claims 2414, 2599 and 2600 in respect of any land within 20 metres of the existing road formation of M.R. No. 181 to permit future widening.

Further that the Metropolitan Local Aboriginal Land Council be requested to advise the basis for the claim and on receipt of this advice, it be made available to Council, and that the Land Council be requested to defer determination of the matter until this advice has been considered by Council.

2. SUBDIVISIONS APPROVED UNDER DELEGATED AUTHORITY

- 180 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the report be received.

3. PUBLIC WORKS

- 181 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that the report be received.

4. BLIGH PARK ESTATE. P160/46/A

- 182 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Stanley that the report be received.

HEALTH AND BUILDING

CORRESPONDENCE

1. LOCAL GOVERNMENT & SHIRES ASSOCIATION OF NSW. C44/2; G90
METROPOLITAN WASTE DISPOSAL AUTHORITY. G90/13

- 183 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the Metropolitan Waste Disposal Authority be advised that Council strongly objects to the proposals of the Task Force to examine the Waste Disposal Acts and Regulations relating to the Authority acting on behalf of other bodies, or being the only approving body for waste depots and that a copy of the reply be forwarded to the Local Government and Shires Associations.

REPORT

1. BUILDING APPLICATIONS. B25

- 184 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that the report be received.

PLANNING

REPORTS

1. PROPOSED 'K MART' SITES, RICHMOND. P160, L1/86

- 185 RESOLVED on the motion of Councillor Denne seconded by Councillor Stubbs that the information relating to the suggested rezoning process for the establishment of a K Mart development at Richmond be received.

2. DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY.
P160/33

- 186 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that the information be received.

3. MURPHYORES INC. PTY.LTD. - POR. 9, 11 AND PART 18, PUTTY ROAD
PROPOSED SUBDIVISION INTO 12 LOTS. APPLICANT : P.S.GRAHAM &
ASSOCIATES DA626/85

- 187 RESOLVED on the motion of Councillor Durrington seconded by Councillor Stubbs that the information be received.

4. DR.LARKIN, "THE ISLANDS" OFF HERMITAGE ROAD, KURRAJONG -
PROPOSED STRATA SUBDIVISION BY HOFFAH DEVELOPMENT AND CONSTRUCTION
DA 290/85

See Minute No. 146.

LIBRARY

REPORTS

1. REPORT OF THE LIBRARY COUNCIL OF N.S.W. 1985. L125/2

- 188 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Denne that:

1. Representations be made to the Local Members urging that increased funding be made available to public libraries.
2. WSROC be requested to support increased funding for public libraries.

2. AUSTRALIAN LIBRARY WEEK - OCTOBER 17TH - OCTOBER 24TH, 1986.
L125

- 189 RESOLVED on the motion of Councillor Stevens seconded by Councillor Stubbs that the report be received.

SECTION B - LETTERS SUBMITTED FOR INFORMATION

- 200 RESOLVED on the motion of Councillor Horrex seconded by Councillor Stubbs that the letters in this section be received and appropriate replies forwarded where necessary.

1. DRAG BOAT RACERS OF AUSTRALIA LTD - NATIONAL POINT SCORE SERIES ROUND FIVE. 625-205
2. N.S.W. WATER SKI ASSOCIATION - BRIDGE TO BRIDGE 1985. 625-205
3. ROYAL NEW SOUTH WALES BOWLING ASSOCIATION - LOCAL GOVERNMENT BOWLS DAY. S205/30

4. DEPARTMENT OF MAIN ROADS N.S.W - LONDONDERRY ROAD IMPROVEMENTS SOUTH OF SOUTHEE ROAD, RICHMOND. M130/21 & 665-1226
5. WESTIR - MINUTES OF MEETING. C45
6. HAWKESBURY COMMUNITY INFORMATION & SERVICE CENTRE - MINUTES OF ANNUAL GENERAL MEETING. C45/1
7. DEPARTMENT OF COMMUNITY SERVICES - CHILDRENS SERVICES PROGRAM HAWKESBURY FAMILY DAY CARE EQUIPMENT GRANT. C43/6
8. LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF N.S.W. - GENERAL CIRCULAR NO. 3/1986. C44/2
9. COUNTRY WOMENS ASSOCIATION OF NSW, WILBERFORCE BRANCH - DONATION. R186/6
10. CATTAI PUBLIC SCHOOL - CENTENARY 1986. S196/3
11. OAKVILLE SAFETY HOUSE COMMITTEE - DONATION. C45
12. WINDSOR PRE-SCHOOL ASSOCIATION - MINUTES. C43/4
13. STIMULUS EARLY INTERVENTION GROUP - PROVISION OF LAND. C45/26
14. M.W.S. & D. BOARD - RICHMOND SEWERAGE SCHEME. S200/1
15. DEPARTMENT YOUTH & COMMUNITY SERVICES - GLOSSODIA CHILD CARE CENTRE. C43/11
16. AUSTRALIAN NUCLEAR FREE ZONES SECRETARIAT - NUCLEAR ISSUES. M135
17. L. KABAN, PRIVATE SECRETARY - NSW MINISTER FOR POLICE & EMERGENCY SERVICES - INCREASE IN LEVEL OF MANNING. P176
18. OFFICE OF OMBUDSMAN - COMPLAINT BY MR.A & MRS P. YORK. O150 & 2249C
19. HAWKESBURY DISTRICT TENNIS ASSOCIATION - INCOME & EXPENDITURE STATEMENT & BALANCE SHEET. C51/23
20. OVER 50'S EDUCATION & SERVICES GROUP - SEMINAR. A7/36
21. NOXIOUS PLANTS OFFICERS ASSOCIATION - CIRCULAR. H102
22. LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF N.S.W. - WOMEN'S DIRECTORATE. C44/2 & C48/3
23. KURRAJONG & DISTRICTS PONY CLUB. D64

TYRE DUMP - FORMER DARUK TRAINING SCHOOL. B27/7

Councillor Stevens sought permission to bring forward as a matter of urgency concerning the tyre dump on the Department of Corrective Services property formerly the Daruk Training School and what is now known as Northern Road, South Windsor.

The Shire President accepted the matter being brought forward as a matter of urgency.

- 201 RESOLVED on the motion Councillor Stevens seconded by Councillor Horrex that :

1. Council make an immediate approach to the appropriate Minister on the issues of fire control and the long term proposals to clean up that site.
2. Penrith City Council be informed of Council's action.

QUESTIONS WITHOUT NOTICE

Councillor Rotherham asked if the Engineer could arrange to have the necessary repairs carried out to the toilets in Richmond Park and also would he give consideration in a report as to the possibility of providing a graffiti wall.

Councillor Rotherham asked if Council could write a letter to Mr. John Ryan of Pitt Town, expressing delight to hear of his recent recovery from his serious illness.

Councillor Stubbs referred to the return of Tebbutt's Telescope and pointed out that there is an anniversary coming up when John Tebbutt first brought the telescope into Windsor on 20th May, 1886, and this year is the 120th Anniversary of its arrival and felt that it would be appropriate if it was returned on that date. He wondered if some sort of guarantee that that would be possible to allow a proper sort of promotion that it deserves including the co-operation of the business people of Windsor. He stated that the Librarian has indicated that it could be possible to launch the hard cover of Tebbutt's Astronomical Memoirs to coincide with that event.

Councillor Stubbs referred to the intersection of Windsor/Chapman and Bandon Roads, the line marking has faded considerably and he asked if the Department of Main Roads could be asked to have this repainted.

Councillor Stubbs referred to a previous decision to have a report on additional lighting installed at that location and asked the present position.

The Shire Engineer undertook to take the matter up with Prospect County Council to have it expedited.

Councillor Stevens sought a report on the possibility of a cleaning up fee which would be applicable to organisations using Council's parks and reserves and how this could best be put into effect.

The Shire Engineer stated that Council has adopted certain fees and the question can be looked at in conjunction with a cleaning fee.

Councillor Stevens referred to the earlier rejection of the Castle-reagh Road proposal and requested advice on the status of that site as to whether this would stop any developer making a further proposal to Council regarding that site.

The Shire President stated that that recommendation was rejected and that it does not affect anything else.

Councillor Sheridan asked the Engineer if tarpatching could be done along Coromandel Road, Ebenezer.

Councillor Sheridan asked what is the present position regarding the acquisition of portions of the Public Reserve off Sackville Road adjacent to the School at Ebenezer for the provision of a new bush fire shed.

The Shire Clerk undertook to ascertain the position and advise Councillor Sheridan.

Councillor Sheridan asked if the Shire Clerk could give the Council some information as to whether it would be best to make representations through the Local Member for increased penalties for acts of wilful vandalism to Shire property.

The Shire Clerk suggested that it might be appropriate to take the matter up as a motion to the Local Government Annual Conference.

Councillor Sheridan stated that he would like to see that happen.

Councillor Horrex expressed appreciation to Councillor Stevens on his election as Chairman of WESTIR.

QUESTIONS FROM THE GALLERY

The Shire President then invited questions from the Gallery.

The Meeting terminated at 10.15pm.

Submitted to and confirmed at the Meeting of Council held on 13th May, 1986.

..... President

Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on Thursday, 24th April, 1986 at 9.00am.

PRESENT: Councillor G.G. Michael, President, and Councillors, F.Y. Denne, R.F. Rotherham, A.B. Sheridan, F.S. Stevens, J.J. Horrex, P.A. Dunn, S.E. Durrington, W. Sledge, J.E. Nicholson, C.J. Stanley and R.P. Stubbs.

1. INSPECTION OF "THE ISLANDS", HERMITAGE ROAD, KURRAJONG HILLS
DA 290/85

The Committee inspected the site.

The landowner, Dr. S. Larkin, applicant, Mr. M.J. Burrell of Hoffah Development and Constructions, Mr. J. Rennard, Town Planner and Mr. R.H. Luke, Fire Management Consultant, addressed the Committee.

Councillors Horrex, Stubbs and Durrington left at this stage, the time being 12.45pm.

At the conclusion of the inspection, the Committee was addressed by Mrs. R. Vermuelen of "The Islands" Neighbourhood Committee.

The meeting concluded at 1.10pm.

Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 29th April, 1986, commencing at 9.30 a.m.

PRESENT: Councillor G.G. Michael, President, and Councillors F.Y. Denne, P.A. Dunn, J.J. Horrex, J.E. Nicholson, R.F. Rotherham, A.B. Sheridan, W.J.Sledge, C.J. Stanley, F.S. Stevens and R.P. Stubbs.

An apology for absence was received from Councillor S.E.Durrington and accepted.

SECTION 1 - WORKS

COMMITTEE'S RECOMMENDATION

THE WORKS COST Statement to 31st March, 1986, and the revised estimates of cost be adopted.

CORRESPONDENCE

ITEM 1: (File A7/35)

CORRESPONDENT: KURRAJONG HEIGHTS PROGRESS ASSOCIATION

SUBJECT: INSPECTIONS STATIONS AT BELL

Forwarding a copy of the Association's letter directed to the Department of Motor Transport concerning the above, seeking its assistance in having truck movements on Bells Line of Road effectively monitored through 24 hour operation of the Road Inspection Station at Bell.

Seeking Council's assistance in this matter.

(S.E. - Blue Mountains City Council has requested that the station at Mt Boyce be monitored on a 24 hour basis and the progress Association considers this action should be taken at both stations.)

Recommendation

That representations be made by Council requesting 24 hour operation of the inspection stations on Bells Line of Road at Bell.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File E74/2)

CORRESPONDENT: THE PROSPECT COUNTY COUNCIL

SUBJECT: TRAFFIC ROUTE LIGHTING SUBSIDY SCHEME
GEORGE STREET & O'BRIENS LANE, WINDSOR

Advising that the Council has prepared a project for undergrounding the electricity supply in the above location and forwarding plan number B105574 showing the proposed alterations and further advising that the proposal will result in an increase of \$776.40 in the annual charge.

(S.E. - The proposal provides for one 250 watt mercury fluorescent lamp at Cnr Suffolk and Macquarie Street, one column mounted mercury fluorescent lamp at Cnr George & Suffolk Street and three column mounted lights in O'Briens Lane.)

Recommendation

That the lighting scheme at an increased annual charge of \$776.40 be approved.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File E74/1)

CORRESPONDENT: THE PROSPECT COUNTY COUNCIL

SUBJECT: IMPROVED STREET LIGHTING
IRONBARK DRIVE & TI-TREE PLACE, WILBERFORCE

Forwarding Plan No. C105596, detailing proposed improved street lighting in the above location and advising that the improvement proposed will involve the installation of thirteen 40 watt fluorescent lanterns and six 150 watt watt sodium high pressure lanterns, representing a total annual charge increase of \$2,049.32.

(S.E. - The six 150 watt lanterns are along Ironbark Drive with 4 lights in Woodlands Road, 4 lights in Ti-Tree Place and 5 lights in Box Avenue.

The proposal has been obtained in response to a number of requests from the firms located in the industrial area. The scheme will also provide for lighting along the front of the high school.)

Recommendation

That the lighting scheme for the Woodlands area at an increased annual charge of \$2,049.32 be approved.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File 625/6)

CORRESPONDENT: HAWKESBURY CANOE CLASSIC

SUBJECT: OUTWARD BOUND HAWKESBURY CANOE CLASSIC

Requesting use of Macquarie Park, Windsor, during 17-18 October, 1986, to conduct the annual Outward Bound Hawkesbury Canoe Classic.

S.E. REPORT

The proposed function is an annual event in support of charity and has been actively assisted by Council in past years. As previously, it will be necessary for organisers to camp in the reserve overnight. Appropriate arrangements will be made for provision of additional rubbish receptacles. In addition, Council at its meeting held in December, 1982, resolved in part that group bookings, use of sound amplifiers, the emission of excessive noise, and the erection of tent structures be prohibited at Macquarie Park. Having regard to the purpose of the proposed event, it is considered that Council may wish to make an exception in this case.

Recommendation

Approval be granted to the Hawkesbury Canoe Classic to conduct the Outward Bound Hawkesbury Canoe Classic at Macquarie Park, Windsor, during 17-18 October, 1986, approval also be granted for that organisation to use a small public address system, erect tent structures and camp in the reserve.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File A7/21; 625-202)

CORRESPONDENT: RICHMOND & DISTRICT CHAMBER OF COMMERCE

SUBJECT: MARKET DAY PROMOTION - RICHMOND
SATURDAY, 21ST JUNE, 1986 - 9.00 TO 4.00PM

Seeking Council's support to various requests in respect of the market day promotion.

S.E. REPORT

Discussion has been held with a member of the promotions committee, who has indicated that a major promotion is proposed.

The matter has been considered by the Local Traffic Committee, which indicated that West Market Street should be kept open at Windsor Street to provide satisfactory access to the offstreet car parks. Police permission for the road closure is also required.

Permission of the Richmond Junior Rugby League will be required to use the oval, together with permits for the amusement devices.

It is considered that Council should not agree to the placement of goods on the footpath as requested.

It will be necessary for the Chamber to take out public risk insurance, comply with noise regulations and as the promotion is a commercial undertaking, a deposit is required to cover Council costs (cleaning etc).

Recommendation

That the Richmond & District Chamber of Commerce be granted permission for the closure of Windsor Street, Richmond between East Market Street and Bosworth Street, subject to Police approval and that access for traffic be maintained across the West Market Street intersection.

That approval be granted for use of Richmond Park, subject to submission of a \$1 million Public Risk Policy, payment of Council costs in servicing the promotion and that all operations be undertaken in accordance with the regulations as applicable.

COMMITTEE'S RECOMMENDATION

1. APPROVAL BE GIVEN to the road closure of Windsor Street between East Market Street and Bosworth Street subject to maintaining traffic across the West Market Street intersection.
2. Suitable arrangements being made with the Richmond Football Club for the use of the oval in Richmond Park.
3. Approval be given for stalls and goods to be placed within the street, subject to maintaining pedestrian access.
4. That a charge of \$200 be made to cover supervision and additional cleaning.
5. That a Public Risk Policy in the sum of \$1 million be effected and submitted to Council prior to the event.
6. Police approval being obtained for the road closure.

ITEM 6: (File S86/29; DA617/85)

CORRESPONDENT: MOORE & RYAN SURVEYORS ON BEHALF OF H. ELEY

SUBJECT: SUBDIVISION - LOT 3 DP 508208 CASTLEREAGH ROAD,
WILBERFORCE

Referring to Council's conditions of subdivision approval requiring construction of the stormwater pipeline both through the property and across the roadway.

Advising that their client is prepared to construct the pipeline through the property and requesting Council to carry out the work across the road.

S.E. REPORT

Council's condition of approval requires construction of kerb and gutter and road shoulder to the two road frontages. This would require the installation of a 1050mm and 1200mm pipeline across Castlereagh Road and adjustment to the 1500mm pipeline under Macquarie Road. (Plan will be exhibited at the meeting).

On the basis of Council funding this work the estimated cost is \$8,300.

It should be noted that the drain at one stage flowed around the land and was diverted by agreement between the owner and Council. If unable to reach agreement it has been indicated that the application would be altered on the basis of part development of the land, leaving the open drain as it now exists.

No funds are available for the work, but in view of the benefit achieved, Council should endeavour to assist. It is proposed that the work be authorised with the cost recouped from within the 1986/87 loan allocation for road and drainage works.

Recommendation

That the applicant be advised that Condition 10 of approval to subdivide is amended as follows:

1. The construction of a 1200mm R.C. Pipe between the Castlereagh Road and Macquarie Road boundaries of the land in accordance with Council Plan M211.
2. Council will provide funds estimated at \$8,500 to provide for installation of the pipeline across the two streets in its 1987 Works Program.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File R190/16; 963w)

CORRESPONDENT: WINDSOR COUNTRY GOLF CLUB LIMITED

SUBJECT: INSTALLATION OF IRRIGATION MAIN ACROSS
DEERUBBUN PARK

Windsor Country Golf Club Limited has advised of its need to construct an irrigation pipeline from the Hawkesbury River near Deerubbun Park through to the north western corner of the Golf Course on Richmond Road via Deerubbun Park, Cornwallis Road and private lands.

The correspondent requests Council's agreement to the construction of the pipeline within Deerubbun Park and for the associated electricity supply line to also be located within the park. (See plan displayed).

S.E. REPORT

The construction of the pipeline within Cornwallis Road and across Richmond Road would be carried out under normal road opening procedures.

The construction of the sub-surface pipeline within Deerubbun Park would not adversely affect the Park improvement, subject to satisfactory restoration. However, the erection of power poles along the route as

requested could adversely affect future park improvements. This aspect has been discussed with the Golf Club, who is prepared to vary its request so as to minimise the impact on the park. A route could be located which has minimal impact on the park and the adjoining tree line, mainly within the access road 9.145 metres wide.

Recommendation

That approval be given to Windsor Country Golf Club Limited to:

1. Construct an irrigation pipeline within Deerubbun Park as shown on plan dated 9th April, 1986.
2. Erect an electricity supply line with Deerubbun Park and the adjoining Road, with all work undertaken to the satisfaction of the Shire Engineer.

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.

B1. DEPARTMENT OF MAIN ROADS, N.S.W. - SHIRE OF HAWKESBURY. MAIN ROAD NO 184, BELLS LINE OF ROAD, NORTH RICHMOND. SIGNPOSTING AT CROOKED LANE. 665-322

Advising that an inspection of the site has shown that a warrant exists for provision of the sign, as requested in Council's letter of 23rd January, 1986, and steps have been taken to erect the sign as soon as practicable.

(S.E.- Council requested the erection of a sightboard on Bells Line of Road to advise traffic in Crooked Lane of the proximity of the intersection.)

B2. DEPARTMENT OF MAIN ROADS, N.S.W. - CIRCULAR NO.A 696 - RESTORATION OF FLOOD, STORM AND BUSHFIRE DAMAGE FROM OTHER THAN DECLARED NATURAL DISASTERS ON RURAL LOCAL ROADS. C44/4

Advising that the Department is only able to provide limited special financial assistance towards minimum restoration works required to re-open a road to normal traffic. Further advising that these works are restricted to essential roadworks required to provide safe travelling conditions for normal traffic, and will not include works to restore the road to pre-existing conditions such as full reinstatement of gravel pavements and permanent replacement of bridges.

Stating that Council then needs to review its priorities for works to be funded from its normal grant under the Australian Land Transport Program.

(S.E. - This could result in Council having to find additional funds for repairs as a result of damage sustained.)

B3. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - DRAFT CHEMICAL RESPONSE
MANUAL. P177/1

Forwarding a draft manual for Chemical Response, eg hazard chemical spill.
Seeking Council's views and on the need for a workshop.

B4. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - DISTRIBUTION OF FEDERAL
ROAD FUNDS. R190

Forwarding the Associations submission to the Independent Committee of
Inquiry into the Distribution of Federal Road Funds.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE ENGINEER'S REPORTS

ITEM 1: (File 625/90)

SUBJECT: EBENEZER BUSH FIRE BRIGADE - SHED
CNR. KING ROAD AND STANNIX PARK ROAD

With regard to the reservation of land adjacent to MR182 (King Road) and Stannix Park Road for the erection of a bush fire shed an application has been lodged with the Metropolitan Lands Office for creation of a reserve (area 935sqm) within the existing crown reserve for this purpose.

Recommendation

That the information be received.

The Shire Engineer advised that the report should read "Cnr. King Road and Kolora Road" and not Stannix Park Road.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File S82/47)

SUBJECT: DAMAGE TO COUNCIL SEWER MAIN LOT 232 WIMBOW PLACE,
WINDSOR

As a result of damage to the Council sewer main by equipment boring for piles to provide for erection of a dwelling, the cost of the repair work undertaken by Council was raised as a sundry debtor against the owner of the land, Mr Liboria Donvito.

In regard to this action Council has been advised by Mr Donvito's solicitors that it is proposed to defend Council's court action to recover the costs. The cost of the work which involved excavation to a depth of about 3.0m was \$436.34.

The sewer main is laid approximately 1.5m from the side boundary of the land with a corner of the residence located just beside or over the sewer main. In providing approval for the dwelling and advising of the main location it could be contended that Council did not take full care to protect the main from damage. On the basis of the records kept the depth and distance is given as approximate only.

Mr Donvito's solicitors allege that the location of the sewer main through the land placed severe restrictions on the development of the land and that they have now been instructed by their client to file a set-off by way of cross claim in respect to the additional cost occasioned to their client through the incorrect location of the sewer main across their land.

Liboria Donvito was the developer of the land and development required filling in accordance with Council's flood policy. The land was filled to R.L. 16m, the 1 in 100 year flood level, incurring an additional development cost in the erection of dwellings on the land.

In view of the degree of the uncertainty in the precise location of the sewer main and that the damage was accidental it is proposed that Council claim for costs be written off.

Recommendation

That Council's claim for reimbursement of costs in the sum of \$436.34 for repair of damage to the sewer main through Lot 232 Wimbow Place, Windsor be withdrawn and written off.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File B24/6)

SUBJECT: GROSE RIVER BRIDGE AND APPROACHES TENDER
DOCUMENTS

Council has recently received from its Consultants, Maunsell & Partners Pty.Ltd., four preliminary copies of the plans and specifications for the Grose River Bridge project.

Two copies of the above documents have since been forwarded to the Department of Main Roads for its attention so that the Department may advise Council of any amendments or conditions that may be required in order that all documentation can be finalised.

Recommendation

That the information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File F84/2)

SUBJECT: 1986/87 FLOOD MITIGATION MAINTENANCE PROGRAM

Council's 1986 allocation for flood mitigation is \$25,000.

A program of proposed works, set out below, totalling \$30,650 has now been prepared for submission to the Department of Public Works for its consideration and approval.

Maintenance Works are subsidised on a 1:1 basis, meaning that an approved program totalling \$30,650 will result in a cost to Council of \$15,325.

SCHEDULE OF ESTIMATED COSTS

Item	Description and Rate	Cost
1.	<u>Vegetation Control - Spraying</u>	
a)	Bardenarang Creek 1.2km \$850/km	1000
b)	South Creek 1.6km "	1400
c)	Normans Creek 3.5km "	3000
d)	Bakers Lagoon 0.2km "	200
e)	Wards Road Channel 0.6km "	500
2.	<u>Removal of Vegetation and Silt - Excavator</u>	
a)	Bardenarang Creek 0.8km \$1850/km	1500
b)	Normans Creek 2.0km "	3700
3.	<u>Painting and Repair of Steel Flood Gates</u>	
a)	Bardenarang Creek	3500
b)	South Creek	3100
c)	Eastern Creek	500
d)	Cooley Creek	250
e)	Normans Creek	1600
f)	Bakers Lagoon	600
g)	Wards Road Channel	600
h)	Rickabys Creek	500
i)	Buttsworths Creek	1200
4.	<u>Repair Scours near Flood Gates</u>	
a)	Normans Creek	500
b)	Eastern Creek	500
5.	<u>Reinstatement of Rock Bank Protection</u>	
a)	Hawkesbury River at "The Breakaway"	6500
TOTAL:		\$ 30650

Recommendation

That the proposed 1986/87 Flood Mitigation Maintenance Program be submitted to the Department of Public Works for approval.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File B27/8)

SUBJECT: FIRE CONTROL OFFICERS REPORT -
BUSH FIRE ESTIMATES 1986/87

The Bush Fire Estimates for the year commencing 1st July, 1986 are required to be lodged with the Bush Fire Council of N.S.W. by the 16th May, 1986.

The equipment requests from Brigades for the forthcoming season have been correlated and the following estimates are submitted.

Maintenance and running expenses - stations	4,831	
- vehicles	19,478	
- pumps	1,853	
- radio	6,890	
- petrol	9,860	
- freight	491	
- telephone	2,027	
- electricity	1,819	
- insurance	10,256	
- FCO travelling expense	195	
- Rates/lighting	600	
- Printing & Stationery	1,000	59,300
Fire Control Salaries (FCO & assistant)		47,200
4 x 4 Tanker diesel with crew protection cab		65,000
Toyota 4 x 4 short wheel base		12,000
Miscellaneous fire fighting equipment - (hose, knapsacks, handtools, helmets, etc)		18,074
Feeding of fire crews		600
Training		600
Protective clothing		3,000
Hazard reduction works		10,000
Supplementary charges (co-ordination measures, administration charges, contribution to Emergency Fund)		26,000
		\$ 241,774

If the above Estimates are approved, Council will receive subsidies amounting to \$144,530, leaving a balance of \$97,244 to be funded by Council. Provision of the funds have been provided in the Estimates.

Recommendation

That the Bush Fire Estimates for 1986/87 totalling \$241,774 be adopted and submitted to the Bush Fire Council of N.S.W.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File M134/3)

SUBJECT: OUTSTANDING REPORT NO. 9 - FEASIBILITY OF
EXTENSION OF WATER SUPPLY TO GROSE VALE AND
GROSE WOLD AREAS

Further to the meeting with the Metropolitan Water Sewerage and Drainage Board, the working party has been established to review the proposals being sought by Council to provide services to the Glossodia/Wilberforce/Kurrajong area and the North Richmond Sewerage Scheme.

Extension of the Scheme to the Grose Vale and Grose Wold areas would be subject to, in particular, the findings of the working party in respect to the Kurrajong Scheme.

Recommendation

That the report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File M130-16; 665-1603; 665-804)

SUBJECT: OUTSTANDING REPORT NO. 105 - PROPOSED WORK
ON BELLS LINE OF ROAD INTERSECTION AT PECKS ROAD
AND HERMITAGE ROAD, KURRAJONG HILLS

Plans have been received from the Department of Main Roads providing for a climbing lane on Bells Line of Road from a point just past Hermitage Road through to Stone Terrace. This work joins the works proposed to provide for improvement to the intersection of the Main Road with Hermitage Road.

Acquisition of private land required for this work is being undertaken by the Department and Council. Early completion is subject to the co-operation of the landholders affected.

Recommendation

That the report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8: (File S200/12)

SUBJECT: SEWER RETICULATION - GREENWAY/CLAREMONT
CRESCENTS, WINDSOR

As a result of difficulties in negotiation of a site on private property for the pump station required, further investigation was undertaken and it has been found that the bridge over Rickaby Creek is located outside the road reserve. Consequently fencing in the area is not on the correct alignment with land available to locate the pump station within the road reserve to the outside of the road approach to the bridge. It will be necessary to take steps for road widening to acquire the bridge site.

The design would allow for connection to the proposed motel site on Richmond Road on the basis of a contribution of \$24,310 being the estimated cost of the installation of the reticulation. Subject to an agreement for this work, it would be possible to extend the main to serve six properties fronting Richmond Road currently not connected to the sewer system at a further cost on current rates of \$5,700.

The estimated cost of the scheme which will provide for connection to all properties in Greenway Crescent and those not currently served in Claremont Crescent, is as follows:

Construction of Pump Station	\$50,000
Rising Main	\$24,000
Reticulation	\$95,000
Total:	\$169,000

It is proposed that the work be undertaken by day labour with engagement of specialist contractors to undertake work required for construction of the pump station. As it is necessary to have the electrical equipment at the 1 in 100 year flood level, the station and associated electrical switch gear will be above ground level.

The total cost, excluding the reticulation for the motel site and the six properties fronting Richmond Road, amounts to \$169,000. An amount of \$62,000 was provided in the 1981/82 loan borrowing program for sewer reticulation to Greenway Crescent. In addition, further unexpended loan funds amounting to \$84,000 providing a total of \$146,000 are available for this work. Council is currently holding additional funds in reserve for the provision of new headworks for the South Windsor area. It is felt that the additional amount of \$23,000 required to complete the work could be provided from this reserve.

The scheme provides for connection to twenty four (24) properties and the Anglican Church, eliminating this unsewered pocket of land in the Windsor area. It is proposed that a minimum local rate of \$265.00 be levied on the twenty four (24) properties, which will yield an amount of \$6,360 per annum. It is to be noted that the total principal and interest repayable on the loan amounts to \$27,619 per annum. This will result in a short fall of \$21,259, which will be carried by the Windsor sewerage local rate. This is a similar situation that has occurred with the Pitt Town and Clarendon Sewerage Schemes.

Recommendation

Council proceed with the construction of sewer reticulation to Greenway and Claremont Crescents on the following basis:

- 10 be finished Sept 86
1. Funds be provided from unexpended loan monies and the reserve for new treatment works.
 2. A local rate be levied on the properties within the benefit area.
 3. The sewer reticulation be extended to the remaining six (6) properties fronting Richmond Road following receipt of the capital contribution from the developer of the proposed motel site.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 9: (File 4912c)

SUBJECT: DRAINAGE WARKS HILL ROAD, KURRAJONG HEIGHTS

A 375mm dia. pipe culvert collecting roadside drainage discharges onto Lot 22, DP 210303, 61 Warks Hill Road. Owner J. & J. Vanderwoude.

This matter was reported to Council (August 1985) when Council resolved:

1. That funds be provided for construction of the pipeline along the frontage of, and through, Lot 22, DP 219363 Warks Hill Road, Kurrajong, on the basis of Mr & Mrs Vanderwoude contributing \$3,000 towards the cost of the works and the granting of an easement 2.5 metres wide as shown on the plan with each party to meet their own legal expenses.
2. The Common Seal of Council be affixed to all necessary documents for the creation of the drainage easement.

Mr Vanderwoude has contacted Council and although not prepared to make a financial contribution he wished to proceed on the basis of Council supplying materials with him undertaking all necessary work so that the danger of water entry into his house is averted.

At the same time he advises that he is not prepared to grant the easement requested by Council over his land.

This is a matter of concern as Council would have to rely on Section 241 of the Local Government Act. This section confers on Council certain powers in respect to making drains on public or private lands.

Since the previous report the owner has carried out significant improvement to the front of the property with construction of a number of terraces between the house and road. The work has reached a stage where water is now diverted by an open drain towards the side of the property Mr Vanderwoude wishes to continue the terracing through to the road which work requires the installation of the underground pipeline to carry the discharge through to the side of the house. To support his case he states that the open drain is a traffic hazard and that he is aware of two cases where vehicles have been driven into the open drain.

The cost to Council on this basis for the work proposed is estimated at \$1620 and would provide for 65% of the work originally proposed which was estimated to cost \$7,750 at that time.

Funding could be provided within the Kerb & Gutter, Drainage and Footpath Paving Programme.

Recommendation

That the offer of Mr Vanderwoude to undertake drainage work on Lot 22, DP 210363, 61 Warks Hill Road on the basis that Council supply the materials required be accepted and that \$1620 be voted as Council's cost.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Report of the Local Traffic Committee Meeting held at the Council Chambers, Windsor on Friday, 18th April, 1986 at 10.00am.

PRESENT: Councillor J. Nicholson, Chairman
Sgt. R. Pakes, Police Dept.,
Mr. G. Smith, Dept. Main Roads
Mr. J.R. Gilmore, Shire Engineer
Mr. G. Ponton, Executive Planner

APOLOGIES: Sgt. G. Drady
Mr. W. Readon

DEVELOPMENT APPLICATION

ITEM 1: (File DA 291/85)
APPLICANT: F. RAZZA
LAND & LOCATION: LOT 2 DP 558605 BELLS LINE OF ROAD,
KURRAJONG HEIGHTS
SUBJECT: LEP FOR NEIGHBOURHOOD SHOPS - KURRAJONG
HEIGHTS

Resubmitted for consideration from March meeting, to allow for site inspection by Committee members.

Committee's Recommendation

That the comments of the Committee members be incorporated in the report to the Department of Environment and Planning in consideration of the Local Environmental Plan as follows:

Opposition is raised in principle to the proposed development of a neighbourhood shopping centre on Bells Line of Road, Kurrajong Heights on the following grounds:

- (a) an extension of an adjoining commercial development which has frontage to a main road and will encourage additional on-street parking.
- (b) Access and egress to the site being a maximum of only 20 metres from intersection of Bells Line of Road, (main road). With the anticipated residential development of the Warks Road area, this lack of distance from the main road will create an adverse traffic movement into and out of the development. Queuing of vehicles is likely, extending onto Bells Line of Road during peak usage of the shopping centre.

Should approval be given, however, it is recommended that consideration be given to the following improvements.

- (a) Reconstruction of the intersection Warks Road/Bells Line of Road to allow for maximum distance to driveway location, and provide road widening on southern side of Warks Road to create a left turn lane into site.

- (b) Provide right turn lane from Bells Line of Road into Warks Road.
Provide left turn lane from Bells Line of Road into Warks Road.
- (c) Increase off-street car parking spaces to a minimum of 38 spaces and locate them separately from service bay areas. (Suggested increase is due to lack of public transport facilities and reliance upon motor vehicles by local residents).
- (d) Combined driveway to be located to extreme western boundary and to be of minimum width of 6/9 metres with a 1 metre splay at the kerb.
- (e) Internal carriageway to be minimum of 5 metres wide and independent to service bay for butcher shop.
- (f) Provide minimum of 2 service bays to development and positioned at locations independent to internal roads and car parking spaces. Each bay to be at least 3.5 metres wide.
- (g) If waste collection vehicles pick up waste from site during operating hours of the shopping centre then a separate (3rd) service area of 3.5 metres is required.
- (h) Docking length for service vehicle be clear and unimpeded for each bay for minimum distance of 22 metres.
- (i) Entry/Exit to development to be clearly signposted In/Out etc. Internal roadways to be marked with directional arrows and "Keep Left" markings.

ITEM 2: (File DA 397/84)

APPLICANT: M. & T. BURZESE & F. & M. TARANTO

LAND & LOCATION: PORTION 468 PARISH WILBERFORCE, NO. 77
KURMOND ROAD, WILBERFORCE

SUBJECT: CONVERSION OF RESIDENCE INTO A WEDDING
RECEPTION ESTABLISHMENT

Committee's Recommendation

That it considers the proposal acceptable with regard to traffic generation, subject to consideration of the conditions as advised by the Committee members as follows:

D.M.R.

- (i) Entrance driveway and internal entrance roadway to be minimum 6.0 metres wide with a 1.0 metres splay at the kerblines.
- (ii) Internal roadway adjacent to and between parking bays to be a minimum of 5.8 metres wide.

- (iii) Parking spaces are a minimum of 5.4 metres x 2.5 metres in size.
- (iv) Five parking spaces to be set aside for employee parking and to be clearly designated on-site.
- (v) One parking space to be provided for service vehicle and to be clearly designated on-site.

N.S.W. POLICE

- (a) Provide entry driveway of 6 metres minimum width and exit driveway of 4-6 metres.
- (b) Relocate parking bays 9,10,11,12,13 and 14 to the rear of the development to prevent queuing of other vehicles attending site en-masse.

ITEM 3: (File DA 120/86)

APPLICANT: BRICKSANDS PTY.LTD.,

LAND & LOCATION: LOT A DP 381021 (RESUB. OF PORS 245/246 PARISH WILBERFORCE), SACKVILLE ROAD, EBENEZER

SUBJECT: CONSTRUCTION OF A MOTEL COMPLEX INCLUDING CABINS AND TENNIS COURTS

Provision has been made for offstreet parking for 159 vehicles.

Committee's Recommendation

That it considers the proposal acceptable with regard to traffic generation, subject to consideration of the conditions as advised by the Committee members.

CORRESPONDENCE

ITEM 1: (File 665-613; T225)

CORRESPONDENT: HAWKESBURY SHIRE COUNCIL

SUBJECT: STOP SIGN - BENSONS LANE - INTERSECTION OFF FRANCIS STREET, RICHMOND

Requesting the intallation of a "Stop" sign in Bensons Lane to reinforce the priority to traffic along Francis Street.

Committee's Recommendation

That the intersection be treated as an anomalous intersection and that "Give Way" signs be provided with priority to traffic along Francis Street.

ITEM 2: (File 665-2003; T225)
CORRESPONDENT: HAWKESBURY SHIRE COUNCIL
SUBJECT: TERRACE ROAD, NORTH RICHMOND

Request for extension of the 60kph speed limit west past the Industrial Complex. Advising that two recent accidents occurred as a result of vehicles travelling at excessive speed.

Committee's Recommendation

That the matter be referred to the Department of Main Roads for investigation with support from the Committee for the extension of the 60kph zone past the North Richmond Industrial area.

ITEM 3: (File 3176w; T225)
CORRESPONDENT: MR. K.R. ROZZOLI, M.P.
SUBJECT: VINES PONY CLUB - OLD STOCK ROUTE ROAD

Requesting reconsideration of a reduction in speed limit to 60kph for 800m along Wolseley, Oakville and Old Stock Route Roads, and provision of "horse and rider" signs.

Committee's Recommendation

That investigation be made of the signposting, with installation of signs where a deficiency is evident, in particular those indicating 'horse and rider' signs and that the Committee accepts the previous advice from the Department of Main Roads that the speed limit of 80kph is proving satisfactory in regard to roadside development, road geometry, driver perception and local environment.

ITEM 4: (File S196/11; T225)
CORRESPONDENT: KURMOND P. & C. ASSOCIATION
SUBJECT: SCHOOL CHILDREN WARNING SIGNS

Requesting these in Kurmond Road between Bells Line of Road and Slopes Road intersection, Kurmond.

Also requesting the same for Longleat Road and Longleat Lane, Kurmond.

Committee's Recommendation

That 'School Children' signs be provided on Kurmond Road, at the approach to the Kurmond Public School.

That the erection of signs in regard to Longleat Road and Longleat Lane would be misleading, in view of the distance from the school to these roads and the intervening development.

ITEM 5: (File S196/23; T225)

CORRESPONDENT: WINDSOR SOUTH PRIMARY SCHOOL

SUBJECT: PEDESTRIAN CROSSING AT MACQUARIE STREET,
EXTENDING TO MILEHAM & HAM STREETS FOR SCHOOL
CHILDREN

Requesting these crossings due to change in school bus travel and increasing traffic using the roads.

Committee's Recommendation

That an invitation be forwarded to the P & C Association of Windsor South School to meet with the Committee.

ITEM 6: (File S196/10; T225)

CORRESPONDENT: GROSE VIEW P. & C. ASSOCIATION

SUBJECT: 60KPH SIGNS - GROSE VIEW SCHOOL

Requesting 60kph speed limit on Grose Wold Road for a distance on each side of the school.

Committee's Recommendation

That this matter be referred to the Department of Main Roads for investigation and report back to the Committee.

ITEM 7: (File 665-1908; T225)

CORRESPONDENT: MRS. H. LYNESS

SUBJECT: INTERSECTION OF SPINKS ROAD, KENTUCKY DRIVE AND
ROSE CRESCENT, GLOSSODIA

Requesting the erection of a "Stop" sign in Spinks Road to give priority to traffic travelling via Kentucky Drive and Spinks Road (eastern leg) moving to and from the main village area.

Committee's Recommendation

That Council prepare plans to provide for the elimination of the eastern leg of the access into Kentucky Drive.

ITEM 8: (File T225, P160/36)
CORRESPONDENT: HAWKESBURY SHIRE COUNCIL
SUBJECT: TRAFFIC MANAGEMENT OF THE WINDSOR MALL

Requesting formulation of a policy for vehicles using the Mall area, and obstructions, i.e. billboards etc., being placed on the footpath area.

Committee's Recommendation

That the matter be relisted for further consideration at the next meeting.

ITEM 9: (File A7/21; 625-202; T225)
CORRESPONDENT: RICHMOND CHAMBER OF COMMERCE
SUBJECT: MARKET DAY PROMOTIONS - RICHMOND, 21ST JUNE, 1986

Requesting the closure of Windsor Street for the day between Bosworth Street and East Market Street.

Committee's Recommendation

That the road closure be subject to the approval of the Police Department and further that the Committee recommends that access be maintained through West Market Street to the carparks, and suggests that the Chamber of Commerce give consideration to the closure of the block between East Market and West Market Streets only.

ITEM 10: (File 665-1406)
CORRESPONDENT: DEPARTMENT OF MAIN ROADS
SUBJECT: NEICH ROAD, MARAYLYA

Request for pedestrian crossing outside Maraylya Public School.

Committee's Recommendation

That Maraylya Public School be advised that a traffic count was undertaken indicating a movement of 72 vehicles per hour and 46 pedestrians in the morning and 64 vehicles per hour and 38 pedestrians in the afternoon, and that these movements are below the accepted warrant for installation of a pedestrian crossing.

ITEM 11: (File 665-119, 665-1352)
CORRESPONDENT: DEPARTMENT OF MAIN ROADS
SUBJECT: INTERSECTION OF ARGYLE & MILEHAM STREETS,
WINDSOR

Requesting extension of the 'No Standing' zone in Argyle Street on the east side of the intersection along the northern kerb for a distance of 6 metres along the frontage of the R.S.L. Club, to provide improvement in sight distance.

Committee's Recommendation

That a 'No Standing' zone be provided in Argyle Street, east of Mileham Street to extend the 'No Standing' zone an additional 6 metres along the northern kerb.

The meeting terminated at 11.15am.

COMMITTEE'S RECOMMENDATION

THE REPORT BE received and the recommendations adopted.

HAWKESBURY SHIRE COUNCIL

STANDARD CONDITIONS - DEVELOPMENT APPLICATION

1. Submission of a Building Application, plans and specifications complying with Ordinance 70.
2. 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 and to be constructed, drained, sealed and marked to the requirements of Council's Engineer, full details of which are to accompany the building application.
3. An onsite area for parking and loading is to be provided that is commensurate with the development of the site and its surroundings, to the satisfaction of the Shire Planner, and is to be of a suitable all-weather construction to the satisfaction of Council's Engineer.
4. Parking to be provided at the rate of covered and visitor's spaces 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 and to be constructed, drained, sealed and marked to the requirements of Council's Engineer, full details of which are to accompany the building application.
5. The payment of an amount of \$.... being a contribution in lieu of car parking not provided on site based on \$.... per space.
6. The payment of an amount of \$.... being contribution toward the parking spaces deleted by the development based on \$.... per space.
7. An approved physical barrier being provided between public places, vehicle accessways, parking areas and the surrounding landscaped area.
8. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.
9. Provision of satisfactory vehicular access to the land to the requirements of the Council's Engineer.
10. Provision of full width concrete vehicular entrance(s) to the satisfaction of Council's Engineer.
11. Provision of full width concrete footpath over the full frontage of the development.
12. Provision of half width concrete footpath over the full frontage of the development.
13. Formation of an earth and grassed nature strip for the full frontage of the development to the satisfaction of the Shire Engineer.
14. The provision of concrete kerb and gutter over the full frontage of the development to the satisfaction of the Shire Engineer.
15. Construction of the road shoulder for the full frontage of the development to the satisfaction of the Shire Engineer.
16. Construction of half the road for the full frontage of the development to the satisfaction of the Shire Engineer.
17. No advertising structures to be erected, displayed or affixed on any building or land.
18. No advertising structures to be erected, displayed or affixed on any building or land without the prior approval of Council under Ordinance 55 of the Local Government Act.
19. No goods or signs to be displayed on the footpaths, pedestrianways, roadways, landscaped areas, parking areas or in the vicinity.
20. No materials, goods or vehicles to be stored or vehicles parked between the building and the street alignment.
21. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Shire Health Surveyor.

22. Provision of a garbage receptacle storage area adjacent to the street alignment to the satisfaction of the Shire Health Surveyor.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. Provision of toilets in accordance with the requirements of Ordinance 44 of the Local Government Act.
29. 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.
30. The applicant is to receive the approval from the Trade Waste Inspector, of the Metropolitan Water Sewerage and Drainage Board, in order to determine whether or not the installation of a grease arrestor is necessary for the proposal.
31. The registered owner of the land is to reside in one of the proposed dual occupancy dwellings.
32. The development shall, at all times, conform with the definition of "Home Industry" as defined in the Hawkesbury Local Environmental Plan 1984.
33. The development shall, at all times, conform with the definition of "Home Occupation" as defined in the Hawkesbury Local Environmental Plan 1984.
34. 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.
35. Development consent being obtained for the use of the building/each factory unit/each shop prior to occupation taking place.
36. A contribution of \$* based on \$572.00 per additional dwelling being a contribution for community facilities as a consequence of resident flat development (both Class A & Class B).

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 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 on 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.
13. The creation of an instrument pursuant to Section 88B of the Conveyancing Act requiring the road severed parts of each lot created to be capable of development only as part of the whole lot, and not capable of separate disposition or development.
14.
 - a. A contribution of \$* based on \$840 per additional allotment being the contribution for open space and community facilities as a consequence of the subdivision of zoned residential land (excluding Urban Development Programme land).
 - ✓ b. A contribution of \$* based on \$725 per additional allotment being the contribution for open space and community facilities as a consequence of the subdivision of zoned rural land.

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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.

HAWKESBURY SHIRE COUNCIL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

DEVELOPMENT APPLICATIONS - HEADS OF CONSIDERATION UNDER SECTION 90

Section 90 of the Act provides that a consent authority shall take into consideration the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
 - (i) any environmental planning instrument;
 - (ii) any draft environmental planning instrument that is or has been placed on exhibition pursuant to Section 47(b) or 66(1)(b).
 - (iii) any draft State environmental planning policy which has been submitted to the Minister in accordance with Section 37 and details of which have been notified to the consent authority; and
 - (iv) any development control plan in force under Section 72, applying to the land to which the development application relates;
- (b) the impact of that development on the environment (whether or not the subject of an environmental impact statement) and, where harm to the environment is likely to be caused, any means that may be employed to protect the environment or to mitigate that harm;
- (c) the effect of that development on the landscape or scenic quality of the locality;
- (d) the social effect and the economic effect of that development in the locality;
- (e) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of that development;
- (f) the size and shape of the land to which that development application relates, the siting of any building or works thereon and the area to be occupied by that development;
- (g) whether the land to which that development application relates is unsuitable for that development by reason of its being, or being likely to be, subject to flooding, tidal inundation, subsidence, slip or bush fire or to any other risk;
- (h) the relationship of that development to development on adjoining land or on other land in the locality;
- (i) whether the proposed means of entrance to and exit from that development and the land to which that development application relates are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles within that development or on that land;
- (j) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic on that road system;
- (k) whether public transport services are necessary and, if so, whether they are available and adequate for that development;
- (l) whether utility services are available and adequate for that development;
- (m) whether adequate provision has been made for the landscaping of the land to which that development application relates and whether any trees or other vegetation on the land should be preserved;

- (n) any representations made by a public authority in relation to that development application, or to the development of the area, and the rights and powers of that public authority;
- (o) the existing and likely future amenity of the neighbourhood;
- (p) any submission made under Section 87;
- (q) the circumstances of the case;
- (r) the public interest;
- (s) any other prescribed matter.

SECTION 2 - DEVELOPMENTDEVELOPMENT APPLICATIONS

ITEM 1: (File DA 76/86)
APPLICANT: D. MATTHEWS & ASSOCIATES
OWNER: F. ANSELL & I. & A. MAGDIC
LAND & LOCATION: LOTS 5 & 6 DP 238173, GARFIELD STREET, MCGRATHS HILL
ZONING: RESIDENTIAL 2(a)
APPLICATION: SUBDIVISION INTO 3 ALLOTMENTS WITH AREAS OF APPROXIMATELY 912M2, 550M2 AND 485M2 AND GENERALLY IN ACCORDANCE WITH THE PLAN SUBMITTED.
ADVERTISING: NOT REQUIRED UNDER COUNCIL'S POLICY.
DATE RECEIVED: 18TH FEBRUARY, 1986

S.P. REPORT

The subject land is zoned Residential 2(a) pursuant to Hawkesbury Local Environmental Plan, 1984. Clause 14 of the plan provides that Council may consent to the subdivision of land in this zone if each separate allotment created has an area of not less than 550 square metres. It will be noted that the application proposes the creation of an allotment with an area of approximately 485m2, which is a 12 percent variation on the minimum provided in clause 14.

Council will be aware that State Environmental Planning Policy No. 1 permits the variation of development standards prescribed in local environmental plans subject to a number of constraints. In this instance the matter is one for which Council has the Director's concurrence to approve without reference to the Department of Environment and Planning.

The principle of 'backyard subdivision' for infill development is actively promoted by the Department of Environment and Planning. Circular No. 87 from the Department urges Councils to survey the pattern of subdivision in its residential zones with the express purpose of permitting such subdivision. The circular notes that,

"the excision of allotments from existing subdivisions is often prevented by standards such as minimum allotment sizes and widths and the width of access required to battle-axe allotments. Such standards should be critically reviewed, and amended where appropriate. Where a Council concludes that they can be varied, State Environmental Planning Policy No. 1 may be used to approved applications even before the planning instruments are changed."

This principle of 'backyard subdivision' is one element of the Government's Urban Consolidation Strategy.

The land is subject to flooding at a frequency of approximately once in 50 years. However, this applies to most of the 'Killarney' area and will have only a minor impact on any future dwellings on the proposed allotments.

Recommendation

That the application be approved subject to the following conditions;

- 1-3 Standard conditions, Subdivision under the E.P.A. Act 2, 9, 12.
4. The contribution of \$840 based on \$840 per additional allotment being the contribution for open space and community facilities as a consequence of the subdivision of zoned residential land.
5. No encroachment of garage eaves over adjoining allotment.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 2:	(File DA 106/86)
APPLICANT:	WORTH TRANSPORT (OIL DIVISION) PTY LTD
OWNER:	KURRAJONG QUARRIES
LAND & LOCATION:	LOT 34 DP 263025 CNR. FAIREY ROAD AND BLACKMAN CRESCENT, SOUTH WINDSOR
ZONING:	INDUSTRIAL 4(a)
APPLICATION:	USED OIL STORAGE DEPOT
ADVERTISING:	NOT REQUIRED
RECEIPT DATE:	10.3.86

S.P. REPORT

This proposal involves the establishment of a used oil storage depot on the subject land which is situated within the South Windsor Industrial Estate.

The development proposes the erection of 28 X 27,000 litre, 1 X 50,000 litre and 1 X 100,000 litre above ground vertical storage tanks, oil warming equipment and office block with amenities. Concrete block screen walls will be erected on the 10 metre and 5 metre building lines to the street in order to screen the development and open yard activities from these roads. Landscaping will be provided between the concrete block walls and the street alignments to screen the wall and to provide a more pleasing view from the public roads.

Under Clause (4) of Schedule 3 of the EPA Regulations, 1980, the processing of oil for reclamation and the storage of oil/petroleum products in excess of 2,000 cubic metres constitutes designated development. The proposed development involves storage only (with associated settling of wastes) prior to being consigned to various oil refineries for reclamation.

The total capacity is 1,206,000 litres which is well short of the 2,000,000 litres (2,000 cubic metres) that renders the use designated development under the Regulations.

All work and installations will be undertaken so as to conform to the requirements of the State Pollution Control Commission and Dangerous Goods Branch of the DIR. The approval of both these authorities will be required prior to the commencement of any work.

The proposed use of the land for an oil storage depot is a permissible use under Column IV of Clause 9 of HLEP 1984.

Recommendation

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

1. Development shall be in accordance with the details shown on the submitted plan No. HSC 86.101 prepared by R.A. Cole, Town Planning Pty Ltd.
- 2-16 (Standard Conditions - DA's) 1, 2(8), 7, 8, 10, 13, 18, 19, 20, 21, 24, 25, 26, 28, 34.
17. Building elevations facing the street frontages shall be of masonry construction to the requirements of the Shire Health Surveyor.
18. Approval shall be obtained from both the State Pollution Control Commission and the Dangerous Goods Branch of the Department of Industrial Relations prior to commencement of operations of the depot. Satisfactory evidence in this regard shall be submitted to Council prior to final inspection of works and it is recommended that the Commissions requirements are ascertained prior to preparation of building plans.
19. The applicant's attention is drawn to the Department of Industrial Relations' (DIR) requirements under the Factories, Shops and Industries Act, 1962, particularly in respect to amenities. It is recommended that the DIR be consulted prior to the submission of a building application so as to ensure that their requirements will be complied with.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. 

ITEM 3:	(File DA 39/86)
APPLICANT:	R. & A. SOUTHWELL
OWNER:	R. & A. SOUTHWELL
LAND & LOCATION:	LOT 6 DP 232770 BOCKS ROAD, OAKVILLE
ZONING:	HAWKESBURY LOCAL ENVIRONMENTAL PLAN, 1984, RURAL 1(C)
APPLICATION:	TO INCREASE THE NUMBER OF DOGS FROM 20 TO 40 IN EXISTING KENNELS
DATE RECEIVED:	30TH JANUARY, 1986

S.P. REPORT

Council at its meeting of 8th April, 1986, considered this application and resolved that consideration of the application be deferred, pending an inspection of the site.

An inspection could not be held during Council's recent site inspections as the applicants were not available that day.

The applicant is not proposing additions to the existing building but wishes to increase the number of Chihuahua dogs housed in the kennels from 20 to 40.

The existing building was approved prior to the adoption on the 12th May, 1981, of the Hawkesbury Shire Council's Code for the Housing and Keeping of Dogs.

The land is zoned Rural 1(c) under the Hawkesbury LEP 1984, which permits animal establishments. The application was advertised with no objections being received.

Recommendation

Council approve the application subject to the following conditions:

- 1-3. Standard conditions (Development) 17, 25 and 34.
4. Approval be limited to a maximum of 40 Chihuahua dogs at any one time.
5. That the dogs be kept within the confines of the kennel and run area at all times.
6. The grass area of the runs are to be doubled.
7. The septic absorption area to be maintained with cut grass to maximise transpiration.

Mr.R.Southwell addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 4:	(File DA 443/85)
APPLICANT:	WILBERFORCE PARK PTY.LTD.,
OWNER:	WILBERFORCE PARK PTY.LTD.,
LAND & LOCATION:	LOT 2 DP 595299, SINGLETON ROAD, WILBERFORCE
ZONING:	RURAL 1(b2) ENVIRONMENTAL PROTECTION HLEP 1984
APPLICATION:	AMENDED PLAN - PROPOSED PICNIC/SHELTER SHED
EXHIBITION:	NOT REQUIRED
DATE RECEIVED	10/4/86

S.P. REPORT

On the 10th October, 1985, development consent was issued for the following works on the subject land:

"Additions to existing tourist facility and picnic grounds, consisting of a butterfly breeding cage, swimming pool and wading pool, shelter shed and provision of access tracks and additional parking areas".

The shelter shed, as approved, contained a total floor area of 480 sq.m. (40m x 8m x 12m), and consisted of a roofed, semi-enclosed building with toilet facilities at each end.

The applicant has amended this plan to include a kitchen and bar area at each end of the building. The ends of the building will be enclosed with brickwork and the shed will be fitted with moveable partitions to provide two separate areas for private functions. Total floor area has been increased to 640 sq.m (11.85m x 54.02m).

The applicant's submission states in part:

"The appearance (of the shed) will follow the lines of an old wool shed....The colorbond roof and 900mm high surround with openings between will further enhance the park like appearance of these familiar grounds...The proposal will ensure the continued promotion of this locality as a tourist attraction and assist in the cohesion of existing facilities".

It is not intended to apply for a publican's license under the Liquor Act, 1912, in respect of the bar areas. These are to be used for private functions with temporary licensing as required to cover the sale of liquor.

The proposed development falls within the definition of a "tourist facility" and, as such, is a permissible use within the current zoning.

It is considered that the proposal will improve the visual quality of the park and assist this facility in making a valuable contribution to tourism within the Shire.

Recommendation

Approval be granted, subject to compliance with the following conditions:

1. Development shall be in accordance with the submitted plan No. 85057 prepared by W.D. & B.L Wilson.
- 2-10. Standard Conditions (DA's) 1,3,18,25,26,7,28,21,34.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File DA 579/85)
APPLICANT: DR. R.J. DUNLOP
OWNER: DR. R.J. DUNLOP
LAND & LOCATION: PORS 60,153,13, PT.POR 13 & 16 AND CLOSED ROAD,
PSH.MERROO, LOT 4 DP 608314 BLAXLANDS RIDGE ROAD,
KURRAJONG (AREA 106 HA).
ZONING: PART RURAL 1(a5) PART RURAL 1(a6) ENVIRONMENTAL
PROTECTION HLEP, 1984
APPLICATION: AMENDED APPLICATION FOR SUBDIVISION TO CREATE
(8) ALLOTMENTS CONTAINING APPROXIMATELY 4.1 HA,
(1) ALLOTMENT CONTAINING .85 HA AND A RESIDUE OF
APPROXIMATELY 65 HA.
EXHIBITION: NOT REQUIRED
DATE RECEIVED: 15TH APRIL, 1986

S.P. REPORT

In 1978, the applicant lodged an application for an adjustment of boundaries over Lot 2 DP 567175, Part Portion 38, Parish of Merroo, which formed part of the subject land. Such application involved 3 x .4 ha allotments and two allotments containing approximately .85 ha and a residue of approximately 16.7 ha. A subsequent letter from the applicant's surveyor requested that only the 3 x .4 ha lots plus the 16.7 ha residue be considered.

Development consent was granted on this basis, however, the plan accompanying the application included the 5 allotments and residue outlined above. The consent notice referred only to the submitted plan with no mention of any amendment.

Following the gazettal of Amendment No. 6 to HLEP which allows for a minimum area of 4.1 ha, the applicant lodged a development application for subdivision of the subject land. Approval was subsequently granted on 10th March, 1986, for subdivision of the land into eight (8) allotments containing a minimum area of 4.1 ha plus a residue containing approximately 65 ha.

In order to facilitate the realignment of the intersection of Blaxlands Ridge Road and Comleroy Road, a condition of development consent required the dedication to Council of an area of land containing .535 ha.

The applicant has now indicated that he will dedicate this land to Council provided that he is granted development consent for an additional allotment containing .87 ha which he claims forms part of the development consent granted by Colo Shire Council in 1978 and which he claims has been substantially commenced.

Further reasons given include:

"if this is done the roadway to No. 11 block (the residual) can be realigned to prevent the destruction of trees and shrubs which are environmentally a great asset to the property".

The question of the original consent 'substantially' commenced, is a moot point which could be argued in the Land & Environment Court at considerable cost to both Council and the applicant.

The granting of consent for an allotment containing .85 ha requires the concurrence of the Director of the Department of Environment & Planning.

It is considered that a request for concurrence should be supported on the grounds that:

- . The proposal will allow for environmentally sensitive development of the land;
- . Acquisition of land for roadworks will be at no cost to Council.

The proposal will not create an undesirable precedent as substantial community benefit is gained.

Recommendation

- A. That Council support a request for the concurrence of the Director of the Department of Environment & Planning in respect of the subject application.
- B. Should the concurrence requested in A above be forthcoming, the application be approved, subject to compliance with the following conditions:
 - 1. Dedication to Council of land having an area of 5,350 square metres as indicated on Council Plan No. 209-6 for the purposes of road opening.
 - 2-8 Standard Conditions ((Subdivision under EPA Act) 2,4,5,6,9,12, 14(b) \$6,525.
 - 9. The provision of drainage easements at the subdividor's expense including inter-allotment drainage easement to serve all lots that cannot naturally drain to the roads.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.



ITEM 6:	(File DA 206/86)
APPLICANT:	HAWKESBURY SHIRE COUNCIL
OWNER:	DEPARTMENT OF LANDS (TRUSTEE: HAWKESBURY SHIRE COUNCIL)
LAND & LOCATION:	LOT C, SEC. 8, RESERVE 91308, WEST MARKET STREET, RICHMOND. (AREA 935.8 SQ.M)
ZONING:	HAWKESBURY LOCAL ENVIRONMENTAL PLAN, 1984, SPECIAL USES 5(a) - COMMUNITY CENTRE
APPLICATION:	WORK OPTION CENTRE
DATE RECEIVED:	18TH APRIL, 1986
ADVERTISING:	NOT REQUIRED

S.P. REPORT

This application involves the erection of a work option centre attached to the existing Richmond Neighbourhood Centre. The proposed building contains amenities, training room, and a cafe, including an outdoor eating area.

The building is intended for community use by handicapped and disabled persons. Such a use is permissible under Clause 9 of Hawkesbury Local Environmental Plan, 1984, and is in accordance with Council's tenure of the land, viz, ".... for the purposes of establishing a community centre".

The proposal is generally satisfactory except for the intention to provide vehicular access to the rear of the building. This involves the provision of a 3 metre wide paved access road from March Street. Such road traverses public open space (Richmond Park) and abuts the Richmond Park Grandstand, which is an item of the environmental heritage. Therefore, the approval of the Heritage Council would be required prior to the commencement of any work.

Apart from the heritage implications of the access road, such a road is considered unsatisfactory for the following reasons:

- * Pedestrian/vehicular conflict between park users and patrons of the work option centre;
- * Increased risk of vandalism and burglary due to the provision of vehicular access to the rear of the subject premises.

Adequate area exists in West Market Street for the kerbside embarkment and disembarkation of disabled patrons of the centre.

On this basis, it is considered that the application should be approved, subject to all vehicular access being via West Market Street with vehicular access across Richmond Park being denied.

Recommendation

Approval be granted to the establishment of a "work option centre" on Lot C, Section 8, Reserve 91308, West Market Street, Richmond, subject to compliance with the following conditions:

1. All vehicular access shall be via West Market Street. No vehicular access is permitted across Richmond Park. An amended plan incorporating this requirement shall be submitted with the building application to the satisfaction of the Shire Planner.
- 2-13. Standard conditions (DAs) 1, 2 (2), 7, 8, 9, 18, 19, 21, 25, 28, 29 and 34.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

*Architect to look at
to let setback*

ITEM 7: (File DA 138/86)
APPLICANT: R. & C. HOTTINGER
OWNER: HAWKESBURY SHIRE COUNCIL
LAND & LOCATION: PT. LOT 1 DP 226141 & LOT B, MACQUARIE PARK,
WILBERFORCE ROAD, WINDSOR. NORTHERN SIDE OF THE
HAWKESBURY RIVER; DIRECTORY C3, MAP 26A
ZONING: HAWKESBURY LOCAL ENVIRONMENTAL PLAN, 1984. RURAL
1(b2) ENVIRONMENTAL PROTECTION AREA
APPLICATION: EXTENSION TO AN EXISTING FLOATING KIOSK ON THE
HAWKESBURY RIVER TO ALLOW FOR REFRESHMENT SALES AT
MACQUARIE PARK
DATE RECEIVED: 10TH MARCH, 1986
ADVERTISING: NOT REQUIRED UNDER COUNCIL'S POLICY

S.P. REPORT

In September 1982, Council approved an application to establish a floating kiosk on the Hawkesbury River between Windsor Bridge and Wisemans Ferry, to sell goods at random points along the river. The types of goods to be sold included milk, bread, coffee, tea, cold drinks, ice creams, pies, cigarettes etc. No food was to be consumed on the boat itself. Originally designed as a houseboat, the vessel has an overall length of 7.8 metres, a beam of 3.54 metres, a height above water of 2.2 metres and a shallow draught of 460 millimetres when fully loaded.

The applicant now proposes to extend the development to include the sale of refreshments from the vessel at Macquarie Park, landing on the north western side of the beach foreshore.

At its meeting of 14th January, 1986, Council resolved in relation to an application for boat rides, that the river upstream of Windsor Bridge should not be utilised for commercial boating as it would be in conflict with its intensive recreational use during the summer months. It is considered that this proposal is subject to the same concerns.

Further, Council currently leases part of Macquarie House for the purposes of a kiosk and has in the past, not permitted itinerant food vendors to operate on public reserves, especially where a kiosk has been established.

Council also resolved at its meeting of 14th January, 1986, to undertake an investigation into the safety aspects of power boats moving upstream of the Windsor Bridge, and as part of this investigation, the Maritime Services Board has been contacted for its advice on the adequacy of the existing 8 knot speed limit in relation to the likely conflict between swimmers, canoeists and power boats. The Board has not, as yet, replied to Council's letter and this matter has been again referred to it. In the circumstances it is considered the proposal should not be approved.

Recommendation

The application be refused for the following reasons:

1. The proposal will result in conflict with the intensive recreational users of the river upstream of the Windsor Bridge including swimmers and canoeists.

2. The proposal is an unsatisfactory use of public land and will result in the setting of an undesirable precedent in an area where there already exists a kiosk.
3. The proposal is not in the public interest.

Mr.R.Hottinger addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved subject to the following conditions :

- 1-4. Standard Conditions (DAs) 18, 21, 29 and 34.

Further that the approval be for a period of 12 months after which time the matter be again subject to a report to Council.

ITEM 8:	(File DA 444/85)
APPLICANT:	S.M. HELMY
OWNER:	S.M. & H.A. HELMY
LAND & LOCATION:	LOT A, FP 349803 & LOT 17, DP 13541 OLD BELLS LINE OF ROAD, KURRAJONG
ZONING:	RESIDENTIAL 2(A1) ENVIRONMENTAL PROTECTION AREA
APPLICATION :	ESTABLISHMENT OF A GUEST HOUSE & RESTAURANT.
ADVERTISING:	ADJOINING OWNERS WITH ONE LETTER BEING RECEIVED FROM DR. BAIN
DATE RECEIVED:	24TH MARCH, 1986

Council at its meeting of 12th November, 1985, resolved to support the preparation of a local environmental plan for the establishment of a guest house and restaurant on the subject land.

In subsequent conversations with officers of the Department of Environment and Planning, it was agreed that the matter could proceed as a development application, utilising the definition of "tourist facility" which is a permissible use in the zone. As provision is made for guest accommodation as well as associated activities, the whole application may be considered under this definition.

The applicant has submitted a development application for use of the existing dwelling as a guest house/restaurant and the existing garage for the sale of local crafts and second hand toys. It is identical to that considered by Council at its meeting of 12th November, 1985. Accordingly the matter has not been re-advertised but reference is made to the letter previously received from Dr. Bain indicating no objection subject to no parking on Old Bells Line of Road, "pump-out" sewerage disposal and the provision of a fence and nature tree planting to endorse the proposed parking area.

Major structural alterations would be required if the 3 proposed guest rooms on the first floor were included in any building application.

This information has been conveyed to the applicants who are satisfied in the first instance to proceed with the application as far as it relates to the ground floor of the dwelling (including restaurant and guest room) and the existing garage (sale of crafts and second hand toys).

The application will reinforce the tourist function and "village atmosphere" of Kurrajong and for these reasons should be supported.

Recommendation

That the application be approved subject to the following conditions:

1-6 Standard conditons (DAs) 1, 2 (6 vehicles), 9, 18, 21 and 28.

7. No use of the first floor of the dwelling for guest rooms or for any commercial purposes.

8. Licences being obtained from Council's Health & Building Department for use of the premises as a refreshment room and guest house.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 9: (File DA 555/85)
APPLICANT: I. & V. MITCHELL
OWNER: I. & V. MITCHELL
LAND & LOCATION: LOT 10 DP 245757 UWORRA ROAD, EAST KURRAJONG
ZONING: HAWKESBURY LOCAL ENVIRONMENTAL PLAN, 1984 -
RURAL 1(b1) ENVIRONMENTAL
APPLICATION: CONSTRUCTION OF 4 DOG KENNELS FOR THE KEEPING OF
12 DOGS
ADVERTISING: OBJECTIONS RECEIVED FROM:
C. WEBB & G.L. JONES, UWORRA ROAD, WILBERFORCE;
R.J. CRAFT, DAVIES AND COMPANY, SOLICITORS ON
BEHALF OF DANCRAFT INDUSTRIES PTY. LTD., LOT 7
UWORRA ROAD, WILBERFORCE;
W. & O. BOWDEN, CHURCH STREET, CASTLE HILL (OWNERS
OF LOT 10 UWORRA ROAD, WILBERFORCE.)
LETTER OF SUPPORT FROM:
R.K. & J.B. SNEDDEN, UWORRA ROAD, WILBERFORCE;
W.D. & L.A. STERN, UWORRA ROAD, WILBERFORCE
DATE RECEIVED: 28TH OCTOBER, 1985

S.P. REPORT

Council is referred to the Shire Planner's Report Item 10 in the Development Section to the Ordinary Meeting of 11th March, 1986, and Council's resolution at that time that consideration of this matter be deferred pending further investigations on the environmental effect of the proposal and of the adjoining proposal on Lot 11 and the reporting of the investigations to Council. Council is also reminded of its own recent site inspection of the property.

A precis of objections received are as follows:-

- Place at risk the preservation of the natural rural/residential area of the Shire;
- Close settlement of people;

- Large wetland immediately behind the subject land is widely known to be a nesting, breeding and feeding ground for a large variety and number of birds and is a wildlife sanctuary;
- Noise pollution;
- Air pollution;
- Traffic generation;
- Property devaluation;
- Insufficient space to exercise dogs properly;
- Runoff would pollute Hawkesbury Creek
- Land subject to flooding.

Council's Code for the housing and keeping of dogs provides, inter alia, the following setbacks:-

1. From any road alignment of the property 150 metres.
2. From the rear boundary of the property 22 metres.
3. From the side boundary of the property a distance equal to one quarter of the width of the property or a distance of 22 metres whichever is the greater.
4. No enclosures or shelters shall be positioned to be within 75 metres of any dwelling on the subject land or any adjoining land or within 75 metres of any reasonably proposed site for any dwelling having regard to the layout of the subdivision of the particular area.

The proposal does not meet the above four (4) standards and because of the area and dimensions of the land cannot meet the standards even should the proposal be re-designed. Whilst not stipulating a minimum land area for the establishment of kennels the Code is clearly aimed at land with areas in excess of one (1) acre and at land having areas of five (5) acres or more. Council's existing Code is in need of redrafting to overcome some anomalies that presently exist, particularly in relation to drawing a differentiation between enthusiasts breeding kennels and normal boarding kennels. However, notwithstanding this differentiation it is considered that 4047 sq.m. (1 acre) does not meet reasonable aims and objectives of Council in satisfactorily controlling such development particularly with other small lots in the close vicinity.

Additionally, the proposal is to construct the kennels in colorbond panels which is contrary to Council's Code which requires sound approved materials of masonry or brick construction.

Existing kennels located in the garage beneath the house and to the eastern end of the house do not comply with Council's requirements, are in a poor state of cleanliness, have not been approved by Council and should be subject to appropriate action by Council.

As the applicant has not proved that the kennels can be kept in an environmental and hygienically sound manner in their application submitted and further that the land is not capable of such, even should the proposal be redesigned, it is considered that the application should be refused.

Recommendation

That the application for the establishment of kennels for the keeping of twelve (12) dogs on Lot 10 DP 245757 Uworra Road, Wilberforce, be refused for the following reasons:

1. The proposal does not conform with the provisions of Council's Code for the Housing and Keeping of Dogs adopted in May, 1981.
2. The applicant has not satisfied Council that the proposal would have no adverse environmental effect on adjoining lands and land in the locality particularly in relation to the effect of waste water on the wetlands to the rear of the property, noise pollution, air pollution and traffic generation.
3. The area and dimensions of the land is such that Council's Code could not be complied with even with a re-design of the proposal.
4. The application is not in the public interest.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 10: (File DA 43/86)
APPLICANT: J. MUIR & G. CASTLES
OWNER: J. MUIR & G. CASTLES
LAND & LOCATION: LOT 11 DP 245757 UWORRA ROAD, WILBERFORCE
ZONING: HAWKESBURY LOCAL ENVIRONMENTAL PLAN, 1984 -
RURAL 1(b1) ENVIRONMENTAL
APPLICATION: ESTABLISHMENT OF KENNELS TO HOUSE A MAXIMUM OF 12
DOGS
ADVERTISING: OBJECTIONS RECEIVED FROM:
W. & O. BOWDEN, UWORRA ROAD, WILBERFORCE;
R.J. CRAFT, DAVIES & CO., SOLICITORS ON BEHALF OF
DANCROFT INDUSTRIES PTY. LTD, LOT 7 UWORRA ROAD,
WILBERFORCE;
A. LISTER ON BEHALF OF J.V. PROPERTIES PTY. LTD.
LETTERS OF SUPPORT RECEIVED FROM:
R.K. & J.B. SNEDDEN
I. & V. MITCHELL
DATE RECEIVED: 4TH FEBRUARY, 1986

S.P. REPORT

The subject land is next door to that reported in the previous item and was also the subject of Council's recent inspection.

The points raised in the objection are as in the previous item and the application differs only in the location of the kennels in relation to the dwelling on the site although the comments relating to non-compliance with Council's Code are identical.

The existing kennels on this land also do not have Council's approval and appropriate action should also be taken in respect of these.

Recommendation

That the application for the establishment of kennels for the keeping of twelve (12) dogs on Lot 11 DP 245757 Uworra Road, Wilberforce, be refused for the following reasons:

1. The proposal does not conform with the provisions of Council's Code for the Housing and Keeping of Dogs adopted in May, 1981.
2. The applicant has not satisfied Council that the proposal would have no adverse environmental effect on adjoining lands and land in the locality particularly in relation to the effect of waste water on the wetlands to the rear of the property, noise pollution, air pollution and traffic generation.
3. The area and dimensions of the land is such that Council's Code could not be complied with even with a re-design of the proposal.
4. The application is not in the public interest.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 11: (File DA 653//85)
APPLICANT: F. & J. MANSOUR
OWNER: F. & J. MANSOUR & B. EL DERZI
LAND & LOCATION: LOT 1 & 4 SUBDIVISION 1612 WINDSOR STREET,
RICHMOND
ZONING: GENERAL BUSINESS 3(A) ENVIRONMENTAL PROTECTION
APPLICATION: CONSERVATION OF HISTORIC BUILDING AND
REDEVELOPMENT OF SITE FOR SHOPPING ARCADE AND
OFFICES.
ADVERTISING: NOT REQUIRED
DATE RECEIVED: 13TH DECEMBER 1985

S.P. REPORT

The proposal for the conservation of the historic building and redevelopment of its 1321m2 site for the purpose of a shopping arcade and offices is permissible with consent.

In July 1985 the Minister for Planning and Environment placed an Interim Conservation Order over the subject land. The intention of the order was to protect the mid Victorian shop building for a maximum of two years. Further investigation in the two year period by the Heritage Council may, however, result in the building being identified as an item of the State's environmental heritage and worthy of permanent conservation. Given that it dates from the mid Victorian period the building is considered to be fairly intact and in reasonably good condition.

The proposal involves the complete conservation of the shop building including the restoration of the upper verandah. A brick and galvanised iron garage is to be demolished to allow a shopping arcade comprising 6 shops with offices above to be constructed to the rear of and adjacent to the existing shop building. Whilst 832m2 of retail floorspace and 900m2 of office space is provided within the arcade the proposal does not incorporate on site carparking. Under the provisions of Development Control Plan No. 2 a total of 43 car spaces is required for the proposal.

The floor area of the existing shop building has been excluded from the car parking calculations in accordance with Clause 39 of the Plan. Given that the proposal is commercially based and that car parking is at a premium in Richmond the applicant should make a contribution in lieu of the 43 car spaces not provided on site.

As the proposal involves demolition of the brick and galvanised iron building and the conservation of a shop building encompassed by an Interim Conservation Order, Council advised the applicant that the approval of the Heritage Council was required for both demolition and redevelopment. At its meeting of 3rd April, 1986 the Heritage Council approved the application in respect of demolition and conservation works subject to a number of conditions. The conditions formulated by the Heritage Council have been incorporated into the development consent.

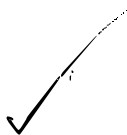
Recommendation

That the application as illustrated in the plan submitted to Council 13th December, 1985 be approved subject to the following conditions.

- 1-8. Standard Conditions (DAs) 1, 5 (\$168, 870 based on \$3,900 per space), 18, 21, 28, 29, 34 and 35 (each shop).
9. A schedule of proposed external finishes including sample materials shall be submitted for approval by the Shire Planner in conjunction with the Building Application.
10. Compliance with the following conditions of the Heritage Council of N.S.W.:-
 - a) That the applicant's working drawing and specifications in respect of construction of the new shopping arcade, demolition of the existing garage and restoration of the existing shop building shall be approved by the Manager, Heritage and Conservation Branch prior to any work being commenced.
 - b) That approval pursuant to Section 63 of the Heritage Act, 1977 shall be void if the activity to which it refers is not substantially commenced within two years after the date of approval.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.



ITEM 12: (File DA 397/84)
APPLICANT: M. & T. BURZESE & F. & N. TARANTO
OWNER: M. & T. BURZESE & F. & N. TARANTO
LAND & LOCATION: PORTION 468, PARISH WILBERFORCE, NO. 77 KURMOND ROAD, WILBERFORCE. NORTHERN SIDE OF KURMOND ROAD, DIRECTORY A4, MAP 11.
ZONING: RURAL 1(b1) ENVIRONMENTAL PROTECTION AREA
APPLICATION: CONVERSION OF AN EXISTING RESIDENCE INTO A RECEPTION ESTABLISHMENT.
ADVERTISING: ADJOINING OWNERS WERE NOTIFIED, IN ACCORDANCE WITH COUNCIL'S ADVERTISING POLICY, WITH TWO SUBMISSIONS BEING RECEIVED FROM G. & D. MARCHANT & E. SMALL.
DATE RECEIVED: 5TH OCTOBER, 1984

S.P. REPORT

Application is made to convert an existing residence on the subject land into a wedding reception establishment having a total seating capacity of 162 people. The proposal will involve a small addition to the rear of the building and the construction of a car park containing 64 spaces.

The property, with an area of 18.41 hectares, is currently being used as a horse stud and contains two dwellings, one of which is a rural workers cottage while the other is proposed to be converted into the reception establishment. Several old dilapidated outbuildings are to be demolished and the existing tennis court is to remain.

Adjoining owners were notified of the proposal, with two submissions being received. The landowners have no objection to the proposed reception establishment, provided the development is subject to certain conditions which will minimise the impact of the development in terms of noise and light intrusion. Their main concerns included the intrusion of noise into the existing peaceful rural area; the nuisance of headlights shining into adjoining houses when vehicles enter and leave the property at night and the effect on their privacy. In particular, the adjoining owners were also concerned about the internal layout of the car park and the location of the proposed ingress and egress points. It is considered that a more satisfactory arrangement would be the provision of only one access point to the land on the western side of the site, with a one way traffic system working throughout.

The proposal was referred to the Local Traffic Committee for its consideration who raised no objection to the development from a traffic management point of view subject to the imposition of certain conditions; the Committee's decision being based upon comments received from the Local Police Traffic Branch and the Department of Main Roads.

It is considered that the proposal can be managed satisfactorily in relation to traffic, with 64 car parking spaces being provided on site, and the internal layout of the car park being re-arranged slightly to minimise the impact of on site traffic on adjoining properties.

The development can also be managed for the most part in terms of noise emissions through the use of effective landscaping and mounding, and the application of appropriate controls under the Noise Control Act, 1975.

Landscaping of the site can also reduce the impact of the car park on the scenic quality of the locality and minimise loss of amenity. Further, the proposal will be contained within the existing dwelling, and as such will be commensurate with surrounding development.

The proposed reception establishment is permissible under the provisions of Hawkesbury Local Environmental Plan, 1984 (Amendment No. 23) and may be approved.

Recommendation

The application be approved generally in accordance with the plans submitted, subject to compliance with the following conditions:

- 1-14 Standard Conditions (DAs) 1, 2(64), 7, 8, 10, 18, 19, 20, 21, 25, 28, 29, 30, 34.
15. Entrance driveway and internal entrance roadway to be a minimum of 6.0 metres wide with a 1.0 metre splay at the kerbline.
16. Internal roadway adjacent to and between parking bays to be a minimum of 5.8 metres wide.
17. Four parking spaces to be set aside for employee parking and one parking space to be provided for service vehicle, all of which are to be clearly designated on-site.
18. Relocation of parking bays 9, 10, 11, 12, 13 and 14 to the rear of the development to prevent queueing of other vehicles attending the site en masse.
19. Provision of access for disabled persons to the proposed reception building from the proposed car parking area to the satisfaction of the Shire Health Surveyor.
20. All sound producing equipment, plant, machinery and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises within the limits prescribed by the Noise Control Act, 1975.
21. Effective landscaping and mounding to be provided along the eastern and southern boundaries of the property to minimise the impact of noise and light on adjoining properties to the satisfaction of the Shire Planner.
22. The provision of only one access point to the land on the western side of the site with siting to the satisfaction of the Shire Planner.

Mr.E.E.Small addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE approved generally in accordance with the plans submitted, subject to compliance with the following conditions:



- 1-14 Standard Conditions (DAs) 1, 2(64), 7, 8, 10, 18, 19, 20, 21, 25, 28, 29, 30, 34.
15. Entrance driveway and internal entrance roadway to be a minimum of 6.0 metres wide with a 1.0 metre splay at the kerbline.
16. Internal roadway adjacent to and between parking bays to be a minimum of 5.8 metres wide.
17. Four parking spaces to be set aside for employee parking and one parking space to be provided for service vehicle, all of which are to be clearly designated on-site.
18. Relocation of parking bays 9, 10, 11, 12, 13 and 14 to the rear of the development to prevent queueing of other vehicles attending the site en masse.
19. Provision of access for disabled persons to the proposed reception building from the proposed car parking area to the satisfaction of the Shire Health Surveyor.
20. All sound producing equipment, plant, machinery and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises within the limits prescribed by the Noise Control Act, 1975, and that there be no amplified sound external to the actual building premises.
21. Effective landscaping and mounding to be provided along the eastern and southern boundaries of the property to minimise the impact of noise and light on adjoining properties to the satisfaction of the Shire Planner.
22. The provision of only one access point to the land on the western side of the site with siting to the satisfaction of the Shire Planner.

ITEM 13: (File DA 569/83)
APPLICANT: G. EDDS AND ASSOCIATES
OWNER: P.E. WOODS
LAND & LOCATION: LOT 14, DP192412 MADDENS ROAD, NORTH RICHMOND.
NORTH WESTERN SIDE OF MADDENS ROAD, DIRECTORY B7,
MAP 9.
ZONING: RURAL 1(b1) ENVIRONMENTAL PROTECTION AREA
APPLICATION: THE ERECTION OF A RECEPTION ESTABLISHMENT
ADVERTISING: ADJOINING OWNERS WERE NOTIFIED, IN ACCORDANCE WITH
COUNCIL'S ADVERTISING POLICY WITH FIVE OBJECTIONS
BEING RECEIVED:-
ADJOINING OWNERS: G. & L. OUTTRIM, J. GROVES
OTHER OBJECTORS: E.J. STAGG, R.H. STAGG,
H. CARRICK
DATE RECEIVED: 23RD DECEMBER, 1983

S.P. REPORT

At its meeting of 10th April, 1984, Council resolved to support a proposal to establish a reception establishment on land in Maddens Road, North Richmond. At the time, the matter required the concurrence of the

Department of Environment and Planning prior to the issue of the development consent on the basis that the land area involved was less than the minimum prescribed for the use. Although the Department advised that it concurred with the proposal, it also raised a legal issue which then required Council to revise and amend the provisions of Clause 9 of Hawkesbury Local Environmental plan, 1984 in order to permit certain additional uses in various zones, including allowing reception establishments in a Rural 1 (b1) zone.

The amendment to Hawkesbury L.E.P., 1984 has now been approved by the Minister for Planning and Environment and was gazetted on 28th February, 1986. Due to the amount of time that has lapsed however, since adjoining owners were initially notified of the proposed development and the change in ownership of adjacent land, adjoining owners were again notified of the proposal. Five letters of objection were received and a precis of their objections follows:

Despoilation of quiet and peaceful rural environment; excess noise; excess traffic; potential increase in road accidents; traffic hazard; poor road construction in locality; not a viable proposition; out of character with rural area; undersized parcel of land; reduction in quality of life; insufficient parking; should not be allowed in rural zone; commercial use best suited to commercial zone; if approved would set a precedent for similar uses.

The objections raised above were previously examined by Council at its April Meeting; and it is considered that the circumstances surrounding the proposal have not changed to any significant extent. Council has, however, delegation pursuant to State Environmental Planning Policy No. 1 to reduce the minimum area requirement and thus concurrence from the Department of Environment and Planning is now not required.

The development statutorily requires a minimum of 10 hectares and the subject land has an area of only 3.6 hectares. This aspect was cited by several objectors, i.e. that there was a need for 10 hectares to adequately cater for this type of development and that adjoining landowners have a right to expect development to proceed only if minimum requirements are met.

In relation to this, however, it should be noted that whilst reception establishments require 10 hectares in the zone there is no minimum area requirements for other uses such as community centres, educational establishments, extractive industries, home industries, institutions, pig keeping, places of assembly, places of public worship, recreation establishments, restaurants and stock homes (dog kennels). When looked at in this context it is considered that the proposed development would be less of an intrusion and less objectionable than some of the above land uses which are allowable in the zone with Council's consent notwithstanding the land area.

On this basis it is considered that Council should support the proposal.

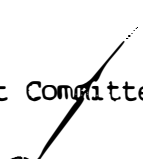
Recommendation

- A. That Council exercise its delegation pursuant to State Environmental Planning Policy No. 1 Development Standards and grant consent to the erection of a reception establishment on the subject land generally in accordance with the plans submitted with the application, subject to compliance with the following conditions:
- 1-14 (Standard Conditions DAs) 1 , 2(48), 7, 8, 10 (for both ingress and egress), 18, 19, 20, 21, 25, 28, 29, 30, 34.
 15. The ingress/egress locations being reversed such that ingress is to the south and egress to the north of the proposed car park.
 16. The provision of a sealed accessway at the ingress and egress locations from the roadway across the road verge to the property boundary to the satisfaction of the Shire Engineer.
 17. The provision of suitable entrance/exit signs to the satisfaction of the Shire Engineer.
 18. The provision of a pedestrianway from the car park to the proposed reception building to the satisfaction of the Shire Engineer.
 19. Provision of access for disabled persons to the proposed reception building from the proposed car parking area to the satisfaction of the Shire Health Surveyor.
 20. All sound producing equipment, plant, machinery and the like shall be sound insulated and/or isolated so as to control noise emissions from the premises within the limits prescribed by the Noise Control Act, 1975.
- B. That the Department of Environment and Planning be advised of Council's decision as required by State Environmental Planning Policy No. 1.
- C. That the applicant be advised in relation to Stage 2 of the development being the establishment of a garden chapel and bridge is not approved at this stage and will be re-assessed after 12 months satisfactory operation of Stage 1.

The Shire Planner advised the Committee that the owner had requested that this application be held over to the next meeting. He also advised that in view of the owner's request, the objectors had been advised that the matter would not be considered at this meeting.

COMMITTEE'S RECOMMENDATION

THE APPLICATION BE withdrawn and re-submitted to the next Committee Meeting for consideration.



ITEM 14: (File DA 291/85)
APPLICANT: MR F. RAZZA
OWNER: EASTRESS PTY LTD AND MR & MRS A. RAZZA
LAND & LOCATION: LOT 2 DP558605 BELLS LINE OF ROAD, KURRAJONG HEIGHTS
ZONING: RESIDENTIAL 2(a1) ESCARPMENT
APPLICATION: APPLICATION FOR A DRAFT LOCAL ENVIRONMENTAL PLAN TO PERMIT THE ESTABLISHMENT OF A NEIGHBOURHOOD SHOPPING CENTRE AT KURRAJONG HEIGHTS
ADVERTISING: ADJOINING OWNERS WERE NOTIFIED, OBJECTIONS WERE RECEIVED FROM:- B.M. QUINLAN & W.R. CRASWELL, "CARISBROOKE", BELLS LINE OF ROAD, KURRAJONG HEIGHTS AND MICHAEL P. DOYLE, LOCHIEL HOUSE GALLERY, C/- POST OFFICE KURRAJONG HEIGHTS
DATE RECEIVED: 4TH JUNE 1985

S.P. REPORT

Council at its meeting of the 10th September, 1985, resolved to support the preparation of a draft local environmental plan to allow the establishment of a neighbourhood centre containing seven shops and a post office at Kurrajong Heights.

The proposal was re-advertised and adjoining owners notified in accordance with Section 66 of the Act. The grounds of objection included;

1. The proposal would encourage ribbon development.
2. Cause traffic congestion.
3. Provide additional shopping facilities which will not be utilized to capacity.
4. Result in lack of privacy and reduce residential amenity.
5. Cause security problems.
6. Aggravate existing drainage problems.

In accordance with the local environmental plan procedure under the new amendments to the Act, the proposal was referred to the Local Traffic Committee Meeting of the 18th April, 1986. At this meeting the Committee objected to the proposal on the following grounds.

- "a) An extension of an adjoining commercial development which has frontage to the main road will encourage on street parking.
- b) Access and egress to the site is a maximum of only 20 metres from the intersection of Warks Road with Bells Line of Road. With the anticipated residential development of the Warks Road Area, this lack of distance from the main road will create adverse traffic movement into and out of the development. Queueing of vehicles is likely extending onto Bells Line of Road during peak usage of the shopping centre."

Despite the objections raised by the Committee, the above problems can be overcome by the following improvements.

In response to (a) the proposal will be redesigned at the development application stage to ensure the siting of the off street car park at the front of the building rather than at the rear which is currently the case. This will be carried to the satisfaction of the DMR who suggested this redesign at the meeting.

The ingress and egress referred to in (b) will be improved by:

1. Provision of a right turn lane from Bells Line of Road into Warks Road and a left turn lane from Bells Line of Road into Warks Road to the satisfaction of the DMR.
2. Entry/Exit to the development to be clearly sign-posted In/Out etc.
3. Driveway to be located the maximum distance from the Warks Road and Bells Line of Road intersection as recommended by the Committee.

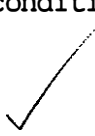
In the event of the matter being supported, the Traffic Committee indicated that these conditions should be imposed on the developer.

Recommendation

1. That Council support the Local Environmental Plan and make a submission to the Department of Environment and Planning under Section 68 of the Act for final gazettal procedure.
2. Advise the applicant that the intersection improvements indicated in the report will be sought as a condition of any development consent.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.



ITEM 15: (File DA 104/86)
APPLICANT: E. HURRELL
OWNER: E. HURRELL
LAND & LOCATION: PART PORTION 58, PARISH ST. MATTHEW, WINDSOR ROAD,
VINEYARD. NORTH EASTERN SIDE OF WINDSOR ROAD,
DIRECTORY C4, MAP 30.
ZONING: RURAL 1(b)
APPLICATION: EXTENSIONS TO THE EXISTING FARM MACHINERY BUSINESS
INVOLVING THE ERECTION OF A MACHINERY SHED AND
SMALLER ADDITION TO ONE OF THE EXISTING BUILDINGS
FOR THE REPAIR OF TRACTORS AND FARM IMPLEMENTS.
ADVERTISING: NOT REQUIRED UNDER COUNCIL'S ADVERTISING POLICY.
DATE RECEIVED: 27TH FEBRUARY, 1986

S.P. REPORT

Council is in receipt of an application to carry out extensions to the existing farm machinery business on Windsor Road, Vineyard involving the erection of a 18.4 X 12.4 X 6 metre shed and smaller addition to one of the existing buildings for the repair of tractors and farm implements.

In January, 1980 Council granted consent to the erection of an amenities building and covered area on the land which involved a 10 percent increase in floor space allowable at the time under the Windsor Planning Scheme. The proposed extensions will increase the floor space of the development by approximately 45 percent, however, this does not include the area used for the display of farm equipment and as such the extension would be slightly less.

Under Section 52 of the Environmental Planning and Assessment Regulation, 1980, the floor space of a building used for an existing use may, with Council's consent, be extended by up to 10 percent. As the proposal does not comply with these provisions, the applicant has requested Council support a variation of the planning standard under the provisions of State Environmental Planning Policy No. 1, as it is considered to be unreasonable and unnecessary in the circumstances since the proposed shed and addition will be ancillary to the existing commercial use and will partly replace an open yard storage area.

The existing buildings are located within an area subject to 1 in 50 year flood, which would inundate land at a level of 15 metres A.H.D. or less. Under Clause 35(2) of Hawkesbury L.E.P., 1984 a building used for commercial or industrial purposes shall not be erected on land below the 1 in 20 year flood frequency level which in this locality is 13.3 metres. Further, subclause 35(5) requires the floor level of a commercial building be at a level of not less than the 1 in 100 year flood frequency level, (16.0 metres); while subclause 35(7) requires the floor level of an industrial building be at a level of not less than the 1 in 20 year flood frequency level (13.3 metres). The floor levels of the proposed machinery shed and addition will be at approximately 14.0 and 14.5 metres respectively. Although the farm machinery business is principally a commercial land use, it is considered that because the shed and addition will be used for the repair and storage of tractors and farm equipment, a floor level at or above the 1 in 20 year flood frequency level is satisfactory.

Recommendation

- A. That Council exercise its delegation pursuant to State Environmental Planning Policy No. 1 Development Standards and grant consent to the erection of a machinery shed and additions to one of the existing buildings on the land generally in accordance with the plans submitted with the application, subject to compliance with the following conditions:
- 1-9. Standard Conditions (DAs) 1, 3, 8, 9, 18, 19, 20, 21, 34.
 10. The floor level of the proposed machinery shed and addition to be at a level of not less than 13.3 metres on Australian Height Datum.
 11. The exterior colour of the proposed shed and addition to match the existing "colourbond" sheds on site.
 12. All vehicles and equipment awaiting repairs to be stored within the building and all work performed to be confined to within the building.
- B. That the Department of Environment and Planning be advised of Council's decision as required by State Environmental Planning Policy No. 1.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 16:	(File DA 612/85)
APPLICANT:	MR G. LAWSON & MR N.J. HALL
OWNER:	MR S. BIANCATTI
LAND & LOCATION:	10+ D DP401125 MILEHAM STREET, WINDSOR AND PORTION 281 PARISH ST. MATTHEWS
ZONING:	INDUSTRIAL 4(b)
APPLICATION:	ERECTION OF AN INDOOR SPORTS CENTRE AND SEVENTEEN (17) FACTORY UNITS.
ADVERTISING:	NOT REQUIRED
DATE RECEIVED:	25TH NOVEMBER, 1985 (REQUIRED CHANGE IN ZONING WHICH WAS NOT EFFECTED UNTIL 28TH FEBRUARY, 1986)

S.P. REPORT

The application seeks Council's consent to the erection of an Indoor Sports Centre, seventeen factory units including 125 car parking spaces over the subject land.

The land is currently in the process of being subdivided into (4) four allotments; lots 1 to 3 will accommodate the factory units and associated car parking with the indoor sports centre being sited on lot 4.

The applicant proposes the sports centre and adjoining factory units to the rear boundaries contrary to the provisions of Hawkesbury Local Environmental Plan 1984 which requires a minimum of 5 metres from the rear boundary. The applicant has lodged an objection in accordance with State Environmental Planning Policy No. 1 objecting to this provision as it is unnecessary and unreasonable in the circumstances. The main objective of the 5 metre set back is to allow satisfactory access to the rear of the building for fire fighting purposes. This objective has been achieved by the overall design of the proposal.

The indoor sports centre has been designed so as to provide onsite parking for 65 vehicles, at the same time car parking spaces on lots 1 to 3 will also be made available outside business hours for use by the sports centre, thus giving a total of 125 spaces which is an adequate amount.

The indoor sports centre will comprise a ground floor containing four indoor cricket pitches, one computer golf course, one indoor field to be used either for soccer, netball or mini-tennis; two squash courts and amenities. The amenities will include a spa and sauna, mens and ladies room, children's playroom and office. A mezzanine floor containing a video club room, games room and gym and a store room, has also been incorporated in the development.

The proposed sports centre will provide additional sporting facilities for the Shire and will help meet the growing demand for active recreation and fitness of the Shire's population.

The proposal is allowable by virtue of amendment No. 23 of LEP 1984.

Recommendation

Pursuant to S.E.P.P. 1 approval be granted generally in accordance with amended plans submitted, subject to compliance with the following conditions.

- 1-14. Standard conditions (DAs) 1, 2 (125), 7, 10, 13, 18, 19, 20, 21, 23, 26, 38, 34, 35.
15. The construction of the indoor sports centre and factory units not take place until such time as the subdivision of the land has been registered with the Registrar General's Department.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 17:	(File DA 213/86)
APPLICANT:	HAWKESBURY SHIRE COUNCIL
OWNER:	HAWKESBURY SHIRE COUNCIL
LAND & LOCATION:	LOT 2 DP579016, STEWART STREET, SOUTH WINDSOR
APPLICATION:	ERECTION OF A BUILDING FOR STIMULUS AND COMMUNITY USE.
ZONING:	ALLOWABLE USE PURSUANT TO SCHEDULE 13 OF HLEP 1984
DATE RECEIVED:	22ND APRIL, 1986

S.P. REPORT

As reported to Council's meeting of 11th March, 1986, Council's architect, Robert Pont has been engaged to proceed with final design and detailed drawings for this project. Mr Pont's drawings form part of this application.

The original proposed building location was adjacent to the MWS & DB reservoir and easement and generally to the west of the existing Greenhills Child Care Centre and existing car parking area for the tennis courts. Difficulties have been experienced with the recently proposed site due to the current land tenure and zoning. The land is owned by the Housing Commission of N.S.W. and being transferred to Council. This is likely to take a little time. Additionally zoning within the recently proposed position would not facilitate the proposal without an extension of the local environmental plan gazetted over the subject land for Greenhills Child Care Centre. Other difficulties have been experienced in relation to the extent of site preparation in that additional foundations are required due to the extent of clay over the site.

An alternate site has been determined which is generally to the south of the existing Child Care Centre, is on land owned by Council, and is zoned already for the purpose.

The proposed building prepared by the architect is of a pleasing design and to the general satisfaction of Stimulus and Rotary and will enhance Greenhills Child Care Centre and provide a pleasing overall addition to the locality.

Recommendation

That the application be approved subject to the following conditions.

1-7. Standard conditions (DA's) 1, 7, 9, 21, 25, 28 and 29.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.



SUBDIVISION APPLICATION

ITEM 1: (File S86/18)
APPLICANT: LAURENCE M. ROSE (MANAGEMENT PTY. LTD.)
OWNER: RIVERSTONE MEAT COMPANY
LAND & LOCATION: DP 58769 AND DP 60672 BLACKTOWN ROAD, SOUTH WINDSOR
APPLICATION: SUBDIVISION TO CREATE 44 2HA LOTS AND TWO LARGER RESIDUAL LOTS, INCLUDING THE OPENING OF FOUR (4) NEW ROADS

S.E. REPORT

The subdivision proposes to create 44 lots with access onto Richmond Road via a new intersection to be constructed. 20 lots have frontage to Richmond Road, however development consent requirements prohibit access onto Richmond Road and building development within 30 metres of that road boundary.

Recommendation

The application to subdivide the land in DP 60672 and Lot 1 in DP 58769, Richmond Road, South Windsor, be approved subject to;

- 1-4 Standard Conditions (subdivisions) i, iii, v, vii.
- 5-11 Standard Conditions (Road opening) i, ii, "secondary", iv, vi, vii, viii.
- 12. The construction of a NAASRA type 4 intersection at the junction of the proposed new road and Richmond Road. Plans and specification to be provided to the requirements of the Department of Main Roads.
- 13. Submission of Pavement Design details and accompanying geotechnical report to be included with Road design plans and specifications.
- 14. Compliance with the conditions of Development Consent No. 457/1985.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

CORRESPONDENCE

SECTION B - LETTERS SUBMITTED FOR INFORMATION

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

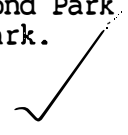
B1. DENNIS BRADSHAW - RICHMOND CHAMBER COMMERCE - RICHMOND PARK AND THE HERITAGE FUND. H105-15; 625-202; A7-21)

"Richmond Chamber of Commerce wishes to make the following observations:

1. Richmond Park has been allowed to deteriorate markedly in recent months. Better maintenance is needed. (Mr Daley indicated 26/2 this will be done).
2. Can capital be allocated from the Heritage Fund for works at Richmond Park which will enhance its tourist potential e.g. a proper guide map. A guideline is required to this ambit question.
3. Richmond Chamber of Commerce regrets the apparent down grading of this Committee (Heritage Advisory Committee) which is so important in preserving the dwindling heritage estate in the Hawkesbury area and requests that a motion be put, "this Committee strongly requests Council to rescind the resolution of 14th January, 1986 which reduced the Heritage Advisory Committee to quarterly meetings". The Chamber understands some of the motives of the change and recommends the Committee pay attention to major issues in future."

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted and a report be brought forward as soon as convenient on the funds allocated for Richmond Park and that immediate action be taken to restore the map in the Park.



SHIRE PLANNER'S REPORT

ITEM 1: (File DA774/81)

SUBJECT: ESTATE LATE S. LATONA - EXISTING USE RIGHTS -
PART OF "TREES SERVICE CENTRE" WINDSOR ROAD,
VINEYARD.

A request has been received from Mr. R. Latona regarding the existing use rights of a small parcel of land, No.804 Book 2183, measuring approximately 20m x 45m, on the northern side of Windsor Road, just west of Latona Avenue. This lot is bounded on two sides and the rear by lot 1 DP236785 over which, in this area:-

1. Windsor Council recognised existing use rights for sale of caravans and trailers.
2. Interim Development Order 42 Windsor was gazetted to allow a service station and display and sale of caravans and box trailers.
3. Development Consent 692/1981 was issued for service station and sale of caravans and box trailers.
4. Saved in Schedule 13 of Hawkesbury Local Environmental Plan 1984 for the same uses as Interim Development Order 42 Windsor.

While the subject small lot has not been referred to in actual property description, it has been fenced in and used with lot 1 as part of "The Trees Service Centre" and it is considered that Council could accept existing use rights for the caravans and box trailers as long as it remained part of and used in conjunction with lot 1 DP236785. A plan of the land will be on display.

Recommendation

That Council recognise existing use rights for land in No.804 Book 2183 Windsor Road, Vineyard for the sale of caravans and box trailers provided it is used in conjunction with lot 1 DP236785.

COMMITTEE'S RECOMMENDATIONTHE RECOMMENDATION BE adopted. 

ITEM 2: (File DA111/86)

SUBJECT: "HAWKESBURY MUSEUM" - NO. 7 THOMPSON SQUARE -
REMOVAL OF TWO TREES

Owing to the possibility of structural damage being caused to the foundations of the Hawkesbury Museum, it is intended to remove one Silky Oak. In addition, it is also intended to remove one Mulberry tree which is presently causing damage to the existing building. In the latter case, vegetation, mulberries and bird droppings are interfering with the roof drainage.

As the subject land is included within an area covered by a permanent conservation area, the removal of trees requires approval of the Heritage Council.

Consequently, before Council can determine a development application for such work, formal application must be made to the Heritage Council on the prescribed form.

Recommendation

That pursuant to Section 57(1) of the Heritage Act, 1977, Council make formal application to the Heritage Council of New South Wales for approval to remove one Silky Oak tree and one Mulberry tree from within the grounds of "Hawkesbury Museum" as shown on HSC Plan No. 2021-2.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File P160)

SUBJECT: AUSTRALIAN MUSHROOM GROWERS ASSOCIATION LTD., -
CODE FOR THE MUSHROOM INDUSTRY WITHIN HAWKESBURY
SHIRE

Council will be aware of recent site inspections of various mushroom growing and composting operations and is advised that the Mushroom Growers Association Limited has requested Council to consider the following:

1. Council Code for the ~~Mushroom~~ Industry - review of existing code in the light of continuing changes in the technology and structure of the industry.
2. Long Range Planning - consideration of practical aspects of farm and compost production unit zoning, provision of required services, compatibility with other industry and community development.
3. ~~Community Information~~ - examine means for the industry to communicate its needs and benefits to the district community e.g. participation in district shows and celebrations, provision of information to Information Centre etc.

Council's existing "Policy Guidelines For Establishment Of Mushroom Growing Operations" adopted on 12th May, 1981, is in need of reassessing and it is considered that input from the Mushroom Growers Association Limited in all aspects of its industry, would be a worthwhile exercise.

Recommendation

That Council establish a working party with the Australian Mushroom Growers Association Limited, with the aims of reviewing its existing Code for the industry, to consider the long range planning, and to consider appropriate information dissemination between the industry and the community.

Further that Council be represented by staff members from both the Health & Building and Planning Departments.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 4: (File H105/16)

SUBJECT: PROPOSED LOCATION OF TEBBUTT TELESCOPE

The Hawkesbury Historical Society has written to Council and has requested that the Telescope, on its return from New Zealand, be made available for display in the Tebbutt Room of the Hawkesbury Museum. The Society states that the Museum already has many items related to John Tebbutt, including his celestial globe, and is strategically placed for tourism in Thompson Square, the restoration of which will be the major Bicentennial Project in the Shire. The Society further states that it believes the location in the Museum will provide maximum exposure for the Telescope, and that if the Telescope is placed in the Museum and subsequently surrounded by an upgraded Tebbutt Exhibition, the Hawkesbury Museum would form the centre point of Council's Thompson Square restoration project.

The Museum has been inspected by Council's officers, including the Heritage Advisor, who have advised that the proposed location is suitable for a static display.

It is considered that the Historical Society's request is reasonable and, as it has indicated, would provide major impetus to the Thompson Square restoration project and would enhance the visitor potential of the Museum considerably. As the Museum is capable of physically containing the Telescope, it is considered that the request is reasonable and should be supported.

It is further considered that the siting of the Telescope and proposed upgraded Tebbutt display is something that would attract funding through the National Estate Grants and should be sought by Council.

Recommendation

That Council agree to the Hawkesbury Historical Society's request and make available for display the Telescope in the Tebbutt Room of the Hawkesbury Museum and, further, that Council apply for National Estate's Grant funding for such relocation and display.

The Shire Planner advised that the following letter had since been received from Mr. John Tebbutt, which he read in full :

"Hearing no response re. the above to date I am writing to inform you of another option.

I am in the process of selling a farm and will have approximately \$20,000 to spend on restoring John Tebbutt's Observatory. The plan would be for me to lease or purchase the telescope from Council and have it returned to its original position displayed for the public.

Also I would like to incorporate an afternoon tea area and perhaps an Australiana gift ware shop and art gallery. I am open to suggestions in this area. Hopefully with the proceeds restoration can continue on The Observatory, Peninsula House, outbuildings and grounds."

Mr.G.Edds and Mr.J.Tebbutt addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE ITEM BE deferred for consideration pending a further report by the Shire Planner and Deputy Shire Clerk to the next Committee Meeting.

ITEM 5: (File R190/23)

SUBJECT: AUSTRALIAN GAS LIGHT SYDNEY LIMITED - EXTENSION
OF GAS SERVICES TO RICHMOND AND NORTH RICHMOND

Council, at its meeting of 10th December, 1985, resolved to request AGL to consider the extension of services to Richmond and North Richmond and possible other village areas in the Shire located in reasonable proximity to gas trunk lines.

AGL has now written as follows:

"Further to our letter dated January 13, 1986, we advise that we have now completed a survey of the above districts.

To make a gas supply available would involve the laying of approximately 11.5 kilometres of steel and nylon mains. The current estimate cost to AGL Sydney Limited would be \$597,000.00.

We have identified 25 commercial and 200 domestic customers in the area and whilst we endeavour to supply gas wherever possible, their total potential load does not make this project a viable proposition.

We therefore regret to advise that at this present time a mains extension cannot be justified. However, should any significant new potential arise, the current situation could change."

Recommendation

That the information supplied by AGL Sydney Limited concerning extension of gas services to Richmond and North Richmond be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File DA 74/85)

SUBJECT: MRS. M. MASTERS - LOT 12 DP 7565 LONGLEAT
LANE, KURMOND - PROPOSED SUBDIVISION

Council will be aware that for a number of years Mrs. Masters has been attempting to have consent of Council to subdivide her land into two (2) lots. The land presently contains an area of 5.03 ha and the proposal is generally to divide it into roughly equal blocks.

This is similar to a number of other proposals which have been presented to Council over the years and, which have been consistently not supported by either Council or its staff, for reasons including the attitude of the Department of Environment and Planning concerning fragmentation of rural land without co-ordinated overall proposals; constraints imposed by the Metropolitan Water Sewerage and Drainage Board as the land is not serviced, but is within an area under investigation for servicing with the likelihood that any subdivision at this stage would prejudice their future planning. The proposals are generally not allowable under Council's Planning Scheme and are mostly within areas currently containing a 10 ha minimum for subdivision.

The enactment of State Environmental Planning Policy No. 1, approximately two and a half years ago, has made the task of consistent planning even more difficult for Council in that, under the policy, all minimum subdivision and development standards are either allowable by Council under delegation or, allowable by the Department on a concurrence role, after referral by Council if it is in support. In addition, all minimum development standards because of the policy are appellable. Difficulty has arisen in that the Department would appear to have changed their attitude a number of times over the years as far as use of SEPP1 and, up until recently, the Council has been reiterating Departmental policy to Mrs. Masters and the other proponents.

Concern is expressed regarding the increasing criticism that Council, particularly Council's staff, are receiving in relation to its non support of subdivision of land, particularly in the Kurrajong/Kurmond areas. This can be interpreted by the public as Council not supporting its own policies in relation to subdivision.

There is direct confusion concerning the advices received by landowners from both the Department of Environment and Planning and Council in recent times, where some favourable indication has been given by the Department's staff. Accordingly, senior personnel of the Department of Planning and Environment have been spoken to and have indicated that if Council supports reasonable proposals under SEPP1, that in all likelihood they will also gain the Department's support and be consented to.

Mrs. Master's application is within an area identified by Council in its Rural Lands Assessment in 1981, as having potential for subdivision into two to four hectare lots, subject to certain criteria concerning land slope and basic services. In direct conflict, however, is the fact that the area is in that broad area under investigation by the North West Sector Residential Release Areas within which other branches of the Department of Environment and Planning have indicated that no development should take place which would prejudice the future planning of the North West Sector. The obvious problem for landholders in the area of North

West Sector within the western part of the Shire is that the proposals are at the extreme end of development and no firm indication can be given by the Department as to when such development will take place, if indeed, it will take place, however, figures of twenty to thirty years have been suggested.

As the proposal conforms with Council's adopted 1981 Policy and, as there appears to be some favourable indication at this time from the Department, it is considered that Council should support the subdivision under SEPP1 and whilst it cannot approve it, should forward the matter requesting the Director's concurrence.

Recommendation

That the two (2) lot subdivision as proposed by Mrs. M. Masters over Lot 12 DP 7565 Longleat Lane, Kurmond, be supported by Council pursuant to State Environmental Policy No. 1, and that the proposal be forwarded with a request that the Director of Department of Planning and Environment concur with the proposal.

It is further recommended that should such concurrence be forthcoming, the application for subdivision be approved under Delegation of Authority.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 7: (File DA 501/83)

SUBJECT: K.N. & E.E. McRAE - PART PORTION 102, PSH
KURRAJONG, 472 GROSE VALE ROAD, KURRAJONG -
PROPOSED SUBDIVISION

This report is in similar terms to the preceding item.

Council, at its meeting of 8th November, 1983, resolved to prepare a Draft Local Environmental Plan to permit subdivision of the subject land, to permit four (4) lots of approximately 8,500 sq.m. each. The matter was subsequently forwarded to the Department of Environment and Planning, who subsequently advised Council that it did not agree with the matter proceeding, as the proposal was contrary at that time to the advice of the former Minister for Planning and Environment, and Government's policy not to allow further subdivision in the subject area. However, no identifiable justification was advanced at the time that the proposal was in fact contrary to directions issued by the Department. The Council, at that time, resolved that the matter be referred back to the Department for a review of the situation.

Nothing was heard in response to Council's further submission, as on the 15th May, 1984, Council resolved that representations be made to the Minister for Planning and Environment and the Department of Environment and Planning, seeking the release of the area identified in Council's Rural Lands Assessment as Area 7 (that being the area broadly surrounding McRae's application and supported by Council in 1981). Further that a deputation be sought with the Minister regarding the matter with the Council being represented by the President, Deputy President, Shire Clerk and Shire Planner.

Requests were made for the deputation with a response in January, 1985 by the Minister indicating that the submission by Council was currently being considered by the Department and, in particular, the North West Section Planning Team and that the deferral of the matter was necessary until the North West Sector Regional Plan was finalised in order not to pre-empt options for future urban development; requesting Council's continued co-operation in this matter; appreciating that Council is in receipt of many requests for rural subdivision; trusting that plans currently under preparation will enable these demands to be met, and finally in the circumstances indicating that he did not consider a meeting would be warranted at this stage.

The current situation with this proposal is similar to Mrs. Master's proposal in that the Department, at senior officer level, has indicated that it is likely to receive its support the matter should Council favour the proposal.

As the proposal falls within an area identified by Council in 1981 as being an area suitable for development into one to two hectare lots, it is considered the matter should be supported and forwarded to the Department for its concurrence.

Recommendation

That the four (4) lot subdivision as proposed by Mr. K.N. & Mrs. E.E. McRae over Part Portion 102, Psh Kurrajong, 472 Grose Vale Road, Kurrajong be supported by Council pursuant to State Environmental Policy No. 1, and that the proposal be forwarded with a request that the Director of Department of Planning and Environment concur with the proposal.

It is further recommended that should such concurrence be forthcoming, that the application for subdivision be approved under Delegation of Authority. ✓

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8: (FILE P160/75)

SUBJECT: TOURIST DIRECTIONAL SIGNS

Council at its meeting of 10th December, 1985, received information regarding a Regional Tourist Sign Policy being prepared by WSROC. A copy of the WSROC data has been obtained and an assessment made of its contents.

The study has identified the following attractions which should be highlighted in any policy prepared by Council including:

- * Australiana Village
- * The Four Macquarie Towns
- * The Windsor Mall
- * Richmond RAAF Base
- * Richmond Park
- * Bilpin - 'The Perfect Apple Theme'

- * Del Rio Holiday Resort
- * Wisemans Ferry, St. Albans, Settlers Arms
- * Kurrajong Heights - grass skiing, lookout & nursery
- * Wineries - Richmond Estate Winery
 - Tijuana Meadery
 - Tizzana Winery
- * Honeysuckle Cottage Nursery - Bowen Mountain
- * Kurrajong Village - antiques and tearooms

Council has identified other attractions which will form part of this list. The report also details the need to adequately signpost a "Grand Scenic Tour" of the Shire.

The Tourism Commission of N.S.W. has recently advised Council that the method to be adopted is one where the Council together with the local Tourist Association and the Tourism Commission determine what deficiencies there are in the way of signposting for attractions and accommodation and where it is necessary for additional signposting to be erected.

Following from Local Traffic Committee and Tourism Commission support, application is to be made to the Department of Main Roads for its approval.

The above procedure is already in progress and a further report will be submitted to Council in the near future.

Recommendation

That the information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 9: (File H105/1)

SUBJECT: MASONIC LODGE, KABLE STREET, WINDSOR
- PROPOSED PERMANENT CONSERVATION ORDER

The Heritage Council of N.S.W. has advised Council that it proposes to make a permanent conservation order pursuant to Section 39 of the Heritage Act, 1977, in respect of the above item.

Council would be aware that after the making of a permanent conservation order all development requires, in addition to Council's consent, approval from the Heritage Council unless it is excluded within the order itself. In this respect the Heritage Council proposes to have a schedule which excludes from requiring its consent the following:

1. Maintenance of the building with respect to the continuous protective care of existing materials which does not include structural work;
2. Maintenance and repair of existing fences; and
3. Garden maintenance.

The proposal by the Heritage Council seems to put beyond any doubt the possibility that the building could be incorporated into any major redevelopment of commercial land in the vicinity and Council will remember a recent resolution to prepare an LEP to have certain lands rezoned which rezoning did not include the Masonic Lodge as it was known at that time that the Heritage Council would oppose any redevelopment of it.

Of concern however is the fact that the proposed PCO relates to land being "all those pieces and parcels of land as shown edged heavy black on the plan catalogued HC1157 in the office of the Heritage Council of NSW." A plan was not attached to the notice and when queried the office of the Heritage Council indicated that the map had not yet been prepared. Without knowing the extent of land involved it cannot be ascertained whether the PCO will affect Council's proposed laneway to serve future commercial development.

It is considered that objection should be raised pending formal determination of the extent of the PCO. It is further considered, should the PCO be intended to extend over Council's proposed laneway that objection be raised on the grounds of adverse effect on the commercial viability of that area of Windsor's commercial area.

Submissions are required by the 15th May, 1986.

Recommendation

1. That Council object to the proposal to place a PCO over the Masonic Lodge, Windsor, without the actual extent of the land affected having been determined.
2. Should the proposed PCO affect land designated on Council's Planning Scheme as "Local Road Proposed 8(d)" that objection be raised on the basis of adverse effect on the future commercial re-development potential of Windsor.
3. That the concern of Council regarding the proposal of a PCO without proper accompanying documentation by the Heritage Council of NSW be brought to the attention of the Minister for Planning and Environment.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 10: (File H105/1, H105/14)

SUBJECT: BOWMAN HOUSE, 386 WINDSOR STREET, RICHMOND
- PROPOSED PERMANENT CONSERVATION ORDER

The Heritage Council of N.S.W. has advised Council that it proposes to make a permanent conservation order over the above item.

Council will be aware of considerable works being undertaken on the building lately by the Public Works Department with the result the building will become an important item of the Environmental Heritage for the Shire.

The building is situated in a residential zone and locality and no objection can be seen to the making of the order.

Recommendation

That the information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 11: (File E78)

SUBJECT: EXTENSION OF DEVELOPMENT CONSENT NO. 21/69 -
BORAL SAND PROCESSING PLANT, RIDGES LANE, RICHMOND

LAND & LOCATION: LOT 4 DP 568416, RIDGES LANE, RICHMOND

DATE RECEIVED: 4TH APRIL, 1986

On 9th July, 1969, Council approved the establishment of, "an extractive industry for the purpose of removing sand and gravel and incorporating a plant for treatment of the materials" (consent no. 21/1969). Subsequently, on 11th August, 1970, approval was given to transfer the sand washing plant approved in consent no. 21/69 to Part Portion 31, Lot A, Ridges Lane, Richmond (the current site) and that the approval be valid until 20th February, 1986. On 28th December, 1979, Boral Resources made application for the renewal of several development consents (including the processing). Council at its meeting of 12th February, 1980, resolved to extend the development consent to 31st December, 1984.

Boral Resources (N.S.W.) now make application to further extend the time limit of operations until June 1989 (3 years). The relevant section of their letter of application is as follows:

"This consent originally expired on February 20, 1980 and was subsequently extended to December 31, 1984. The plant was originally commissioned in 1969 and was operated continuously until December, 1984. Since then it has only been operated on a part-time basis due to a lack of sand in the river.

We wish to continue to operate the sand washing plant and we request that Development Consent be extended until June 1989.

Since there are no sand resources available within the area, the plant will be used to wash sand brought in from a quarry near Bell, NSW. Because of environmental reasons and a shortage of water, the sand cannot be washed at Bell. Washing the sand at the Ridges Lane plant will enable utilisation of a resource that otherwise cannot be used. The washed sand will be used to supply concrete plants in the Sydney market. At the present time there is a shortage of concrete sand in Sydney.

We estimate that approximately 500 tonnes per day of sand will be washed in the plant. This will entail about 20 truck movements per day both into and out of the plant.

The plant will be used only for processing imported sand, and there will be no extraction from the river. Operation of the plant will mean the employment of about 15 people.

We trust that Council will give favourable consideration to our application."

The processing plant is long established and has been used to treat material from numerous different deposits within the Shire. The plant is located away from housing and has generally not been the cause for any complaint.

Council should be aware that recently work was instigated by a company leasing the plant to enlarge the capacity of the existing settling ponds. This work involved the creation of two (2) large dams and in the process approximately 30,000 tonnes of top soil was stockpiled on the river bank. This work was undertaken without the requisite development consent. The fact that such work was undertaken over a period of three (3) months without public comment indicates the nature of the relationship between the site and the surrounding land uses.

The development consent issued for the processing plant in 1969 has a number of now dated conditions which should be subject to review, if any extension of the time limit is supported.

Until recently, the Boral plant has been in continuous operation over a long period of time without significant adverse environmental impact. It is sited relatively close to the main road system and adjacent to a processing plant operated by Bridge Sands. In view of these circumstances the operation should be allowed to continue subject to more relevant conditions of development consent.

Recommendation

That approval be given to extend the time limit condition of consent for the processing of extractive materials from Lot 4 DP 568416 to 31st June, 1989, subject to the following conditions:

1. Hours of operation to be 7 a.m. to 5 p.m. Monday to Friday;
2. No discharge of water into the Hawkesbury River;
3. Compliance with any conditions of the Water Resources Commission;
4. Compliance with any conditions of the State Pollution Control Commission;
5. The payment of \$12,500 to Council at six (6) monthly intervals for the life of the operation based on a road maintenance and inspection royalty of 20 cents/tonne for an estimated through-put of 500 tonnes per day. The first payment being due in January, 1986;
6. Watering of access road on Lot 4 during dry windy conditions so as to minimise dust nuisance;
7. Standard condition No. 34;
8. Development being limited to the period up until 31st June, 1989.
9. Processing of sand from Bell to be limited to 500 tonnes per day and 20 truck movements per day both into and out of the plant whichever is the lesser.

The Shire Planner asked that this report be withdrawn to allow him to assess further information.

COMMITTEE'S RECOMMENDATION

THE REPORT BE withdrawn at this stage. ✓

ITEM 12: (File L1/86, L3/86)

SUBJECT: PROPOSED K-MART SITES - RICHMOND

Council is referred to reports on the above matter to the Ordinary Meeting of 8th April, 1986. At that time it was indicated to Council that G.J. Coles Limited had foreshadowed an application by consultants generally over land bounded by Council's car park, West Market Street, Francis Street and Bosworth Street. The application has been received with the applicants being Graham Alcock Giles Tribe Pty Ltd, architects and town planners. The various property owners involved in the proposal have all indicated by letter to Council that they raise no objection to the application being lodged, with of course the exception of the major land owner being Council.

Council is now in a position of having two proposals by different developers each seeking to have a local environmental plan prepared to allow a discount department store. The proposal previously reported to Council by Stokes Hayes and Kanas Pty Ltd, architects and planners is for a super K-Mart having a floor area of approximately 12,000 square metres and situated on land owned by Mr C. Tate on the northern side of Francis Street. This proposal provides for the building jutting over part of the flood plain on a suspended concrete slab with car parking provided on the same level towards the street frontage for 580 cars. In relation to the same application it was reported to Council that an environmental study was considered necessary addressing items of economic and traffic impact.

The proposal by Graham Alcock Giles Tribe Pty Ltd is for a smaller K-Mart having an area of approximately 6,800 square metres and linking to the existing Coles supermarket by way of a proposed arcade of new shops with these shops having an additional area of 1,900 square metres. The proposal in general provides for 240 basement car parking spaces and 245 spaces on ground level. When calculated in accordance with Council's development control plan for car parking and allowing for the number of car parking spaces that at present exist in Council's car park, the overall proposal is 55 spaces short of Council's requirements. In this respect the applicants have been contacted and advised that if the development were to proceed it would require either a contribution for the short fall or the provision of further on-site car parking. This most appropriate form for additional on-site parking would seem to be a decked car park in the vicinity of Bosworth/Francis Streets corner of the proposed development and over an area proposed to be redeveloped for car parking in association with the development. It is considered that the decked car park would be the better of the two alternatives as it would provide the parking spaces where they are most required and also provide additional shaded parking areas. The aspect of option to purchase between the developers and Council has not as yet been determined and will be subject to acceptable valuation being obtained and resolution of Council. However, from preliminary discussions with the developers it is considered that satisfactory negotiations could be obtained.

The proposal is only in the form of preliminary sketch plans and whilst being reasonably detailed does not address a number of issues including the effect of the proposal on two adjoining items of environmental heritage fronting Francis Street, the impact of an almost zero building line to Francis Street, and makes no allowance for through flow of traffic from West Market Street into the car park to Bosworth Street. It would be desirable for such through flow to be achieved via the basement car parking area and the applicant should be requested to provide details of levels should the proposal proceed.

The applicant has however submitted a statement of environmental effects which in part is as follows:-

"...It is a natural extension of the zoned land and will help to reinforce the central business district of Richmond.

...The impact would be similar to the impact that the presently developed commercial uses have in the area immediately adjacent to this proposed site...

...The building is only single storey construction with basement car parking and would therefore not be visible at any great distance.

The immediate surroundings consist of well established older residential buildings, some of which are of historic significance and it is our intention to design the buildings to blend with this character by careful selection of colours and materials. This will also be supported by landscape buffers and limited signage where residential streets adjoin.

The social and economic effects are beneficial to the community.

...The development will provide an amenity that until now has not been available...

...The nearest discount department stores are located in Penrith, Mt Druitt, Blacktown, Parramatta and Castle Hill...resulting in a large amount of escaped expenditure from the locality.

Construction of this development will recover a large proportion of this escaped expenditure resulting in a boost of local employment and prosperity generally. There will be 150 short term jobs created during the construction phase with approximately 450 long term jobs created.

The flow on of trade to the surrounding small businesses has in other similar locations been quite beneficial to those businesses with resultant increases in indirect employment.

The building is proposed to be attached to the existing supermarket and arcade extending that arcade...to the existing Council car park to the east, the new car park to the west and also to the basement car park...

The amount of traffic likely to be generated by the proposed development is capable of being accommodated within the local road network if the traffic management measures, as recommended by the Department of Main Roads, are implemented...

Closure of West Market Street to the north of the car park entry points would also be a possible traffic management measure. ...There are some significant trees located on the site and an accurate survey will be prepared and every effort will be made to preserve them.

Detailed landscaping and plans will be provided keeping in mind the character of the surrounding area and where possible blending the proposed development in with it."

The applicant has included with his application reasonably detailed provisions for traffic management which are based on recent Department of Main Roads proposals for the township but which have not as yet been agreed to by Council nor given any further indication by the DMR that the suggestions will proceed. In this respect it is believed that, like the other K-Mart proposal, a local environmental study should be prepared addressing traffic impact and economic impact of the proposal.

It is considered prudent for Council, at this stage, to indicate whether it supports generally the principle of establishment of a K-Mart development in Richmond and further, which of the two developments it prefers so as to alleviate any unwarranted financial burden on one of the proponents.

There are good and bad points about both of the proposed sites. The proposal on Tates land for the super K-Mart would be beneficial in the short term in that it would not disrupt existing commercial activities during construction periods. It should be noted that this site is separated by Francis Street from the existing central business district of Richmond and would not provide as great a spin-off to commercial development as the other location.

The proposal seeking to utilise Council's car park would create obvious difficulties during the construction period with the normal commercial activities in the locality and additionally would cause the loss of a number of substantial trees existing in Council's car park and in back-yards of properties to be redeveloped. To some extent the difficulties of car parking can be overcome during the construction period as it would be required that the development provide the car parking along Bosworth Street and Francis Street frontage as a first stage of development prior to development of the existing car park area to the rear of the Coles supermarket. It is considered that the proposal in the longer term would be of benefit in that it would reinforce the existing central business district core of development and make it more satisfactory in relation to existing commercial development and their endeavours to "trade off" K-Mart. The proposal does provide for additional smaller shops which from a preliminary assessment of the shopping floor space needs of Richmond would have to be of larger middle range activities rather than smaller shops which are already in abundance in Richmond. This is one aspect that a local environmental study could address.

As K-Mart have expressed their preference for the smaller K-Mart store to be incorporated with the existing Coles supermarket and as this appears to provide considerable economic advantages for existing development, it is considered that Council should indicate its preference for this site over that previously reported and being on the northern side of Francis Street.

It is also considered that a local environmental study should be required as part of the local environmental plan process with private consultants being engaged by Council to prepare such study with the costs being borne by the developers.

Recommendation

That:

1. Council prepare a draft local environmental plan over that area generally bounded by its car park, West Market Street, Francis Street and Bosworth Street as indicated on the plan prepared by Graham Alcock Giles Tribe Pty Ltd dated October, 1985 and that Council advise the Department of Environment and Planning that a local environmental study is required prior to preparation of the plan.
2. The local environmental study be prepared by selected consultants with costs to be borne by the applicants.
3. Stokes Hayes and Kanas Pty Ltd be advised of Council's preference of site for the establishment of a K-Mart development and that their site will be further considered should the applicants of the preferred site not proceed.

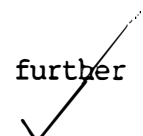
The Shire Planner advised the meeting that shortly before the meeting he had been handed a revised plan by Mr.Giles. He stated that on the basis of the revised plan he could not at this stage, without further investigation, make a recommendation and for that reason, he suggested that the report be withdrawn and deferred for report to the next Ordinary Meeting on the revised plan.

Councillor Dunn declared an interest in this matter.

Mr.J.Sheahan, Assistant Director of Stokes Hayes & Kanas Pty.Ltd., addressed the Committee.

COMMITTEE'S RECOMMENDATION

CONSIDERATION OF THE report be deferred pending a further report from the Shire Planner.



ITEM 13: (FILE P160/33)

SUBJECT: DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

On the following pages is a list of development applications which were approved under delegated authority subject to conditions.

Recommendation

The information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

ITEM 14:	(File DA 15/86)
APPLICANT:	INTERNATIONAL PROTEIN SUPPLIERS
OWNER:	M.J. & R. SMITH
LAND & LOCATION:	PORTION 162 PARISH ST. MATTHEW, MULGRAVE ROAD & CUNNEEN STREET, MULGRAVE
APPLICATION:	ESTABLISHMENT OF A FISH MEAL PROCESSING PLANT

Council is in receipt of an application, as above, which proposes a processing method to include waste disposal, which is classified as scheduled premises requiring licensing from the State Pollution Control Commission. The applicant has submitted consultant's reports on environmental control methods. The methods proposed and the possible resultant odours and atmospheric emissions raise matters which need to be fully addressed prior to reporting to Council. The final consultant's submission was received after preparation of the business paper for this Committee and the proposal will be fully reported to the General Purpose Committee of 27th May.

Recommendation

That the information relating to the application for the establishment of a fish meal processing plant on Portion 162 Parish St. Matthew, Mulgrave Road and Cunneen Street, Mulgrave, be received.

Mr.P.Dickson addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted. ✓

HEALTH SURVEYOR'S REPORT

ITEM 1: (File P160-24)

SUBJECT: FENCING POLICY

Council may recall that at its Ordinary Meeting held in August, 1984, it adopted a fencing policy to apply to Residential and Industrial areas throughout the Shire. This policy prohibited, with some relatively minor exceptions, the erection of fences in front of the building line in Residential areas.

This particular aspect of the policy, it is considered, has proved to be extremely onerous in many circumstances where residents desire to utilise the front areas of their allotments and maintain reasonable protection for their children and pets.

It is believed that the policy should be changed to allow fencing in front of the building line in Residential areas in the following circumstances.

- a) Materials of such fences shall be aesthetically pleasing and to the satisfaction of Council's Health Surveyor and in no case shall barbed wire, corrugated iron and the like be acceptable.
- b) Fences shall be erected in a good and workmanlike manner and shall be sufficiently stable to withstand the forces and stresses of normal use.
- c) Such fences shall be limited to a mean height of 1200mm along the front boundary and the side boundaries in front of the building line. Higher fences and walls may be approved where extenuating circumstances exist and in accordance with the requirements of the existing policy where a building application in accordance with the provisions of Ordinance 70 may be required.
- d) Fencing of corner allotments shall be provided with a minimum 1500mm splay at the corner to minimise traffic sight problems.

Recommendation

The existing fencing policy be altered in regard to fences in front of the building line in Residential areas as outlined above.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SECTION 3 - FINANCE1. ACCOUNTS PAIDCOMMITTEE'S RECOMMENDATION

THE ACCOUNTS SUBMITTED be confirmed as shown hereunder:

<u>Fund</u>	<u>Voucher Nos.</u>	<u>Total</u>
General	50219 - 50942	\$4,503,998.60
Trust	4590 - 4697	761,968.07
Main Roads Trust	-	
		\$5,265,966.67

2. STATEMENT OF BANK BALANCES, INVESTMENTS AND FORM 2COMMITTEE'S RECOMMENDATION

THE STATEMENT OF bank balances as shown in Form 2 showing the position of the Bank Accounts be received.

3. FINANCIAL STATEMENT FORM 2ACOMMITTEE'S RECOMMENDATION

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 802-22)

CORRESPONDENT: COMMONWEALTH BANK OF AUSTRALIA, RIVERSTONE

SUBJECT: LOT 22 WHITE PLACE, SOUTH WINDSOR

OWNER: MR. A., MRS. S.J., MR. W. & MRS. C.B. SIEDERS

Requesting approval for a second mortgage of \$50,000 to Man Trans Spares Pty. Ltd. to provide additional working capital with the proposed security being Lot 22 White Place, South Windsor.

S.C. REPORT

The above property was acquired from Council on 19th July, 1984, for \$68,000. Council currently has a first mortgage for the principal sum of \$45,560 for a term of three years with interest payable at the rate of 15% per annum.

The purchaser initially intended to take advantage of Council's development rebate by completing an industrial building within 18 months from the date of exchange of contracts. Contracts were exchanged on 21st March, 1984, and the building should therefore have been completed by 21st September, 1985. The requirement was not satisfied and the current owners have indicated their intention to repay the mortgage prior to the due date of 18th July, 1987.

As first mortgagee, Council's interests would be protected should sale of the property eventuate in the future, and it is therefore felt that the request should be agreed to.

Recommendation

Council consent to a second mortgage over Lot 22 White Place, South Windsor, in favour of the Commonwealth Bank of Australia for a principal sum of \$50,000. All necessary documents to be completed under Seal of Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File P160/56)

CORRESPONDENT: DENNING PROPERTIES PTY LTD

SUBJECT: WINDSOR TOWN CENTRE

Advising that the Company is agreeable to terms and conditions outlined but pointing out however, as confirmed by telephone, that the general terms of the original mortgage remain unchanged notably referring to the provision of interest being payable at the rate of 14% if paid within fourteen days of the due date.

Advising that it is also assumed that each party would be responsible for its own legal costs.

(S.C. - Denning Properties Pty Ltd were formally Tortuga Properties Pty Ltd, and at the Ordinary Meeting of Council held on 11 March, 1986, a report was submitted concerning the mortgage agreement for acquisition of land on which the Windsor Town Centre now stands.

It was resolved to agree to alter the mortgage agreement with Tortuga Properties Pty Ltd for land acquired between Baker and Kable Streets, to the following:-

- a) Four equal instalments of \$7,500 interest payable commencing 23 March, 1986 with a payment of \$200,000 plus interest on 23 March, 1987.
- b) \$399,000 to be subject to a three year mortgage commencing March, 1987, with interest payable quarterly at the rate of 16% and the principal sum to be repaid on or before March 1990.

The original mortgage agreement provided for interest at the rate of 14% per annum provided payments were received within 14 days of the due date. In the event that interest payments were not received within the prescribed period, interest would then be calculated at the penalty rate of 16% per annum.

The effect of the Council resolution is that interest would be calculated at the rate of 16% per annum and that, in the event of payments not being received within 14 days of the due date, the penalty rate would become 18% per annum.

As part of the previous report to Council, it was pointed out that the existing interest rate of 14% per annum was negotiated during early 1985, and that significant increases in interest rates had occurred during the last twelve months. It was felt that, as Council was waiving its rights under a legally binding agreement, the Company should be required to adjust their interest rate for the mortgage up to the existing Local Government borrowing rate of 16% per annum.

Discussions have taken place with Mr. Alan Kenny of Denning Properties, subsequent to the resolution of Council, and he has requested that this requirement be reconsidered. In fact the Company has accepted the resolution of Council for payment of interest instalments commencing 23rd March, subject to the interest rate being revised to 14% per annum.

Mr. Kenny has pointed out that while the existing interest rates are extremely high, it could be anticipated that by March 1987, the rate should have dropped considerably and 14% per annum would be approximately the governing market rate.

Discussions with Council's bankers have indicated that the prevailing interest rates are likely to fall towards the end of 1986, given the prevailing economic circumstances and forecasts. Obviously, nobody will be in a position to accurately predict interest rates into the future.

Mr. Kenny has indicated that the first mortgagee, namely Custom Credit Corporation, require this matter to be resolved in the immediate future and documentation for the mortgage agreement to be completed. Under the circumstances, it is felt that Council should agree to an interest rate of 14% per annum, which would escalate to 16% per annum in the event of late payment.

It is felt however, that the Company should be responsible for Council's legal fees in preparation of the revised mortgage agreement as this is normal conveyancing practice. It should also be noted that the existing legally binding agreement was altered at the request of the Company and not at the instigation of Council.)

Recommendation

Council agree to alter the mortgage agreement with Tortuga Properties Pty Ltd, for land acquired between Baker and Kable Streets to the following:-

- a) four equal instalments of \$7,500 interest payable commencing 23rd March, 1986, with a payment of \$200,000 plus interest on 23rd March, 1987.

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- b) \$399,000 to be subject to a three year mortgage commencing March, 1987, with interest payable quarterly at the rate of 14% and the principal sum to be repaid on or before March, 1990.
- c) All necessary documents to be completed under seal of Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (FILE B27/7)

CORRESPONDENT: METROPOLITAN WASTE DISPOSAL AUTHORITY

SUBJECT: WASTE DISPOSAL DEPOT (USED TYRES), DARUK

The following letter has been received from the Metropolitan Waste Disposal Authority:

"I refer to your letter dated 10th April, 1986, concerning the above waste disposal depot.

The depot is registered in the name of Mr. & Mrs. J. Pincott, trading as Correct Tyre Disposals, and the certificate of registration for the depot was renewed on 1st January, 1986, but suspended on 14th March, 1986.

The depot is frequently inspected by my officers to ensure that restoration of the project continues and that fire fighting equipment is located convenient to the site to ensure that fire prevention is maintained."

Recommendation

The information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (FILE B27/2)

CORRESPONDENT: MINISTER FOR CORRECTIVE SERVICES, THE
HON. JOHN AKISTER

SUBJECT: DUMPING OF TYRES AT DARUK TRAINING SCHOOL

The following letter has been received from the Minister for Corrective Services, The Hon. John Akister:

"I wish to acknowledge receipt of your letter of 10th April, 1986, and that from the Shire Clerk of the same date, concerning the dumping of tyres on the property formerly known as the Daruk Training School at South Windsor.

I am currently considering the matters you have raised and, as soon as possible, I will write to you again."

Recommendation

The information be received.

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.

B1. MRS A. BARKER - WINDSOR LIBRARY. L125/7

Thanking Council for the assistance rendered to her with regards to family research and also complimenting Council on the extensive material available.

B2. STATE LIBRARY OF N.S.W. - MICROCOMPUTERS IN PUBLIC LIBRARIES. L125

Advising the Premier has announced that funds will be made available in the current financial year to provide a microcomputer, moden and printer for each major public library system in New South Wales.

B3. MR. M. EELMAN - RICHMOND & WINDSOR LIBRARY. L125

Complimenting Council on the various services, particularly the libraries, and also suggesting extended opening hours.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE CLERK'S REPORT

ITEM 1: (File 186/9/a)

SUBJECT: SALE OF LAND FOR OVERDUE RATES - 1986

In accordance with Section 602 of the Local Government Act, 1919, as amended, Council may sell at Public Auction any land where a rate has been in arrears for more than five (5) years.

The procedure for the sale involves fixing a convenient time and place for the sale and giving notice in the prescribed form to all persons claiming to have an interest in the subject land.

The properties within the requirements of Section 602 of the Local Government Act, are as below.

<u>ASSESSMENT NO.</u>	<u>OWNER</u>	<u>PROP. DESCRIPTION</u>	<u>AMT O/S AS 2/4/86</u>
11176-42100-3	Bruce Phillip Gee Pty. Limited	Lot 10 DP 211780 Coromandel Road	\$ 1,228.94
2446-10000-6	Estate Late T. Neich	Lot 1 DP 517832 Macquarie Street	\$ 3,615.58
11087-00000-3	W. Tzschentke	Lot 15 DP 212917 Cliff Road	\$ 3,055.15

Recommendation:

1. That in accordance with Section 602 of the Local Government Act, 1919, as amended, Council resolve to sell the properties at Public Auction.
2. Council give authority to the Shire Clerk to act on Council's behalf regarding procedures for the sale.
3. The sale be held at 10.30 a.m. on Saturday, 20th September, 1986.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (FILE C51/5)

SUBJECT: HOBARTVILLE SHOPPING CENTRE

A meeting was recently held between Council officers and shopkeepers in the Hobartville Shopping Centre to discuss lease agreements which are currently due for renewal.

The centre contains eight shops, comprising a general store, pharmacy, doctors' surgery, butchery, take away food outlet, hairdresser and auto spares outlet. The remaining shop, which formerly traded as a video hire and sales outlet, is currently vacant.

The principal area of concern to the tenants relates to current rental levels and future increases which may eventuate. Provision was made in the 1986 Estimates for a rental increase of 5% and the revised rentals (rounded to the nearest dollar) are itemised below:

Shop 1	108 sq.m	\$10,075 per annum	\$194 per week
Shop 2	45 sq.m	\$6,200 per annum	\$119 per week
Shop 3	45 sq.m	\$6,200 per annum	\$119 per week
Shop 4	45 sq.m	\$6,200 per annum	\$119 per week
Shop 5	90 sq.m	\$9,170 per annum	\$176 per week
Shop 6	45 sq.m	\$6,200 per annum	\$119 per week
			(currently vacant)
Shop 7	45 sq.m	\$6,200 per annum	\$119 per week
Shop 8	90 sq.m	\$9,170 per annum	\$176 per week

As shown by comparison below, these rental levels are significantly higher than those of the other three Council-owned centres:

McGraths Hill	116 sq.m	\$4,974 per annum	\$96 per week
	140 sq.m	\$6,190 per annum	\$119 per week
			(2 shops)
	98.1 sq.m	\$4,655 per annum	\$90 per week
Glossodia	112 sq.m	\$6,240 per annum	\$120 per week
			(4 shops)
Wilberforce	112 sq.m	\$7,176 per annum	\$138 per week
			(4 shops)

Rental within the McGraths Hill Centre takes account of difficulties due to lack of main road access and subsequent loss of passing trade, while rentals in both Glossodia and Wilberforce Centres were fixed at the commencement of lease agreements in 1984 and were specifically designed to enable initial establishment of the respective businesses.

The three year lease periods for shops in both Glossodia and Wilberforce are due to expire at the end of 1986 and subsequent rental rates will then be subject to negotiation.

It is felt that, given the proximity of major commercial outlets in Richmond and the limited surrounding community, rental for the Hobartville Shopping Centre should be contained to the 1986 level for both 1987 and 1988 after which it could then be subject to renegotiation for the ensuing three year lease period.

The rental levels have been discussed with Council's valuer who has agreed that the proposal is reasonable in view of the limited potential for this centre.

Other matters raised by tenants at the meeting related to signage and the incidence of vandalism to the centre. Arrangements are being made for

erection of directional signage in a number of locations at Hobartville, and the work should be undertaken in the near future.

In relation to the prevalence of vandalism, contact will be made with the Police Department and arrangements have been made for regular patrols by Council's Ordinance Inspectors. At this stage, it is not known whether or not this action will be successful.

Recommendation

Rental levels for shops within the Hobartville Shopping Centre be contained to the 1986 level until 31st December, 1988.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (FILE C45/26)

SUBJECT: PROVISION OF LAND FOR CONSTRUCTION OF CENTRE FOR STIMULUS

Council at its meeting of 11th February, 1986, resolved to provide a site for the construction of a centre for the Stimulus Early Intervention Group. The site was provided subject to the following conditions:

1. The Rotary Club of Windsor to carry out site preparation.
2. Plans and specifications to be drawn up to meet Council requirements, users' needs, and regulations of any funding bodies.
3. Council to draw up plans to ensure the building meets the requirements of childcare regulations.
4. Construction to be supervised by a licenced builder, yet to be nominated, who is a member of the Rotary Club of Windsor.
5. Building materials and design to complement the Greenhills Childcare Centre and the Amenities Block.
6. A legally incorporated Management Committee to be formed to be responsible for the management and operation of the Centre.
7. Council, by Constitution, to be represented on the Management Committee.
8. Council to prepare a draft constitution for submission to the Rotary/Stimulus steering committee.
9. The building to be available for use by community groups with priority of access for early intervention programmes for children with developmental disabilities.

The above conditions were agreed to by both the Rotary and Stimulus groups and are in accordance with Council's policy on community use of buildings.

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The following letter has been received from Mrs. L. Wood, Secretary of the Stimulus Early Intervention Group:

"Reference is made to your letter dated 25th February, 1986, regarding the provision of land for the construction of a centre for Stimulus.

At the Committee Meeting held today, lengthy discussion was held with regard to your letter and the conditions set out therein. It was unanimously agreed that the conditions of your letter would be acceptable providing the following amendments were included:-

Conditions 1-5	to remain unchanged.
Condition 6	to be amended to read - 'A legally incorporated Management Committee to be formed to be responsible for the management of the building'. DELETE 'and operation of the Centre'.
Condition 7	to read - 'Council by Constitution to be represented on the Management Committee by person or persons acceptable to Stimulus and Rotary.
Condition 9	to read - 'The building to be available for use by community groups with priority of access for Stimulus Early Intervention programs Monday to Friday 9am to 3.30pm for children with developmental disabilities.
Condition 8	to remain unchanged."

It is to be noted that a further letter has been received from Mrs. Gae Kelly, Co-ordinator of the Stimulus Group, requesting changes to the conditions similar to those detailed above.

It is felt that the conditions are reasonable and Council should not vary its original decision.

Recommendation

The Stimulus Early Intervention Group be advised that Council is not prepared to vary the conditions relating to the provision of a site for their group.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File P155/12)

SUBJECT: PROPOSED CAR PARKING AREA - RICHMOND

At the Ordinary Meeting of Council held on 10 July, 1984, it was resolved to adopt the principle of establishing a car park behind properties fronting the southern side of Windsor Street with access from Bosworth Street and West Market Street, Richmond.

Subsequently, Council acquired two properties involved in the proposal, namely No's. 20 & 22 Bosworth Street. The house which was erected on No. 20 Bosworth Street has been demolished and, with the exception of parts of the backyard, the adjoining property is occupied by the Womens Cottage. Arrangements are underway to establish a temporary car park over the available land.

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Included in the proposal at the Bosworth Street end of the car park were properties owned by the following:-

Property No.1 -

Description: Part Lot 3 DP207360, being rear portion 151 March Street,
Richmond
Owner: Mrs M. Kosmas

Property No.2 -

Description: Part Lot 2 DP207360, being rear portion 153 March Street,
Richmond
Owner: Mr. M.J. Stevens

Property No.3 -

Description: Part Lot 1 DP525524 and Lot 2 DP223216, being part of rear
portion 314-322 Windsor Street, Richmond
Owner: Telecom Australia

A number of offers to acquire the land required, were forwarded to the various owners and reports were subsequently submitted to Council for consideration. At the Ordinary Meeting of Council held on 12 November 1985, it was resolved to serve Notice of Intention to Resume land required for car parking purposes on the above owners.

Subsequent to this report, Notices of Intention to Resume were forwarded by Council officers and communications were received in reply from all three parties.

Property No.1 - In relation to Mrs Kosmas, a report was submitted to the General Purpose Meeting of Council held on 25 March, and the Committee was addressed by Mr. George Evangelidis. Council resolved to reaffirm its previous offer to purchase the rear portion of 151 March Street, Richmond for \$30,000 and suggested that the owner have his valuer consult with Council's valuer with the intention of submitting a further report.

The two valuers discussed the value of the land required by Council on 2nd April, with a view to finding some common ground and seeking to agree on a reasonable market value for the property.

Both valuers have advised that, unfortunately, they were unable to reach agreement on the matter and they have both indicated that their respective valuations are, in their opinions, correct.

The difference between the valuations is considered irreconcilable as Council's valuer has assessed the market value at \$30,000 while the valuer acting on behalf of Mrs Kosmas has assessed the market value at \$75,000 with a further allowance of \$5,000 for incidental costs.

Property No.2 - In relation to the land owned by Mr. Stevens, the following notice of objection has been received in response to Council's ~~Notice of Intention to Resume~~.

"The ground of my objection is as follows, namely, that the Council should properly resume the whole of the land known as 153 March Street, Richmond rather than the part. The reasons supporting the above ground are as follows:

- a) I carry on the business of a carrier from the land. I reside in the cottage standing near the frontage of the land (which part is not the subject of the proposed resumption) and use the rear of the land (which is the subject thereof) for the purpose of the parking of my truck and other business vehicles, and for the storage of loads of fruit and vegetables for short periods between trips. There are fuel storage facilities on the land proposed to be resumed and a number of buildings utilised in connection with my business.

If the resumption proposed takes place, I will be left with no such facilities and will be unable to continue to operate my business from my home.

- b) A domestic inground swimming pool straddles the line separating that part of the land proposed to be resumed. This will necessitate the filling in and/or reconstruction of the swimming pool.
- c) As I intend to continue to operate my business from my home, the proposed resumption will compel me to sell the land not resumed and purchase elsewhere. The resumption of the whole of the land will greatly simplify the process of negotiation between the Council and myself on the question of the assessment of proper compensation by removing the possibility of argument about the effect of severance without ultimately operating to the Council's disadvantage.
- d) The resumption, as proposed, will operate unfairly and inequitably upon me."

Property No.3 - A response on behalf of Telecom Australia has been made by Mr. H.J. Cheadle, for the Chief Property Officer for New South Wales Department of Local Government and Administrative Services. The response is set out below:-

"I refer to previous correspondence in which you requested that consideration be given to the disposal of part of the abovementioned property to Council for use as a car park.

The Australian Telecommunications Commission has advised that the land is required for future expansion of the operations of the exchange and to provide off street parking for vehicles associated with those operations.

I also refer to your letters dated 3 March, 1986, addressed to the Commonwealth Crown Solicitor, Sydney and the Manager Telecom Australia, Richmond, concerning Council's intention to resume part of the Telephone Exchange site for car parking.

The land referred to in your Notice is part of the land contained in Certificate of Title Volume 11506 Folio 132 of which the Commonwealth of Australia is the registered proprietor. The land as described in the Certificate of Title is Lot 2 in Deposited Plan 537761.

As you are no doubt aware, the provisions of the Local Government Act 1919 are to be read subject to the provisions of the Commonwealth of Australia Constitution Act. Consequently, Council is prevented by the relevant legislation from resuming the land in question."

Summary

In relation to the three properties itemised above, it is felt that insurmountable problems which could be associated with Council proceeding to resume the land make the proposed extension of the car parking area inadvisable at this stage.

This is based on discussions with representatives of the Department of Local Government and Administrative Services as well as the Manager of Properties and Accommodation, Telecom Australia. They have advised that proposals for the Richmond Telephone Exchange site prevent that Authority from agreeing to any sale of land to Council for car parking purposes. This particular site, or part of the land previously itemised, is essential if thoroughfare access is to be gained to the rear of land owned by Stevens and Kosmas. Pedestrian access to the second car park also relies on Council acquiring a walkway over the Telecom site.

In relation to land owned by Mr. Stevens, an offer to acquire the whole property for \$190,000 with Council to be responsible for reasonable legal costs, survey expenses etc has previously been forwarded and rejected. It is felt that Mr. Stevens would require an amount significantly in excess of Council's offer, and could establish a substantial claim for injurious affection if the resumption proceeds.

Without the land required from Telecom and, given the potential value of a claim for injurious affection should Council proceed to resume land owned by Stevens, the property at the rear of 151 March Street, which is owned by Kosmas is inaccessible.

It is therefore felt that, at this stage, Council should not proceed with the proposal to resume any of the land contained within these three properties.

In the event that Council resolves not to proceed with the resumption of this land, it is felt that reasonable valuation fees incurred by Mr. Evangelidis on behalf of Mr. & Mrs Kosmas should be paid by Council. The fees payable will be calculated in accordance with the relevant scale.

A plan itemising the properties referred to in this report and also the following two items will be on display at the Committee Meeting.

Recommendation

Council not proceed with the resumption of land required for car parking from Mrs M. Kosmas, Mr. M.J. Stevens and Telecom Australia with Council to be responsible for reasonable valuation fees incurred by Mr. G. Evangelidis on behalf of Mrs M. Kosmas.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File P155/12)

SUBJECT: PROPOSED CAR PARKING AREA - RICHMOND

With reference to the previous Item No.4, Notice of Intention to Resume Land required for car parking areas was also served on the following:

Property No.4 -

Description: Part Lot 12 DP592331 being rear portion 304 Windsor Street, Richmond
Owner: Dr. K.Y. & Mrs C.L. Wu

Property No.5 -

Description: Part Lots 2/3 Section 5 FP150763 being rear portion 306-310 Windsor Street, Richmond
Owner: Mr. F.J. Dirago & Mrs M.F. Bolous

Property No.4 - A counter offer has been received from Messrs Smail Rhodes & Co., who act on behalf of Dr. & Mrs Wu. The offer details the following terms and conditions:

1. Dr. & Mrs Wu agree to Council purchasing the land required for \$36,500 with the transfer of title to be effective within thirty days of Council's approval being given to such agreement.
2. Council to bear the transferors scale legal fees plus any disbursements necessarily incurred in finalising the matter.
3. Two parking spaces to be reserved immediately adjacent to the proposed loading zone, for ambulance and medical practitioners vehicles. These parking spaces to be appropriately signposted.

Council had previously offered to acquire the land from Dr. & Mrs Wu, for \$30,000 plus reasonable expenses and it is felt that the counter offer, with the exception of the thirty day period for the completion of the agreement, is acceptable.

Property No.5 - In relation to land owned by Mr. Dirago and Mrs Bolous, a counter offer has been submitted by Harold R. Bushby and Co., and is set out below.

1. Council to acquire the land required for \$45,000.
2. Council to be responsible for reasonable legal fees which in view of the old system title, are estimated at \$2,000.
3. Council to undertake to provide an opening gate to the rear of the property.
4. Council to retain the existing loading bay which is to be appropriately marked to avoid car parking.

In relation to this property, Council had offered to acquire the land required for \$40,000 plus reasonable expenses and it is felt that the counter offer should also be agreed to.

Recommendation

Council agree to -

1. Acquire part lot 12 DP 592331 from Dr. K.Y. & Mrs C.L. Wu for \$36,500 with Council to be responsible for reasonable legal expenses, subdivision/survey costs and fencing which may be required.

Two parking spaces to be reserved immediately adjacent to the proposed loading zone at the rear of the property for ambulance and medical practitioners' vehicles. These parking spaces to be appropriately signposted.

2. Council agree to acquire Part Lots 2/3 Section 5 FP 150763 from Mr. F.J. Dirago and Mrs M.F. Bolous for \$45,000 with Council to be responsible for reasonable legal fees, subdivision/survey costs and fencing which may be necessary. A gate to be provided at the rear of the property and the existing loading bay to be appropriately marked and retained.
3. All necessary documents to be completed under Seal of Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File P155/12)

SUBJECT: PROPOSED CAR PARKING AREA - RICHMOND

Further reference is made to Items 4 and 5 and the remaining properties which were affected by Council's Notices of Intention to Resume. Included in the proposal were the following properties:-

Property No.6 -

Description: Part Lots 3/4 Section 5 DP 317973 being rear portion of No.312 Windsor Street, Richmond
Owner: Mrs E.B. Knott

Property No.7 -

Description: Part Lot 1 DP 632896 being rear portion 296-302 Windsor Street, Richmond (Orange Grove Mall Car Park)
Owner: Registered Proprietors, Body Corporate, Strata Plan 20754 Orange Grove Mall.

Property No.6 ~ In respect of land required from Mrs Knott, the following objection has been received from Messrs Matthews Dooley & Gibson.

Our client has instructed us to lodge the following objections to the proposed resumption:-

1. It is submitted that it is not critical that Council acquires our client's Land in that alternative and more suitable vacant land is available adjacent to the present hospital and that this area of land currently has an adjacent laneway.
2. Our client's house currently utilises two wells sited in the area proposed to be resumed for storm water drainage purposes.
3. The area proposed to be left to our client as a back garden is entirely inadequate and will greatly and adversely affect her enjoyment of life. The proposed brick wall to the rear of the property will be austere and will give our client a sense of confinement.
4. The rear area is also entirely inadequate to cater for the storage of a boat and caravan which our client has allowed to be stored for members of her family.
5. The land involved is undeniably of very great value and our client is fearful that she will be most adversely affected by the new Commonwealth Assets Test Legislation. Whilst this asset remains part of her residence her pension entitlements are not affected at all, however, once part of this asset is converted to cash she would lose her entire pension entitlement and all of its fringe benefits.
6. Lastly, we believe it is relevant for both Council and the Minister to consider that our client is eighty-seven years of age, has lived in the property for the last forty-three years, the last twenty-five years of which, during her widow-ship, she has been on her own. Were this resumption to proceed we believe that the proposed changes would represent a trauma with which our client would find difficulty coping.

We would commend these objections to both Council and the Minister and would request that consideration be given to an alternative proposal not affecting our client's land."

It should also be noted that the following letter has been received by Council from The Heritage Council of New south Wales, in relation to Mrs Knott's property.

- "1. It is understood that your Council has given notice to the owner of the abovementioned land of an intention to resume part of this property for use as a Council public car park.
2. The property has recently been investigated by a specialist officer from the Heritage and Conservation Branch, and is considered to be of heritage value.

The property is in very good condition and the building thereon is an excellent example of an Edwardian Cottage which contributes to the 19th Century character of Richmond.

3. The property is listed by the National Trust of Australia (NSW) and includes generous grounds containing a stables building of the same age and two wells. The building is currently protected by an order under Section 130 of the Heritage Act, 1977.
4. The concern which Hawkesbury Council has shown in recent years for the protection of local heritage importance is most commendable. I am therefore writing to ask your Council to consider an alternative car parking proposal which would result in the retention of the significance and integrity of this particular property.
5. During the inspection of this property it was noted that there is a parcel of land behind it which is presently open and apparently not being used. It appears that this alternative parcel of land was originally in the ownership of your Council and was sold some time ago to an adjacent nursing home. This portion of land has no particular heritage value and would also appear capable of accommodating your Council's car parking requirements.
6. In the light of the foregoing, would you please advise me if your Council would be prepared to consider the resumption of the alternative parcel of land for the construction of the proposed carpark or any difficulties that prevent this from occurring."

The land referred to in point 1 of the letter from Matthews Dooley and Gibson, and point 5 in the letter from The Heritage Council refers to a 973.8 square metre parcel of land sold to the Community Nursing Home by Council for \$10,000 on 6th December, 1979. The land was sold for future extensions to the Community Nursing Home and investigations will be undertaken to determine whether or not it could be incorporated into Council's car parking area proposals.

A requirement of Ordinance 77, is that Council consider the objection(s) and provide the persons with a summary of Council's comments:-

1. Acquisition of land owned by Mrs Knott is considered critical to Council requirements for car parking to service the existing commercial area. Investigations will be undertaken to determine whether or not it is possible to purchase land previously sold to the Trustees of the Richmond Community Nursing Home and, if this is possible, the possibility of also incorporating the parcel into the car parking area will be investigated.
2. Alternative arrangements will be made for disposal of stormwater drainage from the property.
3. A distance of five metres will exist between the car park boundary and the rear of Mrs Knott's house, and while the Council proposal will greatly reduce the area of land at the rear of the property, the remainder of the land which comprises expansive garden areas will be unaffected. Fencing of the rear boundary to the car park can be undertaken using environmentally sympathetic materials.
4. While there may be inadequate areas to store a boat and caravan to the rear of the property, alternative areas exist on either side of the dwelling.

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5. Council's valuer has assessed the current market value of the land required at \$55,000. It is possible that payment of compensation may have an effect on Mrs Knott's pension entitlements under the Commonwealth Assets Test Legislation. However, this legislation has been designed to take account of income from alternative sources when determining pension entitlements and it is understood that alternative revenue from investment of the compensation should adequately cater for any loss in entitlements.
6. Council is conscious of the value of the land to Mrs Knott and while sympathy is expressed to any trauma which she may experience in the future, it is felt that the urgent requirement for additional car parking areas in Richmond cannot be delayed any longer.

Property No. 7 - In relation to the land which is currently a car park at the rear of the Orange Grove Mall, no direct response was received in reply to Council's Notice of Intention to Resume. However, at the Ordinary Meeting of Council held on 12 November, a letter from the Body Corporate was received in relation to the proposal. This letter is set out below:-

"I refer to your letter of 9 October, 1985, and our telephone conversation of 16 October, 1985.

The Body Corporate has rejected Council's offer of \$75,000 for the car park.

It is understood that Council's valuation assessed the car park at \$180,000. The Body Corporate agrees with that figure but does not agree with the method by which \$75,000 is obtained."

Council will recall, that the valuation of \$180,000 was reduced by the carparking contribution which would have been payable at the date of the development approval, namely \$105,000. This resulted in a net figure of \$75,000 being offered for the land required for carparking.

In relation to both of the above properties it is felt that Council should proceed with the proposal to resume the land. In replying to the objections, specific reference must be made to each issue raised by Solicitors acting for Mrs Knott and it is felt that the Heritage Council of N.S.W. should be advised of these replies with an advice that the proposed resumption of vacant land will not have a significant detrimental effect on the historic significance of the Cottage.

Recommendation

Application be made under seal for the approval of the Governor for the resumption of -

1. Part Lots 3/4 Section 5 DP 317973 being the rear portion of No. 312 Windsor Street, Richmond owned by Mrs E.B. Knott for car parking purposes.
2. Part Lot 1 DP 632896 being the rear portion of No's 296-302 Windsor Street, Richmond owned by the registered proprietors, Body Corporate Strata Plan 20754 Orange Grove Mall for car parking purposes.

Mr.H.Witherow addressed the Committee on behalf of Mrs.E.B.Knott.

COMMITTEE'S RECOMMENDATION

1. COUNCIL NOT PROCEED with the resumption of Part Lots 3/4, Section 5, DP317973 being the rear portion of No. 312 Windsor Street, Richmond owned by Mrs.E.B.Knott for car parking purposes.
2. Application be made under seal for the approval of the Governor for the resumption of Part Lot 1, DP 632896 being the rear portion of Nos. 296-302 Windsor Street, Richmond owned by the registered proprietors, Body Corporate Strata Plan 20754 Orange Grove Mall for car parking purposes.

ITEM 7: (File A7/20)

SUBJECT: WINDSOR MALL MANAGEMENT

Recently there have been problems in the Mall area associated with -

1. The placing of goods for sale in the pedestrian and emergency vehicle areas.
2. Vehicles traversing the pedestrian area and prolonged periods of parking.
3. Noise levels from entertainment and promotions.

The matter has been considered in detail, and in conjunction with the previously adopted regulations, and these discussed with the Police. As a result, some modifications are recommended to those regulations previously adopted in order to adequately control the recent problems. With regards to obstructions in the Mall area, notices are being served under the appropriate provisions of the Local Government Act requiring these to be removed.

There is a need for a contact person within the Council staff to co-ordinate promotions and entertainment in the Mall area, and it is considered that the most appropriate person to undertake this role is the Community Arts Officer, Ellen Manning. All enquiries in the promotions and entertainment area will be directed to her.

The following regulations are recommended for adoption to enable use of the Mall area for entertainment, commercial and community activities to be co-ordinated effectively.

1. Any entertainment, commercial or public display must obtain prior approval from Council. Permission should be sought by and, if approved, will be granted in writing.
2. For the purpose of loading and unloading heavy equipment associated with entertainment, displays, public and commercial activity, including deliveries, vehicles subject to Council approval, may enter the Mall area and must depart immediately upon completion of loading/unloading activity. Vehicles must at no time park on sandstone paving, or obstruct entrances to the Mall or passageways for emergency vehicles nor obstruct entrances to premises or interfere in any way with adjacent business houses.

3. The use of amplifiers, public address systems, loud-hailers, loud-speakers is allowed only with permission from Council. At no time is the level of noise to exceed 15dB above background noise level. This noise level also applies to radios, cassettes and records used to supply music and other promotional material.
4. The persons or organisations granted approval for conduct of activities within the Mall shall be held responsible for leaving the immediate surrounding area in a clean and tidy condition, or be responsible for a cleaning fee. A deposit of \$50 is to be made with each approval, being refundable upon the area being satisfactorily cleaned.
5. All entertainment, commercial and public displays must at all times comply with acceptable standards of conduct, language and dress. Entertainment or displays shall not create an obstruction or hazard.
6. Busking is permitted in the Mall in accordance with the guidelines as set out below:-
 - a) Buskers must not use amplification.
 - b) There shall be no obstruction caused to pedestrians, entrances to shops, buildings and laneways. Buskers must remain at least 2 metres from any entrance.
 - c) There shall be no direct soliciting or collecting of donations. A collection container must be stationary on the ground.
 - d) Busking must not interfere with any approved entertainment or activity.
7. No photographs are to be taken for gain without prior approval of Council.
8. Fund raising activities and soliciting the public for donations is not to be carried out without the prior approval of Council.
9. No person shall preach or harangue in the Mall and no person shall approach a bystander or passer-by in the Mall and convey any advertising, religious/political and commercial or other message to such person without the permission of Council.
10. Displays of a commercial nature eg: new model cars will be accepted only by business houses in and adjacent to the Mall area.

A fee of \$20 per day will be levied for other business promotions and permission will not be given for promotions by business houses in direct competition to businesses within the Mall area.
11. Movable stalls may not be erected without Council permission, and must not obstruct doorways, entrances to Mall, or passageways.
12. Free-standing advertising boards will not be allowed.
13. The riding of skateboards and bicycles will not be allowed.
14. Any proposed food preparation activity in the Mall will require Council permission. Use of any materials eg: fats and oils that would affect the paving is prohibited.

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15. Displays of goods outside premises will be restricted to a width of one metre. Displays are to be restricted to the frontage of the business concerned.
16. Council permission must be sought for the placement of chairs and tables outside business premises.
17. Dogs must at all times be leashed.
18. Activities must be kept clear of waterwheel so as not to detract from the visual impact of this installation.
19. Care must be taken so as not to damage any items, including furniture, trees, shrubs, paving and gardens. The user is to meet the cost of repair of any damage other than fair wear and tear. In the case of established trees, cost will be determined at the cost to replace and grow the tree to the same size.
20. Persons and/or organisations utilising the Mall area for promotional or entertainment activities shall comply with requests and directions of authorised Council officers or the Police. Failure to do so, or other breaches of these regulations, may result in legal proceedings being instituted.

Recommendation

The regulations as set out for the management of Windsor Mall for promotions and entertainment be adopted.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8: (FILE C51/10)

SUBJECT: COMMUNITY WORK OPTION CENTRE - RICHMOND

Council at its meeting of 10th December, 1985, resolved to construct a Community Work Option Centre on the site of the Richmond Neighbourhood Centre.

Preliminary plans have now been prepared by Council's architect and include additions to the Neighbourhood Centre with an extension by a covered walkway to a shopfront facing West Market Street. The building is to include a training room, offices, kitchen and cafe, with the cafe to provide facilities for the handicapped and a source of revenue to offset the Centre's costs.

The architect has estimated that the cost of the building will be approximately \$147,000. Additional costs, including professional fees, landscaping, furniture and fittings, car park and access for the CWA building and relocation of existing building services, is estimated to be \$73,000. Provision of \$150,000 for this project was made in the 1985/86 Loan Programme. It will be necessary to provide a further \$70,000 in the 1986/87 programme to complete the works.

At a recent meeting of the Country Women's Association it was indicated that they would give their support to the proposal subject to there being no expense to their organisation, improvements being carried out to the courtyard in front of their building and adequate car parking spaces be provided.

The Federal Department of Community Services has received a copy of the plan to determine the requirements for operational subsidy and have indicated that they are attracted towards the shopfront development.

Recommendation

The Work Option Centre be constructed on the Richmond Neighbourhood Centre site and that funds be allocated from the 1985/86 and 1986/87 Loan Programmes.

COMMITTEE'S RECOMMENDATION

THE WORK OPTION Centre be constructed on the Richmond Neighbourhood Centre site, funds be allocated from the 1985/86 and 1986/87 Loan Programmes, and that further consideration be given to the siting of the shop with frontage to West Market Street.

CHIEF LIBRARIAN'S REPORT

ITEM 1: (File L125)

SUBJECT: LIBRARY USAGE & OPENING HOURS

This report is partly in response to a request from the public gallery at question time. A letter from a library borrower has been received requesting that the hours be extended and staff have received a number of verbal and written requests in the suggestion book.

The cost savings and reduction in library hours were reported to Council in the Estimates document as follows:

	Present Hours		Proposed Hours	
	Windsor	Richmond	Windsor	Richmond
Monday	10-6	10-5	10-5.30	10-5.30
Tuesday	10-5	10-6	10-5.30	10-5.30
Wednesday	10-5	10-5	10-5.30	10-5.30
Thursday	10-8	10-8	10-5.30	10-5.30
Friday	10-6	10-6	10-5.30	10-5.30
Saturday	9-1	9-12.30	9-1	9-12.30
Sunday	2-5	-	2-5	-
	47hrs	43hrs	44.5hrs	41hrs

The reduction was a total of 5 hours, 2.5 at Windsor and 2.5 at Richmond. This variation resulted in a saving in salaries of \$9,060.

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Following are three sample weeks of loan statistics recorded for the month of February, March and April, 1986 Monday to Friday. The month of January has been excluded because the statistics in that month reflect usage patterns unlike the rest of the year and it is generally a holiday time. Also it was noted that early in January the usage patterns were distorted by users previous borrowing patterns, e.g. Thursday night, statistics reflected this for at least two weeks.

February - Sample Week Mon 13/1 to Fri 17/1

<u>Date</u>	<u>Windsor</u>	<u>Richmond</u>
Mon. 13/1/86	4	
Tues 14/1/86	23	
Wed 15/1/86	7	
Thurs 16/1/86	31	
Fri 17/1/86	c30	

March - Sample Week Mon 3/3 to Fri 7/3

<u>Date</u>	<u>Windsor</u>	<u>Richmond</u>
Mon 3/3/86	102	c100
Tues 4/3/86	77	c81
Wed 5/3/86	84	c73
Thurs 6/3/86	59	c48
Fri 7/3/86	34	c32

April - Sample Week Mon 14/4 to Fri 18/4

<u>Date</u>	<u>Windsor</u>	<u>Richmond</u>
Mon 14/4	c25	23
Tues 15/4	32	52
Wed 16/4	35	36
Thurs 17/4	47	40
Fri 18/4	39	49

It will be noted that the March figures were approximations for Richmond.

A comparison with 1985 for Thursday and Friday nights is as follows:

Pre: early closing hours.

Thursday night statistics - 8.00pm

<u>Thursdays</u>	<u>Windsor</u>	<u>Richmond</u>
21 Nov'85	122	c100
28 Nov'85	88	118
5 Dec'85	77	85
12 Dec'85	87	31
19 Dec'85	c45	30

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Friday night statistics - 6.00pm

<u>Fridays</u>	<u>Windsor</u>	<u>Richmond</u>
22 Nov'85	69	c50
29 Nov'85	41	c40
6 Dec'85	16	43
13 Dec'85	27	c30
20 Dec'85	c30	32

Another indication of library usage is the head count kept from Monday to Friday for the month of March from the Reference Section at Windsor. This table is listed at the end of this report.

These statistics indicate a high use of the local studies resources during the mornings and increased use of the general reference collection in the afternoon. This would indicate higher student use at this time.

The number of total daily reference enquiries recorded during the same period is as follows:

3/3	28
4/3	42
5/3	31
6/3	21
7/3	19
10/3	48
11/3	27
12/3	49
13/3	35
14/3	28
17/3	15
18/3	23
19/3	24
20/3	18
21/3	22
24/3	36
25/3	31
26/3	25
27/3	29

The overall pattern indicates that users have spread their use of the library across the week rather than specific late afternoons as was the case when there was late night opening.

According to staff comments, some commuters did use both libraries on Thursday night after 7.00pm, but detailed statistics on this specific time were not recorded in 1985.

The computer system is not programmed to provide hourly statistics and, therefore, gathering such statistics requires staff monitoring.

Recommendation

That the report be received.

COMMITTEE'S RECOMMENDATION

THE REPORT BE received and the Richmond Library be opened for a trial period of six months for three hours on Sundays.

The Shire President asked the Chief Librarian to bring forward a report to the next Ordinary Meeting on the number of hours and the cost involved, and the effect on staffing together with figures on the usage of Windsor Library on Sundays.

QUESTIONS WITHOUT NOTICE

Councillor Nicholson referred to a letter received by the Councillors, which was not addressed to Council, from the Hobartville Pharmacy seeking help regarding vandalism at the Hobartville Shopping Centre.

The Treasurer advised that he had received a copy of the letter at a meeting with the shopkeepers at Hobartville and that he had addressed the issues raised at that meeting in the report to this Committee - Shire Clerk's Report - Item 2 - Finance - that contact would be made with the Police Department and arrangements would be made for regular patrols by Council's Ordinance Inspectors.

Councillor Dunn asked if the Health Surveyor could look at the possibility of putting up to the Local Government Association the banning of the sale of spray paints.

Councillor Horrex, as a follow on from the Grose River Bridge works, asked if the Engineer could give an indication as to when that information would be back from the Department of Main Roads,

The Shire Engineer stated that he could give no indication at this stage, the submission had been with the Department for some time and as it was a major decision, it could be some time before the information is received.

Councillor Stevens asked if the Engineering Staff, as a matter of urgency, could have a look at the footpath outside No. 5 Bourke Street, Richmond, where the footpath had been lifted up because of tree roots.

Councillor Stevens asked that in any submissions on The Islands, there should be a report from the Fire Control Officer on his views on the fire situation.

Councillor Rotherham referred to the Deed of Agreement entered into with Hawkesbury Valley Motors that they would vacate their premises in George Street in two years if Council supported an L.E.P. for rezoning of some land on the opposite side of Macquarie Street, and was wondering what had happened to the agreement.

The Shire Planner stated that Council resolution was subject to a Deed of Agreement which was part and parcel of the L.E.P. process. The L.E.P. was never finally determined because Council's Solicitor and the Solicitors for the applicant could not agree on the Deed, and this was not submitted to Council. Subsequently Hawkesbury Valley Motors has sold the land on the eastern side to Erichsen Motors and now the whole process has not been proceeded with.

The meeting terminated at 1.54 p.m.

Report of the Meeting of the Extractive Industry Committee held in the Shire President's Office on Thursday, 10th April, 1986, at 4.30pm.

PRESENT: Councillor G.G. Michael, Shire President; Councillors R.F. Rotherham, F.S. Stevens and C.J. Stanley; Messrs G.M. McCully, Shire Clerk, and A. Hastie, Design Engineer.

APOLOGIES: Messrs J.R. Gilmore, Shire Engineer, and M. Coulter, Deputy Shire Planner.

CORRESPONDENCE

ITEM 1: (FILE F84/5)

CORRESPONDENT: LANDS OFFICE

SUBJECT: ROYALTY PAYMENTS - PERMISSIVE OCCUPANCY 1979/4 WINDSOR

Referring to Council's letter of 6th January, 1986, concerning the above matter and advising that "as part of a regular review which is conducted by this Office at regular intervals between 1-3 years depending upon market forces, an increase in royalty from 65c to \$1.00 per tonne was approved on 21st August, 1985 and advice was forwarded to Council in a letter of 26th September 1985 (to be effective from 1st January, 1986). Such action was in accordance with this Office's review policy since a period in excess of 2 years had transpired.

The current review to be effective from 1st January, 1986 is considered reasonable and comparable to what other operators in the locality are paying the Crown. Council's operation is considered as a Commercial sand extraction operation in direct competition to other operators in the area, and as such, comparable royalty payments should be made."

S.E. REPORT

The Department's view on this matter is not negotiable and Council is now paying a royalty of \$1.00 per tonne (an increase of 35 cents) for material removed.

Council currently receives \$2.00 per tonne for processed sand and \$1.65 per tonne for fill sand. This figure was negotiated in October 1985 and became effective from December of that year. It was also resolved (Extractive Industry Committee 15th October, 1985) that the figures be reviewed on a three-monthly basis.

Clause 9 of the deed of agreement between Council and Martin Perry establishes the review criteria for bi-annual royalty increases in the following terms:

"The amount of royalty payable by the Contractor to the Council shall be reviewed on 21st September and 21st March in each and every year during the currency of this Deed and any extension thereof and such royalty shall be adjusted in accordance with the then prevailing market conditions and circumstances. In the event that the parties are unable to reach agreement as to the amount of royalty that should be paid by the Contractor to the Council during any such period the amount of such royalty to be paid shall be determined by the President for the time being of the Institute of Chartered Accountants in Australia or his nominee which determination shall be as an expert and shall be binding on the parties hereto."

The above condition would give Mr. Perry grounds for objection if royalty payments were to be reviewed four times per year, and on this basis it is considered that the original agreement has to be adhered to.

Notwithstanding this, it is believed that bi-annual adjustments of royalty payments can adequately reflect any quarterly consumer price increases in the concrete industry.

Under the terms of the agreement (Clause 10), both parties (Council and Perry) are to equally share any royalty increase imposed by the Crown and future adjustments should also allow for this when applicable.

Recommendation

- (1) That the advices from the Lands Office regarding royalty increases be received.
- (2) That in accordance with Clause 9 (Deed of Agreement) negotiations commence immediately with Mr. M. Perry for the purpose of reviewing royalty payments currently received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (FILE 810-36w)

CORRESPONDENT: H. WELLER

SUBJECT: DRAINAGE OF FARM LAND ADJACENT TO CORDNERS CORNER

Raising an issue relating to surface drainage runoff from his property (Lot 11B immediately adjacent to Council owned land) into the sedimentation ponds that service Council's extractive operation at Cordners Corner.

S.E. REPORT

Prior to 1982 Mr. Weller's property, Lot 11B, was eroding quite seriously along the common boundary that adjoins Council property and before any extractive operations commenced it was necessary for Council to construct a levee bank between the two properties.

The levee effectively halted the erosion problem, however, in doing this it created what has emerged to be a nuisance ponding problem on Lot 11B.

Minor regrading of a section of the property which would require the relocation of approximately 300 sq.m. of material into an adjacent depression (1 day's work with a grader) would eliminate the problem.

Cost for this work would be \$350.00.

Recommendation

That Mr. Weller be informed that Council is prepared to carry out the necessary rectification work on the basis that he agrees in writing to the work being carried out without future prejudice against Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (FILE F84/5)

CORRESPONDENT: B. VAN DEN BOSCH

SUBJECT: PAINTING OF COUNCIL'S WEIGHBRIDGE - CORDNERS
CORNER

A quote for \$1,985.00 to prepare (clean, dust, sand, prime) and paint both the top and underside of Council's automatic 60 tonne digital weighbridge at the above location.

S.E. REPORT

This bridge, which has been in continuous operation since October, 1982, is tested annually by the Department of consumer affairs (Weights and Measures Branch) for the purpose of registration renewal. Through necessity, this inspection and test is quite rigorous with particular attention given to any rust or other surface defects that could lead to a later structural failure.

During the last inspection it was commented that the bridge should be repainted with special attention been given to the underside.

The continuing upkeep of this appreciating asset is important to Council as it will more than likely be relocated for future long term Council use at Cattai.

Recommendation

That Mr. Van Den Bosch's quote of \$1,985.00 to clean, prime, undercoat, and finish in gloss enamel, Council's weighbridge at Cordners Corner be accepted.

COMMITTEE'S RECOMMENDATION

THAT THE PAINTING of Council's weighbridge be undertaken with a further recommendation that this work only be carried out after two more quotes are received and assessed at the next meeting of the Extractive Industry Committee.

GENERAL BUSINESS

ITEM 1: (FILE C55, E78)

SUBJECT: PERMISSIVE OCCUPANCY 1985/13

Correspondence summarising in general terms Council's proposals in regard to future sand extraction in the region has recently been dispatched (1st April) to Mr. R.C. Arndell, the owner of Hope Farm, Cattai.

This property offers Council the best location for a future land base if extraction is eventually allowed.

Mr. Arndell has been requested to indicate to Council what he considers would be a fair monthly rental for the long-term use of approximately 2ha of his property to support the proposal.

Recommendation

The information be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2:

SUBJECT: TIME AND DATE OF NEXT MEETING

COMMITTEE'S RECOMMENDATION

THAT A FURTHER meeting of the Committee be held on Tuesday 13th May, 1986, commencing at 7.00pm.

The meeting closed at 4.55pm.

SHIRE CLERK/GENERAL MANAGER'S REPORT

ORDINARY MEETING - 13TH MAY, 1986

Shire President and Councillors:

FINANCE AND ADMINISTRATION

CORRESPONDENCE

1. MEMTEC LIMITED - LOTS 26, 40 & 41 SOUTH WINDSOR INDUSTRIAL ESTATE.
802/26, 802/40 & 802/41.

The following letter was received -

"Having had a session today with the Deputy Shire Clerk and the Treasurer, I would like to make the following request about MEMTEC's land at the South Windsor Industrial Estate.

Originally we intended to build a suitable size building (approximately 10,000 sq.ft.) on the site within the two year period and pay the mortgage and receive the rebate on the interest.

In practice, however, it has been necessary to expand the size of the building since we are now marketing our products overseas. The Managing Director has organised a Memtec North America company and will follow this up with a European company.

This early growth in our Company has required the building to be expanded to an initial 43,000 sq.ft. The builder has now started on the building.

It will be finished before Christmas this year four times the original size negotiated with the Council. It will be completed to lock up stage and the windows should be installed by mid September but the interiors will then be finished over the subsequent months.

MEMTEC LIMITED would like to retain its original agreement with the Council, ie; to pay its mortgage to the Council on 24 September and receive the interest rebate promised. The building will be substantially complete even though not occupied at that time. The size and the quality of the building and number of staff/employees involved at Windsor should please the Councillors since it will provide a significant benefit in the area.

We feel that we are substantially in compliance with the spirit of our agreement with the Council and look forward to your agreement and support of our interest rebate in these slightly altered circumstances. The size of the building prevents us having all of the building finished by 24 September, and it would be disruptive to the construction process if we had to complete one 10,000 sq.ft. section prior to the 24th to comply with the letter as distinct from the spirit of our agreement.

A copy of the proposed construction schedule is attached for your information. As you can see the building will be substantially complete as of 24 September, when we would repay our mortgage less the interest rebate. We ask the Council to agree to the small change to the original land purchase agreement."

(S.C.) - At the Ordinary Meeting of Council held on 8th November, 1983, the marketing plan for South Windsor Industrial Estate was adopted.

The strategy provided for re-appraised purchase prices and the offer of three year mortgages at 15% per annum with interest rebates where a development was completed within 18 months of exchange of contract.

Advice was received on 3rd May, 1984, that Memtec Ltd was interested in purchasing Lots 40 and 41 Blackman Crescent and discussions subsequently took place with Mr. Mervin Norrie who is Chairman of the Board.

Following this meeting, a report was submitted to Council, and at the Ordinary Meeting held on 15th May, 1984, it was resolved to allow an extended period of six months to provide that interest would be rebated where an industrial development was completed within two years of exchange of contracts. This was on the request of the Company, as it did not feel that it could comply with the original condition which required completion of a development within eighteen months of exchange.

Subsequent to this report, discussions, again took place with Mr. Norrie on the basis that he was not aware that the principal under the mortgage had to be repaid at the time the interest was rebated. As a result of the negotiations, the Company agreed to also acquire Lot 26 to allow for possible future growth, but requested that further concessions be made under the development rebate if the sales were to proceed and a further report was submitted to the Ordinary Meeting of Council on 12th June.

Council resolved to agree to the sale of the three lots for \$426,000 with the sale to be subject to a three year mortgage for \$285,420 at an interest rate of 15% per annum payable quarterly. Interest paid within two years of exchange of contracts was to be rebated where a suitable industrial development was completed to the satisfaction of Council within that period. The principal sum was to become due and payable at the end of the three year mortgage term and interest which accrued between the period the development was completed and the final date for repayment was to be retained by Council.

Following this meeting, the necessary documents were completed and contracts for the sale of the three blocks of land were exchanged on 24th September, 1984. Accordingly, in order to qualify for a development rebate, the Company was required to complete an industrial development to the satisfaction of Council (ie; to the stage of issue of a 317A Certificate by Council's Health Surveyor) prior to 24th September, 1986. The letter received from the Company, indicates that it will be unable to comply with this condition.

Pursuant to the agreement with Council, interest amounting to \$67,924 will be paid within the two year period and the Company has asked Council to agree to rebate this amount even though it will be unable to comply with the requirement to complete an industrial development within the prescribed period.

Settlement of the purchase was completed on 11th February, 1985, and the principal sum due under the mortgage, namely \$285,420, is therefore due for repayment, on or before 11th February, 1988. This is regardless of whether or not Council agrees to rebate interest which will be paid up to 24th September, 1986.

Interest charges which accrued from 24th September, until 11th February, 1988, will accrue at the rate of 15% per annum and will be retained by Council.

Following the offer of interest rebates in the South Windsor Industrial Estate, two other companies took advantage of the incentive scheme. These were Seiders Truck Repairs and Snow Confectionery Pty Ltd. In relation to Seiders Truck Repairs, the development was not completed within the prescribed period and in relation to Snow Confectionery, no development has been commenced to date and it is unlikely that they will be able to complete a building prior to September, 1986.

Under the circumstances, neither of these companies will qualify for the development rebate and interest charges paid pursuant to those mortgages, namely \$37,989, will be retained by Council. It is possible that, should Council agree to waive the requirement in respect of Memtec Ltd, approaches could subsequently be made by these companies for similar concessions.

It is felt that the request from Memtec should not be agreed to for the following reasons:-

1. At all times, Council officers stressed the fact that a development must be completed within the prescribed period in order for the concession to be granted. This was to both the Chairman, Mr. Mervin Norrie and also the Managing Director, Mr. Denis Hanley and the agreement is reflected in both legal documents prepared by Council's Solicitors and also correspondence between Council and the Company.
2. Council made substantial concessions to the company by increasing the period for construction of a development from 18 months to two years and also by waiving the requirement that the principal sum had to be paid at the time the development rebate was granted.
3. An interest rate of 15% is substantially below the rate which could have been achieved by Council if the principal advanced had been invested.
4. The Company still retains the advantage of a mortgage for \$285,420 with interest charged at the rate of 15% per annum and the principal sum not due until 11th February, 1988.
5. Any concession made by Council in respect to this particular matter could have repercussions in terms of other sales negotiated on similar terms and conditions.
6. The agreement required an industrial development of at least 10,000 sq.ft. as the company was unsure of its requirements at the time the sale was negotiated. The increased size is a direct reflection of the company's needs and has not been influenced by Council. It is also an indication of the company's success in establishing overseas links which were being developed at the time the land was acquired. Throughout the negotiations the company was unable to accurately specify the size of development and acquired large tracts of industrial land to ensure that its requirements were satisfied.

IT IS RECOMMENDED THAT Council not agree to waive the requirement for completion of an industrial development on Lots 26, 40 and 41 South Windsor Industrial Estate by Memtec Limited prior to 24th September, 1986.

2. COUNTRY COTTAGE REAL ESTATE - SALE OF LOT 5 CHATHAM STREET, PITT TOWN. A6/262

Confirming that it has received an offer of \$32,000 for purchase of the above property and requesting Council's further advices.

(S.C. - This land was formerly an unused laneway between Chatham and Liverpool Streets and has an area of 1320 sq.metres.

There were no traceable owners for the land and it was resumed by Council on 25th November, 1983 for subdivision and sale as residential land. The two lot subdivision was approved at the Ordinary meeting of Council held on 12th July, 1984.

The subdivision created two residential blocks, one fronting each street. Lot 1 has a frontage of 14.595 metres to Chatham Street and Lot 2 has a frontage of 12.755 metres to Liverpool Street.

Council had previously resolved to agree to sale of the land to Mrs. G.M. Baker for \$30,000, but has recently been advised that the purchaser will no longer be proceeding. Following this advice, the property was re-listed for sale.

As in the previous case, the offer of \$32,000 is for both the small residential lots created by the subdivision and, in view of the very narrow street frontage and the fact that the property is subject to flooding, it is considered that the offer is reasonable).

IT IS RECOMMENDED THAT Council agree to the sale of Lot 5 DP 633291 for \$32,000 with all necessary documents to be completed under Seal of Council.

FINANCE AND ADMINISTRATION

REPORTS1. CONTRACTS AND DOCUMENTS FOR EXECUTION. C50

IT IS RECOMMENDED THAT the Seal of Council be affixed to the undermentioned documents:

- Permission to enter - Part Lot 3, DP 608887, Ham and Salmon Streets, South Windsor.
Land to be dedicated for open space by New South Wales Department of Housing.
- Deed of Lease - Department of Agriculture, Old Library Building, Corner Fitzgerald Street and Union Lane, Windsor.
- Deed of Agreement - Metropolitan Water Sewerage & Drainage Board.
Construction of water/sewerage works, Groves Avenue, McGraths Hill.
- Agreement for Sale of Land
- Leslie Charles Aylett and Rosalind Hannah Aylett to Hawkesbury Shire Council. Condition of subdivision approved.

2. RURAL RATE APPEAL - LOT 10, NO. 675 KURMOND ROAD, NORTH RICHMOND.
2782c

An appeal to the Land and Environment Court by Mr. B.J., Mrs. J.A. and Miss S.A. Lancaster against refusal to grant rural rating on the above property was heard on 22nd April, 1986.

The land in question has an overall area of 13.97 hectares and the claim for rural rating was based on use of the land for horticulture and agriculture. There is a fibro/tile cottage erected on the property, but this is currently vacant and undergoing renovations.

The major question raised at the appeal was whether or not work undertaken to enable cultivation of blueberries constituted a use of the land and if so, whether or not this use of the land was a business or industry as required by the Local Government Act.

Fencing around the property has been renewed, the underground irrigation system has been overhauled in preparation for planting, and significant tests have been undertaken by consultants to determine that the property is suitable for cultivation of blueberries.

The Court ruled that these works could not be considered a rural use of the property and that intention to commence a rural business or industry was not sufficient to warrant the rural rate.

The appeal was dismissed by assessor Mrs. J. Domicelj, who handed down her decision on 22nd April, 1986.

IT IS RECOMMENDED THAT the report be received.

3. PEDESTRIAN ACCESS - WINDSOR MALL TO WINDSOR TOWN CENTRE. 1483w

At the Ordinary Meeting of Council held on 10th December, 1985, it was resolved to agree to the acquisition of Part Lot C DP 88633 and Part Lot 10 DP 619792 owned by Mr. S.M. and Mrs. H.A. Jackson and Mr. L. and Mrs. M.D. Cavicchia for \$4,000 each.

Survey plans of the land required have now been completed and a subdivision application is nearing completion. It is hoped that Tortuga Properties will undertake work necessary to construct the pedestrian walkway as soon as authorities are received from the respective owners.

A report was submitted to the Ordinary Meeting of Council held on 8th April, and it was resolved to agree to payment of compensation for land required for road widening, where the amount due is less than \$3,000, at the time an authority to take possession of the land is received and subject to completion of a deed of agreement.

In view of the work to be undertaken in registering the subdivision and completing necessary documentation to transfer land required for the laneway to Council, it is likely that this matter cannot be completed for some time. Under the circumstances, it is felt that Council should agree to payment of the compensation to Mr. and Mrs. Jackson and Mr. and Mrs. Cavicchia at the time authority to take possession of the land is received.

Council's interests would be protected by the deed of agreement which is being prepared by Council's solicitor and the developing company would be able to create the access walkway prior to title actually changing hands.

It is further felt that the authority for payment of compensation prior to completion of formal documentation should be extended to include easements and access walkways/laneways as well as land required for road widening.

Where the amount to be paid exceeded \$3,000 in any one instance, a separate report would be submitted to Council for approval.

IT IS RECOMMENDED THAT:

1. Council agree to payment of \$4,000 to Mr. S.M. and Mrs. H.A. Jackson for Part Lot C DP 88633 and payment of \$4,000 to Mr. L. and Mrs. M.D. Cavicchia for Part Lot 10 DP 619792 being land required for pedestrian access from Windsor Mall to Windsor Town Centre. The payment to be made at the time an authority to take possession of the land is received and subject to completion of the necessary deed of agreement.
2. Council agree to payment of compensation for land required for easements and access laneways/walkways, where the amount due is less than \$3,000, at the time an authority to take possession of the land is received and subject to completion of a deed of agreement.
3. All necessary documents to be completed under Seal of Council.

4. RETURNING OFFICER'S REPORT - EXTRAORDINARY ELECTION - 5TH APRIL, 1986

At the extraordinary election held on 5th April, 1986, Mrs Wendy Sledge was elected to fill the vacancy caused by the resignation of Councillor J.R. McMahon.

Votes were recorded at polling places as follows:

Bilpin	160
Colo Heights	52
Freemans Reach	508
Glossodia	503
Hobartville	888
Kurrajong	960
North Richmond	1,446
Oakville	331
Pitt Town	400
Richmond	1,194
St Albans	47
South Windsor	1,073
Wilberforce	797
Windsor	1,040
Wisemans Ferry	49
Postal	81
Pre-poll (Windsor)	119
Pre-poll (Richmond)	226

9,874

Cost - \$ 28,000 so far

The number of people enrolled for the election was 32,336, the number voting being 30.5%. At the general election in 1983, 57% of electors voted.

Section 56A Votes were available for any person whose name was not on the Roll and who claimed a right to vote. 497 of these votes were taken and, after checking the latest State and Federal Rolls and details of recent property transactions, 394 were accepted, representing 1.2% of the total voters enrolled.

The number of electors using the pre-poll voting facilities increased and the additional pre-poll voting office at Richmond was well attended.

The checking and counting of votes commenced at the close of voting on election day and concluded at 2 a.m. on Sunday 6th April.

The electoral rolls used at individual voting tables have now been examined with all voters being marked on a master roll. There have been no incidents of double voting.

Some candidates experienced problems with their election campaign material not being properly authorised. The problem was brought to the attention of the candidates and appropriate action appeared to be taken by all candidates. This problem can be overcome at the general election in September, 1987 when it is intended to provide all candidates with a copy of the relevant sections of the Parliamentary Electorates and Elections Act as nomination papers are received and acknowledged.

There was also some comment about the system of voting, primarily that voters were not given information regarding the optional/preferential voting system. Sufficient instructions were available to all voters on the ballot papers and displayed on voting screens. Presiding officers also gave verbal advice to voters when requested.

Sections 74C, D and F of the Local Government Act require the Returning Officer to send a notice to each person who appears to have failed to vote, requesting the reason for the failure to vote. If that reason, in the opinion of the Returning Officer, is not a valid and sufficient reason then the Returning Officer, at the direction of the Council, may levy a penalty of not less than \$4 and not more than \$10.

There were 22,856 enrolled electors who failed to vote and it is estimated that the cost of printing, stationery and postage for notices would be a minimum \$1.00 each. There would then be staff time in assessing returns and it is possible a maximum of 50% would have justifiable reasons for not proceeding further.

It would then be a matter of proceeding against the remaining people at a cost of approximately \$60 per person, some of which would be recoverable in court costs.

In the circumstances no further action is intended unless so specifically directed by Council.

IT IS RECOMMENDED THAT the report regarding the extraordinary election on 5th April, 1986 be received.

5. COMMUNITY & CULTURAL CENTRE - APRIL FUNCTIONS. C51/3

<u>Date of Engagement</u>	<u>Purpose</u>	<u>Person or Body Responsible for Engagement</u>
1st	Meeting Sister City	Hawkesbury Shire Council
8th, 10th	Rotary "Charity"	* Windsor Rotary Club
11th, 14th	Queen Quest	Club
16th		
5th	Wedding	* J. Barker
7th	Charity Quest	* Thorndale Centre
8th, 15th,	Rehearsal	Macquarie Towns Junior
22nd, 29th		Orchestra
9th, 16th	Meeting	* A. Fountain
10th	Immunisation	Hawkesbury Shire Council
12th	Charity Queen Quest	* Thorndale Centre
14th	Luncheon - Visiting Authors	Hawkesbury Shire Council
14th	Meeting	Co-ordinating Group for Handicapped
17th	Blood Bank	Red Cross
18th	Ball	* Windsor Rotary
19th	Wedding	* G. Chapman
19th	Wedding	* M. Ryan
20th	Presentation	* Hawkesbury District Jun. Cricket Association
22nd	Meeting	* Masonic Assoc.Windsor

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23rd	Meeting	* A. Fountain
26th	Wedding	* J. Hanna
28th	Cancer Seminar/Luncheon	* Paying
29th	Naturalisation Ceremony	* Hawkesbury Shire Council
30th	Meeting	* A. Fountain
		* Paying Functions

IT IS RECOMMENDED THAT the report be received.

6. DONATIONS. R186/6

The following Section 504 donations for ~~reimbursement of Council rates~~ were provided for in the 1986 Estimates and have been paid or are currently being processed for payment:

East Kurrajong School of Arts	\$ 228.86
Comleroy School of Arts	305.14
Freemans Reach School of Arts	571.11
Kurrajong Heights C.W.A.	228.86
Wilberforce C.W.A.	335.74
Richmond Literary Institute	388.14
Apex Club of Hawkesbury	366.17
Grose Vale Community Centre	213.60
Kurrajong & Districts Pony Club	100.00

IT IS RECOMMENDED THAT the report be received.

7. COMMUNITY ARTS OFFICER'S REPORT

Writers Tour 13-20 April, 1986

The National Book Council, with funding from the Touring and Access Fund of the Literature Board of the Australia Council, offered a week-long visit of leading Australian writers, Olga Masters and Barry Oakley. Writers' fees, accomodation, expenses and travel to the area were funded, and Council's responsibility was promotion, advertising, organising a programme, renting venues and internal travel. Costs were recouped from workshop fees charged.

The week's programme was as follows:-

Monday 14th	- 10am-12am Windsor High School. Year 10 students students and English staff.
	- 12.30-1.30 - luncheon, senior Council staff and discussion of press releases, publicity and public relations.
Tuesday 15th	- 10.30am-12.30pm tour of Rural Press headquarters, interviews with journalist from Hawkesbury Newspapers.
	- 7.30pm-10pm - Workshop, Richmond Neighbourhood Centre. Participants read and discussed their own work. Exercises were set for Saturday 19th.
Wednesday 16th	- 9am-noon; 2pm-5pm - Workshops with students of Hawkesbury Agricultural College.

- Thursday 17th - 1pm-3pm - Tebbutt Room, Windsor Library. Workshop with participants reading and discussing their own work.
7pm-9pm - Workshop with authors reading and discussing their work.
- Friday 18th - 1pm-3pm - Tebbutt Room, Windsor Library. Workshop with participants reading and discussing their own work.
8pm - Barry Oakley opened Macquarie Towns Arts Society Exhibition.
- Saturday 19th - 1pm-4pm - Richmond Neighbourhood Centre. Workshop with participants reading and discussing their own work.
- Sunday 20th - 11am-3pm - Writers' picnic, for all participants, writers and families.

The numbers were lower than expected, a total of 38 at the open workshops, 30 at the school, 40 at Hawkesbury Agricultural College and 15 at the Council. It was significant, however, that numbers increased at the end of the week. Aspiring writers travelled from Glenbrook, Campbelltown and Harris Park.

The combination of two very different writers with diverse approaches was most successful. Those attending the workshops have all been inspired to write and to critically analyse their work in a constructive way. If this was repeated for a week in 1987, it is anticipated that the numbers would be higher. The benefits cannot be wholly assessed in numerical terms. The success of the week will be expressed in the skills imparted to the writing participants, and the greater understanding of the creative writing process by readers.

Macquarie Towns Festival

Negotiations are under way for a concert with the Ku-ring-gai Philharmonic Orchestra at Windsor Community and Cultural Centre on Friday, September 26th.

Windsor Chamber of Commerce has indicated that it is willing to organise the commercial portion of the Food and Wine Fair, with the Festival Committee handling the entertainment and publicity.

The Medieval Martial Arts Society, Pinchgut Bush Band, Macedonian Dancers, and Blacktown Dancers have been booked for the Open Air Fair. The Macedonian Pellister Society picnic will be held at the Fair and the Street Rod and Custom Car Club will finish their rally on site.

Organisation of the Parade is proceeding, with the sub-committee meeting held 7th May, 1986.

Windsor Mall

A very successful promotion was organised by local solicitors for Law Week. Free legal advice was available in the Rotunda and despite the lack of promotion, the public response was good.

Colo Wilderness Mobile Resource Unit - April Report

The Resource Unit will be holding Vacation Care Centres from 12th to 16th May, at the Blaxlands Ridge Community Hall, Horrie Eley Hall and Bilpin Hall. The Department of Youth and Community Services has provided the funding for these centres.

Pre-school will be in recess whilst the Vacation Centres are operating.

The Department of Youth and Community Services has informed the Colo Wilderness Management Committee of an extension of funding to the Resource Unit. This will enable the Unit to organise a full week of pre-school sessions, outreaching to new areas. The areas of Bowen Mountain and Grose Vale are currently being surveyed to this end.

Staff have been attending special training workshops for Community Workers held at the Emu Plains Neighbourhood Centre and organised by the Department of Youth and Community Services.

IT IS RECOMMENDED THAT the report be received.

8. HAWKESBURY FAMILY DAY CARE MONTHLY REPORT - APRIL, 1986

Play sessions continued to be heavily attended by Day Care Mothers and children throughout April as was the Day Care Mothers' Coffee Morning. The children and mothers enjoyed a visit to Golden Ridge Farm at Dural.

Throughout April, Family Day Care has had a student from Windsor High and two from Hawkesbury High doing work experience.

Correspondence has been received from the Office of Child Care on three matters:-

1. Fees which had been decided on for 1986 by caregivers and parents and passed at a Council Meeting, have been rejected by the Office of Child Care. Instead of approving a weekly fee of \$56.00 for 40 hours of care, the Office has approved a fee of \$54.00. An explanation was given by the Office of Child Care that it had imposed a limit of 7% on fee increases but family day care schemes were not informed of this until after schemes had submitted fees for approval. The co-ordinator has written to the Office of Child Care asking that the original fees be approved because it was unreasonable to impose the 7% limit after fees had been set.
2. An agreement had to be signed by the sponsor, Hawkesbury Shire Council, stating that the family day care scheme would not exceed its funding limit of 200 full-time children.
3. Notice was sent that a grant of \$1,000 was given to the scheme to purchase equipment.

IT IS RECOMMENDED THAT the report be received.

9. PUBLIC MEETING - BLAXLANDS RIDGE COMMUNITY HALL. S196/2

It was reported to Council at its meeting held 10th September, 1985, that with regard to the management of the Blaxland Ridge Community Hall,

"The Bush Fire Brigade has been invited to have a representative of their Committee to administer the use and hire of the building. Initially, this will be comprised of Colo Wilderness Management and Bush Fire Brigade representatives, however, it is planned to have other community group members join the Committee as the usage of the building expands."

As the use of the Hall has increased it is felt that a public meeting should be held to establish a formal management committee.

A constitution has been framed in line with the provisions of the Associations Incorporation Act and Council's standard constitution.

IT IS RECOMMENDED THAT Council call a public meeting to be held at Blaxlands Ridge Community Hall, to create a management committee for the care control and management of the hall.

10. CLAIM FOR PAYMENT OF LEAVE - R.G. HILLYARD. S1/8P

Council has previously resolved not to pay a claim by Mr. R.G. Hillyard for leave he claims is outstanding to him upon his termination from Council's services last year.

Further to that resolution, a claim was received from solicitors acting for The Town Clerks' Society indicating that if payment was not made, appropriate legal action would be instituted. As a result, advice was sought from Counsel and this will be made available. In summary, the advice is that there may be good grounds for a successful action by Mr. Hillyard, against the Council, for recovery of the amount and that there are practical considerations in making the payment. The advice is not totally conclusive although Council's solicitor has recommended that the claim should be met on the basis that "it appears that he has a very good claim and that it is more than likely that he would succeed if the claim were made".

In view of the previous decision by Council, Council's solicitor has been advised to defend the matter in the absence of any further resolution to the contrary.

IT IS RECOMMENDED THAT information regarding the claim by Mr. R.G. Hillyard for leave payment be received.

11. EXPENSES IN RELATION TO SISTER CITY ACTIVITIES. C50/10A

Council has sought a report detailing the costs for Sister City activities and to provide cost benefit of the Sister City relationship.

Total costs associated with Sister City matters since the establishment of Hawkesbury on 1 January, 1981, is \$66,533.76. These costs in year terms are as follows:-

1981 - \$2,170.70, 1982 - \$3,843.95, 1983 - \$10,008.51,
1984 - \$16,960.60, 1985 - \$29,550.00 and 1986 - \$4,000.00.

Of the \$29,550.00 in 1985, \$16,322.00 was Council's contribution towards the Hawkesbury District Band Tour of Temple City. This enabled some 40 persons in the community to visit Temple City with them making a contribution of some \$25,000. No elected representative was involved in the tour, nor has any elected representative travelled outside Australia on Sister City matters at any Council expense.

It is difficult to provide a cost benefit for a Sister City relationship as would be appreciated dollar amounts cannot be equated with personal business or international friendships. The benefits derived from good relations established between individuals and communities from different countries, and the effect that has on international relationships cannot be reduced easily to dollar figures.

IT IS RECOMMENDED THAT the information be received.

12. 21 BAKER STREET, WINDSOR. DA464/86

At the Ordinary Meeting of Council held on 8th April, it was resolved to agree to lease the above property to Mr. L. Taylor of H.V.M Investments Pty Ltd for \$200 per week on a monthly basis with the agreement to rest on correspondence.

Since the Ordinary Meeting, discussions have taken place with Mr. Peter Taylor, concerning the progress of the proposed retail development on land owned by Hawkesbury Valley Motors and also adjoining properties.

Mr. Taylor has advised that, due to a number of unforeseen difficulties, it is unlikely that the development will take place in the immediate future. The company is currently considering a number of alternatives for disposal of its land holdings and has requested that Council give consideration to deferring any proposal to either sell or enter a long-term lease agreement for the property at 21 Baker Street.

He has also indicated that, due to the uncertainty of development proposals, he could not commit the Company to rental payments of \$200 per week at this stage. Mr. Taylor has also indicated that it is unlikely that a development will take place within the near future and that the Company would have no objections to Council entering a short-term lease agreement of say, six months.

Because of the short-term nature of any lease agreement, it is highly unlikely that a commercial use could be established due to the cost of fitting out the premises. It is however, suitable for residential accommodation in its current state.

It is felt that Council should agree to lease the property for a period of six months as a residence.

The lease could provide that the property would need to be vacated on one month's written notice, which would provide an adequate period in the event that a development proposal was put forward by Hawkesbury Valley Motors.

IT IS RECOMMENDED THAT Council agree to lease 21 Baker Street, Windsor for residential purposes for a period of six months at a rental rate of \$100 per week, with all necessary documents to be completed under seal of Council. X

Expressions of interest on leasing and report on parking

13. HOBARTVILLE FAMILY SUPPORT NETWORK. M123 ✓

Following a report to the Committee Meeting of Council held on 25th March, discussions have taken place between Council officers and representatives of the Hobartville Family Support Network.

The Network had been offered a building by the Department of Industrial Relations which they proposed to relocate to the Hobartville area. Council resolved that further discussions should take place to determine whether or not a suitable site for either relocation or construction of a new facility was available within the immediate vicinity.

Following the discussions, agreement has now been reached between the Network and Hawkesbury Amateur Swimming Club for use of the hall within the Richmond Swimming Centre. An agreement was prepared by the Swimming Club and submitted to Council and the Network. Subject to a number of minor amendments, the agreement is considered reasonable and protects the interests of both groups.

The initial agreement is for a period of twelve months and during this period other alternatives will be considered. Unfortunately, there are no suitable Council owned holdings within the vicinity and the cost of either providing a new facility or extending the Hobartville Child Care Centre is considered prohibitive at this stage.

IT IS RECOMMENDED THAT the report concerning premises for operations of Hobartville Family Support Network be received.

14. VINES PONY CLUB - EXTENSION OF PERMISSIVE OCCUPANCY.
3176 & L1/47

At the Ordinary Meeting of Council held on 12th June, 1984, it was resolved to make application to the Lands Office for an extension of permissive occupancy 1974/11 to include a further 12.58 hectares of land adjoining portion 106 Old Stock Route Road, for use by the Vines Pony Club and other community groups.

The Vines Pony Club currently occupy an area of four hectares in Old Stock Route Road, Oakville, which is held under a permissive occupancy by Council and occupied by the Club under a separate agreement.

The current site and facility are also utilised by the Oakville Scouts and Cubs, Oakville Soccer Club and Cumberland Trail Riders Club. The application was in response to representations by the pony club which was unable to cope with increasing membership or requests for shared usage which were being made by other community groups.

The Lands Office has agreed to extend the permissive occupancy to include the required area of land, provided it is not used for the benefit of a single community group.

Discussions have taken place with representatives of the Pony Club on a number of occasions. In addition to the groups currently utilising the area, expressions of interest have been received from Macquarie Towns All Breed Dog Training School and also the Sydney Showjumping Club.

The Vines Pony Club has been operating from its current site for more than ten years and has constantly made the area available to other community groups where shared use has been possible. Under the circumstances, it is felt that the extended area should be incorporated into the land currently used by the Vines Pony Club, it would then be responsible for making the area available to other community groups. The Club has advised that it would create a small Committee comprising representatives of all interested groups to ensure that the facilities are made available to the widest possible cross-section of the community. In the event of problems arising, a further report would be submitted to Council and control, management and operation of the area could be delegated to Council officers.

IT IS RECOMMENDED THAT the report concerning operations of the extended permissive occupancy for the Vines Pony Club be received.

15. REPORTS, MINUTES ETC., OF OTHER COMMITTEES AND ORGANISATION C50/3

The following reports, minutes etc. are submitted for Council's information.

1. Western Sydney Regional Organisation of Councils (WSROC)
2. Macquarie Towns Festival Committee
3. Macquarie Towns Festival Parade Sub-Committee
4. Prospect County Council

IT IS RECOMMENDED THAT the report be received.

16. REPORTS REQUESTED BY COUNCILLORS

Set out on the attached pages are the details of the requests for reports that are currently being worked on.

IT IS RECOMMENDED THAT the report be received.

HAWKESBURY SHIRE COUNCIL

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REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 15-JAN-86

FILE NO REP DATE	SUBJECT REFERRED TO		ACTION	COMMENT	COMP DATE
8 13-Mar-84	Bicentenary SP	Feasibility study be undertaken on estab of Museum of Industry and Commerce for Bicentenary Celebrations	Discussion	Under investigation	
19 12-Jun-84	Community Develop DSC	Obtain information on the constitution and function of Community Development Boards and make available to Councillors	Investigation	Further letter sent to S.A. Awaiting reply	
64 14-May-85	Swimming Centres SHS	Further report on Option 2 for provision of pool heating	Report	Further information being obtained follow- ing earlier report	
11-June-85	Waste Disposal SHS	Further report on waste disposal operations particularly salvaging recyclable materials and joint operation with other councils.	Report	Under consideration for report	
81 13-Aug-85	D.A. Burkitt SP	Report on possibility of large single radio tower being erected on escarpment	Report	Report to June G.P.C. Meeting	
90 13-Aug-85	Educational Tapes Lib	Report on feasibility of producing educational tapes for Local Government in co-operation with the Department	Report	Under consideration for report	
94 13-Aug-85	Boat Ramp SE	Discussions to take place with Power Boat Club & further report to be presented	Report	Discussions taking place with club	
96 10-Sep-85	Archives LIB	Report on establishment of archives section as part of future extension of library services	Report	Under investigation for report	

HAWKESBURY SHIRE COUNCIL

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REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 15-JAN-86

FILE NO REP DATE	SUBJECT REFERRED TO		ACTION	COMMENT	COMP DATE
102 08-Oct-85	SES Road Rescue SE	Further report on the implications of Local SES involvement in Road Rescue	Report	Report to May G.P.C. Meeting	
103 08-Oct-85	Amenities R'mond SE	Report on public amenities - Richmond Oval - a more economical solution such as the repair of the existing facilities	Report	Plans nearing completion for report	
108 11-Nov-85	Grose Vale Site DSC	Further report on the management of the former Grose Vale School building once Council has obtained ownership	Report	Awaiting ownership	
112 12-Dec-85	Car Park S.R.A. SE	Report on carrying out some works to improve the car park on S.R.A. property at Richmond	Report	Plans prepared Costs being determined	
14-Jan-86	Power Boats HS	Investigation of safety aspects of power boats moving upstream of the Windsor Bridge	Investigation	Investigation being carried out	
11-Feb-86	Hollands Paddock SE	Plan to be prepared on possibility of installing perimeter road in carpark area to give access through the Terrace into New Street	Plan	Report to June G.P.C. Meeting	
11-Feb-86	Australiana Village Treasurer	Further report on discussions with Mr. Theo Dykgraaf regarding promotion and operation of Australiana Village	Report	Referred to Aust Pioneer Village Committee	

HAWKESBURY SHIRE COUNCIL

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REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 15-JAN-86

FILE NO REP DATE	SUBJECT REFERRED TO		ACTION	COMMENT	COMP DATE
11-Feb-86	Playing Fields SC	Report on the access to an area set aside by Lands Department for active playing fields at Bowen Mountain	Report	Report to G.P.C. Meeting	
11-Mar-86	Amendment to EPA Act SP	Report on Amendments	Report	Report May G.P.C. Meeting	
11-Mar-86	Child Care Wilberforce DSC	An examination of community needs of the Wilberforce area form the basis of a report to Council	Report	Report to be prepared following construction of Long Day Care Centre	
11-Mar-86	Water Supply & Sewerage SC	A joint working party of staff from the Board & Council to look at this matter and, again, to report around June/July	Report	Report to June G.P.C. Meeting	
11-Mar-86	Industrial Use 43 Mileham St SP	A further report, including erection of proposed storage shed/workshop, be submitted to June GP for consideration	Report	Report to June G.P.C. Meeting	
8-Apr-86	Cleaning Fee Parks & Reserves SE	Report on possibility of cleaning fee for use of reserves by organisations and how it could be implemented		Report to May G.P.C. Meeting	

ENGINEERINGCORRESPONDENCE1. LOCAL GOVERNMENT & SHIRES ASSOCIATION OF NSW - SPECIAL CIRCULAR
RE STATE ROADS BILL. C44/2; R190

Forwarding copy of State Roads Bill and stating that the object of the Bill is to repeal the Main Roads Act, 1924 and to replace it with a modern statute relating to the construction, maintenance, administration and financing of toll works and roads and works declared by the Minister for Roads as:

- (a) main roads;
- (b) secondary roads;
- (c) State highways;
- (d) tourist roads;
- (e) State works;
- (f) freeways; and
- (g) controlled access roads.

(S.E. - The Bill also deals with the relationship between the Commissioner for Main Roads and Councils).

IT IS RECOMMENDED THAT the information be received.

ENGINEERINGREPORTS1. FIRE CONTROL OFFICER'S REPORT. B27/6Hazard Reduction

Over the past several weeks several major hazard reduction works have been carried out in the following areas:

Location:	Area:	Resources:
Bowen Mountain - west of the residential area.	approx. 1000 ha.	10 tankers
Kurrajong Heights - north of Bells Line of Road, west of Cut Rock	approx. 1000 ha.	9 tanks/ ~~NPWS~~ aerial ignition
Mountain Lagoon - north of the Village	approx. 400 ha.	8 tanks/ ~~NPWS~~ aerial ignition
Bilpin - north of the Village	approx. 300 ha.	7 tankers/ ~~NPWS~~ aerial ignition

The works have been very successful due to the current ideal weather conditions.

Five (5) other areas will be hazard reduced during the autumn/winter period at:

Colo Heights - west of the Putty Road, an area of approx. 800 ha.
 Upper Colo - west of the Upper Colo Road, an area of approx. 250 ha.
 Blaxlands Ridge - west of Cedar Ridge Road, an area of approx. 300 ha.
 Blaxlands Ridge - north of Blaxlands Ridge Road, an area of approx. 350 ha.
 Kurrajong Heights - west of Burralow Road, an area of approx. 100 ha.

Annual Bush Fire School

The Bush Fire Council of New South Wales has written to Council advising of the annual bush fire school to be held from 17 - 22 August, 1986.

The school is being conducted for Brigade field officers of the rank of Captain, although consideration will be given to officers who are likely to be appointed Captain in the near future.

Brigades have been asked to forward nominations to Council's Fire Control section by 30th April, 1986.

Toban - 5th April, 1986

A total ban on the lighting of fires was declared for the Central Tablelands and Hunter Weather districts commencing 9.00pm on 4th April, 1986 and terminating 9.00pm 5th April, 1986.

Although unusual for April, a maximum temperature of 37 degrees celcius was recorded and dry gusty winds from the north west posed a serious fire potential.

Fires were reported at Kentucky Drive - Glossodia, Bandon Road - Vineyard, Freemans Reach Road - Freemans Reach, Post Office - Freemans Reach (false alarm). However, Brigades were quick to bring these under control.

IT IS RECOMMENDED THAT the report be received.

2. PUBLIC WORKS

ROAD CONSTRUCTION

Fisher Road, Maraylya

Formation is complete. Cement stabilisation of the pavement is proposed.

Reedy Road, Maraylya

Construction is well advanced through to the point where completion of land acquisition is required to provide the connection to Fisher Road. Cement stabilisation of the pavement is proposed.

William Street, North Richmond - Kerb & Gutter

Repair of the kerb & gutter has been completed with the shoulders prepared ready for sealing.

MAINTENANCE

Roads Resealing

Completion of works approved as follows:

Golden Valley Drive, Glossodia - three sections
Castlereagh Road, Copeland Road, George Road & Macquarie Road,
Wilberforce
Dabbage Place, Toomah Street & Bennett Lane, Kurrajong Heights

OTHER WORKS

Cordners Corner

Reconstruction and sealing of the pavement has been completed.

Londonderry Road

Pavement widening on curve near Southee Road to provide traffic improvement is proceeding.

Curtis Road, Mulgrave

Construction of kerb & guttering. Work required in conjunction with subdivision development and undertaken by Council on behalf of the applicant.

MAINTENANCE

Sealing of patches Boundary Road, Maraylya and provision of a dust free surface on Wheelbarrow Ridge Road at the main road intersection Colo Heights.

Patching, gravelling and grading included work West Portland Road, Laws Farm Road, The Driftway, Grose Vale Road, Drift Road, Agnes Banks, Brahma Road, North Richmond, Old East Kurrajong Road, Hillcrest Road and Mahons Creek Road, Yarramundi, Coromandel Road, Ebenezer, Riverview Street, North Richmond, Railway Road South and Groves Avenue, Mulgrave, Racecourse Road, Mountain Lagoon Road, Upper Macdonald Road and Kandeer Road, Upper Macdonald, Serpentine Lane, Bowen Mountain, Stannix Park Road, Hibberts Lane, Freemans Reach, Pitt Street, Windsor, attention to road shoulders, Bowen Mountain Area.

Duplication of drainage pipes Buckingham Street to complete works provided by subdivision development last year.

PARKS & GARDENSPowell Park Tennis Courts

Placement of the asphaltic concrete surface with application of the colour cote surface underway. Fencing of the court is proceeding concurrently.

Bicentenary Park

A tree planting scheme involving public participation (scout, guide and school groups) was undertaken on 20th April, 1986.

Richmond Ex-Servicemen's Sporting Complex

The contractor has reached the stage of practical completion in respect to the extensions to the amenities building.

Other

Attention to tree planting Berger Road Reserve. Preparation of areas for Anzac Day commemoration ceremonies.

Maintenance attention at Council's shopping complex, kindergartens and other Council buildings.

BUILDINGSAustraliana Pioneer Village

Restoration of the train engine and railway line is scheduled for completion by 9th May ready for D.I.R. inspection. Painting of the Church and exterior of the Post Office has been completed with repair and painting of Perrys Cottage and Riverstone Police Station in progress.

Blaxlands Ridge Community Centre

Ancillary works required for the establishment of the centre are approaching completion.

Glossodia Child Care Centre

The building has been accepted by Council with work undertaken to complete the playground, septic tank installation and entry path. Parking is available in the adjacent carpark provided for the Glossodia shops and community centre.

Other

Attention to maintenance and/or repair of damage at Colo Heights Reserve. Freemans Reach Tennis Courts, Terrace Park, Windsor Library, Cottage

Buttsworth Lane, Richmond Park, McMahons Park, Tourist Centre and Wilberforce Hall.

Removal of Banners - Windsor Commercial Area.

SEWERAGE

Daily flow for April was 2265 kl/day.

Painting of steel work on the sedimentation tanks including replacement of the travel wheel on the bridge with resurfacing of the wheel track has been completed.

Attention to six main line sewer blockage and four chokes of Council property.

In addition to the regular maintenance to the pump stations two pump chokes were cleared and one failure of the switch gear repaired.

IT IS RECOMMENDED THAT the report be received.

3. S.E.S. - CONTROLLERS REPORT, MARCH - APRIL, 1986. S205

Over the last two months there have been 9 calls for assistance, 5 being motor vehicle accidents; 2 storm damage; 1 person trapped on roof; and 1 assistance to bushfire brigade, at a total man hours of 168 hours.

Both road rescue units were utilized on the Putty Road at a triple fatality on the 1st May with 8 members attending Eighty man hours were involved with heavy use made of the "Jaws of Life" rescue tool.

Training in rescue, communications and first aid have been the main courses conducted over March and April. On the 7th May a basic communications' course will start for a period of 6 weeks. All S.E.S. personnel and new members have to qualify in this course to use the radio system.

The S.E.S. and Civil Defence Auxiliary have donated 10 storage cases for the rescue truck at a cost of \$400 and have reimbursed the S.E.S. \$200 towards the Council share of the Jaws of Life rescue tool. It is the aim of the auxiliary to reimburse the full cost of the rescue tool so that Council's allocation can be used for training and operation.

Over the past 2 months there has been a rise of 5% in membership, and courses will be run throughout the year in all aspects of the organisation.

Total man hours for March	465 hours
April	580 hours

IT IS RECOMMENDED THAT this report be received.

4. SUBDIVISIONS APPROVED UNDER DELEGATED AUTHORITY

		Date Application Received	Date Approved
S85/68	Applicant: K.W. Burke & Assoc. Owner: Peakhurst Properties Land: Lot 1 DP 538819 Cnr. Cunneen, Curtis & Mulgrave Rds. Mulgrave Creating two lots of approximately 8889 sq.m & 1.97 ha.	31/7/85 (Additional information required).	24/4/86
S85/103	Applicant: D.L. & M.A. Page Owner: D. Page Land: Lot 3 DP 255595 Mitchell Park Road, Cattai Creating one lot of minimum size 2 ha and a residue.	16/10/85 (Amendment of application required).	14/4/86
S85/109	Applicant: D. Matthews & Assoc. Owner: B.M. Bishop Land: Pors. 7, 41, 17 & 15 Psh. Hawkesbury, Lower Portland Creating six lots having approximate areas of 10ha, 10ha, 10ha, 36ha & 0.6ha and a riverside reserve.	11/10/85 (Amendments to application Requirement for dedication of public reserve.	28/4/86
S86/10	Applicant: Mrs. D.P. Brooke Owner: Mrs. D.P. Brooke Land: Pors. 191 & 191 Psh. Wilberforce, Lamrock Avenue & Old East Kurrajong Road, Glossodia Creating two allotments having an appropriate area of 10.0ha & 17.84ha respectively.	17/3/86	1/5/86

Shire Clerk/General Manager's Report

Ord. 13/5/86

S86/14	Applicant: Owner: Land:	R.K. Cambridge & Co. Damilstick Pty.Ltd., Proposed Lot 5 on linen plan bearing Shire Clerk's Certificate S85/64 being part of Lot 5 DP 260654 Roberts Creek Road Creating four lots of approximately 4.1ha, 4.1ha 4.1ha and 10.1ha.	13/2/86	14/3/86
S86/20	Applicant: Owner: Land:	Mr. James A. Buckett Mr. James A. Buckett Portion 23 Mountain Lagoon Road, Mountain Lagoon Creating two allotments being approx. 7.47ha and 8.92ha respectively.	26/2/86	21/3/86
S86/25	Applicant: Owner: Land:	L. & I. Hamilton Scott L. & I. Hamilton Scott Lot 7 Threlkeld Drive, Cattai Creating three allotments two having areas not less than 2ha, and a residue of approximately 4ha.	10/3/86	28/4/86
S86/29	Applicant: Owner: Land:	More & Ryan Surveys H. Eley Lot 3 DP 508208 Castle- reagh Road, Wilberforce Creating four lots not less than 1,000 sq.m each and one of approx. 1,590 sq.m.	2/12/85	25/3/86
S86/36	Applicant: Owner: Land:	P.M. McCartney Deminimis Pty.Ltd., Lot 2 East Kurrajong Road and Lot 1 off Stannix Park Road, Ebenezer Creating three allotments being approx. 10ha, 108ha & 102ha respectively.	9/4/86	22/4/86
S86/37	Applicant: Owner: Land:	D.M. Jones J.A. Buckett Lots A & B DP 347135 McMahons Park Road, Kurrajong Creating two lots, the smaller having an area of approx. 4,300 sq.m.	14/4/86	28/4/86

S86/39	Applicant:	D. Matthews & Assoc.	15/4/86	18/4/86
	Owner:	H. & S. Leader		
	Land:	Lot 12 Cedar Ridge Road, Kurrajong Creating two allotments being approx. 4.1ha and 5.9ha respectively.		

IT IS RECOMMENDED THAT the report be received.

5. TENDER FOR SUPPLY AND LAYING OF SYNTHETIC PLAYING SURFACE - TENNIS
COURTS AT SOUTH WINDSOR. C51/51; P165

Council approved the laying of super turf at the South Windsor Tennis Courts on the basis that the work be carried out subject to the lessee being responsible for the maintenance and replacement of the artificial grass surface.

Subsequently, tenders were called for the supply and laying of synthetic grass to four (4) tennis courts at South Windsor.

At the closing date, four tenders had been received, the details of which are set out below:

1. Recreational Surfacing Pty.Ltd., submitted a tender of \$38,355.00 for its Wimbledon Grass.

The grass used by Recreational Surfacing has a face weight of 33 ounces (936 grams), whilst Council's specification called for grass with a face weight of 1020 grams.

The line markings are cut into the grass after laying. The grass is covered by a seven (7) year warranty.

Recreational Surfacing also submitted a price of \$14,930.00 for an acrylic emulsion surface called Tru-flex. This finish is not in accordance with the specification.

2. The Grasse Consultants Pty.Ltd., submitted three (3) different tenders, these being:
 - (a) \$43,862.00 - lines to be built in after laying.
 - (b) \$44,378.00 - white woven-in court markings with court surrounds manufactured from a lower weight material. (936 grams/1020 grams).
 - (c) \$46,238.00 - white woven-in court markings with court surrounds same weight material as the court. (1020 grams).

The manufacturer provides a seven (7) year warranty against U.V. degradation and wear.

The Grasse Consultants, it should be noted, use synthetic grass manufactured by Supergrasse Pty.ltd., who have themselves submitted a tender for supply and lay.

3. Omnisport Australia International Pty.Ltd., submitted a tender of \$39,950.00.

This tender is based on the use of a 10,000 denier product which this company claims is 30% stronger and more durable than the 7,600 denier grass specified by Council.

The company offers a seven (7) year written guarantee on the synthetic grass and workmanship.

4. Supergrasse Pty.Ltd., submitted a tender of \$39,850.00.

The grass is manufactured with factory tufted inbuilt line markings and carries a seven (7) year warranty against U.V. light degradation. Life of the surface dependent upon intensity of use should not be less than 12-15 years.

Supergrasse undertakes to top dress the area with sand at least twice after settlement to achieve the final result described in Supergrasse Sanding Specifications.

Supergrasse upon execution of the contract for installation of the surface undertakes to execute simultaneously, a contract covering a maintenance period of twelve (12) calendar months dating from completion of the installation of the surface and sand fill installation.

Supergrasse agrees to carry out any surface rejuvenation and sand top dressing it considers necessary during the maintenance period as mutually agreed upon by Supergrasse and the Council.

IT IS RECOMMENDED THAT Council accept the tender of \$39,850.00 from Supergrasse Pty.Ltd., for the supply and laying of synthetic grass for the four (4) tennis courts at South Windsor.

6. HAWKESBURY VALLEY HOLDINGS NO. PTY.LTD., - LOTS 1 & 2 DP 634053
PECKS ROAD, NORTH RICHMOND. S86/33

Subdivision to create 16 residential lots together with areas from 1,000 sq. metres to approximately 2,500 sq. metres, together with one lot for electricity substation purposes and one lot for open space, including the opening of two new roads.

The subdivision proposes to creat 16 residential allotments, 11 allotments with frontage to a new road 18.0 metres wide off a new road 20.0 metres wide, being the extension of Pecks Road. The application as submitted does not allow for the extension of Pecks Road to the south western boundary of the property.

IT IS RECOMMENDED THAT the application to subdivide the land in Lots 1 and 2 DP 634053 Pecks Road, North Richmond be approved, subject to:

- 1-5. Standard (subdivision) i, iii; v, ix and x.
- 6-12. Standard conditions (road openings) i, ii (residential), iii, vi, vii and viii.

13. Submission of Pavement Design Details and accompanying geotechnical report to be included with road design plans and specifications.
14. Compliance with conditions of Development Consent 225/86.
15. The land shown as "open space 5,300 sq. metres" to be dedicated as public reserve.
16. The proposed road 20.0 wide being the extension of Pecks Road, to be constructed to the south western boundary of the subject land and the application amended to allow for this variation.

HEALTH AND BUILDINGCORRESPONDENCE1. G.M. VICKERY. 4025w; G90

The letter from Mr. Vickery reads in part:

".....I wish to register with Council my serious concern regarding a noise nuisance which is giving distress to my family.

I refer to the Council Garbage Collection service which regularly disturbs our sleep at approximately 2.30am every Thursday morning.

We are woken initially by the loud revving of the truck's motor. this situation is apparently due to the fact that the truck negotiates a rise approaching our residence compounded by the frequent stopping. Once woken, we are further disturbed by various mechanical noises associated with the hoist mechanism.

When the compactor service was first introduced, the collection was made around 2.30am for a period of about 2 months. Then the collection was made at about 9.30pm for a similar period before reverting back to 2.30am. This alternate process continued for some time before stabilizing at 2.30am.

I have spoken to other residents who are disturbed by the collection service. Further, I am reliably informed that other complaints have been directed to Council and I have seen Council correspondence in this regard. I am not however complaining on other's behalf, only on that of myself and family.

Further I do not feel that I should be put in a position to canvass neighbours and conduct a public campaign against Council over the matter.

I therefore request that you give urgent attention to this matter which will result in a more considerate schedule".

(S.H.S. - The garbage collection in the Oakville area has been rendered in the early hours of the morning for many years, as traffic flow is at a minimum and the risk to the staff is minimised. Earlier collection only occurs when plant is off the road for repair necessitating an early start.

Plant is kept in good mechanical repair to minimise disturbance due to noise and the staff have been directed to ensure that the compaction procedure is not carried out in the same locations each week. The staff are also reminded regularly of their responsibilities in regard to noise being created by their activities and, overall, very few complaints are received).

IT IS RECOMMENDED THAT Mr. Vickery be advised that the collection staff have been made aware of this particular problem and have been directed to exercise all possible care to avoid unnecessary disturbance.

HEALTH AND BUILDINGREPORTS1. BUILDING APPLICATIONS B25

The following is a summary of building applications received during the month of April, 1986. Applications received during April, 1985, shown in brackets.

<u>No.</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
38 (39)	New Dwellings	\$2,157,499	(\$1,816,388)
57 (57)	Additions to Dwellings	393,429	(317,554)
1 (3)	Residential Flat Buildings	60,000	(154,000)
4 (13)	New Buildings other than Residential	2,126,000	(665,200)
3 (3)	Additions to Buildings other than Residential	106,398	(113,000)
9 (3)	Swimming Pools	80,795	(33,167)
- (-)	Additions to Dwellings - Dual Occupancy Unit	-	-
<u>112</u> <u>(118)</u>		<u>\$4,924,121</u>	<u>(\$3,099,309)</u>

Building Applications received up to the end of April, 1986. Approvals for the corresponding period during 1985 shown in brackets.

<u>No.</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
162 (160)	New Dwellings	\$8,478,677	(\$7,970,263)
234 (193)	Additions to Dwellings	1,567,546	(\$1,332,952)
3 (5)	Residential Flat Buildings	251,000	(277,000)
12 (56)	New Buildings other than Residential	3,201,000	(2,048,487)
19 (16)	Additions to Buildings other than Residential	420,898	(621,180)
44 (37)	Swimming Pools	327,436	(323,522)
1 (3)	Additions to Dwellings - Dual Occupancy Unit	10,000	(197,250)
<u>475</u> <u>(470)</u>		<u>\$14,256,557</u>	<u>(\$12,770,654)</u>

IT IS RECOMMENDED that the report be received.

PLANNINGREPORTS1. PROPOSAL FOR ESTABLISHING A FOUNDATION FOR EXCELLENCE IN JUNIOR SPORT WITHIN THE HAWKESBURY SHIRE. A/9

Council is referred to its resolution of 10th December, 1985 that it establish a Foundation for Excellence in Junior Sport.

In consideration of the Foundation observation of other Foundations and awards has been undertaken to assess their requirements, restrictions and methods of operation. Four organisations involved in conducting similar schemes have been contacted and the outline of those awards/foundations are summarized below.

1. BLACKTOWN SPORTSPERSON OF THE YEAR AWARDPurpose

The award was introduced by Blacktown City Sports Council in January, 1980. It was felt that, by having a Council backed award the sporting achievements of the people in Blacktown City area would be recognized. The award also promotes sport itself as well as promoting the City of Blacktown.

Administration

The award is administered by the Blacktown Sport and Recreation Advisory Committee.

Eligibility

Entry is open to individuals of any age who are residents of Blacktown City. You must be from a defined recognised sport as determined by Sport and Recreation Advisory Committee, e.g. swimming, water skiing.

Any individual club or association can nominate a sportsperson. However individual nominations must be verified by an official of the relevant club/association.

Advertising/Promotions

Promotions through posters, bumper bar stickers, advertisements in the Blacktown Advocate, Mount Druitt Star and local papers. There is also a Cabaret at the end of the year.

Sponsorships

The major sponsor is Westpoint Markettown, Blacktown Advocate, Mount Druitt Star, and local newspapers also supplied a small amount of the sponsoring.

Prizes and Awards

The winner received \$1,000 to go to contribution for his/her sporting career. Monthly winners receive medallion, tracksuit, athletic shoes and an award.

Judging/Cabaret

The purpose of the Cabaret is to announce the winner of "Sportsperson of the Year".

Cost

Advertising - \$3,191.00
 Promotional Material- \$4,066.00
 Cabaret - \$8,905.70
 Awards and Trophies - \$10,862.20
 Total Expenditure - \$7,352.00

2. ROTHMANS NATIONAL SPORTS FOUNDATIONPurpose

To help average participants of all ages to perform better at their chosen sports.

Projects

- Funds 7 National Directors of Coaching
- Financial assistance available to sport for,
 - a) Payment of fees, travel and accommodation costs for coaches who attend clinics, seminars etc.
 - b) Contribution towards running national training clinics for amateur coaches and participants.
 - c) Production of National coaching manuals.
 - d) Any group sanctioned by state or national body designed to better skills and enjoyment of average sport participant.

3. A.N.Z./DAILY TELEGRAPH SPORTS SCHOLARSHIP

The Daily Telegraph issues entry forms from its office.

Rules of Entry

- a) Must be 18 or under.
- b) Must live in N.S.W.
- c) Must have participated in the sport entered for no longer than six weeks prior to judging.
- d) Must be nominated by a club or school.
- e) All sports accepted.

It is considered that the following should form the basis of creation of the Foundation for the Shire.

Prizes

- a) The prize winners receive a medallion.
- b) The club/school receives the cheque and this money is then allocated to the winner by the club/school.
- c) There are four winners every month.

Finals

There are five finalists each year.

- a) 15-18 years - 1st receives \$3,000
 2nd receives \$2,500
 3rd receives \$2,000
- b) Under 15's - receives \$2,500
- c) Country - receives \$2,500

4. SPORT AND RECREATION GIFTED COUNTRY SPORTSPERSONS SCHEME

Eligible

Gifted country sportspersons 18 years and under to enable them to obtain 1st class competition, coaching and training. Applicants must live beyond 100 kms from Sydney G.P.O. or be travelling at least 100kms to another major centre. Assistance available for travel, accommodation, basic allowance and coaching expenses.

GUIDELINES FOR FOUNDATION FOR EXCELLENCE IN JUNIOR SPORT - HAWKESBURY SHIRE

Objectives

- To recognise young sportspersons in the Hawkesbury Shire as achievers in sport.
- To encourage young people to achieve and improve in their sporting endeavours.
- To establish an ongoing Foundation which reinforces Council's involvement and concern in the community.

Eligibility

Young people residing and participating in sport in the Hawkesbury Shire under 18 years would be eligible. The type of sporting activity they are involved in would vary but would include anything from water skiing to orienteering as well as a whole range of more popular sports.

Young people should only receive support from the Foundation once.

Administration/Management

A Committee of Management would be required to administer/promote the Foundation. Members would include nominated sponsors, nominated local Councillors, Council's Youth Recreation Officer and the Shire Planner.

The Committee would be responsible for the promotion of the scheme, approving the award of funds to young sportspersons and supervising their use, preparing submissions as to allocation of funds, and other matters involved.

Sponsorship

Sponsorship could be gained from either commercial or community organisations such as local businesses, shopping centres or chambers of commerce. If possible, commercial industries with some link to sport would be ideal for sponsorship. The amount of sponsorship would be determined by the co-ordinating body.

Budget

An allocation including sponsorship support would be proposed for each year by the co-ordinating committee of the Foundation. The contribution by sponsors should be guaranteed by contract agreement for a certain number of years to maintain consistence with the Foundation. Funds would be distributed equitably between various sports each year having regard to participatory numbers in each.

Time Period

All sporting bodies would be notified in writing of the existence of the Foundation, the media should promote the Foundation and all schools would be requested to insert the information in their newsletters. It is desirable that young sportspersons are able to apply twice a year for assistance (such as for a grant) which would coincide with sporting seasons so the funds could assist them immediately in their sport.

Council should establish the Foundation for an indefinite period and be prepared to allocate funds each year.

Sportspersons Use of Foundations Funds

The use for funds received by young people should be determined by the Committee and would include travel/transport costs, equipment costs, coaching fees, seminar/conference fees or those as approved by the Committee.

Title

The overall aim of the Foundation should emphasise participation, improvement and involvement in sport. Whilst 'excellence' in sport should be recognised, it should not form the sole criteria of an award. Many deserving high achievers deserving of an award would never excel in their sport.

✓ IT IS RECOMMENDED THAT a working party be formed comprising of Council's Youth Recreation Officer, two Councillors and the Shire Planner to prepare guidelines for the Foundation and sponsorship proposals.

2. LOCAL GOVERNMENT & SHIRES ASSOCIATION - INFORMATION ON A "PLACE OF PUBLIC WORSHIP". C44/2

The following letter has been received from the Association:

"Re: Canterbury Municipal Council v. The Moslem Alawy Society Limited

In 1983 the Moslem Alawy Society Limited appealed to the Land and Environment Court against the refusal by the Council to grant development consent for the use of premises in a residentially zoned area as a meeting place for members of the Society and for religious prayer. The major issue in question was whether or not such use of the premises was sufficient to make them a "place of public worship". In the opinion of the Council, it was not.

The appeal was allowed, following which the Council appealed to the Court of Appeal. This appeal was dismissed by the Court on a 2-1 basis. The Council has now been granted leave to appeal to the High Court of Australia, and has approached the Associations for assistance with its legal costs.

The matter is seen as being one of considerable significance to Local Government generally. The decision as it stands breaks the established nexus between the definition of "place of worship" in planning terms and in rating terms. As such, it is bad for Local Government in that it permits a large number of people to congregate on a residential property for a non-residential use, so further weakening the protection of ratepayers in residential zonings. Given this situation, and the fact that virtually every planning instrument regulating land usage in this State makes reference to "places of public worship", the Associations decided that the matter was of sufficient significance to Local Government generally for the Council's request to be granted.

On the basis of figures supplied by the Council, a contribution of \$150.00 will be required from member Councils to cover the legal costs involved. I would be glad to receive your Council's contribution at your earliest convenience".

The subject Court case has considerable implications for land uses in Hawkesbury Shire and, accordingly, it is considered that the contribution sought by the Association should be made.

IT IS RECOMMENDED THAT a contribution of \$150.00 be made to the Local Government And Shires Association of N.S.W. to assist Canterbury Municipal Council in its High Court case against the Moslem Alawy Society Limited.

3. "THE ISLANDS" - PROPOSED BROADACRE STRATA SUBDIVISION, HERMITAGE ROAD, KURRAJONG HILLS. DA290/85

As resolved by Council at its meeting of 8th April, 1986, legal advice has been sought from Council's Solicitor, Mr. D. Forrester of McDonnell Moffitt Dowling Tayler, whose advice is now to hand and is as follows:

"In this matter Council has received an Application from Hoffah Pty.Limited seeking Council's support to a rezoning of land owned by the company off Hermitage Road, Kurrajong so as to permit the land which is currently zoned Rural 1(al) under the Hawkesbury Local Environmental Plan, 1984 to be subdivided for a rural/residential subdivision.

We are instructed that Council, in accordance with its usual practice, advertised the Application for rezoning so as to obtain an initial response from the public. Council's planning staff and other public authorities have expressed concern in relation to the rezoning proposal and in relation to the proposed ultimate use of the land in connection with a number of matters, namely fire danger, construction of engineering works and the possibility of creek pollution. Council's staff have advised the Applicant for rezoning that they were concerned that a number of issues could not be resolved and that on the material presently available Council's staff could not support the rezoning proposal.

The Applicant has continued to press the matter and incur expense involved in obtaining further specialist advice.

We are instructed that Council is now in a position of having a wealth of information which enables it to fully appraise the proposed rezoning. Council's Shire Planner believes that the rezoning cannot be supported and that there is not the means to overcome these concerns in the initial proposal and supporting information.

Council is concerned that if it proceeds to process a Draft Local Environmental Plan and then resolves not to support it at the Section 66 stage, that it may be liable to the proponent for the rezoning if the information available at the later stage does not differ from the information now available.

Council has had made available to it an advice obtained by the Applicant from Messrs. Sly & Russell.

Generally we agree with the views expressed by those Solicitors as to the procedures to be followed. We do not agree, however, that Council has in any way erred to date. The Solicitors expressed the view that when a Council purports to consider at a preliminary stage those matters which had it resolved to prepare a Draft Local Environmental Plan would be considered following the public exhibition of that Plan, that the Council is in effect short circuiting the intention of the Act "resulting in the deprivation of public participation in the planning process which was clearly intended by the Act". This view is clearly erroneous. Council is entitled to inform itself prior to proceeding to prepare a Draft Local Environmental Plan and notwithstanding the earlier public participation is required to comply with the requirements of the Act as to public participation in any event.

Indeed, in our opinion, there is good sense in a Council investigating in a preliminary way the desirability of the rezoning. As Local Government Plans may only be made by a Council there would seem to be little point in a Council undertaking an exercise in futility if it does not favour a rezoning proposal.

This is not to say that a Council is entitled to pre-determine matters which it is required to determine during the statutory rezoning process but simply to say that Council, as master in a broad sense of the planning in its area, is entitled to inform itself as to whether it favours a rezoning prior to undertaking the exercise of a rezoning.

As is pointed out in the Solicitors' letter, the Department of Environment and Planning has expressed the view that Council is not entitled to charge a fee for processing a rezoning and accordingly if Council is to undertake the exercise, which on the information presently available to it would not result in a rezoning, then it puts itself to needless expense.

A clue perhaps may be found in Clause 5 of the Environmental Planning and Assessment Regulations which requires a Council to specify the reasons for deciding to prepare a Draft Plan. This seems to us to suggest that Council must at least initially have formed a view favourable to a proposed rezoning prior to deciding to prepare a Draft Plan.

We agree with the Solicitors that Council is the master of the operation of the Plan (subject to compliance with the statutory requirements) and may at any stage decide not to proceed with the Plan, at least until it has forwarded the Plan to the Director.

We would also agree that provided a Council has not misled a person in relation to a rezoning then there could be no liability to the proponent for rezoning if Council decided not to proceed further as the possibility always existed that Council could decide not to proceed further or revise or amend the proposed rezoning (see, for example, The Minister Administering the Environmental Planning and Assessment Act, 1979 v. San Sebastian Pty.Limited (1983) 2 N.S.W.L.R. 268).

We trust the above remarks are of assistance. Should you wish to discuss the matter further please do not hesitate to contact the writer".

IT IS RECOMMENDED THAT the advice from McDonell Moffitt Dowling Tayler concerning Council's dealing with the requested Draft Environmental Plan over property known as the "The Islands" off Hermitage Road, Kurrajong be received. ✓

4. LOCAL GOVERNMENT HOUSING INITIATIVES PROGRAM. H107/3

Council has received the following letter from the Minister for Housing, Frank Walker:

"I refer to your application to the Local Government Housing Initiatives Program for funding to conduct a thirteen week research project to assess the influence of the Richmond R.A.A.F. base, and the Hawkesbury Agricultural College on the local rental housing market with a view to recommending an appropriate local government role, including the development of specific sites for low income housing.

I am pleased to advise you that I have accepted the recommendation of the Local Government Housing Initiatives Program Ministerial Advisory Committee to make a grant of \$10,000 available to Council for this project.

This grant is to be used solely for the purpose of conducting the research project as outlined in your submission. On the advice of the Advisory Committee, this grant is made subject to the establishment of an appropriate Steering Committee to oversee the project. It is suggested that the Steering Committee comprise a Shire Councillor, a Council Officer, a nominee of the L.G.H.I.P. Ministerial Advisory Committee and two community representatives, including one from Council's Community Services Advisory Committee and one from the Hawkesbury Accommodation Co-operative or Hawkesbury Community Housing Association.

A statement of funding conditions is attached for your signature and return to the Department of Housing.

I am confident that this study will be of great assistance to Council, in its consideration of the local housing market and an appropriate role for Council in addressing housing needs within the Shire. I look forward to the ongoing participation of Hawkesbury Shire Council in the Local Government Housing Initiatives Program."

Application was made for this project some time ago. It is considered that the study will provide a useful data base on the availability and price of rental accommodation. The study should also indicate a number of structural and non-structural policy options which are available to Council to address any identified need.

IT IS RECOMMENDED THAT

- ✓ 1. The grant of \$10,000 for the purposes of a thirteen week research project as submitted, subject to the conditions outlined in the Minister's letter, be accepted;
2. That one councillor be nominated to participate on the Steering Committee.

See amended recommendation - Sheridan nominated

5. 1984/85 ANNUAL REPORT OF WESTERN SYDNEY PLANNING & DEVELOPMENT COMMITTEE. P160/25

The Department of Environment and Planning has forwarded a copy of the 1984/85 Annual Report of the Western Sydney Planning and Development Committee. While the report is now somewhat dated, it provides worthwhile information on the role and functions of the Committee.

The report indicates that the Committee's role is to advise the Minister for Planning and Environment and the Director of Environment and Planning with regard to the co-ordination of the planning, promotion, management and marketing of the Western Sydney Area, to secure its orderly and economic development.

During 1984/85 the major issues of concern to the Committee were employment, transport, river management and the long term urban development of the region. Notable achievements included a number of transport initiatives in Western Sydney:

- a transport information service to enable commuters to find the cheapest and most direct method of travelling around Sydney;
- a commitment to the construction of the Harris Park-Merrylands rail link; and
- the expansion of government buses into Western Sydney.

A number of other issues were identified to be of the highest priority to the development of the transport system in the region, including:

- an overall transport strategy for Western Sydney;
- the early construction of the Harris Park-Merrylands rail link;
- the introduction of inter-modal ticketing; and
- the roll forward of the Western Sydney Five Year Special Road Program.

The report also makes mention of the work done in relation to the Hawkesbury/Nepean Valley, northwest sector, promotion of business development and open space corridors.

In the year 1985/86 the Committee has identified regional planning, tourist resources, education issues and human services, in particular child care as issues to be highlighted.

IT IS RECOMMENDED THAT the 1984/85 Annual Report of the Western Sydney Planning and Development Committee be received.

LIBRARYREPORTS1. LIBRARY USAGE AND OPENING HOURS. L125

Further to the statistics presented in the report to the General Purpose Committee 29/4/86. The following table shows a comparison of statistics for Windsor & Richmond libraries from 20th January to 27th April, 1986:

COMPARISON OF ISSUES STATISTICS AT WINDSOR & RICHMOND LIBRARIES
WEEK ENDING 20.1.86 TO WEEK ENDING 27.4.86

Week Ending	Weekly Issues		Saturday Issues		Sunday Issues Windsor
	Richmond	Windsor	Richmond	Windsor	
26.1.86	2728	2750	325	318	165
2.2.86	1963	2412	271	308	205
9.2.86	2151	2570	353	484	195
16.2.86	2190	2854	353	360	312
23.2.86	2258	2939	426	474	484
2.3.86	1608	2192	311	392	303
9.3.86	2865	3266	420	476	280
16.3.86	2294	2889	415	335	207
23.3.86	2394	2793	430	466	329
30.3.86	1756	1769	EASTER BREAK.....		
6.4.86	2039	3027	* 0	474	405
13.4.86	2470	2688	303	249	342
20.4.86	2205	2560	334	404	279
27.4.86	1899	2311	360	478	300

* The computer recording of information on this day was included in the following day's figures.

What is not reflected are the number of enquiries taken. Although an hourly head count of persons using the reference area at Windsor was not done on the week-ends, the tables and study carrels are heavily used on Sundays indicating a need for access to Reference and Local Studies resources not held at Richmond.

Below are three options which have been costed for a full period of 12 months at current salaries cost.

- | | | | |
|------|-----------------------|---|---------|
| i) | Richmond | Sunday 2.00-5.00pm
2 part-time staff | \$5,290 |
| ii) | Windsor &
Richmond | Thursday nights
until 8.00pm
2 part-time staff
at each service point | \$7,360 |
| iii) | Windsor | Saturday until 4.00pm
1 full time staff
member
2 part-time staff | \$9,160 |

Some issues raised by these options include:

- i) Richmond has a limited collection, especially reference and there is likely to be a high student use on the weekend and the need for access to local studies material which is held at Windsor;
- ii) The complaints received about the reduced hours have concentrated on the lack of access available during the evenings. Most verbal complaints have focused on the needs of firstly commuters and secondly students. This option increases opening hours by the maximum time i.e. 2.5 at both service points, a total of 5 hours per week; and
- iii) This option provides increased access to the largest reference collection for, especially students and secondly, the largest lending collection for users returning from shopping, sporting activities etc., it increases access by 3 hours at Windsor.

Because of the lack of clear indicators as to the preferred opening hours it would be preferable to conduct a users survey prior to implementation of any of the above options.

IT IS RECOMMENDED THAT a survey of users be conducted to determine options for preferred opening hours.

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 EDUCATION - 54 FRANCIS STREET, RICHMOND. 1386w

Acknowledging receipt of Council's submission concerning establishment of a family day care centre in the above premises.

Advising that the Department is currently seeking Ministerial approval to declare the property surplus to its current requirements and that the Property Management Unit of the Premier's Department will be contacted as soon as Ministerial approval is granted.

Stating that, hopefully, the Property Management Unit will then be able to make an early decision regarding future use of the property.

2. RICHMOND AND DISTRICT CHAMBER OF COMMERCE - CHRISTMAS DECORATIONS - 1985. A7/21, A5

Conveying appreciation of the the members of the Chamber of Commerce for Council's donation of \$700 towards street decorations during the Christmas period.

3. MR. A. BARKER - APPRECIATION. C51/3

Thanking John Day and the staff of the Community and Cultural Centre for the excellent service and food provided at his daughter's wedding on 5th April, 1986.

4. MR. J.A. CRAWFORD, CHAIRMAN OF FEDERAL/STATE CONSULTATIVE COMMITTEE - COMMUNITY EMPLOYMENT PROGRAM. G95/30

Advising that the Federal Minister for Employment and Industrial Relations and the NSW Minister for Employment have approved the following projects to be carried out by Council under the Commonwealth/State Community Employment Program.

Jobs on Local Roads/2
Australiana Pioneer Village (Stage 2)
Administration Special Computer Task Force
Easy Access Garden - Bicentennial Park Project, Clarendon

Stating that all employees are to be recruited through the Commonwealth Employment Services.

5. AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION - NATIONAL CONFERENCE. C48/3

Advising that the 11th Biennial National Conference of the Australian Local Government Women's Association will be held in Sydney on 11th, 12th and 13th July, 1986. Further advising that the theme is to be "The Media and Women in Public Life".

6. LOCAL GOVERNMENT ASSOCIATION OF N.S.W. - PRIVATISATION OF COMPUTERISED GOVERNMENT INFORMATION. L128

Advising that the Association is currently developing a position on the above matter, and that Council will be further advised when more information is available.

7. HAWKESBURY SHIRE RATEPAYERS ASSOCIATION, GLOSSODIA-FREEMANS REACH-WILBERFORCE SUB-BRANCH - NEIGHBOURHOOD WATCH SCHEME. A7/34, C45/31

Advising that the signature forms required for the establishment of the Neighbourhood Watch Scheme in the Glossodia Area have now been completed and that progress of this scheme will be given to Council in future.

Expressing appreciation for Council's assistance in the matter.

8. DEPARTMENT OF ENVIRONMENT AND PLANNING - WSAAS - COMMUNITY PROJECT OFFICERS' SUBSIDY. G95/1

Advising that the Minister for Planning and Environment has approved an increase in the WSAAS subsidy for Community Project Officers from \$7,000 per annum to \$7,500 per annum in line with the CPI increase since January 1984.

9. WINDSOR PRE-SCHOOL ASSOCIATION MANAGEMENT COMMITTEE - MINUTES. C43/4

Forwarding minutes of its meeting held on 9th April, 1986.

10. THE PROSPECT COUNTRY COUNCIL - BUSH FIRE PREVENTION. E74, R190/29

Informing Council of its efforts regarding bush fire prevention. Thanking Council for its understanding when at times the Prospect programme has appeared to strain relations with Councils and the public.

11. MR. EARL BAGLEY, TUCSON, ARIZONA, USA - VISIT TO HAWKESBURY.
C40/6

The following letter has been received:

"I have recently returned from Australia and the highlight of my journey, as always, was that portion which was spent in Hawkesbury.

I was told about this beautiful country by two soldiers in Africa during the siege of Tobruk in 1943. I obviously survived. They did not.

Although I do not remember their names, I hope that you will remember them reverently. Each died by my side.

I have visited and returned to Hawkesbury and have, I hope, as they did, viewed the beautiful river from Windsor, looking across and beyond the river. I hesitate to say more. After all, you know how beautiful it is.

I am alive, I am sure, only because of my dearly beloved friends who died, many years ago alongside of me".

(S.C. - A suitable reply has been forwarded.)

12. RESERVE BANK OF AUSTRALIA - REPRESENTATIONS OF AUSTRALIAN NOTES.
C50/12

Referring to Council's proposal to use a reproduction of an Australian \$100 note in publication "Hawkesbury Heritage".

Advising that persons wishing to make representations of notes for any purpose must ensure that any such representation is not capable of misleading a person into believing that the representation is a genuine note.

Outlining conditions under which the Bank would not envisage initiating legal proceedings in respect of reproductions.

13. INTERAGENCY - MINUTES. C45/1

Forwarding minutes of its meeting held in the Richmond Neighbourhood Centre on Tuesday, 1st April, 1986.

14. ST. JOHN OF GOD HOSPITAL - APPRECIATION. A5

Expressing appreciation for Council's donation of \$100.

15. WESTERN SYDNEY REGIONAL ORGANISATION OF COUNCILS - CIRCULAR.
W275

Advising that at its meeting on 28th February, 1986, WSROC resolved to discontinue the WSROC Promotions Programme other than to finish outstanding commitments, namely the Investments Prospectus. Outlining the reasons for this decision.

16. PREMIER OF NEW SOUTH WALES - SENIOR CITIZENS' WEEK. C45/20

Expressing appreciation for Council's part in this year's most successful Senior Citizens' Week. Confirming that the 10th anniversary of Senior Citizens' Week, sponsored by the New South Wales Government, will be held from 15th to 22nd March, 1987.

17. AUSTRALIAN COUNCIL OF LOCAL GOVERNMENT ASSOCIATIONS - NATIONAL LOCAL GOVERNMENT CENTRE. A5, D64

Thanking Council for its contribution of \$2,000 towards the National Local Government Centre Building Appeal. Advising that construction has commenced and they are hoping for a September completion.

18. THE HON F. WALKER, MINISTER FOR HOUSING - LOCAL GOVERNMENT HOUSING INITIATIVES PROGRAM. H107/3

Advising that the Minister has accepted the recommendation of the Local Government Housing Initiatives Program Ministerial Advisory Committee to make a grant of \$10,000 available to Council for the purpose of conducting a research project to assess the influence of the Richmond RAAF Base and the Hawkesbury Agricultural College on the local rental housing market, with a view to recommending an appropriate local government role, including the development of specific sites for low income housing.

19. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS - CIRCULAR NO. 4/1986. C44/2, S205/11. Service of Notices Through the Document Exchange

Section 628 of the Act stipulates the mode of service of a notice on rateable persons, owners and occupiers.

One mode of service which is currently not applicable is service through the Document Exchange.

The Associations suggest that a new sub-section (2)(e) be added to Section 628 to the following effect:

"Where the person to be served nominates an exchange box in a document exchange of Australian Document Exchange Pty Ltd as an address for service, by leaving the notice in that exchange box for transmission to that exchange box."

It is the Associations' view that use of this facility could substantially reduce the cost to ratepayers in some areas and minimise delays in service.

2. Dog Registration Fees Payable by Eligible Pensioners

A member council has asked the Department of Local Government to favourably consider abolition of dog registration fees payable by eligible pensioners.

The Council says, in support, that many pensioners elect to pay the fees by postal note, or by stamps the value of which can only be cashed at the GPO, Sydney. These processes are costly to Council's administration both in terms of money and time spent. It is suggested that when these additional hidden costs are taken into account, it would be cheaper to charge no fee at all.

Council's views are accordingly sought on the proposal.

(S.H.S. - The current dog registration fee for pensioners is \$1.50 being a reduction from the normal fee of \$12.00.

The Accountant advises that difficulties are not being experienced by the receipt of payment in stamps and postal notes.

The Association will be advised that Council does not support the abolition of dog registration fees for pensioners).

3. Review of Cemetery Fees (Ordinance 68)

Following continued representations to the Department of Local Government about deregulation of cemetery fees under Ordinance 68, the Department has now advised:

"The question of the level of Fees and Charges applicable to Council controlled cemeteries is currently under review by the Department in the light of fees applicable to those cemeteries coming under the Necropolis Act.

The possibility that such fees would be indexed is also being examined and the Association shall be informed of the outcome of the review in due course."

4. Aboriginal Land Claims

A circular letter, issued on May 20 1985 to all councils from the then Minister for Natural Resources, Mrs. Crosio, clarifies the legal position of such claims. The letter is reproduced in part below:

"Aboriginal Land Councils will from time to time lodge claims over land which on their investigation they believe to be claimable crown land. Land councils are being offered assistance by departmental officers to identify as accurately as possible land which may be claimable.

The Aboriginal Land Rights Act requires that I follow certain defined steps to satisfy myself that the lands claimed are indeed claimable and able to be granted to the Land Council.

In the first instance I must satisfy myself that the lands claimed are able to be sold or leased, that is, are not lands that are freehold and are not lands the fee simple of which is vested in a person, authority or an organisation. I must also consider lands subject to any reservation or dedication.

If land the subject of claims does not pass this first test the claim is refused.

In the second instance I must consider whether land the subject of claim, at the time the claim is lodged is lawfully used or occupied.

Clearly crown land claimed which is valid at that point of time will not pass this test and will be refused.

Claims over crown land which is reserved or dedicated for any purpose will be referred to relevant authorities, including local government councils for report in the first instance about the actual current use of those lands. Where active use of such reserved and dedicated lands is established I will refuse those claims on the grounds that they are lawfully used.

5. Independent Committee of Inquiry into the Distribution of Federal Road Grants

Councils are most likely aware of the above Inquiry, which was established by the Federal Minister for Transport to "examine and report on the principles which might be applied in the distribution of federal grants to the States and Northern Territory for assistance in relation to arterial and local roads".

A copy of the Associations' submission is enclosed for the information of Council.

6. Carnivale

Carnivale will be held in 1986 from 13-21 September, 1986.

7. Roads 2000

The New South Wales Government has established a special "Task Force" in the Department of Main Roads to prepare a "master plan" for the development of the State's major roads up until the year 2000.

The "Task Force" Inquiry will address issues facing the State including new roads, bridges, freeways and the upgrading of country highways. Attention will also be given to regional needs and financial arrangements.

Local government authorities have been asked to put in submissions to the Inquiry.

8. Aerodromes - Erection of Signs

9. Taxing and Pricing of Fuel

Attached for information is a copy of material prepared by the Australian Council of Local Government Associations on the taxing and pricing of fuel, following recent changes by the Commonwealth Government.

10. Road Safety - General

In March 1982 the NSW Parliament appointed a Joint Standing Committee on Road Safety which has since adopted the working name of "Stay Safe".

In general terms the Committee's task is to monitor, investigate and report on the road safety situation in New South Wales as well review a report on counter-measures aimed at reducing death, injury and the social and economic costs to the community arising from road accidents.

To date the Committee has reported to Parliament on a number of specific items and it is now to give consideration to heavy vehicle safety. The Committee will be examining both the safety of the occupants of heavy vehicles (trucks and buses) and the influence that heavy vehicles have on the safety of other road users.

The Chairman of the Committee has requested submissions and noted it will greatly assist the Committee if the submissions are made in the form of a statement.

11. Road Safety - General

The Australian Institute of Traffic Planning and Management is holding a forum on "A Practical Approach to Road Safety" at the Sheridan Wentworth Hotel in Sydney on Friday 23rd May, 1986.

Closing date for registration is 9th May, 1986.

12. State Environmental Planning Policy No. 11 - Traffic Generating Development

Item 3 in the General Circular 3/1986 advised Councils of the Associations' representations on 18 regional advisory committees set up to assist in the implementation of SEPP No. 11 - Traffic Generating Development. The Associations have asked the representatives to seek the views of councils on applications which have been referred to the committees.

It would be appreciated if Councils could forward the name of a contact person within the Council to each of the Associations' representatives on the committee for their region.

(S.P. - The Association and Regional Council members have been advised by the Shire Planner).

20. MINUTES OF MEETING OF WESTERN SYDNEY H.A.C.C. FORUM. C45

Forwarding Minutes of Meeting held on Monday, 14th April, 1986.

21. HMAS KUTTABUL - COLO RIVER WAR MEMORIAL - REFURBISHMENT. M135

Referring to the proposed community project previously reported to Council, advising that the works will be carried out in the adventure training week, May 5th to May 9th and listing the proposed works:

- a. Clean surrounding stonework and plinth.
- b. Clean marble Roll of Honour.
- c. De-scale ironwork and repaint with primer and finish in gloss black.
- d. Erect a polished aluminium cross, 4 feet tall, central of the plinth and secured to it with Loxins.
- e. Cover cross base plate and plinth surface with white stone chips.
- f. Provide a standing area and three steps leading to with railway sleepers.

- g. Carry out limited landscaping with dwarf shrubs.
- h. Erect unobtrusively a small plate with the following inscription:

"This Memorial was refurbished and
the cross erected by personnel of
The Fleet Intermediate
Maintenance Activity
HMAS KUTTABUL

as an R.A.N. 75th. Anniversary Project.

(S.E. - Arrangements have been made for Council to be represented at an acceptance ceremony on Friday, 9th May, 1986).

22. THE RETURNED SERVICES LEAGUE OF AUSTRALIA - RICHMOND SUB BRANCH - APPRECIATION. C40/6

Conveying thanks to the lady that maintains Richmond Park for all the work she has done around the Richmond War Memorial in preparation for the Service held on Sunday, 20th April, 1986. Stating that her efforts were appreciated by all present.

23. LOCAL GOVERNMENT & SHIRES ASSOCIATION OF N.S.W. - REVIEW OF ROAD VEHICLES LIMITS. C44/2; RI90

Enclosing copy of the Associations' submission to NAASRA on the 'Review of Road Vehicle Limits'.

24. PENRITH CITY COUNCIL - DUMPING OF TYRES - DARUK TRAINING CENTRE, BERKSHIRE PARK. B27-2

Replying to Council's letter of 10th April, 1986 and advising of their concern about tyre dumping which has occurred on this site. Stating that the site is now under the control of the Department of Corrective Services and that Council, at its Ordinary Meeting of 15th April, 1986, resolved that the Department of Youth and Community Services be requested to provide a report on that Department's role in the activities on the site.

Advising that representations have also been made to the Metropolitan Waste Disposal Authority and Department of Corrective Services, expressing Council's concern and seeking advice on their future intentions regarding the tyre dumping.

25. DR. S. LARKIN - "THE ISLANDS", KURRAJONG HILLS. DA290/85

Following letter has been received from Dr. Larkin:

"Further to our telephone conversation yesterday, I wish to advice Council that Hoffah Development and Construction and Hoffah Pty.Ltd., have formally transferred all their right, title, interest and/or equity in the above property and its future development to myself.

Apart from minor tidying up of affairs, there will be no further participation by this group or its officers in "The Islands" property.

The original submission, made to Council in August last year, requesting amendment of the Planning Instrument presently controlling the property, remains on foot and unaffected by the above mentioned transfer of control.

Thanking you for your kind assistance and understanding of this change".

26. TOM D. ATKINS, MAYOR OF CITY OF TEMPLE CITY - GREETINGS. C50/10

The following letter has been received:

"On behalf of the City Council and all our citizens, we extend greetings to the people of Hawkesbury Shire.

I would like to introduce to you Barbara Abraham, President, Sister City, Inc., as our representative of the City of Temple City.

Barbara was instrumental in recently forming the Community Band; and, due to all her time and effort devoted to the Sister City Organisation, it has become well known throughout our community.

We look forward to meeting and showing some Southern California hospitality to your group who will be visiting Temple City next year".

27. WESTERN SYDNEY REGIONAL ORGANISATION OF COUNCILS - UNIVERSITY. W275; E70

Responding to Council's letter regarding a chair for the Western Sydney University and advising that this matter was considered at WSROC's region meeting held on 18th April, 1986, when it was resolved to recommend that WSROC consider proposing endowment of a chair at the new university to member Councils after there is a decision made to establish a university in Western Sydney. Stating that WSROC appreciates Council's on-going support to the establishment of a Western Sydney University.

28. THE HON. CHRIS HURFORD, M.P., MINISTER FOR IMMIGRATION AND ETHNIC AFFAIRS - NEWS RELEASE. I110

Forwarding details of a report tabled in Parliament compiled by his Department and the Australian Institute of Multicultural Affairs on Federal action taken so far, and recommendations on what more needed to be done in respect to effective services for migrants.

29. KURRAJONG HEIGHTS C.W.A. - COUNCIL RATES. R186-6

Thanking Council for the waiving of rates in respect of the Kurrajong Heights Branch of the Country Women's Association of N.S.W.

(S.C. - A donation under S504 was made equivalent to the amount of the 1986 Rates)

30. RICHMOND LITERARY INSTITUTE - DRAMA THEATRE PROPOSAL. S197-5

Conveying appreciation to Council for the donation of \$5,000 towards the cost of preparing design details for the Drama Theatre proposal.

31. LOCAL GOVERNMENT INVESTMENT SERVICE PTY. LIMITED - APPOINTMENT OF NEW MANAGER. A1/15

Advising the loss of Mr. Don Lawson's service as Manager and introducing the new Manager, Stash Schricker.

32. RICHMOND LITERARY INSTITUTE - APPRECIATION. S197-5; D65

Thanking Council for the donation of \$388.00 being the value of 1986 rates on the Richmond School of Arts.

Expressing the Committee's appreciation of the assistance towards running of the Institute.

33. MINISTER FOR EDUCATION - ACKNOWLEDGEMENT. E70

Acknowledging receipt of Council's recent letter, noting the matters raised and advising that he will be in touch with Council again as soon as he has completed an examination of the position.

(S.C. - This is in response to Council's letter regarding a University in Sydney's West).

G.M. McCully
Shire Clerk/General Manager

