

Hawkesbury Shire Council

BUSINESS PAPER

Ordinary Meeting 20 OCT 1987

Minutes of the Meeting of the Council of the Shire of Hawkesbury,
held at the Council Chambers, Windsor on 8th September, 1987,
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, J.E. Nicholson, R.F. Rotherham, A.B. Sheridan, W.J. Sledge, C.J. Stanley, F.S. Stevens and R.P. Stubbs.

Pastor Peter Thomas of the Baptist Church, Kurrajong, representing the Hawkesbury Ministers Fraternal, read the opening prayer at the commencement of the meeting.

The Shire President welcomed to the meeting Mrs. Lesley White, of the Lower Macdonald Bush Fire Brigade, the first lady Bush Fire Captain within the Shire.

CONFIRMATION OF MINUTES

- 1015 RESOLVED on the motion of Councillor Stanley seconded by Councillor Stubbs that the Minutes of the Ordinary Meeting of Council held on 11th August, 1987 having been circulated amongst the members of Council be confirmed.

PRESIDENTIAL MINUTES

1. PROPOSED PRISON AT SCHEYVILLE. (P160/47) [70.2]

- 1016 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Rotherham that the information be received.

2. AGREEMENTS WITH THE METROPOLITAN WATER SEWERAGE AND DRAINAGE BOARD REGARDING FREEMANS REACH/GLOSSODIA WATER SUPPLY AND NORTH RICHMOND SEWERAGE SCHEME. (M134/4, S200/2, M134/5) [70.3]

- 1017 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Stevens that the Minister be thanked for her response and Council express its concern over the significant time that has been taken, notwithstanding previous undertakings, to have any formal proposal finalised and seek this as a matter of urgency.

NOTICE OF MOTION [71.1]

- 1018 RESOLVED on the motion of Councillor Stevens seconded by Councillor Sledge that Council reaffirm its policy of total prohibition of extraction of sand and gravel from the Richmond Lowlands and inform the Department of Environment and Planning accordingly.

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

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Shire Clerk/General Manager

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President

GENERAL PURPOSE COMMITTEE MEETING - 25TH AUGUST, 1987SECTION 2 - DEVELOPMENT

D.A.ITEM 4 - TOWARDS 2000 - LOT 1, DP 226141 AND LOT B DP 386334
WINDSOR ROAD, WINDSOR - 'MACQUARIE PARK' - HIRE OF 'AQUA-SCOOTERS'
FROM MACQUARIE PARK. DA 309/87 [10.12]

1019 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Rotherham that the application be approved subject to compliance with the following conditions :

1. Satisfactory arrangements being made with the Shire Clerk regarding annual rental of \$1,000 and the applicant taking out public liability insurance cover of \$5 million prior to the commencement of hire operations.
2. Concurrence of the Maritime Services Board prior to the commencement of hire operations.
3. Compliance with all requirements of the Maritime Services Board.
- 4-5. Standard Conditions (DAs) 18 and 21.
6. Rental and conduct of operations to be subject to annual review with the first review due in April, 1988.
7. Area of Macquarie Park to be used shall be determined on-site in consultation with the Shire Engineer and the Maritime Services Board.

SECTION 3 - FINANCECHIEF LIBRARIAN'S REPORT

1. OPENING HOURS SURVEY. L125 [26.1]

1020 RESOLVED on the motion of Councillor Stevens seconded by Councillor Horrex that any change in Library hours be referred for consideration in the 1988 Estimates.

1021 RESOLVED on the motion of Councillor Stanley seconded by Councillor Nicholson that the Report of the General Purpose Committee Meeting held on 25th August, 1987 as recorded on Pages 1 to 19 of the Minutes of the General Purpose Committee Meeting be adopted, with the exception of :

Section 2 - Development

D.A.Item 4 - Towards 2000 - Lot 1, DP 226141 and Lot B,
DP 386334 Windsor Road, Windsor - "Macquarie Park" - Hire of
"Aqua-Scooters" from Macquarie Park. DA 309/87 [10.12]

Section 3 - Finance

Item 1 - Chief Librarian's Report - Opening Hours Survey.
L125 [26.1]

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
 HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
 Shire Clerk/General Manager

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 President

which have already been considered by Council - Minutes Nos. 1019 and 1020.

GENERAL PURPOSE COMMITTEE MEETING - 8TH SEPTEMBER, 1987

- 1022 RESOLVED on the motion of Councillor Durrington seconded by Councillor Nicholson that the Report of the General Purpose Committee Meeting held on 8th September, 1987 as recorded on Pages 1 to 4 of the Minutes of the General Purpose Committee Meeting be adopted.

SHIRE CLERK/GENERAL MANAGER'S REPORT

FINANCE AND ADMINISTRATION

CORRESPONDENCE

1. LOCAL GOVERNMENT ASSOCIATION - CONTRIBUTIONS TO LEGAL COSTS.
L128/5. [72.5]

- 1023 RESOLVED on the motion of Councillor Nicholson seconded by Councillor Stevens that the contribution of \$880.00 be paid.

2. BAULKHAM HILLS SHIRE MEALS ON WHEELS ASSOCIATION INC -
WISEMANS FERRY. C45/37. [72.6]

- 1024 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Durrington that a donation of \$2,000 be made to the Baulkham Hills Meals on Wheels Association Incorporated.

REPORTS

1. AUSTRALIA DAY COMMUNITY CELEBRATIONS - TUESDAY, 26TH JANUARY,
1988. C40/4. [74.12]

- 1025 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that Australiana Pioneer Village be the venue for Council's Australia Day Community Festivities in 1988.

2. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL.
C50. [74.13]

- 1026 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the Seal of Council be affixed to the following documents:

Lease Agreement ... Shop 4 Hobartville Shopping Centre

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
Shire Clerk/General Manager

.....
President

Term: 3 years (no option-renewal of previous lease).

Tenant: George Lyon and Julie Lyon

Rent: \$6,189.57

- Loan ... Heritage Advisory Fund Assistance -
D. Francis
Property: 127 George Street, South Windsor
Amount: \$25,000
Interest Rate: 9% per annum
Repayment Period: 6 years
Instalments: Monthly, of interest and principal combined.
- Certificate of Compliance ... Temporary sludge drying beds -
McGraths Hill Wastewater Treatment Plant - State Pollution Control Commission
- Section 88B Instrument ... Right of Carriageway - No. 3 Thompson Square, Windsor

3. COMMUNITY & CULTURAL CENTRE - AUGUST BOOKINGS. C51/3.

[74.14]

- 1027 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Nicholson that the report on the August bookings for the Community and Cultural Centre be received.

4. COMMUNITY SERVICES REPORT. C45. [74.15]

- 1028 RESOLVED on the motion of Councillor Stanley seconded by Councillor Stubbs that :

- A. The report be received.
- B. The recommended priorities in applications to the Department of Sport and Recreation be approved.
- C. A letter be written to the Minister for Youth and Community Services, requesting that the position of Children's Services Advisor at the Richmond Office, be filled as soon as possible.

5. WORKS TO IMPROVE NAVIGATION OF THE HAWKESBURY RIVER. H100, C51/24. [74.16]

- 1029 RESOLVED on the motion of Councillor Durrington seconded by Councillor Sledge that Captain Cook Cruises and the appropriate State Government agencies be advised of Council's support, in principle, for the dredging works requested to improve the navigability of the Hawkesbury River for the Lady Hawkesbury. In doing so, the significant tourist potential of the vessel's operation should be pointed out.

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
Shire Clerk/General Manager

.....
President

6. REPORTS, MINUTES ETC. OF OTHER COMMITTEES AND ORGANISATIONS.
C50/3. [74.17]

- 1030 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the Minutes relating to Council and Staff Committees be adopted and the Minutes from organisations be received.

7. LOT 1 WOLSELEY ROAD, MCGRATHS HILL. 4654-012W. [74.18]

- 1031 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Sheridan that Council agree to the sale of Lot 1 DP 262856 to Mr R N and Mrs J A Dods for \$16,500 with all necessary documents to be completed under the Seal of Council.

8. REPORTS REQUESTED BY COUNCILLORS. [74.19]

- 1032 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that the report be received.

9. HAWKESBURY CRICKET CLUB - BANK GUARANTEE. 625-220-B [74.20]

- 1033 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that Council advise the Hawkesbury Cricket Club that it will guarantee the loan of \$4,000 provided by the State Bank of New South Wales. The Seal of Council be affixed to the necessary documents.

ENGINEERING

REPORTS

1. FIRE CONTROL OFFICER'S REPORT - 1986/87 FIRE SEASON. B27/6.
[76.9]

- 1034 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Stanley that the report on the 1986/87 fire season be received.

2. ACCESS 37, 39 GEORGE STREET, WINDSOR. 1474-0, 1475-0,
665-731. [76.10]

- 1035 RESOLVED on the motion of Councillor Stanley seconded by Councillor Stubbs that :

1. Council continue to negotiate the purchase of the interest, if any, which Mrs. Burch has in the triangular piece of land adjacent to Lots 19 & 20 DP 739562.
2. Mrs. Burch's Solicitors be advised that if reasonable progress is not achieved for the purchase of the land within fourteen days then Council will claim that the triangular parcel is part

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
Shire Clerk/General Manager

.....
President

of George Street by virtue of long usage by the public, the lack of any conclusive title to the area and the registration of DP 739562 which shows the area as being part of George Street.

3. Prospect Electricity and Mr. Miller be advised that Council requires the supply of electricity to Lot 20 DP 739562 to be by underground mains from a pole to be located on the western side of George Street in front of 37 George Street with such cost to be met by the applicant for the service.

3. SUBDIVISION OF LOT 239 DP 701948 TIZZANA ROAD, SACKVILLE
REACH - APPLICANT: D. MATTHEWS AND ASSOCIATES FOR C. BESSELING.
S86/122, DA 65/86. [76.11]

1036 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the application to subdivide Lot 239 DP 701948 Tizzana Road, Sackville Reach to create six lots of approximately 10.26ha, 10.03ha, 10.00ha, 11.50ha, 12.46ha and 13.40ha in accordance with the submitted plans be approved subject to:

1. Compliance with the requirements of Development Consent No. 430/1987 dated 31st August, 1987.
2. The submission of a Subdivider/Developer Certificate (a Certificate Under Part 3 Division 2 Section 27 of the Water Board Act, 1987)
- 3-5. Standard Conditions (Subdivisions) (i), (v) & (vi).
- 6-12. Standard Conditions (Road Openings) (i), (ii) (rural), (iv), (v) (Madeleine Place), (vi), (vii) & (viii).
13. All lots to be classified in accordance with AS 2870.
14. The local road widening fronting Lot 5 being deleted to create a standard 20m road reserve width.

4. PUBLIC WORKS. [76.12]

1037 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the report on public works be received.

5. BLIGH PARK SEWAGE PLANT. P160/46/B. [76.13]

1038 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Durrington that the information on Bligh Park Sewage Plant be received.

6. BLIGH PARK ESTATE. P160/46/A. [76.14]

1039 RESOLVED on the motion of Councillor Stanley seconded by Councillor Stubbs that the report on Bligh Park Estate be received.

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
 HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
 Shire Clerk/General Manager

.....
 President

7. THOMPSON SQUARE - LANDSCAPING. C45/13, H105/17. [76.15]

1040 MOVED on the motion of Councillor Stanley seconded by Councillor Sheridan that :

1. The concept plan be adopted as the plan of management of Thompson Square and be submitted to the Heritage Council for its approval.
2. That the rearrangement to traffic be referred to the Local Traffic Committee for its concurrence.
3. That following Heritage Council approval, a priority list for implementation be submitted to Council for consideration, based on funding available.
4. Permission be sought to locate the Pioneers' Memorial within the central part of Thompson Square in the grassed area on the George Street frontage.

An amendment was moved by Councillor Sledge seconded by Councillor Stevens that :

1. The concept plan be adopted as the plan of management of Thompson Square and be submitted to the Heritage Council for its approval.
2. That the rearrangement to traffic be referred to the Local Traffic Committee for its concurrence.
3. That following Heritage Council approval, a priority list for implementation be submitted to Council for consideration, based on funding available.

The amendment was lost.

The motion was then put and carried.

8. SUBDIVISIONS APPROVED UNDER DELEGATED AUTHORITY. [76.16]

1041 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Nicholson that the report be received.

9. WILBERFORCE SHOPS STAGE II. C51/8. [76.17]

1042 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Rotherham that the tender of V.A. Gobbo Pty.Ltd. in the sum of \$257,000 for the construction of Wilberforce Shops Stage II be accepted and the additional funds be voted from the 1987/88 Capital Works Programme.

HEALTH AND BUILDING

REPORTS

1. BUILDING APPLICATIONS. B25

1043 RESOLVED on the motion of Councillor Sheridan seconded by Councillor

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
Shire Clerk/General Manager

.....
President

Stubbs that the report be received.

2. D HELEY - PORTION 262 POST OFFICE ROAD, EBENEZER. DA 662/86, 13871-1. [78.6]

1044 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Rotherham that the report be received.

3. RESTORATION WORKS - THOMPSON SQUARE - TENDERS. H105/17/A. [78.7]

1045 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Rotherham that :

Tender 'A' - The tender of Hinchey & Cross Pty.Ltd., in the sum of \$23,800 be accepted.

Tender 'B' - The tender of Hinchey & Cross Pty.Ltd. in the sum of \$19,250 be accepted.

Tender 'C' - No tender be accepted and the work not proceed.

Tender 'D' - Authority be given to the Health Surveyor and Council's Architect, Robert Pont, to negotiate a reduced price owing to the lesser work involved with the lowest tenderer Hinchey & Cross to have this work carried out.

All necessary documents be completed under the Seal of Council.

PLANNING

REPORTS

1. DEVELOPMENT APPLICATION - R PONT - LOT A, SECTION 5, NO. 514 GEORGE STREET, SOUTH WINDSOR - EXTENSION TO AN EXISTING NON-CONFORMING USE BY THE ERECTION OF A TWO STOREY BUILDING CONTAINING TWO SHOPS AND THREE RESIDENTIAL FLAT UNITS. DA 350/85. [80.2]

1046 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Stevens that :

A. Development consent for Stage 1 of the proposal be granted generally in accordance with the amended plan prepared by Robert Pont, Architect, and dated August, 1987, subject to compliance with the following conditions:

- 1-13. Standard conditions (DAs) 1, 2 (3 vehicles), 7, 8, 9, 18, 19, 21, 25, 28, 29, 34 and 35.
14. The existing building located at the rear of the land is to be refurbished to the satisfaction of the Shire Health Surveyor, with particular attention being paid to the laneway frontage. Such work is to be completed within two

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
Shire Clerk/General Manager

.....
President

years of the erection of the two shops on the land.

- B. That development consent for Stage 2 of the proposal be granted generally in accordance with the plan prepared by Robert Pont, Architect, and dated June, 1985, subject to compliance with the following conditions:

- 1-7. Standard conditions (DAs) 1, 2 (6 vehicles), 10, 21, 27, 34 and 36 (\$572.00).
8. The upgrading of the rear access laneway to the requirements of the Shire Engineer for the full width of the land and extending to the laneway's intersection with Campbell Street including kerb and gutter for the width of the allotment excluding driveways and satisfactory drainage works. Satisfactory arrangements in this regard to be made with Council's Engineer prior to the submission of the building application.

2. PROPERTY ESTATES LIMITED - PROPOSED DISCOUNT DEPARTMENT STORE AND SHOPPING CENTRE - FRANCIS STREET, RICHMOND. L8/86. [80.3]

- 1047 RESOLVED on the motion of Councillor Stanley seconded by Councillor Stevens that the information concerning the current status of the draft local environmental plan for the proposal by Property Estates be received.

3. ST. ANDREW'S CHURCH, RICHMOND - TOWN CLOCK. H105. [80.4]

- 1048 RESOLVED on the motion of Councillor Dunn seconded by Councillor Denne that the Macquarie Towns Preservation Society be advised that Council will assist the Society in an application to the Heritage Council for funding, subject to the approval being obtained from the Church to the making of the application and to its agreeing to the carrying out of works, and subject to a formal itemised estimate of expenditure being provided.

LIBRARY

REPORTS

1. SEMINAR "ARCHIVES IN LOCAL GOVERNMENT & PUBLIC LIBRARIES". C48/7. [82.1]

- 1049 RESOLVED on the motion of Councillor Sheridan seconded by Councillor Stubbs that the report on the Archives Seminar be received.

2. "ON THE RECORD" ORAL HISTORY PROJECT. L125/7. [82.2]

- 1050 RESOLVED on the motion of Councillor Stevens seconded by Councillor Dunn that the report on the Oral History Project be received.

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

.....
Shire Clerk/General Manager

.....
President

SECTION B - LETTERS SUBMITTED FOR INFORMATION

1051 RESOLVED on the motion of Councillor Stubbs seconded by Councillor Stevens that the letters in this section be received and appropriate replies forwarded where necessary.

1. L G MACDONALD & CO - 1987 LIMITED OVERDRAFT. A8/2. [73.24]
2. DEPARTMENT OF LOCAL GOVERNMENT - AMENDMENT OF ORDINANCE 26
CLAUSE 24(G(ii)). C44/1. [73.25]
3. DEPARTMENT OF LOCAL GOVERNMENT - 1987/88 LOAN ALLOCATIONS. B23.
[73.26]
4. TRAFFIC AUTHORITY OF NEW SOUTH WALES - 40KPH PRECINCTS IN
RESIDENTIAL AREAS. T225. [73.27]
5. MS J WATTS OF SARATOGA - PEDESTRIAN FOOTPATH, MARCH STREET,
RICHMOND. 665-1343. [73.28]
6. MS JANE MCLAREN OF UPPER COLO - APPRECIATION. S206. [73.29]
7. M RHYS-JONES OF SOUTH WINDSOR - RECYCLING. P160/30, G90/17.
[73.30]
8. AUSTRALIAN ARMY - THE 1ST/15TH ROYAL NSW LANCERS - APPRECIATION.
A5. [73.31]
9. DEPARTMENT OF MAIN ROADS - SIGNPOSTING IN GROSE WOLD ROAD.
T225, R190/10. [73.32]
10. LOCAL GOVERNMENT ASSOCIATION - MEDIA RELEASE. P182. [73.33]
11. HAWKESBURY AGRICULTURAL COLLEGE - BIRDSVILLE TRACK CYCLETHON.
D64. [73.34]
12. MISS RHONDA JONES - APPRECIATION. A5. [73.35]
13. MISS E ELLIS - APPRECIATION. A5. [73.36]
14. CANTERBURY MUNICIPAL COUNCIL - APPRECIATION. C50. [73.37]
15. DEPARTMENT OF LOCAL GOVERNMENT - RESUMPTION OF LAND AND EASEMENT
OVER LAND - CIRCULAR NO. 3362 OF 30TH JUNE, 1982. C44/1.
[73.38]
16. BLUE MOUNTAINS CITY COUNCIL - 52ND ANNUAL LOCAL GOVERNMENT
SPORTING COMPETITION. C40/5. [73.39]
17. MR KEVIN ROZZOLI, MP, MEMBER FOR HAWKESBURY - ABOLITION OF
NON-FEASANCE RULE. C44/2, L128. [73.40]
18. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS - CIRCULAR 10. C44/2
[73.41]
19. DEPARTMENT OF LOCAL GOVERNMENT - INTRODUCTION OF APPOINTMENTS
AS, AND QUALIFICATIONS FOR, CHIEF HEALTH SURVEYOR AND ASSISTANT
HEALTH SURVEYOR. C44/1, S205/5, S205/21. [73.42]
20. DEPARTMENT OF LOCAL GOVERNMENT - AMENDMENT OF ORDINANCE NO. 26
(CLAUSE 28 AND 28A) UNDER THE LOCAL GOVERNMENT ACT, 1919 -
PAYMENT OF WAGES AND SALARIES TO ACCOUNTS NOMINATED BY COUNCIL'S
EMPLOYEES. C44/1, S205/40. [73.43]
21. RESERVE BANK OF AUSTRALIA - SPECIMEN \$100 NOTE. L125/7.
[73.44]
22. MRS M FERRIS OF RICHMOND - APPRECIATION. A5. [73.45]
23. MR D MCELVENNY OF MCGRATHS HILL - LIBRARY SERVICE. L125.
[73.46]
24. THE BICENTENNIAL BHP AWARDS FOR THE PURSUIT OF EXCELLENCE - HELP
WITH PUBLICITY. A9. [73.47]
25. CASTLEREAGH AREA AIDS TASKFORCE - FORMATION OF TASKFORCE. C45
[73.48]
26. PROPERTY ESTATES LIMITED - PROPOSED RETAIL CENTRE - RICHMOND.
L8/86 [73.49]

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

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Shire Clerk/General Manager

.....
President

QUESTIONS WITHOUT NOTICE [83.2]

Councillor Nicholson referred to the dust problem on the western end of Francis Street where Council has removed soil on the northern side. He asked if Council would be sealing that area.

The Shire Engineer stated funding has not been provided for sealing at this stage, however the question would be taken on board when looking at such programmes in the future.

Councillor Stanley asked if there are any plans in hand to correct the fast developing and serious problem in Gorricks Lane where the road is breaking up.

The Shire Engineer stated that some temporary repairs will have to be carried out and it may be necessary to bring a report forward to Council on the reconstruction of a section of that road.

Councillor Stanley referred to the problem emanating from the industrial area at South Windsor. He stated that representations have been made to him concerning noise created by the early start of some of the plants, particularly the concrete batching plant, which he believes is beginning operations as early as 4.20 a.m. some mornings and panel beating shops working up until 11.00 p.m. and sometimes on Sunday mornings and afternoons, and various other such related problems. He asked if there are any restrictions at all in that area in regard to periods of operation, and whether any restrictions can be placed to alleviate the problem.

The Health Surveyor stated that initially he would check the conditions of consent and then take the matter up with the parties concerned.

Councillor Rotherham stated that the spelling of the street sign on Onus Lane had been altered and asked if this could be changed forthwith.

Councillor Horrex asked if the Health Surveyor had been able to do anything regarding the problem of straying dogs in Bligh Park.

The Health Surveyor stated that there was a continuing problem with straying dogs in Bligh Park and that some of the issues raised by Councillor Horrex had been resolved.

QUESTIONS FROM THE GALLERY

The Shire President then invited questions from the gallery.

The Shire President invited those Councillors attending the last formal Ordinary meeting to-night if they would like to say a few words.

Councillors Dunn, Nicholson, Durrington and Stevens then responded to the invitation. Councillors Sheridan and the Shire President also spoke on the last four years of Council and thanked the Councillors, Senior Officers and Staff for their contribution.

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

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Shire Clerk/General Manager

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President

The meeting terminated at 9.13 p.m.

Submitted to and confirmed at the Meeting of Council held on 20th October, 1987.

.....President.

This is Page of the Minutes of the ORDINARY NO. 8 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 8th September, 1987.

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Shire Clerk/General Manager

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President

Minutes of the Special Meeting of the Council of the Shire of Hawkesbury held at the Council Chambers, Windsor, on Tuesday, 6th October, 1987, commencing at 7.30 p.m.

PRESENT : Councillors R.C. Bazeley, R.S.Benson, H.J.M.Books, F.Y.Denne, P.E.Gibson, J.J.Horrex, W.J.Mackay, G.G.Michael, R.F.Rotherham, L.C.Sheather, W.J.Sledge and R.P.Stubbs.

The Shire Clerk advised the meeting that the provisions of the Local Government Act in relation to to-night's meeting are that a candidate who is the Mayor or President immediately prior to the Ordinary Election may continue in office as Mayor or President, if re-elected, until the necessary election is held. Councillor Michael did not choose to do that and accordingly the first action of to-night's meeting is for the members of the Council to elect a Chairman to chair the meeting until such stage as the President is elected.

- 1054 RESOLVED on the motion of Councillor Denne seconded by Councillor Stubbs that Councillor Rotherham be elected Chairman.

Councillor Rotherham then took the Chair.

1. PRESIDENTIAL ALLOWANCE [102.2]

- 1055 RESOLVED on the motion of Councillor Michael seconded by Councillor Horrex that the Presidential Allowance be last year's plus 6.5%, thus being \$12,727.65.

2. ELECTION OF SHIRE PRESIDENT. [102.3]

Moved by Councillor Gibson seconded by Councillor Books that the election be carried out by Open Voting.

- 1056 AN AMENDMENT was moved by Councillor Michael seconded by Councillor Horrex that the method of voting be by Ordinary Ballot.

The amendment was carried.

The amendment then became the motion which was put and carried.

Nominations for the office of President were invited, with the following two nominations being received:

Councillor J.J.Horrex
Councillor G.G.Michael

The Returning Officer asked the nominees if they wished to accept nomination for the office of President, with both replying in the affirmative.

The Chairman adjourned the meeting at this stage for 15 minutes due to a disruption created in the gallery by Mr. Allan Johns - the time being 7.36 p.m.

This is Page of the Minutes of the SPECIAL NO. 10 Meeting of the HAWKESBURY SHIRE COUNCIL held on 6th October, 1987.

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Shire Clerk/General Manager

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President

The meeting reconvened at 7.46 p.m.

Ballot papers were then distributed to the Councillors and the Returning Officer stated that for a formal ballot, the number "1" must be shown in the box opposite the name of the person for whom they intended to vote.

The result of the ballot was as follows :

Councillor J.J.Horrex	...	7
Councillor G.G.Michael	...	5

The Returning Officer then declared Councillor Horrex elected as President of the Shire of Hawkesbury for the ensuing term.

Councillor Rotherham vacated the Chair, which was then taken by Councillor Horrex.

3. ELECTION OF DEPUTY SHIRE PRESIDENT. [102.4]

The Returning Officer advised that the same provisions apply for the position of Deputy President as that of the President - the nominations must be in writing and signed by the proposer.

Nominations for the office of Deputy President were invited and the following nominations were received :

Councillor F.Y.Denne
Councillor G.G.Michael
Councillor W.J.Sledge

The Returning Officer asked the three nominees if they wished to accept the nomination, with Councillors Denne and Sledge accepting and Councillor Michael declining.

Ballot papers were distributed and the Returning Officer again stated that for a formal ballot, it would be necessary for members to place the figure "1" in the box opposite the name of the person for whom they wished to vote.

The result of the ballot was as follows :

Councillor F.Y. Denne	...	6
Councillor W.J. Sledge	...	6

The Returning Officer advised that it would be necessary for the position to be by ballot, and the name of the person drawn would be declared to have achieved the highest number of votes and would therefore be declared the Deputy President.

Councillor Sledge's name was drawn and the Returning Officer then declared Councillor Sledge elected as Deputy President of the Shire of Hawkesbury for the ensuing term.

4. APPOINTMENT OF COMMITTEES, DELEGATES & REPRESENTATIVES. C50/2

Nominations were called for the various Committees and organisations.

General Purpose & Town Planning Committees.

- 1057 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Books that the General Purpose & Town Planning Committees comprise the full Council.

Extractive Industry Committee

Nominations were received for Councillors Benson, Sheather, Books and Rotherham.

- 1058 RESOLVED on the motion of Councillor Michael seconded by Councillor Stubbs that the Councillor membership of the Extractive Industry Committee be increased to President and 4 Councillors.

Councillors Benson, Sheather, Books and Rotherham were declared elected to the Committee, with the Extractive Industry to comprise :

President
Councillor Benson
Councillor Sheather
Councillor Books
Councillor Rotherham
Shire Clerk
Shire Engineer

Local Traffic Committee

Councillor Books was nominated the Council delegate on the Committee with Councillor Rotherham as the alternative.

Councillor Books was declared elected as the Council delegate on the Committee with Councillor Rotherham as the alternative, with the Council representation on the Committee to comprise :

Councillor Books
Councillor Rotherham (Alternative)
Shire Engineer

Bicentenary Park Committee

Councillors Mackay, Michael and Rotherham were nominated as delegates on the Bicentenary Park Committee.

Councillors Mackay, Michael and Rotherham were declared elected as delegates on the Bicentenary Park Committee, with the Council representation on the Committee to comprise :

This is Page of the Minutes of the SPECIAL NO. 10 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 6th October, 1987.

.....
Shire Clerk/General Manager

.....
President

President
 Councillor Mackay
 Councillor Michael
 Councillor Rotherham
 Shire Engineer

Sister City Committee

Councillors Denne, Michael and Rotherham were nominated as delegates on the Committee, with Councillor Denne declining.

Councillors Michael and Rotherham were declared elected as delegates on the Sister City Committee, with the composition of the Committee to be :

President
 Councillor Michael
 Councillor Rotherham
 Shire Clerk

Job Training Scheme Committee

The Shire Clerk advised that this Committee was formed four years ago when the Commonwealth had a certain basis for initiating job training schemes which no longer exist.

- 1059 RESOLVED on the motion of Councillor Michael seconded by Councillor Mackay that the Committee be deleted.

Australia Day Awards

It was agreed that the Council representation on this Committee remain the same as previously, and to comprise :

President
 Deputy President
 Shire Clerk

Rating Review

Nominations were received for Councillors Gibson, Bazeley, Rotherham, Michael and Benson, with Councillors Rotherham and Michael declining nomination.

Councillors Gibson, Benson and Bazeley were declared elected as delegates on the Rating Review Committee, with the Committee to comprise :

President
 Councillor Bazeley
 Councillor Benson
 Councillor Gibson
 Shire Clerk or his Nominee

This is Page of the Minutes of the SPECIAL NO. 10 Meeting of the
 HAWKESBURY SHIRE COUNCIL held on 6th October, 1987.

.....
 Shire Clerk/General Manager

.....
 President

Australiana Pioneer Village

Nominations were received for Councillors Books, Gibson, Bazeley, Sheather, Mackay, Sledge and Stubbs, with Councillors Bazeley and Sledge declining.

- 1060 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Gibson that the Councillor representation on the Committee be increased to five.

Councillors Stubbs, Books, Gibson, Mackay and Sheather were declared elected as delegates on the Committee, with the Committee to comprise :

President
Councillor Books
Councillor Gibson
Councillor Mackay
Councillor Sheather
Councillor Stubbs
Shire Clerk
Deputy Shire Clerk
Treasurer

Hawkesbury Community Services Consultative Committee

Councillors Denne, Sledge, Mackay, Horrex and Gibson were nominated with Councillors Sledge and Horrex declining.

- 1061 RESOLVED on the motion of Councillor Rotherham seconded by Councillor Sheather that three Councillors be appointed to the Committee.

Councillors Denne, Mackay and Gibson were declared elected to the Committee, with the Council representation on the Committee to comprise :

Councillor Denne
Councillor Gibson
Councillor Mackay
Deputy Shire Clerk
Shire Planner
Community Project Officer (Secretary)

Prospect County Council

The Returning Officer advised that nominations must be in writing.

Nominations were received for Councillors Bazeley, Michael and Rotherham, with Councillor Michael declining.

The Returning Officer advised that the election would be carried out by Preferential Voting as there are two candidates for the one position. The Returning Officer also stated that it would be necessary to place the figure "1" in the square opposite the first choice and the figure "2" in the square opposite the second choice.

This is Page of the Minutes of the SPECIAL NO. 10 Meeting of the HAWKESBURY SHIRE COUNCIL held on 6th October, 1987.

.....
Shire Clerk/General Manager

.....
President

The Returning Officer advised the result of the ballot being as follows :

Councillor Bazeley	...	3
Councillor Rotherham	...	9

The Returning Officer then declared Councillor Rotherham elected as the delegate to Prospect County Council for the ensuing term.

Hawkesbury River County Council

Nominations were received for Councillors Books, Denne, Michael, Sheather, Bazeley and Gibson, with Councillors Books, Michael, Bazeley and Gibson declining.

There being only two nominations remaining, the Returning Officer then declared Councillors Denne and Sheather elected as the two delegates to the Hawkesbury River County Council.

Joint Councils River Committee

Nominations were received for Councillors Sheather and Denne with Councillor Denne declining nomination.

There being no further nominations, Councillor Sheather was declared elected to the Committee, with the Committee now comprising :

President
Councillor Sheather (Alternative)
Council Technical Officers

Heritage Advisory Committee

Nominations were received for Councillors Stubbs, Books and Sledge.

There being no further nominations, Councillors Stubbs, Books and Sledge were declared elected as representatives on the Committee, with the Council representation on the Committee to now comprise :

Councillor Books
Councillor Sledge
Councillor Stubbs
Shire Planner
Shire Health Surveyor
Deputy Shire Clerk

Western Sydney Regional Organisation of Councils (WSROC)

Nominations were received for Councillors Sheather, Sledge, and Benson.

1062 RESOLVED on the motion of Councillor Denne seconded by Councillor Rotherham that the election be carried out by Ordinary Ballot.

This is Page of the Minutes of the SPECIAL NO. 10 Meeting of the
HAWKESBURY SHIRE COUNCIL held on 6th October, 1987.

.....
Shire Clerk/General Manager

.....
President

The Returning Officer advised that it would be necessary to vote for 2 candidates, by placing a "X" in the square next to the two candidates which each member wishes to vote for, and leaving the third square vacant.

The Returning Officer advised that there were 2 informal ballot papers. Excluding those, the result of the ballot was as follows :

Councillor Benson	...	4
Councillor Sheather	...	9
Councillor Sledge	...	7

Councillor Benson was eliminated, with Councillors Sheather and Sledge being elected Delegates to the Western Sydney Regional Organisation of Councils.

WSROC Group Apprentices Scheme - Director.

1063 RESOLVED on the motion of Councillor Michael seconded by Councillor Denne that the Shire Engineer be nominated.

Macquarie Towns Festival Committee

Nominations were received for Councillors Stubbs, Michael, Rotherham, and Mackay, with Councillor Rotherham declining nomination.

There being no further nominations, Councillors Stubbs, Michael and Mackay were declared elected to the Committee, the Council representation on the Committee to comprise :

Councillor Mackay
Councillor Michael
Councillor Stubbs
C.Daley, Deputy Shire Engineer
E.Manning, Executive Officer

Bicentenary Community Committee

Nominations were received for Councillors Michael, Books, Sledge and Rotherham, with Councillor Books declining.

Councillors Michael, Rotherham and Sledge were declared elected to the Committee, with the Council representation on the Committee to comprise :

Councillor Michael
Councillor Rotherham
Councillor Sledge
Administrative Officer - Secretary (C.Dalli)
Shire Engineer
Community Arts Officer

Environmental Noise Pollution Committee

Nominations were received for Councillors Stubbs, Mackay and Michael, with Councillor Michael declining.

This is Page of the Minutes of the SPECIAL NO. 10 Meeting of the HAWKESBURY SHIRE COUNCIL held on 6th October, 1987.

.....
Shire Clerk/General Manager

.....
President

There being no further nominations, Councillors Mackay and Stubbs were declared elected to the Committee, with the Council representation on the Committee comprising :

Councillor Mackay
Councillor Stubbs
1 Member Health & Building Department
1 Member Planning Department

Australian Nuclear Free Zones Secretariat

1064 RESOLVED on the motion of Councillor Michael seconded by Councillor Rotherham that Council be no longer affiliated with this organisation.

Museum & Information Centre Committee

Nominations were received for Councillors Books and Stubbs, with Councillor Books declining nomination.

There being no further nominations, Councillor Stubbs was declared elected as Council's representative on the Committee.

Hawkesbury Co-Ordinating Group for the Handicapped.

Nominations were received for Councillors Denne, Books and Sledge, with Councillor Sledge declining nomination.

There being no further nominations, Councillors Denne and Books were declared elected to the Committee.

The meeting terminated at 8.46 p.m.

Submitted to and confirmed at the meeting of Council held on 20th October, 1987.

.....President

This is Page of the Minutes of the SPECIAL NO. 10 Meeting of the HAWKESBURY SHIRE COUNCIL held on 6th October, 1987.

.....
Shire Clerk/General Manager

.....
President

PRESENT : Councillor J.J.Horrex, President, and Councillors R.C.Bazeley, R.S.Benson, H.J.M.Books, F.Y.Denne, P.E.Gibson, W.J.Mackay, G.G.Michael, R.F.Rotherham, L.C.Sheather, W.J.Sledge and R.P.Stubbs.

1. DELEGATE - AUSTRALIAN SISTER CITY ASSOCIATION CONVENTION -
LAKE MACQUARIE - 11TH/14TH OCTOBER, 1987. C48/4 [70.4]

- The meeting terminated at 9.36 a.m.

.....President

NOTICES OF MOTIONS

ORDINARY MEETING - 20TH OCTOBER, 1987

By Councillor R.F.Rotherham :

1. That a report be prepared for consideration by Council on the introduction of Ridings for the 1991 Election of Councillors in the Shire of Hawkesbury.
2. That all non resident ratepayers be notified in writing of the need to claim a place on the Non Resident Roll in order to vote at future Council Elections, this notice to be mailed with future rate notices.
3. That a full report be prepared for consideration by Council on the re-opening of The Terrace, Windsor.
4. That Chairmanship of General Purpose Committees - Works and Development - be made available to any member of Council so elected by Council.

By Councillor R.S.Benson :

Council contact the relevant Government Departments in relation to having The Terrace opened.

Further that the cost of such work (opening of The Terrace) be included in the Estimates.

By Councillor W.J.Mackay

That the fence at the rear of the Museum in Thompson Square, when replaced, be located so as to include the vacant land fronting Baker Street. Further that landscaping be undertaken on this land including a pathway to the Museum entrance.

By Councillor H.J.M.Books :

That The Terrace at the intersection of New Street, Windsor be re-opened to the new alignment as soon as possible, and all the necessary legal and statutory matters be put into effect to allow traffic to flow in either direction without restriction.

By Councillor P.E.Gibson :

Further to Council's consideration of its report for the provision of reticulated sewerage to Glossodia, Freemans Reach and Wilberforce, that a deputation be sought to appropriate State and Federal Government agencies and Ministers seeking funding of the project. In seeking the deputation, the seriousness of public health risk in the area be made known. Further the deputation comprise the President, interested Councillors, the Shire Clerk/General Manager and appropriate senior staff.

By Councillor R.P.Stubbs :

That consideration be given to the use of a "Product of Hawkesbury Shire" (or similar) logo, possibly licensed by Council or the Tourism Authority, as a means of promoting the Shire and its products.

Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 8th October, 1987, commencing at 9.36 a.m.

PRESENT: Councillor J.J. Horrex, President, and Councillors R.C. Bazeley, R.S. Benson, H.J.M. Books, F.Y. Denne, P.E. Gibson, W.J. Mackay, G.G. Michael, R.F. Rotherham, L.C. Sheather, W.J. Sledge, and R.P. Stubbs.

SECTION 1 - WORKS

COMMITTEE'S RECOMMENDATION

THE WORKS COST Statement to 31st August, 1987, be adopted and the revised estimates of cost be adopted.

CORRESPONDENCE

ITEM 1: (File E74/2) [1.7]
CORRESPONDENT: PROSPECT ELECTRICITY
SUBJECT: TRAFFIC ROUTE LIGHTING SUBSIDY SCHEME
BOURKE STREET, RICHMOND
BLACKTOWN ROAD TO MARCH STREET

Forwarding proposed alteration to the existing lighting that will provide for a decrease of \$67.36 in the annual charge.

S.E. REPORT

The Scheme provides for the installation of 3-310w sodium high pressure lanterns and 2-250w sodium high pressure lanterns to replace 4-250w sodium high pressure and 2-250w mercury fluorescent lights with alteration to poles to provide a small reduction in the number along the street.

Recommendation

The amended Traffic Route Lighting Scheme for Bourke Street, Richmond, March Street to Blacktown Road be approved.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File E74/1) [1.8]
CORRESPONDENT: PROSPECT COUNTY COUNCIL
SUBJECT: IMPROVED STREET LIGHTING

Forwarding street lighting proposal for Council's consideration as follows:-

Ascot Place and George Road, Wilberforce - Installation of two (2) 40 watt fluorescent lights at an annual charge of \$159.12.

Request from Mrs. Brown, 1 Ascot Place, no street lights in street.

Car park, Cnr. Pitt Lane and Riverview Street, North Richmond -
Installation of one (1) 250 watt light on post top column at an annual
charge of \$415.48.

Required to provide illumination in the car park.

Longleat Road, Erica Street, Jacqueline Place, Elizabeth Avenue and Bells
Line of Road, Kurmond. Installation of nine (9) 40 watt fluorescent
lamps, five (5) 150 watt sodium high pressure with removal of one (1) 120
watt sodium high pressure lamp and 1-125 watt mercury fluorescent at an
annual charge cost increase of \$1,438.84 plus a capital contribution of
\$280.

Requests from residents and Council for lighting of the Village area.

S.E. REPORT

The current vote for street lighting is over committed for 1987 and it is
proposed these proposals, as has now been done with other proposals, be
considered as works that may be possible in the 1988 Street Lighting
Programme.

Recommendation

That the street lighting proposal for George Road and Ascot Place,
Wilberforce; Car Park, Riverview Street and Pitt Lane, North Richmond; and
Kurmond Village be noted as works for consideration when the 1988 vote for
street lighting is being determined.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File 665-2018) [1.9]

CORRESPONDENT: PENRITH CITY COUNCIL

SUBJECT: MAINTENANCE WORK ON THE DRIFTWAY

Referring to previous correspondence regarding accounts forwarded seeking
reimbursement of funds expended by Penrith City Council on maintenance of
The Driftway in 1984 and from 1.1.1985 to 30.8.1985 in the sum of
\$25,062.86. Requesting the reason that precludes Council paying the debt.

S.E. REPORT

This matter has been the subject of previous correspondence with this
Council advising that there is no agreement between the two Councils on
sharing of the cost of maintenance on The Driftway. No accounts have
been forwarded by this Council in respect to work undertaken by this
Council over the years.

Penrith City Council will be informed accordingly, and enquiry made to see
if they are prepared to meet half the cost for the work being undertaken
by this Council.

Recommendation

That Penrith City Council be advised that there is no agreement regarding cost sharing of maintenance work on The Driftway and be requested to advise if they wish to participate in a programme of improvement work to be undertaken in 1988.

The President advised that Item 3 had been withdrawn.

ITEM 4: (File 625-206, 625-136) [1.10]

CORRESPONDENT: HAWKESBURY DISTRICT CRICKET ASSOCIATION

SUBJECT: SUBSIDY TURF WICKETS

Seeking an increase in the subsidy paid by Council from \$1000 to \$1050.

S.E. REPORT

With regard to the request, Council has been providing an increase each year, and it appears appropriate that this year Council leave the fee for assistance at \$1000. From the information supplied the cost to the Association for preparation of the wickets is around \$2000 per ground.

Recommendation

That the subsidy to the Hawkesbury District Cricket Association for preparation of the turf wickets for the 1987/88 season be fixed at \$1000 per wicket.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File 665-502) [1.11]

CORRESPONDENT: PETITION CONTAINING SEVEN (7) SIGNATURES

SUBJECT: UNNAMED ROAD OFF EAST STREET, KURRAJONG HEIGHTS

A letter has been received containing a number of signatures requesting the upgrading of the unformed, unnamed road which continues to the north off the end of the formed section of East Street, Kurrajong Heights.

S.E. REPORT

According to the parish map, the section of road dividing Lot 48 and Lot 10 is a Crown Road and as such is not under Council's control. However, the section of road fronting Lots 11, 2 and 3 is a public road as is East Street. It is considered that application should be made to the Department of Lands to have the section under their control dedicated as public road.

It is also noted that the road is not named and it is felt appropriate that as the road was originally within Portion 24 owned by J.W. Leidich that Leidich Lane be adopted as the name for the road.

The road is an unformed track on a 10 metre wide reserve giving direct access to 6 properties. A plan will be exhibited at the meeting.

Development consists of a garage on Lot 10 and a house under construction on Lot 11.

Due to the narrow road reserve, it will be necessary to remove quite a number of trees to provide adequate width for passing. To attain suitable standard of gravel road, it would be necessary to construct a drainage structure approximately 75m from East street, carry out earthworks to provide a suitable horizontal and vertical adjustment and supply and lay approximately 700 tonne of road base. It is estimated that the works would cost \$31,500. Provision has not been made to fund these works in a current programme and it is felt that in relation to other works needed throughout the Shire, this project would have a low priority.

Recommendation

1. That application be made to the Department of Lands to have the section of Crown Road dedicated as a public road.
2. The road be named Leidich lane.
3. That the petitioners be informed that funds have not been allocated for improvement works on the road and in relation to works needed throughout the Shire, would receive a low priority.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File 5378-3C) [1.12]

CORRESPONDENT: MRS. L. HUNT

SUBJECT: MOUNT ANDREW CARAVAN & SKI PARK, GREENS ROAD,
LOWER PORTLAND

Making further representations concerning the removal of Sydney Blue Gums within the Caravan Park. Advising that lopping would not be satisfactory as she considers the trees dangerous to the occupants and caravans. Stating that they are prepared to plant five trees elsewhere in the park.

S.E. REPORT

The trees are situated approximately 35m from Greens Road and about 50m from the river providing a pleasant barrier between these two features and are part of the natural amenity of the area. There is no apparent storm or insect damage to the trees. The only action which should be allowed is the removal of the dead wood. It is acknowledged as stated by the applicant that healthy limbs can fall for no obvious reason. It is considered that the trees should be retained with the siting of the amenities, vans and camp area to appropriate areas in the park to allow

5

retention of the trees. The applicant has been advised that removal of the trees is not supported and has requested further review and determination of the matter.

Recommendation

That Mrs. L. Hunt, Mount Andrew Caravan and Ski Park be advised that approval to remove the Sydney Blue Gums is denied under the provisions of the Tree Preservation Order but that permission is granted to remove dead wood and low overhanging branches, such branches to be identified by a Council officer prior to removal.

COMMITTEE'S RECOMMENDATION

THAT MRS. L. HUNT, Mount Andrew Caravan and Ski Park be advised that approval to remove the Sydney Blue Gums is denied under the provisions of the Tree Preservation Order, at this time until an inspection is carried out, but that permission is granted to remove dead wood and low overhanging branches, such branches to be identified by a Council officer prior to removal.

ITEM 7: (File 625-204) [1.13]

CORRESPONDENT: W. SCRUCI, OAKVILLE UNITED SOCCER CLUB

SUBJECT: OAKVILLE OVAL - ADDITIONAL AMENITIES

Further to the Council resolution of 9th June, 1987, that a report be brought forward on the cost of providing a facility and whether the Club can contribute towards the cost and if existing facilities could be expanded which would reduce costs, the matter has been discussed with officials of the Oakville Soccer Club.

It was indicated that the Club anticipates expansion in the number of senior teams over coming years and is seeking construction of change rooms complete with showers and toilet facilities. The appropriate location was considered to be on the eastern side of the ground in the vicinity of the existing toilet block.

With due regard to effluent disposal, extension to the kiosk area was not favoured.

In respect to the Club providing financial assistance they have advised:

"our Club at this time do not have the necessary finances to build this complex therefore we will need to defer this much needed necessity to a later stage"

and also providing a list of works required at Colbee Park the other ground allocated to the Club, as matters for early attention.

Recommendation

That the report on provision of additional amenities at Oakville Oval be received.

COMMITTEE'S RECOMMENDATION

THE MATTER BE referred for consideration in the 1988 Estimates.

ITEM 8: (File 625-202) [1.14]

CORRESPONDENT: MOTORCYCLE RIDERS ASSOCIATION OF NSW

SUBJECT: ANNUAL TOY RUN

Requesting permission to conduct the above event on Saturday, 19th December, 1987, in aid of Camperdown Children's Hospital. Proposed route: Assemble Mulgrave Road at 10.00am, Windsor Road, Macquarie Street, Fitzgerald Street, George Street, Windsor Street, Bosworth Street, March Street, ending at Richmond Park.

The Association also requests use of Richmond Park adjacent to Windsor Street, and to erect a tent at the location for PR/gift donation purposes.

S.E. REPORT

Having regard to the object of the proposal, Council in past years has supported the Association in conducting the above function. Subject to the Association obtaining Police Department approval to the proposed route and complying with certain standard conditions regarding use of reserves, the proposal is again supported.

Recommendation

Approval be granted to the Motor Cycle Riders Association of New South Wales Limited to conduct a Toy Run on Saturday, 19th December, 1987, traversing the above route and use of Richmond Park, Richmond, subject to the Association obtaining Police Department approval to the proposed route and complying with standard conditions regarding use of reserves.

COMMITTEE'S RECOMMENDATION

APPROVAL BE GRANTED to the Motor Cycle Riders Association of New South Wales Limited to conduct a Toy Run on Saturday, 19th December, 1987, traversing the above route and use of Richmond Park, Richmond, subject to the Association obtaining Police Department approval to the proposed route and complying with standard conditions regarding use of reserves.

FURTHER THAT COUNCIL congratulate the Motor Cycle Riders Association of New South Wales for their most generous and worthy project which has become an annual event of great worth to so many sick children.

ITEM 9: (File 265-0) [1.15]

CORRESPONDENT: HAWKESBURY SPORTING CLUB

SUBJECT: DEVELOPMENT OF ADDITIONAL FIELD

Forwarding a proposal submitted to the Club by the Hawkesbury Touch Football Association to develop an additional field on the Club's land.

Advising that the Club is prepared to make the land available, subject to Council agreement to undertaking maintenance of the field in a similar manner to that provided on the existing field.

S.E. REPORT

The proposal provides for alteration of the fencing of the factory unit to the east of the Clubhouse and further filling to provide an area 90m x 68m that would be suitable for a touch football field. A development application should be lodged. The land is zoned Residential 2(b2) on which construction of sporting fields are allowed.

Recommendation

That the Hawkesbury Sporting Club be advised that Council is prepared to maintain the proposed sporting field and that the Club be requested to lodge a development application.

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. B. HINCE - WORK EXPERIENCE. S205 [2.6]

Thanking Council staff for its assistance during a week of work experience.

B2. D. WHITEHEAD, PLAYGROUND EQUIPMENT IN RICHMOND PARK. 625-202 [2.7]

Thanking Council for the new playground equipment in Richmond Park.

B3. D. REID - UPGRADING OF MARCH STREET. 665-1343 [2.8]

Thanking Council for the prompt action taken to upgrade the March Street footpath between East Market Street and Paget Street.

B4. WATER BOARD - REGIONAL OPERATIONS ROOMS. M134 [2.9]

Advising that in conjunction with the regionalisation of the Board's operation the 24 hour emergency number for this area is now 831 0305 incorporated in the Blacktown Operations Room.

B5. WATER BOARD - SEWER FACILITIES, KEDA CIRCUIT, NORTH RICHMOND.
S200/2, 665/1116 [2.10]

Advising that investigation work is still proceeding on the provision of sewerage facilities to Keda Circuit.

B6. UPPER HAWKESBURY POWER BOAT CLUB - MINUTES. A7/23 [2.11]

Forwarding copy of the Minutes of the Special Meeting of the Upper Hawkesbury Power Boat Club held on 27th August, 1987.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE ENGINEER'S REPORT

ITEM 1: (File S205/19A) [3.8]

SUBJECT: TOOL ALLOWANCE

(Clause 24 (ix) Municipal and Shire Council Wages Staff Award provides that where the employee and the Council so agree; a tool allowance shall be paid as follows :-

	Per Week \$
Bricklayer	8.00
Carpenter and plumber	11.20
Metal and mechanical trades	11.20
Painter and signwriter	2.80
Plasterer	9.20

The above allowance shall be paid only where the employee supplies his own tools.

The employer shall insure and keep insured against loss or damage by fire whilst on the Council's premises such tools of the employee as are used by him in the course of his employment.

An employee shall be entitled to be reimbursed by the Council for loss of tools up to a value of \$652.00 when such tools are lost by theft from a break and enter outside ordinary working hours whilst the tools are stored at the employer's direction on the job, including Council premises.

The employee shall, if requested so to do, furnish the employer with a list of tools so used.

Council's mechanical staff and carpenters supply their own tools, and are paid the appropriate allowance.

Other members of staff, i.e., the two workshop foremen, the building

trades foreman and ferry foreman use their own tools, and have been paid the appropriate allowance for a number of years.

These employees are now classified under the Salaried Officers Award, which award does not include the above detailed award condition.

The employees, in addition to supervisory duties, undertake actual work on Council vehicles, plant and or buildings and are called upon out of hours to attend to repairs, vandal damage to buildings, etc. providing Council with an important service in giving prompt attention to breakdowns, e.g., ferries, and the maintaining of Council's service.

In the case of the Ferry Foreman, the payment has been properly recorded in Council's records, with the action not formalised in respect to the three other employees.

Council has now employed an electrician to specifically undertake duties in respect to the electrical equipment associated with Council's waste-water operations. A cost saving would also be achieved by payment of the allowance to this employee.

In addition, the Foreman of Windsor Depot, and on occasions the other staff members, undertake work on garbage vehicles and are required to work in cramped spaces and dirty work for which an allowance is provided under the wages staff award. Payment of this allowance is most appropriate in view of the conditions they have to at times work under.

Recommendation

That the Workshop Foremen, Building Trades Foreman and Electrical Technician be paid a tool allowance and other allowances as provided in the Municipal and Shire Council Wages Staff Award, while supplying their own tools or working in and undertaking duties appropriate to the allowance.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File S86/107) [3.9]

SUBJECT: APPLICANT: BENNETTS REAL ESTATE PTY. LTD.
OWNER: PIGUNU PTY. LTD.
LAND: PORTION 42, PARISH OF MERROO, COMLERoy
AND LAWRENCE ROAD, KURRAJONG

This subdivision has been previously approved and creates 4 lots, one of which is on the corner of Comleroy Road and Lawrence Road and one which fronts Lawrence Road.

The applicant has objected to the requirement to provide 4m road widening in Lawrence Road.

The same matter was previously before Council at the Ordinary Meeting of 11th November, 1986, when Council resolved, in part, to retain the condition which required;

"6(a) Dedication of four (4) metres of land for road widening adjacent to Lawrence Road as far as Yarluk Road for the purpose of road widening."

The following comments are made in relation to the application:-

1. The applicant has provided a 4m wide sealed pavement down the centre of the existing 10m road reserve for half the frontage of the subdivision which covers the majority of the length of the road required to be widened. This is adequate to carry the present volume of traffic on the road.
2. The road widening would more sensibly be provided on the opposite side of Lawrence Road as this would improve the road alignment.
3. Although desirable, widening of Lawrence Road may never be required as it only serves relatively few lots and provides a short cut to Cedar Ridge Road which itself is a dead end.

Recommendation

That Council agree to delete condition 6(a) of Development Consent No. 454/86 dated 1st September, 1986.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File S86/110) [3.10]

SUBJECT: APPLICANT: W.G. HUNT SUNTER & CO.
OWNERS: METRONA PASTORAL PTY. LTD. & D. PIGGOTT
LAND: LOT 4 DP 236535 & LOT 1 DP 78115
MOUNTAIN VIEW CLOSE, KURRAJONG

The application to subdivide the above land by a boundary adjustment was conditionally approved by letter dated 10th September, 1987.

The applicant has requested that conditions 5, 6 & 7 of the approval, which follow, be deleted;

- "5. That serious negotiations be held with the owner of Lot 5 DP 236535 regarding the acquisition of a corner splay 6m and 6m at the south western corner of Lot 5.
6. The width of the access corridor to Lot 2 being increased from 15m to 18m.
7. The construction within the hatchet access to Lot 2 of an all weather track which as a minimum is to consist of durable crushed rock 3.5m wide and 150mm thick."

Conditions 5 & 6 were imposed as the access handle is likely to be used as an access road for future subdivision of the land at the rear - "Diamond Hill" however, at this time the Department of Environment and Planning has declined to issue a Section 65 Certificate for rezoning of the land to permit the subdivision.

Re condition 5, the applicant has stated that they are unable to negotiate with the owner of Lot 5. As the splay is only required if the road eventuates and the need is not created by the current subdivision, it is recommended that the condition be deleted.

Re condition 6, the applicant states that the 15m width is considered satisfactory for a future road and was proposed in discussion by Council. He was however informed as long ago as February, 1986, that the width may not be acceptable. The width was however supported by Council in conjunction with the rezoning application which the Department of Environment and Planning has declined to support. Again, as the width is more than adequate for the access handle for the current subdivision, it is recommended that the condition be deleted however the applicant should be informed that this does not constitute a future approval for the opening of a 15m wide road.

Re condition 7, the applicant argues that the provision of an all weather access to the battleaxe lot is unnecessary and any such decision should be left to the owner of the land. He also argues that as a future road may be constructed over the access, construction now would be a waste. It is normal policy to provide an all weather access along the access handle to all battleaxe lots and no reason is seen to depart from this requirement.

A verbal request has been made for Council to accept a security covering the work required, being condition 7, if Council does not agree to delete the condition as the owner is desperate to obtain release of the subdivision. In light of this and the possibility that a road will be constructed over the access handle in conjunction with the subdivision of the rear hand, it is recommended that Council agree to accept a security of \$5,900 based on \$6 per square metre to allow release of the linen plan and the applicant be given to 30th June, 1988 complete the work.

Recommendation

- (i) Council agree to delete conditions 5 & 6 of the subdivision approval dated 10th September, 1987, but that the applicant be informed that this does not constitute agreement to the opening of a 15 metre wide road over the subject land. The width of any future road to be considered on a needs basis when an application is submitted.
- (ii) Council adhere to Condition 7 of the subdivision approval dated 10th September, 1987, but agree to accept a security of \$5,800 to enable the release of the plan of subdivision. The works to be completed by 30th June, 1988. A non refundable application fee of \$500 in accordance with Council's 1987 fees and charges to be lodged with the security amount.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File 625-220B) [3.11]

SUBJECT: RICHMOND EX-SERVICEMEN'S SPORTING COMPLEX

During the course of the development of the area for recreational purpose two landholders have undertaken on Council's behalf the maintenance of the undeveloped area by grazing, slashing, control of weeds growth and maintenance of fencing to minimise Council cost on the basis that they would vacate the area immediately upon request from Council. This arrangement has been satisfactory to Council but a third party has now advised that he is interested in a similar arrangement and indicated that he may be prepared to rent the area.

The two areas are the land to the north of the irrigation pondage through to Cornwells Lane of 4.2ha and an area on the western side of the polocrosse field of about 3.5ha.

With the completion of the current programme of works, to provide the additional cricket ground for grade cricket and the field for Australian Rules Football, anticipated to be generally finished by the end of the year other than the nurture and improvement of the grass surface, Council may wish to provide further sporting grounds and funding for improvement works in 1988. An approach has already been received from the Hawkesbury Cricket Club for further improvement of the area.

Although the existing arrangements have been satisfactory to Council, in view of the representations, Council may wish to invite expressions of interest from parties prepared to maintain the land not required for use by Council, on the basis of restricted grazing of the area, such arrangement to be on a weekly basis.

Recommendation

That expressions of interest be invited for the grazing of the undeveloped parts of the Richmond Ex-servicemens Sporting Complex for further consideration by Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File DA 532/86) [3.12]

SUBJECT: P. GOSES - CONSTRUCTION OF FACTORY UNITS - LOT A
AND LOTS 9 DP29418 BOWMAN AVENUE, RICHMOND

Following approval to the development subject to conditions for construction and an industrial complex comprising two factory buildings and associated car parking plans were supplied for construction of the road works in Bowman Street that provide for a culvert at ground level with discharge via an open drain through adjoining property to feed into again at ground level the Lukis Avenue drainage system.

The owners of the land, Dr K.G. Wu who has negotiated purchase of C.D.S. Timbers land and J.F. Vaughan advised firstly Mr Goses and then Council in response to a request to allow for the drain to be constructed that they are not prepared to grant an easement and allow the works to be carried out.

The site of the development is on the high side of the road where storm

discharge from this area ponds on the unconstructed road.

The scheme developed together with proposals for Lukis Avenue, were based on a least cost approach as a practical solution to allow the developers the opportunity to proceed on an economical basis.

The proposals for Lukis Avenue in addition to installation of stormwater pipelines provided for filling of land, fixing of floor levels to improve drainage with overflow stormwater directed out onto the road pavement.

As part of this development land on the southern side of Lot 22, and 17-19 has been reserved for the construction of a further drainage line to provide additional upgrading of the area.

The owner of Lot 22 Lukis Avenue, Mr R. Culvert who is required to provide an easement along the length of the side boundary, Mr A.F. Ginns, Lots 18 and 19, have objected to Council's requirement on the basis that they will be filling the land with run off directed to Lukis Avenue.

Although drainage of the Lukis Avenue land is substantially improved, adjacent properties in Windsor Street and also Pitt Street in respect to the allotments on the western side of the industrial area may be inconvenienced as a result of a delay in time of discharge and drying of their backyards following rain.

Notwithstanding it is therefore proposed that Council's requirement for an easement through lots 22 and 17-19 be deleted subject to the owners siting buildings clear of the boundary to allow paving of the area with construction of a spoon drain directed to fall to Lukis Avenue to discharge at the southwestern corner of Lot 22.

The best solution for the development of the area would be the installation of a new drainage line starting from the Hawkesbury Agricultural College drain, which is over towards the Richmond/Blacktown Road, passing under the railway line and the main road along Hobart Street to the low point in Bowman Street. The cost of this work is considerable and even on an area contribution basis would require a heavy contribution from the developers and Council. This would be particularly so for any further proposals for land known as C.D.S. Timbers part of which is now owned by Dr K.Y. Wu and portions 96 and 97 owned by Cripps and Cripps Pty Ltd. The magnitude of the drainage work is such that to proceed on an economic approach there would need to be a large increase in the value of the industrial land.

As the land to be developed by Mr P. Goses drains to the street it is reluctantly proposed that the plans submitted for the road works be approved on the basis of the stormwater being conveyed to a sump without outlet further east along Bowman Street on the basis that no further development be approved in this area until underground stormwater drainage lines are provided.

Recommendation

That the plans for roadworks submitted to fulfil Conditions 5, 6, 7, 8, 19 and 20 of Development Consent 589/1986 be approved on the basis of discharge of stormwater eastward along Bowman Street to a sump at the corner of Hobart Street.

That Council's requirement for creation of an easement through Lots 22 and

14

17-19 Lukis Avenue be deleted from development approvals on the basis that all run off from the land is directed to discharge into the gutter Lukis Avenue.

The Shire Engineer asked that Council only consider the first recommendation and delete the second recommendation as he would like to investigate the matter further and bring back a report to Council.

COMMITTEE'S RECOMMENDATION

THAT THE PLANS for roadworks submitted to fulfil Conditions 5, 6, 7, 8, 19 and 20 of Development Consent 589/1986 be approved on the basis of discharge of stormwater eastward along Bowman Street to a sump at the corner of Hobart Street.

ITEM 6: (File 11383-01, 15051-42030) [3.13]

SUBJECT: USE OF ROAD OFF EAST KURRAJONG ROAD, SEC. 2

A dispute has arisen over the right and freedom of use of an unformed road off East Kurrajong Road, Sec. 2, near the intersection with West Portland Road. Access to the road is prevented by a gate and fencing which is incorrectly aligned.

Council's records indicate that the road is a public road under Council's control. The status of the road has been verbally confirmed by the Metropolitan Lands Office but not yet officially confirmed in writing.

The road in dispute is occupied in conjunction with lot 6 DP246709, owned by Mr. & Mrs B.A. Giles, who were most likely unaware of the existence of the road or the error in the fencing when they purchased the property.

The persons wishing to use the road are Mrs E.B. Wood, the owner of Lot 1 DP732556 and her husband, who state that the access via this road to the rear portion of the property, which they wish to develop, is more viable than carrying out construction within lot 1.

It was anticipated, prior to the present dispute, that a joint application would be received for the closure and purchase of this road and an adjacent road but agreement was evidently not reached on this and the current situation arose.

Following a request from Mrs Wood that access be given to use the road a letter was forwarded to Mr. & Mrs Giles in the following terms:-

"Council is in receipt of a request to have the road adjacent to your property opened for public access, requiring the removal of fencing or gates which currently inhibit access. It is therefore requested that you take action to relocate your fencing so that access to the road is available and that no action be taken which prevents legal use of the road.

It is appreciated that you may wish to erect a fence on the road boundary to ensure the security of your property prior to removal of the existing fence and in this regard, leaving your gate closed, but not locked, may provide a short term solution. Your co-operation in

this matter would be appreciated."

Despite verbal attempts to resolve the problem, further complaints were received that access was still being denied, and a further letter was forwarded to Mr. & Mrs Giles.

"Reference is made to Council's letter dated 27th August, 1987, regarding the removal of fencing or gates which currently inhibit access to the public road adjoining your property.

During discussion with Mr. Giles, it was indicated that a key would be made available to Mr. Wood to enable access to be gained prior to relocation of the fencing.

It is understood that access has been denied to Mr. Wood and it is again requested that you take the necessary action to enable the legal use of the road.

This matter is being reported to Council to determine the appropriate action, which may include the removal of your fencing by Council.

Your co-operation in this matter would be appreciated."

Mr. Wood has advised that access is still being denied.

In attempting to resolve this matter, the basic right to lawfully use a public road has been recognised, tempered by the problems faced by Mr. & Mrs Giles in erecting some 130 metres of fencing at short notice to provide protection for their property and young family.

Section 267 of the Local Government Act, 1919, provides that Council may order that any obstruction or encroachment upon a public road be removed therefrom. Section 267(5) provides that if the obstruction or encroachment came into existence after the commencement of this Act, the order may allow such time as the Council shall think fit for the removal.

Under the circumstances a period of 14 days for removal is considered reasonable.

Section 632 of the Local Government Act provides that if the Council directs the removal of the obstruction or encroachment and such work is not carried out, Council may, in lieu of prosecuting for such offence, carry out the work and recover the costs and expenses thereof. If Council does remove the obstruction it may be necessary to carry out a survey to ensure it does not remove any more fencing than required. The cost of survey could be about \$500.00. A plan will be displayed at the meeting.

Recommendation

- 1) Subject to written confirmation that the road is a public road, Council order the owners of lot 6 DP246709 to remove the obstructions or encroachments preventing the use of the public road adjoining the north eastern boundary of the subject property within fourteen (14) days.
- 2) If the obstructions or encroachments are not removed Council carry out the work and recover the costs and expenses thereof from the owners of lot 6 DP246709.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File R190/13) [3.14]

SUBJECT: ROAD CLOSURE APPLICATION - M. & B. STAMMERS

An application to close part of a Crown Road between Lot 9 DP31340 and Portion 48 Parish of Merroo at Blaxlands Ridge has been referred to Council by the Metropolitan Lands Council. A plan will be exhibited at the meeting.

The road is unformed and is approximately 40 metres wide. Provided a road 20 metres wide is left for frontage to Portion 48, no objection is seen to the application.

Recommendation

That the Metropolitan Lands Office be advised that subject to the width of the remainder of the road fronting Portion 48 being not less than 20 metres wide, no objection is raised to the closure of part of the road adjacent to the southern boundary of lot 9 DP31340.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8: (File 625-6) [3.15]

SUBJECT: D. COWARD - LEASE OF BUILDING, MACQUARIE PARK

Mr. David L. Coward has approached Council regarding the lease of the unused part of the second toilet block at Macquarie Park for storage of materials used in conjunction with his canoe hire operations in the Park.

The area is the old laundry block and no objection is raised to the proposal.

Recommendation

That the unused section of the old toilet block (former laundry) be leased to Mr. D. Coward subject to:-

- a) Payment of a weekly rent of \$10.
- b) Alterations as approved to the building be at cost of the lessee.
- c) That Council accepts no responsibility for the goods stored in the building.
- d) That the lease be terminated upon either party giving four weeks notice.
- e) That the lease rest on correspondence.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 9: (File 160/46/A) [3.16]

SUBJECT: BLIGH PARK ESTATE - PROPOSED CYCLEWAY

The strategy plan for the location of cycleways within Bligh Park Estate allows for the construction of a cycleway to link Rifle Range Road to Blacktown Road, via a transmission line easement which traverses the estate which will be dedicated as a public reserve under Council management. This cycle route also forms part of the cycleway link via Mileham Street to South Windsor, as such it is Council's responsibility to construct this link within the estate, and provision has been made in Section 94 Contributions for this work as embellishment of open space. Other cycleways within the Estate will be constructed by the Joint Venture as part of the overall development.

It is anticipated that construction of road and drainage work will commence by mid November on Precinct 8. The most economical method of construction of the cycleway link from Rifle Range Road to Alexander Street is to include this work as a contract item within the contract for work in Precinct 8, being the responsibility of Council.

The estimated cost for the provision of 560 metres of 2.0 metre wide concrete cycleway is \$24,000. The construction of this cycle link will allow final landscaping of this reserve to be completed.

Recommendation

That approval be given for the construction of 560 metre of cycleway within Bligh Park Estate at an estimated cost of \$24,000, and that such work be constructed as part of the Road and Drainage Works for Precinct 8.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Report of the Local Traffic Committee Meeting held on Friday, 11 September, 1987 at 10.00am

PRESENT: Councillor C.J. Stanley, Chairman
Sgt. R. Pakes, NSW Police
Sgt. P. Biscoe, NSW Police
Mr. G. Smith, Department of Main Roads
Mr. J.R. Gilmore, Shire Engineer
Mr. M. Coulter, Deputy Shire Planner

APOLOGIES: Councillor J.E. Nicholson

DEVELOPMENT APPLICATIONS

ITEM 1: (File 326/87) [4.19]

APPLICANT: MR. M.J. VAUGHAN

LAND & LOCATION: LOT 13, DP 577614 BEDDECK STREET, McGRATHS HILL

SUBJECT: PROPOSED 28 UNIT MOTEL

The following comments were received from the NSW Police Department and the Department of Main Roads :-

NSW POLICE DEPARTMENT

1. Owing to the poor location and identification of the intersection of Windsor Road and Beddeck Street, motorists be discouraged from using this intersection as means of gaining access/egress to the site. A closure of Beddeck Street at the intersection is considered appropriate in the interests of sound traffic planning and safety.
2. Road construction of High Street and Charles Street between the motel site and Pitt Town Road to be constructed in accordance with Council specifications.
3. All access to the site be via the Charles Street/Pitt Town Road intersection and this be designed in conformity with Department of Main Roads requirements.
4. Provision be made in the Development for a separate unloading bay for service vehicles.

DEPARTMENT OF MAIN ROADS

1. Vehicles entering and leaving the site are directed via High and Charles Streets to gain access to Pitt Town Road, thus providing flood-free access.
2. An all-weather seal is provided on Charles and High Streets sufficient to accommodate movements of large vehicles, i.e., coaches/delivery vehicles.
3. The intersection of Pitt Town Road and Charles Street is upgraded to a NAASRA type 3 standard prior to the development becoming operational. Design and construction work shall be at no cost to

the Department, and engineering plans are to be forwarded to and approved by the Department prior to commencement of construction.

4. Access to the site from Windsor Road is suitably discouraged possibly by way of closure of Beddeck Street, as any increase in traffic movement at the intersection is not favoured by the Department.
5. Provision is made on-site for manoeuvring and parking of tourist coaches and delivery vehicles.
6. Additional parking spaces are provided for restaurant patrons in accordance with Council's parking policy.
7. Parking space No.31 is deleted as it is virtually inaccessible.
8. Any proposals for advertising signs on or adjacent to the main roads are referred to the Department for comment and/or approval.

COMMITTEE'S RECOMMENDATION

1. NO OBJECTION IS raised to the proposal subject to construction of the intersection of Charles Street and Pitt Town Road, and that consideration be given to the other matters raised by the Members of the Traffic Committee.
2. That action be commenced for the closure of Beddeck Street to vehicular traffic at Windsor Road.

ITEM 2: (File DA 294/87) [4.20]

APPLICANT: HALCROSS INVESTMENTS PTY. LTD. TRADING AS WALDEN PETROLEUM

LAND & LOCATION: 86 GROSE VALE ROAD, NORTH RICHMOND

SUBJECT: EXTENSION TO EXISTING LIQUID FUEL DEPOT -
2 - 55000 LITRE UNDERGROUND TANKS

This matter was considered by the Blacktown Regional Advisory Committee that recommended that :-

- (a) The developer provides at his cost "No Standing" signs as decided by the Local Traffic Committee on the western side of Grose Vale Road for the length of the development.

COMMITTEE'S RECOMMENDATION

THAT A NO Standing zone be provided in Grose Vale Road for the full frontage of the development of Lot 1, DP 548142 with the full cost of signposting to be paid by the Developer. Such condition to be made a condition of the Development Approval.

CORRESPONDENCE

ITEM 1: (File T225) [4.21]
CORRESPONDENT: HAWKESBURY SHIRE COUNCIL
SUBJECT: INTERSECTION KURMOND-WILBERFORCE ROAD
AND SINGLETON ROAD FROM THE WEST

Requesting consideration of traffic facilities at this intersection, particularly for vehicles travelling from the west.

COMMITTEE'S RECOMMENDATION

THAT AN OVER-SIZED intersection sign, supplemented with the distance, be provided by Council on the western side located approximately 350 metres back from the intersection.

ITEM 2: (File T225) [4.22]
CORRESPONDENT: HAWKESBURY SHIRE COUNCIL
SUBJECT: INTERSECTION OF MADDENS ROAD AND SLOPES ROAD

Consideration of warning signs to be provided on approach curve.

COMMITTEE'S RECOMMENDATION

THAT THE INTERSECTION warning sign in Maddens Road on the northern side of the intersection be altered to a curve left sign complete with indication of the intersection to better indicate the on ground situation. Further that Council provide a 65 kph advisory speed plate.

ITEM 3: (File R190) [4.23]
CORRESPONDENT: HAWKESBURY AGRICULTURAL COLLEGE
SUBJECT: INTERSECTION OF BLACKTOWN ROAD AND
BOURKE STREET

Requesting consideration to either a roundabout at this intersection or some other means of slowing traffic down travelling towards Richmond on the Blacktown Road to assist the greater volume of traffic entering and leaving the College each day. There have been 14 accidents at this site between August, 1985 and June, 1987.

The accident statistic indicated 14 accidents at this site between August, 1985 and June, 1987 (2 year period) indicating a wide spread as to the type of accident that has occurred. As Blacktown Road is a classified main road a report should be sought from the Department of Main Roads.

COMMITTEE'S RECOMMENDATION

THAT THE MATTER be referred to the Department of Main Roads for further investigation and report.

ITEM 4: (File S196/17) [4.24]
CORRESPONDENT: MARAYLYA PUBLIC SCHOOL P & C ASSOCIATION
SUBJECT: REDUCTION IN SPEED LIMIT IN BOUNDARY ROAD PAST THE SCHOOL

Requesting consideration to the reduction in speed to 60 k/h along Boundary Road between Maraylya Park and Mewton Road.

COMMITTEE'S RECOMMENDATION

THAT THE MATTER be referred to the Department of Main Roads requesting an investigation and traffic count, and that the Department be advised that the request is supported by members of the Traffic Committee.

ITEM 5: (File M130/16, T225) [4.25]
CORRESPONDENT: DEPARTMENT OF MAIN ROADS
SUBJECT: INTERSECTION OF BELLS LINE OF ROAD WITH OLD BELLS LINE OF ROAD AND MILL ROAD, KURRAJONG

Request received from the Kurrajong & District Improvement Association requesting a right turn ban for traffic turning into Old Bells Line of Road to alleviate the danger of cars travelling east at over 80 k/h running into the back of vehicles. The traffic history indicated two accidents in a 2 year period and the Committee is therefore of the opinion that action is not required at this stage.

COMMITTEE'S RECOMMENDATION

THAT NO ACTION be taken to change the existing traffic arrangements.

ITEM 6: (File T225) [4.26]
CORRESPONDENT: NSW POLICE DEPARTMENT
SUBJECT: KURMOND/WILBERFORCE ROAD, NORTH RICHMOND

Reference was made to the slippery road condition and lack of gravel surface and the lack of double separation lines, this matter being the subject of a previous meeting.

The Committee was advised that Council had provided funds to provide for correction of the road pavement at this location, but that the work had not as yet been scheduled, and that the marking of the centre line would be carried out when this work was done. It was decided that the marking of the centre line should be undertaken in the interim as a matter of urgency.

COMMITTEE'S RECOMMENDATION

THAT THE MARKING of the centre line proceed.

ITEM 7: (File T225) [4.27]

CORRESPONDENT: HAWKESBURY SHIRE COUNCIL

SUBJECT: ANDREW THOMPSON DRIVE, McGRATHS HILL

Requesting rezoning of this area to a 40 kph zone, particularly the S bend as motorists do not keep on the correct side of the road such that it is becoming dangerous for pedestrians who walk on the road because of lack of footpaths.

COMMITTEE'S RECOMMENDATION

THAT COUNCIL CONSIDER construction of footpaths in this area.

The meeting closed at 11.00 am.

COMMITTEE'S RECOMMENDATION

CORRESPONDENCE

ITEM 1 - HAWKESBURY SHIRE COUNCIL - INTERSECTION KURMOND-WILBERFORCE ROAD AND SINGLETON ROAD FROM THE WEST. T225 [4.21]

CONSIDERATION OF THIS matter be deferred.

THE BALANCE OF 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 on-site 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 streetalignment 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 prior to occupation or use of the building.
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 following definition of "Home Industry" as defined in the Hawkesbury Local Environmental Plan 1984:-

"home industry" means an industry carried on in a building (other than a dwelling-house or a dwelling in a residential flat building) under the following circumstances:

- (a) the building does not occupy a floor space exceeding 50 square metres and is erected within the curtilage of the dwelling-house or residential flat building occupied by the person carrying on the industry or on adjoining land owned by that person; and
- (b) the industry does not -
 - (i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise;
 - (ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter; or
 - (iii) require the provision of any essential service main of a greater capacity than that available in the locality;

33. The development shall, at all times, conform with the following definition of "Home Occupation" as defined in the Hawkesbury Local Environmental Plan 1984.

"home occupation" means an occupation carried on in a dwelling-house or in a dwelling in a residential flat building by the permanent residents of the dwelling-house or dwelling which does not involve-

- (a) the registration of the building under the Factories, Shops and Industries Act, 1962;
 - (b) the employment of persons other than those residents;
 - (c) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise;
 - (d) the display of goods, whether in a window or otherwise; or
 - (e) the exhibition of any notice, advertisement or sign (other than a notice, advertisement or sign exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident);
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 residential flat development with the exception of residential flat buildings Class A and dual occupancies.
37. In consideration of the number of sole occupancy commercial/shop units, a common structure is to be provided for the display of advertisements. Details of the location and design of this structure shall be submitted with the building application.

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 in the new roads to the rate of two trees/lot, the siting and species to be to the satisfaction of Council's Engineer.
12. Provision of access to each of the lots to the requirements of the Shire Engineer.
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.

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) All lots to be classified in accordance with AS 2870.
- (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;
- (m1) whether the development is likely to cause soil erosion;
- (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;
- (p1) without limiting the generality of paragraph (a), any matter specified in an environmental planning instrument as a matter to be taken into consideration or to which the consent authority shall otherwise have regard in determining the development application;
- (q) the circumstances of the case;
- (r) the public interest;
- (s) any other prescribed matter.

SECTION 2 - DEVELOPMENT

Michael 23/10/87

ITEM 1: (File DA 253/87) [10.17]
APPLICANT: HAWKESBURY SHIRE COUNCIL
OWNER: HAWKESBURY AGRICULTURAL COLLEGE
LAND & LOCATION: LOT 188 DP45754 COLLEGE LAND, THE DRIFTWAY, SOUTH WINDSOR
AREA:
ZONING: SPECIAL USES 5(a) SCHOOL
APPLICATION: EXTENSION OF THE EXISTING SOUTH WINDSOR WASTE DEPOT
ADVERTISING: ADJOINING OWNERS AND PENRITH CITY COUNCIL
OBJECTORS: 1. A.A. COOKSON, LOT 1 REYNOLDS ROAD, LONDONDERRY
2. M., M.M., R. & R. VELLA, LOT 2 REYNOLDS ROAD, LONDONDERRY
DATE RECEIVED: 27TH MAY, 1987

S.P. REPORT

It is proposed to extend the existing waste depot by the addition of 160,000sqm (16ha) to the western side of the existing depot. The extension is proposed in two stages of approximately 80,000sq metres with the first stage being at the rear, furthest away from the street.

The existing office and driveway off The Driftway will be utilised for the proposed extensions.

The adjoining owners in both local government areas and Penrith City Council were advised of the proposal and two objections received. Penrith City Council requested additional information which was provided.

The objections to the proposal related to the following:-

More soil required on top of garbage for appearance and eliminate smells; more rats, mice, snakes and flies since tip has been there; more policing needed around tip area to stop rubbish dumping.

The proposal was forwarded to the Blacktown Regional Advisory Committee of the Traffic Authority of NSW for consultation under the provisions of State Environmental Planning Policy No. 11 - Traffic Generating Development and the Traffic Authority has replied raising no objections to the proposal subject to the following:-

- "1. Clear scrub and reduce height of council nature strip on the northern side of the Driftway opposite Reynolds Road (to improve visibility from existing 45 metres on western approach to site entrance - 100kph zone).
2. Provide separate egress from site and signpost accordingly (suggested to the rear of existing gatehouse).
3. To prevent queuing onto The Driftway during peak demand, provide 2 marked lanes with directional arrows and signs on existing road to the gatehouse for entering traffic only.
4. Install clearly marked speed humps on ingress road in the vicinity of the gatehouse.

5. That the boundary to Richmond/Blacktown Roads be amended in accordance with the attached survey plan."

The existing waste depot is zoned partly Special Uses 5(a) Garbage Depot and partly Special Uses 5(a) School. The proposed additional area therefore is an extension of an existing non-conforming use and can be approved under the Act and Regulations by using the provisions of SEPP 1 - Development Standards. The Hawkesbury Agricultural College has agreed to the extension as proposed by Council.

Council, in its operation of the waste depot, should continue to cover the dumped material as soon as possible and take all necessary steps to eliminate odour emission from the site.

The boundary referred to in No. 5 above refers to a very minor road realignment and is not appropriate as a condition of consent. The DMR will be referred to the College as landowner to effect the realignment required.

Recommendation

- A. That Council support an objection under the provisions of SEPP 1 to allow the extension of the existing non-conforming existing use beyond the 10% floor space provided for under the Act and Regulations and the Department of Environment and Planning be advised of Council's action.
- B. That approval be granted in accordance with the plan submitted subject to the following conditions:
- 1-4. Standard conditions 3, 7, 9 and 34.
5. Compliance with the conditions of the Traffic Authority in their letter dated 22nd June, 1987 namely:-
1. Clear scrub and reduce height of council nature strip on the northern side of The Driftway opposite Reynolds Road (to improve visibility from existing 45 metres on western approach to site entrance - 100kmp zone).
 2. Provide separate egress from site and signpost accordingly (suggested to the rear of existing gatehouse).
 3. To prevent queuing onto The Driftway during peak demand, provide 2 marked lanes with directional arrows and signs on existing road to the gatehouse for entering traffic only.
 4. Install clearly marked speed humps on ingress road in the vicinity of the gatehouse.
 5. That the boundary to Richmond/Blacktown Roads be amended in accordance with the attached survey plan.
6. Compliance with the conditions of occupation required by the Hawkesbury Agricultural College regarding fencing, access, stock watering dam and the like.
7. Existing vegetation within the extension area along The Driftway frontage to be retained and reinforced with additional planting to screen the disposal areas from the street.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File DA 436/87) [10.18]
APPLICANT: SAAD BROS.
OWNER: SAAD BROS.
LAND & LOCATION: PORTION 56, PARISH WILBERFORCE, WINDSOR ROAD,
WILBERFORCE
AREA: 13.11 HA
ZONING: RURAL 1(B2)
APPLICATION: RESTORATION OF RIVERBANK
ADVERTISING: NOT REQUIRED
DATE RECEIVED: 31ST AUGUST, 1987

Gareth 23/10/87

S.P. REPORT

The proposed bank restoration will involve the regrading of an area approximately 282 metres x 75m. The river bank is to be altered to a 1:5 batter for the full length of the river frontage of the property being 282 metres, to prevent river erosion.

The applicant has obtained permission from the Public Works Department subject to several conditions which should be included in the development consent. No objection is seen to the proposal subject to the high water mark being determined by a registered surveyor and the top of the batter being pegged prior to the commencement of work to the satisfaction of the Shire Engineer. Whilst the applicant does not intend to do so, development consent should be conditioned to ensure that no excavated material is removed from the site.

Recommendation

That approval be granted in accordance with the plans submitted subject to the following conditions;

1. No excavated material is to be removed from the site.
2. The high water mark is to be determined and the top of the batter pegged by a registered surveyor and details are to be submitted to Council prior to the commencement of work to the satisfaction of the Shire Engineer.
3. Smooth transition being made with the existing banks at each end of the construction to the satisfaction of the Shire Engineer.
4. Compliance with the following conditions determined by the Public Works Department being:-
 - a) No material shall be placed below high water mark.
 - b) The final bank batter shall be no steeper than 1 vertical in 4 horizontal.
 - c) Work shall be completed within two months from the time of commencement and Council is to be notified of the commencement

date.

- d) Disturbed area to be stabilised by turfing and planting trees immediately at the completion of work.

5. No material is to be removed from site as a result of this approval.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Mace 26/10/

ITEM 3:	(File DA 410/87) [10.19]
APPLICANT:	MS A. CHRISTIAN
OWNER:	MS A. CHRISTIAN
LAND & LOCATION:	LOT A, DP162170 THE TERRACE, WINDSOR
AREA:	720.8 M ²
ZONING:	RESIDENTIAL 2(A) ENVIRONMENTAL PROTECTION
APPLICATION:	DEMOLITION AND RECONSTRUCTION OF OUTBUILDING
ADVERTISING:	ADJOINING OWNERS NOTIFIED AND ADVERTISED IN LOCAL PRESS - NO SUBMISSIONS RECEIVED.
DATE RECEIVED:	14TH AUGUST, 1987

S.P. REPORT

The applicant seeks approval for the demolition and reconstruction of an outbuilding situated at the rear of "Riverview Cottage" situated on the land. "Riverview Cottage" is identified as an item of environmental heritage in Schedule 11 of HLEP 1984. The cottage is additionally encompassed by an order made pursuant to Section 130 of the Heritage Act, 1977. Riverview Cottage is described in Howard Tanner's North West Sector Heritage Study as being a well preserved and fine example of a late victorian villa with interesting facade details and elaborate iron work. The proposal is permissible with Council's consent under the provisions of Clause 37 (Items of Environmental Heritage) of HLEP 1984.

The proposal initially relates to the demolition of an existing outbuilding situated at the rear of the Cottage. The outbuilding was constructed circa 1860 as an original two room cottage on the land and has not been occupied for a number of years. Riverview Cottage was later constructed (circa 1890) in front of the original cottage. In 1979 the applicant removed the roof and approximately 1 metre of brick course work from the original cottage due to the danger of collapse. At this time the applicant also constructed an "infill" family room at the rear of Riverview Cottage providing additional living space. The applicant proposes to undertake the demolition of the outbuilding herself in order to retain as many of the sandstock bricks as possible for re-use in the reconstruction of the outbuilding.

Following demolition, an outbuilding will be reconstructed on the same site as the original cottage to comprise an extension to "Riverview Cottage". The extension, incorporating three rooms, will provide an additional 49m² of floorspace. The proposed extension is considered to be sympathetic to the character of Riverview Cottage in terms of design, scale, roof pitch and building materials. As such the extension will not detract from the significance of Riverview Cottage nor from the streetscape qualities of the Terrace.

5

As the application involves demolition of an existing outbuilding which comprises part of a heritage item the application was advertised pursuant to the provisions of Clause 39(A) (Advertising of Heritage Applications) of HLEP 1984 with no submissions being received.

The applicant was advised to notify the Heritage Council of NSW of her intentions to demolish the outbuilding in accordance with the provisions of Section 132 of the Heritage Act 1977. The proposal was examined by the Heritage Council of NSW at its meeting of 3rd September, 1987. That Council considered the work to constitute "minor harm" which would not adversely affect the significance of the building.

Although the proposal does involve demolition of an existing outbuilding it is considered that the application should be approved as the proposed extension respects the integrity of "Riverview Cottage".

Recommendation

That development consent be granted generally in accordance with the plans submitted with the application subject to the following conditions:

- 1-3. Standard Conditions - (DA No's) 1, 9, 25
4. A schedule of proposed building materials, colours and textures shall be submitted with the building application for approval by the Shire Planner.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4:	(File DA 419/87) [10.20]
APPLICANT:	R. McERLANE
OWNER:	R. McERLANE
LAND & LOCATION:	LOT 1 DP232770 COMMERCIAL ROAD, VINEYARD
AREA:	3.04 HECTARES
ZONING:	RURAL 1(C)
APPLICATION:	MANAGER'S RESIDENCE COMPRISING SHOP, OFFICE AND GAMES ROOM
ADVERTISING:	NOT REQUIRED
DATE RECEIVED:	21ST AUGUST, 1987

S.P. REPORT

This application seeks approval for the construction of a manager's residence within the caravan park, which was established approximately 15 years ago. The proposed manager's residence will be additional to the existing residence on the land and is considered to be ancillary to the non-conforming existing use of the land and permissible under its Rural 1(c) zoning.

Existing development on the land includes the applicant's residence, storage shed, garage, swimming pool, 82 caravan sites and associated amenity facilities and sewerage treatment plant. The applicant owns all land immediately adjacent to the existing caravan park.

Not all of the 82 caravan sites are lawful, there being only 46 approved sites. A separate application has been received seeking to legalise the

82 sites and will be presented to a subsequent Committee meeting of Council for determination, it currently being on exhibition.

The current proposal involves construction of a manager's residence in the area between the existing ingress and egress driveways to the park immediately north of Commercial Road. In addition to providing accommodation for the park manager the residence will also comprise an office, shop and games room. The provision of these additional facilities is considered desirable as the park is some distance from Windsor and Riverstone. The games room in particular is appropriate as it will provide a much needed facility for park residents during wet weather.

The caravan park is presently accessed from Commercial Road via separate ingress and egress driveways. As the egress driveway is narrow in width and presently in poor condition it is considered appropriate to impose a condition requiring egress to be suitably constructed and widened. Internal access is via a main roadway and 6 metre wide secondary roadways.

The applicant proposes to provide space for cars towing caravans to park (hitched parking area) on the loop road at the rear of the Manager's residence. This is inappropriate as a vehicle towing a caravan would then have to exit and re-enter the park to proceed to a vacant site. It is considered more desirable if the existing visitor parking area west of the proposed residence was deleted and a hitched parking bay be instead provided in this area alleviating the need to exit and re-enter the park. The visitor parking spaces may then be relocated at the rear of the manager's residence. Both the hitched parking bay and the relocation of visitor car spaces can be made conditional upon approval.

The kiosk is likely to attract limited custom from the neighbourhood external to the park residents. There are no nearby shops in the locality that would suffer custom as a result.

As the proposed manager's residence and kiosk is ancillary to the existing use of the land and will incorporate facilities which will be of benefit to park residents it is considered that the application should be approved subject to appropriate conditions.

Recommendation

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

- 1-2. Standard conditions (DAs) 1 and 2 (10 vehicles).
3. The existing visitor parking area situated west of the main roadway shall be converted into a hitched parking bay. Construction of this bay shall be to the satisfaction of the Shire Engineer.
4. 10 visitor parking spaces shall be relocated to the area immediately behind the manager's residence.
- 5-9. Standard conditions (DAs) 7, 17, 21, 28 and 34.
10. The southern access to the caravan park shall be widened and constructed to the satisfaction of the Shire Engineer.
11. The proposed manager's residence shall be sited not less than 7.5 metres from the road alignment.
12. This approval shall not be construed in any way as consenting to further caravan sites as shown on the plan accompanying the application.

The Shire Planner asked that Condition No. 4 be deleted from the recommendation and that Condition No. 3 be altered to read : "The existing visitor parking area situated west of the main roadway shall be converted into a hitched parking bay. Design and construction of this facility to be to the satisfaction of the Shire Engineer".

COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION be approved generally in accordance with the plan submitted, subject to compliance with the following conditions:

- 1-2. Standard conditions (DAs) 1 and 2 (10 vehicles).
3. The existing visitor parking area situated west of the main roadway shall be converted into a hitched parking bay. Design and construction of this facility to be to the satisfaction of the Shire Engineer.
- 4-8. Standard conditions (DAs) 7, 17, 21, 28 and 34.
9. The southern access to the caravan park shall be widened and constructed to the satisfaction of the Shire Engineer.
10. The proposed manager's residence shall be sited not less than 7.5 metres from the road alignment.
11. This approval shall not be construed in any way as consenting to further caravan sites as shown on the plan accompanying the application.

ITEM 5:	(File DA 437/87) [10.21]
APPLICANT:	B.R. & P.O. COLLINS
OWNER:	W. & B. COLLIER
LAND & LOCATION:	LOTS 21 & 22, SECTION M, NO.S 59-61 MILEHAM STREET, WINDSOR, ON THE NORTHWESTERN SIDE OF MILEHAM STREET BETWEEN BRABYN STREET AND THE RAILWAY LINE.
ZONING:	RESIDENTIAL 2(A)
APPLICATION:	USE OF EXISTING WORKSHOP BUILDING FOR MECHANICAL REPAIRS
ADVERTISING:	TO ADJOINING OWNERS. SUBMISSIONS RECEIVED FROM:- STAUNTON & THOMPSON, SOLICITORS ON BEHALF OF T. & N. CRATCHLEY; T. CRATCHLEY, NO. 43 BRABYN STREET, WINDSOR; DAL & K.J. ROBINSON 57 MILEHAM STREET, WINDSOR
DATE RECEIVED:	3RD SEPTEMBER, 1987

S.P. REPORT

Application is to change the existing use of the site from an under road boring business with associated mechanical repairs to mechanical repairs only. The hours of operation proposed are 7am to 8pm, 7 days per week and the existing hoist and other equipment within the building will be used in the operation.

The land is below the 1 in 20 flood frequency level and the applicant was requested to advise what steps would be taken in the use of the site to safeguard equipment parts, vehicles etc. from damage from flood water. They have replied as follows:-

"The work that is intended to be carried out on the site will be of

8

such a nature that a state of mobility will be able to be achieved within a maximum period of 1 hour. Experience and "local knowledge" of the floods in this valley show that at the very least the notice we would receive would be at least six times the notice we would need. Therefore all vehicles would be able to be moved to higher ground either under their own power or alternatively under tow.

All equipment of a permanent nature is impervious to immersion in flood water ie. turning lathe and hydraulic hoist, however, the electric motors that drive the equipment can be removed quickly to prevent water damage.

Limited automotive spares will be kept in stock due to their ready availability from local suppliers but items in stock are of a portable nature and no loss or damage because of floods is envisaged."

The site and its use, being in a residential area, is classified as a non-conforming use under the planning instrument and Council has accepted the existing use of the land having approved building additions in 1977 and 1982. Council can approve the change of an existing use under the provision of the Act and Regulations.

The adjoining owners were advised of the proposal and three submissions were received. A summary of the objections follows:-

No objections provided hours restricted to 8am to 5pm, Monday to Friday and 8am to 12 noon, Saturday and work restricted to light mechanical repairs within the workshop; site in residential area; work done 7 days a week, 12 hours per day; no equipment in workshop to prevent fire or explosion from petrol tankers; fumes from diesel and petrol engines unbearable and health hazard; industrial area close by and should be there; has site any approved existing use rights; proposal detrimental to the amenity of the neighbourhood; Council should take action against illegal use.

It is considered that the proposal is of a lighter nature than the previous engineering business which involved the maintenance of heavy equipment. All work should be contained within the building and hours of operation restricted to exclude Sunday.

Recommendation

That approval be granted in accordance with application received on 3rd September, 1987 and additional information received on 28th September, 1987 subject to the following conditions:-

- 1-6. Standard Conditions 3, 18, 19, 21, 28 and 34.
7. Construction and sealing of the driveway access between the front entry off Mileham Street and the edge of bitumen to the Shire Engineer's requirements.
8. All work and mechanical repairs to motor vehicles to occur within the building at all times, no work to take place on the yard area, footpath or street.
9. The proposed change of use is for the whole of Lots 21 and 22, excluding the cottage, and the mechanical repairs to motor vehicles is to be the only use conducted on the site.
10. No panel beating or spray painting to take place on the site.
11. Compliance with the requirements of the Department of Industrial Relations.

12. Hours of operation to be restricted to 7am to 5pm, Monday to Saturday inclusive with no work on Sundays.

Mr.W.Collier addressed the Committee at the Council Chambers, prior to the inspection, in favour of the application and Messrs.Cratchley,Snr. and Cratchley, Jnr. addressed the Committee as objectors.

COMMITTEE'S RECOMMENDATION.

CONSIDERATION OF THE application be deferred pending a site inspection.

The Committee inspected the site at 3.30 p.m. and Messrs. Collier, Collins and Waddell addressed the Committee on site.

THAT APPROVAL BE granted in accordance with application received on 3rd September, 1987 and additional information received on 28th September, 1987 subject to the following conditions:-

- 1-6. Standard Conditions 3, 18, 19, 21, 28 and 34.
7. Construction and sealing of the driveway access between the front entry off Mileham Street and the edge of bitumen to the Shire Engineer's requirements.
8. All work and mechanical repairs to motor vehicles to occur within the building at all times, no work to take place on the yard area, footpath or street.
9. The proposed change of use is for the whole of Lots 21 and 22, excluding the cottage, and the mechanical repairs to motor vehicles is to be the only use conducted on the site.
10. No panel beating or spray painting to take place on the site.
11. Compliance with the requirements of the Department of Industrial Relations.
12. Hours of operation to be restricted to 7am to 5pm, Monday to Saturday inclusive with no work on Sundays.
13. A landscaping buffer of 2 metres width to be provided along the eastern and northern boundaries to the land. Such landscaping to be of super-advanced species, to be nurtured to maturity and maintained for the life of the development to the satisfaction of the Shire Planner.

ITEM 6: (File DA 294/87) [10.22]
APPLICANT: HELROSS INVESTMENTS PTY LTD
OWNER: HELROSS INVESTMENTS PTY LTD
LAND & LOCATION: LOT 1 D548152 GROSE VALE ROAD, NORTH RICHMOND
AREA: 4,670M²
ZONING: RESIDENTIAL 2(A1) ENVIRONMENTAL PROTECTION
APPLICATION: INSTALLATION OF 2 X 55,000 LITRE UNDERGROUND FUEL TANKS
ADVERTISING: ADJOINING OWNERS NOTIFIED WITH OBJECTIONS BEING RECEIVED FROM:
L. CHRISTIAN, MR & MRS B. REBERGER, P. SMITH,
J. O'GRADY, MR & MRS J. JOYCE, MR & MRS E. SEATON,
MR & MRS D. HANNAFORD, MR & MRS R. SHAW AND MR & MRS E. CHRISTIE. 1 PETITION FROM 30 CHILDREN RESIDING IN ADJOINING STREETS.
DATE RECEIVED: 11TH JUNE, 1987

deferred

S.P. REPORT

Council is in receipt of an application seeking approval for the installation of two additional 55,000 litre underground fuel tanks. An existing fuel depot and associated residence is situated on the land which has an area of approximately 4,670m². The land is zoned Residential 2(A1) Environmental Protection pursuant to Hawkesbury Local Environmental Plan, 1984. The development is a non-conforming existing use.

The fuel depot in its present form has a total storage capacity of 251,000 litres. The majority of the fuel on the land is stored in underground tanks. The additional 110,000 litres of fuel storage sought by the applicant constitutes a 44% increase in the overall storage capacity of the existing depot.

The applicant has accordingly requested Council's support for his objection to the development standards incorporated in Clauses 52 (Existing Uses) and 52A (Enlargement, Expansion and Intensification of Existing Uses) of the Environmental Planning and Assessment Regulations 1980 pursuant to State Environmental Planning Policy No. 1 - Development Standards. Clause 52 of the Regulations provides that an existing use, such as the depot, may be altered or extended on the following basis:-

- a) that the alteration or extension relates to the existing use;
- b) that extension of the existing use be carried out on land that the existing use encompassed at the relevant day;
- c) that the extension or alteration does not increase by more than 10% the floorspace of the building or the area of land on which the existing use was carried out on at the appointed day.

Clause 52(A) further provides that an existing use may be enlarged, expended or intensified with consent when the enlargement is confined to the existing use or a consented use and the use is carried out on the land on which the existing use was carried out prior to the appointed day.

The applicant considers the development standards contained in the relevant clauses in the Act and Regulations to be unreasonable and unnecessary on the basis that the demand for wholesale fuel sales in the area west of the Hawkesbury River has increased due to development and the establishment and expansion of rural activities. The proposed tanks are required by the applicant in order to obtain more flexibility in fuel storage and to carry back up supplies during floods and industrial disputes. The applicant argues that the existing depot is one of two situated on the western side of the Hawkesbury. The applicant presently distributes approximately 750,000 litres of fuel per month which corresponds to approximately 3.5 times the existing capacity of the depot.

At its Ordinary Meeting of 8th April, 1986, Council approved the installation of underground fuel tanks at the depot on the basis that the underground tanks were merely replacing existing above ground tanks and that modernisation of the fuel depot was preferable in terms of aesthetics and amenity. However at its Ordinary Meeting of 12th August, 1986 Council resolved to amend the previous approval to incorporate relocation of the existing office and replacement of the existing 62,150 litre drum storage capacity with 48,300 litre underground storage. The effect of this approval was to reduce overall fuel depot storage capacity from 247,350

litres to 233,500 litres.

The application now before Council seeks approval for the installation of two additional underground tanks with a combined capacity of 110,000 litres approximately 5 metres from the rear boundary of that land. As such the proposal is a significant intensification of an existing non-conforming use. The fuel depot currently comprises a 50m² office building; 225m² building; 182m² storage building; a loading facility; manager's cottage; 4 x 55,000 litre underground tanks; 1 x 13,000 litre underground tank; 1 x 9,000 litre underground tank and 1 x 9,000 litre aboveground tank. Notwithstanding the provision of green PVC mesh fencing and landscaping along the rear boundary the development is clearly visible from adjacent residences. The depot is accessed from Grose Vale Road by separate ingress and egress driveways. Internal access is via a u-shaped driveway which is partly concreted.

The fuel depot has frontage to Grose Vale Road. The width of the road alignment changes from 20 metres to 15 metres approximately 30 metres east of the depot. Travelling west along Grose Vale Road the road alignment veers sharply to the right approximately 100 metres from the depot. As a result of the substantial curve in the road and its downhill nature vehicles travelling east to North Richmond often travel in excess of the 60km/hr speed limit. The depot is bounded to the north, east and west by substantial residential development. The village of North Richmond comprising a population of approximately 5,500 lies to the north and east of the depot. Further rural/residential development is proposed for the area immediately north west of the depot.

A recent inspection of the fuel depot, undertaken to ascertain the traffic generating capacity of the development, revealed that two tankers associated with the depot were parked in a manner that substantially interfered with both traffic flow along Grose Vale Road and the visibility of traffic entering or leaving the depot. Due to the narrow width of the road and the tankers parked either side of and on the actual road, vehicles travelling to and from North Richmond were forced to cross the centre line onto the opposite side of the road in order to pass the parked tankers. Furthermore the tanker parked immediately adjacent to the depot restricted visibility of vehicles entering or leaving the depot.

Adjoining owners were notified of the proposal in accordance with Council's Advertising Policy. As a result of this, objections from adjoining owners and one petition containing 30 signatures from children residing in streets adjacent to the fuel depot were received. A precis of the objections follows:-

"Spilt fuel is a public health hazard to young children, indicates lack of safety precautions at depot; noise nuisance created by tankers blowing air horns at 2am in morning; proximity of proposed tanks and unloading area to residences, access problems, fuel spillage; fuel tank vent pipes less than 12 metres from residents incinerators and possibility of ignition of fuel vapours, spilt fuel flows into stormwater drains and Redbank Creek; landscaping does not screen development, depot must be maintained at an acceptable level; allowing further expansion of development is irresponsible, need restriction of trading hours from 7am - 7pm, need guard rail capable of stopping laden tanker crashing through adjacent properties, development should be relocated to appropriately zoned land; proposal increases movement of flammable bulk liquids, contravention of Council regulations to discharge industrial waste into drainage system".

The petition states that the children living in adjacent streets do not like the location of the fuel depot, the continual spillage of fuel in the streets, fuel odour or noise.

On 21st July, 1987 Council was advised by adjoining owners that there had been a diesel fuel spillage at the Depot. An inspection by Council's Officers revealed that approximately 20 litres of fuel had been spilt when a delivery gun had been locked on a pump. The fuel had been flushed with approximately 500 gallons of water from a water tanker. Due to the slope of the land and the poor drainage system used within the depot the fuel and water flowed down the driveway and into stormwater lines in a pathway between Robert Street and Grose Vale Road. As a result of the spillage Council Officers requested the applicant to undertake a number of works including the installation of an oil and water separator in order to avoid a similar occurrence. In this regard the applicant has recently made application to the State Pollution Control Commission for approval to install the separator. Council has recently received advice from the Commission that it has no objection to the separator.

Despite the applicant's intentions to install the separator it is considered that the proposal for two additional tanks cannot be supported for a number of reasons.

The proposal constitutes a significant intensification of an existing non-conforming use in a Residential 2(A1) Environmental Protection zone. Notwithstanding that use of the land for the purpose of a fuel depot commenced in 1946 and that residential land adjacent to the depot was developed subsequent to 1946 the depot prejudices the amenity of the area. The proposal constitutes intensification of an industrial land use being carried out in what is essentially a residential area. As evidenced by objections received, the existing development has a detrimental effect on the amenity of the predominant residential land use of the neighbourhood. It is therefore imprudent to approve a 44% increase in the storage capacity of the depot.

Similarly, intensification of the fuel depot cannot be supported on traffic grounds as any increase in traffic volume generated by additional storage capacity would intensify accident potential.

The applicant has sought Council's support for his objection to the development standards of the relevant clauses of the Environmental Planning and Assessment Regulations 1980 on the basis that they are unreasonable and unnecessary. It is however, considered that enforcement of the standard is justified in this instance to ensure that the amenity of the area is not reduced and that the objectives of the residential zone continue to be implemented. Concern with the reduction in the amenity of the area is clearly reflected in resident objection letters.

For all of the above reasons the proposal is not considered to be in the public interest.

Recommendation

That the application be refused on the following grounds:-

1. The proposal is a significant intensification of a non-conforming industrial land use in a predominantly residential area and is therefore contrary to the aims and objectives of planning control

13

within such an area.

2. The proposal has the capacity for generating significantly more traffic and greater accident potential.
3. The development standards contained in Clauses 52 and 52(A) of Environmental Planning and Assessment Regulations, 1980 are reasonable and necessary in the circumstances of this case and should be adhered to.
4. The proposal is not in the public interest.

Mr.R.Walden, Director of Helross Investments Pty.Ltd., addressed the Committee.

Mr.K.Affleck on behalf of Messrs. Seaton, Reberger and Joyce, and Mr. J.O'Grady, addressed the Committee as objectors.

COMMITTEE'S RECOMMENDATION

AN INSPECTION BE carried out.

Janet
23/10/87

ITEM 7:	(File DA 389/87) [10.23]
APPLICANT:	J.S. & I. THOMSON
OWNER:	J.S. & I. THOMSON
LAND & LOCATION:	PART PORTION 245, PARISH OF KURRAJONG, (NO. 548) GROSE VALE ROAD, KURRAJONG
AREA:	4000M ² APPROXIMATELY
ZONING:	RESIDENTIAL 2(A1) AND PART SPECIAL USES 5(A) ENVIRONMENTAL PROTECTION - SCHEDULE 13 OF HLEP 1984 ALSO APPLIES (AMENDMENT NO. 62)
APPLICATION:	ESTABLISHMENT OF A RETAIL PLANT NURSERY
ADVERTISING:	ADJOINING OWNERS AS PART OF LEP PROCESS - APPLICATION HAS NOT ALTERED SINCE THAT TIME
DATE RECEIVED:	7TH AUGUST, 1987 (AWAITED GAZETAL OF AMENDMENT NO. 62 TO HLEP 1984)

S.P. REPORT

At its Ordinary Meeting of 11th November, 1986, Council resolved to support a rezoning to permit the establishment of a retail plant nursery on the above land. The rezoning has now been gazetted and the development application may be determined.

The current plan conforms with that submitted with the application for rezoning. Any adverse impact of the development can be mitigated by the imposition of appropriate conditions.

Recommendation

That approval be granted, subject to compliance with the following conditions:

- 1-14. Standard Conditions (DAs) 1, 3, 7, 8, 9, 18, 19, 20, 21, 25, 26, 28, 14 and 15.

14

15. All spray (water and chemical) shall be retained on the subject land and no run-off shall be discharged onto adjoining properties.
16. Submission of details of proposed fencing with the building application. Such fencing shall be to the satisfaction of the Shire Health Surveyor.
17. Provision of a 1.2 metre wide concrete footpath over the full frontage of the development to the requirements of the Shire Engineer.
18. The MWS and DB have advised that the existing connection to the Board's watermain is for domestic use only. Should a flow greater than that which can be obtained from this connection be required, a separate application must be made to the Board for the installation of a gravitational supply.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 8: (File DA 336/87) [10.24]
APPLICANT: C.H. CHAMBERS
OWNER: C.H. CHAMBERS
LAND & LOCATION: LOT 11 DP252181 WERONA ROAD, EAST KURRAJONG
AREA: 4046M²
ZONING: RURAL 1(B1) ENVIRONMENTAL PROTECTION
APPLICATION: ESTABLISHMENT OF METAL CAT RUNS
ADVERTISING: ADJOINING OWNERS 14 DAYS - NO SUBMISSION RECEIVED
DATE RECEIVED: 10TH JULY, 1987

Forth 23/6/87

S.P. REPORT

This application involves the establishment of a building having an area of approximately 18m² and containing three (3) cat runs.

The applicants' submission states in part:-

"....the building will not form part of a commercial boarding or breeding establishment. It will only be used to house cats owned by myself and my wife and used for breeding purposes as a hobby only....
"The building" is designed to house a maximum of ten adult cats...."

This development is defined as an 'animal establishment' under the provisions of Hawkesbury LEP, 1984, and therefore the consent of Council is required.

The proposed cattery is located 20 metres from the applicants' dwelling and approximately 55 metres from an adjoining residence with a tennis court on the applicants' land screening the cattery from adjoining development.

Adjoining owners were notified of the proposal by letter with no objections being received.

The application meets Council's requirements for such development and may be approved.

Recommendation

That the application be approved, subject to compliance with the following conditions:-

- 1-6. Standard conditions (DAs) 1, 9, 18, 21 (plus: Full details to be submitted with the building application.), 26 and 34.
7. Enclosures shall be cleaned daily.
8. A maximum of 10 adult cats only shall be kept at any one time.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE PLANNER'S REPORT

ITEM 1: (File D2/11/223) [13.11]

SUBJECT: DRAFT LOCAL ENVIRONMENTAL PLAN - PART PORTION 20,
PARISH OF ST MATTHEW, GEORGE STREET, WINDSOR TO
PERMIT A RETAIL BOTTLE SHOP

Council at its meeting on 14th July, 1987 resolved to support the rezoning of part of the car park land to the rear of the existing Coles store to permit its development for a Liquorland outlet subject to improvements being made to the front facade of the store.

The draft plan was exhibited in accordance with the Environmental Planning and Assessment Act as is required for a period of 14 days with one letter of objection being received from Mr John Taylor of Terrace Road, Freemans Reach.

The submission objected to the depletion of car parking spaces in the Windsor Town Centre giving "a bonus to the developer at the expense of the community" and expressed concern that the proposed retail outlet would create a "highway situation" with free-flowing traffic movement through the parking area.

The proposed rezoning will delete six car parking spaces and generate demand for 8 spaces in accordance with Council's Parking Code. The existing number of parking spaces is in excess of the Code and the proposed rezoning will not cause the number of spaces to be below that required by Council. The proposal is considered to be a minor increase only in commercial floor space having a total floor area of 276m².

Recommendation

That the draft LEP be submitted to the Department of Environment and Planning, pursuant to Section 68 of the Act for final gazettal procedures.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Miral / Shono
23/10

Michael
29/10/87

ITEM 2: (File DA 120/86) [13.12]
APPLICANT: ALBERT WONG, BRICKSAND DEVELOPMENTS PTY LTD
OWNER: BRICKSAND DEVELOPMENTS PTY LTD
LAND & LOCATION: LOT A (RESUB OF PORTIONS 245/246 PARISH
WILBERFORCE) DP381021 SACKVILLE ROAD, EBENEZER.
REFERENCE MAP 16B10
AREA: 10 HA
ZONING: HAWKESBURY LOCAL ENVIRONMENTAL PLAN, 1984. PART
RURAL 1(B2) AND PART RURAL 1(B1). ENVIRONMENTAL
PROTECTION AREA
APPLICATION: AMENDED STAGING FOR THE DEVELOPMENT APPROVED BY
COUNCIL AT ITS MEETINGS OF 12TH AUGUST, 1986 AND
11TH AUGUST, 1987. MOTEL COMPLEX
ADVERTISING: NOT REQUIRED AS PROPOSED STAGING DOES NOT CHANGE
THE SCALE OF THE DEVELOPMENT.
DATE RECEIVED: 14TH SEPTEMBER, 1987

Council at its meeting of 12th August, 1986, approved a staged motel complex consisting of the following:

- Stage 1 - Motel block, together with restaurant/convention rooms and main car park;
- Stage 2 - 37 motel cabins together with swimming pool, spa and tennis courts;
- Stage 3 - 37 motel cabins;
- Stage 4 - 10 motel cabins.

At Council's meeting of 11th August, 1987 it was resolved to support a number of amendments to this plan. The major amendments which were approved by Council were as follows:

1. The restaurant and motel be incorporated into one building.
2. The number of motel rooms be reduced from 16 to 13.
3. The restaurant floor area being reduced to 225 square metres plus a convention room of 225 square metres.
4. The main access point be relocated from the northern side of the land to the southern side.

The amended plans also proposed a revised staging consisting of the following:

- Stage 1 - Motel/restaurant and swimming pool;
- Stage 2 - 4 cabins and 2 tennis courts;
- Stage 3 - 24 cabins;
- Stage 4 - 28 cabins and 2 tennis courts;
- Stage 5 - 28 cabins.

This revised staging was also conditioned to the effect that stages 2-5 could only proceed once it had been demonstrated that satisfactory arrangements had been made for the provision of water and the disposal of effluent. The applicant also needed to demonstrate that Stage 1 was operating satisfactorily in terms of occupancy before proceeding to subsequent stages.

The applicant has now written to Council requesting the following:

"Stage Development - After careful study and reconsideration of the proposed project, we have decided to proceed with Stage 1 and Stage 2

17

at the same time if a consent from the Council is given. Stage 2 in our proposed stage development comprising the construction of four cabins and two tennis courts which will provide more accommodation and recreational activities to this holiday resort once when it is in operation.

Condition 10, Naasra Type 3 Intersection - The location of access at the south side of Sackville Road is within 600 metres in distance from the Ebenezer Public School and falls within the Reduced Speed Zone, we sincerely request Council's consideration to waive Condition 10 until such time when later stages are in progress."

With regard to the applicant's request for the incorporation of Stage 1 and Stage 2 it should be noted that Stage 2 is a relatively minor part of the total consent consisting of four cabins and two tennis courts. Therefore incorporation of these two stages will not unduly affect Council's concerns in relation to the ongoing development of the resort as expressed in the conditions of consent.

With regard to the request to defer condition No. 10 of the consent requiring a type 3 intersection to the satisfaction of the Department of Main Roads, together with warning signs, it should be appreciated that while there is a speed restriction in the vicinity of Ebenezer Public School, the road pavement is quite narrow. Without any guarantee as to the ultimate development of the land or the timing of such development it is reasonable to impose this condition on the first two stages of the operation.

Recommendation

1. Approval be given for the incorporation of Stage 1 and Stage 2 consisting of the motel/restaurant, swimming pool, four cabins and two tennis courts, subject to the conditions of development consent No. 370/1987 and generally in accordance with the plans submitted.
2. That the applicant be advised that the NAASRA Type 3 intersection, together with warning signs will be required as a condition of Stage 1 of the development.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Michael Glen
23/10/87

ITEM 3: (File DA 85/86) [13.13]

SUBJECT: MR T. ALLEN - LOT 22 DP 626483 GREENWAY CRESCENT,
WINDSOR - FILLING OF LAND.

At its meeting of 10th June, 1986, Council approved of a development application for the filling of land subject to a number of conditions, including at Condition No.6 the following: "The work be fully completed within six months from date of consent".

On Saturday, 5th September 1987, and on a complaint being received, the Shire Planner visited the site and observed certain filling works taking place, contrary to the terms of the consent, in that the consent had expired because of Condition No.6.

The landowner, Mr. Allen, has been advised by letter of the breach and it has been indicated to him that any further breach will result in legal action being instituted without further reference to him.

Recommendation

That the information on land filling by Mr. T. Allen at Lot 22 DP 626483 Greenway Crescent, Windsor, be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File DA 279/83) [13.14]

SUBJECT: HOLIDAY UNITS, 34 KURMOND ROAD, WILBERFORCE
OWNER: T. ZWOLSMAN

Following an appeal in 1984, the Land and Environment Court approved of holiday units on the above land.

Building plans were subsequently submitted with some revision of the original proposal, and these were considered by Council in November, 1984. Council resolved to approve the revised plans in relation to buildings, but not to approve of a revised driveway layout which essentially involved locating the access adjacent to the boundary of the adjoining owner Mr A. Hemsworth.

This decision was based on the fact that this location differed from the plan approved by the Court which indicated that the driveway was to branch off in a westerly direction.

It should be noted that the adjoining owner on the eastern side of the subject land, Mr. Hemsworth gave evidence on Council's behalf when the matter was heard by the Court, with an issue being the location of the access.

In December, 1984, the applicant requested that Council re-consider its previous decision and allow the driveway to be constructed adjacent to Mr Hemsworth's boundary. Mr Hemsworth wrote to Council re-affirming his desire not to have the driveway located adjacent to his boundary.

At the Ordinary Meeting of 12th March, 1987, Council resolved to "....re-affirm its resolution of 13th November, 1984, and not approve of the revised driveway positions as sought by the applicant."

The applicant has now formally requested that Council reconsider its previous resolution "....and grant consent for the development to make use of the existing straight direct driveway as the only access...."

This request is based on the following criteria:

- * Costs - reduction of several thousand dollars;
- * Location - offers easy and direct access and does not cross paddocks used for grazing;

- * Foundations - of existing track provides a more suitable base for proposed bitumen seal;
- * Noise and Nuisance - existing driveway is a considerable distance from the neighbouring property.

The applicant intends to seal the access driveway and car park and provide additional landscaping in such areas so as to ensure appropriate screening from adjoining properties.

Plans of the various access proposals will be displayed at the meeting.

The applicant has recently undertaken limited work on the existing access, however, this was of a minor nature only for maintenance purposes.

Mr Hemsworth has again re-affirmed his objection to the applicants' request and has indicated his desire that the access be located in accordance with the decision of the Court.

Notwithstanding the Court's decision and Mr Hemsworth's objection, it is considered that the existing driveway provides the most logical access to the development. Any deviation from the point would result in scarring of the subject land, increased environmental impact, and result in traffic movements in close proximity to the adjoining owner on the western side of proposal.

Adequate screen planting such as Hakea, Callistemon and Grevillea can be implemented and enforced by way of appropriate conditions should the applicants' request be approved.

Recommendation

That approval be granted to the revised driveway position as sought by the applicant, subject to the following conditions:

1. A detailed plan of landscaping indicating proposed treatment adjacent to driveway and car parking areas shall be submitted to and approved by Council prior to occupation of the holiday units. Particular attention shall be given to screening the driveway and parking areas from adjoining development. The applicant shall give a written undertaking that such landscaping shall be maintained during the life of the development and planting shall take place with suitable advanced species prior to occupation of the units and to the satisfaction of the Shire Planner.
2. Construction of the access driveway and car park to the satisfaction of the Shire Engineer.

In this regard the applicant is advised that the standard of construction required for the driveway entrance, access road, and car park is a minimum thickness of 150mm of compacted crushed rock such as quality (sandstone) with a two coat hot bitumen seal. The pavement may be reduced to 100mm where the existing sandstone access track is used as a base and will need thickening if soft areas are revealed on excavation elsewhere. Care shall be taken that the flow of water in the watertable in Kurmond Road is maintained.

Mrs.J.Scott addressed the Committee on behalf of Mrs.Zwolsman.

Mr.A.Hemsworth, the adjoining owner, addressed the Committee, as an objector.

COMMITTEE'S RECOMMENDATION

THE SITE BE inspected.

ITEM 5: (File C44/7) [13.15]

SUBJECT: DEPARTMENT OF ENVIRONMENT AND PLANNING CIRCULARS

The following is a precis of recent circulars issued by the Department of Environment and Planning which apply to the Shire.

Circular No. 134 - Sunset Clauses

Council will be aware of instances where they have rezoned land in response to a proposed project, only to find that the project does not proceed and the land remains zoned for a purpose for which it may never be used, e.g. the Windsor Waterworks and the motel site at Clarendon. Such events may influence Council to view with suspicion applications for rezoning.

The Department of Environment and Planning has suggested Councils include, in relevant Local Environmental Plans, a sunset clause which would:

1. provide developers with an incentive to carry out development;
2. provide a disincentive to developers who seek rezonings without a real capacity to carry out a development; and
3. allow Councils to amend plans to permit site-specific development without the prospect of permanent changes to their planning scheme occurring where the development does not take place.

Circular No.135 - State Environmental Planning Policy No.25 - Residential Allotment Sizes.

This policy aims to reduce housing costs by reducing the size of the allotment required by environmental planning instruments. It also aims to provide a greater choice in the size of residential allotments and, therefore, a greater choice in housing. The policy achieves this by reducing the allotment sizes for three types of residential development:-

1. Detached dwelling houses.
2. Integrated housing developments.
3. Residential flat buildings.

The provisions for dwelling houses and integrated housing apply to the developing areas of the Sydney, Hunter and Illawarra Regions, with the exception of certain environmentally sensitive areas that are defined. The provisions for residential flat buildings apply throughout the State wherever these buildings are permissible.

The effect of this policy is that it allows the subdivision of land in residential areas into lots of a reduced minimum of 450m² and their subsequent development by the erection of a dwelling house. However, because of the exclusion of certain environmentally sensitive areas, this

part of the policy only applies to Bligh Park, other residential zones in South Windsor and that of McGraths Hill.

The integrated housing Policy only applies to Bligh Park. Integrated housing enables subdivisions into minimum allotment sizes of 232m² providing Council is satisfied that various privacy, sunlight, density and servicing criteria can be met.

For Residential Flat Buildings the Policy negates any restrictions that Council's Planning scheme may have with respect to road frontage or density calculations.

Recommendation

That the information concerning Department of Environment and Planning Circulars Nos. 134 and 135 be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Deferred

ITEM 6 : (File DA418/84;3657-12(C)) [13.16]

SUBJECT: PORT ERRINGHI CARAVAN PARK - REQUEST FOR REMOVAL OF A "RESTRICTION AS TO USER".

Mr. R.A. Nichol proprietor of Port Erringhi Caravan Park has written requesting removal of a "Restriction As To User" on Lot 54 DP 232576 and indicating that the restriction serves no purpose as there are adequate controls over the land in Council's Planning Scheme, Hawkesbury Local Environmental Plan 1984.

Lot 54 is a battle-axe shaped lot with access from Port Erringhi Road and contains approximately half of the river front portion of the land. Briefly, the history of this land that brought about the "Restriction As To User" is as follows. Early in 1960 Council considered a subdivision of Portion 489 and Part Portion 120 in the Parish of Wilberforce. The proposal was to create 50 residential sized lots with several areas being designated for recreation use. Pursuant to a direction previously issued, the matter was referred to the then State Planning Authority for their concurrence and consent. A condition of the eventual approval was that an area, namely Lot 54, be purchased by Council for a nominal sum. The contract for the sale was to provide that the transfer of the land was to take place in ten (10) years from the date of the contract. The contract date was 14th March 1966. The landowners at the time, Mr. & Mrs. Ellis, were the contractual parties with the Council. Mr. Ellis passed away on 23rd August 1971, and the title of the land passed to Mrs. Ellis. On 31st August 1971, Mrs. Ellis transferred the land to Port Erringhi Pty. Ltd., presumably, without knowledge of the contractual arrangement referred to above, for a consideration of \$62,500.

In February 1979 Council wrote to the Planning and Environment Commission referring to the approval of the State Planning Authority, requesting any documentation held by the Commission relating to the conditions of approval requiring transfer of the land. At the same time a search was undertaken on the land's ownership and any encumbrances, and Council's

Solicitors requested to advise regarding any actions they had in the matter. The search indicated that the land was owned by Port Erringhi Pty. Ltd. with the only encumbrance being a mortgage. Subsequently, there was considerable correspondence with Council's Solicitor and the Planning and Environment Commission.

In May 1980 as a result of Council becoming aware that the property was under sale, a caveat was lodged against the title. Later in 1980 the caveat was removed upon advice from Council's Solicitor that, in his opinion, Council was unlikely to survive an appeal and, in fact, be involved in substantial damages in maintaining the caveat.

In withdrawing the caveat, Council pursued with the purchasers of the land, the registration of a "Restriction As To User", restricting all future use of the land to that existing at the date of purchase. Agreement was reached with the land owner, the land surveyed by Council's surveyor and photographed. As a result, a "Restriction As To User" has been registered on the title of land under the Common Seal of the Shire of Hawkesbury, being affixed by resolution on 15th April 1981. The restriction applies to the registered proprietors and their respective executors, administrators and assigns, including purchasers, and restricts the use of the land for any other purpose other than that for a swimming pool, weatherboard shed, recreation sheds and portion of one caravan - all of which are existing on the land at present.

The only effective use of the "Restriction As To User" is to reduce the physical development on the lot that would have some benefit when the area is viewed from the river, however, it does not allow for any use as originally intended in the form of recreation and, therefore, the purpose of its existence is questionable.

If Lot 54 were to be made a public reserve, development both existing and proposed, as approved recently, could not operate. Additionally, the one way for the land to become a public reserve would be for Council to acquire it.

Council has the power to control all development on the land pursuant to provisions of Hawkesbury Local Environmental Plan 1984 and, in particular, Clause 32 whereby a person shall not carry out development on land within 40 metres of the bank of a tidal or non-tidal river without the consent of the Council; Clause 34 which applies to land within an Environmental Protection Area, which includes the subject land, whereby land shall not be developed for any purpose without the consent of the Council; and Clause 35 referring to development of flood liable land which further sets out restrictions as to development.

As Council has the power to control development of the land and, as the "Restriction As To User" appears to unnecessarily encumber the title to the land owned by Port Erringhi Pty. Ltd., it is considered that the restriction can be removed.

Recommendation

That Council consent to the removal of the "Restriction As To User" and that the Common Seal of Council be affixed to any documentation required.

COMMITTEE'S RECOMMENDATION

THE SITE BE inspected.

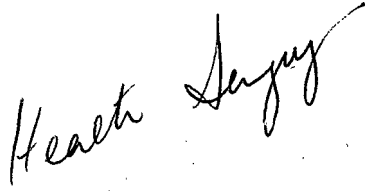
ITEM 7: (File P160/33) [13.17] 
SUBJECT: DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED
AUTHORITY

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. 

SHIRE HEALTH SURVEYOR'S REPORT.

ITEM 1: (File 12055-2) [13.17]
SUBJECT: HAIL CANNON - LOT 2, DP 552513, NO 360,
GROSE VALE ROAD, GROSE VALE

Approximately 12 months ago a "hail cannon" was installed on this property belonging to Mr. R.B. Terrey, an orchardist in the area. Mr. Terrey installed the device in an endeavour to protect or at least minimise the damage to his stone fruit crop by hail storms which apparently had caused major economic loss in previous seasons. The operation of the device is extremely noisy and generated many complaints from people living in the vicinity when it was operated during last season.

When operating, the "hail cannon" is charged with a mixture of air and acetylene which is ignited by a spark creating a rapid pressure rise and shock waves which are directed upward towards the clouds. This operation is repeated approximately eight times per minute and should be continued from about half an hour before the potentially threatening storm clouds are overhead until the threat of hail fall passes.

The theory of how the cannon works is, "that the shock wave passing through the cloud causes ice crystals to form. Once a crystal has formed it will continue to grow until gravity overcomes the ability of the cloud to support it and hail fall results. If the cannon promotes the growth of ice crystals before the conditions of turbulence can support the growing crystal whilst it freezes, then the partially formed hail falls as slush."

There is however, significant disagreement as to whether such devices in fact are useful in reducing hail damage. The State Pollution Control Commission has obtained advice from persons both overseas and in Australia experienced in the field of cloud physics and meteorology stating that there is no scientific evidence to support hail cannon use. The C.S.I.R.O. and the Bureau of Meteorology in Australia have also stated that there is no evidence to support the theory behind "hail cannons". On the other hand the purchase of such devices represents a significant capital investment and their installation reflects the confidence held in

their ability to reduce economic loss caused by hail.

As indicated previously the operation of the device is extremely noisy and the following linear measurements were taken last year by the State Pollution Control Commission from the dwelling adjacent to Mr. Terrey (approximately 200 metres distant), Robertson Street, Kurrajong (approximately 2.5km) and Greggs Road (approximately 1.5km).

Adjacent dwelling	124 - 128 dB
Robertson Street	65 dB
Greggs Road	85 - 94 dB

The decibel is a logarithmic unit of measurement of sound pressure level with a range of 0 - 140 dB for most practical purposes with zero being the threshold of hearing and a level of approximately 134 dB being commonly regarded as the threshold of pain.

In the light of the advice received by the State Pollution Control Commission regarding the likely usefulness of the device in preventing or minimising hail damage the Commission has taken steps to prohibit by regulation the future sale of hail cannons in NSW. In addition, the Commission has suggested that all Local Authorities in whose areas existing devices are installed serve notice under Section 40 of the Noise Control Act. Such a notice would give warning that if the occupier causes or permits the firing of "hail cannons" on the premises and as a result, offensive noise is emitted from the premises he may be proceeded against for an offence.

It is understood that there are many such devices installed in the various fruit growing areas of NSW particularly following the severe damage resulting from widespread hail storms a couple of years ago. It is understood that many of these "hail cannons" have been the subject of complaint and while local authorities have the power under the Noise Control Act to serve notice and take legal proceedings, it seems an inappropriate way of approaching the problem. The situation is that the State Pollution Control Commission can take appropriate action itself once it is satisfied that the Local Authority concerned is not proposing to use its powers under the Noise Control Act and the Commission's request that Council take action gives the Council the opportunity to take up that option, should it so desire, in the first instance. However, it is understood that the State Pollution Control Commission intends to take action should the Local Authorities choose not to do so.

Notices under Section 40 of the Noise Control Act are appealable and given the circumstances of capital cost of the equipment and economic loss due to hail damage in bad seasons, it would seem very likely that appeals would be lodged. Obviously, it would be more appropriate for those appeals, for the sake of uniformity and fairness, to be handled by the same Authority which has jurisdiction State wide. In addition, it is believed that all avenues should be explored to mitigate the environmental effect of the use of these devices and again for the sake of uniformity and fairness, it is believed appropriate for the State Pollution Control Commission to approach and confer with the orchardists in this regard.

Recommendation

The State Pollution Control Commission be advised that Council considers that the Commission is the appropriate body to utilise its powers under the Noise Control Act in regard to the use of "hail cannon" and that

25

Council believes that all endeavours should be made in discussion with representatives of the fruit growers concerned in an effort to mitigate to acceptable levels the environmental effect of their use.

Correspondence Items 1 and 2 below, were dealt with in conjunction with Item 1 above of the Shire Health Surveyor's Report.

CORRESPONDENCE

*Health Survey
28/10/*

ITEM 1: (File 12055-2) [12.2]
CORRESPONDENT: R.B. TERREY FOR R.B., J.A. & A.B. TERREY
SUBJECT: HAIL CANNON - LOT 2 DP 552513,
NO. 360, GROSE VALE ROAD, GROSE VALE

"I attach a submission in relation to the installation of a hail cannon on my property, Lot 2 DP552513, No.360 Grose Vale Road, Grose Vale. I understand that this submission will be considered at Council's General Purpose Committee on Thursday, 8th October, 1987.

I wish to have Mr. Brian Ferris, a technical consultant with Allen Automation of 29 Marion Street, Harris Park, 2150 and myself speak to the submission at that meeting. Accordingly, I request the permission of Council for both of us to speak."

Submission

"From 1983 to 1986 we had hail losses in our stone fruit crops. We were in the position that if we were to be able to carry on farming we would have to have the means of protection from hail damage in our crops. We made many enquiries and decided that the cannon was the only way to go as there didn't appear to be any other machinery available. We followed the results of another local cannon and found the owners had no losses in the twelve months of owning the machine.

Council was approached and readings were taken by Mr. Ray Clifford and he advised us we would require a D.A. and building permit. In checking the Act we were advised that no D.A. was required to put machinery on our farm to produce our crop. The application was withdrawn.

During 1986/87 season the cannon was fired six times for hailstorms plus a few test firings, one at the Commission's request. The Stormscope readings ranged from 20 to 723 strikes per minute and the length of firing time ranged from 20 minutes to one hour 20 minutes. Total time in all was four hours 47 minutes.

The Commission did their noise level readings on a very still and clear Spring morning instead of taking the average readings during storm conditions. The Commission does not seem to want to negotiate with growers. All they want to do is completely stop the use of cannons in protecting crops in N.S.W."

*Shirley Hall
Smyth
23/10*

ITEM 2: (File 12055-2) [12.3]

CORRESPONDENT: N.S.W FARMERS ASSOCIATION

SUBJECT: SUBMISSION - "THE USE OF HAIL CANNONS IN NSW"

"The use of hail cannons to minimize if not stop hail damage to fruit is a right of producers to use in the pursuit of their business of orcharding. Machinery and implements such as tractors, sprayers and cherry pickers are a necessary part of orcharding and generally speaking are used by orchardists with due regard to economy and safety and their usage falls within the various Regulations and Codes under Acts of Parliament of NSW.

In discussions with the State Pollution Control Commission of NSW (hereafter 'the Commission') the question of effectiveness has arisen as to the use of hail cannon. We regard the decision to invest in any machinery or implement a private entrepreneurial one not within the scope of Acts of Parliament. We therefore believe that the Commission is acting outside the terms of the Noise Control Act, 1975, in seeking to ban the use of hail cannon on the grounds of whether the hail cannon 'works' or not.

Hail cannons unfortunately emit noise which we regard as acceptable if used responsibly for the purpose they are designed for. Various readings of noise levels by the Commission are questioned on the grounds of

1. accuracy of equipment;
2. accuracy of scale used; and
3. time and place of readings taken eg. clear, sunny, Spring days.

We have repeatedly challenged the Commission to provide readings of noise levels just prior to and during hail storms as the only accurate procedure to adopt.

The key to the use of hail cannons is that they be used responsibly. To that end we have suggested to orchardists intending to install and use hail cannon that they be located an acceptable distance from nearby dwellings and that they be used in conjunction with a stormscope, an instrument used to monitor electrical discharges from hail storm centres. Most orchardists in NSW have their cannon linked either manually or automatically to a stormscope which enables them to pinpoint with great accuracy the hail storm(s) in their vicinity. This ensures only last minute switching-on of cannons prior to a storm. NO CANNON HAS BEEN FIRED (except for testing and/or the taking of readings) in NSW over the last two years without considerable hail damage being suffered by someone within the same locality as the hail cannon user.

Hail cannons have been in use over the last two years in NSW. The average usage of cannon is between four to six hours per year (1986-87) which includes usage in such hail prone areas as Batlow and Orange (NSW) and Harcourt (Vic). Complaints to the appropriate Commission have followed. Negotiations have taken place with the Commission to monitor and hopefully draw up guidelines of use. The Commission has refused and only seeks to ban the use of hail cannon outright. This is in stark contrast with the Commission's Victorian counterpart who have negotiated with orchardists guidelines for use in that State.

We suggest that the Commission wishes to make a test case of Mr Terrey's hail cannon. The Commission may proceed to ban the use of hail cannon using Section 40 of the Noise Control Act, 1975, in its own right. Why the Commission has adapted this course of requesting Council to act is unknown. To our knowledge, no other Council has been similarly approached and no other orchardist has been approached by its Local Council.

We recommend that Council not serve any notice under Section 40 of the Noise Control Act, 1975, but refer the request back to the Commission with the request that further negotiations take place between the Commission and hail cannon users."

(S.H.S. - The above two submissions refer to Item 1 of the Shire Health Surveyor's report to the Development Section of this meeting.)

Mr.T.Hewett, Senior Designer, State Pollution Control Commission addressed the Committee.

Mr. B.Terrey, the applicant, addressed the Committee.

Mr.B.Ferris addressed the Committee.

COMMITTEE'S RECOMMENDATION.

THE RECOMMENDATION BE adopted.

SECTION 3 - FINANCE

1. ACCOUNTS PAID

COMMITTEE'S RECOMMENDATION

THE ACCOUNTS SUBMITTED be confirmed as shown hereunder:

General Fund Nos.	62657 - 63475	4,204,655.79
Trust Fund Nos.	5679 - 5747	846,707.56
		\$5,051,363.35

2. STATEMENT OF BANK BALANCES, INVESTMENTS AND FORM 2

COMMITTEE'S RECOMMENDATION

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

3. CORRESPONDENCE

ITEM 1: (File L125/21) [20.3]

CORRESPONDENT: DEPARTMENT OF EMPLOYMENT, EDUCATION AND TRAINING

SUBJECT: INTER-LIBRARY LOAN CHARGES

Acknowledging receipt of Council's letter regarding charges for inter-library loans.

Advising that the letter has been referred to the Hon. Stewart West M.P., for his attention.

C.L. REPORT

The inter-library loan charge of \$6 is still being levied by the National Library, Universities, some colleges and most special libraries including the CSIRO. As has been previously stated, this issue is creating a great deal of confusion, as some institutions have added additional criteria eg; \$6 for each volume in a multi-volume work.

In other cases, some institutions have kept the previous initial charge of \$3 for photocopies of items of a certain length.

A major area of concern is those bodies which have received Federal funding and also support from all Australian taxpayers such as universities.

Also, at this stage no clear answer has been given by the State Government concerning Chifley University's resource centre and the impact that students from that institution will have on public libraries and

2

inter-library lending in Western Sydney. Whilst the funding of this institution is a Federal matter, it is felt pertinent to request that the State Government make urgent enquiries of the Federal Government on these issues.

Recommendation

That further representations be made to the Federal Government concerning the impact that the imposition of this charge is having and the additional concern about student demand from Chifley University.

Also to make further representations to the State Government concerning Chifley University and the level of funding for its resource centre (library).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File L123) [20.4]

CORRESPONDENT: 2ND RICHMOND SCOUT GROUP COMMITTEE

SUBJECT: SCOUT HALL - BOURKE STREET, RICHMOND

Advising that the Scout Hall lease expires on 31st December, 1987, instead of 1991, as previously anticipated.

Requesting Council's support, in an approach to the Lands Department, in extending the tenure of the 2nd Richmond Scout Group to allow security of the scouting activities in Richmond.

The Hall is used every night for 2nd Richmond Scout activities and is also the Headquarters for the Hawkesbury District Scout Association. The hall provides activity space for approximately 70 Cub Scouts, Scouts and Venturers as well as a venue for Group and District parent support meetings. The Hall is in good order and condition, and the grounds together with the Guide Hall are kept neat and tidy and are an asset to the community.

S.C. REPORT

Whilst Council is not a party to the leasing arrangements, no objection is raised to an extension of the lease for the purpose of conducting scouting activities within such premises.

Recommendation

That Council advise the Lands Department that it supports the extension of the lease by the 2nd Richmond Scout Group.

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. LOCAL GOVERNMENT AND SHIRES ASSOCIATION - GENERAL CIRCULAR
21 AUGUST, 1987 - INDUSTRIAL INFORMATION. [21.3]

1. Fixed Term Appointments

Motion No: 45 from Queanbeyan was carried at the 1986 Conference of the Local Government Association in the following terms:-

"That the Local Government Association actively seek all necessary legislative and award changes to clearly enable Councils to appoint senior officers under contract for a specific term only with provision for renewal by mutual agreement and to terminate such a contract of employment pursuant to its provisions.

The Associations' Industrial Panel has considered the matter and resolved that a submission be forwarded to the Minister for Local Government & Water Resources and that Councils be circularised on the matter. The Associations' Executive endorsed the Panel's resolution on 2 and 3 April, 1987.

2. Municipal & Shire Council Wages Staff Award

The Federated Municipal & Shire Council Employees' Union of Australia, New South Wales Branch has applied to vary the above award to insert the new following subclause into Clause 24, Miscellaneous:-

"(xxvii) When employees are required to clear chokes of any nature using mechanical or manual sewer rods there be a minimum of two employees in attendance, further that where employees are required to enter sewer manholes there be no fewer than three employees in attendance at the site."

(S.E - Council's team consists of two (2) employees and as the pump stations would be classified as a manhole the requirement will lead to the appointment of an additional employee.

Provision of three employees out of hours will lead to difficulties in locating and providing staff at these times.

Council's view will be forwarded to the Local Government and Shires Association.)

3. Municipal & Shire Council Wages Staff Award

The Union has applied to vary the above award in respect of:-

- (a) Clause 25, Special Leave, to provide that "family" under this Clause includes mother-in-law, father-in-law, defacto husband and defacto wife.
- (b) Clause 23, Clothing subclause (i)(b), to provide for the issue of "joggers" as an alternative to Council providing sandshoes for

drivers and extra hands engaged as sanitary and garbage workers.

4. Municipal & Shire Council Wages Staff Award

The Union has applied to vary the above award to insert the new following subclause into Clause 7, Allowances and Extra Rates etc:-

"(xxvii)(c) A Motor Mechanic who is required to be the holder of the Tradesman's Certificate as required by the Motor Vehicle Repair Act, 1980, (Section 23, 24 & 25) shall be reimbursed the once only fee applicable by the abovementioned Act or paid 38 cents per hour whilst so employed".

B2. LOCAL GOVERNMENT AND SHIRES ASSOCIATION - GENERAL CIRCULAR 11 SEPTEMBER, 1987 - INDUSTRIAL INFORMATION. [21.4]

1. Expenditure Figures

Councils will be aware that the Industrial Division is continuing to collect expenditure figures on a regular basis.

The figures are one of the criteria used by the Committees of Review (established under the Local Government Senior Officers' Award and the Local Government Salaried Officers' Award) when considering applications to regrade Councils.

2. Guidelines for the Provision of Safety of Persons Working in Pier Holes

The Division of Inspection Services of the Department of Industrial Relations & Employment has forwarded to the Associations the guidelines which have been prepared to ensure the health and safety of persons working in pier holes.

It is intended that the guidelines will be adopted on all construction work sites in New South Wales commencing 1 October 1987.

3. Variable Working Hours

Councils were advised in General Circular No: 1/1987 that the Health & Building Surveyor's Association has applied to vary the provisions relating to variable working hour schemes under the Health Surveyors' (State) Award.

The matter has been referred to the Industrial Commission for determination and hearing dates have been set before Glynn J for 10.00am on 19 November and 23 November 1987.

B3. MINISTER FOR LOCAL GOVERNMENT MINISTER FOR WATER RESOURCES - INTER-LIBRARY LOANS. L125/21. [21.5]

Acknowledging receipt of Council's letter concerning the recommendation by the Australian Advisory Council on Bibliographical Services that a charge be imposed for inter-library loans.

Advising that the correspondence has been referred to the Hon. R.J. Carr,

M.P., Minister for Planning and Environment for his consideration.

B4. MINISTER FOR PLANNING & ENVIRONMENT AND MINISTER FOR HERITAGE -
INTER-LIBRARY LOANS. L125/21. [21.6]

Forwarding two letters.

1. Thanking Council for representations regarding the recommendation by the Australian Advisory Council on Bibliographical Services for charges to be imposed for inter-library loans.

Noting Council's comments referring to the effects of such charges and advising that advice has been sought from the State Library of New South Wales.

Also advising that a copy of Council's letter has been referred to the Minister for Education for his consideration regarding the impact on the public library network of the proposed Chifley University

2. Advising that the Minister for Local Government has referred Council's representation regarding inter-library loan charges to the Minister.

Advising that the State Library sought the exemption of public libraries and will not be levying the charge.

B5. PARLIAMENT OF AUSTRALIA - THE SENATE - INTER-LIBRARY LOAN CHARGES.
L125/21. [21.7]

Thanking Council for its letter regarding the recommendation of the Australian Advisory Council on Bibliographical Services to charge a fee for inter-library loans.

Expressing support for the resolution passed by Council and stating that access to information in the public domain without restrictions imposed by fees for such services is a vital ingredient necessary to maintain democratic processes.

B6. STATE LIBRARY OF N.S.W. - INTER-LIBRARY CHARGES. L125. [21.8]

Advising that the current situation as regards inter-library loan charges is that the Australian Advisory Council on Bibliographical Services, at a recent meeting resolved that:-

"The (AACOBS) NSW State Committee recommends that Sydney Subject Specialisation Scheme libraries not be charged for inter-library loans and also recommends exemption from charges for inter-library loans for all NSW public libraries."

B7. ELECTORATE OFFICE - INTER-LIBRARY LOAN CHARGE. L125 [21.9]

Acknowledging Council's letter concerning the matter of inter-library loan

charges.

Advising that Dr. Metherill, State Shadow Minister for Education will be advised of Council's letter on his return to Australia in mid-September.

B8. NEW SOUTH WALES DRUG AND ALCOHOL AUTHORITY - 1986 SURVEY OF
DRUG USE BY PRIMARY SCHOOL STUDENTS IN NEW SOUTH WALES. C45/23 [21.10]

Forwarding report on 1986 Survey of Drug Use by Primary School Students in New South Wales.

(S.C. - This report on "Drug Use by Primary Students in New South Wales" has received recent publicity. The document publishes the results of a survey of children in years five and six. This was conducted in a sample of primary schools with the objectives:-

- * To monitor the nature and extent of alcohol and other drug use.
- * To provide data from which the need for social policy and educational initiatives could be determined; and
- * To provide background data to facilitate the evaluation of such initiatives.

The results indicate that drug use by students in the senior years of primary school "is not established as a routine behaviour", but that experimentation has begun. At a frequency of once a month or more than once a month "alcohol is being used by one student in eleven, while analgesics are being used by one in five. Cigarettes and inhalants are being used by less than one in 33".

If experimentation has taken place many students may be "in the process of acquiring drug taking habits". There was a direct relationship between experimentation and the level of pocket money received.

The report reaches the conclusion, "It would seem that the educational efforts to show the deleterious effects of tobacco are starting to be reflected in student opinion".

While drug use levels are comparatively low the report suggests that programmes be undertaken "to maintain informed drug use behaviours". The age group surveyed seemed the most appropriate target for such programmes.)

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

SHIRE CLERK'S REPORT

ITEM 1: (File I112) [22.10]

SUBJECT: LOCAL GOVERNMENT WESTERN INSURANCE DISCUSSION
GROUP

In recent years Councils have experienced large increases in insurance premiums due to substantial awards by the Courts against public authorities. In some cases the premium for the total insurance portfolio has increased by more than 400%.

To assist in maintaining or reducing the current premiums it was considered beneficial for Local Government Insurance and senior staff to meet to discuss common problems, administrative procedures and successful remedies to reduce Council's exposure to potential insurance claims and litigation.

Fairfield City Council held a meeting of Western Sydney Councils on 3rd September, 1987, to discuss the changing trends of insurance in Local Government.

The meeting resolved to establish the group, meeting at two monthly intervals at various Council locations. It is intended to conduct the meeting in an informal manner, accordingly only a Chairman and Secretary being appointed. Council's Safety Co-Ordination Officer, Mr Wal Hausman, was elected as the Group's Chairman.

Matters discussed at the meeting included the new provisions of Work Cover, Anti-Theft devices for plant and vehicles and administrative procedures for notifying insurance claims.

It is felt that attendance at this Group's meetings will provide a forum from which benefit can be derived in all aspects of Local Government Insurance.

Recommendation

That the report on the Local Government Western Insurance Discussion Group be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

CHIEF LIBRARIAN'S REPORT

ITEM 1: (File L125/23) [26.5]

SUBJECT: N.S.W. OFFICIAL OPENING - AUSTRALIAN LIBRARY WEEK, 1987.

At the Ordinary Meeting of 8th September, 1987, Council adopted the report proposing that Hawkesbury host the official opening of Australian Library Week on Saturday, 17th October, 1987.

This annual week is promoted by the Australian Library Promotion Council and the N.S.W. group of that organisation has undertaken to promote this function state-wide. Full details of the final programme are now submitted.

11.30am -

Official Opening at Windsor Central Library by the Hon. R.J. Carr M.P.

Minister for Planning and Environment and Minister for Heritage.

It is the Minister's portfolio of Heritage that includes responsibilities for public libraries.

Entertainment will be provided by the student stilt walkers from Richmond Primary School - they led this year's Macquarie Towns Festival Parade on Saturday 26th September, and were very spectacular. Also, the Hawkesbury District Concert Band will play before and after the official opening ceremony.

Alderman Keith Phipps, Wollongong City Council, will be participating as Wollongong hosted the function in 1986. He will be handing over a scroll to Hawkesbury, which will in turn be handed on by Hawkesbury in 1988.

1.00pm -

- 1) A bus will be provided to take those without transport out to Australiana Pioneer Village for a free Colonial Day. It is proposed to provide free entry, especially to residents of the Shire on that day, and free passes will be able to be collected from both libraries. The only stipulation will be that children must be accompanied by an adult.

The escort out to the Village will be an antique fire engine and classic motorcycles. These will remain on display for some time during the day. There will be a full afternoon of events including demonstrations, author's readings, poetry and yarn telling, 'Singing Swagman' and two performances of a bushranger re-enactment.

The cost of opening the Village and presenting this programme is estimated at approximately \$900.

- 2) An alternative function is a river cruise which includes lunch and will cost participants \$14 per person. Commentary will be provided by Ian Clayton and local historian Jean Purtell.

7.00pm -

An evening function will be held at Lachlan's Restaurant, Loder House. This will cost participants \$22.50 per person.

Recommendation

That the report on the N.S.W. Official Opening - Australian Library Week, 1987, be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File L125/24) [26.6]

SUBJECT: BOOK DEPOTS

The first Book Depot was established at Bilpin in Hanlon's Hardware Store, Bells Line of Road, Bilpin on Monday 28th September, 1987. The proprietors, Mr. & Mrs Hanlon have kindly agreed to provide space for this Depot in a prominent spot in their store. This is the first of five depots to be established throughout the Shire and each will provide over 250 adult fiction titles. Other locations will be Glossodia, Pitt Town, North Richmond and St. Albans.

Books will be borrowed on an honour system and loans recorded by the borrower in a register. Statistics will be gathered by a staff member on a regular basis. This will be tied in with the LERN courier service. This regular monitoring will also provide for additional stock to be provided and for any necessary repairs to stock or equipment to be carried out.

It is proposed to hold an official launching for one of the depots yet to be opened. Further details will be submitted in a later report.

Recommendation

That the report on Book Depots be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File L125/15) [26.7]

SUBJECT: CHILDREN'S BOOK WEEK, 1987

Children's Book Week was celebrated from the 15th to 21st August, 1987. This year's slogan was "Sail Away With Books".

The Children's Librarian, in liaison with the Engineering Department, organised a boat frame to be constructed prior to the July school holidays. The children attending craft sessions during that holiday applied layers of papier-mâché to the wire mesh frame. The Youth Recreation Officer assisted during these sessions because of the need to provide additional supervision of the children.

The boat was placed on display and is still a feature of the junior section at Windsor.

The highlight of Children's Book Week was the sessions involving visiting Australian children's author Joan Dalglish. Ms Dalglish stimulated the school students with her talk and readings from her books. The students attending were committed readers, school library monitors or library members.

An invitation was extended to all schools in the Shire, with eleven different schools accepting. Three sessions were offered, the third being an informal luncheon with Joan Dalglish, with a maximum of sixty students attending. The other sessions were limited to one hundred students and had a structured format of a talk, readings and question time. The larger sessions were held in the Bligh Room of the Cultural Centre and the luncheon was held in the Tebbutt Room.

10

Two hundred and fifty children heard author Joan Dalglish; 1,138 students visited both libraries, and the Children's Librarian visited a pre-school on four occasions and presented programmes to 160 children.

Bookings for Children's Book Week, 1987 were very strong and session times filled quickly. However, the poor weather resulted in schools cancelling bookings. This resulted in a 36% decrease on 1986, in the number of students visiting the libraries during Children's Book Week.

Recommendation

That the report on Children's Book Week, 1987, be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File L125/23) [26.8]

SUBJECT: AUSTRALIAN LIBRARY PROMOTION COUNCIL - ANNUAL
REPORT 1986-87

The Australian Library Promotion Council is a national organisation bringing together representatives of professional, business and community organisations with a common interest in promoting libraries and library service. It was established in 1967 and comprises representatives from library promotion committees in all States of Australia and organisations in the fields of writing, publishing and bookselling.

The 1986-87 Annual Report summarised events hosted and/or sponsored by the Australian Library Promotions Council during the past year. It outlined the National opening of Australian Library Week 1986, in Perth, the National awards presented by the Council eg; the Public Relations Award and the Alfred McMicken Award presented to an individual who has made a commendable contribution to library promotion in Australia.

The ALPC, in union with the Literature Board of Australia have continued to support the 'Meet the Author' programme, whereby grants were approved to 59 schools and libraries for hosting events with authors eg; tours by schools or literature days in schools. The above bodies have also organised a travelling book exhibition, beginning in May, 1987. The eight exhibitions consist of a selection of current Australian materials which will be displayed at different locations throughout each State.

The report continues to outline State Committee activities. In N.S.W., the main events for 1986 included the opening of Australian Library Week at Wollongong City Library, described as 'a highlight in a decade of library promotion'.

Hawkesbury Shire Council Library Service was one of the four Council's to celebrate its fortieth anniversary in 1986 with Bankstown, Maitland and Parkes. Hawkesbury had Dr. Mark Hertzberg, President of the Library Council of N.S.W. and his wife, Nancy Keesing, as guests for this occasion.

Recommendation

That the report on the Australian Library Promotion Council Annual Report 1986-87 be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

QUESTIONS WITHOUT NOTICE.

Councillor Gibson sought advice regarding the item of Aqua-Scooters Towards 2000 on Macquarie Park. He asked if the Aqua-Scooters go over the 4 knots restriction on the waterway.

The Shire Planner stated that as reported to Council, the Scooters have a maximum speed, which is governed, and which is that achieved by a good swimmer, about 2/3 knots.

Councillor Gibson asked if the excess gravel could be cleared away after patching work had been completed on Kurmond Road.

Councillor Gibson referred to the condition of the park on Creek Ridge Road, Glossodia - the shrubs and the dilapidated fences. He asked if Council could look into setting up some type of liaison with the groups that use the park with a view to putting up new fences, clearing the area and stopping it being used as a bicycle and motor way.

Councillor Gibson referred to the situation with the Glossodia/Freemans Reach Sewerage and asked what the position is regarding applying for grant money for that system.

The Shire Clerk advised that in accordance with Council's report and recommendations, letters have gone to all the State and Federal Ministers and Departments and in accordance with Council's resolution there has been one follow up letter. At this stage there has been no indication from them for consideration. The only indication that has been received is from the Minister that she is prepared to give control of the area to the Council for the provision of sewerage.

Councillor Gibson asked if there is anything that can be done by the Council to expedite this matter because of the health situation.

The Shire Clerk stated that the appropriate thing at this stage would be one further letter and alternatively the Council, after that, seek a deputation to the appropriate Ministers.

Councillor Books asked if the Engineer could look at the stretch of bitumen in front of the shops near the Post Office in South Windsor. There is an indentation there where the road pavement is roughly 3" below the concrete kerb and gutter.

Councillor Sledge referred to the loose gravel and potholes at the Bourke Street/Lennox Street intersection on the western side of Bourke Street.

Councillor Mackay asked if an approach could be made to the Local Traffic

12

Committee to have the unrestricted speed limit along Creek Ridge Road, Glossodia near the shops, brought back to 80 kph.

Councillor Stubbs asked if the Engineer could determine what works are needed in respect to the drainage problems in Henry Road, Vineyard and report back to Council.

Councillor Bazeley asked if the draft L.E.P. of The Islands had been submitted to the Department, and if so, when, and also have full reports been submitted to Council from the National Parks, Soil Conservation and the Water Board.

The Shire Planner advised that the revised draft L.E.P. was submitted to the Department of Environment & Planning about a week or ten days after Council meeting and that all the documentation has been received from all those Authorities and has been forwarded to the Department.

Councillor Rotherham referred to the nuisance being created by bicycles in the main street of Richmond on the footpath, from the point of view of bicycles being left in front of two or three premises where there are video machines, and also bicycles being ridden on the footpaths. He asked if a report could be submitted on Council's powers under Ordinance 30 to alleviate this nuisance.

Councillor Rotherham referred to Jewels' food store's large rubbish container in the carpark. He stated that when it gets overfull, the lid cannot be closed and consequently in windy times the rubbish blows all over the place. He asked if an approach could be made to Jewels with a view to their providing a larger container, or that it be emptied more frequently.

Councillor Rotherham referred to the problem of supermarket trolleys being left around the streets of Richmond.

The Health Surveyor advised of the action that has been taken by the Ordinance Inspectors in regard to trolleys and that their efforts will be continued. He stated that the matter of the rubbish container in the carpark will be taken up with Jewels.

The Health Surveyor also stated, in regard to the bicycles on the footpaths, Council does have some powers under Ordinance 30, and that he would like the opportunity of reporting on this matter to Council, as he felt that the Police should be involved in this regard.

Councillor Rotherham referred to the Committee's recommendation concerning Mr.T.Allen and the filling of land at Greenway Crescent. He asked that rather than threatening legal action without any further action, if a letter could be forwarded suggesting that he apply for an extension.

The Shire Clerk stated Council is not going to Court on the matter. He advised that the matter has been continuing for about 7 years. The applicant is more than aware of the rules and regulations and he knows that he can apply for an extension. If the Council wishes to resolve not to institute action it can do so, and Mr.Allen will be advised accordingly.

Councillor Sheather asked if a report could be submitted on the controversy surrounding the problem in relation to the Sackville Ferry.

The Shire Clerk stated that Mr. Johns has raised the matter of the payment of the salary to the employees of the contractor of the Sackville Ferry. He advised that the Council operates the ferry on behalf of the Department of Main Roads. On no occasions has there been a complaint from an employee concerning their wages. The Award has been checked and it has been found that the employees are not being paid strictly in accordance with the Award. The contractor has now submitted his resignation and on that basis the Shire Engineer will be reporting the resignation to the Ordinary Meeting of Council. Tenders will be called for the operation of the Ferry.

The Shire Clerk pointed out that Council has operated properly in this matter.

Councillor Sheather asked for a report on the mushroom composting at Ebenezer.

The Shire Planner advised that there is no current action at this time before the Land and Environment Court. Action was taken by the Mushroom Company against Council for its conditions attached to its most recent consent. The Company has withdrawn that action at this stage.

Councillor Sheather asked in relation to the conditions of the mushroom composting, what action is being taken by Council.

The Health Surveyor advised that Council served notice under the Clean Air Act on the Company, amongst other things, regarding their operations and procedures. The Company appealed against that notice and lodged an appeal with the Land and Environment Court. A conference was held with Council's Solicitors and the Company's Solicitors and agreement was reached that provided Council gave the Company sufficient time to carry out the works involved in the notice, they would withdraw the appeal. The appeal has been withdrawn and the work, he understands, was substantially completed at the Ebenezer Plant and indications are that conditions have improved somewhat.

Councillor Sheather stated that whatever action has been taken by the industry, it has not alleviated the problem.

Councillor Mackay raised the matter regarding Item 1 of Correspondence - Local Traffic Committee - concerning the intersection of Kurmond-Wilberforce Road and Singleton Road. He expressed concern regarding the number of dangerous intersections in the Shire and asked if Council could continue with a policy in an endeavour to improve conditions at these intersections.

The President advised Councillor Mackay that this matter will be placed before the Ordinary Meeting of Council, when he would be given the opportunity of addressing that question.

Councillor Rotherham referred to the possibility of the Deputy President or other members of the Council chairing the General Purpose Committee Meetings.

The President stated that this would be a matter for Council to determine.

Councillor Benson referred to the excessive noise of traffic along Bathurst Street, Pitt Town in the very early hours of the morning. He referred to trucks travelling along at excessive speed as early as 4.45 a.m.

General Purpose Committee - Finance - 8/10/87

Ord. 20/10/87

14

Referred to Local Traffic Committee for consideration.

The meeting terminated at 4.05 p.m.

SHIRE CLERK/GENERAL MANAGER'S REPORT
ORDINARY MEETING - 20TH OCTOBER, 1987

Shire President and Councillors:

FINANCE AND ADMINISTRATION

CORRESPONDENCE

1. RICHMOND ROTARY CLUB - 1988 R.Y.L.A. PROGRAMME. D64

Requesting Council to sponsor a local candidate in the Programme for 1988. The Clubs of the Hawkesbury district are seeking to send at least twelve candidates to the Rotary Youth Leadership Awards Programme.

The fee for each candidate is \$175.00.

IT IS RECOMMENDED THAT Council sponsor a candidate in the 1988 Programme and that an amount of \$175 be provided in the 1988 Estimates for this request.

2. L.G. MACDONALD & CO - ORDINANCE 26 CLAUSE 24(C1). C50

"In accordance with Ordinance 26, Clause 24 (C1) I approve, subject to Council's authorisation, the members of Council's staff to be competent persons to perform the functions imposed by the Local Government Act 1919, Ordinance 26, Clause 24 (C1).

Lyndon Morris Weatherstone	-	Deputy Shire Clerk
Peter MacDonald Brack	-	Treasurer
Paul Krix	-	Assistant Shire Clerk
Daryl Bruce Hagger	-	Assistant Treasurer"

(S.C. - The Department of Local Government in Circular 87/28 advised Councils that Ordinance 26 has been amended which allows designated employees other than the Clerk, subject to the Auditor's approval, to check and certify accounts against the Council. The Auditor has now given the above approval.)

IT IS RECOMMENDED THAT authorisation be given to the following employees to check and certify accounts against Council:-

Lyndon Morris Weatherstone	-	Deputy Shire Clerk
Peter MacDonald Brack	-	Treasurer
Paul Krix	-	Assistant Shire Clerk
Daryl Bruce Hagger	-	Assistant Treasurer

FINANCE AND ADMINISTRATIONREPORTS1. UNEMPLOYMENT STATISTICS. S207/11

The Commonwealth Employment Service has provided the following unemployment figures for the quarter ended 30th June, 1987.

Number and Percentage of Total Unemployed by
Total, Sex, Age, Duration and Special Groups

		<u>Numbers</u>	<u>Percentage</u>
Total:		2192	100
Sex:	Male	1466	67
	Female	726	33
Age:	15 - 19 years	538	25
	20 - 24 years	536	24
	25 - 44 years	849	39
	45 + years	269	12
Duration:	Less than 3 months	896	41
	3 months to less than 9	829	38
	9 months or more	467	21

Based on an estimated workforce for the area of 20,000 the total unemployment represents 11.0% indicating a decrease on the March quarter figure of 1.3%.

The national unemployment figure for the June quarter was 9.5%.

A report has been received from the Australian Bureau of Statistics on the labour force in NSW as at May, 1987.

A summary of their findings is as follows:

1. In May 1987, there were an estimated 2,635,400 persons (1,585,900 males and 1,049,500 females) in the labour force of whom 2,401,300 (1,448,900 males and 952,400 females) were employed and 234,100 (137,000 males and 97,100 females) were unemployed.
2. Between February 1987 and May 1987, the number employed increased by 28,400 (1.2 per cent). The major component of this increase was growth in married female employment of 23,700.
3. The May 1987 estimate of 234,100 unemployed persons, represented a decrease of 19,700 (7.8 per cent) on February 1987, but was 20,500 (9.6 per cent) higher than in May 1986. The unemployment rate has similarly decreased over the quarter ended May 1987 by 0.8 percentage points to 8.9 per cent in May 1987 but was 0.6 percentage points higher than in May 1986.

4. In the twelve months to May 1987 employment growth was concentrated in Community Services 45,200 (12.2 per cent) and in Finance etc. 16,800 (6.2 per cent). However, Wholesale and Retail Trade and Agriculture, Forestry, Fishing and Hunting have experienced an annual decline of 28,400 (5.7 per cent) and 14,300 (11.3 per cent) respectively.
5. Part-time female employment grew by 28,400 (8.7 per cent) during the year ended May 1987, accounting for more than the overall increase in total employment.
6. In the quarter ended May 1987, the number of wage and salary earners rose by 49,900 (2.5 per cent) to 2,061,500, while the total number of employers and self-employed fell by 21,300 (6.3 per cent) to 319,400.
7. The May 1987 teenage (15-19) unemployment rate of 20.1 per cent was 5.7 percentage points lower than in February 1987, although 1.0 percentage point higher than in May 1986.
8. The mean duration of unemployment rose from 55.9 weeks in May 1986 to 59.5 weeks in May 1987. Over the same period, the number of persons unemployed for two years or more increased by 11,300 (27.8 per cent) to 52,000.
9. In May 1987 nearly half of the jobless have been unemployed for six months or more and one in five has been unemployed for two years or more.

The unemployment rates for individual regions of NSW are:

Central Sydney and Inner Western Sydney	8.2 per cent
Southern Sydney	6.9 per cent
South Western Sydney	9.7 per cent
Western Sydney	9.5 per cent
(Includes Hawkesbury, Auburn, Baulkham Hills, Blacktown, Blue Mountains, Fairfield, Holroyd, Parramatta and Penrith Local Government Areas)	
Newcastle	12 per cent
Richmond - Tweed and Mid North Coast	15.4 per cent
Hunter	11.6 per cent
Northern, North Western and Central West	10.3 per cent
Wollongong	13.4 per cent
Illawarra and South Eastern	11.6 per cent
Murray and Murrumbidgee	9.7 per cent

IT IS RECOMMENDED THAT the information be received.

2. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. C50

IT IS RECOMMENDED THAT the Seal of Council be affixed to the following documents:

Shire Clerk/General Manager's Report

Ord. 20/10/87

- Lease Agreement ... Shop 2 Hobartville Shopping Centre
Term: 3 years (no option) - renewal of previous lease
Tenants: Albert Cecil Ralph, John Patrick Halpin and Russell George McQueen
Rent: \$5,903.00 with provision for 10% increase each subsequent year.
- Deed of Agreement ... Principal, Kurmond Public School; Hawkesbury Shire Council; The Kurmond P & C Association and Director of Education, Metropolitan Western Region
Council's contribution of \$2,800 towards construction of a multi-purpose court within the grounds of Kurmond School.
- Lease Agreement ... Shop 3 Wilberforce Shopping Centre
Term: 3 years (no option-renewal of previous lease)
Tenant: Alan Percy and Merrill Anne Shepherd
Rent: 1st Year - \$ 8,320.00
2nd Year - \$ 9,152.00
3rd Year - \$10,067.20
- Deed of Agreement ... Pump on public reserve, Wheeny Creek, Kurrajong Heights, new owner therefore fresh deed required B. & M.V. Schahmacher - 15 Stanley Avenue, Kurrajong Heights
- Contract ... Heritage Productions Pty Ltd. Johnny Ashcroft et al. "Here's to You Australia". Bicentennial performance with emphasis on Hawkesbury History. Performance Windsor Community & Cultural Centre 3.9.88. Performing fee \$1,600.
- Lease ... Macquarie Towns Arts Society for basement of Toxana House.
Term - Two years at \$1.00 per annum

3. COMMUNITY & CULTURAL CENTRE - SEPTEMBER, BOOKINGS. C51/3

As required under Ordinance 26, Clause 9, following are details from the Hall Letting Register for September, 1987.

<u>Date of Engagement</u>	<u>Purpose</u>	<u>Person or Body Responsible for Engagement</u>
4th	Shire Ball	* Hawkesbury Shire Council
8th, 15th & 22nd	Music Practice	Macquarie Towns Junior Orchestra
8th	'Aids' Lecture	Hawkesbury High School
9th & 10th	Music Practice	St Matthews & St Monica's Schools

Shire Clerk/General Manager's Report

Ord. 20/10/87

10th	Earth Week Poster Presentation	Hawkesbury Shire Council
12th	Wedding	* S. McCubben
12th	Ball	* Macquarie Towns Scottish Society
13th	Opening Bligh Park Community Centre	Hawkesbury Shire Council
14th	Meeting	Hawkesbury Shire Sister City Association
15th	Photo Sales re Debutante Ball	* Peter Fisk
18th	Opening	Macquarie Towns Festival Committee
19th	Wedding	* R. Mackintosh
19th	Wedding	* G. Crisp
20th	Wedding	* L. Cutrupi
20th	'Indigenous Species Concert'	* Macquarie Towns Festival
22nd	Concert	Windsor Seventh Day Adventist School
22nd	Meeting	Richmond Police Consultative Committee
23rd	Public Forum Local Government Elections	Hawkesbury Newspapers & Windsor Chamber of Commerce
23rd	Meeting	Bicentenary Committee
24th	Immunisation	Hawkesbury Shire Council
25th	Blue Light Disco	* Windsor Police
26th	Wedding	* C. Macphail
26th	Wedding	* L. Curoso
28th & 29th	Band Practice	RAAF Band
* Paying functions		

IT IS RECOMMENDED THAT the report on the September bookings for the Community and Cultural Centre be received.

4. PENSIONERS CERTIFICATE - APPLICATION FOR SUBSIDY. R186/4

In accordance with the Local Government Act, Council's Auditor has certified that the total of reductions shown below were granted to eligible pensioners under Sections 160AA and 160B and Clause 41 of Ordinance 26. The reductions claimed are supported by Statutory Declarations by such pensioners that they are eligible for rebate (as defined in the above Sections), and in all cases proof of receipt of the relevant pension has been supplied to Council officers. Details of these reductions are listed below:

<u>Write Off</u>		<u>Subsidy Claim</u>
1987 Section 160AA	\$38,694.73	\$19,347.37
1987 Section 160B	\$ 105.91	\$ 52.95
1987 Clause 41 of Ordinance 26	\$ 5,529.38	-
	\$44,330.02	\$19,400.32

IT IS RECOMMENDED THAT applications be made for subsidy in respect of Rates owing by pensioners, written off or reduced in 1987, and that an undertaking be made under the seal of Council in respect of the writing off or reduction of rates owing by pensioners, in pursuance of Sections 160AA, 160B and 503 (f) (fl) of the Local Government Act and Clause 41 of Ordinance 26 that proceedings will not be subsequently taken for their recovery.

5. LOCAL GOVERNMENT (DISCLOSURE OF INTEREST) AMENDMENT ACT, 1987.
C44/1.

Candidates for the recent election were advised of the above Act, that requires members of Council and designated employees to complete a return to disclose, in writing, those interests he or she possesses personally within the Local Government area they represent. Copies of the legislation have been ordered and it is intended that a copy be provided to all members and designated employees prior to the requirement that the returns be completed.

The Department of Local Government has advised that the return is only required to disclose in writing those interests a member or employee possesses personally, and not those of their spouse, de facto partner or relatives as defined. In this regard, the interests of a spouse, de facto partner or relative are only required to be declared in regard to the strengthened oral disclosure requirements when a particular matter is being dealt with at a Council or Committee meeting such as to give rise to a pecuniary interest.

When the register is completed it will be in the safekeeping of the Shire Clerk and a list kept of all persons seeking details from it.

IT IS RECOMMENDED THAT the information regarding the Local Government (Disclosure of Interest) Amendment Act be received.

6. CONFIDENTIALITY AT COUNCIL MEETINGS. C44/1.

The Department of Local Government has advised of amendments to procedures set out in Ordinance 1, which came into effect on 28th September, 1987, relating to business papers for Council Committee Meetings.

The amendments clarify that the provisions of Ordinance 1 relating to Committees apply only to the Committee of the Whole and to the Standing and Special Committees referred to in the Ordinance. These Committees comprise wholly of members of the Council.

In addition, the amendments are to overcome problems arising from details of confidential items shown in Council and Committee business papers becoming public knowledge when the business papers are displayed and given to the press and the public.

The Department states that the new procedure requires each Council to determine a confidentiality policy stating which types of business would be of such a confidential nature as to justify a Committee resolving that

the press and the public be excluded from the meeting. The policy is only to be for the guidance of Committees, with each Committee, including the Committee of the Whole, still having the power to decide which matters shall be discussed when the press and the public are either present or excluded from a meeting.

If the Clerk considers that business to be transacted at a Council or Committee meeting comes within the Council's confidentiality policy, then the Clerk may include that business in a confidential business paper. This business paper is given or sent only to Council members and does not have to be displayed before the meeting is held and does not have to be given to the press and the public at or before the meeting. Also, it is not available for public perusal after the meeting.

However, to safeguard the public interest, a brief reference (e.g. by means of headings) to any business contained in a confidential business paper must be included in the Ordinary Council or Committee business paper prepared for the same meeting. An Ordinary business paper must be prepared for every Council and Committee meeting. As well as including a reference to any business contained in a confidential business paper, the Ordinary business paper will continue to include all non-confidential matters to be dealt with and business to be transacted at the Council or Committee meeting.

While there has been no change to the conditions under which the press and the public may be excluded from Committee meetings, the Department reiterates the view expressed previously that it is desirable for Councils to transact their business either in open Council or in open Committees as much as possible so that the public may be well informed about Council affairs.

Consequently, the Department considers that the press and public should only be excluded from meetings of Committees when such action is essential for confidentiality or other special reasons when discussing:

1. Personal and/or industrial matters;
2. The hardship of any person;
3. Any other matter, the publicity of which, the Council or Committee considers would prejudice the Council or any person, including -
 - (a) negotiations on prospective contractual matters;
 - (b) negotiations on prospective developments;
 - (c) legal matters relating to offences under any Act;
 - (d) matters affecting the security of Council property.

Where a Committee resolves to exclude the press and the public from a meeting the Committee's report to the Council must contain a note of the excluding resolution and of the particular reasons for which it was made.

Over recent years there have been very few occasions on which this Council has found it necessary to undertake business by excluding the press and public and, on all the occasions, it involved the consideration of legal advice that would have prejudiced the Council's position had it become publicly available at the time. In the circumstances, it is considered that the Council should adopt a policy based on the guidelines set out in the report and thence make its decision on each matter as it comes before the particular Committee or Council meeting.

IT IS RECOMMENDED THAT Council adopt guidelines as follows where matters may be required to be treated as confidential:

1. Personal and/or industrial matters;
2. Hardship of any person;
3. Matters whereby the publicity of which would prejudice the Council or any person, including -
 - (a) negotiations on prospective contractual matters;
 - (b) negotiations on prospective developments;
 - (c) legal matters relating to offences under any Act;
 - (d) matters affecting the security of Council property.

7. FEES PAID TO COUNCIL MEMBERS. C44/1, C50/9.

The Department of Local Government has advised that the Local Government Amendment Bill 1987 has passed through the Legislative Assembly of the New South Wales Parliament and is expected to be considered by the Legislative Council when it resumes on October 13th. The Bill amends the Local Government Act to increase the daily meeting fee paid to elected members to an amount up to \$60 per day to a maximum \$3,000 per annum. The Bill also amends Section 530A of the Act to provide for the delegation of authority to pay fees and reimburse travelling expenses to the Town/Shire Clerk.

The amendments to the Act will provide Councils with the discretion to set the level of daily fees payable and the maximum annual fees to any one member. The reimbursement of travelling expenses will be excluded from the list of functions which may not be delegated, thus enabling Councils to delegate authority to the Town/Shire Clerk to authorise reimbursement of such expenses.

The Department does not envisage any problems in the passage of the Bill, thus allowing Councils to resolve on the levels of fees to be paid, however, it is to be noted that it is unlikely to be enacted until late October or early November 1987.

Shire Clerk/General Manager's Report

Ord. 20/10/87

IT IS RECOMMENDED THAT Council adopt fees for members based on \$60 per day, with the annual maximum of \$3,000. Further, that the Shire Clerk be authorised to reimburse travelling expenses under Section 530A of the Act as provided in the Local Government Amendment Bill.

8. STAFF MATTERS - RESIGNATIONS. S1/8P

Mrs Mary-Ann Courtney - Enquiries Clerk Health & Building

Tendering her resignation as from 30th October, 1987 and requesting a reference under Seal.

Ms Di Johnston - Tourist Information Officer Tourist Centre

Tendering her resignation as from 9th September, 1987.

IT IS RECOMMENDED THAT the resignations be accepted and a reference under Seal of Council be provided where requested.

9. AUSTRALIANA PIONEER VILLAGE. C51/54

Set out below are the financial details relating to the operations of Australiana Pioneer Village during the month of September, 1987:-

<u>Income</u>	\$
Gate Takings & Other (Incl. Filming activities)	11,766
<u>Expenditure</u>	\$
Building/Grounds Maintenance and Animal Feed	4,086
Attendants' Wages	2,844
Demonstrations	2,462
Rates, Service Charges, etc	3,954
Advertising and Printing	2,266

Attendances for the month of September are set out as follows:-

Adults	392
School Children	2325 (including 31 school visits)
Family Passes	177 (equal to 354 adults and 354 children)

Attendance figures during the holiday period were pleasing and again in conjunction with the daily newspapers free childrens' holiday passes were made available. In total 79 free passes were collected during the holiday period.

The change in season has brought back the regular 'Lady Hawkesbury' Cruise visits to the Village and during the month 158 passengers from the vessel participated in tours of the Village.

Shire Clerk/General Manager's Report

Ord. 20/10/87

During the month, the Willesee Australia Filming Company undertook filming activities within the Village at a fee payable to Council of \$1050. It is considered that the Village has unlimited potential for filming/photography and in this regard, it is anticipated that Council can substantially increase income received from this type of usage.

To this end, a submission has been prepared for circulation within the filming industry promoting the attributes of the Village for commercial filming activities.

Work on the new entrance to the Village off Buttsworth Lane is nearing completion and will be open on Saturday 17th October, 1987, in conjunction with the promotional tour of the Village for the official opening of Australian Library Week.

The regrading of the river bank area, adjacent to the Hawkesbury River, has now received approval to commence such works from the State Public Works Department. These works will commence in the near future and will substantially improve the bank stability and the amenity of the immediate area.

IT IS RECOMMENDED THAT the report concerning the operations of the Australiana Pioneer Village for the month of September be received.

10. DEFERRED RATE PAYMENTS - NORTH RICHMOND SEWERAGE & GLOSSODIA/
FREEMANS REACH WATER SUPPLY. S200/2, M134/4

Council, at its meeting of 10th February, 1987, resolved to defer the payment for the deficit on the operations of the North Richmond Sewerage and Glossodia/Freemans Reach Water Supply Scheme as levied by The Water Board. The deferred amounts for each individual property amounted to \$235 and \$348 for the sewerage and water services respectively.

Where the ratepayer elected to defer the payment until the 31st December, 1987, no interest charges were raised on the amount of the deferment. In the event that the payment for the deferment is not received by the end of the year, then interest will be charged retrospectively to the due date for the payment of rates being one month after the date of issue, as is currently the position on all unpaid rates.

It is proposed that reminder notices be prepared and forwarded, in November, to those ratepayers who elected to defer the payment of part of the local rates.

IT IS RECOMMENDED THAT the report on the deferred rate payment for the North Richmond Sewerage and Glossodia/Freemans Reach Water Supply Schemes be received.

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

The following reports, minutes etc. are submitted for Council's information.

1. Management Executive Committee
2. Western Sydney Regional Organisation of Councils (WSROC)
3. Bushfire Captains Meeting

IT IS RECOMMENDED THAT the Minutes relating to Council and staff committees be adopted and the Minutes from the organisations be received.

12. PROPOSED EXTENSIONS TO WILBERFORCE SHOPPING CENTRE. C51/8

Council at its meeting of 8th September, 1987, accepted the tender of V.A. Gobbo and Sons for extensions to the Wilberforce Shopping Centre, off King Road, Wilberforce. The proposed extensions provide for four (4) new shop premises.

With regard to tenancies of the new shop premises, provision was made to relocate the post office agency, presently within the former Council Chambers in Wilberforce, to one of the new shop premises, that is Shop 5. This aspect has been discussed with the operators of the post office agency and they have indicated their concurrence in leasing the subject shop premises.

Having regard to the fact that several requests have recently been received from interested persons regarding possible leasing of the remaining three (3) shops and the fact that the shops are expected to be ready for occupation by March, 1988, it is considered appropriate for Council to now invite expressions of interest from the public for the tenancy of the remaining three (3) shops. At this stage, it is not proposed to identify specific uses of the shop premises and it is considered appropriate to determine same following receipt of expressions of interest.

In the interim, Council's Valuer has been requested to submit details of appropriate rentals which should apply in the future leasing arrangements in respect of the premises.

IT IS RECOMMENDED THAT Council enter into an agreement for the lease of Shop 5 with Mrs. L. Henderson and Miss D. Cameron for the purpose of operating a post office agency and that expressions of interest be invited for the tenancy of the remaining three (3) shop premises. The necessary documents to be completed under Seal of Council.

13. 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

PAGE 1

REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 8-SEPTEMBER-87

FILE NO REP DATE	SUBJECT REFERRED TO		COMMENT	COMP DATE
8-Oct-85	Amenities R'mond SE	Public amenities - Richmond Oval - a more economical solution such as the repair of the existing facilities	No action proposed 1987	
10-Jun-86	Grandstand Richmond SE	Possible funding of the cost of repairing the grandstand and fire risk	((((Report to November GPC	
10-Jun-86	Grandstand McQuade Park SE	Fire Risk	(((	
10-Mar-87	Baker Street Parking SC	Status of parking Baker Street at back of Franklins, Macquarie Arms private car park & rear of Museum	Report to November GPC	21
10-Mar-87	Staffing SC	Staffing in regard to all Departments	Report to Estimates Meeting	
14-Apr-87	Woodlands Industrial Estate SP	Improving the Estate generally	Report to November GPC	
12-May-87	Tebbutt's Telescope SP	Placement	Report December, 1987	
12-May-87	Items of Environ- mental Heritage SP	Remains of timber bridge (adjacent Windsor Bridge)	Report to November GPC	

HAWKESBURY SHIRE COUNCIL

PAGE 2

REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 8-SEPTEMBER-87

FILE NO REP DATE	SUBJECT REFERRED TO		COMMENT	COMP DATE
9-Jun-87	Tourist Information Centre TM	Operation of Auditorium and/or Tourist Centre	Report following negotiations with tenant and Tourism Manager.	
14-Jul-87	Roundabout SE	Bosworth & West Market Streets	Report to November GPC	
11-Aug-87	Pt Lot 7 Johnston Street, Pitt Town SP	Development potential of property	Awaiting advice from D.E.P.	
11-Aug-87	Breakaway, Freemans Reach SE	Need for erection of cable type fence to prevent access to Oval	Under investigation as to detrimental effect during flood overflow	13
11-Aug-87	Pitt Town Parking SP	Parking problems, commercial area Pitt Town	Under investigation	
11-Aug-87	Footpath facilities SE	Lack of facilities between McGraths Hill and Windsor	Under investigation and consultation with DMR	
11-Aug-87	Parking restrictions HS	2 hour parking restriction in front of Kurmond Shops	Report to November GPC	
8-Sept-87	Australiana Pioneer Village TM	Report from Tourism Manager with recommendations on the Village's future.	To be considered by APV Committee	

HAWKESBURY SHIRE COUNCIL

PAGE 3

REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 8-SEPTEMBER-87

FILE NO REP DATE	SUBJECT REFERRED TO		COMMENT	COMP DATE
8-Sept-87	Yarramundi Bush Fire Shed	Funding sources on extensions - report to include request for shed by Ebenezer Brigade	Report to November GPC	
8-Sept-87	Gorricks Lane SE	Reconstruction of section of road.	Report to November GPC	

ENGINEERINGCORRESPONDENCE1. BLACKTOWN CITY COUNCIL - FLOOD PLAIN MANAGEMENT ADVISORY COMMITTEES. F84/11

Advising that the Council, at its Ordinary Meeting held on 20th May, 1987, resolved to establish a Flood Plain Management Advisory Committee for the South Creek and Toongabbie Creek systems within the City of Blacktown.

Requesting Council to nominate an officer for membership to the Committee as the South Creek system borders Hawkesbury Shire.

(S.E. - "The South Creek catchment lies west of Sydney, extending from its northern confluence with the Hawkesbury River at Windsor to its southern extremity at Camden. Land use in the catchment is predominantly non-urban; it includes some farming, but essentially comprises low density (2ha) rural residential allotments in the southern Penrith area and in the local government areas of Liverpool and Camden.

It is timely that Blacktown City Council should be proposing to set up a Flood Plain Management Advisory Committee. It is recognised that urbanisation dramatically changes the existing land surface and drainage patterns, thus creating the potential for diffuse (as opposed to point) sources of water pollution.

The State Pollution Control Commission has also recognised that the degradation of urban waterways resulting from stormwater runoff is unacceptable, and in this regard the Commission has circulated a draft of the "Pollution Control Manual for Urban Stormwater".

It is important that Council should be represented on the Flood Plain Management Advisory Committee at a technical level to ensure that the Shire has some involvement in the management objectives for future development, particularly within the South and Eastern Creek catchment areas.)

IT IS RECOMMENDED THAT the Shire Engineer be nominated as Council's representative on the Flood Plain Management Advisory Committee for South Creek and that Blacktown City Council be formally advised of this decision.

2. RICHMOND CAROLS BY CANDLELIGHT - RICHMOND PARK, CAROLS BY CANDLELIGHT. 625/202

Requesting permission for use of Richmond Park to hold the annual Carols by Candlelight on Sunday 13th December, 1987. Requesting that Council supply additional rubbish receptacles and stage and seeking a donation from Council to assist in defrayment of costs.

(S.E. - Council has actively supported this event in past years - appropriate arrangements will be made regarding provision of rubbish receptacles and stage. A donation of \$200.00 was made by Council towards last year's function.)

Shire Clerk/General Manager's Report

Ord. 20/10/87

IT IS RECOMMENDED THAT approval be given to the Richmond Carols by Candlelight Committee to conduct the subject event at Richmond Park on Sunday 13th December, 1987, and that a donation of \$200 be forwarded to the organising Committee.

ENGINEERINGREPORTS1. MINUTES OF THE BUSHFIRE CAPTAIN'S MEETING HELD 28TH AUGUST, 1987.
B27/4

With reference to the Bushfire Captains Meeting held on 28th August, (see report to this meeting), in regard to the additional Workers' Compensation Insurance the additional premium to be met by Council has been referred for consideration in the 1988 Estimates.

Council has on a number of occasions made representations to the National Parks and Wildlife Service concerning the vesting of fire control with Council of a buffer strip of land in the National Parks without success. It is proposed that representations again be made in regard to the Islands.

Estimates and appropriate action are being prepared for further consideration in respect of improvement of the telephone system at the Fire Control Centre.

IT IS RECOMMENDED THAT representations be made to the National Parks and Wildlife Service seeking the establishment of a buffer zone around the Islands development under the management of Council's Bushfire Organisation in regard to fire management.

2. FIRE CONTROL OFFICER'S REPORT - BUSH FIRE BRIGADE GROUP CAPTAINS.
B27/6

Section 20(b) of the Bush Fires Act provides for the appointment of Group Captains for the purpose of co-ordinating fire fighting activities.

The following officers have been appointed under delegated authority.

Group Captain 1	- B. McKinlay	- Grose Vale Brigade
Group Captain 2	- W. Bean	- Blaxlands Ridge Brigade
Group Captain 3	- O. Earle	- Freemans Reach Brigade
Group Captain 4	- P. Speet	- Oakville Brigade

IT IS RECOMMENDED THAT the report on the appointment of Group Captains for the Volunteer Bush Fire Brigades be received.

3. PUBLIC WORKS.

Report of work undertaken during September.

ROAD CONSTRUCTION

MR 155 - Castlereagh Road

Reconstruction of the pavement full width near Lennox Street and at William Cox Drive. Placement of all the kerb and gutter within this programme has been completed.

Spinks Road, Glossodia

Reconstruction of the pavement between Golden Valley Drive and Currency Creek has commenced with regrading and re-shaping of the formation to provide for cement stabilisation underway.

DRAINAGEWarks Hill Road

Installation of pipes outside and through No. 61 (Van Der Woude).

FLOOD DAMAGE

Work continued on repair of the scours, installation of pipelines and roadside drainage on Grose Vale Road while the damaged pavement Grono Farm Road has been sealed. Repairs to gravel pavement Upper Colo Road have also been completed.

KERB AND GUTTER CONSTRUCTIONCampbell Street, North Richmond

Placement of the kerb and gutter and sealing of shoulder to complete the installation of kerb and gutter in this street.

Chapel Street, Richmond

Placement of the kerb and gutter, west side March Street to dead end of road.

MAINTENANCE

Kerb and gutter replacement Argyle Street and George Street, South Windsor; Francis Street and East Market Street, Richmond with work in progress Rickaby Street, Moses Street, Harris Street and The Terrace, Windsor.

Patching, gravelling and grading included work on MR 182 - Sackville Road, Settlers Road, Upper MacDonald Road, Webbs Creek Road, The Driftway, Stannix Park Road, Cedar Ridge Road, Old East Kurrajong Road, Stones Road, Ebenezer; Moles Road, Wilberforce; Slopes Road, Alinjarra Road, Tennyson; and Old Kurrajong Road.

Preparation of Florence Avenue, Kurrajong for reseal.

PARKS AND GARDENSGovernor Phillip Park

Work has continued on the construction of the small timber retaining wall along the edge of the river with the lower wall now complete.

Deerubbun Park

Construction of the toilet block is complete other than connection of the electrical supply.

General

Installation of the playground equipment in Richmond Park has been finalised with equipment returned to the reserve Monti Place, North Richmond.

Alterations of grounds from winter to summer sport.

Mowers were busy attending to spring growth while a spray programme was undertaken Richmond Park, McQuade Park, Memorial Park, Windsor; Howe Park, North Richmond Park, Governor Phillip Park, main ovals Richmond Ex-Servicemen's Sporting Complex and around the Council's offices.

BICENTENNIAL LOCAL GOVERNMENT INITIATIVES GRANT

The projects for North Richmond, Corner Terrace Road and Bells Line of Road has been completed other than erection of flagpole with work in Memorial Park, Windsor proceeding.

BUILDINGSBicentenary Park

Work has commenced on the tea-rooms with foundations poured and brickwork up to floor level.

Woodbury Estate

Construction of the amenities building has commenced with floor slab and paths poured.

Museum

Work has continued on the building.

General

Alterations to the Council Chamber and servicing for the Local Government Elections and Vacation Play Schools with repair of vandal damage Community and Cultural Centre, Senior Citizens Centre and South Windsor Park.

SEWERAGE

Average daily flow for September was 3,235 kl/day.

Shire Clerk/General Manager's Report

Ord. 20/10/87

Filter sand on the drying beds has been replaced.

Replacement of the two float switches air pump station 'G', Rifle Range Road and delivery of the new pump service truck.

Clearing of five main line chokes and one blockage on Council property.

IT IS RECOMMENDED THAT the report on Public Works be received.

4. SOUTH WINDSOR SEWAGE PLANT. P160/46/B

Practical completion in respect of the Civil Work has been achieved. Field tests on the aeration and mixer are now complete with the electrical works also complete.

It is anticipated that internal road works and site grading will be completed by 23 October, 1987.

The initial flow of sewage into the works is programmed for the 2nd November, 1987, upon completion of new valve and pipework at pumping station 'H'.

IT IS RECOMMENDED THAT the report in respect of the South Windsor Sewage Plant be received.

5. BLIGH PARK ESTATE. P160/46/A/7

Road and drainage works are now complete within Precinct 7. That part of Precinct 7 released for sale on 19th September, comprising 76 lots has been successful, with at present no lots being available for sale. The balance of Precinct 7, comprising 34 lots is scheduled for release on 24th October, 1987. Public utility construction is about to commence within this precinct.

The construction programme is proceeding for Precinct 8 with the sewer reticulation tenders closing on 20th October, with the Department of Housing. Road and drainage works are due to go to tender on that date. Tendering is on a pre-qualified basis with the Department of Housing.

Precinct 8 which comprises 106 lots is scheduled for release for sale in February, 1988.

IT IS RECOMMENDED THAT the report on the Bligh Park Estate be received.

6. SACKVILLE FERRY. F81/6

The contractor for the operation of this service has given due notice of termination of the contract. Tenders on the basis of operation were invited for a three year period by advertisement in the Sydney Morning Herald on 13th October, 1987, and also in the Hawkesbury Gazette.

Shire Clerk/General Manager's Report

Ord. 20/10/87

The specification has been reviewed with information provided in respect to the award provisions for employees.

This service is operated by Council on behalf of the Department of Main Roads, and in conjunction with the other ferry services, Council has formed a maintenance unit to undertake maintenance of the ferries and approaches including safeguard of the plant during floodtimes.

The cost of the operation of this, the Webbs Creek and Wisemans Ferry services, is reimbursed by the Department of Main Roads. In this regard, the works are included within the Maintenance and Improvement Programme undertaken on main roads by Council. By efficient operation of this service, funds are then available for improvement work on the main roads from within the allocation made by the Department to Council.

IT IS RECOMMENDED THAT the report on the operation of Sackville Ferry be received.

7. SUBDIVISIONS APPROVED UNDER DELEGATED AUTHORITY

		Date Application Received	Date Approved
S87/1	Applicant: John Bowden & Co Owner: Hopplestrap Holdings Land: Lots 2 & 6 DP 252546 off West Portland Road Subdivision to create 10 lots	24/12/86 Development consent issued 11/9/87	18/9/87
S87/77	Applicant: R D Jones, A J Caughey, S Attwood Owner: R D Jones, A J Caughey, S Attwood Land: Lot 5 DP 260654 Roberts Creek Road, East Kurrajong Subdivision to create 2 lots	10/8/87	16/9/87
S86/110	Applicant: W G Hunt, Sunter & Co Owner: Metrona Pastoral P/L Land: Lot 4 DP 236535, DP 75563 and Lot 1 DP 78115 Mountain View Close, Kurrajong Subdivision to create 2 lots	12/9/86 Development consent issued 19/8/87.	3/9/87
S87/80	Applicant: T B and K W Smith Owner: T B and K W Smith Land: Part Lot 8, Section 0, Corner Church and Argyle Streets, South Windsor Subdivision to create 2 lots	21/8/87	8/9/87
S87/18	Applicant: D Matthews and Associates Owner: Paldi Pty Ltd	5/3/87	4/9/87

Shire Clerk/General Manager's Report

Ord. 20/10/87

- Land: Lot 10 DP 625686 and Lot 2
DP 177671 Gadds Lane and
Hilltop Road, Tennyson
Subdivision creating 2 lots
- S86/131 Applicant: R K Cambridge & Co 28/11/86 7/9/87
Owner: Estate M E Cox
Land: Portion 314 Parish Wilberforce Development consent
King & George Roads, Wilberforce issued 10/8/87.
Subdivision creating 2 lots
- S87/38 Applicant: D D and C A Buttsworth 15/5/87 3/9/87
Owner: G F Shepherd
Land: Lots 1 & 2 DP 532476 (Portion
52) Avoca Road, Grose Wold
Subdivision creating 2 lots
- S87/30 Applicant: L Charlton 30/4/87 3/9/87
Owner: L Charlton
Land: Lot 3 DP 239859 & Lot 12
DP 557503 Grose Vale Road Development consent
Subdivision creating 2 lots issued 25/8/87.
- S87/32 Applicant: R E Bourke & H Bourke 30/4/87 7/9/87
Owner: R E Bourke & H Bourke
Land: Lots 20 and 21 DP 3516
Serpentine Lane, Bowen Mountain Development consent
Subdivision creating 2 lots issued 25/8/87.
- S87/45 Applicant: P S Graham & Associates 27/5/87 18/9/87
Owner: B M & H T Battarbee
Land: Macquarie Road, Wilberforce
Lot 5 in a Subdivision of Lot 2
on plan bearing Shire Clerk's
Certificate S85/15 (Part Portion
359) Town of Wilberforce Development consent
Subdivision creating 4 lots issued 11/9/87.
- S87/76 Applicant: D Matthews & Associates 12/8/87 9/9/98
Owner: Windsor Country Village P/L
Land: Lot 39 SP 32123 being Part
Lot 9 DP 220236 Bandon Road,
Vineyard
Subdivision creating 48 strata lots
- S87/64 Applicant: S L Higgs 6/7/87 22/9/87
Owner: S L Higgs
Land: Lots 4 & 5 DP 4161 Springwood
Road, Yarramundi
Subdivision creating 4 lots
- S87/55 Applicant: John Bowden & Co 29/6/87 16/9/87
Owner: L & D Cavicchia
Land: Part Lot 22 being Nos. 26
and 28 Bridge Street, Windsor Development consent
Subdivision creating 2 lots issued 3/9/87.

Shire Clerk/General Manager's Report

Ord. 20/10/87

S87/1 Applicant: John Bowden & Co
 Owner: Hopplestrap Holdings
 Land: Lot 2 DP 252546 Laws Farm Road, Lower Portland

This subdivision has been previously approved and involves the construction of approximately 630m of sealed pavement and upgrading of the access from West Portland Road to the new road with a gravel pavement.

The gravel pavement has been substantially completed, three pipe culverts have been installed and the road pavement has been cement stabilised and is ready to seal.

DA7/87 Applicant: Pappas Kurmond Holdings
 Owner: Tennisport P/L
 Land: Lot 1 DP 599868 Bells Line of Road, North Richmond.

The roadworks for this DA involved the construction of 45 metre of kerb and gutter, a drainage pit over an existing pipeline and the construction of a footway vehicular crossing.

The work has now been completed.

DA184/86 Applicant: Department of Education
 Owner: Department of Education
 Land: Cnr Hibberts Lane and Kurmond Road, Freemans Reach

The roadworks for this DA (Hawkesbury High School) involve the construction of 150 metres of road shoulder and kerb and gutter, a footway vehicular crossing and a major bus bay/turn around.

The pavement has been boxed out and the sandstone base course placed with kerb and gutter nearing completion.

S85/124 Applicant: P S Graham & Associates
 Owner: Murphyores Incorporated P/L
 Land: Part Portion 18 Parish Putty Singleton Road, Putty

This subdivision has been previously approved and involves the construction of approximately 3 kilometres of a sandstone access road and associated drainage.

The access road has been cleared and cut roughly to level, pavement construction using natural sandstone is in progress.

Shire Clerk/General Manager's Report

Ord. 20/10/87

Subdivisions received to September -

1986	111
1987	93

IT IS RECOMMENDED THAT the report on subdivision development throughout the Shire be received.

HEALTH AND BUILDINGREPORTS1. BUILDING APPLICATIONS B25

The following is a summary of building applications received during the month of September, 1987. Applications received during September, 1987, shown in brackets.

<u>No.</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
40	(43) New Dwellings	\$2,569,510	(\$2,322,996)
77	(54) Additions to Dwellings	475,287	(328,447)
-	(-) Residential Flat Buildings	-	(-)
4	(9) New Buildings other than Residential	350,794	(367,860)
4	(2) Additions to Buildings other than Residential	50,500	(45,000)
17	(24) Swimming Pools	134,779	(244,849)
3	(1) Additions to Dwellings - Dual Occupancy Unit	75,000	(20,000)
<u>145</u>	<u>(133)</u>	<u>\$3,655,870</u>	<u>(\$3,329,152)</u>

Building Applications received up to the end of September, 1987. Approvals for the corresponding period during 1986 shown in brackets.

<u>No.</u>	<u>Type of Building</u>	<u>Estimated Value</u>	
412	(404) New Dwellings	\$25,343,924	(\$22,459,267)
573	(489) Additions to Dwellings	\$4,916,576	(3,659,453)
7	(3) Residential Flat Buildings	838,000	(251,000)
42	(45) New Buildings other than Residential	7,639,144	(5,833,460)
25	(37) Additions to Buildings other than Residential	616,313	(1,615,538)
107	(106) Swimming Pools	942,250	(914,382)
10	(4) Additions to Dwellings - Dual Occupancy Unit	524,800	(65,200)
<u>1176</u>	<u>(1088)</u>	<u>\$40,821,007</u>	<u>(\$34,798,300)</u>

IT IS RECOMMENDED that the report be received.

2. SULLAGE REMOVAL CONTRACT. S195/5

During January of this year Council's sullage removal contractors of the time, Richardson's Group Industries, advised Council that they were unable to carry on with the service as it was not viable and new tenders were invited. These tenders were considered by Council at its meeting held on 10th February and the contract awarded to D. Brandster in the sum of 54 cents per 100 litres.

At its meeting held on 11th August, Council considered a request from the contractor and agreed to an assignment of the contract to Concourse Waste Management Pty. Ltd. under the same terms and conditions of the contract.

It has become increasingly evident that the combination of relatively low removal charges and a high percentage of slow payments to the contractor is seriously jeopardising the viability of the contractor, and several discussions have been held with the principals of the Company in this regard. Accordingly, it is proposed to introduce a deposit system and account rendering fee for those requiring credit facilities in order to promote cash transactions which it is envisaged will considerably assist in cash flow.

The Company has also made a submission to vary the rate applicable by an increase of approximately 15% to 62 cents per 100 litres and to confirm the labour and fuel contract percentages, for future adjustments to the rate under the terms of the contract at 65% and 20% respectively.

Details of the Company's submission is reproduced below:

"Since taking over the responsibilities of the above contract we have discovered a number of difficulties that we believe are adversely affecting the economic viability of the contract. Upon enquiry we find that some, if not all, have been encountered by previous contractors to your Shire. We now make this submission for your consideration and believe that the resolution of these problems is central to the effective and economic performance of the contract.

Quoted rates were tendered on the basis of the specified information and conditions. In this case the rate quoted per hundred litres was on the basis of a specified 5,500,000 litres of effluent per month with 1200 premises requiring tanker services.

The actual number of premises requiring pump out service is in fact around 1520 as per our current customer list which is derived from Council information with average collection over the last eight months of 6.19 million litres per month. We believe these figures reasonably reflect an annual cycle as they include both normal and heavy rain periods, if anything the average may reduce over the next four months due to lower seasonal rain fall. The increase over the specified figures in effluent collection has been 12%, whilst the number of premises requiring tanker service has increased by 27%. The inevitable consequence of this nonlinear relationship between the increase of effluent collection and the number of premises requiring service is that operating costs become disproportionate to operating revenue. There are two major areas that are influenced by this. These are increased labour costs and additional plant requirements not fully utilized.

You will no doubt appreciate that a very significant operating cost is 'hook up' time. That is, the time taken by a driver to connect his hoses, commence pumping, disconnect and stow away his hoses and drive to the next residence to begin the cycle again. Added to each cycle is the time taken to measure quantities removed and complete the relevant documentation.

On a monthly basis it can be seen that our 'hook up' time has increased by about 27%, that is, the increase in the number of residences requiring service. This is of course somewhat compensated by an increase in the total amount of effluent collected which is 12%. The nett cost increase is then of the order of 15%. This is also reflected in our overhead and administration requirements which are of course related to the number of transactions processed (increased 27%) rather than the volume of effluent collected.

In the area of plant utilization, plant requirements are a balance between the number of units (related to the number of services required) and the total tanker capacity (related to the volume of effluent to be collected).

The bid was on the basis of three full time units plus supervision unit (part time), we find to maintain the service it has been necessary for us to have four full time units and one supervisor unit albeit one of these units is not fully utilized. This has necessarily involved us with increased plant and maintenance costs in excess of 30%. Obviously, this is partly offset by the increased volume of collected effluent (12%), but the net effect is an increase of the order of 18%.

For Council to be adequately served, the contract needs to be viable so that services may be maintained in an economic and efficient manner. As we understand the history of this contract Richardson's, through their parent company, sought relief from their contractual obligations and requested of Council an increase in rate or termination of contract. We have now had the opportunity to accurately and independently assess the financial results of Tryak Pty. Ltd. (the trading entity for Donald Brandster) and have found that the operation of the contract since last February has been at a considerable financial loss.

This we believe was due primarily to the increased operating costs due to changed requirements. Until recently these could not easily be identified due to the short operating period. However, in spite of these increased costs, increased overhead and increased plant requirements the service has continued to be provided to Council by us.

The rate needs to be increased to a figure of the order of 15%, that is to 62 (base date) cents per hundred litres of effluent collected. We believe at this rate the contract will be viable."

Council of course has the option of calling tenders for a new contract however, it is considered that this option holds no advantage for the following reasons:

1. The rate sought at 62 cents per 100 litres is less than those received when tenders were called in January with the exception of the tender accepted.

Shire Clerk/General Manager's Report

Ord. 20/10/87

2. The rate sought is significantly less than currently applying in other areas. Recent enquiries reveal that the applicable rate in Baulkham Hills and Hornsby Shires is 75 cents and 80.5 cents per 100 litres respectively.
3. The contractor is carrying out the responsibilities of the contract in a satisfactory manner with few problems being experienced in relation to the number of services involved.

While the requested increase is considered to be reasonable, it is suggested that the increase be approved in two stages over a period of say three months to ease any impact as much as possible.

IT IS RECOMMENDED THAT the Contractor, Concourse Waste Management Pty. Ltd., be advised that Council approves of the following variations in the rate:

- (a) An increase in the removal rate from 54 cents per 100 litres to 59 cents per 100 litres applicable from 1st November, 1987.
- (b) An increase in the removal rate from 59 cents per 100 litres to 62 cents for 100 litres applicable from 1st February, 1988.

IT IS FURTHER RECOMMENDED that the labour and fuel content percentages of 65% and 20% respectively as confirmed be accepted for future adjustments under the terms of the contract.

3. RESTORATION WORKS - THOMPSON SQUARE - TENDERS. H105/17/A

At its September meeting, Council considered tenders for various works associated with the restoration of building facades in Thompson Square.

At that time the owner of 62 George Street did not wish to proceed with the work and accordingly, no tender was accepted. The owner now wishes to proceed and the tenders received are relisted for consideration.

Tender "C" - 62 George Street

	\$
W.C. & M.L. Leeson & Co., West Portland Road, Ebenezer	13,550
Alcova Holdings Pty. Ltd., New South Head Road, Edgecliff	10,500
Hinchey & Cross George Street, Windsor	5,380
Bajan Holding Pty. Ltd. Windsor	13,280
John Vander-Have Pty. Ltd. Myrtle Street, Crows Nest	19,230
Stonehill Constructions, Bromley Street, Emu Plains	9,500

Shire Clerk/General Manager's Report

Ord. 20/10/87

O'Mara Constructions Pty Ltd
Oakville

10,127

IT IS RECOMMENDED THAT the tender of Hinchey & Cross Pty Ltd in the sum of \$5,380 be accepted and the necessary documents be completed under Seal of Council.

4. POWER BOAT RACES - NOISE COMPLAINTS. A7/23, 65/205

During the latter part of August a series of race meetings culminated in the receipt of numerous complaints regarding excessive noise. The series, including both drag boat races and club circuit racing was over three consecutive weekends. The weather on the final day was very windy and the public address system speakers were badly located. All of these factors combined, created the conditions of which complaints were received.

The Upper Hawkesbury Power Boat Club arranged a meeting with the residents to discuss the problems and devise ways and means of mitigating the nuisance caused. This meeting was attended by nineteen affected residents together with representatives of the Club, the Maritime Services Board, the State Pollution Control Commission and Council where the following issues were discussed:-

1. Boat motors not to be started out of the water. This is not practicable with a few of the drag boats where emergency cut out switches need to be tested. However, this will be kept to an absolute minimum and will be carried out at the bottom of the ramp which will deflect sound waves.
2. P.A. system speakers will be reduced to half in number and more appropriately located.
3. Consideration will be given to reducing the number of major events.
4. General Club events will utilise a shorter course to enable turning buoy to be moved further downstream.
5. Mufflers are to be fitted to all boats and other modifications as possible.
6. The Maritime Services Board advised that this coming summer a helicopter will be utilised to help police the river.
7. The S.P.C.C. advised that all M.S.B. officers are to be instructed in the use of Sound Pressure Level meters and the proper assessment of offensive noise. The M.S.B. is the controlling authority for noise emanating from navigable waters under the Noise Control Act.
8. Affected residents are invited to attend the control tower during events to liaise with Club officials on problem areas.
9. The Club agreed to arrange a similar meeting in approximately two months time to update residents of progress.

Shire Clerk/General Manager's Report

Ord. 20/10/87

Subsequently, meetings have been held with representatives of the Club, the Drag Boat Racers Association, the S.P.C.C., the M.S.B. and Council and agreement has been reached on the following planning parameters to ensure continued boating activities with as little impact as possible on residents.

- . Not more than six events for the remainder of 1987.
- . Maximum of twenty major and Club events in 1988 and subsequent years.
- . Avoidance where possible, of events being staged on consecutive weekends.
- . No alternate dates to be allocated. If conditions not suitable, event to be abandoned or another date to be arranged if practicable.
- . Self regulation by both U.H.P.B. Club and Drag Racers Association to include:-

Scrutineering
 Effective muffling
 Drive by tests before each meeting
 Automatic noise elimination
 Self monitoring
 Mandatory reporting
 MSB/S.P.C.C. auditing
 Managed duration of events
 Managed practice away from residences
 Reduce to absolute minimum out of water testing
 Control of P.A. system

- . Development of environmental goals over medium term
- . Provide scope for ongoing improvement

Both the Upper Hawkesbury Power Boat Club and the Drag Racers Association of Australia have demonstrated a willingness to co-operate fully to reduce any impact on residents and I am confident that with continued good will, it should be possible to deal quickly with any future problems.

IT IS RECOMMENDED THAT the report be received.

Shire Clerk/General Manager's Report

Ord. 20/10/87

PLANNING*Glam 23/10/87*CORRESPONDENCE1. MOSMAN MUNICIPAL COUNCIL - PROPOSED SALE OF LAND BY FEDERAL GOVERNMENT AT H.M.A.S. "PENGUIN" - MIDDLE HEAD. C50

"You will have no doubt noted from media reports that as part of the May Economic Statement, the Federal Government proposed the sale of assets which, after closer examination includes 3.9 hectares of land within H.M.A.S. 'Penguin' - Middle Head.

The land is within an area zoned 'Special Uses - Military Reserve - 5(a)' within the Mosman Local Environmental Plan No.1, but is otherwise generally within the Middle Head area which is a significant natural land form on the Sydney Harbour foreshores. It was always the belief of my Council that should the Defence Forces vacate the area, it would be returned to the people of Australia and form part of the Sydney Harbour National Park. As such, the proposed sale is of regional, State and national significance, and what the Government is proposing on the eve of our Bicentenary can only be described as scandalous.

My purpose in writing is to seek support of your Council to the principle that land of such significance is in the ownership of the people of Australia and is held in Trust by the Commonwealth - in this particular case, used for Defence purposes. To propose to sell such an asset of the people for a mere \$16,000,000 to a developer for profit is to say the least, questionable. If the Federal Government with the support of the New South Wales State Government is permitted to dispose of this land, one must ask the question 'what else of our national heritage will be sold?'

Your Council's support in making the appropriate representations through both your Federal and State Members would be appreciated.

Yours faithfully,

(Signed) D.J. Lopez
Mayor."

(S.P. - It is considered that harbour foreshore land should not be disposed of to private ownership unless proper environmental assessment has been made of the proposed uses of the land and also an evaluation of options for use if retained in public ownership, so that an appraisal can be made of its value to the community at large.

In the circumstances, it is considered that Council should support Mosman Council's request and make representations to the Federal and State Governments.)

IT IS RECOMMENDED THAT Council support the request of Mosman Municipal Council and make representations, through its Federal and State Members, opposing the sale of H.M.A.S. "Penguin" until such time as proper assessments have been made as to the range of use options available over the property.

Shire Clerk/General Manager's Report

Ord. 20/10/87

LIBRARYREPORTS1. COMPARATIVE STATISTICS FOR SEPTEMBER. L125

Select statistics for the month of September for the years 1985, 1986 and 1987 are as follows:

		<u>1985</u>	<u>1986</u>	<u>1987</u>
Loans	Windsor	9378	12057	12588
	Richmond	8058	9835	10969
Reservations	Windsor	75	152	255
	Richmond	38	54	142
New Borrowers	Windsor	132	During this year a complete re-registration was undertaken	208
	Richmond	63		133
Inter-Library Loans	Incoming (requests to Hawkesbury)	27	73	68
	Outgoing (to other Libraries)	48	45	42

IT IS RECOMMENDED THAT the report on comparative statistics for September, 1985, 1986 and 1987 be received.

2. INTER-LIBRARY LOAN CHARGES. L125/21

With reference to Item 1 General Purpose Committee - Finance Section of 8th October, 1987, Mr Cavalier, Minister for Education (NSW), was reported on Sunday, 10th October as having announced that \$1m of Bicentennial funds were for Chifley University Library. Therefore, at this stage, it is suggested that part 2 of the recommendation be deleted and the recommendation now read:

IT IS RECOMMENDED THAT further representations be made to the Federal Government concerning the impact that the imposition of this charge is having and the additional concern about student demand from Chifley University.

SECTION B - LETTERS SUBMITTED FOR INFORMATION

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

1. BAULKHAM HILLS SHIRE COUNCIL - ELECTION. C50

Forwarding details of the councillors elected at its recent quadrennial election. Advising that Councillor B A Mullane was elected President, and Councillor F D C Caterson was elected Deputy President for the ensuing year.

2. MUNICIPALITY OF AUBURN - ELECTION OF MAYOR AND DEPUTY MAYOR. C50

Advising that Alderman T H Keegan was elected Mayor and Alderman G J Dunn was elected Deputy Mayor for the ensuing term.

3. MR K R ROZZOLI, MP, MEMBER FOR HAWKESBURY - SCHEYVILLE PRISON. P160/47

Forwarding a letter received by him from the Minister for Corrective Services, Mr John Akister, stating that matters raised in Mr Rozzoli's letter are being considered and he will be further informed as soon as possible.

4. HAWKESBURY NEWSPAPERS - APPRECIATION. A5

Thanking Council for its assistance in the organisation of the Hawkesbury Gazette's and Windsor Chamber of Commerce's Public Forum held on 23 September. Advising that the use of the Community and Cultural Centre was much appreciated.

5. MR A B SHERIDAN - APPRECIATION. C50/9

Extending thanks and appreciation to the Shire Clerk and Council Staff for the co-operation and assistance given to him during his term as councillor.

6. LOCAL GOVERNMENT ASSOCIATION OF NSW - REPRESENTATIVE ON STATE POLLUTION CONTROL COMMISSION. C44/2, C50/6

Advising that the Minister for Planning and Environment has requested that a fresh panel of four names be submitted to him for consideration of appointment as representative on the State Pollution Control Commission.

Shire Clerk/General Manager's Report

Ord. 20/10/87

Inviting Councils to forward nominations of elected members by no later than 6th November, 1987, including details of background and any qualifications and/or experience which would be relevant to matters dealt with by the Commission.

Stating that the appointment will be for a term concluding in December 1988.

(S.C. - Council may wish to nominate interested elected members.)

7. MRS J DAVEY - FRIENDS OF THE HAWKESBURY. C45

Advising of the formation of a group, "Friends of the Hawkesbury", which aims to improve and beautify the Hawkesbury for residents, tourists and future generations.

8. LOCAL GOVERNMENT GRANTS COMMISSION - FINANCIAL ASSISTANCE GRANT 1987-88. G95/1

Advising that Council's grant for 1987-88 includes an additional payment relating to the 1986-87 grant because the actual increase in the Consumer Price Index was greater than the estimate on which the 1986-87 grant allocation was determined.

Advising that Council's total grant for 1987-88 is \$2,176,100 which includes an additional payment of \$16,520 because of the adjustment referred to above. Stating that the grant will be paid quarterly.

(S.C. - The 1987/88 Grant represents an increase of 8.3% over 1986/87.)

9. MR P D HILLS, MINISTER FOR EMPLOYMENT - YOUTH EMPLOYMENT SCHEME. G95/35

Advising that Council will receive a grant for a total of \$67,808 to provide 10 jobs in the October, 1987, intake. Stating that it is envisaged that all jobs will commence on 19th October, 1987.

10. BLIGH PARK PROGRESS ASSOCIATION - NEIGHBOURHOOD CENTRE OPENING. A7/39, C51/65

Thanking Council for its significant contribution to the development, establishment and opening of the Centre.

Shire Clerk/General Manager's Report

Ord. 20/10/87

11. MR BOB CARR, MINISTER FOR PLANNING AND ENVIRONMENT - GRANT. C51/54, G95/18

Advising that he has approved a \$ for \$ grant of up to \$15,000 being made available from the Heritage Conservation Fund to assist Council to undertake restoration works on Rose Cottage at Wilberforce.

(S.C. - A further report will be provided on the programme of works to be carried out and source of funding).

12. HAWKESBURY HOSPITAL - ALLOCATION OF FUNDS. H106

Advising that the Minister for Health has allocated "Enhancement funds of \$250,000" to the hospital to enable it to re-open 15 surgical beds, and for the employment of a full-time Social Worker. Stating that the hospital is proceeding towards a target date of 1st November, 1987, to implement this exercise and is confident it can be achieved if sufficient Resident Medical Officers and Nursing Staff can be recruited in time.

Thanking Council for its interest and advising that it will keep Council informed of further developments.

13. HAWKESBURY DISTRICT EISTEDDFOD SOCIETY - APPRECIATION. A5, D64

Expressing appreciation for Council's sponsorship in the amount of \$1,000 toward its Eisteddfod this year, and requesting sponsorship for its 1988 Festival.

14. TOURISM COMMISSION OF NEW SOUTH WALES - NEW SOUTH WALES TOURISM AUTOMATED COMPUTER SYSTEM. T220

Advising that the NEWTRACS (New South Wales Tourism Automated Computer System) will commence operations on 7th December, 1987. Stating that the computer network will link all the Commission's offices in Australia. The computer will hold detailed information on all New South Wales Towns, tours, accommodation, attractions, hire services and associated tourism features.

Forwarding data entry sheets which it requires to be completed for every accommodation establishment in the area.

(S.C. - The computer information for tourist facilities within the Shire has been collected and forwarded to the Commission).

15. RICHMOND HIGH SCHOOL - APPRECIATION. A5

Thanking Council for its donation to the school magazine and also to the School's Citizenship Award.

Shire Clerk/General Manager's Report

Ord. 20/10/87

16. PUBLIC ACCOUNTS COMMITTEE - INQUIRY INTO THE HERITAGE COUNCIL OF NEW SOUTH WALES. H105/1

Thanking Council for its interest in the above inquiry, and for its valuable comments which will assist in formulating the Report. Advising that Council will be contacted again when the Report has been presented to Parliament.

17. THE SALVATION ARMY RED SHIELD APPEAL - DOORKNOCK APPEAL. A7

Requesting permission to conduct the Red Shield Doorknock Appeal throughout the Shire from 24th to 31st July, 1988 with 24th July being the National Doorknock Day.

(S.C. - At the meeting on 14th July, approval was granted to the Salvation Army to conduct its appeal on 26th June, 1988. However, it was indicated at that meeting that this was a tentative date only, as the final date was subject to determination of the Queensland School Holidays. A letter indicating approval has been forwarded.)

18. PRINCESS OF SYDNEY QUEST - THE YOUNG MISS HAWKESBURY QUEST. C51/3

Thanking Council for the help it gave to Sara Jane O'Brien in the above Quest.

19. MR K R ROZZOLI, MP, MEMBER FOR HAWKESBURY - ABOLITION OF NON-FEASANCE RULE. L128, C44/2

Advising that the Report of the Law Reform Commission on this matter is not expected for several months, and therefore he is not in a position to make any further comment at this stage. Stating that as soon as the NSW Law Reform Commission's report is to hand he shall study it and give Council his further comments.

20. MR N GREINER, MP, LEADER OF THE OPPOSITION - REVERSE ONUS PROCEDURE. C50

Referring to some concern within Local Government about interpretations which have been placed on the 'reverse onus' procedure outlined in his Local Government Directions Speech received by Council in August, 1987.

Stating that the policy suggestion applies to the thousands of small, non-controversial development applications which clog up Council decision making. Advising that the reverse onus is designed to free-up day-to-day development applications, so that the average ratepayer does not have to suffer interminable delays for approval of minor works.

21. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR
11/1987. C44/2

1. Valuations

The Valuer-General has indicated that a review of services provided to client councils is being undertaken with a view to overcoming identified deficiencies in that Service.

Councils are invited to inform the Associations of deficiencies experienced. These will then be collected and discussed with the Valuer-General.

(S.C. - The information has been forwarded to the Associations.)

2. Buildings, Closing and Demolition

In response to concern by member councils, a survey was conducted in General Circular No. 12/1986 on powers to deal with building structures which had become dangerous, due either to fire or storm damage.

The survey response was:

Number of councils responding: 136 = 78%

QUESTION 4:

Does council support an amendment to the Local Government Act to grant to councils the power to order the immediate securing or structural safety of any dangerous building on private land, or its demolition in part or whole and to approach the Land and Environment Court, or a Local Court of Petty Sessions and have such order confirmed within a period of 14 days?

In view of the overwhelming support for the proposed amendment, the matter will now be taken up with the Department of Local Government.

3. Council Staff - Need for Driver's Licences

The Associations' attention has recently been drawn to a disturbing incident involving a member of the staff of a NSW council.

The staff member was involved in an accident whilst driving a council vehicle on council business. The police were called, and it was then discovered that the staff member had not held a driver's licence for some twenty years. The staff member was subsequently charged, and the council's Engineer was also breached for permitting the use of a council vehicle by an unlicensed driver. This breach was subsequently withdrawn following representations by the council. The council's insurers have refused to meet any claim in respect of the accident because the driver of the vehicle was unlicensed.

Other councils would be in the same position in similar circumstances, in addition to which the Mayor or President could be prosecuted for permitting the use of a council vehicle by an unlicensed driver. This involves the possibility of both a monetary penalty and action in respect of the Mayor/President's own licence.

To avoid problems of this nature, it is suggested that councils should take the following action:

1. All staff having approval to use council vehicles under any circumstances should be required to produce evidence that they hold current driver's licence(s) for the vehicle(s) they are authorised to operate;
2. All staff should be required to produce confirmation (say) once in every twelve months that all such licences are still current; and
3. All staff should be required to give immediate notification of the cancellation, suspension or expiry of any of those licences.

(S.C. - An annual review has been instituted to check on staff satisfying driver licences.)

4. Ordinance 29A: Powers of Entry

Ordinance 29A was proclaimed in Government Gazette No. 117 of 10 July 1987, and commenced on that date.

The Ordinance applies to all areas (Clause 1) and requires that before a council (which includes any person authorised by a council to exercise a power of the council to enter property - Clause 2) enters any land or building pursuant to a power conferred by Section 524 of the Local Government Act (other than in pursuance of powers under Section 524(1)(f) or (g) of the Act) it must serve on the owner or occupier of the land or building notice in writing of the council's intention to enter the land or building on a day specified in the notice: Clause 3(1). Such notice is not required where entry is effected with the consent of the owner or occupier of the land or building: Clause 3(2), nor where entry is required urgently and the case is one in which the Clerk of the council has authorised in writing (either generally or in the particular case) entry without notice: Clause 3(3). The authority to use force conferred by Section 524(2A) shall not be exercised unless the Clerk has authorised in writing (either generally or in the particular case) the use of force in the circumstances of the case: Clause 4(1), and any general authority for the use of force given by the Clerk must specify the circumstances which must exist before force may be used: Clause 4(2). Where force is used to gain entry, or where entry was effected without notice, the Council must promptly cause notice in writing to that effect to be served on such persons or authorities as appear to the council to be appropriate in the circumstances: Clause 5. Where entry is made for the purpose of making an inspection, as the result of which any work is required on any pipe, sewer, drain or fitting on or in the land or building, the council may recover the reasonable costs of the entry and inspection for the owner or occupier of the land or building: Clause 6: Setting out the various points to be noted.

5. Disclosure of Interests - The New Legislation

The Local Government (Disclosure of Interests) Amendment Act 1987 received Royal Assent on 16th June, 1987, and will commence on 26th September, 1987. It repeals Section 30A of the principal Act and replaces it with a new Division 9A of Part IV of that Act. Setting out the various features of the new provisions.

Full details of matters required to be disclosed are set out in Schedule 5 of the Local Government Act. Schedule 5A to the Act sets out the prescribed forms of primary and ordinary returns, and these forms should be followed exactly.

6. SEPP 22 - Minister's Response

Following concern expressed by a number of councils on the potential implications of the Policy introduced without notice in December last year, the Associations wrote to the Minister for Planning and Environment, Mr Bob Carr. The Minister was advised of the negative effects the Policy could have on local planning initiatives aimed at promoting orderly and economic distribution of activities in business and commercial zones. It was suggested by the Associations that, where a council could satisfy the Minister that it had reasonable objectives in a planning instrument which would be undermined by the Policy, then the Minister could exempt those areas from the Policy.

The Minister's response to the Associations' representations, advises that SEPP 22 merely reflects the current practice in new LEPs of more flexible land use tables, and therefore its only effect will be to extend up-to-date zoning practice to all planning instruments. It was pointed out that a council had the option of refusing a development which is likely to cause harm.

Despite the stand taken by the Minister at the present time, he has indicated that he would be willing to consider the results of any study on the effects of the Policy, as suggested by the Associations. The Associations are proposing to carry out a survey of councils early in 1988, and it would be appreciated if councils would keep this in mind and monitor the impact of the Policy for reference at that time.

7. Community Services Review - Consultations

The Associations' Community Services Review is proceeding according to plan as a result of the co-operation received from councils in returning the review questionnaire and through the participation of those councils selected for interview.

The results of the Review are being compiled at present and will be discussed at a series of consultations to be held in September. The consultations are designed to examine the implications of the Review results for the Associations role in assisting councils in the Community Services field.

8. Children's Services Funding Agreements

Representatives of the Associations recently met with the NSW Minister for Youth and Community Services, the Hon John Aquilina, MP, to discuss several matters related to the funding of Children's Services under the Commonwealth/State Children's Capital Works Programme.

As well as considering the availability of State Funds for Children's Services development staff, the Associations also indicated concern about the agreement between the Minister and councils currently being developed to govern the capital funding of new child care centres.

Shire Clerk/General Manager's Report

Ord. 20/10/87

Any councils being approached during the next few months to sign such an agreement are encouraged to contact the Associations' Manager, Policy, Research and Advice, or Legal officer, to discuss the Associations' concerns.

9. Home and Community Care Programme

The Associations understand that the State Home and Community Care (HACC) Programme Advisory Committee will be reconvened in the near future, and that the Associations will be asked to participate on behalf of Local Government.

Councils may also be interested to learn that the Associations have received an offer of a further grant under HACC to extend the Development Officer - Community Worker (Aged Services) project commenced in 1986/87.

10. 1988 Rate-Pegging Level

Attaching copy of the Associations' comments to the Department of Local Government on the 1988 rate-pegging level. Estimating that additional cost burdens on councils - such as the proposed additional 3% superannuation benefit - and anticipated decreases in revenue sources - financial assistance grants, loans, road funds - could mean that a minimum average increase of almost 7.5% will be required before taking into account cost increases that are projected to be experienced by Local Government based on estimates of 1988 CPI/DMR/PWD indices and debt service charges.

11. Taxation: Classification of Elected Members as Employees

In General Circulars 12/1986 and 1/1987 a suggested appeal procedure was set out in respect of the Commissioner of Taxation's Ruling MT 2035.

It should be noted that the fee for lodging the appeal has recently been increased from \$2.00 to \$200.00.

12. Traffic Authority of New South Wales Detailed Report

Enclosing the report of Ald P A Gould, the Associations' representative on the NSW Traffic Authority.

22. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR NO. 12/1987. C44/21. Information Supplied Pursuant to Section 149(5) of the Environmental Planning and Assessment Act

Following a request from the Associations' Standing Committee on Planning and the Environment, legal advice has been obtained on the scope of the "good faith" protection offered by Section 149(6) of the Environmental Planning and Assessment Act regarding information supplied under Section 149(5).

The advice states that the protection offered by Section 149(6) may be compromised if there are elements of negligence surrounding the issue of information pursuant to Section 149(5) of the Act.

The advice states that the protection offered by Section 149(6) may be compromised if there are elements of negligence surrounding the issue of information pursuant to Section 149(5) of the Act.

The Associations have resolved to hold discussions with an established firm of risk management advisers on the types of procedures councils might follow when providing Section 149 certificates, and, specifically, when providing information under Section 149(5). When available, the results of these discussions will be circulated to councils.

2. Interest Rates

At the 1986 Shires Association Annual Conference the following motion was passed:

"That, in view of the current high interest rate monetary policy adopted by the Commonwealth Government and the detrimental effect this is having on the people of country New South Wales, representations be made to the Prime Minister and the Treasurer seeking introduction of specific relief measures designed to reverse the downturn of the rural economy and its effect on the national economy".

Following representations the following letter was received from the Hon J Kerin, MP, Minister for Primary Industry dated 12th May, 1987, which states, inter alia:

"... interest rates are not the main cause of depressed incomes in the rural sector. The crux of the problem lies in low world prices for a number of our agricultural products.

The Government has put in place the policies that will encourage a reduction in interest rates.

Interest rate reductions will be encouraged through reduced Government expenditure, to be announced in the May Economic Statement, and wage restraint."

3. Local Government Energy Management Seminar

The Seminar is to be held in Sydney on Monday 30th November, 1987.

The Seminar will outline a proposed programme for Local Government and feature case studies of three councils where substantial energy savings have been achieved.

4. Noxious Plants Funding

At the 1987 Shires Association Annual Conference it was resolved "That this Conference press the Government to increase immediately to \$5 million grants for control and eradication of noxious weeds, and that such funding be indexed on an annual basis".

In the submission to the State Government in July on budget matters, an increase of the subsidy to \$5 million and a commitment to indexation of the subsidy in future years was requested.

5. Wilderness Report Submission

Since lodging the submission, the Associations have met with the Director, National Parks and Wildlife, who has advised that the Minister wishes to make it clear that the Wilderness Working Group's proposals are not to be seen as Government policy, or that of the NPWS or its Minister. The Government will be attempting to reconcile the views of all parties including Local Government, in formulating policies and legislation for wilderness protection.

6. Nominations to Boundaries Commission Panel

Special Circular 68/87 invited councils to nominate elected members for selection by the Executives to comprise the Local Government Boundaries Commission Panel. The Minister for Local Government will choose one member from each of the Panels to become the Commission member.

The following panels have been submitted by the Executives to the Minister:

Local Government Association

Ald J Barber OAM (Bankstown)
Ald G C Gard (Holroyd)
Ald P Woods (Concord)
Ald F Zions OAM (Burwood)

7. Staff Training - Training Development Unit8. Disclosure of Interests - The New Legislation

"A number of enquiries have been received since the issue of General Circular 11/1987 which indicate that there are still some doubts about the new requirements. The following information is offered to assist:

1. The obligation to disclose an interest in real estate does not extend to property outside the council's area unless, by reason of its proximity to the area, the interest of the member or employee could reasonably be expected to give rise to a pecuniary interest, direct or indirect, in a matter which the council might consider: see Clause 1(3) of the new Schedule 5. Effectively, this means that an interest in land on or adjacent to the boundaries of the council's area should be disclosed, but not an interest in land physically remote from the area.
2. At the end of Paragraph 4 there was a statement that the information required to be disclosed in returns was personal to the individual completing the return, and that information relating to that person's spouse need not be declared. A further consideration of the new Section 46A, and in particular subsections (3), (4) and (5) thereof, suggests that this may not be correct. The proper position appears to be that the interest of a spouse, partner or relative, if known to the member or employee, is deemed for the purposes of the legislation to be an interest of the member or employee and should be declared. It must be emphasised that only known interests of the spouse, partner or relative need be declared. This would be taken to mean that an interest of which the member or employee was aware or should have been

aware is included, but no other interest. The limitation in respect of real property contained in Clause 1(3) of Schedule 5 would also apply here. Thus, a member or employee who was not aware that his or her spouse owned land interstate would not be in breach through not declaring that interest because (1) he or she was not aware that that interest existed and (b) the property was not within the council's area or sufficiently proximate thereto.

Attention has also been drawn to a typographical error in paragraph 6 of the item. The first sentence should have read:

"An employee of a council to whom power has been delegated to determine development, subdivision or building applications and who has a pecuniary interest (whether direct or indirect) in an application before the council shall, on receipt of that application, give written notice of that interest to the Clerk or, where the employee is the Clerk, to the council".

9. Public Health (Tobacco) Amendment Act 1986

The Act is expected to be proclaimed on 1st October, 1987. The Act requires a system of four new health warnings to be displayed on packets of cigarettes and other tobacco products and strengthens provisions prohibiting the sale of tobacco products to children. One such control is the display of signs at points of sale. The Department of Health will forward signs to the 17,000 licensed tobacco retailers in New South Wales. It requests councils support the legislation by making the signs available in the same way as other health literature.

10. Radio Masts in Residential Areas

A city council in Western Australia is currently reviewing its policy on approvals for radio masts for amateur use in residential areas. The council has requested any policies or data which councils in NSW may be able to offer in relation to the effects of radio masts on local amenity, property values and air-wave interference, and council policies on the matter.

11. Guidelines for Care and Management of Companion Animals in Pounds

The Department of Local Government has prepared guidelines for councils on care and management of companion animals in pounds. The Executives have considered the guidelines and have resolved to advise councils that they should be adopted either in whole or in part according to the situation applying in individual council areas. The Department will be issuing the document shortly.

12. Marking of Fire Hydrants

During 1986, councils were invited to respond to a comment from the Australian Institute of Health Surveyors (NSW), that it would be desirable for councils to adopt a uniform system for marking locations of fire hydrants. Reference was made to a system of blue discs in use in Victoria.

Shire Clerk/General Manager's Report

Ord. 20/10/87

Basically, the system consists of a plate fixed to a post or fence, facing the hydrant. Also marked on the plate is the distance to the hydrant and the size of the main. When the hydrant marker plate is not visible to approaching traffic, an additional marker plate is provided with green reflective material indicating the hydrant is in the opposite direction.

13. Traffic Authority of New South Wales

At the request of the Associations, the Traffic Authority of New South Wales has prepared information on the composition and responsibilities of:

- (i) Local Traffic Committees
- (ii) Council Advisory Committees
- (iii) Regional Advisory Committees,

which is enclosed.

14. Dingo Eradication

Rylstone Shire has sought information regarding the use of electronic fences in dingo eradication.

15. Purchase of Surplus Plant and Material by Council Staff

The Associations have received enquiries regarding council servants tendering and/or bidding at auctions for surplus material.

Legally, provided all conditions of tender are met, there appears to be no objection to a council employee being a tender for the purchase of vehicles or surplus material for sale from time to time by council. Similarly, there appears to be no legal objection to council employees bidding at auction for the sale of vehicles or material.

The general view is that, whilst staff should not be given any special advantage over a member of the public who may be interested in the purchase of council vehicles or material, likewise, the staff should not be disadvantaged by being unable to compete in an open market.

Provided councils take adequate steps to ensure that all bidders are treated equally, there can be no objection to such action.

23. FORGOTTEN VALLEY MOBILE RESOURCE UNIT INC - 1987 DONATION. C45/21

Requesting a donation of \$1,000 from Council to assist in the operation of the Unit during 1987.

(S.C. - An amount of \$1,000 has been provided in the 1987 Estimates and the donation has been forwarded.)

Shire Clerk/General Manager's Report

Ord. 20/10/87

24. MR K R ROZZOLI, MP, MEMBER FOR HAWKESBURY - BIBLIOGRAPHIC SERVICES.
L125/21

Acknowledging receipt of Council's letter regarding recent recommendations of the Australian Advisory Council on Bibliographic Services to impose a \$6.00 charge for inter-library loans and conveying Council's opposition to these recommendations.

Stating that he supports both Council's position and the reasons which it states for its opposition to the recommendation, and undertakes to support Council's representations to the necessary bodies seeking a reversal of this position.

25. MR BOB DEBUS, MINISTER FOR FINANCE, MINISTER FOR CO-OPERATIVE SOCIETIES, ASSISTANT MINISTER FOR EDUCATION - INTER-LIBRARY LOANS.
L125/21

Referring to Council's letter concerning inter-library loans. Stating that he would forward the letter to the Minister concerned, the Hon J A Crosio, MP, Minister for Local Government.

(C.L. - With reference to Item 3 in Correspondence B Section to the General Purpose Committee, Finance Section, on 8th October, 1987, there seems to be some confusion about responsibility for this matter, as the Minister for Local Government has passed the letter onto the Minister for Planning and Environment and the Minister for Heritage, the Hon R J Carr.)

26. MR I CAMERON, MP, SHADOW MINISTER FOR LOCAL GOVERNMENT -
INTER-LIBRARY LOANS. L125/21

Referring to Council's letter regarding the imposition of charges on inter-library loans. Stating that he has taken the matter up with the Minister responsible for AACOBs, Senator Richardson, and will contact Council again when he has a reply.

27. MR J J CARLTON, SHADOW MINISTER FOR EDUCATION - INTER-LIBRARY LOANS.
L125/21

Indicating reluctance to support Council's position on the matter and suggesting that more discussions be held between the interested parties before the matter enters the political arena.

28. JOHN J PAINE ROSS & CO - RUM CORPS BARRACKS. L126/11

Forwarding a copy of application by Mr A F Hoy for On License Restaurant with Reception area including motel in respect of premises situate at 10-20 Richmond Road, Windsor, known as "Rum Corps Barracks Restaurant".

(H.S. - No objection is raised.)

Shire Clerk/General Manager's Report

Ord. 20/10/87

29. TELECOM AUSTRALIA - "LEADING EDGE" TECHNOLOGY. T216

Advising Council of some of the "Leading Edge" technology projects being carried out by Telecom's Penrith District during 1987/88.

These projects are part of a \$21million package allocated for the 045 and 047 areas and include -

- . New telephone exchange at Central Colo and a replacement exchange at Kurrajong Heights.
- . Additional equipment at Freemans Reach and Kurrajong Exchanges to provide growth for demand in services.
- . Extensive cable development throughout the whole of 045/047 area.

30. DEPARTMENT OF TRANSPORT & COMMUNICATIONS - SAFETY OF OLDER PEDESTRIANS. C45/14

Referring to a report sent in April this year by the Federal Minister for Transport on the "Safety of Older Pedestrians". One of the recommendations of the report was that a public education campaign directed at both pedestrians and drivers be conducted.

Advising that Part 1 of the older pedestrian campaign was launched on 21 September, 1987, and has as its centrepiece three television commercials which will begin to appear over the next few months.

Also enclosing the Federal Government's 'Out and About' road safety materials for primary school children and advising that additional copies are available for distribution to libraries and schools.

(S.E. - Arrangements have been made to forward a copy to primary schools in the Shire and a copy to each Library.)

31. LOCAL GOVERNMENT & SHIRES ASSOCIATION - WATER SUPPLY & RESOURCES COMMITTEE ANNUAL CONFERENCE 1987. C44/2, W271

Advising Council that the Committee's Annual Conference will be held on 26th and 27th November, 1987, at the State Office Block Theatre and that each member council is entitled to two voting delegates and an unlimited number of observers.

(S.E. - Council should be represented by one delegate to be accompanied by an observer.)

32. THE COUNCIL OF THE CITY OF GREATER LITHGOW - ELECTION OF MAYOR. C50

Advising Council that at a Special Meeting of Council held on 6th October, 1987, Alderman J.J. McGinnes was elected Mayor for the ensuing term with Alderman R.J. White being elected Deputy Mayor.

Shire Clerk/General Manager's Report

Ord. 20/10/87

33. PHILLIPS FOX, SOLICITORS - SOUTH WINDSOR TAVERN - VARIATION OF HOURS.
L126/11

Advising that an Application to the Licensing Court of New South Wales has been made for a variation of trading hours to permit trade between 10.00 a.m. and 12.00 midnight Monday to Saturday inclusive and midday to 10.00 p.m. on Sunday for the South Windsor Tavern, Corner of Ham and Stewart Streets, South Windsor.

34. LIVERPOOL CITY COUNCIL - ELECTION. C50

Advising that Alderman Casey Richard Conway was elected Mayor, and Alderman Ronald John Hollands was elected Deputy Mayor of Liverpool City Council.

35. PENRITH CITY COUNCIL - ELECTION. C50

Advising that Alderman Rodney Field was elected Mayor and Alderman K Dwyer was elected Deputy Mayor of Penrith City Council.

G.M. McCully
Shire Clerk/General Manager