- Denise. R

Hawkesbury City Council

BUSINESS PAPER

Ordinary Meeting 10 APR 1990

MINUTES OF MEETINGS

ORDINARY MEETING HELD ON 13TH MARCH, 1990

SECTION 1

Minutes of the Meeting of the Council of the City of Hawkesbury held at the Council Chambers, Windsor, on 13th March, 1990, commencing at 7.30 p.m.

PRESENT: Alderman J.J. Horrex, Mayor, and Aldermen 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.

Canon H. Rawson, on behalf of the Hawkesbury Ministers Fraternal, gave the opening prayer at the commencement of the meeting.

An apology for lateness was received from Alderman P.E.Gibson.

623 RESOLVED on the motion of Alderman Bazeley seconded by Alderman Rotherham that the apology be accepted.

Alderman Gibson arrived at the meeting at 8.06 p.m.

SECTION 1 - MINUTES OF MEETINGS

CONFIRMATION OF MINUTES

624 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Stubbs that the Minutes of the Ordinary Meeting of Council held on 13th February, 1990, having been circulated amongst the members of Council, be confirmed.

625 RESOLVED on the motion of Alderman Bazeley seconded by Alderman Books that the Minutes of the Special Meeting of Council held on 20th February, 1990, having been circulated amongst the members of Council, be confirmed.

MAYORAL MINUTES

1. HAIL STORM DAMAGE. G95-51 [50.683]

626 RESOLVED on the motion of Alderman Horrex seconded by Alderman Stubbs that Council write to the Premier in accordance with the Mayoral Minute.

2. COMMONWEALTH GAMES ATHLETES - KATHY SAMBELL & BEVERLEY HAYMAN. C40-7 S202 [50.684]

627 RESOLVED on the motion of Alderman Horrex seconded by Alderman Sheather that Council support such a fund raising programme.

SECTION 2 - NOTICES OF MOTION

NOTICE OF RESCISSION MOTION (C50-14) [50.685]

628 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Mackay that Resolution C50/14 of the Ordinary Meeting of Hawkesbury City Council be rescinded.

629 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Sledge that a number of small coloured design layouts be prepared for Council's consideration and resolution.

Moved by Alderman Rotherham seconded by Alderman Sledge that the bottom design of the selection as displayed on the notice board be adopted.

630 **AN AMENDMENT** was moved by Alderman Michael seconded by Alderman Bazeley that Alderman Rotherham's design No.1 be adopted.

The amendment was carried.

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

NOTICE OF MOTION

By Alderman R.S.Benson C50;F84-16;P177 [50.686]

631 RESOLVED on the motion of Alderman Benson seconded by Alderman Stubbs that Council investigate the possible damage to wildlife in Bardenarang Creek and Pitt Town Lagoon due to the recent pollution from recent flood.

The Manager of Environment & Building Services advised that when the phenomenon was first noticed a sample was taken to the University of Technology and Council was advised that the water quality was consistent with that of the water being contaminated by decomposing vegetation. Further samples were taken and submitted to the University of Western Sydney for analysis and the results indicated that the first advice was correct and there was no indication of significant sewerage contamination. Following that Dr.Dominic Chang from the University of Technology visited the area and took further samples and investigated the situation. His indications to date are that the phenomenon is caused by the decomposing vegetation. He has arranged to come again on Friday of next week to further survey the situation and prepare a programme for future surveillance to determine if any possible future contamination was likely that could be addressed. He has also indicated that in his opinion the Lagoon has started to recover and he is continuing with the survey with further follow up samples with a view to determining a programme of surveillance.

Alderman Gibson arrived at this stage, the time being 8.06 p.m.

SECTION 3 - REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 1 - WORKS

ITEM 10 - STORMWATER DRAINAGE - NORTH STREET, WINDSOR. 665-1409 D66-5 [50.687]

632 RESOLVED on the motion of Alderman Benson seconded by Alderman Rotherham that a further report be brought back on this matter.

SECTION 2 - PLANNING AND DEVELOPMENT

ITEM 11 - G H & N C JOHNSON - ERECTION OF AN ADDITIONAL MUSHROOM GROWING SHED AND ANCILLARY PACKAGING BUILDING - LOT 4 DP 513000 NO. 105 PITT TOWN ROAD, McGRATHS HILL, DA 19/90 [50.688]

Alderman Horrex declared an interest in this matter and vacated the Chair. Alderman Sledge took the Chair.

633 RESOLVED on the motion of Alderman Sheather seconded by Alderman Benson that the application be approved subject to the following conditions :

1. The development shall be carried out in accordance with the submitted plan 23rd January, 1990.
2-13. Standard conditions (development) 11, 20, 31, 32, 35, 36, 50 (10) (ten), 52, 61, 70, 100 and 102.
14. The mushroom growing and packaging building shall not exceed 5 (five) metres at the roofline apex, nor exceed 3.5 (three point five) metres at the eave connection between the roof and the side wall. In this regard, the building height and plans of the development shall be submitted in conjunction with the building application.
15. No compost be manufactured on site.

Alderman Horrex then returned to the Chair.

ITEM 18 - REZONING TO PERMIT 1 HECTARE SUBDIVISION ALONG PART OF RACECOURSE ROAD AND RICKABY STREET, CLARENDON. L10/87 [50.689]

634 RESOLVED on the motion of Alderman Michael seconded by Alderman Sledge that the draft local environmental plan, as exhibited, be forwarded to the Department of Planning pursuant to Section 68 of the Act for final gazettal.

ITEM 26 - DEVELOPMENT OF LAND BY FILLING, P160 [50.690]

635 RESOLVED on the motion of Alderman Books seconded by Alderman Sheather that the information on unauthorised land fill operations be received and that an advertisement be placed in the local newspaper advertising the fact that filling of land requires Council consent. Applications for consent require the following to be addressed :

1. The area of land to be filled.
2. The volumes of fill required and the types of fill to be utilised including the utilisation of topsoil on the development.
3. A contour plan of the land both prior to fill and after fill showing finished levels.
4. A statement or diagram indicating effect, if any, on adjoining properties.
5. The proposed end land use of the filled area.
6. The approximate truck movements and time of deliveries.
7. Types of equipment utilised to spread and compact the fill.
8. Certified engineering drawings, etc. of large and/or difficult fill proposals.

THAT A CHARGE of 20 (twenty) cents per tonne per kilometre, subject to annual review, be implemented with the application for development sites where fill is imported for development.

636 RESOLVED on the motion of Alderman Stubbs seconded by Alderman6 Sheather that the report of the General Purpose Committee Meeting held on 27th February, 1990 as recorded on Pages 1 to 28 of the Minutes of the General Purpose Committee Meeting, be adopted, with the exception of:

Section 1 - Works

Item 10 - Stormwater Drainage - North Street, Windsor 665-1409 D66-5 [50.687]

Section 2 - Planning and Development

Item 11 - G H & N C Johnson - Erection of an Additional Mushroom Growing Shed and Ancillary Packaging Building - Lot 4 DP 513000 No. 105 Pitt Town Road, McGraths Hill DA19/90 [50.688]

Item 18 - Rezoning to Permit 1 Hectare Subdivision Along Part of Racecourse Road and Rickaby Street, Clarendon. L10/87 [50.689]

This is Page of the Minutes of the ORDINARY NO. 2 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 13TH MARCH, 1990.

Town Clerk/General Manager Mayor

Item 26 - Development of Land by Filling. P160 [50.690]

which have already been considered by Council - Minutes Nos. 632, 633, 634 and 635.

SECTION 4 - REPORTS FOR DETERMINATION

FINANCE AND ADMINISTRATION

1. COMMONWEALTH BANK OF AUSTRALIA - RENEWAL OF LOAN. B23-36. [50.691]

637 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Rotherham that the offer be accepted and the Seal of Council be affixed to the mortgage documents.

2. TOURISM HAWKESBURY INC. - VEHICLE LEASE. T220. [50.692]

Alderman Michael and Alderman Stubbs declared an interest in this matter.

638 RESOLVED on the motion of Alderman Gibson seconded by Alderman Sledge that Council lease to the Board of Tourism Hawkesbury the existing motor vehicle used by that service at an annual rate of $1,300 (one thousand three hundred), with the running and operational costs to be charged to Tourism Hawkesbury and the agreement to rest on correspondence.

3. STAFF MATTERS. S1/8P. [50.693]

639 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Denne that the resignations be accepted and references be issued under the Common Seal of Council.

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4. RECONCILIATION OF RATES LEVY AND SEALING OF RATE BOOK. R186/1. [50.694]

640 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that Council affix the Seal to the Schedule referred to in the report incorporating the Rate book levies, Reconciliation of Levy and the Schedule of Non-Rateable properties for the year 1989.

5. ANNUAL STATEMENTS OF ACCOUNTS. A1/11. [50.695]

641 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that the report on the 1989 Annual Statements of Accounts and movements in reserves be received and the amount of $2,669.96 (two thousand six hundred and sixty nine dollars and ninety six cents) be abandoned in accordance with the Local Government Act.

6. STATE LIBRARY OF NSW - LIBRARY SUBSIDY 1990. L125/1. [50.696]

642 RESOLVED on the motion of Alderman Denne seconded by Alderman Stubbs that the Council make application to the State Library of NSW for its 1990 Library Subsidy to the amount of $87,660 (eighty seven thousand, six hundred and sixty dollars.

7. COMMUNITY RADIO - 2VTR-FM. R184. [50.697]

643 RESOLVED on the motion of Alderman Denne seconded by Alderman Stubbs that Macquarie Towns Communications Co-Operative Society Limited be offered the lease of the Council building at the intersection of Stannix Park Road and Singleton Road, North Wilberforce, with the lease to rest on correspondence, and rental in the first year being a nominal amount of $1 (one dollar). Further that funds of $1,000 (one thousand dollars) be made available to assist the group in establishing the building. That the Co-Operative be advised that they are responsible for obtaining all necessary approvals and licences for the relocation.

8. FIRE FIGHTING ASSISTANCE. B27. [50.698]

644 RESOLVED on the motion of Alderman Michael seconded by Alderman Stubbs that Council accept the conditions of the State Tactical Assistance Response Group Plan in regard to out of area assistance and pursuant to Clause 2.9 of its delegations to the Town Clerk/General Manager delegate to the Fire Control Officer, William Rodger, "authorised to provide fire fighting resources as can be made available in other parts of the Region or the State where a potential or bush fire emergency exists to the extent justified considering local conditions."

Further that the Council agrees to make available its Fire Control Officer or Deputy Fire Control Officer as appropriate for appointment as Logistics Officer or Out-Of-Area Co-Ordinator or to assist otherwise subject to local conditions in accordance with the State Tactical Assistance Response Group Plan.

9. DEPARTMENT OF FAMILY AND COMMUNITY SERVICES - RESTRUCTURING OF COMMUNITY GRANTS PROGRAMME. C48. [50.699]

645 RESOLVED on the motion of Alderman Mackay seconded by Alderman Denne that Council recommend to the Department of Family and Community Services that the Review of the Community Services Grants Programme examine options which;

(i) allow for consultation with Councils and local communities in assessing needs and developing services;
(ii) continue to fund at an appropriate level the community services functions carried out by Councils and community organisations.
(iii) make provision in funding to meet the needs of residents in new release areas.

ENGINEERING

1. ROADS & TRAFFIC AUTHORITY - 1989/90 REGIONAL LOCAL NETWORK TRAFFIC PROGRAMME. T225, 665-244, 665-363. [50.700]

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646 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sledge that the grant for the erection of a reflectorised barrier be accepted and the work proceed.

2. ROTARY CLUB OF WINDSOR - McQUADE PARK, FAMILY FUN DAY. 625-203. [50.701]

647 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Denne that approval be granted to the Rotary Club of Windsor for use of McQuade Park, Windsor, on 1st April, 1990, as well as erection of an advertising banner at the south west corner of the reserve, subject to standard conditions governing such functions in public reserves.

3. SEWERAGE CONSTRUCTION WORKS. MULGRAVE INDUSTRIAL AREA AND STAGE II SOUTH WINDSOR TREATMENT PLANT. S200/25. [50.702]

648 RESOLVED on the motion of Alderman Sledge seconded by Alderman Stubbs that:

1. The Commission extended to Engineering Consultants G.H.D. to Design Stage II of the South Windsor Plant be extended to incorporate commissioning of the plant at an estimated cost of $109,000 (one hundred and nine thousand dollars).

2. A Clerk of Works be employed on a temporary basis for the duration of the projects to commence May 1990, for approximately 14 (fourteen) months at a grade of Engineering Assistant Grade 2, 3rd year.

4. BOUNDARY ROAD, MARAYLYA. 665-256. [50.703]

649 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Sheather that the reconstruction of the pavement -

a) between Windsor Road and Commercial Road - approximate length 700 (seven hundred) metres,

b) north of Old Pitt Town Road - approximate length 400 (four hundred) metres,

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c) north of Maguires Road - approximate length 300 (three hundred) metres;

proceed as a joint venture between Baulkham Hills Shire Council and this Council and that an amount of $85,000 (eighty five thousand dollars) be allocated from the grant under the Accelerated Roads Improvement Programme for this work.

HEALTH AND BUILDING

1. DOG CONTROL. D63. [50.704]

650 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Denne that Patricia Davis, Dennis Moss, Charles Whitelock, David Harvey and Ian Stubbs be appointed Authorised Officers under Section 22A(9) of the Dog Act, 1966, as amended.

PLANNING

1. SECTION 94 REIMBURSEMENT OF A PROPORTION OF THE COST OF INTERSECTION WORK - CORNER CURTIS AND WINDSOR ROADS, McGRATHS HILL. S88/107. [50.705]

651 RESOLVED on the motion of Alderman Sheather seconded by Alderman Stubbs that a contribution of $1.38 (one dollar and thirty eight cents) per square metre of land be fixed for the area defined on the map (reference S94 - Intersection Curtis/Windsor Roads) as the applicable contribution for 1990.

Further, any development consent within this area is to be conditioned to require this contribution with the proceeds being refunded to the developer, Berela Pastoral Company Pty Ltd, up to a maximum of 60% (sixty percent) of the indexed cost of the intersection $75,000.00 (seventy five thousand dollars).

2. SUBDIVISION OF DIAMOND HILL - MOUNTAIN VIEW CLOSE AND HERMITAGE ROAD, KURRAJONG. S89/154. [50.706]

652 RESOLVED on the motion of Alderman Mackay seconded by Alderman Sledge that:

1. The Manager of Town Planning be provided with delegated authority to approve the amended subdivision application subject to conditions.

2. That the existing condition No. 23 which requires the "Widening of the proposed road off Mountain View Close to a reservation width of 20 (twenty) metres in accordance with Council's policy and the creation of a 6 (six) m x 6 (six) m splay corner at the southern intersection of Mountain View Close", be deleted as a condition on the amended consent.

3. That a further condition be added to the amended consent to the effect that the applicant demonstrate by lodgment of engineering plans that the proposed 15 (fifteen) metre road reservation will be adequate for the provision of all necessary services and a suitable carriageway width to the requirements of the Manager of Engineering Services.

4. That the amended consent be conditioned to require a contribution of $41,405 (forty one thousand, four hundred and five dollars) based on $1,183 (one thousand, one hundred and eighty three dollars) per additional allotment being the contribution for open space and community facilities as a consequence of the subdivision of land.

3. AGREEMENT ON RELEASE OF BANK GUARANTEE - BRICKSAND PTY LTD, SACKVILLE ROAD, EBENEZER. 68A-485-74. [50.707]

653 RESOLVED on the motion of Alderman Gibson seconded by Alderman Sheather that the offer of a contribution payment of $4,500 (four thousand, five hundred dollars) by Bricksand Pty Ltd in fulfilment of their obligations to restore the site be accepted and that upon payment of this sum the bank guarantee held by Council be released.

4. RELEASE OF BANK GUARANTEE FOR QUARRIES PTY. LTD. (NOW BORAL RESOURCES) - EXTRACTIVE INDUSTRY. 68A/488/69 & P160. [50.708]

654 RESOLVED on the motion of Alderman Denne seconded by Alderman Stubbs that Council notify Boral Quarries that it no longer requires the bank guarantee in connection with a deed of covenant between Quarries Pty. Ltd. and Colo Shire Council dated 9th March, 1972, and that it is agreeable to the bank guarantee being cancelled. Further that Boral Quarries be advised that the release of the guarantee will terminate any development consent which may exist in relation to the extractive operations.

5. REZONING OF LAND BETWEEN BLIGH PARK AND SOUTH WINDSOR TO PERMIT RESIDENTIAL DEVELOPMENT (BLIGH PARK EXTENSION). L4/89. [50.709]

655 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Bazeley that the information regarding Lot 21 and Portions 308 and 341 be received and no action be taken on the draft plans pending a further report to Council.

6. AIRCRAFT NOISE AND ITS EFFECT ON DEVELOPMENT. P160-64; P177-5. [50.710]

Item No. 7 of the Town Clerk/General Manager's Supplementary Report - Planning - was dealt with in conjunction with Item 6 above.

656 RESOLVED on the motion of Alderman Stubbs seconded by Alderman Gibson that the information concerning interpretation of AS2021 be received and that a further report be presented to Council when clarification of use of the Clause is received from the Department of Planning and that, in the interim period, Council accept that compliance of the Clause is to be to the satisfaction of the Manager of Environment & Building Services.

SECTION 5 - REPORTS FOR INFORMATION [50.711]

1. KURRAJONG HEIGHTS COUNTRY WOMEN'S ASSOCIATION. 4334W, D64.
2. WINDSOR FUNCTION CENTRE - JANUARY AND FEBRUARY BOOKINGS. C51/3.
3. HAWKESBURY CITY SISTER CITY ASSOCIATION. A7-40, C50-10.
4. ROOTY HILL RSL AQUATICS ASC. D64.
5. COMMUNITY SERVICES REPORT - FEBRUARY, 1990. C45.
6. STATE ENVIRONMENTAL PLANNING POLICY NUMBER 28 - TOWN HOUSES AND VILLA HOUSES. P160-8.
7. BUILDING APPLICATIONS. B25.
8. PASTURES PROTECTION BOARDS - RURAL LANDS PROTECTION BOARDS. A10.
9. ARREARS OF RATES AND CHARGES. R186/8.
10. DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY. P160/33.
11. AUSTRALIANA PIONEER VILLAGE. C51/54.

Moved by Alderman Gibson seconded by Alderman Benson that Australiana Pioneer Village be sold at the nearest possible time and that the Notice of Motion put forward by Alderman Gibson some time back be put into train again.

The motion was lost.

12. PROPOSED NEW HAWKESBURY HOSPITAL. H106.
13. PROPOSED PUBLIC TRANSPORT SEMINAR. W275.
14. TREE PRESERVATION ORDER APPLICATIONS. P160/30.
15. CIRCULAR NO.90/7 DEPARTMENT OF LOCAL GOVERNMENT - WAR WIDOW AND WAR WIDOWED MOTHER PENSIONS. R186-3, C44-1.
16. NAVUA RESERVE, GROSE WOLD. 625-2.
17. BLIGH PARK ESTATE. P160/46
18. PUBLIC WORKS. S205/3/A
19. THEATRE OF THE DEAF. L125.
20. FRIENDS OF HAWKESBURY LIBRARY. L125/31.
21. LITERACY COLLECTIONS. L125/14.
22. ACTION ON NOTICES OF MOTION. C50
23. REPORTS REQUESTED BY COUNCIL - STATUS AS AT 13TH MARCH, 1990. C50-1.

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657 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the reports in this section be received.

SECTION 6 - REPORTS OF COMMITTEES

MANAGEMENT EXECUTIVE COMMITTEE MEETING - 7TH FEBRUARY, 1990 [50.712]

658 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Stubbs that the Minutes of the Meeting of the Management Executive Committee held on 7th February, 1990 as recorded on Pages 1 and 2 of the Minutes, be adopted.

NOISE & ENVIRONMENTAL POLLUTION COMMITTEE MEETING - 7TH FEBRUARY, 1990 [50.713]

Alderman Stubbs pointed out that Item 5 - General Business - Part iv. - should read "4 Ml" and not "4ml" as shown.

659 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Stubbs that the Minutes of the Meeting of the Noise & Environmental Pollution Committee held on 7th February, 1990, as recorded on Pages 1 to 3 of the Minutes, be adopted subject to the correction in Item 5 - Part iv. to now read "4Ml."

FINANCIAL ADVISORY COMMITTEE MEETING - 8TH FEBRUARY, 1990 [50.714]

660 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Stubbs that the Minutes of the Meeting of the Financial Advisory Committee held on 8th February, 1990, as recorded on Pages 1 & 2 of the Minutes, be adopted.

SECTION 7 - CORRESPONDENCE FOR INFORMATION [50.715]

1. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS NEW SOUTH WALES - GENERAL CIRCULAR NO. 2/1990. C44-2.
2. PETER COLLINS, M.P. - MINISTER FOR THE ARTS. L125-1.
3. PAUL GIBSON, M.P., - STATE MEMBER FOR LONDONDERRY. M130-30, P160-68.
4. GARY L. STURGESS - DIRECTOR-GENERAL, THE CABINET OFFICE. P160.
5. AEROSPACE FOUNDATION OF AUSTRALIA LIMITED - INTERNATIONAL AIR SHOW FOR AUSTRALIA UNDER CONSIDERATION. C40-11.
6. BARBARA SLATER - SECRETARY - STIMULUS EARLY INTERVENTION GROUP. C45-26.
7. D J MCSULLEA - DEPUTY SECRETARY - LOCAL GOVERNMENT ASSOCIATION OF N.S.W. L128-5.
8. TED PICKERING MLC - MINISTER FOR POLICE AND EMERGENCY SERVICES. P176.
9. MRS K. O'FARRELL. D63-2, S1-8P.
10. DEPARTMENT OF MINERALS AND ENERGY - INVESTIGATION INTO ETHANOL AND ALTERNATIVE TRANSPORT FUELS. R190.
11. WATER SUPPLY & RESOURCES COMMITTEE - MEETING 24.11.89. W271.
12. DEPARTMENT OF WATER RESOURCES - SOUTH CREEK FLOODPLAIN MANAGEMENT STUDY. P160/81, F84.
13. ANGLICAN CHURCH OF ST. MATTHEW - CONSTRUCTION OF FOOTPATH. A5, 665-740.
14. SHK ARCHITECTS (NSW) PTY. LTD. - PLANTER BOXES OUTSIDE COLES SUPERMARKET, GEORGE STREET, WINDSOR. DA. 520-87.
15. ALASDAIR WEBSTER MP, MEMBER FOR MACQUARIE - INCREASED FEDERAL ROAD FUNDING FROM A FUTURE COALITION GOVERNMENT. R190, G95.
16. ROADS & TRAFFIC AUTHORITY - TRAFFIC SIGNAL CONSTRUCTION AT INTERSECTION OF MACQUARIE AND ARGYLE STREETS, WINDSOR. R190/42, 665-1341, 665-119.
17. WOLLONGONG CITY COUNCIL - 30TH ANNUAL FLOOD MITIGATION CONFERENCE - WOLLONGONG 15-18 MAY, 1990. F84, C48/2. [50.716]

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661 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Mackay that delegates be appointed with Aldermen Sheather, Michael and Denne being nominated.

662 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the appointment of voting delegates be left to the delegates attending the Conference.

18. MOTOR INN & MOTOR ASSOCIATION OF NEW SOUTH WALES -LIQUOR LICENSING REFORMS. L126-11, T220.

Moved by Alderman Sheather seconded by Alderman Bazeley that Council not support the liquor licensing reforms currently proposed by the State Government.

The motion was lost.

19. LOCAL GOVERNMENT ASSOCIATION OF NSW - 0.03 CENT/LITRE STATE FUEL TAX. L128, T215.
20. DAVID JULL M.H.R. - MEMBER FOR FADDEN - SHADOW MINISTER FOR TOURISM, AVIATION AND SPORT. A4-3.
21. STEPHEN ALCHIN - DIRECTOR - WESTERN SYDNEY REGIONAL ORGANISATION OF COUNCILS - SECONDARY SCHOOL EDUCATION SYSTEM IN WESTERN SYDNEY. E70.

663 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that the correspondence in this section, with the exception of Correspondence Item 17, be received and appropriate replies forwarded where necessary.

SECTION 8 - OTHER REPORTS [50,717]

664 RESOLVED on the motion of Alderman Rotherham seconded by Alderman Stubbs that the Other Reports be received.

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SECTION 9 - SUPPLEMENTARY REPORTS

FINANCE AND ADMINISTRATION

10. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. S200/25 [50.718]

665 RESOLVED on the motion of Alderman Mackay seconded by Alderman Stubbs that the Seal of Council be affixed to the following document :

Contract ... With Aquatec-Maxcon Pty Ltd for the Stage 2 augmentation - design, manufacture, installation and commissioning of aeration equipment at South Windsor Sewerage Treatment Plant.

11. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - FEDERAL ELECTION. E73 [50.719]

666 RESOLVED on the motion of Alderman Gibson seconded by Alderman Stubbs that Council endorse the Association's recommended action, and circulate the policies to all candidates in the area of Macquarie.

ENGINEERING

5. SUBDIVISION APPLICATION - APPLICANT : R K CAMBRIDGE & CO - OWNER : J & A DUFFY - LOCATION : LOT 2 DP 716112 AND LOT 26 DP 630497 FAIREY ROAD, WINDSOR (NEAR PENRUDDOCK STREET) - ZONING : RURAL 1(b) - APPLICATION: SUBDIVISION TO CREATE TWO LOTS WITH AREAS OF APPROXIMATELY 2.27 HA AND 15.52 HA INVOLVING ADJUSTMENT OF BOUNDARIES.. S89/24 [50.720]

667 RESOLVED on the motion of Alderman Books seconded by Alderman Rotherham that the conditions of subdivision consent be amended as follows :

Condition 5 "Construction of Fairey Road for the full frontage of Lot 11 (approximately 6m [six]) and the intersection of Fairey Road with Penruddock Street complete with a sealed pavement. Plans to be submitted and approved by the Manager of Engineering Services."

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Condition 6 "The construction of vehicular access to both lots from Fairey Road."

PLANNING

7. AIRCRAFT NOISE AND ITS EFFECT ON DEVELOPMENT, P16-64; P177-5

See Minute No. 656.

REPORTS FOR INFORMATION [50.721]

24. LOCAL GOVERNMENT ASSOCIATION OF NEW SOUTH WALES - LOCAL GOVERNMENT COMMISSION. L128-5; C44-2
25. SUBMISSION TO STATE GOVERNMENT 1990/91 BUDGET. L128-5; C44-2

668 RESOLVED on the motion of Alderman Gibson seconded by Alderman Denne that the correspondence in this section be received and appropriate replies forwarded where necessary.

QUESTIONS WITHOUT NOTICE [50.722]

Alderman Sheather sought advice on the current position in relation to negotiations with the extractive industry on East Kurrajong Road and the 50 cents levy that Council held over.

The Town Clerk/General Manager advised that a Mr. Fred Stevens, Manager of the Sand Stone Operations of the Readymix Group rang last week and left a message to arrange an appointment time.

Alderman Gibson asked if Council had any further information on the Glossodia/Freemans Reach/Wilberforce Sewerage Supply Scheme.

The Town Clerk/General Manager advised that the Water Board has made provision in its Capital Works Programme for its share of the

acquisition of costs of the Treatment Plant site and that the Minister will have a final report from the Board within two weeks and Mr.Rozzoli will take up the matter with the Minister.

Alderman Gibson referred to the dumping of soils for fill for land and asked if Council is aware of the dumping of rubbish in Greenway Crescent just before the right hand bend near the bridge. He stated that this is being pushed back into the river.

The Manager of Engineering Services advised that a letter has been forwarded to the person concerned suggesting that he cease the operation until he gets it properly approved and plans submitted. He stated that this would be followed up.

Alderman Gibson asked if Council had received any complaints in the last two weeks in relation to truck movements and noise in Greenway Crescent.

The Manager of Engineering Services stated that complaints had been received and a report would be coming before the next General Purpose Committee meeting.

Alderman Gibson referred to the survey in relation to truck movements out of Cordners Corner, and asked where the survey people were located.

The Manager of Engineering Services stated that the survey was taken at the intersection of Moses Street and Greenway Crescent.

Alderman Mackay stated that he understood that the Sewerage Pumping Station for the Mirvac Estate is soon to be commissioned. He advised that he has a patient/ratepayer who has just about finished his house in Keda Circuit and he was originally to go onto that sewerage station. He understands they may be going to the other side and sought clarification.

The Manager of Engineering Services advised that with Keda Circuit Sewerage there will be a separate pumping station which has to be built. The latest advice was that work should commence on the reticulation towards the end of this year with the pumping station still to follow.

Town Clerk/General Manager Mayor

Alderman Mackay stated that there appears to be ongoing problems near the Railway Hotel on the corner of Brabyn Street and George Street both on the intersection completely adjacent to the Hotel and also on the other side of Brabyn Street. He advised that he has been requested to formally ask if and when something could be done to alleviate the problem there.

Alderman Michael referred to the Local Government Association General Circular dated 23rd February wherein there is a pro forma in regard to mock Council meetings being conducted by schools during Law Week and asked if Council had done, or is going to do anything in this regard.

The Mayor stated that nothing has been done in this regard. The Council did not proceed with the proposal for a Junior Council.

Alderman Michael stated that the article proposed that Council would make a member of Council available for them to learn something about Council activities and running mock meetings.

The Town Clerk/General Manager stated that the article involves liaising with the schools, and there are six high schools in Hawkesbury, having the schools brought to the Council for various rehearsals, having senior staff members prepare an agenda and proceeding with a proper debate sequence for that to occur. This would involve a lot of time and considerable cost to involve the six schools, in engaging buses to get the pupils to the Council, or alternatively, the proposal is held at the Schools. He stated that with senior students at high schools, these matters must be taken very seriously.

Alderman Michael sought advice on the present situation in regard to the lease or management of the Windsor Function Centre.

The Manager of Financial & Administrative Services stated that the closing date for submissions has passed, interviews have taken place and further interviews will take place. It is proposed that a report will come to the next General Purpose Committee Meeting with a recommendation.

Alderman Stubbs asked if the reconstruction of Fitzgerald Street and Kable Street had been completed or is other work anticipated.

The Manager of Operations stated that there is an overlay to go on both streets before they are completed.

Town Clerk/General Manager Mayor

Alderman Stubbs asked about the intersection with The Mall where there is a dip and asked if this is going to be filled in again.

The Manager of Operations advised that that was taken out to improve the drainage from the low point near the pram crossings.

Alderman Stubbs asked if a report could be brought forward on the feasibility of replacing the roadway pipes in Old Stock Route Road across the Chain of Ponds with a box culvert. There is at present a damming effect which occurs whenever there is heavy rain and there is a lot of washing away of the roadway.

Alderman Bazeley referred to the deferred area in Grose Vale and asked if any further response had been received from the Department of Planning.

The Manager of Town Planning advised that no response had been received as yet. A meeting had taken place about two to three weeks ago and Council responded with some maps that the Department required and the Department was going to get back to Council. This has not been done as yet.

Alderman Bazeley asked if there are any other areas within the City which have a deferred status on the LEP.

The Manager of Town Planning stated that he believes there is one other, being the road reservation across Peels land at North Richmond.

Alderman Bazeley asked if there is any further update on the prosecution of the owner or operator of the cattle feed lot at Glossodia.

The Manager of Town Planning stated that he spoke to Council's Solicitor last week and the information from the Solicitor has been relayed to Mr. Agius. There has been no response from Mr. Agius' Solicitor nor a date for a hearing set as yet.

QUESTIONS FROM THE GALLERY [50,723]

The Mayor then invited Questions from the Gallery.

This is Page of the Minutes of the ORDINARY NO. 2 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 13TH MARCH, 1990.

Town Clerk/General Manager Mayor

Mr.G.Farrance stated that he asked Council last month for information regarding the Old Stock Route Road closure and has not received a response. He asked that the matter be addressed further by Council.

Mr.G.Farrance referred to a pothole on Saunders Road very close to the apex corner. He stated it is approximately a metre in diameter and 150 mm. deep and asked if this could be given some urgent attention.

Mr.Farrance stated that the road surface in Schofield Road between Old Pitt Town Road and Old Stock Route Road is now so bad that vehicles are veering completely off the road and asked if this could be attended to.

The meeting terminated at 9.40 p.m.

Submitted to and confirmed at the meeting of Council held on 10th April, 1990.

. . . . . Mayor.

This is Page of the Minutes of the ORDINARY NO. 2 MEETING of the HAWKESBURY CITY COUNCIL held at the Council Chambers, Windsor on 13TH MARCH, 1990.

Town Clerk/General Manager Mayor

NOTICES OF MOTIONS

SECTION 2

NOTICES OF MOTION

ORDINARY MEETING - 10TH APRIL, 1990

By Alderman R.C.Bazeley :

That Council assist C.R.A.S.H.E.D. with a contribution of $10,000 towards their legal expenses before the Land & Environment Court so that Hawkesbury City's resident/ratepayers' concerns about the sandmining proposal at Sackville may be adequately expressed particularly as to :

1. the impact of sandmining on the water quality of the Hawkesbury River system;
2. the possible alteration of the river flow and its impact on existing houses;
3. the impact on the roads of the City;
4. the impact on the existing inadequacy of ferry services in week day peak hours;
5. the impact of noise from the operation and noise from trucks carting materials from the operation upon residents/ ratepayers of the City.

By Alderman H.J.M.Books :

That a report be prepared on the possibility of locating regional sporting facilities in the Clarendon area. Specifically that the matter of an athletics track and the project proposed for the Richmond Swimming Centre be included.

That the report include details of the existing development and proposed uses of the Showground area.

(Note by Alderman Books - I understand that the Showground area at Clarendon was to be developed for recreation and showground facilities. It is a substantial flood free site and one where regional facilities could be provided particularly those that have large attendances from time to time and in this area that would not affect the amenity of residents if they were provided within existing towns or expose them to the problem of flooding if located at Bensons Lane.)

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REPORT OF GENERAL PURPOSE COMMITTEE

SECTION 3

REPORT OF GENERAL PURPOSE COMMITTEE MEETING

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Report of the Meeting of the General Purpose Committee held at the Council Chambers, Windsor on 27th March, 1990, commencing at 9.30 a.m.

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

Apologies for absence were received from Aldermen W.J.Mackay and R.P.Stubbs and from Alderman R.C.Bazeley, who arrived late, and were accepted. Alderman Bazeley arrived at the meeting at 9.40 a.m.

SECTION 1 - WORKS

COMMITTEE'S RECOMMENDATION

THE WORKS COST Statement to 28th February, 1990, be adopted and the revised estimates of cost be adopted.

ITEM 1: (File S89/83) [1.513]

SUBJECT: OBJECTIONS TO CONDITIONS OF SUBDIVISION CONSENT - LOT 1 DP 508894 BELLS LINE OF ROAD AND COACH HOUSE ROAD, KURRAJONG HEIGHTS

REPORT (M.E.S.)

The subdivision to create three lots was approved subject to various conditions including;

" 7. *The construction of concrete kerb and gutter over the frontage of lots 1 and 2 shown as 80.4 and 55m respectively.*

8. *The construction of a 150mm wide concrete edged strip to the pavement over the frontage of land not to be provided with kerb and gutter.*

14. *Payment of a Section 94 contribution of $1270 covering resealing of roads within the City of Hawkesbury area."*

The applicant has objected to conditions 7 and 14 and submitted a petition signed by sixteen residents representing eleven lots in Coach House Place objecting to kerb and gutter in Coach House Road as they believe it will "affect the nature of Coach House Road."

The applicant suggests that a concrete edge strip be substituted for the kerb and gutter as required for the balance of the subdivision - see condition 8 above.

The kerb and gutter was originally required as it was considered necessary for the drainage of the road and this is still the case. This section of the road slopes relatively steeply to Bells Line of Road and the kerb and gutter will contain water which currently flows down the shoulder and across the footway. The kerb and gutter will also restrict vehicular traffic to the road pavement and away from the grassed and treed footway area which is not suitable for vehicular parking.

It is also pointed out that a subdivision has also been approved on the western side of the road creating a further 9 lots where kerb and gutter has also been required. The need for kerb and gutter on this side is even greater as the land slopes towards the road, and then drops to road level down a steep cut with a narrow and slippery shoulder where cars could become bogged.

When existing proposed development in the area is completed the road will serve 29 lots and the existing narrow sealed pavement with untrafficable shoulders is considered inadequate to provide for the traffic generated.

It should also be pointed out that the majority of the petitioners also have kerb and gutter fronting their properties in Coach House Place.

The applicant's other objection is to the payment of the section 94 contribution of $1270 ($635 per additional lot) and points out that they are already required to carry out considerable roadworks fronting the subdivision, to pay a contribution of $7750 towards the upgrading of the intersection of Coach House Road and Bells Line of Road and the future proprietors obtain access from Coach House Road to Bells Line of Road which is not funded by Council.

Section 94 is used to recover the cost of infrastructure attributable in part to the subdivision but not necessarily adjoining the subdivision and is in addition to the more traditional requirements such as roadworks over the frontage of a subdivision. The first two grounds of objection are therefore not relevant. The third ground that future proprietors do not rely for access on a "City" funded road is also unacceptable as the subdivision will attract additional residents to the City which will no doubt use the roads in the City notwithstanding that access to those roads will be from a main road.

Recommendation

1. Council adhere to Condition 7 of Subdivision Approval S89/83 as the kerb and gutter is required for drainage and traffic control.

2. Council adhere to Condition 14 of Subdivision Approval S89/83 as the future proprietors of the new lots will make use of roads which are the responsibility of Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File R190.S210) [1.514]

SUBJECT: CONSTRUCTION SPECIFICATION FOR SUBDIVISION AND DEVELOPMENT ROADWORKS

REPORT (M.E.S.)

A construction specification for subdivisions and developments has been prepared by Council staff. Copies will be distributed with Business Papers.

The specification is relatively brief and has been prepared following perusal of the Department of Housing Specification and a number of other Councils' specifications. The specification has been designed to be easy to read and understood and set out in a format to assist developers and contractors in undertaking roadworks to an acceptable standard.

Recommendation

Council adopt the document "Hawkesbury City Council Construction Specification for Subdivisions and Developments" for works carried out within the City.

The Manager of Engineering Services advised that the Specifications had only been handed out this morning and asked that this report be deferred to allow the Aldermen to consider the document.

COMMITTEE'S RECOMMENDATION

CONSIDERATION OF THE report be deferred to the next meeting.

ITEM 3: (File 665-2019) [1.515]

SUBJECT: REOPENING THE TERRACE - ROAD DESIGNS

REPORT (M.E.S.)

Road designs for the reopening of the Terrace between New Street and Johnston Street are currently being prepared. The centre lines of the road has been pegged and the plans will be displayed at the meeting.

The design substantially follows the previous alignment with the pavement width reduced to 6 metres. A brick paved threshold is to be provided at each end incorporating much of the existing brick paving off New Street.

Costings for the work will be reported to the Ordinary Meeting.

While not proposed at the moment, if traffic conditions warrant, additional thresholds may be constructed in The Terrace in the vicinity of New Street and Catherine Street and at Tebbutt Street.

Recommendation

That the information in the report be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File 2763-1C) [1.516]

SUBJECT: RELOCATION OF DRAINAGE EASEMENT - 437 KURMOND ROAD, FREEMANS REACH

REPORT (M.E.S.)

Application has been received from Grech & Bannerman, Solicitors, on behalf of J. & T. Sultana to re-direct a drainage easement which crosses Sultana's property, Lot 11 DP595346, 437 Kurmond Road.

The existing easement cuts diagonally across Lot 11 and no pipes or formed drain exists within the easement. The subject property is currently being farmed and relocation of the easement would permit more orderly management of the property, both for cultivation and future building proposals. The slope is such that the proposed new easement would be satisfactory and the distance to an existing water course would be reduced.

Recommendation

1. That Council agree to the relocation of the drainage easement 3.05 (three point nought five) metres wide within Lot 11 DP595346 subject to all costs involved in extinguishing the existing easement and creation of a new easement being at the owner's cost, including survey, legal and Council's fees and costs.

2. The Common Seal of Council be affixed to the relevant documents.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File 665-1409, 665-1620, 665-120) [1.517]

SUBJECT: STORMWATER DRAINAGE - ARNDELL AND NORTH STREETS, WINDSOR

REPORT (M.E.S.)

Working drawings are currently being prepared for the first stage of a piped drainage system to carry water from Arndell Street through downstream properties and down North Street and across Palmer Street. The designs will be displayed at the meeting.

It will be necessary to adjust the water main in the street clear of the pipeline where they cross.

The design provides for the construction of a pipeline diagonally across the front section of No. 23 North Street and then under the kerb line in North Street over the frontages of Nos. 17 to 21 inclusive continuing under Palmer Street with a very flat tail-out drain along Palmer Street.

The existing pipeline through Nos. 17 to 23 North Street will be retained in its current form for the time being.

The pipeline will be laid lower than the existing pipeline and will considerably reduce the likelihood of flooding of No. 25 North Street where the ground floor was inundated in heavy rain earlier this year.

Future proposals will include the extension of the new pipeline upstream to Arndell Street to function underhead and the lowering of the existing pipeline to more effectively drain the water falling on the lots below Arndell Street.

Action is currently in hand to define and acquire drainage easements for the final system and informal agreement has already been given by Mr G R Whiting, the owner of No. 25, which is the only lot affected by stage 1, to the creation of the easement. Permission to enter to carry out the work prior to creation of the easement will be required to allow the work to proceed in the short term.

Complaints have been received from the owners of Nos. 19 to 23 North Street to a proposal to provide temporary relief by digging an open drain across No. 23 discharging into the table drain in North Street and in this regard no further action is proposed at this time.

Costing of the work will be available later following completion of the design, however, it appears that the $17,000 (seventeen thousand dollars) already voted for North Street drainage may be just sufficient to cover the completion of survey plans for the easements and laying of the stage 1 pipeline. Additional funds will be required to allow acquisition of the easements and future stages of the works.

Recommendation

That the information contained in the report be noted.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File DA 808/88, 665-262) [1.518]

SUBJECT: BRENNANS DAM ROAD

REPORT (M.E.S.)

A report has been requested concerning the sealing of the other half of Brennans Dam Road from the entrance to the Church building (Vineyard Christian Life Centre) through to Windsor Road, a distance of 200 metres.

The work is estimated to cost $9,600, however, would be subject to the requirements of the Roads and Traffic Authority, concerning the construction at the intersection of Windsor Road.

To date the engineering plans have not been submitted for the development.

Consideration could also be given to the extension of the seal through to Old Hawkesbury Road, a further 150 metres at an additional cost of $14,400 to provide for traffic that turns into this road.

The work has been noted as a project that would receive consideration in a future roadworks programme.

Recommendation

That the report on sealing of part of Brennans Dam Road be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 7: (File 625-214) [1.519]

SUBJECT: SKATEBOARD RAMP - HAM COMMON BICENTENARY PARK

REPORT (M.E.S.)

Plans for a "snake" type skateboard ramp have been prepared, to be located on the Richmond side of the unsurfaced car park.

Due to the flat level nature of the site, it will be necessary to import fill to raise the ramp above the natural surface so that the structure is self draining. It is estimated that 3000 tonnes of good clean material will be required. On the basis of the material being available at no cost from the Bligh Park development, the supply, placement and consolidation is estimated to cost $13,400.

The concrete work is priced at $17,000, which together with turfing and grass establishment, landscaping and signposting, results in a total estimated cost of $48,600 for the project.

The plans will be displayed at the meeting.

Funds totalling $18,200 are available for the project being the sum indicated in the 1989 Park Improvement Programme for construction of a skateboard ramp.

It will therefore be necessary to provide an additional $30,400 for the project.

At the meeting of the Ham Common Bicentenary Park Committee held on 14th March, 1990, upon inspection of the plans requiring filling of the area and building of a mound to contain the skateboard ramp, the Committee has recommended to Council:-

> "That Council give further consideration to the feasibility of the construction of the skateboard ramp as proposed in view of the cost, the need for mounding to provide drainage and future maintenance requirements, as other locations may provide a satisfactory alternative."

The report of this Committee will be before Council at the April Ordinary Meeting.

In view of the high cost of the facility, it would be appropriate to review the proposal, both with regard to ascertain what cost saving could be achieved, the possibility of selection of alternative sites which may better satisfy the guidelines, provide suitable drainage of the bowl in locations that are easily accessed by the skateboard riders.

Recommendation

That a further investigation be undertaken into the location and construction of a skateboard ramp in the City area.

COMMITTEE'S RECOMMENDATION

THAT A FURTHER investigation be undertaken into the location and construction of a skateboard ramp in the City area and that a skateboard ramp not be constructed in the Bicentenary Park.

ITEM 8: (File D66) [1.520]

SUBJECT: STORM DRAINAGE

REPORT (M.E.S.)

As a result of high intensity storm discharge and rainfall precipitation during February, the capacity of a number of pipe systems and drains was exceeded with resultant overland flow which has resulted in inundation of homes at various locations throughout the City area.

Preliminary investigations have been undertaken and are reported hereunder.

Flooding 26 and 28 Macquarie Road, Wilberforce

The pipe system surcharged with the pit lid in Macquarie Road displaced by water pressure. The system serves a catchment area extending to the western side of Putty Road up to the Wilberforce Water reservoir.

Overland flow was supplemented by an open drain discharging into No.26 from inlet pits on the southern corner of Macquarie and Castlereagh Roads. Water entered the house built on No.28 Macquarie Road. Action is required to extend this discharge pipeline through to join the major pipelines. Plans will be prepared to allow the project to receive consideration in further drainage programmes. Action to streamline the flow through the pits is also proposed.

The surcharge path is through the properties where build up of water against the dividing fences forced water across and into the house on No.28.

Improvement would be achieved by replacing the lower sections of the fence with open steel mesh to reduce the restriction to overland flow along the surcharge path. Subject to provision of an opening as described through three boundary

fences, surcharge would discharge into Ascot Place and then should flow through the drainage depression without the serious consequences that occurred in February.

Flooding 21 and 23 Michael Street, North Richmond

The pipeline through No.23 was unable to carry the flow from the rural catchment above the property. A dam has been constructed across the watercourse with discharge from the spillway in excess of the pipe capacity.

Stormwater flowed into the house on No.23 and discussions have been held with the owner regarding improvement to the surcharge path by lowering the lawn area with a view to preventing flow into the house. Further investigation will be undertaken.

Surcharge - Lennox Street, Londonderry Road Drainage

As a result of the high rate of storm intensity, this system flooded roadways and properties on a number of occasions with water flowing over the kerb and gutter at driveways into the adjacent property.

At the corner of March Street and Paget Street, there is a low area of land at a level below the street gutter. In high intensity storms, the existing 450mm half round pipe that collects runoff at the street corner is inadequate with water backing up and flowing into the adjacent property. Representations have been received over the years from Mr. & Mrs J. Hunter, 39 March Street, where the overflow discharges into their garage and adjacent sheds, building up to a significant level in their back yard.

An investigation is being undertaken to provide for replacement of the existing half pipe culvert by a larger structure or alternatively, extension of a pipeline along Paget Street from the underground conduits near the Lennox Street intersection.

Funding for the project should be given a high priority.

Notice will also be sent to the owner of No.41 regarding removal of an illegal vehicular entry ramp placed in the gutter.

In respect to the surcharge in Lennox Street, College Street, Londonderry Road, East Market Street etc, action is being pursued to provide for further deepening of another section of the open channel through the grounds of the University of Western Sydney Hawkesbury Campus, known as the College drain, as a joint project between the University, The Water Board, the Richmond Golf Club which is prepared to contribute and Council, as a means of providing some improvement to the discharge.

The Roads and Traffic Authority has also been informed concerning the surcharge along the Lennox Street drainage system pointing out the danger to traffic with a request for upgrading of the system.

Flooding - B. & P. Gannon, 7 Glenidol Road, Oakville

Surcharge from the catchment above the property overflowed the roadside drains with flow down the entrance driveway surcharging into the house on the property.

Instructions have been issued to clean out the roadside drains with a view to reducing the overflow.

Recommendation

That upon completion of the drainage investigations, the matters be further reported.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 9: (File C48, R190) [1.521]

SUBJECT: ROADS & TRAFFIC AUTHORITY - REGIONAL ROADS - PROJECT NOMINATION

REPORT (M.E.S.)

Requesting application for funds for special projects on the 1990/91 Regional Road Network.

Cost of projects when accepted will be shared equally between Council and the Authority.

Priority will be assessed on:-

1. Safety benefit
2. Travel benefit
3. Network development
4. Asset rehabilitation
5. Road Transport benefit

(MES - application has been made for inclusion of work in Boundary Road (first kilometre), Freemans Reach Road and Argyle Street, Fairey Road, Mileham Street (heavy vehicle detour) in the programme.

It has been indicated that funds are limited with a larger number of applications anticipated from the Western Sydney area, such that many projects will not receive funding.

The Manager of Engineering Services and the Manager of Operations attended a meeting on the review of State Road Funds for Local Government on 13th March, 1990, where it was indicated that councils in Western Sydney were the most advanced in adapting to the new government procedures for road classification and funding.)

The Stage 2 proposals for July 1990 to June 1991 are:-

Planning

Finalisation of Regional Road network, including those currently unclassified local roads which serve a sub-arterial function and should be classified as Regional Roads.

Agreement between RTA and councils on divisional planning priorities for construction/improvement works on Regional Roads.

Agreed form of legislation to introduce new classification system for Regional and State Roads.

Funding

Introduction of agreed:

- Boundary between urban and rural areas of State for funding purposes;
- New rules for appointment of funding responsibilities for works on Regional and State Roads in urban and rural areas;
- Funding relativities between Regional and State Roads on a State basis, and between block grants and construction/improvement funds for works on Regional Roads on a Divisional basis;
- Formulae for distribution of block grant funds between urban/rural Regional Roads and between councils for block grants on regional roads; and
- New funding program for Sydney Regional Roads, including those previously unclassified sub-arterials agreed to be classified as Regional Roads.

Negotiated Agreements

New Agreed Position Statement between the Local Government and Shires Associations and the RTA, including heads of Agreement for Block Grants and new responsibility arrangements. New agreement between councils and the RTA to govern funding arrangements and changes in responsibilities.

The Stage 3 proposal for July 1991 to June 1992 is:-

Planning

New classification system of arterial and sub-arterial roads in NSW.

Agreed basis for determining priorities for rolling construction programs in rural areas.

Effectively function divisional Local Government Consultative Committees.

Funding

Refined formula for distribution of block grants between councils.

Negotiated Agreements

Agreements between Associations and the State Government on distribution of funds between State and Regional Roads, possibly to be reflected in legislation.

Five year funding agreements between councils and the RTA.

Recommendation

That the information on the Review of the State Road Funding for Local Government be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 10: (File 665-236) [1.522]

SUBJECT: WINDSOR COUNTRY VILLAGE - BANDON ROAD, VINEYARD

REPORT (M.E.S.)

At the Ordinary meeting of 13th March, 1990, it was resolved that this matter be reconsidered at the next General Purpose Committee meeting.

With regard to the provision of a footpath from the Village to Windsor Road, Council was advised that the works could be undertaken at a cost of $12,540. Half cost of the work may be recovered from the adjacent landholder.

It was indicated that further consideration be given to the provision of a gravel pathway along Bandon Road to provide access to the station. An earth/natural gravel pathway is available along the eastern side of the road and receives limited use, with people preferring to walk along the edge of the bitumen road pavement.

It would be preferable to upgrade this pathway in preference to the removal of the trees along the western side. The works would be within the Blacktown City Council area. An offer to contribute to the project would be appropriate and a means of expediting the work. The work would cost in the order of $25,000.

It has been indicated that in respect to the many competing requirements in the City area, that the work would not have a high priority. It is therefore proposed that as a first stage, the existing footpath between the Village and Windsor Road receive maintenance attention to improve conditions for pedestrians.

Recommendation

That the Windsor Country Village, Bandon Road be advised that improvements will be undertaken along the footpath between the Village and Windsor Road, but that it is not possible to provide a concrete footway at this stage.

COMMITTEE'S RECOMMENDATION

THAT THE WINDSOR Country Village, Bandon Road be advised that improvements will be undertaken along the footpath between the Village and Windsor Road, but that it is not possible to provide a concrete footway at this stage. Further that consideration be given to a footpath along from Windsor Road to Vineyard Station in the next allocation of funds.

ITEM 11: (File 665-1359, 665-740) [1.523]

SUBJECT: HEAVY VEHICLE TRAFFIC - MOSES STREET/GREENWAY CRESCENT, WINDSOR.

REPORT (M.E.S.)

With regard to this matter, consultation has taken place with a representative of the RAAF Base, Richmond. It has been advised that in excess of 500 people reside on the base, with a number of the homes and single quarters in close proximity to the road. Some of the people affected would be involved in shift work and working variable hours.

Any proposal to increase the movement of heavy vehicles would be opposed and the re-routing of the traffic from the Cordners Corner operation past the base is strongly objected to.

A further submission has also been received from the residents of No.17 - 29 Moss Street in respect to advice on the action and consideration that has been given to this matter by Council as follows:-

"1. The resolution at Item 6 is discriminatory on the basis that at no stage has Council approached the residents of Moses Street or Greenway Crescent (who also have submitted a petition on the matter, but has not been included in the report) seeking their views on allowing heavy trucks to use their streets as they currently are.

2. Our original submission to Council sought as a minimum requirement that access to Moses Street/Greenway Crescent be restricted to use by heavy vehicles after 7am, and that immediate upgrading of the street surfaces be carried out. Such was the information conveyed to the Cordners Corner operator, Mr. Gough. However, we note Item 6 does not state this context in full.

3. We believe, under the present circumstances, there is a noise pollution problem. We note this aspect was raised at the General Purpose Committee meeting. If it is not looked at by Council, then we will need to raise the matter with the appropriate body.

4. Council will note that in re-opening The Terrace, it was a requirement of the RTA that consideration of the adjacent residential area be given. No doubt, if approached, such consideration would be a requirement in our particular matter."

Representations have also been received from Mr. T. Golsby-Smith, who has recently moved into a home in Greenway Crescent.

Mr. Golsby-Smith has submitted a list of vehicles that traversed Greenway Crescent on 6th March, 1990, indicated the movement of four sand trucks along Greenway Crescent, prior to 6am with a possible further seven truck movements between 6am -7am.

He requested that the trucks be stopped from going both up and down the road before 7am and in the long term that they be directed via Percival Street all the time.

The matter has also been discussed with Mr. J. Gough the operator who has reiterated that the 6am commencement is important with regard to the viability of the operation and is in line with accepted practice in the industry.

Activity has been high over recent weeks with the following, an indication of the number of loads:-

Monday, 5th	8
Tuesday, 6th	11
Wednesday, 7th	4
Thursday, 8th	11
Friday, 9th	12

The movements to the pit from the survey taken last year was under 50% of the truck movements in the area, and that a number of the major companies have of recent days accessed the area via Percival Street and Cuppitts Lane with no movements made at the weekend.

It is apparent that the two points of view are diagrammatically opposed and that the Council's choice is to either retain the existing arrangement or vary the pit hours to a 7am commencement. Mr. Gough considers, in view of the other trucks that use the roads as their route of access, such action is discriminatory. The drop in production will extend the life of the project and support has been given to the extension of work across the adjoining property to improve the alignment of the river bank.

It is considered that the number of movements is not large, and the alteration requested will not substantially change the basis of the representations.

Recommendation

That no variation be made to the hours of operation at Cordners Corner.

Mr.Tony Golsby-Smith addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT THE INFORMATION be received pending presentation of a further report that would address all matters with a view to alleviating the noise nuisance in Greenway Crescent and Moses Street. That Council look at resurfacing Cupitts Lane, Percival Street, Moses Street, Greenway Crescent and Cornwallis Road between Greenway Crescent and Cupitts Lane.

THAT THE LOCAL Traffic Committee look into a "No Right Turn" into Moses Street.

FURTHER THAT COUNCIL undertake maintenance work on the affected roads urgently.

ITEM 12: (File 665-2343) [1.524]

SUBJECT: WINDSOR STREET, RICHMOND - FOOTPATH RECONSTRUCTION

REPORT (M.E.S.)

Laying of gas mains are now proceeding through Richmond with Council responsible for the final reinstatement of the road and footpath openings.

Trenches have been opened through the commercial centre of the town where previously there has also been installation of underground electricity mains.

Sections of the footpaths are showing significant wear and tear and it is proposed that the following sections be reconstructed using pavers similar to that along the northern side of Windsor Street between East and West Market Streets.

South side East Market Street	-	West Market Street
North side West Market Street	-	Bosworth Street

This work would provide enhancement to the streetscape and would require the allocation of an additional $33,250 above that available. Tenders would be invited for the work.

Recommendation

That the reconstruction of the footpath in Windsor Street, Richmond, south side East Market Street - West Market Street, north side West Market Street - Bosworth Street, with cement pavers be undertaken.

That an amount of $33,250 (thirty three thousand two hundred and fifty dollars) be voted to the project to be reimbursed from the 1990/91 Loan Borrowing Programme for Kerb and Gutter and footpath paving works.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Report of the Local Traffic Committee Meeting held on Friday 16th March, 1990, in the Council Chambers at 10am.

PRESENT:

Members - Alderman H.J.M. Books, Chairman
Sgt. R. Pakes, NSW Police Department
Mr. G. Smith, Roads & Traffic Authority
Mr. R. Searle, Office of K.R. Rozzoli MP

Also Present - Snr. Const. G. Thompson, NSW Police Department
Mr. R. Gilmore, Manager of Engineering Services
Mr. R. Zwicker, Town Planner

CONFIRMATION OF MINUTES:

Moved by Sgt. R. Pakes, seconded by Mr. G. Smith that the Minutes of the previous meeting held on 16th February, 1990, be confirmed.

APOLOGIES:

Mr. G. Hatch, Motor Transport Department

DEVELOPMENT APPLICATIONS

ITEM 1: (File DA 337/89) [1.525]

APPLICANT: ALLEN

LAND & LOCATION: PT LOT B, DP380111, NO.36 MACQUARIE STREET & PT POR 24, NO.38 MACQUARIE STREET, WINDSOR

SUBJECT: VILLAS

Committee's Recommendation

The proposal is acceptable subject to:-

1. Alteration to the vehicular crossing to allow vehicles to enter when proceeding south from the kerb side traffic lane without moving into the adjacent traffic lane.

2. Arrangements being made with the Roads and Traffic Authority for a contribution towards the extension of the median strip past the development to eliminate the possibility of vehicles turning right across the marked centre lines. Such contribution to be the full cost of the work.

ITEM 2: (File DA 9/90) [1.526]

APPLICANT: A. JONES

LAND & LOCATION: LOT 102 DP775240 WILLIAM STREET, NORTH RICHMOND

SUBJECT: 4 X 2 BEDROOM SINGLE STOREY VILLAS

In consideration of the application, Council, at the Ordinary Meeting held on 13th March, 1990, resolved that the application be deferred pending advice from the Local Traffic Committee on the effect of existing and likely medium density development on the local road system.

Committee's Recommendation

No objection is raised to the development.

ITEM 3: (File DA 431/89) [1.527]

APPLICANT: TRANSITMIX PTY LTD

LAND & LOCATION: LOT 8 DP788448 HUDSON PLACE, MULGRAVE

SUBJECT: CONCRETE BATCHING PLANT

Committee's Recommendation

1. That all vehicular movements to be via Groves Avenue and Railway Road North.

2. All parking, including staff parking is to be onsite.

CORRESPONDENCE

ITEM 4: (File 665-243) [1.528]

CORRESPONDENT: KURMOND P & C ASSOCIATION

SUBJECT: PROPOSED PEDESTRIAN REFUGE - BELLS LINE OF ROAD, KURMOND

Advising that the parent body commends the Authority on the proposal and the considerable improvements to the existing situation faced by the students of the school.

The Association did raise several points, which the representative of the Roads & Traffic Authority states, will be addressed in the final design.

It was indicated that improvement could be achieved by extending the 60kph zone in Kurmond further back towards North Richmond.

Committee's Recommendation

That the installation of a pedestrian refuge is supported by the Committee.

ITEM 5: (File B26/1) [1.529]

SUBJECT: MRS M. KAVANAGH - RELOCATION OF BUS STOP, IAN STREET, GLOSSODIA

Requesting that the bus stop, presently located in front of No.16 Ian Street be relocated to No.12 which was its original position.

It was considered that this was a matter for the Motor Transport Department to determine, as there are no traffic problems with either location.

Committee's Recommendation

That the matter be referred to the Motor Transport Department for determination.

ITEM 6: (File 665-243, 665-722) [1.530]

SUBJECT: NORTH RICHMOND TRADERS ASSOCIATION - SHOPPING CENTRE ADVISORY SIGNS

Requesting the erection of road signs at both the eastern and western approaches to North Richmond advising motorists of the entry to the shopping village.

The Committee was advised that the Association was seeking the erection of signs at both approaches to North Richmond and in Grose Vale Road at Riverview Street. The cost of the signs will be the responsibility of the North Richmond Traders Association.

Committee's Recommendation

That no objection is raised to the erection of the signs, subject to compliance for the signs on the main road with the requirements of the Roads and Traffic Authority.

COMMITTEE'S RECOMMENDATION

IN RESPECT OF Items 6 & 9 of the Local Traffic Committee's Report, that the Manager of Engineering Services take up with the Local Traffic Committee the installation of "entry only" signs into the shopping complex and "exit only" signs in Riverview Street. Further that consideration be given to an additional "Give Way" sign at the intersection of Riverview Street and Pitt Lane.

ITEM 7: (File 665-515, 665-1229, 665-1210) [1.531]

SUBJECT: R. PEARSON - SIGNAGE

Requesting the replacement of 'Give Way' signs at the corner of East Market Street, Luttrell Street and Laurence Street, Richmond.

Committee's Recommendation

That a traffic count be undertaken and the accident history be researched, with the matter to be resubmitted back to the next meeting of the Committee.

ITEM 8: (File T225-2) [1.532]

SUBJECT: ROADS AND TRAFFIC AUTHORITY - REGIONAL TRAFFIC COMMITTEES

Advising that in accordance with administrative changes within the Authority, the responsibility for support to Mr. Eagan as the independent Chairperson of the Regional Traffic Committees, has been transferred from the Road Safety Bureau to the Transport Planning Section.

Committee's Recommendation

That the information be received.

ITEM 9: (File 665-243) [1.533]

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: BELLS LINE OF ROAD, NORTH RICHMOND

Requesting consideration to proposed increased "No Standing" restrictions on the south side of Bells Line of Road between Pitt Lane and Grose Vale Road.

This matter was submitted to the Local Traffic Committee Meeting of 16th February, 1990, at which meeting it was resolved that the matter be deferred for a site inspection at the next Local Traffic Committee meeting.

Committee's Recommendation

That the "No Standing" zone be extended from a point 20 (twenty) metres east of the exit from the State Bank Plaza along past the fruit shop to the existing "No Standing" zone at the entry to the North Richmond Shopping Centre.

COMMITTEE'S RECOMMENDATION

See Item 6 above.

ITEM 10: (File 665-1605) [1.534]

CORRESPONDENT: ROADS & TRAFFIC AUTHORITY

SUBJECT: PITT LANE, NORTH RICHMOND

Requesting the Committee's consideration to the following matters:-

a) Period parking adjacent to the shops in order to prevent all day parking by workers.

b) Restrictions on eastern side at Hotel require adjustment due to the recent Council works. The area for unloading of kegs needs to be relocated.

This matter was submitted to the Local Traffic Committee Meeting of 16th February, 1990, at which meeting it was resolved that the matter be deferred for a site inspection at the next Local Traffic Committee meeting.

Committee's Recommendation

That the kerb side restrictions be amended as follows:-

East side from Bells Line of Road -

No Standing zone 16 (sixteen) metres
No Parking zone 16 (sixteen) metres

West side from Bells Line of Road -

No standing 18 (eighteen) metres
One hour parking 28 (twenty eight) metres
8.30am - 6pm Mon-Fri
8.30am - 12.30 Sat
No Parking 7 (seven) metres
No Standing 16 (sixteen) metres

That the street centreline be line marked.

ITEM 11: (File P155, T225) [1.535]

CORRESPONDENT: WINDSOR & DISTRICT CHAMBER OF COMMERCE

SUBJECT: COMMERCIAL PARKING ZONE - GEORGE STREET, WINDSOR

Requesting further information on the taxi rank in George Street, Windsor.

In consideration to the matter, it was pointed out that the Committee had been advised of proposals for increased usage of the area by taxis and advised that the existing requirements suited the traffic pattern in the area.

Committee's Recommendation

That no change be made to the existing zoning at this location.

LATE ITEMS

DEVELOPMENT APPLICATIONS

ITEM 12:	(File DA 5/90) [1.536]
APPLICANT:	JAMES MATTHEW HOMES PTY LTD
LAND & LOCATION:	LOTS 107 & 108 DP 775240 WILLIAM STREET, NORTH RICHMOND
SUBJECT:	ERECTION OF 2 X 3 AND 3 X 2 BEDROOM VILLA HOUSES

In consideration of the application, Council at the Ordinary Meeting held on 13th March, 1990, resolved that the matter be referred to the Local Traffic Committee for consideration of the stress placed upon a singular road, namely William Street, in relation to the numbers of housing and therefore numbers of expected vehicles utilising the particular roadway and brought forward to the next Committee Meeting.

Traffic Conditions - William Street -

With regard to this matter, consideration was given to the following options:-

a) Provision of rumble strips along the centreline of William Street and Riverview Street to discourage vehicles turning right from cutting the corner.

b) That plans be prepared and consideration be given to the installation of a raised central median along Grose Vale Road in the vicinity of Elizabeth Street.

c) That a LATM scheme be undertaken for North Richmond embracing the area south of Bells Line of Road. Such study to be undertaken by consultants.

Committee's Recommendation

That there is no objection to the development.

Alderman Sheather declared an interest in this matter.

COMMITTEE'S RECOMMENDATION

THAT COUNCIL'S TOWN Planning Department prepare a Local Area Traffic Management Plan for the North Richmond Village embracing the area south of Bells Line of Road.

CORRESPONDENCE

ITEM 13: (File R190/19 [1.537]

CORRESPONDENT: THE SHELL COMPANY OF AUSTRALIA

SUBJECT: B DOUBLES

Council, at its Ordinary Meeting held on 13th February, 1990, resolved that further discussions be held with the applicant regarding the right turn movement from Groves Avenue into Windsor Road.

Mr. Peter Apps of the Shell Company addressed the meeting.

The representative of the Council indicated to the representative of the Shell Company the action being taken to upgrade the intersection on the basis of contributions from development in the area, and indicated that Council may seek a contribution from the Shell Company.

That consideration should be given to the early upgrading of the intersection in view of the action being taken to make this the major entry into the industrial area, with the provision of appropriate traffic facilities over traffic lights.

Committee's Recommendation

That the Committee supports the proposal for deliveries by B Doubles to the Shell Company in Groves Avenue on the basis of the study that has been undertaken that indicates that these vehicles are designed to a higher level of safety than a semi-trailer and will undertake the right turn movement back towards Parramatta easier than a semi-trailer.

(MES - With regard to the delivery of fuel to the Shell Depot in Groves Avenue, Mulgrave, in consideration of the movement of vehicles through the intersection at Windsor Road and the proposed reconstruction in accordance with the requirements for a Type 4 intersection, it was proposed that the Company make a contribution to this work.

It is proposed that this contribution be at the same rate as now applies to Industrial Development in the area at the rate of 91c/m^2 of land plus CPI from December, 1987.

Recommendation

That approval to use of Groves Avenue by B Double vehicles be subject to a contribution of $14,000 towards the upgrading of the intersection of Groves Avenue and Windsor Road.)

ITEM 14: (File 665-1834) [1.538]

CORRESPONDENT: K.R. ROZZOLI MP

SUBJECT: ROSS STREET, WINDSOR

The representative of Mr. Rozzoli MP on behalf of Mr. Daines, Ross Street, Windsor requested implementation of the right turn arrow for vehicles proceeding north into Ross Street.

Committee's Recommendation

That this matter be referred to the Roads and Traffic Authority for advice and recommendation back to the Committee.

Date of Next Meeting: Friday 18th May, 1990.

The meeting adjourned at 11.55am for onsite inspections to be carried out.

The meeting terminated at 1.20pm.

COMMITTEE'S RECOMMENDATION

THE REPORT BE received and the recommendations be adopted including the additional recommendations in respect to Items 6, 9 and 12.

HAWKESBURY CITY COUNCIL

STANDARD CONDITIONS - DEVELOPMENT APPLICATIONS

(Effective from 1st March, 1990)

Contributions

1. Payment of a sewer headworks contribution to Council of $*. This contribution shall be paid prior to release of building approval and will be reassessed at the rate applicable at the time of payment.

2. Payment of a Section 94 contribution covering sewer headworks for the Mulgrave industrial area of $* to Council, calculated at base date of September, 1988 and varied in accordance with changes in the Consumer Price Index to the date of payment. Payment shall be made prior to the release of the building approval.

3. Payment of a Section 94 contribution covering the construction of the intersection of Park Road and Groves Avenue with Windsor Road of $* to Council, calculated at base date of December, 1987 and varied in accordance with changes in the Consumer Price Index to the date of payment. Payment shall be made prior to the release of the building approval.

4. Payment of an amount of $* to Council being the contribution in lieu of car parking not provided on the site based on $* per space. Payment shall be made prior to release of building approval.

5. Payment of an amount of $* to Council being a contribution towards the parking spaces deleted by the development based on $* per space. Payment shall be made prior to the release of the building approval.

6. A contribution of $* based on $1,727 (one thousand seven hundred and twenty seven dollars) per additional dwelling being a contribution for open space and community facilities as a consequence of medium density development (residential flats, villas, townhouses etc.

Engineering

10. Arrangements satisfactory to the Manager of Engineering Services are to be made for the adjustment of the sewer main affecting the site. Details are to be submitted for approval concurrently with the Building Application.

11. Arrangements satisfactory to the Manager of Engineering Services are to be made for the provision of common drainage and the disposal of drainage from the site. Where the disposal of drainage involves the provision of drains across land owned by other drainage easements to Council's requirements shall be provided for which documentary evidence will be necessary prior to the approval of the Building Application.

12. A surcharge path sufficient to carry the 1 in 100 year storm flow to be provided across the site and a drainage easement of adequate width to be created over the surcharge path.

13. The existing water courses shall be piped clear of all buildings and easements shall be created over the pipeline free of cost to Council.

14. The construction of kerb and gutter, concrete path paving, 1.2m wide with the remaining footway area being formed in earth and all necessary drainage, together with the full construction, including sealing of the adjacent road shoulder/half width road pavement over the frontage of the land together with any such works as are necessary to make this construction effective.

15. Construction of full width concrete path paving over the frontage of the development/site to *.

16. Construction of Council's standard heavy duty/residential footway and layback vehicular crossing to suit the access to the site with a minimum width of *m.

17. Removal of the existing redundant layback crossing and replacement with concrete kerb and gutter and the restoration of the footway area.

18. Construction of road and drainage or sewer works are not to commence until three (3) copies of the plan or specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.

19. Evidence of the payment of the Building and Construction Industry Long Service Levy together with a detailed estimate of the cost of the works being submitted to Council prior to the release of the engineering plans.

20. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments.

Health and Building

31. Submission of a building application, plans and specifications complying with Ordinance 70.

32. 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.

33. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Manager of Environment and Building Services.

34. Adequate and suitable solid garbage/trade waste storage facilities shall be provided on the premises. Separate details indicating the location, type and construction of such facilities shall be lodged with Council concurrently with the Building Application.

35. All solid and liquid wastes arising from the premises shall be collected, stored and disposed of to Council's satisfaction. Separate details of the proposed waste collection, storage and disposal method/system shall be lodged with Council concurrently with the Building Application.

36. Separate details of the proposed method of treatment of liquid wastes prior to discharge to Council's sewer or stormwater drainage system shall be submitted concurrently with the Building Application for consideration and approval.

37. Provision of toilets in accordance with the requirements of Ordinance 44 of the Local Government Act.

38. Any building or part thereof to be used for the purpose of storage, preparation or sale of food for human consumption shall be constructed in accordance with the requirements of the Pure Foods Act 1908 and Regulations thereunder and Council's Premises Code.

39. Exterior surfaces of the proposed structure being painted or treated with a dark toned non-reflective material in such a manner so 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 the Manager of Environment and Building Services prior to occupation or use of the building.

40. No excavation on site works shall be commenced prior to the issue of the building permit.

Parking Access and Loading

50. Parking shall be provided for * vehicles in accordance with Council's regulations and parking policy. Parking spaces, accessways and aisle widths to conform to Council's specifications and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.

51. An adequate on-site area for parking and loading is to be constructed with an all-weather pavement to the satisfaction of the Manager of Town Planning.

52. Provision of adequate loading and unloading facilities to cater for the proposed use of the land.

53. Exit/entrance points are to be clearly signposted and visible from both the street and site at all times.

54. A physical barrier being provided between public spaces, vehicles accessways, parking areas and the surrounding landscaped area.

55. Parking spaces, accessways and aisle widths are to be constructed with a sealed pavement, drained and marked to Council's requirements.

Design and External Finishes

61. Submission of a schedule of proposed external finishes including sample materials for Council's consideration and approval in conjunction with the submission of a Building Application.

62. 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.

Landscaping

70. A detailed plan of landscaping shall be submitted and approved by the Manager of Town Planning prior to the approval of the Building Application. Such landscaping is to be completed prior to the occupation of the building.

71. All land not required to be sealed is to be landscaped in accordance with a plan of landscaping which is to be submitted for Council's consideration and approval concurrently with the Building Application.

72. Previously approved landscaping is to be reinstated to Council's satisfaction.

73. Landscaping shall be maintained to Council's satisfaction.

74. As far as practicable all trees and shrubs on the site are to be preserved and integrated with the plan of landscaping. No trees over 3m in height shall be removed without the approval of the Manager of Town Planning. Such approval to be sought subsequent to the pegging of building works.

75. All land not required to be sealed is to be landscaped in accordance with the plan of landscaping which is to be submitted to Council for its consideration and approval within a period of 30 days. Such landscaping is to be completed to Council's satisfaction within three (3) months from the date of the issue of the consent.

Industrial/Commercial Development

80. No materials, goods or vehicles to be stored between the building and the street alignment.

81. 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 in the building.

82. No retail sale of goods is to be made on the subject premises.

83. No motor vehicles are to be displayed for sale on the subject premises.

84. No goods are to be displayed on the premises whether in a window or otherwise.

85. The subject land is to be made tidy to Council's satisfaction.

86. Development Consent shall be obtained for the use of each factory unit/shop prior to occupation taking place.

87. Compliance with Australia Post requirements in relation to the location and number of letter boxes on the site.

Amenity

100. The development shall be 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.

101. The subject development, including landscaping is to be maintained in a clean and tidy manner to Council's satisfaction at all times and any direction given by Council in this regard is to be complied with forthwith.

102. Council reserves the right to impose additional conditions if at any time in its opinion the use is causing injury to the amenity of the neighbourhood.

103. The spillage of light, if any, shall be controlled to the satisfaction of Council.

104. Provision of a clothes drying area which is to be effectively screened from public roads and reserves, details of screen design and material to be submitted with the Building Application.

105. Operating hours shall be limited to * to * Mondays to Fridays and * to * Saturdays and * to * Sundays and public holidays. Any alteration of these hours will require Council consent.

Dogs

110. Not more than * dogs are to be accommodated on the premises at any given time.

111. Dogs are to be confined to their kennels, exercise runs or exercise compounds at all times.

112. The premises are to be landscaped and screened in accordance with a plan of proposed planting to be submitted to Council for consideration and approval concurrently with the submission of a Building Application. Such landscaping and screening is to be carried out in a manner which will ensure the kennels and exercise yards cannot be viewed from the street or from adjoining residences.

113. All trees on the property are to be preserved with the exception of those trees which are required to be removed to allow siting of the kennels and exercise yards.

114. Concrete floors are to be provided to all kennels.

115. An acoustically insulated enclosure shall be provided for the accommodation of distressed animals to the satisfaction of Council.

Titles, Easements and Surveys

120. Registration of a plan of survey consolidating the site into a single allotment. Documentary evidence to be submitted to Council prior to occupation of the building.

121. Dedication at no cost to Council of a *m * splay corner at the intersection of * and *. Documentary evidence of registration of the plan of survey is to be submitted to Council prior to occupation of the proposed buildings.

122. Dedication of road widening in * as public road in accordance with * with documentary evidence of registration, to be provided before occupation of the proposed buildings.

123. Creation of a drainage easement *n wide over the existing/proposed pipeline through the site, free of cost to Council. Documentary evidence to be submitted to Council prior to occupation of the building.

HAWKESBURY CITY 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 - PLANNING AND DEVELOPMENT

WP: 12-4-90

Item 1:	(File DA 406/89) [10.578]
Development Application:	**New residence, storage shed, horse stables and rural workers dwelling.**
Applicant:	Mr G Simpson
Owner:	Mr G A and Mrs L N Simpson
Land & Location:	Part Portion 382 Creek Ridge Road, Glossodia.
Area:	12 Hectares approximately
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(b).
Advertising:	Not required.
Date Received:	14th November, 1989.

REPORT (M.T.P.)

Proposal

The proposal involves the construction of a trotting track/exercise yard and stables, provision for a rural worker within the existing dwelling, a shed and a new residence.

The proposed residence is four bedrooms with rumpus room and double garage. The owner intends to provide a caretaker for the trotting track, within the existing dwelling. The rural workers cottage is to be detached, with a separation of 90 metres from the proposed residence.

The trotting track/exercise yard is located at the rear eastern boundary adjoining Currency Creek. The area affected is approximately 4 hectares. This is vegetated with scattered timber and scrub. A buffered area is to remain around the trotting track and yards to be screened from the road. The site itself will not be viewed from the road.

A Tree Preservation Order application has been lodged and discussions with the applicant and Council's officers have determined which trees are to be removed. An area map has been drawn and submitted by the applicant which has determined which trees are to be kept. The applicant intends to use the removed trees for the purpose of providing fences. Apart from the removal of tree trunks, no other excavations are to be carried out.

The applicant has indicated the following, inter alia, in a letter.

> "To establish a standard bred horse complex for the breeding, training and spelling of such.
>
> To erect a master dwelling and use the existing house and sheds for the studmaster.
>
> 1. Brown shaded area is to be cleared for proposed trotting exercise track and spelling yards. All trees to be cut down not bulldozed. All Iron Bark trees suitable, to be used to replace existing rotted fence posts.
>
> 2. Green shaded area, existing trees to remain.
>
> 3. All established trees on remainder of property to remain."

Statutory Situation

The land is zoned Rural 1(b) under Hawkesbury Local Environmental Plan, 1989, being gazetted on 22nd December. The purpose of the trotting track/exercise yard and stables are permissible with consent under the provisions of clause 9, within the zoning of the land. The purpose of providing a rural worker within a second dwelling is prohibited under the provisions of clause 17(1) which states that:

> "Notwithstanding clause 9, one dwelling-house for a rural worker may, with the consent of the Council, be erected on an allotment of land within Zone No. 1(a), 1(b), 1(c), 1(c1), 7(d) or 7(d1) which can be subdivided in accordance with clause 11."

Clause 11 of Hawkesbury Local Environmental Plan, 1989, refers to Rural Subdivision - general provisions. Within the zoning of the land, Rural 1(b), each allotment has to have an area of not less than 10 hectares. Currently the area of the subject land is 12 hectares and therefore has no subdivision potential, under the plan.

Background

At the time of purchase, approximately 18-20 months ago, Rural Workers Cottages were permissible under the then Hawkesbury Local Environmental Plan, 1984. The provision was that the allotment had to have a minimum area of 10 hectares and Council required to be satisfied that there was sufficient agricultural use of the land such as to necessitate a worker living on site in addition to the owner.

The processing time of the development proposal was hampered because of the need for Council officers to inspect the removal of trees. To this end, the applicant was requested to lodge plans indicating the extent of felling. On-site inspections were carried out with the owner and Council officers to determine the number of trees to be removed. The applicant intends to use the "felled" trees for the purpose of constructing fences.

Before the application was determined, Hawkesbury Local Environmental Plan, 1989, was gazetted on 22nd December. Consequently, clause 17 of the plan requires land to be subdividable at the appointed day, and clause 15 also prohibits second dwellings.

It was suggested to the owner/applicant, that to overcome the prohibition of providing a 'rural workers cottage' a dual-occupancy application be made. The owner/applicant was not satisfied with the proposal because of the differing lifestyles that will exist between the owner's family and the rural worker.

Conclusion

The establishment of a trotting track/exercise yard, stables and felling of trees is permissible with consent. However, the erection of a second detached dwelling incorporating the existing dwelling as a rural workers cottage is prohibited, notwithstanding the application was received prior to the gazettal of LEP 1989.

Unless the development proposal is amended to incorporate the second dwelling to be attached to the existing, the development application cannot be approved. Even under the previous LEP, it is doubtful whether approval would have been warranted as there was, and is no current agricultural use. Normally, the use would have to be proved prior to the erection of the second dwelling.

It is unfortunate that LEP 1989 was gazetted during processing of this application, however, it is not believed that the second dwelling would have been approved given the lack of agricultural justification.

Recommendation

That the development application incorporating the existing dwelling for the purpose of a rural workers cottage be refused as it is prohibited pursuant to clauses 15 and 17 of Hawkesbury Local Environmental Plan, 1989.

Mr.G.Simpson addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT APPROVAL BE granted for the second house and the trotting track/horse establishment complex subject to the following conditions :

1-5. Standard Conditions (DAs) 31, 32, 33, 37 & 51
6. All vegetation proposed to be removed shall only take place in consultation with and after approval from the Manager of Engineering Services.
7. The existing dwelling shall either be demolished or rendered uninhabitable on completion of the new dwelling should the Draft Local Environmental Plan proposed by Council not be ultimately accepted by the Minister for Local Government and Planning.

FURTHER THAT COUNCIL also resolve pursuant to Section 54 of the Environmental Planning and Assessment Act to prepare a Draft Local Environmental Plan to allow a rural worker's dwelling to be established on the property.

Item 2:	WP. 12-4-90	(File DA 42/90) [10.579]
Development Application:		**Erection of a dual occupancy**
Applicant:		Mr J Grayson
Owner:		Mr J Grayson
Land & Location:		Lot 58 DP 800054 Winnifred Place, Mcgraths Hill.
Area:		744m^2
Zoning:		Hawkesbury Local Environmental Plan, 1989 - Residential 2(a).
Advertising:		Adjoining owners notified with no submissions being received.
Date Received:		9th February, 1990.

REPORT (M.T.P.)

Proposal

The application seeks Council's consent to erect a two storey, brick veneer building, with tiled roof in order to create a dual occupancy.

Statutory Situation

The site is zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. In accordance with Sydney Regional Environmental Plan No. 12, the proposal may be permitted with Council's consent.

Planning Assessment

Character/Design Quality/Amenity

The subject site is located near a residential area where dwellings are predominantly brick or brick veneer construction. As the proposed building will be brick veneer with a concrete tiled roof, the proposal will not adversely affect the amenity of the area.

The walls located immediately adjacent to the adjoining property boundaries will not contain any windows other than a small window to an en suite and a larger window to the garage. Further, the second storey will be centrally positioned on the site. Consequently, the development is unlikely to have a detrimental effect on the privacy of adjoining landowners.

The back yard will largely be overshadowed during mid winter, however, the provision of a courtyard on the south western side of the building will enable the residents to enjoy some afternoon sun during this period. Such a situation is not unlike other two storey dwellings.

Other Concerns

A double garage is proposed to be provided on the site. This complies with the provisions of Sydney REP No. 12 and is considered to be satisfactory.

The building platform on the land is at a level of between 16.1m and 16.2m (AHD) and consequently is not subject to the 1 in 100 year flood, which would inundate land at the level of 16.0m or less.

A sewer line is located in the northern corner of the site. To ensure the building is constructed clear of this sewer line, a 6.8m building setback from Winnifred Place will be necessary. Adjoining owners raised no objection to this setback and accordingly, it is considered reasonable to approve the building in this location.

Recommendation

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

1-3. Standard conditions (DAs) 1 ($2,500) (two thousand five hundred), 31, 70.
4. The building is to be located 0.5m (nought point five) clear of the sewer line in the northern corner of the site.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 3:	(File DA 36/90) [10.580] WP 12-4-90
Development Application:	**The establishment and conduct of a nursery and landscape supplies depot.**
Applicant:	J S and L J Gough
Owner:	P and S Chami
Land & Location:	Lot 1 DP 538279 and Lot 1 DP 623545 Blacktown Road, Richmond.
Area:	3.6 Hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c).
Advertising:	Adjoining owners notified with no sumissioons being received.
Date Received:	6th February, 1990.

REPORT (M.T.P.)

The Proposal

The retail plant nursery component comprises of an enclosed portion of the site with an approximate area of 1200 square metres, whereas the landscape supplies operation will include the provision of 10 separate bins containing varied topsoil, sand and gravel mixes.

The application nominates business hours of operation between 7.00am and 5.00pm Mondays to Fridays, 7.00am and 12 noon Saturdays, with no work being carried out on Sundays. The business will employ three people and require deliveries to be carried out regularly by heavy transport vehicles four times daily.

Statutory Situation

This combined retail plant nursery/landscape supplies operation is permissible in land zoned Rural 1(c), subject to Council consent.

Planning Assessment

The overall landholding is flood liable, being below the 1 in 20 year flood frequency level (13.4 metres AHD) with a major portion of the site falling below the designated 1 in 10 year flood frequency level. The retail plant nursery/landscape supplies use is permissible within lands below the 1 in 10 year flood frequency level (12.2m AHD) in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. Further, the provisions of the NSW Flood Prone Lands Policy, 1984, allow exemptions for minor

development and/or uses within designated low-medium hazard flood liable lands. Accordingly, this application is considered appropriate for lands which would otherwise be sterilised from use, given the flood liability of the land.

Under Council's Carparking Development Control Plan, retail plant nurseries require the provision of one car parking space per 200 square metres of site area. This application makes provision for 10 car parking spaces and hence, complies with the provisions of the code.

This application is recommended for approval, subject to conditions.

Recommendation

The application be approved subject to the following conditions:

1. The development shall be carried out in accordance with the submitted plan dated 6th February, 1990.
2-12. Standard conditions (DAs) 31, 32, 33, 37, 50 (10) (ten), 52, 70, 73, 100, 101, 102.
13. The hours of operation being confined to between 7.00am and 5.00pm Mondays to Fridays and between 7.00am and 12 noon Saturdays, with no work being carried out on Sundays.
14. The maximum number of persons employed on the premises being limited to 3 (three).
15. All goods and materials being stored wholly within the property.
16. The provision of a shade cloth fence surrounding the sand and aggregate ground bins to mitigate dust emissions.
17. The two parcels of land known as Lot 1 DP 538279 and Lot 1 DP 623545, corner Racecourse and Blacktown Roads, Richmond, shall be maintained in the same ownership during the currency of the proposed use unless written agreement from Council is obtained and granted to relinquish this condition.
18. The provision of fencing within the development shall be to the satisfaction of Council's Manager of Environment and Building Services.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Ron 12-4-90

Item 4:	(File DA 431/89) [10.581]
Development Application:	**The establishment and conduct of a concrete batching plant and associated facilities.**
Applicant:	Transitmix Pty Ltd
Owner:	Transitmix Pty Ltd
Land & Location:	LOT 8, DP 788448 Hudson Place, Mulgrave.
Area:	3,907m^2
Zoning:	Hawkesbury Local Environmnetal Plan, 1989 - Industrial (General) 4(a).
Advertising:	Placed on formal public exhibition with four (4) separate submissions received.
Date Received:	19th December, 1989.

REPORT (M.T.P.)

The Application

The land is serviced by reticulated water and is anticipated for connection to the McGraths Hill Sewerage Scheme toward the latter part of the year. This parcel of land is relatively flat and is below the 1 in 100 year flood frequency level.

The proposed concrete batching plant is capable of producing 200,000 tonnes of concrete per annum, but given demand fluctuations in the construction industry, and restricted hours of operation, the plant will produce, on average, 120,000 tonnes of pre-mixed concrete per annum.

The development consists of:

1. A single storey batch room/office complex to undertake the computer operated batching of raw materials (aggregate, sand, fly ash and cement).

2. Ground bins (6 x 40 tonne) for the storage of blue metal aggregate and sand. The delivery of the raw materials may require vehicles to reverse up onto the ramp to deposit the load into the subject bins.

3. Main conveyor - a 600mm wide covered main conveyor belt to transport the raw materials from the ground bins to the main aggregate bin (prior to loading to the batching holding hopper).

4. Batch conveyor - a 600mm wide covered batch conveyor to transport aggregate from the aggregate weigh hopper to the final holding hopper, prior to batch release.

5. Fly ash/cement silos - the provision of 2 x 75 tonne silos for the storage of fly ash and cement materials, respectively. These individual silos deposit the cement and fly ash materials into the holding hopper accordingly to the computer operated batch mix. The delivery of cement and fly ash is undertaken by pneumatic/air pressure tankers. The raw materials are forced into the silos from air pressure via a hose connecting the tanker to the silos. This air loading device is approved and in accordance with the State Pollution Control Commission's standards.

6. Silo base/cement holding hopper (7 cubic metres holding capacity) to deliver the batch materials to the individual mixer truck.

7. Reverse pulse (Fowlerex Pulsematic) fully automatic dust filtering system with State Pollution Control Commission overfill kit which makes provision for dust extraction (via extraction fans) during the batching process cycle to the overhead silo via the ducting under suction pressure of the fans. This contaminated air is then cleaned by passing through the patented Fowlerex Pulsematic silo vent bag filter in accordance with SPCC standards.

8. One air compressor to provide air pressure for the pneumatic delivery of cement and fly ash operations and the use of the reverse pulse dust filtering system.

The proposed plant requires the provision of 12 permanent employees to undertake batching-delivery operations during normal production output periods. However, additional concrete truck drivers may be required in periods of peak production from the company's existing concrete batching operations located at either Ingleburn or Seven Hills. The application nominates that the proposed hours of operation are to be confined to between 6.00am to 6.00pm Mondays to Fridays and 6.00am to 12 noon Saturdays, with no work being carried out on Sundays or general public holidays.

The application further makes provision for 10 employees/visitor car parking spaces in addition to the provision of informal temporary and overnight truck parking spaces within the sealed portion of the complex.

The plant requires the delivery of 114,720 tonnes of raw material (blue metal aggregate, sand, fly ash and cement) per annum in 22 tonne individual consignments. This, accordingly, represents 19 individual deliveries, or 38 total vehicular movements per day from heavy (5 or 6 axle) articulated vehicles based on 275 operating days per annum.

Additionally, the production output of 120,000 tonnes of pre-mixed concrete per annum (or 51,000 cubic metres of concrete approximately) requires 31 separate deliveries or 62 total vehicular movements per day by 3-axle rigid type concrete trucks. Accordingly, the total traffic generation is estimated to be 126 trips to and from the site, including employees, per day.

Statutory Situation

The subject land is zoned Industrial General 4(a), under the provisions of Hawkesbury Local Environmental Plan, 1989. This application is defined as a "designated development", given that the concrete batching plant is capable of producing in excess of 20,000 tonnes of concrete per annum. Under the provisions of Hawkesbury Local Environmental Plan, 1989, designated developments are permissible within land zoned Industrial General 4(a), subject to Council consent.

Public Notification

This application was placed on formal public exhibition in accordance with Section 84(1)(c) of the Act, between Wednesday 3rd January, 1990 and Wednesday 7th February, 1990. During this formal exhibition period four separate submissions were received from adjoining landowners, namely:

1. B J O'Mara
2. Sandrich Enterprises Pty Ltd
3. Bearns Enterprises Pty Ltd
4. Stanton Plant Hire Pty Ltd

The major points of objection, as derived from the submissions, include:

1. The plant in full production may lead to excessive traffic generation and congestion problems within the Mulgrave industrial area, particularly Hudson Place. This use may also pose a deleterious effect on the local road system in terms of road damage.

2. The plant may cause excessive dust emission problems from truck spillage and/or inadequate/poor air pollution control measures within the batching operation process.

3. The shape and size of the subject parcel of land may constrain adequate vehicular movement within the site.

State Pollution Control Commission

This application and accompanying environmental impact statement (EIS) was referred to the State Pollution Control Commission for appropriate response in respect to the provision of specific air and water pollution mitigation measures. The Commission has advised Council that it would grant approval under section 17(k) of the State Pollution Control Commission Act in regards to this application, subject to the provision of minor additional requirements. The SPCC further advised that the proposed waste water management, air pollution control and noise pollution measures are in accordance with the SPCC's standards and guidelines. Accordingly, the objections raised in terms of dust emission can be overcome by the technology to be employed on the site.

Local Traffic Committee

This application was referred to the Local Advisory Traffic Committee at its meeting dated 16th March, 1990, for appropriate advice in regards to anticipated traffic issues within the Mulgrave Industrial Estate and in particular, the Windsor Road/Groves Avenue intersection. The Traffic Committee recommended that the development be required to make provision for adequate on-site carparking spaces and that all vehicular movements concerning the development be restricted to Groves Avenue and Railway Road North within the Mulgrave Industrial Estate. Further, the Traffic Committee informally suggested that Council give consideration towards imposing a Section 94 Contribution for improvement works at the Groves Avenue/Windsor Road intersection.

Planning Assessment

This application is defined as a 'designated development' and hence, requires the provision of an environmental impact statement. This environmental impact statement is in compliance with the matters required to be addressed under the Act and makes provision for appropriate concrete batching operation pollution control management measures in accordance with SPCC standards.

Waste Water Management

(a) Construction Phase.

At the construction stage, the land is to be graded with a minor fall towards the north-western corner, to provide stormwater run-off collection and storage

from the subsequent operational phase. The proposed batching plant operation will make provision, at the initial construction stage, for sediment tanks on the north-western corner of the site which shall be enclosed by an earth bund wall approximately 750mm high and 1.5 metres wide. This bund wall functions as a sedimentation dam to detain run-off and sediment from the site, prior to the completion of the appropriate sediment traps. As a secondary sediment control measure, the operation will make provision for hay bales to be placed at the stormwater outlet of the sediment tanks in order to mitigate dirty water discharge from the site following the completion of the sediment tanks.

During the construction of the inground bins, a bund wall will also be constructed towards the rear property boundary line to intercept run-off and trap sediment from construction disturbances and from adjoining landholdings.

(b) Operational Phase.

Clean Yard Area.

The clean yard area is designed to drain to a sediment trap prior to discharging into the stormwater system. This sediment trap shall have a minimum capacity of 1,000 litres with a weir to hold collected sediment before regular clean out, however, is designed so not as to act as a holding tank for stormwater run-off.

Dirty Yard Area.

All activities of concrete works give rise to unavoidable contamination of open areas and hence the premises must be designed to allow for a first flush system. This first flush system is designed to remove pollutant run-off after initial heavy rain fall and guarantees any further run-off remains relatively clean and acceptable for discharge without further separate treatment. This stormwater run-off from the batching plant area and other contaminated areas is diverted to the settling tanks and collection pit. This collection pit is designed with the provision of a stormwater by-pass pit so as to permit stormwater run-off to be diverted direct to the stormwater system upon filling of the collection pit. The disposal of the first flush rainfall run-off and the processed waste from concrete batching operations is to be drained into the washout pits for recycling for waste water recycling.

Water Recycling System.

The application indicates that contaminated water flows into the settlement pit for reuse. This settlement pit is designed to cope with a minimum 10mm depth of rainwater over the 420 square metre dirty yard catchment area with a capacity of 4,000 litres, or in equivalent terms, the first 5 to 10 minutes of heavy rain stormwater run-off. This design criteria is in accordance with the current SPCC standards.

Air Pollution Control Measures.

Potential sources of air emissions.

The three primary potential sources of dust emission in plant operations are:

1. The conveying of raw materials from storage areas to hoppers.
2. The loading of these materials into transit mixers.
3. Emissions released from the yard and material storage areas.

The application proposes air pollution control measures in order to prevent the release of dust. The primary measures to mitigate dust emissions from the plant include:

1. The paved sealing of the yard and manoeuvring areas.
2. Regular cleaning of the yard area.
3. The delivery of aggregates and other raw material in a damp condition or damp down within the site prior to tipping.
4. The provision of a Fowlerex concertina-type dust extraction hood for lowering into the rear of the truck mixer to permit maximum enclosure of the yard area. This undertakes ducting of dust into the overhead silos. This contaminated air is then cleaned through a patented Fowlerex Pulsematic silo vent bag filter system, comprising of filter cloth which is fitted to prevent cement dust emissions during the filling of cement silos. Further, a high level indicator interlocked to a cut off valve will be fitted to the fly ash/cement inlet (or filter lines) to prevent dust emissions and as a safety mechanism in periods of batching plant breakdown.

All these measures are satisfactory and comply with SPCC standards.

Noise Pollution.

The primary sources of noise pollution associated with concrete batching plant operations include:

1. Transitmixer motors used in charging. During this operation the transitmixer barrel is rotated to mix the raw materials prior to leaving the site.
2. Transitmixer wash-down procedures which require the mixer barrel to be rotated at high speed.
3. Transportation of aggregate from aggregate storage bins and subsequent loading into aggregate weigh hopper.
4. Ancillary engines used to unload cement and fly ash from delivery tankers. The tankers use a compressor that is powered by an auxiliary engine or a power take-off from the engine of a prime mover.

The development application statement was supported by a noise impact assessment which concluded that the acoustic environment and the potential noise impact in relation to the proposed plant generally complies with Council's requirements and the design objectives stated by the State Pollution Control Commission. The primary noise attenuation measures recommended by the report are endorsed. These measures can be enforced as conditions of consent and include:

1. The enclosing of the loading bay on three sides and top to attenuate noise during the batching operation.
2. Equipment with rubber or similar sound-deadening material to dampen noise emissions.

3. The use of transitmixer trucks with hydraulically operated reem barrels. The use of hydraulically operated barrels limits the need for an external motor on the transitmixer. This barrel is rotated using hydraulic power supplied by the motor of the transitmixer truck which effectively eliminates motor noise during washdown and washout operations.

Traffic Impact.

Vehicle movement generation is shown as 100 truck movements including incoming and outgoing concrete trucks and delivery material trucks. Employee vehicles will generate approximately 26 trips daily and, accordingly, it is considered that Groves Avenue and Railway Road North within the Mulgrave Industrial Estate as well as the classified main roads can cope with this additional traffic.

However, Council has previously resolved to require Section 94 Contributions from developers in the Mulgrave Industrial Estate Catchment for improvements with the Parks Road/Windsor Road intersection and Groves Avenue/Windsor Road intersection. This contribution rate is 93 cents per square metre and hence the applicant would be required to pay $3,633.51 as a Section 94 Contribution for intersection improvements. However, as Council has previously raised a concern in regard to traffic impacts and/or road damage associated with similar industrial uses, and as planning legislation enables Council to impose a Section 94 Contribution as a contribution for road maintenance in relation to road damage and/or construction impacts occasioned by development which generates far in excess the traffic that would be associated with normal industrial development, it is considered that the applicant should provide a greater share of intersection costs and road maintenance than would normally be attributed to lower and lighter weight traffic generating industrial uses.

Accordingly, it is recommended that the applicant contribute one-third of the costs of upgrading the Groves Avenue/Windsor Road intersection with another one-third being provided as a consequence of development of land to the rear of the Tourist Centre with the remaining one-third coming from the Roads and Traffic Authority. It is likely that the intersection works could be staged so that the left turn in and left turn out of Groves Avenue improvements are done first with the opposite side of Windsor Road, being carried out if and when the Roads and Traffic Authority funding is made available. The estimated total cost of works is $120,000.

It is also recommended that the applicant be levied a per tonne rate per kilometre, similar to that imposed on Readymix on East Kurrajong Road. The access rate for trucks leaving the proposed development site is to be via Groves Avenue and Railway Road North and would comprise of approximately 1.2 kilometres before connecting to the Windsor Road intersection.

Accordingly, a 1 cent per tonne/kilometre levy is considered reasonable to allow Council to recoup some roadwork costs incurred from road damage from the plant along Groves Avenue and Railway Road North to the main road.

Provision of Water.

Under the provisions of Hawkesbury Local Environmental Plan, 1989, Council cannot grant consent to any development or land identified within the Mulgrave Industrial area, as identified in Clause 18(2), unless and until arrangements satisfactory to the Water Board have been made for the provision to the land of water services.

Accordingly, a condition of consent should be imposed requiring that no development should be carried out on any land unless and until arrangements satisfactory to the Water Board have been made with the Board for the provision of water services to the land.

Recommendation

A. That the objectors be notified of their third party right of appeal and subject to there being no appeal lodged, and at the expiration of 28 (twenty eight) days, that the application be approved subject to the following conditions:

1. The development shall be carried out in general accordance with the submitted development application and accompanying environmental impact statement dated 19th December, 1989.

2-15. Standard conditions (DAs) 1 ($9,768) (nine thousand seven hundred and sixty eight), 3 ($3,634) (three thousand six hundred and thirty four), 31, 32, 35, 36, 40, 50 (12 [twelve] vehicles), 62, 70, 73, 100, 101, 102.

16. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site.

17. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for stormwater drainage requirements for Commercial, Industrial and Medium Density Developments and modified to meet pollution requirements as specified in the application. Note - that the stormwater pit shown on the north-eastern corner of the lot does not exist. All drainage is to be directed to the pit in the north-western corner.

18. Compliance with the requirements of the State Pollution Control Commission in relation to the Clean Air, Clean Waters and Noise Control Acts and other State Pollution Control Standards. In this regard the development requires specific approval and/or licensing from the State Pollution Control Commission under section 17(k) of the State Pollution Control Commission Act.

19. Hours of operation shall be confined to between 6.00am to 6.00pm Mondays to Fridays and 6.00am to 12 noon Saturdays, with no work being carried out on Sundays or general public holidays.

20. No vehicles delivering to or concrete mixer trucks leaving the site premises before 6.00am Monday to Saturday, with no delivery or concrete mixer vehicles standing in the street prior to this time.

21. The number of persons working on the premises being limited to 12 (twelve).

22. Temporary soil erosion and sediment run-off stormwater controls for treatment to be installed prior to the commencement of construction. In this regard the temporary controls shall be designed to comply with the requirements of the NSW Soil Conservation Service and State Pollution Control Commission.

23. No development shall be carried out on any land, the subject of this consent, unless and until arrangements satisfactory to the Water Board have been made with the Board for the provision of water services to the land.

24. The payment of a Section 94 Contribution for the maintenance of local roads of 1.0 (one point nought) cent per tonne of concrete leaving the site. Payment is to be made quarterly. Council reserves the right to vary the rate annually in accordance with movements in the CPI and to inspect records of truck delivery movements.

25. The payment of a Section 94 Contribution of $40,000 (forty thousand) towards the cost of upgrading the Groves Avenue/Windsor Road intersection.

B. The Roads and Traffic Authority be advised of Council's decision and be requested to fund portion of the intersection in the amount of $40,000 (forty thousand).

The Manager of Town Planning asked that Condition No. 24 be altered to read 1.2 (one point two) cents per tonne.

COMMITTEE'S RECOMMENDATION

A. THAT THE OBJECTORS be notified of their third party right of appeal and subject to there being no appeal lodged, and at the expiration of 28 (twenty eight) days, that the application be approved subject to the following conditions:

1. The development shall be carried out in general accordance with the submitted development application and accompanying environmental impact statement dated 19th December, 1989.

2-15. Standard conditions (DAs) 1 ($9,768) (nine thousand seven hundred and sixty eight), 3 ($3,634) (three thousand six hundred and thirty four), 31, 32, 35, 36, 40, 50 (12 [twelve] vehicles), 62, 70, 73, 100, 101, 102.

16. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site.

17. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for stormwater drainage requirements for Commercial, Industrial and Medium Density Developments and modified to meet pollution requirements as specified in the application. Note - that the stormwater pit shown on the north-eastern corner of the lot does not exist. All drainage is to be directed to the pit in the north-western corner.

18. Compliance with the requirements of the State Pollution Control Commission in relation to the Clean Air, Clean Waters and Noise Control Acts and other State Pollution Control Standards. In this regard the development requires specific approval and/or licensing from the State Pollution Control Commission under section 17(k) of the State Pollution Control Commission Act.

19. Hours of operation shall be confined to between 6.00am to 6.00pm Mondays to Fridays and 6.00am to 12 noon Saturdays, with no work being carried out on Sundays or general public holidays.

20. No vehicles delivering to or concrete mixer trucks leaving the site premises before 6.00am Monday to Saturday, with no delivery or concrete mixer vehicles standing in the street prior to this time.

21. The number of persons working on the premises being limited to 12 (twelve).

22. Temporary soil erosion and sediment run-off stormwater controls for treatment to be installed prior to the commencement of construction. In this regard the temporary controls shall be designed to comply with the requirements of the NSW Soil Conservation Service and State Pollution Control Commission.

23. No development shall be carried out on any land, the subject of this consent, unless and until arrangements satisfactory to the Water Board have been made with the Board for the provision of water services to the land.

24. The payment of a Section 94 Contribution for the maintenance of local roads of 1.2 (one point two) cent per tonne of concrete leaving the site. Payment is to be made quarterly. Council reserves the right to vary the rate annually in accordance with movements in the CPI and to inspect records of truck delivery movements.

25. The payment of a Section 94 Contribution of $40,000 (forty thousand) towards the cost of upgrading the Groves Avenue/Windsor Road intersection.

26. All vehicular access to the site to be restricted to Groves Avenue. No vehicular access to be obtained via Mulgrave Road.

B. The Roads and Traffic Authority be advised of Council's decision and be requested to fund portion of the intersection in the amount of $40,000 (forty thousand).

W.P. 12490

Item 5:	(File DA 43/90) [10.582]
Development Application:	**Home Activity - Hobby Pottery Studio.**
Applicant:	Mr J Floehl and Mr F Khoo
Owner:	Mr J Floehl and Mr F Khoo
Land & Location:	Lot 8, DP 211780, Coromandel Road, Ebenezer.
Area:	5830.10 Square Metres.
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection 7(D1) (Scenic).
Advertising:	Advertised with no formal submissions being received.
Date Received:	9th February, 1990.

REPORT (M.T.P.)

The application seeks Council's consent for the establishment and conduct of a hobby pottery studio within a proposed building adjacent to the half completed two-storey dwelling. The studio will be exclusively used for the purposes of a hobby pottery use and will not include retail sales from the premises.

This operation requires the provision of a gas fired kiln situated behind the proposed studio building.

Statutory Situation

This application is defined as a "home activity" in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. This use is permissible in land zoned Environmental Protection 7(D1) (Scenic), subject to Council consent.

Planning Assessment

The "home activity" is required to be carried out by residents/occupants of a dwelling house within the same parcel of land and, hence technically, this application may not commence prior to the occupation of the residence. Accordingly, a condition should be imposed requiring the final completion of the dwelling and subsequent occupancy, prior to the release of the building permit and initiation of the pottery use.

Further, a condition should be imposed requiring the provision of appropriate noise suppression building materials for the construction of the studio building.

This application is recommended for approval, subject to conditions.

Recommendation

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

1. The use shall be confined to the studio building in general accordance with the submitted plan dated the 9th February, 1990.
2-5. Standard conditions 31, 33, 70, 73.
6. All deliveries to and from the site being carried out by the occupants of the premises.
7. All goods and materials being stored wholly within the building.
8. The dwelling house shall be completed (i.e. final lock-up stage) and occupied by the owners, prior to the release of building permit for the pottery studio building and prior to the subsequent operation of the use.
9. The development shall be constructed of appropriate noise suppression building materials to the satisfaction of the Manager of Environment and Building Services.
10. The development shall comply at all times with the definition of 'home activity' which means:-

    The activity shall 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, grit, oil or otherwise;
    (ii) involve exposure to view from any public place of any unsightly matter;
    (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;
    (iv) involve the employment of persons other than residents of the dwelling-house or dwelling; or
    (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (nought point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)."

Mr.Khoo addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION be approved, subject to the following conditions:-

1. The use shall be confined to the studio building in general accordance with the submitted plan dated the 9th February, 1990.
2-5. Standard conditions 31, 33, 70, 73.
6. All deliveries to and from the site being carried out by the occupants of the premises.
7. All goods and materials being stored wholly within the building.
8. The dwelling house shall be completed (i.e. final lock-up stage) and occupied by the owners, prior to the release of building permit for the pottery studio building and prior to the subsequent operation of the use.
9. The development shall comply at all times with the definition of 'home activity' which means:-

The activity shall 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, grit, oil or otherwise;

(ii) involve exposure to view from any public place of any unsightly matter;

(iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;

(iv) involve the employment of persons other than residents of the dwelling-house or dwelling; or

(v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (nought point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)."

wp. 12-4-90

Item 6:	(File DA 54/90) [10.583]
Development Application:	**Establishment of a Home Activity -detailing of cars.**
Applicant:	D J & M A Harvey
Owner:	D J & M A Harvey
Land & Location:	Lot 5, DP 214934, Tizzana Road, Ebenezer.
Area:	1884m^2
Zoning:	Hawkesbury Local Environemntal Plan, 1989 - Environmental Protection 7(d1) (Scenic).
Advertising:	Adjoining owners notified with no submissions being received.
Date Received:	14th February, 1990.

REPORT (M.T.P.)

This application seeks Council's consent to carry out "car detailing" in an existing garage on the subject property, which has a total floor area of 54m^2. The activity only involves the cleaning, polishing and detailing of cars, and the use of such machinery as a steam vacuum and small air compressor. No spray painting, panel beating or mechanical work will be performed on the premises, nor will any vehicles be stored on the site. The activity will mainly be carried out on weekends and weekday afternoons.

The use has been operating for about 8 months, during which time no complaints have been received by Council.

Statutory Situation

The use may be defined as a "home activity" under the provisions of Hawkesbury Local Environmental Plan, 1989, and as such is permissible on the site with Council's consent.

Planning Assessment

As the proposal only involves "car detailing", the noise generated by such a use is unlikely to have any detrimental effect on the amenity of the area. This is supported by the fact that no complaints have been received during the 8 months of its operation.

Further, the garage in which the activity will be carried out is situated behind the existing dwelling and consequently, cannot be seen from Tizzana Road. Accordingly, the application should be approved, subject to the imposition of appropriate conditions.

Recommendation

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

1-3 Standard conditions (DA's) 32, 33, 102.

4. Compliance with the definition of "Home Activity" as defined in Hawkesbury LEP, 1989:
   The activity shall 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, grit, oil or otherwise;
   (ii) involve exposure to view from any public place of any unsightly matter;
   (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;
   (iv) involve the employment of persons other than residents of the dwelling-house or dwelling; or
   (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (nought point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)."

5. No spray painting, panel beating or mechanical work is to be carried out on site.

6. No vehicles other than the applicants' own vehicle(s) are to be stored on the site.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WD. 12.4.90

Item 7:	(File DA 26/90) [10.584]
Development Application:	**The establishment and conduct of a Home Activity for the purpose of an office.**
Applicant:	D Steale
Owner:	D Steale
Land & Location:	Lot 1, DP 746365, Vincent Road, Kurrajong.
Area:	5581 Square Metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(B).

Advertising: Adjoining owners notified with no submissions being received.

Date Received: 25th January, 1990.

REPORT (M.T.P.)

This application seeks consent for the establishment and conduct of a home activity for the purposes of a home office for a registered motor vehicle dealer.

According to the applicant, the office shall be used exclusively as a mailing address with no vehicle transactions taking place within the subject land.

Statutory Situation

The subject land is currently zoned Rural 1(b) in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989. The use is defined as a "home activity" and is permissible within Rural 1(b) zone, subject to consent.

The application is permissible in accordance with the provisions of Hawkesbury Local Environmental Plan, 1989 and is unlikely to adversely affect the amenity of the area provided that no motor vehicle transactions nor displays are carried out within the subject land.

Recommendation

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

1. The use shall be carried out in accordance with plans received by Council dated the 25th January, 1989.
2. The approval being specifically to the applicant, Mr D Steale, and is not transferable.
3. Compliance with the following requirements of Home Activities defined in Hawkesbury Local Environmental Plan, 1989:-

   the activity or pursuit 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, grit, oil or otherwise;
   (ii) involve exposure to view from any public place of any unsightly matter;
   (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;
   (iv) involve the employment of persons other than residents of the dwelling-house or dwelling; or
   (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (nought point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof).

4. The storage and/or display of motor vehicles is prohibited on the site.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ELIZABETH 12-4-90

Item 8:	(File S90/51) [10.585]
Development Application:	**Subdivision to create two allotments with areas of approximately 9800m^2 and 2.0ha**
Applicant:	G Brackenreg
Owner:	A & W Maarbani
Land & Location:	Lot C, Resub. Part Portion 304, Parish of Wilberforce. Singleton Road, North Wilberforce.
Area:	2.98ha
Zoning:	Hawkesbury Local Environemtnal Plan, 1989 - Rural 1(b).
Advertising:	Not required under Council's advertising policy.
Date Received:	19th February, 1990.

REPORT (M.T.P.)

Proposal

This application seeks Council's consent to subdivide the subject land into two allotments, one of which will contain the 'North Wilberforce BP Service Station' and the other, an existing dwelling.

The owners of the property are considering leasing the service station to a competent operator whilst continuing to occupy the dwelling. To enable a meaningful lease to be negotiated, the landowners argue that it is necessary that the service station be contained on a separate allotment.

Statutory Situation

The subject land is zoned Rural 1(b) under Hawkesbury Local Environmental Plan, 1989, and as such each allotment created within this zone is required to have an area of not less than ten hectares.

As the proposed lots will have areas of approximately 9800m^2 and 2.0ha, the applicant has submitted an objection pursuant to clause 6 of State Environmental Planning Policy No.1.

Planning Comments

The grounds for this objection are as follows:

1. The separate land uses contained on the property are not compatible with each other;
2. There can be no effective negotiation with regard to the established service station before, or until, that use is contained on a separate allotment.

3. The land offered for subdivision has an area of less than 3 hectares and could not satisfy the minimum area required for the zone.

The service station has been established for many years and enjoys non-conforming existing use rights. Although the service station is proposed to be located on the smaller allotment, there will be sufficient area for the erection of a dwelling on the site. On the other hand, the subdivision would, to a large degree, restrict future expansion of the commercial activity.

Council has previously supported similar subdivisions outside the minimum allotment size provisions in order to sever commercial uses from land used for rural or residential purposes, for example, Kurrajong Hardware on Comleroy Road, the Kurmond Roadhouse and Hanlons Hardware, both on Bells Line of Road and Stockmans Rural Supplies on Roxana Road.

It is considered that no adverse precedent has been created by Council in its previous decisions and in the circumstances, support should be given to this application.

As the applicant proposes to 'formalise' the commercial activity on the site through the creation of a separate allotment, and the use of State Environmental Planning Policy No.1, it is considered desirable and necessary for safety reasons that vehicular entry and exit to the service station be upgraded.

Recommendation

That:

A. Council support the applicant's objection pursuant to Clause 6 of State Environmental Planning Policy No.1 and seek the concurrence of the Director of the Department of Planning.

B. Should such concurrence be forthcoming, the subdivision application be approved subject to compliance with the following conditions:

1-8. Standard Conditions (Subdivision) - 1, 3, 5, 10 ($2421) (two thousand four hundred and twenty one), 18 ($635) (six hundred and thirty five), 30, 40, 41 ($140) (one hundred and forty).

9. The construction of concrete kerb and gutter, including heavy duty layback vehicular crossings and sealed road shoulder adjacent to the crossing over the frontage of the garage, workshop and access to the development.

10. Construction of Councils Standard heavy duty footway crossings to suit the layback vehicular crossings required above together with any construction and sealing of the internal drives to match.

11. Construction of road works are not to commence until 3 (three) copies of the plans and specifications of the proposed works are submitted to and approved by the Manager of Engineering Services and the Road and Traffic Authority. Prior to

preparation of design plans it is suggested that Council's Engineers be contacted to clarify the extent of the works and any special requirements.

12. A design checking and inspection fee of $200 (two hundred) must be paid when submitting engineering plans for approval prior to construction. This amount is valid until 31st December, 1990.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

W.P. 12-4-90

Item 9:	(File DA 46/90) [10.586]
Development Application:	**Livestock Saleyards.**
Applicant:	National Livestock Brokers Pty. Ltd.
Owner:	M & A Clark
Land & Location:	Lot 3 DP 538816, Mulgrave Road, McGraths Hill.
Area:	1.917 Hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - General Industrial 4(a).
Advertising:	Adjoining and proximate owners notified with objections being received from Mrs P Maher (Whitmore Road, Maraylya), Ross Black (Mileham Street, South Windsor), R Smith (Portion 162, Mulgrave Road), William Bathgate (Lot 2 DP 538816).
Date Received:	12th February, 1990.

REPORT (M.T.P.)

The application is to extend existing operations of the saleyard existing on site. The application proposes to conduct 2 sales per week in addition to the existing Saturday sale. These additional 2 sales would be as follows:

"1. Pig sale each Tuesday. Pigs would arrive from early A.M. each Tuesday and the sale would commence at 8.30 A.M. We would expect all pigs to be delivered to their new owners and removed from the area by early P.M. the same day.

2. Sheep and Cattle sale either Monday or Thursday. Sheep and cattle would arrive early A.M. each sale day and the auction would commence at 8.30 A.M. We would expect all stock to be delivered to their new owners and removed from the area by early P.M. the same day."

In discussions with the applicant it was indicated that the throughput of the sales yards per week would be a maximum of 1,000 sheep, 600 cattle and 1,000 pigs.

Correspondence has also been received from the Chairman of the Meat Industry Authority which advises as follows:

"I write to give the Authority's support to the development application by the National Livestock Brokers to upgrade the McGrath's Hill Saleyard Complex.

The State Government has decided that operations will cease at the Homebush Saleyards on 31st May, 1990. A relocation for the pig and cattle sales will be necessary. The National Livestock Brokers appear to have a 4 year lease of the McGrath's Hill Complex and will lease equipment from Homebush from the State Government to upgrade the existing premises.

It is the Authority's belief that the saleyards will have a throughput of between 400 and 500 cattle per week and up to 1,000 pigs. We believe that this throughput will be achieved following the closure of Homebush but will tend to decline over the next 4 years as livestock production continues to fade from the County of Cumberland.

The Authority does not believe that there will be major environmental or traffic problems associated with the venture and gives its full support to the National Livestock Brokers in their efforts..."

The exact throughput of the saleyards is difficult to determine. Certainly, the future of livestock production in the County of Cumberland is a relevant factor. However, the applicants indicate that they would endeavour to obtain vendors from surrounding pasture protection districts and it is in their interest to achieve as large a throughput as possible as the livestock is sold on a commission basis.

On the basis of an inspection of the existing Homebush saleyards complex during a pig sale, it would seem that the greatest economies come through the location of the saleyards close to producers rather than abattoirs as the pigs are delivered by numerous producers but are removed by a small number of semi-trailers (3) to abattoirs all over the State. Therefore it is likely that the most significant factor will be the anticipated decline in livestock production in the Sydney area.

The application indicates that the anticipated number of cars on sale days should not exceed 25 cars and 10 to 15 trucks at the maximum. It is stated that the only trucks that remain during the sale period would be owner drivers and that they are in the low minority. Other trucks that deliver stock to the saleyards rarely remain for the sale but return to their districts to continue their cartage obligations. From inspection of the pig sale at Homebush this would seem to be the case as there were only approximately 12 small table top trucks present for the whole sale.

Statutory Provisions

A "stock and sale yard" is specifically defined in the Model Provisions of the Planning and Environment legislation and is a permissible use of the land with the consent of Council. The use is expressly prohibited in a 4(b) Light Industrial zone.

Objective (c) of the zoning is relevant to consideration of the application. This objective is "to ensure that industrial development creates areas which are pleasant to work in and safe and efficient in terms of transportation, land utilisation and services distribution".

Public Submissions

The objections from Mrs P Maher and Ross Black are in relation to the attendance of their children at Windsor High School. They refer to existing odour problems from the sewerage treatment plant and mushroom compost and also to aircraft noise. It is contended that the subject application will further disadvantage the learning environment at the school.

Mr R Smith is the owner of industrial land between the subject site and High School. He objects to the application and lists a number of concerns namely:

* "Appropriateness of a livestock saleyard in a developing industrial area and close to the Windsor High School.

* The erection of buildings below the 1 in 10 year flood frequency level is contrary to clause 25(2) of HLEP 1989.

* Application states that livestock comes in and leaves on the same day, this does not happen at the moment.

* No upgrading proposed of amenities for employees and buyers.

* Inadequate space for car parking and no parking layout or turn around areas for employees, buyers and transport vehicles. At Saturday sales there are up to 200 cars on and around the site and parking and access is chaotic.

* Disposal of liquid and solid waste.

* Disposal of wash down water

* Control of odours

In our opinion the proposed extension is in excess of the capacity of the site and the total development should be moved to a larger and better located site..."

The objection by William Bathgate refers to similar issues and experiences in relation to the existing Saturday sales. It is contended that stock is left for up to 4 days after the existing auctions with consequent odour problems.

Planning Assessment

Odour and Noise

The existing pig sale at Homebush was inspected on 13th March. At the sale approximately 700 pigs were yarded and auctioned between 8.30 A.M. and approximately 10.30 A.M.

The smell of the yarded pigs was readily apparent approximately 150 metres downwind. They were also audible for approximately the same distance. The concrete pens contained a reasonable amount of manure as did the trucks which delivered the pigs. It is difficult to quantify the amount of manure, suffice to say that most people would look where they walk. The odour would likely remain after completion of the sale depending upon whether the yards are hosed out or not.

It is not considered that the odour from sheep or cattle would be as significant although it is likely that a similar amount of noise would be involved.

In considering the application it should be noted that the sales are for only 2 mornings per week and that the majority of animals are likely to removed by lunch time. The applicants have conceded that it is possible that some animals may remain for longer periods and possibly overnight, although this is not in the interests of the seller or buyer because of the effect on the animal and also the possibility of theft.

The closest buildings in the high school are 200 metres from the proposed saleyards. In addition there are a number of factory buildings as well as vacant industrial land within 200 metres of the proposed yards. It is likely that both the school and surrounding factory developments will on occasions experience adverse odours and some noise depending on the prevailing winds. It is possible that on some occasions, again depending on the wind, the odour from the site may well be masked by the other sources of odour emission at McGraths Hill. However its impact would be most noticeable on adjoining industrial lands and this would conflict with the stated objective of the industrial zone "to ensure that industrial development creates areas which are pleasant to work in ....".

Traffic, Parking and Necessary Works

As indicated in the objections, the existing development is of a very low standard with car parking, access roads etc. on natural dirt or grass with no drainage or formation. In addition there is no existing drainage of the animal pens to septic tanks, nor is any proposed.

Given the number of trucks involved with the development it is considered that a properly constructed sealed access road linking Cuneen Street with Mulgrave Road is required to allow the one way movement of trucks and cars. In addition a sealed carpark would need to be constructed. Whilst the applicant's only propose to concrete the floor of the pig pens, it is considered that all pens should be concrete to the same standard as that which exists at the Homebush yards. The yards could then be drained to one or more septic tanks.

With regard to external works, half road construction and kerb and gutter is required for the frontage of the land to Cuneen Street and kerb and gutter is required for the frontage to Mulgrave Road. In accordance with the resolution of Council at its meeting on 13th March, 1990 a Section 94 contribution of approximately $26,000 would be required for the intersection of Curtis Road and Windsor Road.

The amount of works which are required to bring the existing saleyard to a standard acceptable for the scale of the proposal suggests that the necessary investment may not be cost effective, particularly as the applicants only have a 4 year lease on the site. The economic viability of the project is a relevant consideration under Section 90 of the Environmental Planning and Assessment Act.

On balance it is not considered that the development is conducive to the objective of the 4(a) General Industrial zone and further that it is not economically viable given the works which would need to be undertaken to bring it to an acceptable standard.

Recommendation

That the application be refused for the following reasons:

1. Contrary to objective (c) of the 4(a) General Industrial zone.

2. Not economically viable given the necessary site works, external works and required contributions if approval was granted.

3. The proposal is such as to cause an unacceptable nuisance to students and staff of Windsor High School and to the locality in general.

4. Not in the public interest.

Alderman Denne declared an interest in this matter.

Item 36 of the Supplementary Report was dealt with in conjunction with Item 9 above.

Mr.Cliff Harvey, representing the National Livestock Brokers Pty.Ltd., addressed the Committee.

Mrs.Jan Barkley, President of the Windsor High School P. & C. Association, addressed the Committee as an objector. Mrs.Barkley supplied Council with a petition to Council from the Windsor High School P & C Association objecting to the proposed development and setting out the reasons for such objection.

Mr.Gordon Finlayson representing the Principal of the Windsor High School, addressed the Committee as an objector.

The Town Clerk/General Manager advised that the following letters had been received this morning, as follows :

The Hon. Kevin Rozzoli, M.P., Speaker & Member for Hawkesbury

"I wish to make representations on behalf of the Windsor High School, Parents & Citizens Association (Ms. Jan Barkley, President, Mulgrave Road, McGraths Hill, N.S.W. 2756) as well as the staff and students of the school in regard to an application by National Livestock Brokers Pty.Ltd. to

develop a saleyard complex within the immediate vicinity of the High School.

I have read the School's submission to the Council dated 15 March, 1990 and am in agreement with the tenor of its objections.

It is well known that for many years a small saleyard complex has existed in Mulgrave Road operating on Saturday mornings. However the size, and projected growth in size, of the proposed complex is of totally different proportions and impact.

It is noted that statements made in correspondence from the applicants is contrary to the sentiment expressed by the Meat Industry Authority who seem to believe that the saleyard is but a temporary facility which will "tend to decline" over the next four years as livestock production continues to fade within the County of Cumberland."

The application is apparently accompanied by a statement of environmental effects which I believe to be totally inadequate. I would suggest to Council that nothing less than a full Environmental Impact Statement should be required under the provisions of the Environmental Planning and Assessment Act, 1979.

I further believe that the development of an agricultural complex of this nature is totally inconsistent with the nature of industrial and commercial development that Council has sought to encourage in the Mulgrave area. I believe that not only will it be deleterious to the High School, but also to the conduct of many of those industries altering totally the character of the industrial development and dramatically lowering its suitability to attract good class industrial development in the future.

It would seem to be totally incongruous that any livestock operator would think of planning a complex in this location when there is, within a few miles, a large complex of paddocks in close proximity to the existing abattoir at Riverstone.

It would also seem in this day and agree that the transportation of livestock by rail has benefits and the capacity to convey livestock to Riverstone by rail is an obvious reality which should not be overlooked.

I am deeply concerned at the increase in traffic movements particularly involving large reticulated vehicles in a road pattern which is currently the source of many complaints and of great concern, with regard to the safety, of persons using the area, particularly those seeking access to the High School.

The present nature of the exit from Mulgrave Road to Windsor Road would be totally unsuitable and would require major reconstruction if such a development was to proceed.

I would also point out to Council that it has expressed considerable concern at the conflict of interest between the existing abattoir and holding paddocks at Wilberforce and the surrounding residential area. I understand that Council has not been amenable to applications from the proprietors of that

operation to even upgrade their premises to provide better conditions than that currently existing.

It is clear that there is an element of conflict at Wilberforce between the abattoir and the residential area, with many complaints being relevant to traffic movements and the noise occasioned from the unloading of stock from trucks.

A cursory inspection of any complex of livestock sale and holding yards either at Homebush, Riverstone or any country location will indicate that there is little other development in the immediate vicinity and the existence of such complexes tends to drive away other forms of development.

I would imagine there are many better locations within the city area, or indeed within the County of Cumberland. It seems therefore most unfortunate that Council should seriously consider a development which is so incongruous with the current and emerging pattern of development in the McGraths Hill/Mulgrave area.

I therefore reiterate my support for the objection lodged by Windsor High School and restate my firm belief that it is a totally unacceptable development inconsistent with the existing amenity of the area and I would suspect not specifically within the intention of industrial classification existing in the Mulgrave area.

Whilst it may be argued that three is existing use rights in regard to this development, it is quite clear from the difference in the size of the operation that it falls well beyond the 10% factor which normally guides the expansion of developments which have existing use rights.

I would be pleased therefore if Council would heed the objections of the people in this area by rejecting the application. Perhaps Council could suggest to the applicants that there are far better sites within the city area for the location of such a facility."

Windsor South Primary School - Mr.A.J.Johnstone, Principal

"With reference to the proposal to establish a large livestock auction in close proximity to Windsor High School, I am hereby supporting Windsor High School P. & C. Association's objection to the establishment of saleyards at McGraths Hill."

Department of School Education - Dr.R.J.Carbines - Inspector of Schools Windsor Inspectorate

"I write to you with reference to the recent proposal from the National Livestock Brokers Pty.Ltd.

The objections raised by both the staff and Parents and Citizens' Association of Windsor High School are underpinned by a sound rationale, both educationally and aesthetically.
The actual location of the school at present does not provide the most appropriate context for learning and extended concentration. I firmly

believe that to approve the plans under consideration, further exacerbates the problems encountered by children and teachers of the school.

I seek your support in rejecting this proposal in consideration of the significant needs of the total Windsor High School community."

Cattai Public School P & C Association - Mrs A Smith, Secretary

"On behalf of the Cattai Public School Parents and Citizens Association, we wish to make a formal objection to the relocation of the Homebush Saleyards to the McGraths Hill site."

Pitt Town Public School - K A Davies, Principal

"The staff and parents of Pitt Town Public School strongly support the objections of Windsor High School P & C Association to the plan to move Homebush Saleyard to a property adjoining the northern boundary of Windsor High School.

As a feeder school to Windsor High we do not wish to see our children disadvantaged by such an ill conceived action."

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

MICHAEL 12-4

Item 10:	(File DA 652/88) [10.587]
Development Application:	**Subdivision to create 4 allotments.**
Applicant:	McKinlay Morgan & Associates
Owner:	Mr W & Mrs F Forster and Hawkesbury City Council
Land & Location:	Lot 5 DP 247968 East Kurrajong Road, East Kurrajong, and land in Lands Department Plan Catalogue No. MS 11289 SY.
Area:	11.28 Hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(CI).
Advertising:	Not required under Council's Policy.
Date Received:	31st January, 1990.

REPORT (M.T.P.)

The subject application is an amendment of an application approved on 4th April, 1989. That application proposed a 4 lot subdivision involving adjoining land with access for two lots to be to the Singleton Road via an unconstructed road. Access to the other two lots would be via Coorang Road. The amended application provides for access to 3 additional lots via Coorang Road. A desirable feature of the amended plan is that it is not proposed to construct the unformed road which intersects with Singleton Road.

The following correspondence has been received from McKinlay Morgan & Associates in relation to the amended plan for this subdivision.

> *"...Mr Forster has indicated that he is prepared to grant or lease to Council that area which was excavated previously by the DMR and which adjoins the East Kurrajong Waste Depot. It is understood that the acquisition of this area by Council would considerably extend the life of the Waste Depot. At present the hole created by this excavation is undesirable in the property, together with the drainage channel which is constructed and allows for the waste depot to drain through the Forster's property.*
>
> *The eventual filling of this excavated area and reinstatement would be the best solution to what at present is undesirable, at the same time, Council would gain in the additional tip volume.*
>
> *Provision could be made for building control in the plan of subdivision, by the creation of a "Restriction as to User" over the affected area..."*

The proposed subdivision does include an area of 3,000 square metres which was part of the former DMR "borrow pit". It is proposed that this area be dedicated to Council to regularise the boundary between the waste depot and the subject land. In addition, the tip drains into a dam on Mr Forster's property by means of a deep drainage channel.

In exchange for providing Council with the additional tip area, Mr Forster seeks Council support for the subdivision which does contain undersized lots. Two of the lots have an area of approximately 3.7 hectares while the third lot has an area of approximately 3.6 hectares. It should be noted that the reason one of the lots is undersized is by the exclusion of the excavation area for the Waste Depot.

Mr Forster also requests that Council pay survey and legal costs associated with transfer of the excavation area to Council and provide protective fencing around the excavation area and the deep channel.

In relation to other conditions, it is considered that Mr Forster should be responsible for half road construction for Coorang Road for the frontage of the land in accordance with Council's normal policy. Similarly the access handles to the lots would need to be constructed in accordance with Council's normal policy. It is not proposed that the unnamed road which links with the Putty Road be constructed as it is unnecessary and would provide an undesirable additional intersection with a main road. The subdivision should also be conditioned in respect of the normal S94 contributions for open space and community facilities.

It may be necessary for Council to require a drainage easement over the channel at least in the medium term to allow the waste depot to be drained. However it is conceded that the drainage of the depot into the dam is not desirable and that the matter should be further investigated to ascertain

whether there is a more satisfactory alternative. This should be done prior to the determination of any subdivision application and the matter reported back to Council.

It is considered that the principle of the subdivision is sound as it will provide additional tip space. The additional tip space exceeds the 3,000 square metres indicated on plan as it will obviate the need to batter the slope back from the existing boundary.

As the proposed lots contain an area below the minimum area standard, the subdivision requires the concurrence of the Director of the Department of Planning. The subdivision should be supported in principle to enable the Director's concurrence to be sought. Upon receipt of concurrence the subdivision will be further reported to Council to enable determination of the drainage of the tip and works to be undertaken by Council, including fencing and legal and survey costs associated with the transfer of land.

Recommendation

1. Council support the application in principle and refer it to the Department of Planning for the Director's concurrence pursuant to State Environmental Planning Policy No. 1.

2. Upon receipt of the Director's concurrence the application be referred to Council for determination of the drainage of the tip and works to be undertaken by Council, including fencing and legal and survey costs associated with the transfer of the land.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

MICHAEL 12-4-90

Item 11:	(File 39/90) [10.588]
Development Application:	**Erection of 8 villa units**
Applicant:	Frank Gartrell
Owner:	Frank Gartrell
Land & Location:	Lots 105 & 106 DP 775240, William Street, North Richmond.
Area:	2392 Square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a).
Advertising:	Adjoining owners notified with no submissions being received.
Date Received:	8th February 1990.

REPORT (M.T.P.)

The application is for the erection of 7 x 2 bedroom villa units and 1 x 3 bedroom villa unit. The land has frontage to William Street via an access handle approximately 35 metres in length.

Statutory Situation

The land is zoned Residential 2(a) under Hawkesbury Local Environmental Plan 1989 which permits the erection of villa units with the consent of Council.

Council has also adopted a Development Control Plan for Medium Density Housing which provides development standards for this form of housing.

Planning Assessment

The required site area for the proposed units under the Medium Density DCP is 2,225 square metres. The area of the site is 2,392 square metres, 167 square metres in excess of the minimum site area requirement. However, the actual area which is available for development is far less than 2,392 square metres as a result of the area in the access handle (287 square metres) and the location of a major drainage easement through the land 7 metres in width. If these constraints are taken into account the actual unit yield should be at least one less than that proposed.

The application complies with the numerical standard for the provision of open space ie, a minimum area of 30 square metres for each unit. However, much of the private open space has a depth of less than 3 metres (as narrow as 2.3 metres) which is not considered to achieve the stated objective of the DCP to "provide an attractive environment for outdoor living and entertaining".

The provision of carparking complies with the provisions of the DCP with the exception of visitor parking which is deficient by one space. This space could be provided for in the long access handle. The width of the access handle driveway is also substandard and needs to be increased from 3 metres to 4 metres with provision for a passing bay along its length.

The DCP requires the provision of a plan of landscaping by a qualified landscape architect or horticulturist with the development application. This plan has not been supplied.

The applicant was advised by correspondence dated 1st March of a number of concerns, including the density of development and it was suggested that it may be necessary to delete one unit to achieve the standards indicated in the development control plan. It is considered that the amended application is still an overdevelopment of the site through the inclusion of the access handle in the property area and the unsatisfactory dimensions of some of the private courtyards.

Accordingly it is recommended that the application be refused.

Recommendation

That the application be refused for the following reasons:

1. The proposal is an overdevelopment of the site.
2. The dimensions of courtyards for units 1, 2, 3, 4, 5 do not achieve the stated objective of the development control plan "to provide an attractive environment for outdoor living and entertaining".
3. The development application is not supported by a plan of landscaping prepared by a qualified landscape architect or horticulturist.
4. The proposal is not in the public interest.

The Town Clerk/General Manager advised that the following letter, which he read in full to the Committee, was handed in to-day to Council by Mr. F.Gartrell :

"Re Development Application to build 8 units on Lots 105 and 106 William Street, North Richmond.

We request to defer the development application to the next Council meeting. We intend to omit 1 unit in the proposed plan thus making the development a 7 unit development.

In doing so we hope this will meet all Council requirements."

COMMITTEE'S RECOMMENDATION

THAT THIS APPLICATION be deferred.

KARL 12-4-90

Item 12:	(File S90/58) [10.589]
Development Application:	**Two lot subdivision with areas of approximately 4 hectares and 3.1 hectares.**
Applicant:	C & V Jarvis
Owner:	C & V Jarvis
Land & Location:	Lot 7, DP 7565, 30 Longleat Lane, Kurmond
Area:	7.18 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c1)
Advertising:	Not applicable.
Date Received:	1st March, 1990

REPORT (M.T.P.)

Statutory Situation

The land is zoned Rural 1(c1) and the minimum subdivision requirement for this zone is 4 (four) hectares. The applicants have a parcel of land 7.18 hectares in area which they wish to subdivide into two lots. The smaller parcel will be approximately 3.1 hectares after taking out the area for the access handle. Council does not have assumed concurrence in regard to the use of State Environmental Planning Policy No. 1 in this situation as the smaller lot is less than 90% of the minimum area specified in HLEP 1989. The applicant has submitted a State Environmental Planning Policy No. 1 Objection to the 4 hectare minimum standard.

Applicant's SEPP No. 1 Objection

"The 3.1 hectare parcel adjoins a triangular shape of land approximately 0.5 of a hectare in area. This triangular parcel of land has not been fenced since we bought the property in 1966. Our cattle have grazed on this land since that time (visually this triangular parcel is part of our land). The triangular parcel is cut off from the remainder of our neighbour's land by a fence, by a 330 KVA Transmission Line and by a treed watercourse.

The latter two factors would make it extremely difficult to develop this land for rural/residential uses.

If this triangular parcel were added to our land (as it already is visually) then we would comply with the minimum standard. Also the departure in our case from the minimum standard is numerically small.

We applied for subdivision of our land on the 16.6.1987 and were notified that our application could be reconsidered following the rezoning of the area into 4 hectares.

We are located at the end of Longleat Lane, Kurmond and there are 16 properties in our lane, 5 are below 2 hectares, 4 are below 3 hectares, 2 are below 4 hectares and 3 are below 5 hectares. Our property is the largest in the lane. By subdividing our land into a 4 hectare parcel and a 3.1 hectare parcel we do not believe this would be out of character with the area nor would we be setting a precedent.

We hope that Council looks upon our proposal favourably".

Planning Comment

Site inspections of the property reveal that the majority of the land has been cleared and is now used for grazing purposes. The existing residence and outbuildings are proposed to be contained on the larger lot. The smaller lot contains numerous house sites in a pleasant rural/residential setting. The access to the rear lot may require the provision of a sealed access road in certain parts, however, this can be achieved as a condition of consent.

The applicant's SEPP No. 1 Objection is supported. The applicant's statements regarding surrounding lot sizes are accurate and the applicant's contention that the adjoining 0.5 hectare triangular parcel of land visually forms part of their land is also confirmed.

The departure from the 4 hectare development standard is in this instance minor and is not likely to prejudice adjoining owners, nor is it likely to set a precedent for numerous properties within the City given the special circumstances of the size of surrounding properties as well as the "severed" triangular parcel of land which adjoins the property.

Recommendation

(a) That Council support the applicant's SEPP No. 1 Objection to the minimum area requirement of Clause 11 of Hawkesbury Local Environmental Plan, 1989.

(b) That the Director of Department of Planning be requested to issue concurrence to the use of SEPP No. 1 for this subdivision application.

(c) That subject to the concurrence from the Director of Planning, the application be approved with the following conditions:-

1-6. Standard conditions 1, 3, 5, 10 ($2,421.00) (two thousand, four hundred and twenty one), 18 ($635.00) (six hundred and thirty five), 30.

7. Where the grade exceeds 1:6 (one in six) the pavement is to comprise 150mm (one hundred and fifty) thick reinforced concrete and a solid sub-base. Details of the access drive to be submitted to and approved by Council's Engineer prior to construction.

8. The common boundary between the 2 (two) lots to be swung as necessary to shorten the access handle to the rear lot to provide a house site and satisfactory access thereto from the access. The area of the front lot is to be retained at a minimum of 4 (four) hectares.

9. The creation of a right of way over the access handle for sufficient distance to provide access to the front lot.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 13:	(File 69/90) [10.590]
Development Application:	**Additions and alterations to existing Abattoir.**
Applicant:	Bablana Pty Ltd
Owner:	Bablana Pty Ltd
Land & Location:	Part Portion 47, Parish of Wilberforce, King Road, Wilberforce.
Area:	5.3 hectares
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection (Scenic) 7(d1)
Advertising:	Adjoining owners not notified.
Date Received:	2nd March, 1990.

REPORT (M.T.P.)

Background

At its meeting of the 12th September, 1989 Council resolved as follows:-

(a) The applicant's request to:-

(1) amend consent number 411/88 to permit extensions to the existing building for the purpose of a sterilising and hide-pulling area,

enclosure of a loading dock and the extensions of an awning to house an inedible offal collection room;

(2) erect an office, hide shed and staff amenities as specified in DA 102/89 be refused for the following reasons:-

(i) the development would cause an unacceptable increase in the deleterious effect upon neighbouring residential properties in regard to noise, odour and traffic;

(ii) the site is not appropriate for further extension of the agricultural industry of an abattoir;

(iii) the proposal is not in the public interest.

(b) That any unauthorised buildings or works that have been carried out be removed.

(c) Action be taken to ensure that conditions of previous consent are being adhered to.

On the 6th October, 1989 Council issued notices to the applicant to demolish unauthorised extensions to the abattoir killing floor as well as to demolish or remove unauthorised transportable buildings on the site.

The proceedings are before the Land & Environment Court, however, a hearing date has not yet been set. The applicant's Solicitor has written to Council requesting that Council consider the current development application prior to the Court dealing with the matter of unauthorised building works.

In December and January Council has received complaints from an adjoining owner in relation to late night and early morning noise associated with cattle being transported to the abattoir site. Complaints have also been received regarding cattle bellowing for most of the night.

Current Application

The applicant seeks consent for an amenities shed, 3 "transportable" office buildings, a hide shed, enclosure of the offal shute area and unspecified extensions to the main abattoir building including extensions to the killing floor and the erection of awnings to increase floor space. The proposal also includes elongated landscape mounds up to 3 metres high in front of the existing hide sheds and the unauthorised temporary buildings on the site. Landscaping is also shown on the southern boundary of the site.

Applicant's Submission

1. Both landscaped mounds have been increased in size so that they overlap each other.

2. The road within the subject premises has been realigned around the landscaped mounds, will be constructed to the requirements of the Manager of Engineering Services and will be finished with crushed sandstone. The

   realignment will require trucks entering and leaving the premises to reduce speed to negotiate the bends thus reducing noise.

3. The estimated cost of the development was indicated at $20,000.00. This figure is incorrect and should be $120,000.00. It would be appreciated if you would alter your records accordingly.

4. The proposed development will not increase or alter the existing operation of the abattoir, hence, there will be no impact on the environment by this propsoal.

5. Additional landscaping has been provided to the extended mounds and to the south of the site. The species to be planted include the following -

   a) Eucalyptus Maculate and Eucalyptus Tereticornis
   b) Casuarina Cunninghamiana
   c) Melaleuca Armillaris
   d) Acacia Glaucescens
   e) Grevillea 'Pink Pearl'
   f) Westringea Proticosa
   g) Callistemon 'Hannah Ray'

The mounds are to be covered with 75mm pine flake mulch. All of above are to be 5 litre sized. Planting holes to be over excavated and backfilled with 3:1 soil mushroom compost. All trees to be staked and tied.

Public Notification

The proposal was not notified to the adjoining owners as it is considered that the proposed development is very similar to the development proposal which was refused by Council in September, 1989.

Planning Assessment

The current application differs from the previous applications which were refused in the following ways:-

1. The large covered yard/skin shed has been deleted and replaced by a smaller hide shed to be located behind the killing floor.
2. An additional 5 (five) square metres of covered floor space is proposed to be attached to the existing killing floor.
3. Landscaped mounds are to be provided approximately 100m from the King Road frontage.
4. The service road is to be finished with crushed sandstone.

It should be noted that the 5 square metres of floor space mentioned above are in addition to extensions which include a sterilising and hide-pulling area, enclosure of a loading dock and extension of an awning to house inedible offal collection room. This application seeks a total increase in abattoir floor space of approximately 53 square metres. The total increase in floor space including office space is approximately 36%. Under the existing use rights provisions of the Environmental Planning and Assessment Act, the guidelines indicate a maximum increase of 10% although it is likely that the increase has already been achieved with previous consents.

The proposed 3 metre tall landscaping mound will screen the development to some extent, however, there is no indication that this will markedly lessen noise impacts associated with the site. This is a principal concern and Council is in receipt of a number of complaints in January and February of 1990 regarding late night noise.

The application does not in any fundamental way change the operating procedures of the abattoir, in fact the application is requesting approval to more floor space.

It is considered that Council's resolution of September 1989 is still valid for this proposal and should be re-stated. It should be noted that the refusal of the application may lead to the closure of the abattoir in that, without improved amenities for workers, the responsible State government agencies may withdraw operating licences. This could be overcome with an application solely for improved amenities and Court approval, however, should only be on the basis of proper masonry buildings which do not have the character of temporary buildings.

Recommendation

That the application be refused for the following reasons:-

1. The development would cause an unacceptable deleterious effect upon neighbouring residential properties in regard to increased noise, odour and traffic.

2. The site is not appropriate for further expansion of use as an abattoir.

3. The proposal is not in the public interest.

Mr.Laurence Waterson, Consultant, addressed the Committee.

Mr.Malcolm McPherson, the Director of Bablana Pty.Ltd., addressed the Committee.

Alderman Denne declared an interest in this matter.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

W.P. 12-4-90

Item 14:	(File 24/90) [10.591]
Development Application:	**30 Townhouses comprising 20 x 3 bedroom units and 10 x 2 bedroom units**
Applicant:	Tuncoda Pty Limited
Owner:	Tuncoda Pty Limited, R B Walker, C & C Parker.
Land and Location:	Lot 22 DP 545895, Lot 2 DP 794406, Part Lot 1 DP 597050 and proposed Lot 11 in subdivision of Lot 1 DP 794406 Richmond Road, Windsor.
Area:	8768 square metres.
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a).
Advertising:	Adjoining owners notified with 10 submissions being received.
Date Received:	29th January, 1990.

REPORT (M.T.P.)

The Proposal

The proposed development comprises 30 townhouses built in the old "terrace" style. The overall design provides for groupings of townhouses, namely a group of four townhouses, a group of five townhouses, a group of six townhouses and five groups of three townhouses. All of the three bedroom townhouses as well as five of the two bedroom townhouses have been allocated a two car lockup garage. A total of 67 onsite car parking spaces have been provided.

Some of the townhouses have been cut into the hillside to maintain the existing views enjoyed by an adjoining owner. The positioning of individual blocks of townhouses also ensures that each block will have a pleasant outlook. The units are proposed to be of full brick construction with tiled roofs and aluminium windows. The architect has indicated that;

> *"It is proposed to detail the townhouses and incorporate a mix of materials throughout that result in each group of terraces taking on an original and individual character. This will be achieved not only by variations in the type of brick to be used, roof materials and other detail finishes, but also in the landscaping by way of blended mixes or paved surfaces and most importantly, through variations in the planting type throughout the development, all done in a compatible and harmonious manner."*

The applicant has also submitted an Acoustic Consultant's Report in relation to noise abatement measures which will be incorporated into the buildings' design.

Access for residents and visitors to the site is proposed to be via a reconstructed Claremont Lane. The laneway behind the Rum Corp Barracks, fronting onto Richmond Road, will provide access for the weekly garbage collection service. The services such as water and power will be introduced to the site via the battleaxe portion of lot 22 which forms part of the land being developed. This battleaxe portion in the long term will provide an alternative landscaped pedestrian link to Richmond Road.

Statutory Situation

The land is zoned Residential 2(a) and consequently the proposal is permissible with Council consent. The application also conforms to Council's recently adopted Development Control Plan for Medium Density Housing.

The proposal is also subject to the "Protection from Aircraft Noise" Clause in Hawkesbury Local Environmental Plan, 1989. The applicant has submitted an Acoustic Consultant's Report which addresses this issue.

Public Submissions

Submissions have been received from the Department of Housing, E Simmonds, W & M Carey, H Rawson, S G Weller, L F Smith, F J Wright, C & C Parker, Mr & Mrs W Middleton. The Department of Housing raised no objections to the proposal.

Ten (10) submissions have been received in relation to the proposal, nine (9) of these raised concerns or object to the proposal.

The grounds for concern or objection are as follows;

Concern	Number of Times Raised
Disruption to local amenity from traffic noise.	6
The proposal will detract from the historic atmosphere of the locality.	4
Low level of pedestrian safety.	3
The volume of traffic cannot be carried by the laneway therefore leading to a dangerous situation.	3
Poor intersection at Moses Street and Claremont Crescent which could cause accidents.	2
Excessive noise from low flying aircraft.	2
Large increase in traffic movements in the laneway.	1
Access to the site is poor for emergency vehicles.	1
Alternative access should be provided.	1
Sealing of laneway to Richmond Road should be required.	1
Construction vehicles/trucks should not use Claremont Lane.	1
The proposal will lead to widening of the lane on its northern side.	1
Disruption to local amenity from car lights at night.	1
Insufficient onsite parking.	1
Concern about the ownership of the laneway.	1
Not in keeping with adjoining development.	1
Glaring lights from proposed buildings.	1
Excessive removal of trees.	1

These aspects will be covered in the following section.

Planning Assessment

Access and Traffic

The applicant has provided a traffic impact assessment of the proposal prepared by a certified Traffic Consultant. In summary the assessment concludes that;

"The level of parking proposed is in excess of that required by Hawkesbury City Council Parking Policy and the level recommended by the Roads and Traffic Authority. We consider that it and the internal layout of the site are satisfactory.

The proposal would be expected to generate about 150 vehicles per day. In comparison, a recent count of Claremont Crescent indicated an average daily traffic flow of about 100 vehicles per day. It is likely that adjacent residents would notice the additional traffic. The acceptability of the increase can be assessed from reference to established guidelines. In summary the projected flows and the desirable maximum flows along the access route would be as follows:

Section	*Projected Flow Vehicles Per Day*	*Maximum Allowable Flow Vehicles Per Day*
Driveway - east end	*185*	*925*
Claremont Crescent at Moses Street	*250*	*2000*

The projected traffic flows would be substantially less than the volume limits recommended for new residential streets or with the widths in question. We consider that the proposal would have an acceptable impact on the amenity in the area and on traffic safety and efficiency.

The access driveway from the site to western end of Claremont Crescent would in effect be a public road. It is proposed that a 5 metre sealed carriageway be built, representing a doubling in the existing width. This width would be consistent with other residential streets in new residential estates, such as at Bligh Park, and would represent good design.

In conclusion we consider that the traffic implications of the proposed development are satisfactory."

The maximum flow figures quoted by the Consultant are taken from a recent publication called "Streets Where We Live", published by the Department of Planning, The Roads and Traffic Authority and The Land Commission. This publication provides guidelines for Local Government as well as the development industry.

The site was also inspected by the Local Area Traffic Committee and the following comments were made:

"1. Line marking in the form of a chevron island is required in Moses Street to direct traffic around the bend.

2. *Give Way signs shall be erected in Claremont Crescent at its intersection with Moses Street.*

3. *Claremont Lane shall be constructed as a share way (pedestrians and vehicles). Brick paving is recommended.*

4. *Give Way signs shall be erected in the bubble section of Claremont Crescent to give priority to traffic travelling towards Moses Street.*

5. *The use of the lane behind the Rum Corp Barracks for the purpose of garbage collection is supported as site distances on Richmond Road are considered to be adequate."*

These comments are supported and can be imposed as conditions of consent. The applicant has in fact indicated a cobbled entry to Claremont Lane off Claremont Crescent which will advise drivers they are entering a slow speed area.

The brick paving of the laneway will emphasise the shared nature of the road between pedestrians and vehicles. This can further be emphasised by providing a 1 metre wide strip of different coloured bricks on the edge of the laneway to denote a pedestrian path.

Some objectors raised the issue of whether Claremont Lane was a dedicated road. Council has no evidence to suggest that it is not a public road, however, a condition can be imposed on the development to ensure that the laneway is dedicated as a public road.

Onsite inspections revealed that the access road will increase traffic noise and possibly headlight glare to existing housing at the end of Claremont Lane. To maximise the separation from the closest house to the proposed access road it is suggested that the access road be, where it enters the site, relocated approximately 5 metres to the south. This will necessitate the removal of two Silky Oaks however the separation gained will be beneficial to adjoining owners. No other trees along Claremont Lane will need to be removed as a result of the development. The proposal also does not require the removal of an adjoining fence which is encroaching on the northern side of the laneway.

The laneway off Richmond Road is not constructed to a standard which is suitable for garbage truck traffic and will therefore need to be strengthened and widened. This can be achieved as a condition of consent.

Parking

The applicant has provided a total of 67 spaces on the site. Twelve (12) of these are for visitors which is double the amount required under Council's code. Given the unusual site characteristics of this development the additional spaces are warranted and the overall parking availability is considered to be satisfactory.

Design

The townhouse development in terrace style has been sensitively designed so as to take advantage of the local views as well as having a low visual impact on adjoining properties. Each townhouse will have adequate paved courtyard space as well as a separate garage. The separation of the garage from the main

dwelling adds variety to the development and lessens the bulk of the buildings. The fragmentation of the townhouses into smaller groups also assists in this regard.

Effect on Adjoining Development

Shadow diagrams reveal that the proposal will have a minimal impact on properties to the south.

The development when completed will be visible from Richmond Road however it will not in any way obscure or affect the current views of St Matthews Church. The proposal has been designed to retain adjoining owners' view and therefore it is well below the tree line. Similarly Claremont Cottage is sufficiently well removed from the development not to suffer any loss of amenity. The development will contain normal lighting and is not considered to be out of character in a residential area.

Aircraft Noise

The Acoustic Consultant's Report confirms that the design measures incorporated in the development such as smaller than normal windows, laminated glass and mechanical ventilation to all units, ensure that the development complies with the noise standards specified in Hawkesbury Local Environmental Plan, 1989. The Consultant also recommended that the ceilings of the units be constructed of aerated concrete panels to further reduce internal noise levels. All the Consultant's recommendations should be enforced as conditions of consent.

Conclusion

The development complies in all respects with Council's Medium Density Housing Code as well as with the Protection from Aircraft Noise Clause in Hawkesbury Local Environmental Plan, 1989.

It is a well designed development and will set a high standard for future residential development in the City.

Recommendation

That the application be approved subject to the following conditions;

1-9. Standard Condition (Development) - 1 ($79,000.00) (seventy nine thousand), 6 ($46,629) (forty six thousand six hundred and twenty nine), 11, 31, 34, 40, 50 (67 spaces), 70, 73.

10. A surcharge path sufficient to carry the 1 (one) in 100 (one hundred) year storm flow to be provided across the site.

11. Construction of road and drainage works are not to commence until three (3) copies of the plan or specifications of the proposed works are submitted to and approved by the Manager of Engineering Services.

12. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Details to be submitted for approval with the building application.

13. Parking spaces, accessways and aisle widths are to be constructed with a sealed pavement, drained and marked to Council's requirements. Details to be submitted for approval with the building application.

14. The lane off Richmond Road shall be reconstructed to a standard suitable for garbage truck traffic including pavement strengthening and pavement widening as necessary to allow for garbage truck manoeuvring. Details to be submitted with the Building Application.

15. Claremont Lane shall be dedicated as a public road.

16. A right of way shall be created over the access road on Lot 1 DP 597050 in favour of the land being developed or alternatively the dedication of this land as a public road.

17. Claremont Lane and the right of way extension thereof shall be constructed of brick paving, concrete kerb and gutter with layback vehicular crossings as necessary. The work shall include a dual crossing at the connection to Claremont Cottage as indicated on the plans as well as any necessary drainage works.

18. Give Way signs shall be provided in Claremont Crescent and its intersection with Moses Street.

19. A painted chevron medium shall be provided in Moses Street and its intersection with Claremont Crescent to delineate Moses Street as a through road and to control turning movements into Claremont Crescent.

20. A Give Way sign shall be provided in Claremont Crescent in the Claremont Crescent bubble to give priority to traffic entering or leaving the development.

21. The development shall comply with the Acoustic Compliance Report as prepared by Peter R Knowland and Associates Pty Limited.

22. The access off Claremont Lane shall be relocated approximately 5 (five) metres to the south so as to maximise the distance between the access road and the nearest adjoining house.

23. A 1 (one) metre wide pedestrian pathway shall be provided in Claremont Lane in the form of a differing coloured paving bricks along one edge of the lane.

24. Details are to be provided in the landscaping plans in relation to the pedestrian link to Richmond Road via the existing Lot 22.

Mr. Anthony Hoy, the applicant, addressed the Committee.

Mr. Alex O'Grady, Architect, addressed the Committee.

Mr. Colin Parker addressed the Committee.

Mrs.F.J.Wright of Claremont Crescent, addressed the Committee as an objector.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP. 12-4-90

Item 15:	(File 60/90) [10.592]
Development Application:	**Erection of a shed for the purpose of Home Activity - Candle Making**
Applicant:	Mr E Polly
Owner:	Mr E Polly
Land and Location:	Lot 1 DP 318570 Pitt Town Road, McGraths Hill.
Area:	4 hectares.
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c)
Advertising:	Adjoining owners notified with no submissions being received.
Date Received:	21st February, 1990.

REPORT (M.T.P.)

The Proposal

The proposal involves the construction of a pre-painted metal clad shed approximately 24 metres long, 9 metres wide and 3.6 metres high. The shed will be located 5 metres from the western boundary and some 130 metres from the road frontage. The applicant estimates that there would be 2 to 3 deliveries per week involving the use of a Ford F100 utility. Production hours are proposed to be between 9am and 4pm Monday to Friday only.

Applicant's Submission

The applicant has provided the following information.

> *"I have been in the business of manufacturing candles in Sydney for over 40 years and it is my intention shortly to retire as I am now over the age of 65. However you will appreciate that after many years of active business life, I do not wish to completely retire and therefore I intend to move a smaller version of my business to my farm on Pitt Town Road, essentially as a cottage industry hobby.*
>
> *I would be transporting some light machinery from my old factory to the Pitt Town Road site. The machines themselves are fairly large in physical size, due to the nature of their antiquity. They are not noisy or dirty machines. The cost for me to replace them with smaller, more modern machines would be prohibitive. The size of the building I intend to erect reflects the size of the machinery. It is also my intention to have under the same roof structure my personal car and my small delivery utility.*
>
> *To sum up the details the structure which I have designed is to enable me to operate a small hobby business and to neatly store away all parts, machinery, raw materials and vehicles so not to have the facilities spoiling the natural*

beauty of the area, which I certainly don't want to, having had the farm in my family for some 30 years."

Statutory Situation

The proposal is permissible with Council's consent as long as the activities on the site conform to the definition of home activity.

Planning Assessment

The proposed location of the shed is well removed from Pitt Town Road and is also well removed from the nearest adjoining residents. The proposed shed is to be located in the vicinity of some old chicken sheds however this proposal is not seen as been detrimental to other rural activities in the area.

As long as the development complies with the definition of home activity there should be no problem in terms of the scale of the development and its effect on the adjoining locality. The applicant has been made aware that under the terms of home activity he will not be able to employ non residents of the property and is happy to proceed with the application on this basis.

Recommendation

That the application be approved subject to the following standard conditions.

1-3. Standard Conditions (Development) - 31, 32, 105 (9.00am to 4.00pm Monday to Friday).

4. All raw materials and finished products associated with the home activity shall be stored within the building.

5. The activity on the site is to conform with the definition of "home activity" at all times. "Home Activity" means any activity, pursuit, occupation or profession not specifically defined elsewhere in this clause, carried on for personal gain in the building or a room or a number of rooms forming part of, attached to or on the same parcel of land as a dwelling-house or in a dwelling in a residential flat building where:-

   (a) only goods made or produced therein as a result of the activity or pusuit and goods ancillary thereto are displayed or sold; and

   (b) the activity or pursuite 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, grit, oil or otherwise;
      (ii) involve exposure to view from any public place of any unsightly matter;
      (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;
      (iv) involve the employment of persons other than residents of the dwelling-house or dwelling; or

(v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (nought point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof)."

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 16:	(File DA 337/89) [10.593] WP 12-4-90
Development Application:	**Medium Density Development Comprised of 3 Two Storey Townhouses and 3 Single Storey Villa Units.**
Applicant:	Mr R and Mrs M Allen
Owner:	Mr B & Mrs K Smith and Mr R and Mrs M Allen
Land & Location:	Pt Lot B DP 380111, 36 Macquarie Street and Pt Por 24, 38 Macquarie Street, Windsor.
Area:	1470 square metres
Zoning:	Hawkesbury Local Environmental Plan 1989 - Residential 2(c)
Advertising:	Adjoining owners notified with submissions being received from Mr F Daines and Mr N Tweedie.
Date Received:	Original plan submitted on 4th September, 1989 with amended plan being submitted 18th January, 1990

REPORT (M.T.P.)

This application was considered by Council at its meeting on 13th February, 1990 (item 10, page 22) and it was resolved that consideration be deferred and that it be referred to the Local Traffic Committee.

The application was considered by the Local Traffic Committee at its meeting on 16th March, 1990. The Local Traffic Committee raised no objection in principle to the application and suggested that the following matters be considered for inclusion as conditions of consent.

1. Raising the median strip in the centre of Macquarie Street. Presumably this is to stop vehicles turning into the site across the median strip.

2. Provision of splay corners at the kerb and gutter line to assist manoeuvring onto and off the site.

3. Because of the prohibition of parking across the frontage of the land it was suggested that an additional visitor's parking space be provided on site.

It is considered that heightening of the median strip in the centre of Macquarie Street cannot reasonably be imposed on the applicant for a number of reasons. Firstly, the design of the median strip should have taken into account this

possibility and secondly the traffic generation potential of the development is far less than other uses along the road such as service stations and car dealerships.

The provision of splay corners at the kerb and gutter line is relatively inexpensive and will assist with manoeuvring onto and off the site, particularly for trucks. It is recommended that this be incorporated as a condition of consent.

The Development Control Plan for Medium Density Housing requires the provision of 1.5 covered off street parking spaces for each unit (all of the units are 2 bedroom). The application indicates that a total of 9 covered off street parking spaces are provided and therefore in aggregate complies with the provisions of the DCP. However it should be noted that the three villas are only provided with a single space while the townhouses are each provided with two spaces. In addition two visitors' parking spaces are provided in accordance with the required provision of one visitor's space for every five units. Therefore the development complies with the requirements of the DCP.

It is not considered feasible to provide an additional on site parking space as there is a large level difference between the front of the units and the footpath. As the application complies with the provisions of the DCP it is not recommended that an additional parking space be required.

In the assessment of the application an important consideration is that the land is zoned Residential 2(c) and the permissible density of development is higher than that proposed by the application.

Recommendation

That the application be approved subject to the following conditions:

1-4. Standard conditions (DAs) Nos 1 ($12,500) (twelve thousand, five hundred), 11, 17, and 20.
5. Construction of Council's heavy duty footway and layback vehicular crossing to the access to the site with a minimum width of 6m (six). In addition the access is to have corner splays at the kerb and gutter line to the satisfaction of the Manager of Environment & Building Services.
6. Standard conditions (DAs) No 6 ($3,454) (three thousand four hundred and fifty four).
7. Parking spaces, accessways and aisle widths to conform to Council's specifications and to be constructed, drained, sealed and marked. Full details of works shall be submitted for approval with the building application.
8. Standard condition (DAs) No 70.
9. All floors to be at a minimum level of 16m (sixteen) A.H.D.
10-14. Standard condition (DAs) Nos 31, 34, 40, 73, and 120.
15. Provision of a level pause platform between Macquarie Street and the entrance to the development to accommodate at least 1 (one) car.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

E. Elizabeth 1st W.P. 12-4-90

Item 17:	(File DA 5/90) [10.594]
Development Application:	**Erection of 2 x 3 bedroom and 3 x 2 bedroom villa**
Applicant:	James Matthew Homes Pty Ltd
Owner:	James Matthew Homes Pty Ltd
Land and Location:	Lots 107 and 108, DP 775240, William Street, North Richmond.
Area:	1500 metres square
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners were notified of the proposal, with no submissions being received.
Date Received:	8th January, 1990.

REPORT (M.T.P.)

This application was considered at Council's meeting of 13th March, 1990, (item 16, pp 37-39) and it was resolved that the application be referred to the Local Traffic Committee for consideration of "the stress placed upon a singular road, namely William Street, in relation to the numbers of houses and therefore numbers of expected vehicles utilising this particular roadway."

The Committee has now considered the matter and determined that the local road system is capable of accommodating the traffic generated by this development, and no special conditions are required to be imposed.

The report to the Ordinary Meeting of 13th March, 1990, is reproduced below for Council's information.

Proposal

Application has been made seeking Council's consent to erect 2 x 3 bedroom and 3 x 2 bedroom villa houses on the subject land, together with associated car parking and landscaping. The proposed villa houses are of a "Californian Bungalow" style, and will be of brick veneer construction with tiled roofs.

The villa units range in size from 74.4 m^2 to 100.0m^2, and will have courtyards ranging in area from 53.0m^2 to 140.0m^2. Covered parking for 9 vehicles is also proposed to be provided on the site.

Statutory Situation

The subject land is zoned Residential 2(a) under Hawkesbury Local Environmental Plan, 1989. The proposed villa units are permissible on the site with Council's consent.

Planning Assessment

Character/Design Quality/Amenity

The subject site is located adjacent to a residential area where development is primarily comprised of single storey detached dwellings. Given that the proposed villa houses are also single storey, have a minimum setback of 3.0 metres from side and rear boundaries and will be constructed of materials compatible with

surrounding development, no adverse effect on the character of the locality is likely.

Although more than half the area of the courtyards provided with units 4 and 5 will not receive direct sunlight during mid-winter, there will be some sunlit area available in each courtyard, including the clothes drying areas.

The development has been designed to maximise private, secure open space areas and will present an attractive elevation to William Street.

Private Open Space

Each courtyard provided on the site is well in excess of the minimum area requirements under Council's Medium Density Development Control Plan. Appropriate landscaping of these yards will ensure the privacy of all residents is maintained as well as the privacy of future adjoining landowners.

Landscaping will also enhance the appearance of the development and improve the general streetscape.

Access and Parking

Council's Medium Density Development Control Plan requires the calculated provision of 9.5 car parking spaces on the site or 10 rounded up to the nearest whole number. The applicant however has only provided 9 spaces. Nevertheless, this is considered reasonable given the layout of the development, as stacked parking for unit 3 visitors can be provided in front of their double garage, without affecting the movement of vehicles associated with the other villa units on the site.

Other Concerns

The villa houses are to be developed over two allotments and, consequently, it is considered desirable that the allotments be consolidated prior to occupation of the villa houses.

Recommendation

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

1-8. Standard conditions (DAs) 16 (delete "residential", 6m [six]), 31, 33, 40, 61, 70, 73, 120.

9. A contribution of $5,181.00 (five thousand one hundred and eighty one) based on $1,727 (one thousand seven hundred and twenty seven dollars) per additional dwelling being a contribution for open space and community facilities as a consequence of medium density development (residential flats, villas, town houses, etc.).

10. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Drainage Requirements for Commercial, Industrial and Medium Density Developments. Details to be submitted for approval with the building application.

11. Parking spaces, accessways and aisle widths are to be constructed with a sealed pavement, drained and marked to Council's requirements. Full details of works shall be submitted for approval with the building application.

12. Compliance with any requirements of the Water Board in relation to the sewer lines traversing the site.
13. Sound attenuation measures are to be incorporated in the development to the satisfaction of the Manager of Environment and Building Services, to protect future occupants from aircraft noise.

Alderman Sheather declared an interest in this matter.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 12-4-90

Item 18:	(File DA 18/90) [10.595]
Development Application:	**Commercial Use of Heritage Item - Art and Antiques Display and Sale, and a Secretarial Service.**
Applicant:	Mr K & Mrs K Roche
Owner:	Mr S Pascoe
Land and Location:	Lot X - DP 163974, 106 Windsor Street, Richmond
Area:	1644 metres square
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(c) and Heritage Item.
Advertising:	Adjoining owners notified in accordance with Council Policy with objections being received on a petition with 10 signatures.
Date Received:	22nd January, 1990.

REPORT (M.T.P.)

Proposal

The land contains a number of strata titled villa houses as well as an historic building. The application is to establish a commercial use for art, antiques and a secretarial typing service within the Heritage Item. Hours of operation are to be 9.00am to 5.00pm, Monday to Sunday. Deliveries are to be twice a month utilising a 2 ton pantec van. Car parking spaces are provided for 2 vehicles.

Plans submitted indicate that the building contains four rooms, comprising a kitchen, living room and 2 bedrooms. The art and antiques are to be sited within the two bedrooms whilst the typing service is located in the living room.

Consent No. 338/89 was granted for a 'secretarial service', being defined as a 'Home Occupation', dated 20th November, 1989. However, the applicant has relinquished that consent after a site inspection revealed that the employee was not a resident of the building, which is a condition of the 'Home Occupation'.

Therefore the applicant has submitted a development application for the commercial use for 'art and antiques' and the 'secretarial typing service' business.

Statutory Situation

The development proposal is permissible under Hawkesbury Local Environmental Plan, 1989, Clause 29 - Conservation incentives relating to heritage item.

The building is identified as a Heritage Item in Hawkesbury Local Environmental Plan, 1989.

Public Submission

Adjoining owners were notified with a petition being received containing 10 signatures objecting to the proposal. The letter reads;

"1. We presently encounter problems created in respect to parking in as much as current proprietors own more than one vehicle which necessitates the usage at times, of street parking as well as, parking of extra vehicles on our boundary fence.

2. The abovementioned proposed business, is in fact, already trading and has been for some two weeks. We have already experienced "outsider's" parking within the compounds of the strata boundaries which means actual owners and residents of Strata No. 12584, 12583 and 12582, often times do not find spaces, owned by the Strata Plans, to park their cars.

3. It is a well known fact that the Windsor/Richmond areas attract many tourists, especially on weekends, and we can only expect congested parking to occur if a commercial concern is allowed to locate directly in the middle of an area zoned residential.

4. In as much as Richmond Primary School is adjacent to the location of the proposed business, we can only envisage a definite traffic hazard as not only school children but adults alike, utilise the pedestrian crossing situated only metres from the proposed business.

5. We, the residents/owners of Strata Plans number 12584, 12583 and 12582 are totally in favour of new businesses to the area; however, to allow the establishment of a commercial business, such as is suggested to Council and which in fact is already trading, with such proximity to a 1) public school, 2) pedestrian crossing and 3) residential/home units area is quite unacceptable.

Planning Assessment

The use such as art and antiques display and sale, and secretarial service is permissible with consent. The term 'secretarial service' normally would not include secretarial instruction or employment of others within the building on the basis of a "Home Occupation" or "Home Activity", however, because the Council can consider commercial uses of heritage buildings, it can be approved.

The proposed use will assist in the preservation of the heritage building. However, in relation to the antiques/art component, it is considered that as the building is located in front of a substantial residential development, there is likely to be an adverse conflict with vehicular parking and loss of residential amenity.

The use for secretarial services, however, whether carried out by a resident or not, is not seen to have the same problem, particularly as such uses do not usually operate on weekends.

Recommendation

That the application for use of the existing heritage item be determined as follows:-

A. In relation to display and sale of antiques and art component, the application be refused for the following reasons:

1. The proposal would cause an unacceptable traffic and parking nuisance to residents of the villa homes on the same site.
2. The proposal would cause a diminution in enjoyment of residents of the villa houses and residences in the near locality.
3. The proposal is not in the public interest.

B. In relation to the secretarial services component, the applicant be advised that the previous consented use may be extended by the employment of staff who are not residents of the building on the basis that such use will assist in preservation of the building.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP - 12-4-90

Item 19:	(File DA 64/90) [10.596]
Development Application:	**Utilise part of an existing dwelling as an Art Studio including the sale of Art Works.**
Applicant:	A & L James
Owner:	A & L James
Land & Location:	Lot 204, DP 206301, No. 378 Lieutenant Bowen Drive, Bowen Mountain
Area:	1214m2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection 7(d)(Scenic)
Advertising:	Adjoining owners notified with no submissions being received.
Date Received:	26th February, 1990

REPORT (M.T.P.)

Proposal

Application has been made seeking Council's consent to use a room, six metres by four metres, in an existing dwelling on the subject land as an art studio and for the sale of art work produced on the premises. The studio will be open to the public between the hours of 10.00am and 5.00pm, Tuesday to Sunday, and two parking spaces will be provided, side by side in the existing driveway.

Statutory Situation

The proposal may be defined as a "home activity" and as such is permissible on the site with Council's consent.

Planning Assessment

The proposed use of the site for an art studio and the sale of art work is unlikely to have any adverse effect on the amenity of the neighbourhood, given its scale and nature. Parking for 2 (two) vehicles at the front of the site is considered adequate, although vehicles will be required to reverse into Lieutenant Bowen Drive. However, as the site is located towards the end of this road, conflict with other vehicles in the street will be minimal. Sight distances are also adequate to allow safe egress from the property.

Recommendation

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

1. Standard condition (DAs) 32.

2. Compliance with the definition of "home activity" as defined in Hawkesbury Local Environmental Plan, 1989:

   "home activity" means any activity, pursuit, occupation or profession not specifically defined elsewhere in this clause, carried on for personal gain in a building or a room or a number of rooms forming part of, attached to or on the same parcel of land as a dwelling-house or in a dwelling in a residential flat building where:-

   (a) only goods made or produced therein as a result of the activity or pursuit and goods ancillary thereto are displayed or sold; and

   (b) the activity or pursuit 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, grit, oil or otherwise;

      (ii) involve exposure to view from any public place of any unsightly matter;

      (iii) require the provision of any essential service main of a greater capacity than that generally available in the locality;

      (iv) involve the employment of persons other than residents of the dwelling-house or dwelling; or

      (v) involve the exhibition of any notice, advertisement or sign (other than a notice or sign not exceeding 1 (one) metre by 0.6 (nought point six) metres exhibited on that dwelling-house or dwelling to indicate the name and occupation of the resident thereof).

3. Operating hours shall be limited to 10.00am to 5.00pm, Tuesdays to Sundays. Any alteration of these hours will require Council consent.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ELIZABETH 12-4

Item 20:	(File S90/44) [10.597]
Subdivision Application:	**Subdivision to create two allotments with areas of approximately 1253m^2 and 2524m^2**
Applicant:	Glenhaven Horticulture Services Pty Ltd
Owner:	Glenhaven Horticulture Services Pty Ltd
Land & Location:	Lot 4, DP 349193, Roxana Road, Kurrajong
Area:	3777m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c1)
Advertising:	Not required under Council's Advertising Policy.
Date Received:	9th February, 1990

REPORT (M.T.P.)

Background

At its Ordinary Meeting of 14th October, 1986, Council supported this same proposal to sever an established produce store, known as "Stockmans Rural Supplies", from the remainder of the land which contains an existing dwelling and shed.

Approval is again sought for the proposed subdivision, as the previous consent has now lapsed.

Proposal

The land offered for subdivision is irregular in shape and has frontage to both Bells Line of Road and Roxana Road. The produce store and dwelling are separated by a substantial screen fence and the applicant proposes that the subdivision boundary should, in the main, follow that screen fence.

Statutory Situation

The subject land is zoned Rural 1(c1) under Hawkesbury LEP, 1989 and as such, each allotment created within this zone is required to have an area of not less than 4 (four) hectares.

As both allotments will be well below this minimum area requirement, an objection pursuant to Clause 6 of State Environmental Planning Policy No. 1 has been submitted with the application.

Planning Comments

The applicant's objection is on the grounds that the allotments resulting from the subdivision would be compatible with allotment sizes in the immediate vicinity, and that the proposed subdivision would separate two incompatible uses.

Further, the subdivision would restrict future expansion of the commercial activity, would formalise the existing physical separation of the different uses and would deny main road frontage to the commercial development. Accordingly, the proposal is considered worthy of support.

The subdivision however, should not be approved in its current form, as the access handle to the "house lot" encroaches on an already restricted on-site parking area provided for the produce store. Instead, the plan should be amended to eliminate this access handle and a right of carriageway created over the existing access to the "house lot".

Conditions can be imposed in this regard.

Recommendation

That:-

(a) Council support the applicant's objection pursuant to Clause 6 of State Environmental Planning Policy No. 1 and seek the concurrence of the Director of the Department of Planning.

(b) Should such concurrence be forthcoming, the subdivision application be approved subject to compliance with the following conditions:-

1. The access handle to proposed Lot 42 is to be deleted and a right of carriageway created over proposed Lot 41 to provide vehicular access to Lot 42 from Roxana Road.

2-8. Standard conditions (subdivision) 1, 3, 5, 18 ($635.00) (six hundred and thirty five), 39, 40, 41 ($140.00) (one hundred and forty).

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP. 12-4-90

Item 21:	(File DA 119/89) [10.598]
Development Application:	**Utilise part of an existing dwelling for the retail sale of antiques and crafts**
Applicant:	K and L Hoare
Owner:	K and L Hoare
Land and Location:	Lot B, DP 160847, Richmond Road, Clarendon.
Area:	4180 metres square
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Rural 1(c)

Advertising: Adjoining owners notified with no submissions being received.

Date Received: Amended plan - 5th January, 1990.

REPORT (M.T.P.)

The three rooms of the dwelling have a total floor area of about 57 metres square. The business will be conducted by the residents of the building, between the hours of 9.00am - 2.30pm, weekdays, 9.00am - 5.00pm, Saturdays; and 12.00 noon - 5.00pm, Sundays. Off street parking for two vehicles is provided on the western side of the building.

The use has already commenced on the site.

Statutory Situation

The development may be defined as a "tourist facility" and as such, is permissible on the site, with Council's consent.

The property is also classified as an item of environmental heritage under schedule 1 of the Local Environmental Plan.

Planning Assessment

Heritage Significance

The subject site contains a brick residence constructed circa 1830 - 1840. The building has been substantially altered since construction with later accretions including a tiled roof and skillion extension, as well as cement stucco. Although the applicant has undertaken substantial drainage works to reduce deterioration of the brickwork caused by water penetration, further works are necessary to ensure the stabilisation of the building fabric. These works include removal of the cement stucco and lime washing.

The proposed use of the residence for the sale of antiques and crafts will not adversely affect the internal building fabric and given its minor nature, is unlikely to have any detrimental effect on the area's amenity.

Access and Parking

Council's Car Parking Development Control Plan requires the provision of off street parking at a rate of 1 space per 40 metres square of floor area. Consequently, two spaces are required to be provided on the site. The applicant proposes to provide these spaces on the western side of the building in an area which will also cater for additional informal parking, if required. The parking area is of sufficient size to ensure vehicles enter and leave the site in a forward direction.

Although it will be necessary to "seal" the proposed driveway and car park, the use of concrete or bitumen will exacerbate the existing drainage problem and is considered to be incompatible with the heritage item. Accordingly, brick or concrete paving which allows grass to grow through and water to drain away, should be provided.

Aircraft Noise

Although the site is subject to aircraft noise at a level of approximately 35 A.N.E.F., it is considered undesirable to require any sound attenuation measures as part of this development, given the historic significance of the building and the nature of the proposed use.

Recommendation

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

1. Standard Condition (Development) - 32.

2. No goods or signs to be displayed on the pedestrianways, roadways, landscaped areas, parking areas or in the vicinity.

3. Parking shall be provided for 2 (two) vehicles on the western side of the building. The surface of the parking area shall comprise of brick or concrete paving. Construction shall be to the satisfaction of the Manager of Engineering Services.

4. A sign post indicating the availability of on site parking shall be erected adjacent to the driveway.

5. Construction of a sealed access from the edge of seal to the boundary line to suit the access to the car park to the requirements of Council and the Roads and Traffic Authority.

6. Operating hours shall be limited to 9.00am to 2.30pm, Mondays to Friday; 9.00am to 5.00pm, Saturday and 12.00 noon to 5.00pm, Sunday. Any alteration of these hours will require Council consent.

7. Removal of cement stucco and limewashing of all exposed brickwork is to be completed within 6 (six) months of the date of this consent.

The Manager of Town Planning requested that the words "excepting those approved by Council under Ordinance 55" be added to Condition 2.

COMMITTEE'S RECOMMENDATION

THAT THE APPLICATION be approved subject to compliance with the following conditions:

1. Standard Condition (Development) - 32.

2. No goods or signs to be displayed on the pedestrianways, roadways, landscaped areas, parking areas or in the vicinity excepting those approved by Council under Ordinance 55.

3. Parking shall be provided for 2 (two) vehicles on the western side of the building. The surface of the parking area shall comprise of brick or concrete paving. Construction shall be to the satisfaction of the Manager of Engineering Services.

4. A sign post indicating the availability of on site parking shall be erected adjacent to the driveway.

5. Construction of a sealed access from the edge of seal to the boundary line to suit the access to the car park to the requirements of Council and the Roads and Traffic Authority.

6. Operating hours shall be limited to 9.00am to 2.30pm, Mondays to Friday; 9.00am to 5.00pm, Saturday and 12.00 noon to 5.00pm, Sunday. Any alteration of these hours will require Council consent.

7. Removal of cement stucco and limewashing of all exposed brickwork is to be completed within 6 (six) months of the date of this consent.

GMEAN 17-4-90

Item 22:	(File DA 29/90) [10.599]
Development Application:	**The erection of eight Villa Units.**
Applicant:	Jim Anderson & Partners
Owner:	Sunset Hills Belmont Pty Ltd
Land & Location:	Part Lot 4, DP 63286, Section 2, 354 Windsor Street, Richmond
Area:	2665 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining landowners notified - No submissions received.
Date Received:	31st January, 1990

REPORT (M.T.P.)

This Villa Unit proposal comprises of two x 3-bedroom Villa Units and six x 2-bedroom Villa Units.

The application would require the demolition of an existing early Californian style bungalow dwelling which was most prevalent during the 1920's/30's period and is characterised by rough cast walls, shingled gabled ends and a flat or gable roof to the porch.

Statutory Situation

Under the provisions of Hawkesbury Local Environmental Plan, 1989, Residential Flat Buildings Class B Developments, including Villa Units, are permissible within lands zoned Residential 2(a) subject to Council consent.

Planning Assessment

The application complies with the density provisions of Council's Medium Density Development Control Plan which requires the provision of only 2250 square metres of total site area for the eight units, whereas the parcel of land comprises a total allotment size of 2665 square metres.

The application nominates the provision of a minimum 7 metre building line setback from the front boundary alignment, 3.5 metre setback from the eastern property boundary, a minimum 2.5 metre setback from the western property line in addition to a 2.5 metre minimum variable rear setback from the property boundary line. Under normal circumstances, a 3 metre building line setback from side boundaries is considered a minimum standard. However, this application is supported by a high quality landscaping plan which seeks to incorporate existing mature vegetation where possible and in addition endeavour to screen development from adjoining properties via the intensive planting of varied shrubs and trees. This provision of landscaping will be guaranteed by means of a proposed condition of consent.

The application further makes provision for adequate private open space in excess of 30 square metres of site area per villa unit. This private open space provision is directly accessible from the living areas of each dwelling and provides privacy from adjoining dwellings. The private open space provision is supported by a shadow diagram which nominates that each courtyard will receive some direct sunlight between 10.00am and 3.00pm during mid-winter.

The proposal complies with Council's code in relation to providing on-site parking. Two parallel visitor's spaces are undersize, but this can be rectified at the building application stage.

The covered carport layout, however, is subject to manoeuvring problems, particularly the southern carport No. 3 adjacent to Unit 3 and carport No. 1 attached to Unit 6. This problem may be overcome by the provision of a brick paved manoeuvring area extension from the proposed accessway. This would require the reduction of the private open space courtyards of Units 2, 3 and 6 in addition to the reduction of the proposed brush fenceline which separates each private courtyard. This is considered a satisfactory alternative in regard to this discrepancy from the provisions of the code.

The application complies with the code in terms of adequate design considerations, building height, amenity to adjoining landholdings and the provision of garbage facilities.

If the application is approved, it would mean the demolition of an early Californian style (bungalow) single-storey dwelling. In 1981 the subject premises were subject to a Section 130 "Demolition" Order pursuant to the Heritage Act, 1977. This Section 130 Order lapsed and was not revised by the Heritage Council of NSW.

Further, this dwelling was identified as an item of Environmental Heritage in the Northwest Sector Heritage Study undertaken by the Department of Planning in 1981. However, Council resolved at its Ordinary Meeting on the 12th May, 1987 to delete the premises from the item of Environmental Heritage provisions of Draft Local Environmental Plan, 1987 (now Hawkesbury Local Environmental Plan, 1989) following receipt of a submission from the respective landowner of the property.

Given the history of this matter, it is not considered that further heritage studies be undertaken in relation to the existing building.

Recommendation

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

1. The development shall be carried out in accordance with the submitted plan dated the 31st January, 1990.

2-12. Standard conditions 11, 16 (5m) (five), 17, 20, 81, 50 (15) (fifteen), 70, 74, 87, 104, 6 ($12,089.00) (twelve thousand and eighty nine).

13. The building design shall incorporate features to mitigate aircraft noise intrusion to the satisfaction of the Manager of Environment and Building Services (e.g. acoustic insulation at walls and roofs/ceilings and reduced glazed areas).

14. Doors shall be provided between all kitchens and laundries.

15. Adequate and suitable solid garbage/trade waste storage facilities shall be provided on the premises. Separate details indicating the location, type and construction of such facilities shall be lodged with Council concurrently with the Building Application. In this regard, the garbage bin store shall be removed from the front yard area and relocated in a more central location or otherwise the service yard shall be utilised for the storage of garbage receptacles.

16. The walls of the existing swimming pool shall be demolished to a level at least 1 (one) metre below ground level and a 1 (one) square metre perforation shall be made in the floor of the pool.

17. The development shall make provision for a brick paved manoeuvring area extension from the accessway. In this regard, the private open space courtyards of Units 2, 3 and 6 in addition to the associated brush fenceline which separates each private courtyard shall be reduced in accordance with the amendments marked in red on the submitted plan dated the 31st January, 1990 and be to the satisfaction of Council's Manager of Town Planning.

Mr.Geoff Hawke, representing the applicant, addressed the Committee.

Item 37 of the Supplementary Report was dealt with in conjunction with Item 22 above.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Item 23: (File S89/149) [10.600] MP. 14-4-90
Development Application: **Two lot subdivision.**
Applicant: F & D Taliana
Owner: F & D Taliana

Land and Location:	Lot 71 DP 736692 Threlkeld Drive, Cattai.
Area:	4.192ha.
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Environmental Protection-Scenic 7(d1).
Advertising:	Not Required.
Date Received:	19th September, 1989 - further information received 12th March, 1990.

REPORT (M.T.P.)

The proposal is to subdivide the land into two lots having areas of 3.792 ha. and 0.4 ha.

The minimum area provision within the local environmental plan is 10 ha. although there is a predominance of 2 ha. lots in the locality. Council at its meeting of 9th June, 1987, supported an application for subdivision into 2 x 2 ha. (approximately) lots. The proposal required the Director's concurrence which was subsequently granted and development consent issued.

The current proposal is to alter the approved lots in area. The land contains an existing dwelling and orchard and various outbuildings. The subdivision already approved would sever some of the property improvements from the dwelling, whereas, that now applied for would leave the improvements with the house and create a separate undeveloped area suitable for development for domestic purposes. With use of "envirocycle" or similar sewage treatment, the vacant lot would be adequate to contain treated effluent.

In terms of the character of the locality there would be little difference between this proposal and that previously approved.

No further subdivision of either lot is permissible.

Hawkesbury Local Environmental Plan, 1989, has removed the 10% limit on lot size alterations as a result of adjustment of boundaries but provides that the number of undersized lots cannot be increased as a result of the adjustment. The proposal conforms with this requirement.

The application is one that would normally be dealt with under delegation but is presented to Council as Council determined the initial application.

Recommendation

That approval be granted to a 2 (two) lot subdivision creating lots with areas of 3.792ha. (three point seven nine two) and (naught point four) 0.4ha. respectively, subject to the following conditions:-

1. The submission of a Subdivider/Developer Certificate (a certificate under Part 3, Division 2, Section 27 of the Water Board Act, 1987).
2. Submission of a Certificate from Prospect Electricity 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 cables for telephones through the subdivision.

4. Payment of a contribution pursuant to Section 94 of the Environmental Planning and Assessment Act of $635 (six hundred and thirty five dollars) covering resealing of rural roads within the City of Hawkesbury.
5. Construction of a (three point five) 3.5m wide compacted crushed rock pavement along the access strip and across the footway to the proposed Lot 1 together with any necessary drainage to the satisfaction of the Manager of Engineering Services.
6. The submission of the plan of subdivision together with four (4) exact copies thereof, suitable for lodgement with the Land Titles Office.
7. Payment of a contribution pursuant to Section 94 of the Environmental Planning and Assessment Act of $2,421 (two thousand four hundred and twenty one dollars) for the provision of open space and community facilities.
8. Payment of a subdivision plan release fee of $140 (one hundred and forty dollars). This amount is valid until 31st December, 1990, after which time the amount payable shall be as per Council's adopted fee at the time.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

W.P. 17-4-90

Item 24:	(File 9/90) [10.601]
Development Application:	**The erection of four x two bedroom single storey villa units.**
Applicant:	Mr A Jones
Owner:	Mr A Jones
Land and Location:	Lot 102, DP 775240, William Street, North Richmond.
Area:	1194 square metres.
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Advertised with no submissions.
Date Received:	11th January, 1990.

REPORT (M.T.P.)

This application was considered at Council's meeting of 13th March, 1990, (item 14, pp 29-31) and it was resolved that the application be referred to the Local Traffic Committee for consideration of "the stress placed upon a singular road, namely William Street, in relation to the numbers of houses and therefore numbers of expected vehicles utilising this particular roadway".

The Committee has now considered the matter and determined that the local road system is capable of accommodating the traffic generated by this development, and no special conditions are required to be imposed.

The report to the Ordinary Meeting of 13th March, 1990, is reproduced below for Council's information.

Statutory Situation

The subject land is zoned Residential 2(a) under the provisions of Hawkesbury Local Environmental Plan, 1989. Under the provisions of Hawkesbury Local Environmental Plan, 1989, villa units are permissible with Council consent.

Town Planning Report

The application nominates the provision of private rear/side courtyard/landscaped open space in excess of 30 square metres for each separate villa unit. This landscaped open space permits solar access within the courtyard areas and in addition makes provision for a satisfactory side setback from the property boundary lines. In this respect it complies with the Medium Density DCP.

Carparking and Access

Under the Medium Density DCP two bedroom villa unit developments require 1.5 covered carparking spaces per dwelling plus 1 visitor's carspace per 5 dwellings. Accordingly, the application requires the provision of 6 covered carparking spaces. This application makes provision for 6 covered carparking spaces comprising of 4 garages and 2 carports in addition to one open visitor carparking space and as such is in compliance with the provisions of the plan.

The provisions of the DCP require a minimum driveway/accessway width of 3 metres. This application makes provision for a 3 metre wide sealed accessway to the battle-axe allotment and as such is in compliance with the provisions of the plan. Notwithstanding this, the rear accessway handle comprises of 34.81 metres in overall length from William Street to the block and should be provided with a passing bay.

The application complies with the provisions of the DCP in regard to density requirements, manoeuvring areas, external finishes/materials and general design considerations.

This application is recommended for approval, subject to conditions.

As part of the subdivision creating the land, Council is responsible for construction of the access handle and vehicular crossing.

Recommendation

That the application be approved, subject to the following conditions:

1. The development shall be in accordance with the submitted plan dated the 11th January, 1990 except where amended by conditions of consent.

2-10. Standard conditions 2, 6 ($5181.00) (five thousand, one hundred and eighty one dollars), 9, 31, 33 53, 70, 73, 87.

11. The provision of a hard-surfaced passing bay at the end of the access handle adjacent to the courtyard at Unit 1 in accordance with the plan as amended in red.

12. The provision of internal screen fencing shall be of an approved design and to the satisfaction of the Manager of Environment and Building Services.

13. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Damage Requirements for Commercial, Industrial and Medium Density Developments. Details to be submitted for approval with the Building Application.

14. Parking shall be provided for seven (7) vehicles in accordance with Council's regulations and parking policy. Parking spaces, accessways and aisle widths to conform to Council's specifications and to be constructed, drained, sealed and marked to Council's requirements. Full details of works shall be submitted for approval with the Building Application. Further, Council will undertake construction of the access handle and the vehicular crossing following completion of the development.

15. Sound attenuation measures are to be incorporated in the development to the satisfaction of the Manager of Environment and Building Services, to protect future occupants from aircraft noise.

Mr. Jones addressed the Committee.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Phil 17-4-90

Item 25:	(File DA 20/90) [10.602]
Development Application:	**2 Villa Units**
Applicant:	Mr J Reid
Owner:	Mr J Reid
Land and Location:	Lot 3, DP 38738, 158 Francis Street, Richmond
Area:	992 metres square
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Adjoining owners notified with 2 submissions being received - Mr G O'Connell and Mr & Mrs Knott.
Date Received:	23rd January, 1990.

REPORT (M.T.P.)

Proposal

Council is in receipt of an application to construct 2 x 2 bedroom villa units on the subject land, together with associated car parking and landscaping. The proposed villa units will be of brick veneer construction with tiled roofs.

The Villa Units are to be located behind the existing fibro cottage which is to be retained. The existing garage will however be demolished.

Proposed units 2 and 3 have areas of 80 metres square and 75 metres square respectively with courtyard areas of 95 metres square and 90 metes square which more than complies with Council's DCP.

A double garage is proposed for the existing 3 bedroom cottage (unit 1) whilst 3 carports are proposed for units 2 and 3. A visitor's space is also proposed situated between the garage and carports.

The Water Board's sewer line truncates the subject land. An easement to drain water 1.525 metres wide also truncates the property, and discharges into Council's stormwater drain in Francis Street.

Statutory Situation

The proposed villa units are permissible with Council consent within the zoning of the land. The development complies with the provisions of the Development Control Plan (D.C.P.) for Medium Density Housing.

The proposed development is subject to clause 37 - Protection from Aircraft Noise - under Hawkesbury Local Environmental Plan, 1989.

Public Submission

Two submissions were received. Mr O'Connell's submission raises concerns with respect to surface run-off and 'village type atmosphere'. During heavy rain periods, the existing easement cannot cope with stormwater from the site and adjoining land. Given the flat nature of the surrounding land this would more than likely be the case and consequently the applicant will need to submit drainage plans. This is covered as a condition of consent.

With respect to the 'village atmosphere' the neighbourhood does have a unique character. Notwithstanding that, the character and design of units 2 and 3 will incorporate the existing character and amenity of the area. Also the proposal complies with the D.C.P. for Medium Density Housing.

Mr & Mrs Knott express concern to stormwater drainage and the removal of trees adjacent to their boundary in that loss of privacy may be incurred. The applicant however intends to keep the existing trees on the site near the boundary.

Planning Assessment

The proposed villa houses are single storey and will be constructed of materials compatible with surrounding development. Consequently no adverse effect on the character of the locality is likely.

Plans submitted indicate that the carport is located over the easement, it has been discussed with the applicant and agreed that the carport will be moved away from the easement. Details are to be submitted with the Building Application.

The applicant has submitted a letter objecting to clause 37 of Hawkesbury Local Environmental Plan, 1989, under the provisions of State Environmental Planning Policy No.1. The letter reads;-

"I would like to make application to the Hawkesbury City Council to vary the Australian Standard AS 2021 as it applies to DA 20 of 90, reference to the Development Application. To vary the application under SEPP 1."

The issue of aircraft noise protection in buildings within the City is being pursued with the Department of Planning. Council's resolution is that until this matter is resolved, the Manager of Environment and Building Services uses his discretion in relation to the noise mitigation measures. Accordingly, the applicant's SEPP No. 1 application should not be supported and a condition be imposed regarding noise mitigation.

Recommendation

That consent be granted for the construction of 2 (two) x 2 (two) bedroomed villa units generally in accordance with plans submitted dated the 18th January, 1990 subject to:-

1. A contribution of $3454 (three thousand, four hundred and fifty four dollars) based on $1,727 (one thousand seven hundred and twenty seven dollars) per additional dwelling being a contribution for open space and community facilities as a consequence of medium density development (residential flats, villas, townhouses etc).

2. Submission of a building application, plans and specifications complying with Ordinance 70. Details are to be submitted indicating the relocation of the carports clear of the drainage easement.

3. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Manager of Environment and Building Services.

4. Reconstruction of the footway crossing as necessary to suit the proposed access to the site. Details are to be submitted and construction carried out to the satisfaction of the Manager of Engineering Services.

5. Parking spaces, accessways and aisle widths are to be constructed with a sealed pavement, drained and marked to Council's requirements. Full details of works shall be submitted for approval with the building application.

6. Design and construction of site drainage shall be carried out in accordance with Council's Guidelines for Stormwater Damage Requirements for Commercial, Industrial and Medium Density Developments. Details to be submitted for approval with the Building Application.

7. No excavation on site works shall be commenced prior to the issue of the building permit.

8. Landscaping shall be maintained to Council's satisfaction.

9. Compliance with any requirement of the Water Board in relation to the sewer lines traversing the site.

10. Sound attenuation measures are to be incorporated in the development to the satisfaction of the Manager of Environment and Building Services, to protect future occupants from aircraft noise. Details to be submitted with the Building Application.

Mr.Knott addressed the Committee.

COMMITTEE'S RECOMMENDATION

THAT THIS MATTER be deferred pending further discussion with Council's staff in relation to the drainage of the said site.

WP 17-4-90

Item 26:	(File DA 44/90) [10.603]
Development Application:	**Erection of a 40-place Kindergarten/Pre-School**
Applicant:	T Armstrong
Owner:	C Booth
Land & Location:	Lot 812 DP 778220, No. 35 Neptune Crescent, Bligh Park
Area:	722.3m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989: Residential 2(a)
Advertising:	Adjoining owners were notified with two submissions being received from: Department of Housing (No. 2 Britannia Place), Powalu Pty Ltd (No. 37 Neptune Crescent).
Date Received:	13th February, 1990.

REPORT (M.T.P.)

Proposal

Council is in receipt of an application seeking consent to erect a brick veneer building, with tiled roof, on the subject land for the purpose of conducting a kindergarten/pre-school. The kindergarten/pre-school will cater for up to 40 children, between the ages of 3 and 5. Hours of operation will be from 9.00am to 3.00pm Monday to Friday, and four people will be employed on the premises.

The building itself will comprise of two large playrooms, each with an area of 65m^2, an office, a kitchen, toilets, staff facilities and three storerooms. The outside play area, with an area of 285m^2, will contain climbing frames, a sand pit and other play equipment, and will be secured by child-proof fencing.

Parking for four vehicles is proposed at the front of the site.

Statutory Situation

The land is zoned Residential 2(a) under the provisions of Hawkesbury LEP, 1989. The proposal may be defined as an "educational establishment" and as such is permissible on the land, with Council's consent.

Public Submissions

Adjoining owners were advised of the proposed development in accordance with Council's advertising policy, with two submissions being received. The Department of Housing raised no objection to the proposal. The Director of Powalu Pty Ltd, however, has objected to the development on the basis that "the noise of children playing and cars delivering and collecting [the children] ... would be detrimental to the occupants of the building to be erected on Lot 813."

Planning Assessment

Character/Amenity of Neighbourhood

The subject site is located within a residential area where dwellings are predominantly of brick or brick veneer construction. As the proposed building will be brick, with a tiled roof, and will be of a similar style to buildings in the locality, no adverse effect on the character of the area is likely.

Whilst there will be some noise generated by the children when playing outdoors, this is not likely to be detrimental to adjoining owners, particularly the owner on the southern side of the site, as the building itself will act, to some degree, as a buffer.

Access and Parking

Council's Carparking DCP requires the provision of off-street parking at a rate of one space per employee, and a safe area for the setting down and picking up of children. As there will be four people employed on the premises, four parking spaces have been provided at the front of the site. Whilst vehicles using spaces 1 and 4 will be able to enter and leave the property in a forward direction, vehicles using spaces 2 and 3 will be required to reverse out onto Neptune Crescent. Although this situation is undesirable, it is considered appropriate that all employee parking be provided on-site to allow the free flow of traffic along Neptune Crescent.

To reduce the visual impact of the car park, consideration should be given to the use of different colours and/or textures when "sealing" the proposed car parking spaces. The applicant has agreed to such a requirement. Appropriate landscaping will also assist in "softening" the impact of the car park.

Children will be set down and picked up at the front of the property, a situation not unlike other kindergartens and child care centres in the local area. This is considered to be reasonable, given that Neptune Crescent will not carry high volumes of traffic.

Department of Family and Community Services

The proposed development is required to be licensed by the Department of Family and Community Services. Accordingly, the Department's comments were sought and are reproduced in part below:

> "This department does not have a problem with a pre-school being developed in this area, however the attached plans are not satisfactory. The following areas need attention:-

1. There are not enough car parking spaces.
2. There needs to be 5 toilets for this number of children.
3. There is not enough indoor storage area.
4. No storage for stretchers or sleeping mats.
5. There is no facility for a staff room or area for staff away from the children.
6. There is no space provided for the car of a sick child.
7. The L shape playground could make for supervision problems.
8. The outdoor storage area is not conveniently placed for staff setting up play equipment.

It should also be noted that the toilets need viewing windows both into the classrooms and onto the play area. When planning the outdoor play area the advisor should be contacted prior to purchase of, or instalment of any equipment. Storage and kitchen areas opening into classroom need solid core doors and self closing devices."

These points were discussed with the applicant, who has now indicated the following:

In regard to -

1. An additional car parking space has been provided on the amended plan to comply with the requirements of Council's Carparking DCP.
2. Five toilets have been included in the amended plan.

3/4. Although the indoor and outdoor stores have been increased in area in the amended plan, further increases can be provided, particularly for store 1, by slightly increasing the length of the building.

5. It is intended that the four staff use the kitchen or office when not with the children.
6. A sick child will be accommodated in either a corner of the playroom or office.
7. Supervision of the children is aided by the provision of large glass windows in the north-western corner of the building.
8. The amended plan has located the outdoor store slightly closer to the playground.

It would appear that most of the concerns raised by the Department have either been overcome in the applicant's amended plan or could be overcome through slight variations in the size of the building and its internal layout. These matters could be dealt with at the building application stage in consultation with the Department.

Given that the Department has no objection to the establishment of a kindergarten/pre-school on the land and the general layout of the site is satisfactory, it is considered reasonable that the application be supported subject to the imposition of conditions.

Recommendation

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

1-10. Standard conditions (DAs) 1 ($4,000) (four thousand), 31, 32, 33, 37, 38, 70, 73, 100 and 102.
11. The proposed building is to be erected 0.5 (nought point five) metres clear of the sewer line along the western boundary of the site.
12. Details of proposed fencing are to be submitted with the building application.
13. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site.
14. Parking spaces, accessways and aisle widths are to be constructed, drained and marked to Council's requirements. Full details of works shall be submitted for approval with the building application. In this regard, consideration is to be given to the use of different colours and/or textures to "soften" the visual impact of the car park.
15. Operating hours shall be limited to 9.00am to 3.00pm Mondays to Fridays. Any alternation of these hours will require Council consent.
16. The proposal is to be licensed with the Department of Family and Community Services.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 17-4-90

Item 27:	(File DA 126/88) [10.604]
Development Application:	Dual Occupancy
Applicant:	S Webb
Owner:	S Webb
Land & Location:	Lot 112 DP 255868, Red House Crescent, McGraths Hill
Area:	550.2m^2
Zoning:	Hawkesbury Local Environmental Plan, 1989 - Residential 2(a)
Advertising:	Amended proposal advertised with one objection being received from Mr N Robinson
Date Received:	3rd March, 1988

REPORT (M.T.P.)

The following report was deferred from the meeting of 13th March, 1990, to enable the objector, Mr Robinson, to address the Committee and the report and original recommendation are resubmitted for Council's consideration.

Background

The proposal is for the erection of an addition to the existing dwelling house on the property for the purpose of a dual occupancy.

The matter was reported to Council's Ordinary Meeting of February, 1989, where the application was refused on the grounds that inadequate allowance was made for provision of off street parking and consequently the proposal constituted an over development of the site.

Current Situation

Since the matter was last reported to Council the applicant has amended her application to provide for carports in front of the building line adjacent to each of the units and screened to some degree by a one (1) metre high masonry wall. This masonry wall is proposed to be erected parallel to the Red House Crescent frontage at a distance of 4.5 metres from the front boundary.

Notification

Adjoining owners were notified of the proposed encroachment with a submission being received from Mr Robinson indicating that he objected to the proposal as a whole in that it was an infringement on their privacy.

Planning Comment

Since this matter was last reported to Council, the Medium Density Housing Code has been adopted which enables greater flexibility in the setting of building lines.

The amended proposal seeks consent for the erection of two carports in conjunction with the dual occupancy. These carports are to be parallel to the Red House Crescent frontage.

Site inspections reveal that the frontage of the majority of houses in Red House Crescent are intensively landscaped therefore giving the appearance of a vegetation screen. This landscaped screen would correspond to the approximate position of the 1 metre high masonry wall. With additional landscaping in front of this wall it would be compatible with adjoining development.

To further screen the development from the objector's dwelling house it is recommended that a lattice screen with appropriate climbers be provided at the end of the carport. The other adjoining neighbour is a Doctor's Surgery which would suffer no loss in amenity if the dual occupancy were approved.

Given the site characteristics, that is, that the location of the existing house makes it difficult to provide parking behind the building line and the fact there is a screen vegetation along the frontage of most adjoining properties it is recommended that the proposal be approved subject to conditions.

Recommendation

That the application be approved subject to the following conditions.

1-5. Standard Conditions (DA) - 1 ($3,000) (three thousand), 17, 31, 70, 73.

6. Construction of Council's standard residential footway and layback vehicular crossing to suit the access to the site with a minimum width of 3 (three) metres.

7. The plan of landscaping shall contain details regarding screen planting in front of the masonry wall as well as lattice panels and appropriate landscaping at the end of each carport.

8. The habitable floor level shall be at a level no lower than 16 (sixteen) metres A.H.D.

Mr.W.Wilson addressed the Committee on behalf of the applicant.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

WP 17-4-90

Item 28:	(File DA 35/90) [10.605]
Development Application:	**Establishment of a Take-away Food and Coffee Shop**
Applicant:	S. Charlesworth
Owner:	R.P. Grisdale
Land and Location:	Lot 1 DP 540497, No.79 Old Bells Line of Road, Kurrajong.
Area:	322 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989: Residential 2(a)
Date Received:	7th February, 1990.
Advertising:	Adjoining owners were notified with 2 objections and 1 raising no objection being received.

REPORT (M.T.P.)

Application

The application is for use of an existing weatherboard dwelling for the purposes of a take-away food and coffee shop. That is, that food can either be bought and consumed on the premises or taken away.

History

The premises were used, until approximately 10 months ago, for the purpose of the display and sale of antiques and bric-a-brac, having been consented to by Council in 1979 subject to conditions. Previous to this, in 1973, Council approved of " ... the continued use of premises for the retail of clothing and manchester".

The 1979 approval included the following condition:-

> "This consent to be valid for a period of five (5) years only from the date of issue."

The use did not cease as required and no extension of the consent was sought.

Advertising

As a result of notification to adjoining owners, one letter raising no objection was received from L. Williams of 77 Old Bells Line of Road, Kurrajong. Letters of objection were received from S. Blanchard, 68 Old Bells Line of Road and Mr. B. Warnham, Lot 20 Timms Hill Road, Kurrajong.

Objections received were on the basis of the following:-

- proposal is in residential area
- proposed deck area would be obtrusive to residents as is Kurrajong Village Restaurant
- loss of privacy and amenity
- deck should be enclosed to eliminate noise
- septic unable to cope
- inadequate drainage
- "... antiques and food ... the village is full of the same"
- Council should think of consumers for a change

Planning Assessment

Legal advice has been obtained from Council's Solicitor to the effect that, notwithstanding the fact that Council has the power to change one non-conforming use to another, in this instance because Council specifically time limited the previous consent to expire in 1984, existing use rights have lawfully lapsed. This is so even though Council did nothing about causing the operation to cease.

There was an onus on the applicant at the time and/or landowner to make application for extension and the fact that he did not caused a breach of a fundamental condition of the consent so that it cannot now be relied upon as a lawful existing use.

Additionally, on the merits of the application, it is considered that there is sufficient evidence of effect on adjoining residences of a similar, albeit larger establishment (Kurrajong Village Restaurant), and that this proposal would likewise have an adverse effect on the amenity and quiet enjoyment of nearby residences.

There is no car parking associated with the proposal and it is considered that the use would be a significantly greater traffic generator than the previous use as an antique shop.

Such a shop would be better located in an existing commercial area of which there appears to be ample within the Kurrajong village.

Recommendation

That the application be refused for the following reasons:-

1. The proposal is prohibited in a Residential 2(a) zone.
2. The proposal is one likely to cause an adverse effect on nearby residential amenity.

3. The proposal does not provide for adequate car parking and, consequently, is likely to cause unwarranted traffic congestion on the local road system.
4. The proposal is better suited to a commercial zone of which there is an adequate supply in the locality.
5. The proposal is not in the public interest.

It is further recommended that the landowner be advised that there are no rights pertaining to the land other than its use for residential purposes.

Mr.B.Warham addressed the Committee.

The Town Clerk/General Manager advised that the applicant left the meeting just before lunch and had left the following letter, which he read in full to the meeting:

"My daughter and myself have been trying unsuccessfully for almost 6 months to open a take-away cafe in Kurrajong Village. In November 1989 we registered the name Annie's Corner Cafe and applied to Council for all the necessary applications. A full payment of $465.00 being paid. We purchased almost $20,000 of equipment and have had an exhaust fan specially made at the cost of another $1500.00. In January 1990 my daughter - Anne-Sheree Charlesworth came to collect all the permissions from Council and was told everything we had done was correct and valid but the premises could not be occupied as it had never been legally passed by Council. We were devastated! Since that date we have spoken and written to several people in Council seeking advice with very little concrete advice being given. The premises in Kurrajong Court is still not up to specifications and completed as I was there yesterday.

Sheree and I then re-approached Bennetts Real Estate in Kurrajong and said we would like the shop at 78 Old Bells Line of Road even though this meant waiting again. We have spoken again to several Council employees and assured they could see no problem with this shop as it was being operated as a shop within the past 1 year. Again we applied for a development application and completed all the required forms and paid any necessary moneys.

Sheree and I feel we are now being victimised as different problems keep coming to light. All we want is to have a small take-away food cafe for the Kurrajong Village area - a very much needed shop. I hope you will give our application great thought and favour our application."

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ELIZABETH

Item 29:	(File DA28/90) [10.606]
Development Application:	**Erection of seven (7) villa houses**
Applicant:	Cesan Pty. Ltd.
Owner:	Cesan Pty. Ltd.
Land and Location:	Lot 142, DP 752036, No.60 Windsor Street, Richmond.
Area:	1796 square metres
Zoning:	Hawkesbury Local Environmental Plan, 1989: Residential 2(a)
Advertising:	Adjoining owners notified with three objections being received from: B. Stace, No. 57 Windsor Street H. Scholte, No. 61 Windsor Street Peter Stewart, No.62 Windsor Street
Date Received	25th January, 1990.

REPORT (M.T.P.)

Proposal

This application seeks Council's consent to erect seven two bedroom villa houses with associated car parking and landscaping on the subject land. The proposed villas will be of brick veneer construction, with tiled roofs, and will have courtyards ranging in size from 30 square metres to 80 square metres.

The site currently contains an existing dwelling and shed, which will be demolished prior to the proposed development being constructed.

Statutory Situation

The subject land is zoned Residential 2(a) under Hawkesbury Local Environmental Plan 1989. Villa houses are permissible within this zone, with the consent of Council.

Clause 22 of the Local Environmental Plan applies to the development as the site adjoins a main road. This clause states that a building shall be set back at such a distance having regard to:-

(a) the nature, scale and function of the building;
(b) the maximisation of sight distances for drivers using the road;
(c) the minimisation of distractions to drivers using the road; and
(d) any possible need to alter the road alignment in the future.

The site is located adjacent to the avenue of Plane trees along the eastern approach to Richmond. Although the road alignment in this area is such that adequate sight distances can be achieved, the Plane trees do, to some extent, reduce these sight distances for vehicles leaving the site.

The Plane trees are classified as an item of environmental heritage under Schedule 1 of the LEP. This classification recognises the importance of these trees in terms of their age, size and aesthetic appeal, particularly having regard to their location

on Windsor Street. Clearly, their removal would be undesirable. However, provided some care is taken by those vehicles leaving the site, the development is not considered to be inappropriate in this location.

Whilst it is recognised that there are high levels of traffic currently utilising Windsor Street, the increase in traffic generated by the proposed development is not likely to be significant when compared with these traffic volumes.

Clause 37 of the LEP also applies to this development. The site is subject to aircraft noise at a level of approximately 30 A.N.E.F. and, accordingly, any medium density development on the land will require the incorporation of sound attenuation measures to the satisfaction of the Manager of Environment and Building Services.

Public Submissions

Adjoining owners were advised of the proposal in accordance with Council's advertising policy, with three objections being received. The grounds for these objections include the following:

- increase in the number of accidents, given the amount of traffic, particularly trucks and bikes, using this street;
- similar medium density developments are likely to result nearby;
- no adequate yard space available on site;
- proposal would create a traffic hazard;
- loss of privacy for adjoining landowners;
- proposal would destroy the character of the area; and
- future residents of the development will have a "low" quality of life.

These objections are discussed below.

Planning Assessment

Density

The density requirements under Council's Medium Density Development Control Plan limit development to one two bedroom dwelling per 275 square metres of site area. In other words, only 6.5 (or 6) villas could be erected on the site. In this regard, the applicant has requested that Council use its discretion in dealing with the application, as the proposal will be of a standard that will not detract from the quality of the surrounding neighbourhood. The proposed development is not considered to be an overdevelopment of the site as adequate car parking and private open space can be accommodated on the land generally in the manner proposed.

Private Open Space

Council's Medium Density DCP also requires that an enclosed courtyard, with a minimum area of 30 square metres, be provided for each dwelling. The proposed courtyards range in size from 30 square metres to 80 square metres and will receive sunlight between 10.00 a.m. and 3.00 p.m. during mid winter.

Although the courtyards are not directly accessible to the living areas of each villa, the internal layout seeks to provide bedrooms away from the driveway.

Character/Amenity

The subject site is located within a residential area where development is comprised of single storey, detached dwellings. Although medium density development is permissible within the Residential 2(a) zone, this proposal is the first in the area and, consequently, will have an impact on the character of the area. However, the proposal is not considered to be incompatible with surrounding residential development, as it is only single storey and given the shape of the block, will have a similar elevation to that of a detached dwelling, when viewed from the street.

The design of the building is also in keeping with the character of the area.

Privacy

The main internal living areas of each dwelling (i.e. the living room, dining area and kitchen) are located on the eastern side of each villa, so that the privacy of adjoining landowners is maintained.

Although the landowner to the west of the site will have some loss of privacy, as all courtyards are situated on the western side of the building, there are a number of large trees located along this shared boundary on the adjoining landowners' property, which will ensure any loss of privacy is minimised.

Access and Parking

Council's Medium Density DCP requires the provision of off street parking at a rate of 1.5 spaces for each two bedroom dwelling, and one visitor space for each five dwellings. In other words, 12.5 (or 13) spaces are required to be provided on the site. Although the applicant has provided this parking, the two visitor parking spaces are within the building setback.

To ensure adequate manoeuvring area is available for vehicles using these visitor spaces, as well as sufficient area for vehicles entering and leaving the site, it is considered necessary that the driveway be widened slightly, for that part generally between carport 1 and the bin store. Part of the landscaping proposed along the eastern boundary of the property will also have to be deleted to enable sufficient turning area for vehicles using carports 2, 6, 9 and 11.

Although the Medium Density DCP requires driveways to have a minimum width of 6.7 metres adjacent to any car parking space to allow adequate manoeuvring, the 6.62 metres width proposed by the applicant will be adequate as the carports are wider than normal being 3 metres wide.

To "soften" the visual impact of the visitor spaces at the front of the site, it is desirable that consideration be given to the use of brick pavers or similar material, and appropriate landscaping be undertaken around these spaces.

The position of the entrance/exit driveway will result in the loss of a Plane tree, approximately 7 metres high. The applicant has undertaken to relocate this tree further to the west to ensure its preservation. This should be done under horticultural supervision.

Drainage

Council's engineer has indicated that the site drains to the rear. Consequently, drainage works will be required to be provided to the east via a pipeline to Council's stormwater drainage system. Conditions can be imposed in this regard.

Garbage

Although it is desirable that all garbage bins be stored by each individual occupant, these would have to be stored in each carport. It is considered more appropriate that the bins be stored in a central area towards the front of the site, with special attention being given to the design of the store and appropriate landscaping.

Conclusion

Whilst it is acknowledged that the proposed development will have an impact on the character of the residential area, the development has been designed so as to be compatible with surrounding development. The concerns raised by local residents are not considered sufficient to warrant refusal of the application, and accordingly, the proposal is supported.

Recommendation

The application be approved subject to compliance with the following conditions:

1-9. Standard conditions (Das) 11, 17, 20, 31, 33, 61, 70, 73, 104.
10. Details of proposed fencing are to be submitted with the building application.
11. The development shall incorporate aircraft noise attenuation features to the satisfaction of the Manager of Environment and Building Services.
12. Parking spaces, accessways and aisle widths are to be constructed with a sealed pavement, drained and marked to Council's requirements. Details to be submitted for approval with the building application.
13. Consideration is to be given to the use of different colours and/or textures in the "sealing" of the visitor parking spaces. Details to be submitted with the building application.
14. Construction of Council's standard heavy duty footway and layback vehicular crossing to suit the access to the site.
15. The driveway in front of carport 1 (one) is to be widened to permit 2 (two)-way vehicular movement to the satisfaction of Council.
16. The landscaped areas along the eastern boundary of the site are to be reduced to permit adequate manoeuvring area for vehicles using carports 2, 6, 9 and 11.

17. The 7 (seven) metre high Plane tree at the front of the site is to be relocated clear of the proposed driveway under horticultural supervision and to the satisfaction of the Manager of Engineering Services.

Mr.Les Wilkinson addressed the Committee.

Item 38 of the Supplementary Report was considered in conjunction with Item 29 above.

COMMITTEE'S RECOMMENDATION

THAT THIS ITEM be deferred pending further discussions in relation to retention of the Plane tree shade effect and a reduction in unit numbers.

Phil 17-4-90

ITEM 30: (File L11/89) [10.607]

SUBJECT: REZONING OF LOT 2 DP 207634, NO 12 MACQUARIE STREET, WINDSOR FROM RESIDENTIAL 2(C) TO SPECIAL BUSINESS 3(B).

REPORT (M.T.P.)

Peter Mulroney and Company, Chartered Architects, have submitted the rezoning application for lot 10 DP 747731 and lot 2 DP 207634, Nos. 12-14 Macquarie Street, on behalf of Hillburn Holdings Pty Ltd, the owner of the land. The intention of the rezoning is to allow the Hawkesbury Valley car dealership to expand onto the land.

It should be noted that lot 10 DP 747731 (formerly Wellington's tow truck depot) was rezoned from Residential 2(c) to Special Business 3(b) by Hawkesbury Local Environmental Plan 1989. This land along with the existing car saleyard was also the subject of a development consent on 14th August 1987. The consent permitted the redevelopment of the existing saleyard and the extension of the dealership onto lot 10 DP 747731 (then zoned Residential 2(c)) subject to 17 conditions.

The conditions imposed by the development consent included the following:

"5. The northern driveway to be designated as ingress and the southern driveway as egress. Both are to be a minimum width of 10 metres and constructed so as to permit articulated vehicles to enter and leave the site in a forward direction to or from the kerb side lane....

7. The internal road which is to be used for vehicle deliveries is to a minimum of 7 metres in width.

8. Access to Anschau Crescent is to be used only during emergencies..."

There have been frequent and flagrant breaches of these conditions since the issue of the consent. The Roads and Traffic Authority first brought the matter to attention when they observed that transporters were being loaded and unloaded in Macquarie Street. At that time the dealership was warned that police would be instructed to book any transporter which loaded in Macquarie Street.

Complaints were then received from a resident in Ross Street that the transporters were carrying out loading operations in that street. On 30th November, the dealership was advised in writing that this was in breach of the conditions of consent. Again on 4th January after receiving further complaints about loading in Ross Street, the dealership was advised that any further complaints would result in the matter being referred to the Land and Environment Court. Finally, on 28th February 1990, a further complaint was received and the matter immediately inspected. It was observed that a car transporter, "carveyors" was parked in Ross Street. The manager was advised that compliance with the conditions of development consent was his responsibility and that the subject rezoning application would be unlikely to receive support if the conditions of the previous consent were not adhered to.

It is apparent that the loading of vehicles on site had not been carried out because the land identified for these operations is now covered by display vehicles. In addition, Anschau Crescent is used as a general access in contravention with condition 8.

Given the history of the matter it is not recommended that any consideration be given to the rezoning for a period of at least 12 months, in which time the applicants should demonstrate that they can comply with the conditions of consent or alternatively lodge a development application indicating a revised site plan which they can comply with.

Recommendation

That the applicant be advised that as a result of the frequent breaches of the conditions of Development Consent No. 371/1987 the matter will not be considered for a period of at least Twelve (12) months, in which time they should demonstrate that they can comply with the conditions of consent or alternatively lodge a development application indicating a revised site plan.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 31: (File H105-12) [10.608] Ahlee 17-4-90 Cc Reads.

SUBJECT: NATIONAL ESTATE GRANTS PROGRAMME 1989/90

REPORT (M.T.P.)

Correspondence has been received from the Department of Planning in respect of the outcome of Council's application for funding under the 1989/90 National

Estate Grants Programme. Application was previously made for funding of the following projects under the programme:-

(a) Hawkesbury City Cemetery Study.

(b) Video tape - Evolution of Development of Hawkesbury and its Architectural Styles.

(c) Conservation works for Grandstand, Richmond Park.

The receipt of correspondence from the Minister for Local Government and Minister for Planning, The Hon David Hay, advising of availability of funding for the conservation works to the Grandstand, Richmond was reported in the January, 1990 General Purpose Committee business paper.

The Department's correspondence advises that the Commonwealth has approved the inclusion of the Hawkesbury Cemetery Study in the 1989/90 Programme. The correspondence further advises that there were 348 applications for projects totalling $8.7 million. Of the 348, 160 were recommended for assistance under the New South Wales Government's Heritage Assistance Programme and the Commonwealth National Estate Grants Programme.

Whilst many church and isolated cemeteries are situated within the City varying from the well known such as St Matthews Church Cemetery, Windsor to whole family plots within the MacDonald Valley, cemeteries have not to date been well documented. Increased development pressure within the City revealed a need for a study to be undertaken of cemeteries. Thus, assistance was sought for what would essentially be a compilation of an inventory of all cemeteries within the City and assessment of their respective heritage significance. It was further envisaged that the Study would make recommendations in terms of management and conservation policies which could then be adopted by Council to ensure retention and conservation of cemeteries. Preparation of such a Study was estimated to cost in the vicinity of $17,000.00 and funding accordingly sought.

The Department's correspondence advises that due to the limited nature of this year's programme, $5,000.00 funding is being offered for the study on a dollar for dollar basis necessitating financial commitment by Council. Given that provision was not made in the 1990 Estimates for the Cemetery Study, it is considered desirable that the study be funded from Council's Heritage Restoration Fund. In this regard, the Study falls within guidelines for administration of the Restoration Fund, in that it is promotion of conservation within the City. It is further considered appropriate that the scope of the study should be reduced to reflect available financial resources. The study should thus incorporate those areas currently experiencing development pressure for which little or no documentation exists.

Advice was sought from the Department of Planning's Programme Co-ordinator in respect of the proposed limitation of the study. The Department has no objection to the proposed reduced scope of the study.

Recommendation

(1) That information in respect of the National Estate Grants Programme 1989/90 be received.

(2) That the Department of Planning be advised of Council's acceptance of funding for the Hawkesbury City Cemetery Study and that a Study Brief, time schedule and suggested names of Consultants and Project Director for the study be forwarded to the Department of Planning for its consideration.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Minutes 17-4-90 Ck Records.

ITEM 32: (File 2502w, 2503w, 2504w, 2505w, 3904w) [10.609]

SUBJECT: REZONING OF LAND FROM RESIDENTIAL 2(A) AND RESIDENTIAL 2(C) TO SPECIAL BUSINESS 3(B), MACQUARIE STREET AND ROSS STREET, WINDSOR (APPROXIMATELY OPPOSITE KENTUCKY FRIED CHICKEN).

REPORT (M.T.P.)

Reference is made to an application for villas and townhouses reported to Council's meeting on 13th February, 1990 (item 10, page 22). At the General Purpose Committee on 30th January, concerning the same matter, Mr F Daines and Mr N Tweedie addressed the Committee as objectors. A major argument in their objection to the proposal was that the land along with their land should be zoned General Business 3(a) instead of Residential 2(c). Their concern was that the erection of villas and townhouses on the land would sterilise any future retail redevelopment of the land.

Since the meeting there have been further discussions with Mr Daines and Mr Tweedie concerning the zoning of the land. It is agreed that the current Residential 2(c) zoning of the land fronting Macquarie Street is not compatible with the traffic volumes on Macquarie Street and the resultant noise and access problems for individual properties. It has been suggested that a Special Business 3(b) zoning of the land may be more appropriate. The Special Business 3(b) zone permits uses such as restaurants, service stations, offices, bulky goods retailing and light industries. Given the exposure of the location to passing trade, it is likely that the location would be too expensive for light industry.

Such a zoning would inevitably result in additional signs on an already visually disordered street. Notwithstanding the arguments concerning the control of advertising signage, it is preferable that they be restricted to already visually polluted streets than be allowed to extend into new areas.

The properties which could be considered for such a rezoning are as follows:

34 Macquarie Street - Mr N & Mrs K Tweedie
36 Macquarie Street - Mr R & Mrs M Allen
38 Macquarie Street - Mr R & Mrs M Allen
40 Macquarie Street - Mrs H Kraus
1 Ross Street - Mr F Daines

A Special Business 3(b) zoning has potential for far greater traffic generation than the existing 2(c) zoning. For this reason it would not be desirable for the land to be rezoned if individual lots needed to rely on access directly to Macquarie Street. As the lots adjoin one another the opportunity exists to restrict all access to Ross Street.

The key to the potential development of the land for Special Business purposes would seem to rest with the intentions of Mr and Mrs Allen, who have made application for the erection of villas and townhouses.

It is suggested that all of the owners be advised that consideration would be given to a rezoning of their land to Special Business 3(b) subject to all access being from Ross Street. If all of the property owners are in favour of such a proposition then the matter would be further reported to Council for the initiation of a draft local environmental plan.

Recommendation

That the following property owners be advised that consideration would be given to a rezoning of their land to Special Business 3(b) subject to all access being from Ross Street.

34 Macquarie Street - Mr N & Mrs K Tweedie
36 Macquarie Street - Mr R & Mrs M Allen
38 Macquarie Street - Mr R & Mrs M Allen
40 Macquarie Street - Mrs H Kraus
1 Ross Street - Mr F Daines

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 33: (File L3/86; L8/89) [10.610] GLENN - 12-4-90

SUBJECT: DISCOUNT DEPARTMENT STORE - RICHMOND

REPORT (M.T.P.)

It was reported to Council's Ordinary Meeting of 14th November, 1989, that Dunsford Investments had been requested to advise of the impact of their proposal on the two Victorian cottages in Francis Street and to forward a revised plan of development due to their letter of 29th August, 1989, indicating that they were deleting Nos. 12-14 Bosworth Street from their development. To date, no reply has been received despite follow up letters.

In relation to the Quantum proposal, Council is advised that representatives of the developers met with the Manager of Financial and Administrative Services and the Manager of Town Planning on 7th March, 1990, with the result that Quantum is to make a further submission to Council on the financial aspects of Council's involvement because of the proposal to utilise Council's land as part of the development.

Council will be kept informed of the progress of each of these proposals when further information is to hand. However, it is considered in relation to the Dunsford Investment proposal that an indication should be given to them that Council will withdraw its support for the draft location environmental plan if the outstanding information required is not received within twenty-eight (28) days. This is considered to be required as there is considerable speculation within the community concerning the provision of a Discount Department Store, particularly that proposal by Dunsford Investments.

Recommendation

That the information on progress of the Discount Department Store in Richmond be received and that Dunsford Investments be advised that Council will withdraw its support for the draft local environmental plan if the outstanding information previously requested from them is not received within twenty-eight (28) days.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

Alice 17-4-90
as Read.

ITEM 34: (File P160-8) [10.611]

SUBJECT: DRAFT STATE ENVIRONMENTAL PLANNING POLICY HAZARDOUS AND OFFENSIVE DEVELOPMENT

REPORT (M.T.P.)

The Department of Planning has advised that a Draft State Environmental Planning Policy - Hazardous and Offensive Development is on exhibition until the end of March, 1990.

The Draft Policy has been formulated to formalise requirements for assessment of development throughout New South Wales ensuring that industrial development is not only carried out in most appropriate locations but that developments proceed in the safest manner. The Policy will apply to all lands zoned for industry throughout New South Wales.

The following definitions are attached to hazardous and offensive industry under the Policy;

"hazardous industry" - an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed, would pose significant risk in relation to the locality.

a. to human health, life or property; or
b. to the biophysical environment.

"offensive industry" - an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact in the locality or on the development.

Under the Draft Policy Council must consider in addition to matters specified in the Environmental Planning and Assessment Act and planning instruments the following items.

- matters specified in relevant circulars or guidelines published by the Department of Planning;
- the need to seek the advice of other government authorities;
- a preliminary hazard analysis prepared by or on behalf of the applicant;
- feasible alternatives to the chosen locations and reasons for that choice;
- likely future use of surrounding lands.

To assist Council in consideration of these additional matters the Department of Planning has produced three advisory papers relating to hazardous industry. The papers incorporate guidelines relating to industry and emergency planning, fire safety and environmental risk impact assessment.

Whilst the Draft Policy relates to new development proposals, proposals to substantially modify or extend existing facilities will also be subject to its provisions. The Policy thus relates to existing development only where new work is being undertaken.

The Policy provides that developers of potentially hazardous and potentially offensive industry will be required to provide information and to undertake studies. These would include a preliminary hazard analysis and information on feasible alternatives. The Policy further provides that all such developments will have to be advertised in local papers and placed on exhibition for public comment.

The Draft Policy will assist Council in the assessment of applications for hazardous and offensive industry.

Whilst to date few applications have been received proposing this type of development, the situation may change as industrial zones in adjacent local government areas are fully developed. If and when this occurs the Draft Policy and associated Advisory Papers will be of considerable assistance in the determination of any such application. Accordingly it is considered appropriate that the Department of Planning be advised that Council considers the Draft Policy and Advisory Papers to have merit and looks forward to its early gazettal.

Recommendation

1. That information in respect of the Draft State Environmental Planning Policy - Hazardous and Offensive Development be received.

2. That the Department of Planning be advised that Council considers the Draft Policy and Advisory Papers to have merit and requests its early gazettal.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 35: (File DA 609/87) [10.612] GLENN - 17-4

SUBJECT: KURRAJONG VILLAGE RESTAURANT - CORRESPONDENCE FROM THE LIQUOR ADMINISTRATION BOARD

REPORT (M.T.P.)

The Board has written the following letter:

> "I am writing in response to your letter of 18th January, 1990 to the Clerk of the Court at Windsor Court House. This letter was forwarded to the Liquor Administration Board and received on 1st February, 1990.
>
> The matters referred to in your letter were dealt with by the Liquor Administration Board on 2nd February, 1990. Unfortunately, your letter was not passed on to the Board Member prior to his consideration of the matter.
>
> The following matters were approved on 2nd February, 1990.
>
> 1. An application for Voluntary Alterations to construct a Reception Area.
>
> 2. An application to increase seating to 100, and
>
> 3. An application to redefine the premises to include the verandah and external decking.
>
> The application for redefinition was granted with the following condition:
>
> > 'Grant to expire and be relisted for continuance on 7th May, 1990 at 9.30 a.m. The external seating areas to be used for the sale and supply of meals and liquor during any day and until 9.00 p.m. on Friday and Saturday evenings.'
>
> The Council is invited to attend the hearing on Monday, 7th May, 1990 at 9.30 a.m. at Level 10, 323 Castlereagh Street, Sydney at which time further consideration will be given to the application to redefine the premises.
>
> I apologise for the delay in passing your letter to the Board Member."

At this time it is intended that Council be represented at the hearing at officer level. However, if Council requires further representation of a legal nature then the Committee should indicate and accept that such will take place prior to being ratified by the Ordinary meeting of 10th April, 1990, to enable an adequate time for instructions etc.

Recommendation

That the information from the Liquor Administration Board concerning the Kurrajong Village Restaurant be received.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

TO FILE. 17-4-

ITEM 36: (File 46/90) [10.613]

SUBJECT: ADDITIONAL OBJECTIONS FOR LIVESTOCK SALEYARDS, MULGRAVE ROAD, MCGRATHS HILL. (ITEM 9)

REPORT (M.T.P.)

The following additional objections have been received:-

Department of School Education, Blacktown; John and Gae Parmenter, Maroota; Alan and Carol Riley, Windsor; A T Deece, Principal, Windsor High School; Jan Barkley, President, Windsor High School, Parents' and Citizens' Association; L T and C A Davis, Cattai; Mrs Julie Pickworth, Social Science Teacher of Windsor High School; N A Chaseling, Principal, Windsor Public School.

Recommendation

That the information be received.

COMMITTEE'S RECOMMENDATION

See Item 9.

TO FILE 17-4

ITEM 37: (File DA 29/90) [10.614]

SUBJECT: THE ERECTION OF EIGHT VILLA UNITS, 354 WINDSOR STREET, RICHMOND.

REPORT (M.T.P.)

The Committee is referred to Item 22 in the Planning and Development Section of this business paper.

Further inspections of the existing late Federation/early Californian bungalow located on the land reveal that the building is in a state of good repair albeit requiring painting and guttering and downpipe replacing. There also exists a number of substantial trees on the site which have some merit as an example of a garden associated with a dwelling of the period.

The recommendation made to the Committee is consistent with Council's previous decision in relation to the merits of the building and as to whether or not it should be classified as an item of environmental heritage. However, the building could be retained with a reasonable curtilage and with sufficient area remaining to develop the land for five to six villa units or town houses. In addition, the old house could be converted into two units or retained for some commercial use.

The following correspondence has been received from the Heritage Branch of the Department of Planning concerning this property:-

"The Heritage Council has received representations regarding the preservation of the above property.

It is understood that your Council is in the process of considering a development application involving this property, which proposes the demolition of the substantial 1920s house on the property.

It is noted that the property is not listed as an item of the environmental heritage in the Hawkesbury 1989 LEP.

I would like to draw to your attention that the property was identified as a heritage item in the Heritage Study of the North Western Section of Sydney.

It is strongly urged that Hawkesbury City Council give careful consideration to the heritage and streetscape significance of the item when assessing this development application."

Recommendation

That the information concerning possible utilisation of the existing building in redevelopment of the site, and the correspondence from the Heritage Branch of the Department of Planning, be received and considered by Council in its determination of the application.

COMMITTEE'S RECOMMENDATION

See Item 22.

ITEM 38: (File DA 28/90) [10.615] To File.

SUBJECT: ERECTION OF SEVEN VILLA HOUSES - 60 WINDSOR STREET, RICHMOND.

REPORT (M.T.P.)

The Committee is referred to Item 29 in the Planning and Development Section of this business paper. The recommendation in this paper is to approve the proposal subject to conditions.

Unfortunately, the shadow diagram prepared which particularly leads to the recommendation was prepared using the wrong scale. The actual shadow effect reveals that the courtyards do not receive sufficient sunlight between the hours of 10.00 a.m. and 3.00 p.m. and, therefore, the proposal does not conform in this respect with Council's Medium Density Development Control Plan.

It is therefore recommended that the application be refused for the following reasons:-

1. The proposal is an overdevelopment of the site.
2. The proposal does not allow sufficient sunlight in the private courtyard areas.
3. The proposal is not in the public interest.

COMMITTEE'S RECOMMENDATION

See Item 29.

SECTION 3 - FINANCE

ACCOUNTS PAID

COMMITTEE'S RECOMMENDATION

THE ACCOUNTS SUBMITTED be confirmed as shown hereunder:

General Fund Nos.	85475 - 86097	5,231,612.49
Trust Fund Nos.	7583 - 7659	1,888,596.25
		$7,120,208.74

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.

ITEM 1: (File S83/87) [20.778]

SUBJECT: RESUMPTION OF LAND FOR PUBLIC RESERVE AT YARRAMUNDI ADJACENT TO NAVUA RESERVE

REPORT (T.C.)

On 3rd October, 1989 Council considered a report on the resumption of land at Yarramundi for extension to Navua Reserve.

The background to this proposal is that Council, in approving the subdivision of The Steading in 1983, identified an adjoining parcel of land at the confluence of the Hawkesbury/Nepean and the Grose Rivers frontage as an extension of Navua Reserve.

The subdivider was unable to dedicate this land to Council as it was external to their land and in this regard a deed of agreement was entered into requiring the payment of $15,000.00 to be applied towards the costs of resuming the land including any compensation payable by the Council.

The ownership of the land to be acquired is unclear due to the alteration in the location of the bank of the river, hence resumption action to bring about ownership of same by Council. A survey of the area has been undertaken and two other adjacent areas have been identified as also being appropriate for acquisition and incorporation into the existing Navua Reserve area. These other

two (2) properties are identified as Lots 16 and 17. Acquisition of these areas will also have to be by way of resumption because existing ownership cannot be confirmed. Lot 15 is the land referred to in the subdivision approval to be acquired.

Ordinance 77 requires that Council serve notice on all owners of the land proposed to be resumed. However, in this instance the owners of the land are not known so notices were served on all identifiable adjoining owners.

No written objections have been received within the 30 day period although Mr & Mrs Bracken, adjoining owners, have stated verbally that they will be objecting, mainly because the existing Navua Reserve is not maintained and any extension is not desirable. Notwithstanding this acquisition of the land to extend the reserve is considered desirable and is recommended accordingly.

Recommendation

1. That Council make application to the Minister for Local Government for the approval of the Governor to the publication by Council of a notice of the resumption of Lots 15, 16 and 17, DP 793028, Grose River Road/Ashton Road, Grose Wold for public reserve purposes.

2. That all necessary documents be executed under Seal of Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 2: (File 665.308, 665.243) [20.779]

SUBJECT: ACQUISITION OF SPLAY CORNER BELLS LINE OF ROAD AND CHARLES STREET, NORTH RICHMOND FOR ROAD PURPOSES

REPORT (T.C.)

A 4 metre splay corner is required at the corner of Bells Line of Road and Charles Street, North Richmond for road purposes.

The land required contains an area of 8 square metres and is part of lot 13 DP 977343 owned by Miss De Blundell, 89-91 Bells Line of Road, North Richmond.

Recommendation

(a) That Council acquire a 4 (four) metre splay corner from Lot 13 DP 977343 corner Bells Line of Road and Charles Street, North Richmond.

(b) That Council meet all survey costs and pay reasonable legal expenses of the owner in the acquisition of the splay corner.

(c) That Council erect a new fence along the splay to match existing, if required by owner.

(d) That all necessary documents be executed under Seal of Council.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 3: (File C51/21) [20.780]

SUBJECT: LEASE OF SOUTH WINDSOR TENNIS COURT COMPLEX BY HAWKESBURY DISTRICT TENNIS ASSOCIATION

REPORT (T.C.)

Correspondence has been received from the Hawkesbury District Tennis Association advising that they wish to terminate the lease with Council over the South Windsor Tennis Complex. They state that the Complex is not economically viable for the Association and is being subsidised by the operating surplus from the Richmond Tennis Complex. Written advice from Mr David Dunn of Peter Dunn and Co., Chartered Accountants, confirms the poor financial situation and recommends the Association seek termination of the lease.

The Association currently leases the South Windsor Tennis Complex and Richmond Complex, which is regarded as their headquarters, from Council. The lease over the South Windsor Complex commenced on the 1st January, 1987, and is for a term of five (5) years terminating on the 31st December, 1991. The annual rental for 1990 is $4,969.18 and has not yet been paid.

In view of the poor financial situation and the need for subsidising by the Richmond Complex and subsequent drain on available funds which otherwise could be utilised for the maintenance and capital improvements to that Complex, it is considered prudent that Council agree to terminate the lease. It is also considered that a reduction in rental would only provide a short term solution to the problem.

On terminating the agreement, Council may invite expressions of interest from organisations/individuals ie tennis clubs or coaches, for the leasing of the Complex. Advertisements would be placed in appropriate publications in this regard.

It is noted that Council at its meeting on the 12th July, 1988, resolved to defer the 1987 rental on the South Windsor Complex in lieu of the Association constructing, at its own cost, additional external toilet facilities at the Complex.

The deferred rental in the amount of $4,000.00 is being paid in instalments of $1,000.00 over the ensuing four (4) year period in addition to the annual rental. Instalments have been paid in addition to the 1988 and 1989 rentals with the amounts for the current year and 1991 outstanding.

It is considered appropriate that Council agree to the termination of the lease, with the termination being subject to payment of the 1990 and 1991 instalments (representing the balance of the unpaid loan) and the 1990 rental on a pro rata basis up to and including the date of termination of the lease.

Recommendation

1. That Council agree to the termination of the lease with the Hawkesbury District Tennis Association over the South Windsor Tennis Complex, subject to the following conditions:

   I. Payment of the 1990 and 1991 instalments in the amount of $1,000.00 (one thousand) each and representing repayment of the deferred rental for 1987.

   II. Payment of the 1990 annual rental on a pro rata basis up to and including the date of the Council resolution.

   III. Hawkesbury District Tennis Association being responsible for payment of all reasonable legal costs in the termination of the lease.

   IV. That authority be granted for the affixing of Council's Seal on all necessary documents.

2. That advertisements be placed in appropriate publications calling for expressions of interest from individuals/organisations for the leasing of the South Windsor Tennis Complex.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 4: (File B28) [20.781]

SUBJECT: BUSH FIRE ESTIMATES 1990/91

REPORT (T.C.)

The Bush Fire Estimates for the year commencing 1st July, 1990, are required to be lodged with the Bush Fire Council of NSW by 31st March, 1990.

Maintenance and Running Expenses

Station	$8,000	
Vehicles	$26,000	
Pumps	$4,000	
Radio	$8,500	
Petrol	$9,000	
Freight	$700	
Telephone	$2,139	
Electricty	$3,599	
Insurance	$7,000	
FCO Travelling exp.	$200	
Rates/Lighting/ printing & Stationery	$2,000	
		$71,138
Fire Control Salaries (FCO,DFCO & assistant)		$77,144
Vehicle Secondhand 4 x 4		$80,000
Replacement of Pump Motors - Oakville & K/Hts		$11,400
Fireground Communication		$7,000
Bushfire Station - Tennyson or Upper Colo		$30,000
Miscellaneous fire fighting equipment (hose, knapsacks, hand tools, helmets etc)		$36,957
Feeding of Fire Crews		$600
Training		$2,000
Protective Clothing		$2,000
Pagers		$2,000
Supplementary Charges:		
1) Co-ordination cost for Emergency Operations		
2) BFC Administration Expenses		
3) BFC Technical & Planning Services		$50,000
		$299,101
Total		$370,239

The estimates provide for a nett cost to Council of $7,073 above that originally provided in the 1990 estimates. This is due to increase in supplementary charges.

In relation to fire stations, should a suitable site be available, the Upper Colo station should be constructed as first priority, alternatively an extension to Tennyson station this year and Upper Colo in the next programme.

Recommendation

That the Bush Fire Estimates as submitted be approved.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 5: (File P155) [20.782]

SUBJECT: OFFER OF LAND FOR CARPARKING AT RICHMOND

Bennett Real Estate Pty Ltd have written offering land at East Market Street, Richmond zoned Commercial for possible carparking. The land is situated with a frontage to East Market Street and directly adjoining the existing carparking access that would make it ideally suited for the provision of additional off-street parking.
The plan submitted indicates that up to 110 carparking spaces could be provided. The Agents have sought $850,000 for the properties. This figure, of course, could be negotiable. Funds held in the Reserve for carparking currently total $250,000. Additional funds would need to be allocated from the Loan Programme and, at the same time, it may be possible to obtain some terms from the vendor.

With the current level of activity in the Richmond area for the development of a department store, associated commercial facilities and substantial additional carparking, it is not considered appropriate that action proceed for acquisition of this land at this time.

Recommendation

That Bennett Real Estate Pty Ltd be advised Council is not in a position to proceed with the possible acquisition of land in East Market Street for additional off-street carparking at this time.

COMMITTEE'S RECOMMENDATION

THE RECOMMENDATION BE adopted.

ITEM 6: (File C51/3/c) [20.783]

SUBJECT: FUTURE MANAGEMENT OF THE WINDSOR FUNCTION CENTRE

REPORT (T.C.)

Expressions of interest were called for the lease or contract management of the Function Centre following the resignation of the former Manager and the resolution of Council on 14 November 1989. A total of ten submissions were received, details of which have been attached to this report. All submissions will be available for perusal at the Committee Meeting.

Following a detailed analysis of all submissions received and having regard to their respective apparent levels of expertise and resources, four of the applicants were subsequently selected for interview. The four applicants interviewed are detailed hereunder, together with additional information to that indicated in the annexure relative to each submission:

WILSON CATERING SERVICES PTY LTD

Mr. Alan Wilson, the Managing Director of the Company, was interviewed regarding his company's submission. Wilson Catering Service Pty Ltd is a large catering company based in Victoria and presently have an extensive involvement in the catering/hospitality industry in that State. The submission lists many corporate organisations whom they serve, as well as a number of other clients, including hospitals, the Police Department, motels and school canteens. The applicant company also lists a number of recent major contracts it has secured for catering rights on both an ongoing basis or for major special events.

The submission also details Mr. Wilson's experience in the catering and hospitality industry over the last fifteen years. It is noted that Mr. Wilson has managed function centres under contract arrangements between a company he was involved with (Dennis Catering Pty Ltd) and the Victorian State Government and the Camberwell City Council (Victoria). It is noted that, in each case, the respective centres were of a community nature as well as commercially used similar to the proposal for the Windsor Function Centre.

The submission is for the leasing of the Windsor Function Centre for a base rental of $20,000 per annum or 10% of gross food and liquor turnover, whichever is the greater. The company would also pay to Council, on top of this base rental, 5% of room hire. In terms of the management, it is proposed that the Centre would be operated by a Venue/Catering Manager, Function Co-ordinator, Chef, Kitchen Hands and Function Attendants. Mr. Wilson has indicated that he would be appointing a Manager to operate the Centre and a Function Co-ordinator,

these being permanent positions. The balance of staff would be casual, as required. It is envisaged that all staff will be employed from the local community, including the positions of Centre Manager and Function Co-ordinator. In terms of marketing, Mr. Wilson proposes to work closely with the Centre Manager in determining appropriate marketing strategies in the initial period and, thereafter, say, a period of twelve months, a review would be made as to the appointment of a Marketing Executive to specifically handle the promotion of the Centre.

It was also indicated that the applicant company currently use a public relations and marketing firm and, to this end, all appropriate marketing and promotional strategies would be developed in conjunction with the resources of that firm. The budgetted income for the current year of Wilson Catering Service Pty Ltd and associated companies (Richard Dax Catering and The Food Machine) is $2.0 million.

The applicant has further advised that his company would be desirous of providing catering services to any other of Council's venues as required, including catering for special outdoor events (e.g. outdoor civic functions and Australia Day). The turnover to the Company in this regard would be reflected in the base rental to Council.

Whilst the majority of operations are in Victoria, the Company is embarking on an expansion programme into the States of New South Wales and South Australia.

The Company is clearly well experienced and appears to have the necessary resources, both in terms of finance and expertise, to effectively manage the Centre pursuant to a leasing arrangement.

MR. NORMAN ADHAMI

Mr. Adhami's submission is for the contract management of the Centre for a fee payable to him of $63,000 per annum. There is no provision for increase over the initial three year period, although Mr. Adhami has indicated that after the initial three year contract period he would be requesting a profit-sharing arrangement to be agreed upon by both parties. Mr. Adhami details his career history, which includes various managerial positions with major Sydney hotels, as well as working at the Bankstown Town Hall for some ten years and finally holding the position of Assistant Manager. Under this proposal Council would pay the specified amount to the Manager, be responsible for the employment of an Administrative Assistant and be responsible for all function costs and overheads associated with the operation of the Centre.

Mr. Adhami is a well-presented and most enthusiastic applicant and is confident that he is capable of effectively managing the Centre under a contract management arrangement.

MS. KAYLENE KELLAND

As indicated in the attachment, Ms. Kelland has submitted a preferred option for Council's consideration which basically provides for the ongoing management of the Function Centre by permanent staff. Ms. Kelland has proposed the following management structure with recommended salaries:

Ms. Kelland (Manager, Class 54 of Award)	$645.50/week
Appointment Asst Manager (Class 16)	$454.10/week
Appointment Cleaner (Award $10.97/hr) based on 30hrs/week	$329.10/week
	$1,428.70/week

The cost in a full year would amount to $74,292 plus employment overheads which are currently approximately 20% above the salaries paid. This figure does not include overtime and penalty rates which would also be payable. Based upon recent experience, this could be expected to increase the wages paid under the above structure to approximately $93,200 in a full year.

In the past it has been found that contract management has been financially more beneficial since it is not constrained by the Local Government awards which do not adequately allow for those type of industries such as tourist and catering activities that have non-standard hours of operation. The cost savings from contract management can be quite substantial over an employee management position.

Under this proposal, function costs and building and general overheads would be the responsibility of Council.

As the Council will know, Ms. Kelland is currently performing in the capacity of Acting Manager at the Centre since the resignation of Mr. Day in October last year. The Administrative Assistant's position has been filled by the appointment of a casual employee.

Ms. Kelland's submission refers to various improvements achieved at the Centre over the last six months, including the updating of the menu and the cellar and general presentation of food, and the increase in bookings. Ms. Kelland submits her experience and background in the catering/hospitality field as adequately equipping her to assume the position of Centre Manager by employment.

At the interview Ms. Kelland highlighted that, whilst the appointment as Manager by employment is clearly her desired option, she is willing to be considered for the position of Manager pursuant to a contract management arrangement and, to this end, has indicated that her fee in this regard would be approximately $2,000 per week ($104,000 per annum) plus a

profit-sharing arrangement to be agreed upon. Ms. Kelland stressed that this situation is negotiable. Again, under this proposal, function costs and the Centre's overheads would be Council's responsibility. At the interview Ms. Kelland tabled a further submission in support of her application, which outlines her achievements to date, particularly over the last six months in the capacity of Acting Centre Manager, and outlines promotional ideas and suggests the benefits of employee management as opposed to leasing and contract management.

AVCO INDUSTRIAL SERVICES GROUP PTY LTD

Mr. Paul Hemmings, the Manager of Executive Catering Services for the company, was interviewed in respect of his company's submission. The company clearly has a very strong background in the catering industry and has submitted an extensive list of corporate clients to whom the company provides various catering services, which range from boardroom lunches to wet and dry messes at remote mining, construction and commercial locations. The company also provide a host of other miscellaneous catering and hospitality functions.

Mr. Hemmings indicated that, notwithstanding the company's extensive background in catering, the operation and management of a function centre was a new direction for his organisation.

The company's application was for the contract management of the facility and, under the proposal, the Council would pay the applicant company an amount of $40,000 per annum, plus annual CPI increases, plus a percentage of revenue between 5% and 8% depending on the level of gross income. Mr. Hemmings indicated that he neglected to cover the cost of cleaning and by subsequent advice it has been confirmed that the additional cost to the management fee would be $19,956 per annum. Therefore, the Council will see that in the first year the company's proposal would provide for payment to them of an amount of $59,956 plus a percentage of revenue incentive scheme applying.

Obviously, from the Council's viewpoint, the future management of the facility is extremely important and a number of important issues need to be carefully considered. Clearly, of critical importance, are the financial implications associated with each of the options proposed, i.e. contract management, the leasing of the Centre or the future management by employed staff.

In this regard, the following financial information is presented for the Council's information in relation to the previous three year operations of the Centre.

WINDSOR FUNCTION CENTRE

Income & Expenditure Statement 3 Year Period 1987-89

	1987	1988	1989
GROSS INCOME	288,823	373,650	341,025
Function Costs (Expenditure)			
Food	72,716	96,264	94,426
Food (Wages)	48,178	59,280	51,953
Liquor (Wages)	16,868	19,872	28,404
Liquor Stores	22,769	30,842	23,369
Other Function Costs	-	6,213	-
	160,531	212,471	198,152
Overhead Costs (Expenditure)			
Manager's Contract	53,267	54,148	45,080*
Wages, Sick Leave, etc.	30,096	28,994	38,994*
Liquor Licence	1,059	2,418	2,594
Services (electricity, gas, rates, etc)	44,199	35,265	39,601
Telephone & Advertising	11,608	13,999	16,724
Printing & Stationery	354	176	429
Maintenance Fittings & Equipment	12,899	13,966	10,677
Maintenance Plant & Buildings	22,558	26,437	17,459
Sundries	146	68	
	176,186	175,471	171,558
OPERATING SURPLUS OR LOSS			
Income	288,823	373,650	341,025
Expenditure	336,717	387,942	369,710
	(47,894)	(14,292)	(28,685)

* *Contract Management figure down and Wages figure up due to the retirement of the previous Manager in October last year.*

Historically, the Centre has operated at an annual loss. The actual levels of loss for the last three years are shown above. There is potential for the Centre to be more extensively utilised and, therefore, far more economically viable from a financial viewpoint. However, the Centre is clearly popular with the general community and specific organisations, e.g. the local schools. Whilst it is recognised that the commercial viability of the Centre can improve significantly, clearly the opportunity for the general community to utilise the Centre must remain. Should

the option to proceed with a lease or a contract management arrangement be preferred, it would be necessary for this situation to be addressed and special conditions incorporated in the documentation to ensure that the Centre is not lost to the community and is also available as required for Council usage. Further, the current policy would continue to apply whereby Council would meet the associated hiring costs of community usage as appropriate and its own usage.

With reference to the four submissions detailed above, the criteria forming the basis of the three options are as follows:

1. LEASING THE CENTRE - This provides for an agreed rental payment to be made to the Council for a 3 x 3 year lease period with the lessee being financially responsible for assuming all function costs, management costs and overheads associated with the Centre's operations. Traditionally, these costs have been the Council's responsibility and specifically include food and liquor, salaries and wages (permanent and casual), the purchase of consumables (tablecloths, napkins and other linen), the general maintenance of the Centre including plant and equipment, cleaning, Council rates, water rates, land tax, gas, electricity and telephone charges and the costs associated with the promotion of the Centre. The costs to the Council for 1989 for these items totalled $369,710 as indicated in the above table.

   Of course, the leasing proposal also provides that the lessee receives the income generated by the Centre's operations. Clearly, this option demonstrates the potential for a significant financial improvement from the Council's viewpoint in terms of the transfer of responsibility for all costs associated with the Centre's operations.

   Of the four applicants interviewed, as detailed above, one has submitted a leasing proposal for the Centre - that submitted by Wilson Catering Service Pty Ltd. Under this proposal the company will assume the responsibility for all operational costs as detailed above and receive the associated income from the Centre's usage. In return, the company would pay a base rental to Council of $20,000 per annum OR 10% of gross food and liquor turnover, whichever is the greater plus 5% of room hire.

   To illustrate the proposal, if this rental formula was applied to the 1989 figures for the Centre as detailed in this report, the rental return to Council would have been:

Hall Hire total $28,609 x 5%	=	$1,430
Base Rental	=	20,000
TOTAL (payable to Council as rent)		$21,430

   (Note: 10% of food and liquor turnover only amounted to $11,779)

As shown in the figures earlier in this report, the actual situation for 1989 was an operating loss of $28,685. Of course, under this current leasing proposal, with an increase in usage and food and liquor consumption, the future return to Council could reasonably be expected to increase significantly greater than the base rental amount. In addition to that is the saving in outgoings for Council rates, water rates and general maintenance which, based on 1989 figures, amounts to approximately $38,000.

Whilst the lessee would be responsible for the Centre's operations, it should be highlighted that pursuant to this proposal, Council does not relinquish control of the Centre as the lease agreement provides for certain performance criteria to be met in terms of the Centre's operations, e.g. the aesthetic appearance and cleanliness of the Centre, equity of use, hours of operation and staff presentation and performance. Council's solicitors have confirmed that this type of agreement is an acceptable commercial practice and adequate safeguards could be written into the agreement.

2. CONTRACT MANAGEMENT - This proposal provides, in basic terms, for the payment by Council for the management of the Centre to be undertaken under the terms of a contract - thus the person/company is not an employee of the Council, however, is under the direction of the Town Clerk/General Manager or his nominee. The period of contract would be for three years with an option to renew for a further three years.

The Contract Manager would be responsible for the efficient and effective management of the Centre and the cleaning thereof. Council would be responsible for all function costs (food and liquor), overhead costs (all rates, services charges), consumables (linen, cutlery, crockery, etc), casual staff (barmen, waitresses and chef) and the provision of a clerical assistant to staff the Centre during office hours.

Whilst there are certain advantages in contract management, there are also some difficulties that have been experienced, in that staff report to the Contractor, but are responsible to the Town Clerk/General Manager. These staff are casual employees and are engaged by the Contract Manager and not through the normal procedures which apply to other Council staff. This means that the process of conducting medical examinations to meet the requirements of the Workers' Compensation scheme is not possible, along with staff induction programmes and general employment procedures.

Of the four applicants interviewed, three have expressed proposals for the contract management of the Centre, as previously indicated:

(i) Mr. Norman Adhami - $63,000 per annum

(ii) Ms. Kaylene Kelland - $104,000 per annum plus a profit sharing arrangement (this package being negotiable)

(iii) Avco Industrial Services Group Pty Ltd - $59,956 per annum plus a percentage of revenue between 5% and 8% depending on levels of gross revenue

Therefore, the proposal provides for Council to pay a management fee and assume responsibility for staff, function and overhead costs associated with the Centre's operations. Council would receive all income from the Centre.

The contract provisions for the previous arrangement with Mr. Day provided for a base amount of $52,000 payable to the Manager for the first year and thereafter a profit sharing arrangement applying, which provided that the annual management fee would increase or decrease dependent on usage and the income generation of the Centre. The criteria was to provide an incentive for increased usage.

Whilst Mr. Adhami proposes a flat rate, the other two applicants for contract management have specified a profit sharing arrangement as previously detailed.

In comparison with last year's figures, the contract management fees sought are all higher. Accordingly, for this option to be as financially attractive to Council as the option of leasing, income from the Centre would need to increase very significantly.

3. EMPLOYED MANAGEMENT - As previously indicated, this option has been submitted by Ms. Kelland for consideration as an alternative to leasing or contract management. The details are included earlier in this report, however, basically provide for a suggested salaried structure for the Manager, clerical assistant and cleaner, totalling $74,292.40 per annum. Whilst significant overtime rates would apply in this option, such costs have not been addressed in the applicant's submission, nor have on costs including award provisions for annual and sick leave, superannuation and long service leave entitlements.

Based on the six month period commencing 1 September 1989 to end February 1990, applying the suggested rates of remuneration for the Manager, assistant (assuming permanency) and cleaner based on the actual hours worked for this six month period, the cost would be $43,130. As an approximate twelve month projection, this would equate to $86,300 in paid hours only. In addition, allowing for entitlements for the Manager and Assistant would add in the order of 20%, which would equate to an extra $6,900, thus totalling approximately $93,200. The Council would still be responsible for all other function and overhead costs as per the contract management proposal. From an economic viewpoint, this is certainly not as financially attractive as the leasing proposal or other contract management proposals submitted.

It is noted of all submissions received, that of Wilson Catering Service Pty Ltd is the only submission which detailed substantial resources available to meet that required to effectively promote the Centre and maintain an adequate level of staff support, which will not be of a direct cost to Council.

Further, with the contract management or employed management proposals, there are significant costs to Council in terms of administrative costs associated with processing of accounts, various audits and receipt of monies associated with the Centre.

Having regard to all the issues and circumstances, the recommended option is that of leasing the Windsor Function Centre to Wilson Catering Service Pty Ltd on the terms outlined in this report. From a financial viewpoint, this proposal provides a definite economic advantage to the Council and community in terms of providing for a definite rental return each year and the opportunity for greater fiscal management by the utilisation of resources that would otherwise be committed to the Centre's operations.

This proposal represents a most critical change in direction in regard to the future management of the Centre. Whilst the concept provides for the management of the Centre by a company which appears to have the necessary resources in terms of expertise and finance, it must be reiterated that the Council will retain input and a controlling factor in regard to the future direction and general operation of the Centre by specific performance criteria to be incorporated into the lease documentation.

It is recognised that Ms. Kelland has carried out the function of Manager in a most satisfactory manner for the period following the resignation of the former Contractor, however, it is felt that the proposal for the leasing of the Windsor Function Centre is a more commercially based proposition, with a good return to Council, as well as retaining necessary control for the conduct of community based activities. The experience of the lessee in conducting a service for catering and managing venues for both the private and public sector, as well as the extensive financial resources available for promotion should provide a valuable service to the residents and ratepayers of Hawkesbury.

The leasing of the Windsor Function Centre to Wilson Catering Service Pty Ltd is recommended.

Recommendation

That:

1. The Windsor Function Centre be leased to Wilson Catering Service Pty Ltd of 10 Hardner Road, Mount Waverley, Victoria in accordance with the Company's submission dated 22 February 1990 and in accordance with the Council's general specification for the leasing of the Centre for a lease period of three (3) years with an option to renew the lease for a further period of three (3) years.

2. The Common Seal of Council be affixed to all necessary documentation.

COMMITTEE'S RECOMMENDATION

THAT THE WINDSOR Function Centre remain in direct Council control and be by employed management, the present Acting Manager of the Windsor Function Centre, and not be privately leased.

Alderman Bazeley and Alderman Rotherham asked that their names be recorded as being against the recommendation.

ITEM 7: (File C51/3/c) [20.784]

SUBJECT: STAFF MATTER - MS KAYLENE KELLAND

REPORT (T.C.)

The Committe will consider the future operation of the Windsor Function Centre that currently involves a full-time member of Council's staff, Ms Kaylene Kelland, who commenced on 6th March, 1981.

Should the Council not continue with the operation of the Centre based on staff employment, there is a need to consider the position of Miss Kelland. Should the lease option recommended be chosen, the proposed lessee has indicated he would be willing to assess existing staff for employment by his company. In this regard, he may employ Miss Kelland. Notwithstanding that Council would need to, in the event of either engaging Miss Kelland as the contract manager or the possibility of her subsequent employment with the proposed lessee, offer her alternative employment or terminate her services.

The matter has been discussed with her, and she does not see the employment prospects with the Council suited to her qualifications and experience. The employment would be in the Finance and Administration area, and possibly Community Services. Miss Kelland, however, has good qualifications and experience in the hospitality industry that would not be fully utilised in this regard, nor does she see it as her career choice. Her choice, if the lease agreement is chosen, is to be terminated on the basis of redundancy. In this regard, it would be proposed to terminate her as though she had 10 years' service, ensuring full 10 year long service leave payment and other entitlements, plus a redundancy of two weeks gratuity for every year of service based on 10 years service. (That is, 100 days' pay). This position is satisfactory to her.

The following recommendation is made based on the Committee proceeding with the lease of the Centre, and the preferred option of Miss Kelland in these circumstances.

Recommendation

That Miss Kaylene Kelland be terminated from the Council's staff with all entitlements paid on the basis of 10 years' service, with two weeks gratuity for every year of service (100 days) paid at her current rate of pay. That a reference be provided under the Seal of Council, including an indication of her long and dedicated service.

COMMITTEE'S RECOMMENDATION

See Item 6.

QUESTIONS WITHOUT NOTICE [20.785]

Alderman Rotherham asked if a report could be brought forward about the progress on Council's silviculture experiment at the Waste Water Treatment Works.

Alderman Michael referred to the corner of Windsor Street and East Market Street and asked if the Local Traffic Committee would give consideration to the provision of an arrow light at this location as there is on the north/south East Market Street corner coming into Windsor Street.

Alderman Books asked what could Council do to get the Roads & Traffic Authority to upgrade Windsor Road to Baulkham Hills.

The Manager of Engineering Services stated that in regard to the Authority's programme for the ensuing twelve months, it does indicate that there will be further items of traffic facilities, and suggested that Council take up with the Authority, further improvements along Windsor Road.

The Town Clerk/General Manager advised that the Manager of Engineering Services did have some progress on the McGraths Hill to Windsor bikeway. The Council did in 1983/84 decide to forego the Windsor By-Pass and its planning scheme on the basis that major works were to be undertaken in a few years. The Town Clerk/General Manager wrote to the Authority during the last couple of days and reminded it of that undertaking and it is hoped from that response that Council can take some further action. He suggested that if a response is not received within a couple of weeks, Council should resolve some action in this regard.

Alderman Benson stated that in Pitt Town Bottoms Road on the north west right angle corner the road has been ploughed right out to the tarred surface by the property owners. He stated that this has made it difficult for trucks to pass.

Alderman Benson referred again to the waste rubbish along the road at the Waste Depot on the Blacktown Road at South Windsor. He stated that no effort has been made to clean it up.

Alderman Benson referred to the subdivision at Drift Road and Inalls Lane and asked what control does the Council have on that particular development. He stated that he understood that the blocks have been cut back from the original size, and the electricity street lighting reticulation is 30 feet from the kerb.

The Mayor suggested that Alderman Benson take the matter up with the Manager of Town Planning after the meeting.

Alderman Gibson referred to the trees on the mound where the cutaway is being carried out in Bridge Street and asked if it is correct that the responsible authority will not allow Council to remove those trees in order to remove the mound to permit traffic view.

The Town Clerk/General Manager stated that he took the matter up with the Roads & Traffic Authority some months ago and at that stage it was indicated that they were only given approval to remove one tree, which was a silky oak and that is the only approval that the Authority obtained.

The Manager of Engineering Services stated that with regard to that area over ten years ago, Council did have an Improvement Programme to improve the wharf which did involve battering back that bank. It is possible that Programme has lapsed and Council would now have to get it re-approved with a view to improving the bank.

Alderman Gibson asked if the silky oaks are important trees.

The Town Clerk/General Manager stated that the two that are left are white cedars.

Alderman Gibson asked if the corner of Ian Street, Glossodia north down from Boomerang Drive could be graded because there is a massive amount of water that consistently lays there.

Alderman Sheather stated that in Moray Street west, where the road has been diverted around the trees, it is completely overgrown with grass.

Alderman Sheather referred to the sports fund that Council is promoting and asked if all the funds have to come directly to the Council or could Council look at some avenue for the Aldermen to raise funds.

The Mayor stated that Council has established a Committee, a fund has been set up under the name of the Sambell/Hayman Sponsorship Fund and the aim is for $2,000 a piece, which is a limit of $4,000. Any surplus to that, it is anticipated, should go to a sponsorship fund generally that may be set up with the Sports Council. Circulars were sent out last week to all sporting groups, service groups,

some land agents and businesses. Any donations can be made by any individual and there are leaflets that the Aldermen could hand out and if there is a response, payment could be made directly to the Council in the name of the Sponsorship Fund. Donations are to be forwarded to Mr.Lyndon Weatherstone.

Alderman Sheather stated that in relation to sport, Ken Hall, was given Grade Cricketer of the Year for New South Wales, which is another achievement of our sportsmen in the City.

The Mayor advised that a letter would be forwarded to Mr. Hall congratulating him on his achievement.

Alderman Rotherham stated that at the last meeting of Prospect County Council, they were asked as delegates to ask their respective Councils if they would support Prospect in an approach to Telecom to restore the early warning lightning tracking facility that Telecom withdrew on the 12th of March of this year. He suggested that the Mayor or the Town Clerk/General Manager speak to the General Manager at Prospect and ask them what form of letter they would like. They are looking for support from Councils.

The meeting terminated at 6.19 p.m.

REPORTS FOR DETERMINATION

SECTION 4

FINANCE AND ADMINISTRATION

1. EXEMPTION FROM RATING. 1494-222(c)

An application has recently been received from the Kurmond Congregation of Jehovah's Witnesses requesting that their property, situated in Elizabeth Street, North Richmond, be granted an exemption from rating from 23rd February, 1989, the date on which the final building completion inspection was conducted.

The recent inspection undertaken confirmed that a Kingdom Hall has been constructed and is used for the purpose of public worship. Accordingly, the current use of the property complies with the provisions of Section 132(h)(i) and Section 379 (4B) of the Local Government Act.

It is, therefore, recommended that the exemption from rating be granted from 23rd February, 1989 (the date on which the final building completion inspection was made).

Details of the proportionate 1989 and 1990 rates write-off is as follows:

1989 General Rates	330.24	
1989 North Richmond Sewerage Loan Rate	264.99	595.23
1990 General Rates	413.48	
1990 North Richmond Sewerage Loan Rate	250.00	663.48
		$1,258.71

The total General and North Richmond Sewerage Loan Rates levied on the property for year 1989 amounted to $696.34 whilst the year 1990 rates amounted to $663.48.

IT IS RECOMMENDED THAT the Jehovah's Witness Kingdom Hall situated in Elizabeth Street, North Richmond, be granted exemption from rating from 23rd February, 1989. Furthermore, that an amount totalling $1,258.71 (one thousand two hundred and fifty eight dollars and seventy one cents) be written off in respect of 1989 and 1990 rates and charges.

2. CONTRACTS AND DOCUMENTS FOR EXECUTION UNDER SEAL OF COUNCIL. C51-36.

IT IS RECOMMENDED THAT the Seal of Council be affixed to the following documents:-

Lease: Residential lease with Mr S A & Mrs W E Shaw in respect of 4 Macquarie Road, Wilberforce for six (6) months at a weekly rental of one hundred and seventy five dollars ($175.00).

3. STAFF MATTERS. S1/8P.

The following resignations have been received:-

Mrs Jan Platt, Rates, Finance, effective 30th March, 1990.

Mr Trevor Holland, Rates, Finance, effective 6th April, 1990.

IT IS RECOMMENDED THAT the resignations be accepted and references be issued under common Seal of Council.

4. NATIONAL AUSTRALIA BANK - RENEWAL OF LOANS. B23-36.

Offering Council renewal loans of $99,000.00 and $221,000.00 repayable over four years by seven half yearly instalments of principal and interest combined, with a final instalment of the balance outstanding. The interest rate which will apply is variable and will be determined at the date of rollover. The rate which will apply will be equivalent to the rate applicable to borrowing for Local Government. Currently the interest rate is 15% and changes on a weekly basis.

The loans offered repays loans of $130,000.00 and $295,000.00 which were borrowed in 1989 and matured on 30th December, 1989, and 27th February, 1990, respectively.

IT IS RECOMMENDED THAT the offers be accepted and the Seal of Council be affixed to the Mortgage documents.

5. LOT 109, DP 217499, BOOMERANG DRIVE, GLOSSODIA. R.190/13/55.

Council resumed the above property by notification in the Government Gazette on 14th April, 1989 and the valuation given by Council's Valuer following receipt of the Claim for Compensation was $7,000.00.

The owner's Solicitor, Mathoy Russoniello, has advised that Council's offer of $7,000.00 is accepted provided interest is paid from the date of resumption and the previous owner's legal costs are met.

Lot 109 was resumed by Council because negotiations failed at that time with the owner. Council already owned the remaining small lots adjacent and needed this lot for a redevelopment with the lane at the rear to give three residential lots. The owner originally requested $150,000.00 for the property but now agreed to the valuation. Interest could amount to approximately $1,000.00 due to the time to obtain acceptance of the valuation. As agreement has been reached and litigation avoided then this cost is considered reasonable.

IT IS RECOMMENDED THAT:-

1. Council pay $7,000.00 (seven thousand dollars) to settle the claim for the resumption of Lot 109, DP 217499, Boomerang Drive, Glossodia.

2. Council pay interest at the prescribed rate under the Public Works Act, on the principal amount of $7,000.00 from the date of resumption to the date of settlement.

3. Council pay the reasonable legal costs of Mr N Poriotis in the settlement of his claim.

4. All necessary documents be executed under Seal of Council.

6. CLOSURE OF COMMERCE LANE BETWEEN MACQUARIE PLACE AND SPINKS ROAD, GLOSSODIA. R190/13/55.

The Council now owns Lots 108 - 117 Boomerang Drive, Glossodia and has lodged a road closure application for Commerce Lane at the rear, with the view of amalgamating the 10 small lots and the closed lane, to create 3 residential lots.

The proposed road closure was advertised and the 2 adjoining owners notified. Both owners objected to the closure but, following further negotiations, have agreed to purchase half the closed lane for amalgamation with their properties. The purchase price agreed to by the adjoining owners is $4,000.00 each.

The purchase price has been discussed with Council's Valuer and he has agreed that, in the circumstances, the $4,000.00 offered for each part lane is reasonable and will allow the matter to be finalised.

IT IS RECOMMENDED THAT:-

1. Council proceed with the closure of Commerce Lane between Macquarie Place and Spinks Road, Glossodia.

2. Council agree to sell half of Commerce Lane adjacent to Lot 118 Spinks Road to Mr G & Mrs N Pollard for a purchase price of $4,000.00 (four thousand dollars).

3. Council agree to sell half of Commerce Lane adjacent to Lot 107 Macquarie Place to Mr N Vozzo for a purchase price of $4,000.00 (four thousand dollars).

4. Council require that the halves of Commerce Lane sold to Mr G & Mrs N Pollard and Mr N Vozzo be amalgamated with Lots 118 and 107 respectively and that Council undertake the subdivision plan of consolidation for each property provided it is undertaken as part of the subdivision of Lots 108 - 117 and part of closed lane.

5. All documents relating to the road closure, subdivision and sales be executed under Seal of Council.

7. LOAN BORROWING PROGRAMME 1989/90. L128, B23-37

In its 1989 Estimates Council adopted a Loan Borrowing Programme of $1,400,000. The Minister subsequently advised and this was reported to the December 1989 Meeting that he had approved an overall allocation of $950,000. As a result, the Council resolved to have the additional $450,000 allocated.

The Department of Local Government has now advised that the Minister has determined that the Council's borrowing limit has been allocated at $1,150,000. The following table indicates in Column I the original programme adopted by the Council; in Column 2 the programme as amended by the Council following the Minister's advice in December; and in Column 3 the final programme now approved by the Minister following the Council's request for reconsideration.

Description of Works	Column 1	Column 2	Column 3
Roads Construction	$400,000	$460,200	$460,000
Land Acquisition	$200,000	$200,000	$200,000
Kerbing, guttering & drainage	$200,000	$139,800	$140,000
Parks, gardens & reserves	$150,000	$ 77,400	$ 77,000
Car parking construction	$200,000	-	$208,000
Bushfire prevention	$ 43,000	$ 65,000	$ 65,000
Building works	$207,000	$ 7,600	-

In the road construction allocation is the amount of $230,000 estimated for the reopening of The Terrace.

The revised programme will permit the car park construction works to be undertaken that were not approved in the December advice, however, will not allow works to proceed on the extension of the Museum or the State Emergency Services Headquarters in Windsor. Advice in this regard will be forwarded to both organisations.

IT IS RECOMMENDED THAT:

1. The revised Loan Programme as advised by the Minister be adopted.

2. The Hawkesbury Museum and State Emergency Services be advised that Council is not in a position to proceed with building works at the Hawkesbury Museum and the State Emergency Services complex in Windsor at this time.

8. BLIGH PARK EXTENSION. L4/89, L126-1-5

Council at its meeting of 13th March, 1990, considered a report in regard to the rezoning of land between Bligh Park and South Windsor to permit residential development and the subsequent extension of Bligh Park.

The report noted that discussions had taken place with Mr M G Parsons in regard to the acquisition of his property, being Lot 21 DP 27136 Berger Road, South Windsor, and the owner's concerns that the multiplicity of zonings and public authorities involved in the acquisition of the property, would result in undue delays in the sale of same. The amended draft plan indicates that the majority of the land is zoned 6(b) Open Space, with the remainder including a portion required by the Department of Education for a high school, being zoned Residential 2(a). It was determined that the most desirable method of acquiring the land would be for Council to acquire the property in the first instance and dispose of that part required for the high school to the Department of Education.

Subsequently, Consultant Valuers K D Wood and Associates were engaged, and report that $300,000 would be a fair and reasonable market valuation for the acquisition of the property. Mr Parsons has subsequently confirmed that the valuation is acceptable and is seeking an early settlement of the matter.

IT IS RECOMMENDED THAT;

1. Council acquire from Mr M G and Mrs J B Parsons Lot 21 DP 27136 Berger Road, South Windsor, for a purchase price of $300,000 (three hundred thousand) as identified in the draft local environmental plan for the Bligh Park extension.

2. On settlement of the acquisition of the above property, action be initiated to dispose of that part of the property required for the high school to the Department of Education.

3. All costs involved be funded from the Bligh Park Estate Joint Venture.

4. All necessary documents be signed under the Seal of Council.

9. CREATION OF A LOCAL GOVERNMENT COMMISSION. L128-8, C44-2

At its February meeting Council was advised of a proposal by the State Government to establish a Commission that will probably assume responsibility for the core Local Government business functions of the present Department of Local Government. At that meeting the Council resolved to advise the Local Government Association that :

1. Council supports the concept of a Local Government Commission where Local Government participates actively in the management of its affairs and it takes considerable responsibility for improving Local Government management.

2. Council supports the Association's executive position of the concept provided there is substantial elected Local Government representation together with Local Government professional officers' representation.

3. If there is general Local Government support for the Commission then its established objectives, roles, representation and financing should be detailed for discussion. This to include the basis on which the functions are to be relocated to other Departments and how it is to be administered.

4. If the Commission is to proceed the method of election of Local Government representatives should be decided by Local Government as a whole and the matter of conflict of interest determined at that time.

The Association has now advised that a Task Force was established to advise the Minister on the proposal and that Group on which the Associations were represented have reported to him. They have forwarded a copy of the report to the Minister that he has agreed to circulate for comment by Councils. Responses have been requested by the 23rd April and accordingly the Council will have to deal with the matter at this meeting.

A complete copy of the report will be made and distributed separately with the business paper. That report sets out the terms of reference, the membership of the Task Force, and the time scale stating that it is intended to have necessary legislation introduced in the Autumn Session of Parliament.

A summary of the proposed aims of the Commission are to: promote and develop efficient effective responsive and accountable system of Local Government, create constructive partnership between the State and Local Government in the community, achieve greater autonomy for Local Government, promote and enhance its financial security, its performance and operation and its regulatory framework; and to improve the level of information available for and about Local Government.

A summary of the responsibilities of the Commission is that it is to be responsible for: the operation of Local Government under the legislative framework applicable; overseeing statutory responsibilities; advising on changes and developing efficient and effective practices; monitoring progress and performance of Councils and initiating remedial action where necessary; promoting co-ordination between Local Government and other levels of Government; exercising powers conferred upon the Commission; providing advice to the Minister and carrying out directions by him.

In particular, it is stated the Commission should be able to: offer advice to the MInister and the Government, Councils and the public; have direct access to the Minister through the Chairman, carry out management and financial overviews of Councils and sets standards for management and accounting procedures; request a hearing by the Boundaries Commission and charge for non core activities.

The constitution of the Commission is to be as a statutory body with membership comprising 11 persons and made up of :

- Chairperson nominated by the Minister
- Director of the Local Government Commission who shall be the Deputy Chairperson
- Two persons from the Local Government Association and two from the Shires Association
- Three having expertise in Local Government finance management and community relations nominated by the Minister

- Two persons nominated by the Minister and selected from a panel provided by professional and union organisations that are named.

All members, except the Chairperson, are to be part-time and hold office for a period of four years except the Director.

It is stated that the Commission is to be funded by the State Government and adequate resources provided.

The Commission is to have clear responsibilities and powers and in doing so is to recognise the large degree of responsibility that a Minister has to the Parliament. In the circumstances it is seen that a small Ministry would need to be established to provide independent advice to the Minister. However this is to compliment and not duplicate the Commission's role.

It is proposed that the Grants Commission remain separate and continue to report direct to the Minister on matters coming within its charter.

Similarly the Boundaries Commission is to remain a separate entity and being able to report to the Minister.

The Commission will provide a formal recognised relationship between Local Government and the State and allow for a direct and formal input from Local Government to policy formulation and Local Government management.

In terms of the Council's previous resolution the report further supports the concept of the Commission allowing Local Government to participate actively in its own management, provides for substantial elected Local Government representation and representation from the staff of Local Government and indicates its establishment, objectives, roles, representation and financing.
It also states where functions are to be located.

It may not however resolve that part of the Council's resolution stating that representatives should be decided by Local Government as a whole and the matter of conflict of interest determined. The only mechanism that can be seen as available to resolve this matter would be to put the question of Local Government representation to the Annual Conference.

The Task Force Report provides details of the major issues that have been raised by this Council and Local Government generally. There may be issues that arise out of the legislation being those as the result of other reports presented to the Minister. This could include the issue of user charges. While it has been indicated that the State will finance the Commission, it may be that charges are adopted for the Commission's functions that require a level of funding from individual Councils.

It is recommended that the Commission be encouraged on the basis of the principles put forward in the Task Force Report and its developments and operations reviewed and altered with experience if necessary.

IT IS RECOMMENDED THAT the Local Government Association be advised that the Council supports the establishment of the Local Government Commission in accordance with the principles set out in the Task Force Report where there is the establishment of a legally recognised relationship between Local Government and the State and an organisation that will allow a direct and formal input from Local Government into policy formulation and Local Government management. Further it would request that the position of charges to be made by the Commission to Local Government be advised in terms of the Commission's funding.

10. CODE OF CONDUCT FOR LOCAL GOVERNMENT - DRAFT MANUAL. L128; C50

Earlier this year, the Minister for Local Government and the Minister for Planning forwarded to Councils the State Code of Conduct for members and staff of Councils that had been adopted by the Independent Commission Against Corruption and the Local Government and Shires Associations. It was indicated at the time that a manual was in the course of preparation that would be a reference document setting out the relevant objectives, legal requirements and guide lines for the implementation of the Code of Conduct.

A draft of the Manual has been prepared by representatives of the Independent Commission Against Corruption, the Ombudsman, the Associations and the Minister, a copy of which has now been received and for which comment is sought prior to its finalisation before the next meeting of the Council. The document is of 74 pages and with this length and the importance of its content has been reprinted in full and distributed separately.

The document sets out under the major areas of Conflict of Interest; Personal Benefit; Personal Behaviour; Dealing with Council Property; and Corporate Obligations, objectives, the existing legal requirements and guidelines.

Under the area of Conflict of Interest the Manual states that a part of the United Kingdom's National Code for Local Government conduct enunciates a standard to which both members and staff should comply and this is as follows :

"Public duty and private interest:

(i) *Your overriding duty as a councillor is to the whole local community.*

(ii) *You have a special duty to your own constituents, including those who did not vote for you.*

(iii) *Whenever you have a private or personal interest in any question which councillors have to decide, you must not do anything to let that interest influence your decision.*

(iv) *Do nothing as a councillor which you could not justify to the public.*

(v) *The reputation of your council and of your party if you belong to one, depends on your conduct and what the public believes about your conduct.*

(vi) *It is not enough to avoid actual impropriety; you should at all times avoid any occasion for suspicion or the appearance of improper conduct.*

Disclosure of pecuniary and other interests:

(i) *The law makes specific provision requiring you to disclose pecuniary interests, direct and indirect. But interests which are not pecuniary can be just as important. Kinship, friendship, membership of an association, society or trade union, trusteeship and many other kinds of relationship can sometimes influence your judgement and give the impression that you may be acting for personal motives. A good test is to ask yourself whether others would think that the interest is of a kind to make this possible. If you think they would, or if you are in doubt, disclose the interest....".*

It is indicated that interests can extend to such matters as contracts or proposed contracts, applications of all kinds before the Council, proposals for Council activities, making amending altering or bearing environmental planning instruments, traffic management schemes, Council works and services (including the Works Programme), and the supply of goods and services to the Council.

In the area of Pecuniary Interest a number of important points are made including that the reason for the Pecuniary Interest provisions are to facilitate decision making; ensure that members act, and are seen to act, in the best interests of their communities; protect the reputation of and maintain public confidence in Local Government, and protect members against malicious rumour or gossip. Further that the onus of declaring a pecuniary interest is entirely on the individual members and staff to make such decisions. But given the complexities involved and the fact that the onus is on the members and staff to determine whether an interest exists, that

when in doubt it is advisable that persons seek advice from their own Solicitors. If doubt then still exists it is better to err on the side of caution.

In the area of Personal Benefit, the Manual seeks to clarify the conflict over scale and size of gifts and/or benefits that may be offered. The objective is to ensure that gifts are not accepted where this could conflict or where there would be reasonable grounds to believe that people were under an obligation in its acceptance. In doing so it indicates that token gifts and moderate acts of hospitality that are acceptable include those traditionally left by residents for garbage and nightsoil collectors at Christmas, those left at the Health, Building, Engineering and Town Planning counters at Christmas and where they are evenly distributed amongst the staff and on occasion of free or subsidised meals that are provided infrequently by representatives of other levels of Government. The things that could influence the decision include the scale, lavishness and expense, the frequency of occasions and the degree of openness surrounding the occasion or gift. This then clearly distinguishes the situation from one of bribery.

Objectives are provided for management responsibilities and indicating the various Acts with which members and staff are required to comply and include such matters as the Anti-Discrimination Act, Environmental Planning & Assessment Act, the Independent Commission Against Corruption Act, the Local Government Act, the Occupational Health & Safety Act, the Ombudsman Act, the Public Roads Act, the Public Works Act and the Public Health Act.

Terms of employment - specific mention is made of employment on the basis of merit in terms of equity and impartiality. The Council a few years ago established the position of Personnel Manager and since then well established and accepted guidelines have been created for personnel practices that more than comply with the objectives and guidelines that were established in the Manual.

There are detailed guidelines for the claiming and payment of expenses and allowances.

The position of information and access thereto is a matter that arises regularly. This Council has a particularly open policy in relation to meetings and records. There are, however, documents that are of a confidential nature and where there is a requirement that members and staff do not abuse their privileged position or put themselves in a position which is inconsistent with their obligation to act impartially. This can create in the eyes of the public, conflict regarding what information is publicly available.

The Council's policies in the Freedom of Information Act establish clear guidelines. The following two sections are repeated in full from the Manual in regard to the security of information and access to information.

"*Security of Information*

Members and staff (in particular Clerks who are the custodians of all council records) should take care to maintain the integrity and security of confidential council documents or information in their possession, or for which they are responsible."

"*Access to Information*

Members may inspect, at any time during business hours, the minutes, business papers, and any other documents, files etc., which are open for inspection by the public, and are also entitled to inspect any documents, files, reports, etc., laid on the table during council meetings. Members can also request the Clerk (who is the custodian of all council records) or the Mayor/President/Chairman to grant them access to any documents, files, reports etc., which may not be open for inspection by the public or may not have been laid on the table. Councils can resolve to allow members access to categories of, or specific documents, files, reports, etc.

Members must be given access to the documents, files, reports, etc., necessary for them to properly perform their functions (i.e. the right of inspection arising from status and duties of office) and to comply with their responsibilities as members. This does not, however, give members a right of access to information beyond that necessary for the performance of their duties."

It is to be noted that there also guidelines for which Councils should communicate and promote access to information about their management decision making and output (service provision, policy development, forward planning etc.) to members of the public, the media and appropriate Government Departments or agencies. It is indicated that Councils have a responsibility to inform and consult electors and residents and to facilitate and promote participation in Council decision making and activities. This Council has been very open in its dealings and to further this process there was the appointment of the Communications Officer at the start of the year. A programme of communication is currently being developed and this will be reported to the Council shortly.

There has been some public criticism of the Code of Conduct in its extent and where it is seen as disadvantaging elected members and staff of Local Government possibly infringing on their rights and where it does not apply to other levels of Government.

IT IS RECOMMENDED THAT Council advise the Minister for Local Government and the Minister for Planning that it endorses the Draft Manual to the Code of Conduct.

ENGINEERING

1. ROADS AND TRAFFIC AUTHORITY - 1990/91 ROAD SAFETY AND TRAFFIC FLOW PROGRAMME - REGIONAL LOCAL NETWORK. T225

Correspondence has been received from the Roads and Traffic Authority advising that the following site is being considered for inclusion in the Programme:-

Location	Treatment	RTA Contribution	Council Contribution
Broos/Oakville/ Smiths/Stahls	Roundabout	$25,000	$29,000

and requesting submission of plans and project proposal which includes a commitment from Council to contribute to the project. All information is required by 4th May, 1990.

Many representations have been received by Council for improvement to this intersection. In supporting the inclusion of the scheme in the programme, it will be necessary to make a commitment to providing the funds at this time.

IT IS RECOMMENDED THAT Council undertake the Project Proposal for a roundabout at the Broos/Oakville/Smiths/Stahls Road intersection with the Council contribution of $29,000 (twenty nine thousand) to be provided in the 1991 Estimates.

2. SEWERAGE MAIN CONSTRUCTION - MULGRAVE AND BLIGH PARK. S200/22/1, S200/6/1

Tenders were called for by Wednesday 21st March, 1990, for the construction of Sewerage Works at McGraths Hill and Bligh Park.

The scope of these works included:-

Schedule 'A' - Supply and Installation of Sewer Reticulation Main, Mulgrave Industrial Area Stage I.

Schedule 'B' - Installation of 225mm UPVC Rising Main Mulgrave Industrial Area.

Schedule 'C' - Installation of 200mm UPVC Rising Main Bligh Park.

Twelve tenders were received by the appointed time, with a further one tender being received on 22nd March, 1990, and details are as follows:-

	Contractor's Name	Amount
1.	C.L.M. Excavations Pty Ltd	$321,307.00
2.	Daly Land Excavations	$372,012.00
3.	Chenwood Pty Ltd	$430,710.00
4.	M. & L. Excavations Pty Ltd	$448,680.00
5.	Billbergia Pty Ltd	$449,543.00
6.	New England Excavations Pty Ltd	$468,180.00
7.	Esenmette Pty Ltd	$504,800.50
8.	A.T.B. Morton	$506,135.00
9.	P.B.S. Holdings Pty Ltd	$545,549.00
10.	Conwal Excavating Co Pty Ltd	$587,567.50
11.	Bringelly Plumbing Pty Ltd	$653,396.19
12.	D. & M. Hughes Civil Engineering Pty Ltd	$711,325.00
Late Tender		
13.	G. & J. Homes Pty Ltd	$463,308.00

The tender of G. & J. Homes was submitted late and therefore, is invalid, in addition to being clearly uncompetitive.

The remaining twelve tenders were generally in accordance with the requirements of the Tender Documents, with only minor omissions and departures from the Specification.

The tenders submitted by contractors 2-12 above, offered no financial or technical advantage over that of C.L.M. Excavations Pty Ltd, with the nearest tender submitted by Daly Land Excavations being 15% higher in price upon comparison.

C.L.M. Excavations have previously undertaken works in Windsor, South Windsor and Bligh Park, with construction being to a satisfactory standard, and are presently involved in construction works extending water and sewerage to the Kemsley Downs Estate at North Richmond, and are under contract to extend the water, sewerage and electricity supply to the Windsor Downs Estate at South Windsor.

IT IS RECOMMENDED THAT the tender submitted by C.L.M. Excavations Pty Ltd in the sum of $321,307.00 (three hundred and twenty one thousand three hundred and seven dollars) be accepted, with the tender documents being executed under the Seal of Council.

3. UPPER HAWKESBURY POWER BOAT CLUB - GOVERNOR PHILLIP RESERVE - EXCLUSIVE USE. 625-205

Correspondence has been received from the Upper Hawkesbury Power Boat Club requesting exclusive use of Governor Phillip Reserve on Sunday 6th May, 1990, (alternative Sunday 20th May, 1990) to conduct its annual Bridge to Bridge Power Boat Classic.

The event is an annual one and has been supported by Council in past years.

IT IS RECOMMENDED THAT approval be granted to the application by the Upper Hawkesbury Power Boat Club for exclusive use of Governor Phillip Reserve on Sunday 6th May, 1990, (alternative - 20th May, 1990), to conduct its annual Bridge to Bridge Power Boat Classic, subject to the Club paying to Council an amount equal to 10% (ten percent) of gross gate takings for that event.

4. DRAG BOAT RACERS OF AUSTRALIA - GOVERNOR PHILLIP RESERVE EXCLUSIVE USE. 625-205

Correspondence has been received from the Drag Boat Racers of Australia requesting permission for exclusive use of Governor Phillip Reserve on Saturday 21st April, 1990, for time trials, and Sunday 22nd April, 1990, for National Race Meeting. Also requesting permission to charge admission fees of $6.00 per adult and $3.00 per child over 12 years of age.

Council policy in relation to use of the Reserve provides:-

a) that the Boat Ramp be open to the public at least one day each weekend; and

b) the Boat Ramp not be closed to the public on consecutive weekends.

The application does not comply with Item (a), however, does comply with Item (b).

IT IS RECOMMENDED THAT approval be granted to the Drag Boat Racers of Australia for exclusive use of Governor Phillip Reserve on Sunday 22nd April, 1990, subject to that Club paying to Council, 10% (ten percent) of gross gate takings on that date.

That further approval be given for the Club to charge admission prices of $6.00 (six dollars) per adult and $3.00 (three dollars) per child over 12 (twelve) years of age.

5. SOUTH WINDSOR TENNIS COURTS - REPLACEMENT OF SYNTHETIC PLAYING SURFACE. C51/20

The South Windsor Tennis Courts comprise a four (4) court synthetic playing surface. The surface was supplied and installed in 1986 by Supergrasse Pty Ltd with a seven (7) year warranty.

The playing surface has deteriorated, resulting in surface fusion of the fibre material, (termed glazing), which affects the quality of play.

On 1st February, 1990, a site meeting was held between representatives of the Tennis Association, Supergrasse Pty Ltd and Council. The glazing problem was evident at various sections of the courts, however, the Company at first, only offered a proportional payment towards the cost of full replacement. As a result of further discussions, Supergrasse Pty Ltd is now prepared, at its cost, to supply and install a new surface over the four courts. However, the cost of reparation works where necessary are to be borne by Council. It is anticipated that this cost would be negligible and would be met from Council's maintenance vote. This offer has now been confirmed in writing and a contracta has been provided for Council's endorsement. It should be noted that the new synthetic tennis turf is covered by a further seven (7) year warranty. It is a condition that the Company display a sign at each court for the life of the surface.

Having regard to the other options available to Supergrasse Pty Ltd, such as high pressure water cleaning only, in lieu of full replacement, it is considered in Council's best interests to accept the offer of full court replacement.

IT IS RECOMMENDED THAT the offer by Supergrasse Pty Ltd to supply and install synthetic tennis turf over the four (4) existing tennis courts in South Windsor at nil cost, be accepted and the necessary documents executed under Seal of Council.

6. ROADS AND TRAFFIC AUTHORITY - THE TERRACE, WINDSOR, 665-265, 665-731

Correspondence has been received from the Roads and Traffic Authority advising that with the construction of the roundabout at the Bridge Street/George Street intersection, the Authority is anxious for the closure of The Terrace at Bridge Street to be implemented in conjunction with the commissioning of the roundabout.

The Authority requests Council to proceed with the necessary legal procedures to affect the closure as a matter of urgency.

It is also proposed, subject to Council's agreement, to provide a temporary closure until Council is able to carry out the final works.

The Authority also advises that the other works associated with the re-opening of The Terrace at Hollands Paddock, while an integral part of the town centre traffic management, can be treated separately.

It is also requested that the final proposals for LATM devices and other measures be submitted to the Local Traffic Committee for comment prior to submission to a meeting of the full Council.

It is considered that Council should not agree to the temporary closure of The Terrace, particularly in view of the number of divergent views on this subject.

Subject to acceptance by Council of the plans and cost estimate by Council, advertising of the opening of The Terrace at New Street and the closure at Bridge Street may now proceed in accordance with the resolution of Council at the Ordinary Meeting of 13th February, 1990.

IT IS RECOMMENDED THAT the Roads and Traffic Authority be advised:-

1. That Council does not support a temporary closure of The Terrace at Bridge Street.

2. That Council is proceeding with the advertising of the opening of The Terrace at New Street and closure of The Terrace at Bridge Street in accordance with the statutory requirements and procedures for effecting road closures.

PLANNING

Ron 12-4-90

1. DRAFT LOCAL ENVIRONMENTAL PLAN NO.13/89 - LOCATION: FORMER DEPARTMENT OF EDUCATION TAFE SITE KNOWN AS LOT 1, DP 554654, CORNER MILEHAM AND DRUMMOND STREETS, SOUTH WINDSOR. LEP13/89.

This matter was reported to Council at its meeting dated the 12th December, 1989, at which time, Council resolved to prepare a draft local environmental plan to rezone the land to Light Industrial 4(b). Council further resolved that the Department of Planning be advised that an environmental study prior to exhibition of the plan is not considered to be necessary.

The draft plan was placed on exhibition with one submission being made. The submission raised no objection to the plan conditional upon normal planning restrictions being placed on subsequent light industrial developments or uses.

IT IS RECOMMENDED THAT Council adopt the draft local environmental plan, as exhibited (subject to minor legal drafting variation), and that the matter be referred to the Department of Planning for gazettal by the Minister for Planning.

Ahlen. 17-4-90 Cl Reads

2. LISTINGS IN THE REGISTER OF THE NATIONAL ESTATE. H105-12

Correspondence has been received from the Australian Heritage Commission in respect of a public announcement which will be made on May 15th, 1990, concerning the entry of places in the Register of the National Estate.

The Register of the National Estate is the national inventory of places 'that have aesthetic, historic or social significance or other special value for future generations as well as for the present community'. It is a list of the nation's heritage resources which can be particularly useful to planners and decision-makers by assisting them to take into account national estate matters when projects are planned.

Private, Local or State Government owners of properties or places in the Register of the National Estate are not subject to any legal constraints or limitation on the use of those properties arising solely from their being placed in the Register. Listing in the Register does not give public right of entry to a place.

The major notices to be published include:

1. Places which have been entered in the Register after completion of the evaluation, interim listing and objecting process, and

PARKS AND GARDENS

Richmond Ex-Servicemen's Sporting Complex.

Regrading of the surface is complete, with grass establishment to be obtained by natural re-establishment and seeding.

Cleaning of the ornamental pond, McQuade Park.

Conversion of sports fields from summer to winter sports.

BUILDINGS

Amenities Building - Wetherill Crescent, Bligh Park.

Brickwork is now complete.

SEWERAGE

Rainfall was registered over 14 days during the month with 91mm recorded at South Windsor.

McGraths Hill Wastewater Plant.

Average Daily Flow - March 2,373kl/day

Installation of seals on one of the large trickling filters.

South Windsor Wastewater Plant.

Average Daily Flow - March 2,173kl/day

Plant was subject to a high rate of infiltration with loss of bacteria as a result of the high flow.

Clearing of two chokes at pump stations, seven mainline blockages, which included involvement over two days in clearing a blockage in the line through Hollands Paddock Car Park.

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

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

Applicant/Land	Type of Development	Received	Approved
McKinlay Morgan and Associates Lot 4 DP 255429 Irwins Road East Kurrajong	2 Torrens Title Allotments S90/21	24.01.90	28.02.90
J Bowden & Co Lots A & B Resub Portion 387 Parish of Wilberforce Cnr Creek Ridge Road and Lamrock Avenue Freemans Reach	2 lot Subdivision S89/76	26.05.89	28.02.90
Personal Design Projects Lot 130 DP 214754 Golden Valley Drive Glossodia	Dual Occupancy DA 17/90	22.01.90	28.02.90
W & P Greenhalgh Lot 18 DP 234766 Bells Road Grose Vale	Subdivision 2 Torrens Title allotments S90/16	23.01.90	07.03.90
CA, DA, TJ & MP Hanckel Lot 34 DP 800054 Albert Street McGraths Hill	Dual Occupancy DA 31/90	02.02.90	07.03.90
Glassrite Division Lot 43 DP 245489 27 Walker Street South Windsor	Fibreglass Operation DA 435/89	14.12.89	07.03.90
Kurmond Kitchens P/L Lot 1, DP 513695 Bells Line of Road Kurmond	Change of Use & Internal Renovations DA 413/89	24.11.89	07.03.90

D McMullen Lot 14 DP 38605 St Albans Road Wisemans Ferry	Retaining Wall DA 21/90	30.01.90	07.03.90
M Freeburn Lots 21 and 22 DP 575351 Yarramundi Lane Agnes Banks	Boundary Adjustment S90/28	29.01.90	07.03.90
R J Buchan Lot 617 DP 775033 23 Fullerton Cres Bligh Park	Dual Occupancy DA 32/90	02.02.90	08.03.90
Endeavour Homes P/L Lot 610 DP 775033 10 Fullerton Cres Bligh Park	Dual Occupancy DA 37/90	05.02.90	09.03.90
Endeavour Homes P/L Lot 970 DP 788674 12 Thomas Place Bligh Park	Dual Occupancy DA 38/90	05.02.90	12.03.90
Teerman Newton P/L Portion 383 Parish Wilberforce Wilberforce Creek Ridge Road Wilberforce	2 Lot Subdivision S90/33	02.02.90	12.03.90
North Western Surveys Lot 5 DP 246157 Titas Road East Kurrajong	2 Lot Subdivision S90/48	13.02.90	12.03.90
J & S Suhr Lot 14 DP 751664 Mountain Lagoon Rd Mountain Lagoon	2 Lot Subdivision S90/7	16.01.90	12.03.90
C & G O'Keefe Lot 9 Section V George Street South Windsor	5 Lot Strata Subdivision S90/27	29.01.90	13.03.90

McKinlay Morgan & Associates Lot 5 DP 253291 Bells Road Grose Vale	2 Lot Subdivision S90/10	17.01.90	13.03.90
Ceccato McGrane Architects Lot 1 DP 737483 Windsor Road McGraths Hill	Alteration & Additions DA 47/90	13.02.90	14.03.90
Glenroy Holdings P/L Lots 5 and 6 DP 240411 Cedar Ridge Road Kurrajong	Boundary Adjustment S90/2	04.01.90	14.03.90
McKinlay Morgan and Associates Part Lot 215 DP 751649 Cabbage Tree Road Grose Vale	3 Lot Subdivision S90/47	13.02.90	14.03.90
Huxley Homes Lot 813 DP 778220 Neptune Crescent Bligh Park	Dual Occupancy DA 58/90	19.02.90	14.03.90
Huxley Homes Lot 813 DP 778220 Neptune Crescent Bligh Park	2 Lot Strata Subdivision S90/50	19.02.90	14.03.90
R K Cambridge & Co Lots 1 and 2 DP 597050 Richmond Road Windsor	2 Lot Subdivision S89/180	20.11.89	23.03.90
Lachlan Developments Lot 209 DP 263472 18 Loder Crescent Windsor	Duplex DA 53/90	18.12.89	06.04.90

R J Roche Portion 294 Parish Wilberforce Stannix Park Road Ebenezer	Dual Occupancy DA 63/90	23.02.90	06.04.90

18. REPORTS REQUESTED BY COUNCIL - STATUS - AS AT 10TH APRIL, 1990. C50-1

File Rep Date	Referred To	Subject	Comment
12 Jul 88	Strategy Plan MTP	Wisemans Ferry area	Awaiting sub-committee recommendation
12 Jul 88	Park & Street Bins MO	Investigation into installation of Sulo bins to replace existing bins	Report April GPC
11 Oct 88	Boundaries TC/GM	Possible changes	Report when investigations completed
13 Jun 89	Transfer of Lands TC/GM	Financial aspects of proposed transfer of lands - Dunsford Investments Pty Ltd	Report when definite plan is prepared
13 June 89	Development Control Plan MTP	Area generally bounded by March & Lennox Streets, Richmond	Under investigation
13 Jun 89	Development Control Plan MTP	Future residential development of land bounded by George, Macquarie, Ham, Mileham and Woods Streets, South Windsor	Under investigation
12 Sep 89	Tree Planting Programme MES	Planned areas, storage and maintenance	Report May GPC
12 Sep 89	Sporting Facilities MES	Existing Council sporting facilities and amenities and possible expansion to	Report June GPC

File Rep Date	Subject Referred To		Comment
		cover full use	
14 Nov 89	Proposed Sewerage Treatment Plant Rouse Hill MES	Report on Development	Report May GPC
13 Feb 90	Wheeny Creek Bridge MES	Access during wet weather Bridge Priorities, raising of crossing, effect of lowering of Wheeny Creek	Report May GPC
13 Mar 90	Drainage MTP	Teviot Street, Richmond	Report May GPC
13 Mar 90	Drainage MES	Area of South Richmond surrounding College Street	Report May GPC
13 Mar 90	Lot 5 Windsor Road Vineyard MTP	Potential for subdivision of subject and surrounding land	Report May GPC
13 Mar 90	Angle Parking MES	Footpath area The Terrace, Kable Street Parking area to Fitzgerald Street	Report June GPC
13 Mar 90	Clause AS2021 MTP	Clarification of use	Report when information received from Department of Planning

File Rep Date	Subject Referred To		Comment
13 Mar 90	Box culvert Old Stock Route Road MES	Feasibility of replacing roadway pipes across Chain of Ponds with a culvert	Report July GPC

IT IS RECOMMENDED THAT the reports in this section be received.

REPORTS FOR INFORMATION

SECTION 5

1. ACQUISITION OF LAND FOR WASTEWATER TREATMENT PLANT - BLIGH PARK. P160-46a, S200-16

Council has developed a sewerage treatment plant on land that forms part of the Bligh Park Estate, with this being appropriated from the Crown. In 1985 a valuation was obtained from a Consultant Valuer based on the zoning of Special Uses surrounded by passive recreation area. The valuation was $90,000. Since that time, the procedures to resume and acquire the land have taken place and last year the Department of Lands advised that the Valuer General had placed a valuation of $880,000 based on its residential potential. Since that time there has been correspondence between the Council and the Department, including a request to review the valuation based on the principle that the land only ever had the possibility of special uses and not residential, because without the sewerage treatment plant the Bligh Park Estate could not develop.

The Department has advised that the Valuer General has reassessed the matter and concluded that their original valuation was correct. It was based on the original valuation that the sewerage headworks charges were determined for the locality. Accordingly, now the matter has been taken up with the Department of Housing with the request that they - including the Minister if necessary - review the position.

2. COMMUNITY SERVICES REPORT - MARCH, 1990. C45.

A. CO-ORDINATOR'S REPORT

Family Day Care

The tenth anniversary of the Hawkesbury Scheme was held at Australiana Village on Sunday 1st April, 1990. The Mayor presented Certificates of Appreciation to registered Carers to honour the occasion.

Area Assistance Scheme

It is expected that the Minister for Planning will soon announce that the Area Assistance Scheme will call for applications under the 1990 programme.

The categories under which applications for funding are eligible are as follows:

Youth Facilities and Services
Childrens Facilities and Services
Recreation
Cultural Facilities and Activities
Community Development
Community Health

Once the Scheme has been announced by the Minister, organisations may obtain application forms from Council and lodge applications directly with Council. Applications are for either purchase of equipment, building additions or alterations, or for the employment of specialist workers. If the application is for the employment of staff, the maximum funding period of two years applies. Following this period, funding would need to be picked up by the government department for which applications would need to be made, prior to the expiration of Area Assistance Scheme funding.

A necessary part of determining which projects are to be funded, is a local consultation. The Hawkesbury consultation will be held on Thursday April 19th at 7.30pm in the Bligh Room of the Windsor Function Centre.

B. COMMUNITY ARTS OFFICER'S REPORT

Macquarie Towns Festival (13th - 21st October, 1990)

A meeting of this Committee was held on 28th March, 1990. Guests were Mr B Hardiman, Tourism Manager and two representatives of Hawkesbury Rotaract. Events have been added to the Festival programme and advance promotion is being planned.

Macquarie Towns Acquisitive Art Exhibition (20th - 26th July, 1990)

Mr Ted Binder, Head, National Art School, will be judge. Entry forms are being printed, and distribution will begin shortly.

Focus on Ageing Week (6th - 13th May, 1990)

Highlight will be the free concert and afternoon tea on Wednesday 9th May, 1990, commencing at 1.30pm at Windsor Function Centre. "Sentimental Productions", a group of professional performers with shows especially for senior citizens, have been booked. A grant of $850.00 performing fees has been approved by the Premier's Department but not yet received. Letters seeking donations have been sent, as have letters to activities organisers of retirement villages, rehabilitation and day care centres, and nursing homes. Dave de Hugard, collector and performer of traditional Australian music, will visit some centres and the visits will be co-ordinated with the Women's Cottage "Older Women's Writing Project". On Sunday 13th May, 1990 (Mothers Day), "Dancephrame" ballet school Castlereagh, and Nepean Police Youth Orchestra will present a special senior citizens concert from 2pm - 3.45pm in the Windsor Function Centre.

C. YOUTH/RECREATION OFFICER'S REPORT

Youth Directory

The Youth Services Directory is currently being updated. The aim of the directory is to provide a useful resource for young people in the area - providing information on health, education, recreation activities and more.

The directory should be completed for Youth Week - 27th May to 2nd June.

Youth Week - 27th May, 1990 to 2nd June, 1990

Application is being made to the Ministry of Education and Youth Affairs for a grant of $1,000 towards activities being held in Youth Week. It is proposed to hold an open air concert. The performers will be a mix of school bands and youth bands.

The aim of the concert is to get the young people involved in the performance, not just attending the concert.

Easter Vacation Care Centres

Council will be operating three vacation care centres over the Easter Vacation period - North Richmond, Richmond and South Windsor. The Richmond Centre is already booked to capacity. The other two centres are half full, and they are expected to have the maximum number of children attending.

3. REGULATIONS CHILDREN'S SERVICES. C43

New Regulations and Licensing Guidelines were gazetted to accompany the children (Care and Protection) Act, 1987. Copies have been sent to those children's services sponsored by Council and meetings held with Directors of Child Care Centres. Matters affecting the staffing and operation of centres have been referred to Management Committees. The Department of Family and Community Services is the licensing authority and responsible officers are aiming to ensure all requirements are met within two years.

The Regulations place responsibility on the licensed sponsor regarding the character and qualifications of staff. When draft Regulations were under consideration, the NSW Local Government Association made successful representations to ensure the staff to children ratios, remained at appropriate levels.

There is an increased emphasis on the safety and security of children. The implementation of these matters have been given a priority by Council staff, with fire safety training sessions having been conducted in co-operation with the Fire Control

Officer. Fire control procedures are being finalised and Centres will carry out regular fire drill and evacuation procedures. Where public access to buildings may place children at risk, centres have installed door bells.

The discipline clauses which were originally proposed, were amended to provide a positive approach to the discipline of children. No form of corporal punishment is to be used.

These Regulations now apply to all licensed Child Care Centres - both publicly and privately operated.

4. THEATRE OF THE DEAF. L125

On Wednesday, 21st March, over 90 local primary school children attended a presentation of 'Jumping off the Shelf' performed by Theatre of the Deaf.

All teachers, parents and children spoke highly of the performance. The aim of the show was to promote the 'Year of the Reader 1990', and was supported by both Council and the State Library of NSW.

5. PROPOSED ACQUISITION OF LAND OWNED BY THE WATER BOARD - WINDSOR. M134

Council was advised some time ago of land owned by the Water Board in Windsor that was surplus to the Board's requirements. That land included a site on the Hawkesbury River frontage adjacent to Howe Park used as a water intake point; the Hollands Paddock car park; and land between Fitzgerald and Johnson Streets occupied by a reservoir and water treatment plant.

Last year the Water Board advised that it had been informed by the Property Services Group of the Department of Administrative Services that the site on the river could be sold directly to Council. However, the other two sites should be disposed of by either auction or tender.

The Council made representations in this regard and the Member for Hawkesbury, the Hon. Kevin Rozzoli, has now forwarded a copy of a letter he received from the Minister for the Environment. This indicates that the Board is having the Department of Planning look at rezoning two of the sites and that it will await the outcome of these rezoning applications prior to initiating disposal action.

Correspondence has been forwarded to the Department of Planning requesting advice regarding the proposed rezoning and whether it is intended to consult the Council.

The Member for Hawkesbury has been advised accordingly and it is not seen that any further action is required at this immediate time until the Department of Planning advice is received.

6. BUILDING APPLICATIONS. B25

The following is a summary of Building Applications received during the month of March, 1990. Applications received during March, 1989, shown in brackets.

No.		Type of Building	Estimated Value	
69	(57)	New Dwellings	$5,317,766	($5,209,582)
66	(71)	Additions to Dwellings	653,892	(816,459)
-	(1)	Residential Flat Buildings	-	(450,000)
1	(10)	New Buildings Other Than Residential	700,000	(1,797,200)
8	(4)	Additions to Buildings Other Than Residential	668,203	(33,000)
8	(16)	Swimming Pools	85,570	(252,829)
3	(3)	Additions to Dwelling - Dual Occupancy Unit	146,000	(310,135)
155	(162)		$7,571,431	($8,869,205)

Building Applications received up to the end of March 1990. Approvals for the corresponding period during March 1989, shown in brackets.

No.		Type of Building	Estimated Value	
160	(156)	New Dwellings	$13,361,473	($14,420,820)
162	(208)	Additions to Dwellings	1,747,955	(2,346,413)
3	(3)	Residential Flat Buildings	1,230,000	(910,000)
8	(21)	New Buildings Other Than Residential	2,722,000	(6,422,648)

14	(10)	Additions to Buildings Other Than Residential	1,000,603	(1,733,758)
29	(37)	Swimming Pools	361,901	(538,139)
17	(14)	Additions to Dwellings - Dual Occupancy Unit	1,817,967	(1,129,765)
393	(449)		$22,241,899	($27,501,543)

7. WINDSOR FUNCTION CENTRE - FEBRUARY BOOKINGS. C51/3

As required under Ordinance 26, Clause 9, following are details from the Hall Letting Register for March, 1990.

Date Of Engagement	Purpose		Person or Body Responsible for Engagement
3/3	Wedding	*	Mr Vandennieuwboer
6/3	Music Practice		Macquarie Towns Junior Symphony Orchestra
10/3	Wedding	*	Mr Faulstone
12/3	Civic Reception - Athletes, Commonwealth Games		Hawkesbury City Council
13/3	Music Practice		Macquarie Towns Junior Symphony Orchestra
13/3	Meeting - Windsor Police		Community Consultative Committee
14/3	Disco		Bede Polding School
16/3	Disco	*	St Pauls Grammar School
20/3	Music Practice		Macquarie Towns Junior Symphony Orchestra
21/3	Theatre for the Deaf		Hawkesbury City Council Library
22/3	Immunisation		Hawkesbury City Council
24/3	Wedding	*	Mrs Curtis
26/3	Meeting		San Miguel
27/3	Music Practice		Macquarie Towns Junior Symphony Orchestra
29/3	Seminar	*	Hawkesbury District Health Services
30/3	Blue Light Disco	*	Windsor Police
31/3	21st Party	*	Mrs White

* Paid Functions

8. AUSTRALIANA PIONEER VILLAGE. C51/54

Following are the financial details relating to the operations of the Australiana Pioneer Village for the month of March, 1990.

Income		
Gate Takings	5,360.20	
Other (including rental and filming activities)	416.50	
		5,776.70
Less Costs Providing Income		
Entertainment	5,780.38	
Nett Total Income		(3.68)
Overheads		
Grounds Maintenance	5,316.00	
Attendants Wages	2,981.00	
Animal Feed/Hire	1,250.00	
Service and Admin Costs	1,541.00	
Promotions	3,592.00	
Printing and Stationery	450.00	
Train Maintenance	125.00	
		15,255.00
Nett Loss		15,258.68

Ticket sales included:

Family	122
Adults	341
Children	54
Pensioners	109

Additionally, tours were conducted by 8 pensioner groups, 2 Lady Hawkesbury tours, 8 school visits comprising 368 students and 26 adults and 4 group visits including one from Amber Tiles involving 490 adults and 218 children. The total attendance for the month was a promising 3,390, a substantial increase on the February attendance of 789 and an increase of 1,488 on the attendances for March 1989.

As noted in the previous monthly report, the Village's new Promotions Officer investigated the viability of television exposure through both advertisements and public interest stories on current affairs programmes. In regard to television advertising, the cost of this form of promotion for only a two week period in low peak times would absorb approximately 50% of the year's promotion budget and subsequently cannot be justified. Exposure through public interest stories is an ongoing strategy and will continue to be pursued.

Two executive officers of the NSW Tourism Commission recently visited the Village and were excited as to the uniqueness and potential of the venue and have suggested Council seek financial assistance for the promotion of the Village. A submission is currently being prepared in this regard.

Discussions have taken place with the Panthers Club in regard to tours for overnight guests which involve visits to the Village, Tizzana Winery and a river cruise with Windsor River Cruises. A positive working relationship has been forged with Mr Brian Hardiman, Manager of Tourism Hawkesbury, who has attended a recent meeting of the Village Management Committee, and advertising space on the back cover of the updated Hawkesbury Visitors' Guide has also been allocated to the Village.

Sponsorship of the Windsor Wolves Rugby League Football Club has been negotiated with one of the Club's teams having the words "Australiana Pioneer Village" displayed on their guernsey and being known as the APV team. Planning has also commenced for twentieth birthday celebrations scheduled for November.

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

In accordance with the provision of Clause 45A, Ordinance 26, I hereby certify that the state of accounts work as at 31st March, 1990, is as follows:-

	1989	1990
Total Collectables as at 31st March	13102016	15142929
Actual Collection as at 31st March	4558905	5098626
Balance Outstanding	8543111	10044303
Percentage Collected	34.80	33.67

The levy date for the 1990 rate issue was 25th January, 1990, and 10148 ratepayers have nominated to make payment by instalments, an increase of 9.5% over 1989. Although the percentage collected is lower than the same period in 1989, this is attributable to the issue of a supplementary levy on 26th March, 1990, for the amount of $406,906.40 which was predominantly rates for previous years.

The arrears of rates and charges as at 31st December, 1989, was $958,216.46 excluding rates levied in 1990 for 1989. This balance has been reduced to $583,960.45 as at 31st March, 1990. Included in this amount is $256,069.16 which is the amount outstanding from ratepayers who have nominated to make payment by instalments from the December 1989 supplementary levy. This is a very good result which has been achieved by constant personal contact and the enforcement of legal action where necessary.

A total of 131 summonses have been issued and a further 228 arrangements have been entered into for payment of overdue rates and charges.

2. General Ledger

The trial balance of the General Ledger has been completed to 31st March, 1990.

3. Cash Book Reconciliation

The bank reconciliation of all funds is completed to 31st March, 1990, and has been reconciled to the general ledger.

4. Creditors' Accounts

The majority of creditors' accounts have been paid to 28th February, 1990, with extensions and computations of invoices to 31st March, 1990, being currently prepared for payment.

5. Annual Audit

As previously reported, the Annual Statements of Accounts have been completed and are ready for audit by Council's external auditor, L G MacDonald and Company. Mr MacDonald has advised that his audit of Council's 1989 Annual Statements will commence on 23rd Arpil, following the rescheduling of audits, due to his recent illness.

10. TREE PRESERVATION ORDER APPLICATIONS. P160/30

The following determinations have been made under application of Tree Preservation Orders.

Applicant	Reason/Request	Determination
Mr J Crosdale Lot 235 Mitchell Drive Glossodia	Remove several trees for driveway const. 8.2.90 - 8.3.90	Approved
Mrs L Claydon Lot 4 Grose Vale Road Kurrajong	Remove Privet and Lantana - fire reduction 7.2.90 - 2.3.90	Approved subject to conditions
Mr P Fisher Lot 11 Mahons Creek Road Yarramundi	Remove several Gum trees and miscellaneous scrub to improve pasture 7.2.90 - 13.3.90	Approved subject to conditions
Mr D Wilson 22 Wetherill Crescent Bligh Park	Remove 1 tree - borer infested 9.2.90 - 6.3.90	Approved
Mr F & Mrs L Blume Lot 909 Harradine Cres Bligh Park	Remove 1 Gum tree - too close to dwelling 12.2.90 - 21.2.90	Approved
Mr M Brown 31 Bell Street Windsor	Remove 1 Silky Oak - danger to power lines 13.2.90 - 2.3.90	Approved
Mr E Watson 4 Church Road Wilberforce	Remove 1 Silky Oak - danger to house and pool 13.2.90 - 8.3.90	Not approved - no apparent damage or danger
Mrs L Laing 261 Macquarie Street South Windsor	Lop 1 Gum and 1 Pine tree - safety to power lines 15.2.90 - 8.3.90	Approved

Mr A Dillon Vincent Road Kurrajong	Remove 1 tree making access difficult 15.2.90 - 2.3.90	Not approved - access reasonable tree provides visual amenity to area
Mr & Mrs B Lewis 13 Old Stock Route Road Oakville	Remove 3 dead Gum trees 16.2.90 - 8.3.90	Approved
Mr P Atkins 84 Londonderry Road Richmond	Remove 1 tree too close to house and power lines 16.2.90 - 2.3.90	Approved to lop only
Mr & Mrs G Higgins Tizzana Road Ebenezer	Lop 1 Gum tree - danger to garage 14.2.90 - 8.3.90	Approved
Ms V Hanlon 10 Andrew Town Place Richmond	Remove 2 Gum trees damaging concrete driveway 19.2.90 - 12.3.90	Approved
Mr D N Chapman Por 2 Old Bells Line Road Kurrajong	Remove 2 Gum trees for dwelling const. 12.2.90 - 5.3.90	Approved
Mr J Bateson Lot 541 Reserve Road Freemans Reach	Remove 1 Gum tree - close to dwelling, lop 1 Iron bark and remove 1 dead tree 21.2.90 - 13.3.90	Approved
Mr P Vandenberg Lot 1034 Steele Place Bligh Park	Remove several dying trees for dwelling const. 21.2.90 - 13.3.90	Approved subject to building approval
Mr T Kaparic Lot 1100 Fleet Place Bligh Park	Remove 1 Gum tree - danger to house 22.2.90 - 13.3.90	Approved subject to two replacement trees

Hawkesbury City Council Council Chambers Windsor	Remove 2 Pine trees obstructing access ramp - trees will be replaced 28.2.90 - 22.3.90	Approved subject to conditions
Mr R Gray Lot 8 Stahls Road Oakville	Remove 4 trees for dam construction 28.2.90 - 22.3.90	Approved
Mr M Harvey Lot 1 Old Bells Line Road Kurrajong	Remove 3 Gum trees - for dwelling const. 27.2.90 - 13.3.90	Approved subject to building approval
Mr A Shute Lot 931 Albert Place Bligh Park	Remove two trees obstructing access to garage 27.2.90 - 13.3.90	Approved subject to conditions
Est. Late A. Knott 30 West Market Street Richmond	Remove several trees - overgrown roots and for sun to yard 26.2.90 - 22.3.90	Approved
Mr G Ridge 3 Lelia Avenue Freemans Reach	Remove 1 large Gum tree Danger to house and power lines 1.3.90 - 22.3.90	Approved to lop only
Hawkesbury Retirement Vill. Chapel Street Richmond	Remove large Pine tree damaging guttering, roof tiles and causing damp 5.3.90 - 22.3.90	Approved subject to replacement trees being planted
Mr D & Mrs C Mead 16 Mokari Street North Richmond	Remove 1 Eucalyptus tree for additions to dwelling 5.3.90 - 29.3.90	Approved subject to building works proceeding
Blaxlands Ridge Comm. Ctre Blaxlands Ridge Road Kurrajong	Remove 4 Eucalyptus trees - construction of tennis court 6.3.90 - 22.3.90	Approved

Bennetts Real Estate 538 Grose Vale Road Kurrajong	Remove 1 large Mulberry tree - restricting sunlight to house 7.3.90 - 22.3.90	Approved to lop only
Department of Housing No.57 Enfield Avenue North Richmond	Lop 1/3 of Eucalypt tree - too close to garage 7.3.90 - 22.3.90	Approved
Hawkesbury City Council Greens Road Lower Portland	Remove 2 large Eucalyptus trees for road safety 8.3.90 - 22.3.90	Approved
Mr R Howard 9 Books Close McGraths Hill	Remove 1 tall Pine tree too close to house 8.3.90 - 22.3.90	Approved subject to 2 replacement trees being planted
Mr R Smith 60-62 Lt. Bowen Road Bowen Mountain	Remove 4 Gum trees and 1 Turpentine tree for extension to dwelling 14.3.90 - 28.3.90	Approved

11. MCGRATHS HILL IRRIGATION PROJECT. S200/8

Silviculture Project

Approximately 5000 trees, one half being Red River Gums and the other being Swamp Mahogany were planted under the programme in February, 1989.

The trees planted were tube stock ranging in height to 600mm and have grown in varying degrees with some Red River Gums reaching 2.4m in height. The trees have established well, with significant growth rates and further rapid growth anticipated over the next twelve months.

The network of contour drains appears to be working satisfactorily, however, require a high level of maintenance to maintain an even dispersion of flow.

There has been only a small loss of trees, however, this mainly relates to teething problems with commissioning of Stage III of the irrigation project during the dry period prior to Xmas.

A programme of soil testing is proposed, to monitor nutrient levels of the soils and this will extend to cover the overhead sprinkler irrigation programme.

Overhead Sprinkler Irrigation Programme

Approximately 20 hectares are now under irrigation in this programme with 18 banks of sprinklers operating from 2 x 22 kw pumps, each delivering approximately 83kl/hour.

The area is being grazed reasonably heavy, by up to 100 head of cattle and considering pasture regeneration on the lowlands, is less than 50% complete, the project is progressing well.

Water Usage

Water usage is varying significantly between winter and summer, with the dry months prior to Xmas consuming in excess of 2000kl/day, and with Stage III irrigation now complete, it is anticipated that figure of about half the above will be achieved during winter.

During periods of flooding, which has occurred twice in the past twelve months and heavy rain, the system has not been operational.

12. LIVESTOCK SALEYARDS, MULGRAVE ROAD, MCGRATHS HILL, DA 46/90

A petition containing 736 signatures has been received stating the following:

> "We the undersigned citizens of Hawkesbury Shire do hereby object to the proposed development of the existing saleyards at McGraths Hill. Our reasons are as follows:-
>
> - Movement of heavy vehicles endangering school children. Already school children are endangered by blind corners on Mulgrave Road. Therefore more vehicles mean more road risk.
>
> - Dust covering surrounding districts (including school/residential areas).
>
> - Noise from vehicles and animals.
>
> - Smell from animals.
>
> - Already the school children suffer from noise/smells from traffic, aircraft and sewerage treatment works."

13. REPORTS - INDEPENDENT COMMISSION AGAINST CORRUPTION, L128

The Commission has forwarded copies of three reports being :

- Report on Investigation Relating to the Raid on Frank Hakim's Office
- Report on Investigation into the Silverwater Filling Operation
- Report on Investigation Relating to the Park Plaza Site

The Commission has indicated that it is intended to quite widely distribute the reports as part of the Commission's education function. The reports are forwarded to all members of Parliament, all State Departments and Authorities, all Councils and Municipal and secondary School Libraries and all Courts. The reports will be available in the Library for any members.

14. PROPOSED URBAN DEVELOPMENT AT SCHEYVILLE, P160/47, L12/89

Since the Council's resolution to prepare a draft local environmental plan to enable the development of part of the area at Scheyville for urban purposes, a number of actions have been taken. All appropriate authorities have been advised of Council's resolution and their comments sought.

The certainty of the proposal is dependent upon the outcome of an Environmental Impact Statement, currently being prepared by various specialist consultants. Details concerning submissions received and consultants engaged are listed hereunder:-

	Submissions Received	Price	Timing	Consultant Engaged
Water Quality	Kinhill	$8750	8 wks	Kinhill
	GHD	$18000	12 wks	
Archaeology	Lora Jane Smith	$5540	April	
	Mary Dallas	$11260	May	Mary Dallas
	Gordon McKay	$12500	May	
	Jo MacDonald - Declined to quote			
	Helen Brayshaw - Declined to quote			
	M. Keotigg - Declined to quote			

Flora/Fauna	Kinhill	$14280	May	Kinhill
	D. Stevens	$21750	June	
	Roger Lembit - Declined to quote			
Retail Study	Retail Surveys	$9500	May	Retail Surveys
	Bob Hurst	$21500	June	
Social Plan	Robert Johnston	$7800	May	Robert Johnston
	Manidis Roberts	$12800	May	
	Dr. P. Bazeley	$18400	Sept	
	Ove Arup & Ptnrs	$23000	May	
	Heather Nesbitt	$40000	-	
Geotechnical	Prince Geo-technique P/L$1900			Prince Geo-technique P/L
	Turner Clarke Geotechnics	$10500		
Traffic	Stapleton & Hallam	$22000	July	Stapleton & Hallam
Water Supply) Sewerage Options)	) GHD (Engaged by Department of Housing)			

The costs of the studies is being shared on a 50-50 basis with the Depeartment of Housing.

In addition, the Department of Planning has advised the continuation of a Working Party to determine the issue, with this comprising representation from various government agencies with interests in the area and one Council staff member. The major issues involved are of water quality and protection of the natural habitat. These issues are being closely examined in the necessary studies.

ELIZABETH 17-4-90

15. CESAN PTY. LTD. - ERECTION OF SEVEN VILLA HOUSES - 60 WINDSOR STREET, RICHMOND. DA 28/90

Council is referred to the Planning and Development Section of the General Purpose Committee Items 29 and 38.

The applicant has submitted his own interpretation of shadow effect of the proposed building which indicates that the sunlight to courtyard areas complies with Council's Development Control Plan. The calculation by the applicant has been made by utilisation of a different method, however, regardless of the method used there should not be a discrepancy in the resultant outcome. This being the case,

investigations were undertaken with the assistance of Council's Architect, Mr. R. Pont, and it is now confirmed that the proposed development does comply with Council's Development Control Plan insofar as provision of an adequate amount of sunlight to the courtyard areas, so that the information in the report at Item 38 should be ignored.

The Committee's recommendation for the proposal was that further discussions take place with the applicant with a view to the retention of the Plane tree, the overcoming of the overshadow effect and a reduction in the number of units. These discussions have taken place and the proposal has been redesigned so that the Plane tree is to be retained and, as the shadow effect now complies with Council's Control Plan, the applicant wishes the proposal as submitted, except for the alteration of entrance to account for retention of the Plane tree, to be approved.

It is uncertain whether the Committee's recommendation concerning a reduction in the number of units was to enable the shadow effect to be overcome or whether, in any case, there was felt to be an overdevelopment of the site. The applicant feels that now that the shadow effect has been overcome that there is no requirement for a reduction in the number of units and indicates the following:-

> "...It should also be noted that the deletion of one unit will not help increase the availability of sunlight to the units or greatly increase the amenity of the other units. In addition to this, the intended building setback is greater than the minimum requirement in the D.C.P. and is considerably further back and will have less visual impact on the streetscape than the existing brick cottage."

Should the Council feel that there is an overdevelopment of the site, then it would seem that the Development Control Plan should be looked at with a view to altering it so that long narrow blocks are discouraged from development unless the courtyards have more regular dimensions and the units are separated so as to not give the appearance of "gun barrel" development.

In such instances it would seem appropriate to encourage landowners to amalgamate their land in an overall development to enable better design to take place.

16. PUBLIC WORKS. S205/3/A

ROAD RECONSTRUCTION

Fitzgerald Street, Kable Street, Windsor.

Reconstruction by placement of a deep light asphalt base and asphaltic concrete surface course between George Street - Macquarie Street.

Mileham Street, Windsor. Brabyn Street - Forbes Street.

Work has commenced with kerb and gutter in place on the western side, alteration to drainage with excavation underway on the eastern side for kerb and gutter.

Argyle Street, Windsor. George Street to Mileham Street.

Reconstruction is well advanced with the stabilisation of the sub-base with lime and cement. Placement of the base course to provide an effective depth of 400mm and spraying of a bitumen flush seal in readiness for the A.C. surface.

Adjustment to the kerb and gutter with a deep lift asphalt at the Macquarie Street intersection to provide a base for traffic light detectors.

DRAINAGE

Bathurst Street, Pitt Town.

Preliminary works for stormwater pipeline.

Road Reseals

Preparation work Kurmond Road, Scheyville Road. Streets at both Richmond and North Richmond and reseals required under the Regional Roads Programme.

FLOOD MITIGATION MAINTENANCE

Clearing of the channels on Cornwallis/Richmond Lowlands has been completed with stabilisation of the road pavement immediately adjacent to the Buttsworth Creek headworks in progress.

MAINTENANCE

Work during the period included attention to Settlers Road, Main Road 181 west of St. Albans, Upper Colo Road, Mountain Lagoon Road and Comleroy Road.

Enlargement of two drainage inlets The Terrace. Installation of culvert , Portland Head Road. Clearing of drains, Wellesley Street, Pitt Town, O'Dell Place, Oakville and open drain collecting discharge from the Lukis Avenue, Richmond catchment.

Extensive patching of sealed surfaces and attendance to drainage maintenance following rain storms.

OTHER WORKS

Laneway at rear South Windsor Commercial Centre. Preparation of the pavement ready for sealing.

2. Places which the Commission intends to enter in the Register (that is places entered in the Interim List).

Any person may comment or object in writing to places which the Commission intends to enter in the Register (those in the Interim List) within three months of the publication of the public notices.

The Commission will give due consideration to all comments and objections received, bearing in mind that the Register is a list of places based solely on national estate value.

The Commission has a policy of writing to all relevant land owners and accordingly seeks Council's help to identify those persons whose property is partly or wholly within the areas proposed for registration. To this end the Commission has forwarded a printout of all places within the City affected by its proposal and seeks the names and addresses of owners or lessees of those properties in order that persons maybe appropriately advised.

The listed properties in the City of Hawkesbury are:

- "Rutherglen" - 156 March Street, Richmond
- Former Black Horse Hotel - 340 Windsor Street, Richmond
- "Benson House" and Outbuildings - 61 Francis Street, Richmond
- Semi-detached Cottages - 19-21 Bosworth Street, Richmond
- Former Bird in Hand Inn and Former Maid of Australia Inn - 87 Bathurst Street, Pitt Town
- Kamilaroi Gate Posts, Gates and Trees - 93 Windsor Street, Richmond
- Edwardian Group of Houses - 125-135 Windsor Street, Richmond
- Shop 245 Windsor Street, Richmond
- Bandicoot Shelter - Mt Yengo National Park
- Native Vegetation - Hawkesbury Agricultural College

The Commission's request is not considered unreasonable and accordingly should be supported.

IT IS RECOMMENDED THAT:

1. Information in respect of listings in the Register of the National Estate be received.

2. The Australian Heritage Commission be advised of the names and addresses of owners or lessees of properties identified in the Interim List of the Register of the National Estate.

3. MRS. F.J. WRIGHT - 7 CLAREMONT CRESCENT, WINDSOR - POSSESSORY TITLE OF PART OF CLAREMONT LANE, DA 199/89

The Solicitors for Mrs. Wright, Bradfield and Scott have written the following letter:

> "We refer to previous correspondence in this matter and advise that our client has lodged an application with the Registrar General to convert the title to her land from Old System Title to Torrens Title incorporating a possessory
>
> title over that part of the land adjoining her property as is encompassed by her wall and fence.
>
> Our investigations and enquiries indicate to us that the legal title to the lane at the moment vests in the Estate of one William Morrison who owned the adjoining Claremont property between 1928 and 1936.
>
> Notwithstanding this, the Registrar General has written to us in the following terms:
>
> > '... the land claimed by possession may be part of a public road, a letter should be obtained from the Hawkesbury Shire Council stating that it has no interest in the land claimed by possession.'
>
> We should be grateful if you would let us have such a letter at your earliest convenience."

Whilst that part of the lane which encompasses the wall, fence and portion of garden maintained by Mrs. Wright is not required for the Tuncoda town house proposal, it is considered that Council should indicate that it is of the opinion that it is part of a public road. Council, therefore, does have interest in the land and it is believed that such interest should not be disposed of. At this stage, however, no objection to Mrs. Wright's continued use can be seen.

IT IS RECOMMENDED THAT Bradfield & Scott, Solicitors, be advised that Council believes the land claimed by Mrs. F.J. Wright by possession is part of a public road, that Council does therefore have an interest in the land and raises an objection to the claim by Mrs. Wright to title thereof. It is further recommended that the Solicitors be advised that Council, however, raises no objection to Mrs. Wright's continued use of the land at this time.

Adjourned to NEXT Gpc. 24-4-90

4 town 12-4-90.

4. SALE OF HAWKESBURY LOCAL ENVIRONMENTAL PLAN 1989 MAPS AND DOCUMENT. P160

With its fees and charges for 1990 Council set a fee of $45 for the purchase of a set of maps. However, there have been additional costs incurred for the final printing of the maps and also a requirement to have a hand notation on each map in relation to the "deferred matters", as required by the Department of Planning, which has resulted in increased costs of their production.

It is considered that the map sales should be brought more in line with the real costs of preparation and generally in line with similar map prices from the Central Mapping Authority. It is suggested that the set of 8 maps should be priced at $60, with a single map sheet $10 and the written document $10.

IT IS RECOMMENDED THAT Council adopt the following charge for sale of its Local Environmental Plan, 1989:- map sets - $60 (sixty), single sheets - $10 (ten), and the written document - $10 (ten).

To file 17-4

5. COMMERCIAL USE OF HERITAGE ITEM - ART AND ANTIQUES DISPLAY AND SALE, AND A SECRETARIAL SERVICE. DA 18/90

Council is referred to Item 18 of the Planning and Development Section of the General Purpose Committee in this business paper. The recommendation to the Committee was as a result of an incorrect assumption that the objecting petition of strata plan owners was, in fact, strata plan owners on the same site as the historical building, whereas, the objection comes from an adjoining property which also contains strata villa homes.

As there is no objection from the villa unit owners on the same site, and therefore no perceived conflict with parking, etc., it is now believed that the application, as submitted, be approved subject to conditions.

IT IS RECOMMENDED THAT the application be approved subject to the following conditions:

1. 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.

2. All waste materials to be stored and disposed of at regular intervals to the satisfaction of the Manager of Environment and Building Services.

3. Landscaping shall be maintained to Council's satisfaction.

4. All goods to be stored within the building.

5. Operating hours shall be limited to 9.00 a.m. to 5.00 p.m. daily. Any alteration of these hours will require Council consent.

6. The development shall be 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.

No file 17-4-90

6. ERECTION OF EIGHT VILLA UNITS, 354 WINDSOR STREET, RICHMOND. DA 29/90

Council is referred to Items 22 & 37 in the Planning and Development Section of the General Purpose Committee within this business paper. In the debate during the Committee meeting there appeared to be some confusion as to the architectural style "Californian Bungalow". To enable Council to be fully appreciative of the style and, hence, the existing building on the subject land prior to determining the application, the following information is offered from "A Pictorial Guide to Identifying Australian Architecture - Styles and Terms from 1788 to the Present" by Appley Irving & Reynolds:

> "By the late 1890s Australia was echoing contemporary or recent trends in British, European and American Architecture. It was also evolving its own interpretations and adaptions of overseas styles, ... From America came the powerful brand of commercial Architecture ... Australia, with its strong and continuing ties to the centres of Western culture, was naturally exposed to these influences and sometimes turned them to her own advantage with a remarkable degree of imagination and creativity ... As the Twentieth Century progressed, Australia was increasingly influenced by the many aspects of American life and popular culture which were promoted by the movies, radio, gramophone records and magazines. For many Australians, Hollywood provided a glossy image of an American way of life: jazz was the people's music of the Twentieth Century, and California was seen as a model for what Australia might one day become. California and south-eastern Australia had certain similarities with climate, topography and vegetation ... During the first decade of the Twentieth Century a distinctive brand of domestic architecture evolved in the suburbs of Los Angeles ... Timber was used with an almost Japanese expressiveness, together with 'earthy' materials such as rough clinker bricks and smooth, water-worn river stones. Roofs were low pitched with spreading eaves; sleep-outs, pergolas and breezeways encouraged free movement from indoors to outdoors ... By the outbreak of World War I, the single storey bungalow was the standard unit of U.S. west coast suburbia. At much the same time, the California Redwood Association was building an exhibition house in the new Sydney suburb of Rosebery and some Australian

> architects were designing there own interpretations of the Californian bungalow. By the early 1920s speculative builders had embraced the inter-war California bungalow idiom and it reigned supreme in the suburbs until the great crash of 1929."

The Heritage Study commissioned by the Department of Planning as part of the environmental study of Sydney's North West Sector identifies the subject building as "a well detailed circa 1925 residence set in a large garden. This large house has a spreading roof sheltering the surrounding verandah ... contributes to the character of Richmond".

At the Council meeting dealing with the North West Sector heritage items, Council considered correspondence from Beldale Pty. Ltd. as follows:-

> "... We appreciate Council wishing to restrict on heritage grounds certain developments in the North West Heritage sector. However we draw Council's attention to the following:
>
> 1. The building is not representative of any period of Australian architectural history or significance.
>
> 2. The Heritage Council has stated that it has no interest in the property or in the preservation of the buildings.
>
> 3. The particular area is zoned so as to permit the construction of units thereon.
>
> 4. Council has approved the construction of 16 units on the site. A building application was lodged but the applicant did not have sufficient funds to pay a contribution and had to postpone any development of the site and Council agreed to an extension of the time limited by the building application.
>
> 6. The building adjoins (on the southern side) a motel. Units are constructed on the western boundary of the property."

Council did previously consent to the erection of a double-storey development consisting of sixteen flats on the land, however, the development did not proceed and the consent expired. At the time of expiration the Section 130 Order under the Heritage Act was in place and it appears that it was lifted from the property on the basis of the Council's then Draft Local Environmental Plan, which included all of the heritage items listed in the North West Sector Heritage Study Report, and the belief that if Council were going to list it as a heritage item within its local environmental plan, there was no need for the continuing Section 130 Order. Council did not include it within the listing because of the representations received by Beldale Pty. Ltd., as indicated above. Arguably, if the Heritage Council at the

time believed there was a likelihood that Council would not include the dwelling in its heritage list, the Section 130 Order would have remained.

The recommendation to Council from the Manager of Town Planning at the time was that the house be listed and he concedes that the recent recommendation to the Committee that the development proceed and the dwelling be removed was as a result of Council's previous resolution that the building not be included as a heritage item. The Manager of Town Planning does indicate, however, that he feels the building is worthy of retention.

IT IS RECOMMENDED THAT the information on the architectural style known as "Californian Bungalow" be received and considered in Council's determination of the development application.

To File 12-4-90

7. ESTABLISHMENT OF A TAKE-AWAY FOOD AND COFFEE SHOP - 79 OLD BELLS LINE OF ROAD, KURRAJONG. DA 35/90

Council is referred to Item 28 in the Planning and Development Section of the General Purpose Committee within this business paper.

The Committee's recommendation has been discussed with the landowner, Mr. Grisdale, who has now written the following letter:-

> *"I refer to our telephone conversation yesterday whereby you advised that the recent application by Mesdames Charlesworth for a change of use at the premises, was refused.*
>
> *I understand that Council may be favourably disposed to permit a continuation of the commercial use of the premises.*
>
> *I should point out that for over 50 years the premises have had a continuing commercial use of some nature and in my view it would be a pity for this use to be discontinued and for the premises to become residential.*
>
> *I consider the premises as being most unsuitable for residential occupation - particularly in view of the small area of land involved (322m^2), the proximity of the building on the street boundary, the internal and external design of the premises and the history of the property as being the oldest commercial premises, still in use, in Kurrajong Village.*
>
> *I do not wish to have to seek the approval of the Council with every change in tenancy. I would like to have Council's support in an application to Council for a Local Environmental Plan to change the zoning of the property to Commercial - to be in keeping with the long time use thereof.*

This matter has now some urgency attaching to it because of the current refurbishing of both interior and exterior, Council officers have raised some queries which are contingent upon the classification by Council of the premises.

Please let me know if Council will support my application and your further requirements for this purpose."

It is confirmed that the property, whilst it is zoned residential, has for some time been used for commercial purposes and, indeed, has the appearance of an old style shop with a verandah across the footway with verandah posts on the kerb line. To have the use revert to a dwelling house would be consistent with the zoning, however, if it resulted in alterations to the building whereby the awning over the footway was removed, then the character of that part of the street would be altered to its detriment.

It was previously reported to Council that it cannot approve of a commercial use because of the expiration of the existing use rights and that, in any case, the proposal for a take-away food shop on its merits is not considered to be a sound proposal.

The correspondent's request for rezoning of the land has merit, particularly as the premises do lend themselves to continued use for such activities as antique shops and the like. However, it may be a more satisfactory solution instead of rezoning as commercial which opens up an array of land uses that may not be compatible, to define reasonable uses for the property appropriate to the definition of "tourist facility".

Further correspondence has been received from the applicant, S Charlesworth, stating as follows:-

"*...I ask that you make the following amendments and that it be re-presented for consideration - hopefully approval.*

1. *Tourist Information Centre and facilities - to include, post cards, locality maps, craft activities including local painting, pottery, lead lighting, jewellery, etc.*

2. *Country cooking including devonshire teas.*

I understand that it may be necessary for me to make a contribution to Council to provide parking facilities."

Tourist facilities are allowable with consent in residential zones and are as follows:-

> "... *means a building or place that is used to provide refreshment, accommodation, recreation or amusement facilities for the travelling or holidaying public, and includes craft shops and the like.*"

It is considered that craft and antique shops draw their major patronage from tourists, day-trippers, etc. and therefore conform with the definition. Refreshment is more difficult to define as clearly some refreshment rooms cater solely for localised use and not for tourists. The proposal by the applicant has been altered so that she now proposes to cater for devonshire teas, light lunches, etc. which is clearly aimed at the tourist market. On this basis the application can be approved by Council. The fact that the facility may also sell take-away food is not considered to be a prohibition on its operation.

No provision has been made for car parking and it is unlikely that it could be provided on site due to inadequate land area. However, Council could take a contribution in lieu of parking as there is a Council car park opposite. Council's Development Control Plan for car parking does not have a figure for "tourist facilities", however, it is considered that two spaces would be required on the basis of one space for 40 m^2 of floor space as required for "refreshment rooms", plus space for employees. This is also consistent with the previous expired Council consent. It is reasonable that the employees be able to park on the land, however, the two spaces would require a contribution of $17,800 based on the current adopted figure.

It is still considered to be sound planning to concentrate commercial uses within appropriate zones, however, should Council approve of the proposal, the following conditions are appropriate:-

1-6 Standard conditions (DAs) 31, 32, 34, 38, 100, 4($17,800).
7 The application and approval by the Manager of Environment and Building Services of a refreshment room licence prior to commencement of trading.

IT IS RECOMMENDED THAT the information in respect of uses allowable as a "tourist facility" be received and that the landowner be advised of these but advised that rezoning of the land as "commercial" is not considered appropriate.

LIBRARY

1. PHOTOCOPIER. L125

In the 1990 Estimates, adopted at the Ordinary Meeting of 11th December 1989, an amount of $6,500.00 was allowed for the purchase of a new photocopier at the Richmond Branch Library.

Enquiries made into a replacement photocopier, recommends the purchase of a Konica U-Bix 2200Z model. As this model is available through Government contract it is priced at $2,900.00 with an additional cost of $400.00 for the attachment of a 20 cent coin box.

Presently both public access copiers available at Windsor and Richmond Libraries are in poor condition and require frequent servicing to maintain an acceptable standard.

The Windsor Library copier, purchased in 1984, gives approx. 5,000 copies per month while the Richmond copier, purchased in 1986, provides 3,500-4,000 copies per month. Both machines are serviced, due to breakdowns, at least once a month.

It is therefore proposed that two Konica 2200Z copiers be purchased from the above allocated vote. The total cost for two copiers, plus two coinboxes and one cabinet, will be funded from the Library's maintenance vote for Furniture & Equipment.

IT IS RECOMMENDED THAT two Konica U-Bix 2200Z photocopiers be purchased from allocated funds with the remaining costs to be funded from the Library budget at a total cost of $6,795.00 (six thousand seven hundred and ninety five dollars.

REPORTS OF COMMITTEES

GOVERNOR PHILLIP PARK COMMITTEE MEETING
held on 6th February, 1990

WINDSOR 1994 BICENTENNIAL COMMITTEE MEETING
held on 5th March, 1990

HAWKESBURY HERITAGE ADVISORY COMMITTEE MEETING
held on 7th March, 1990

HAM COMMON BICENTENARY PARK COMMITTEE MEETING
held on 14th March, 1990

MUSHROOM COMPOSTING INDUSTRY SITING COMMITTEE MEETING
held on 14th March, 1990

THE HAWKESBURY FITNESS FINANCIAL ADVISORY COMMITTEE MEETING
held on 15th March, 1990

MANAGEMENT EXECUTIVE COMMITTEE MEETING
held on 16th March, 1990

MUSHROOM COMPOSTING INDUSTRY COMMITTEE MEETING
held on 21st March, 1990

GOVERNOR PHILLIP PARK COMMITTEE MEETING
held on 22nd March, 1990

Minutes of the Meeting of the Governor Phillip Park Committee held on 6th February, 1990, in the Aldermen's Room, Hawkesbury City Council.

PRESENT: Aldermen W. Sledge and L. Sheather, Mrs L. Mayfield (UHPBC), Mr. C. Ellison (NSW Water Ski Assoc.,), Mr. K. Davis (Peninsula Residents Rep), Mr. C. Daley, Manager of Operations.

APOLOGIES: Mrs C. Walshaw, Mr. J. Tebbutt, Mr. R. Clifford.

Moved by Alderman Sheather, seconded by Mrs L. Mayfield that the apologies be accepted.

The Minutes of the previous meeting held on 15th November, 1989, were adopted on a motion by Mr. C. Ellison, seconded Mr. K. Davis.

Correspondence Out

The Maritime Services Board requesting additional patrols and also enquiring about a proposal to regulate noise emissions.

The State Pollution Control Commission requesting information regarding the review of noise levels for power boats and drag boats.

Correspondence In

The Maritime Services Board regarding patrols in the Windsor area and setting out the powers of the MSB in relation to noise from boats.

Moved on a motion by Mr. C. Ellison, seconded Mrs L. Mayfield that the correspondence be received.

It was further moved by Mr. C. Ellison, seconded Alderman L. Sheather that representation be made to Mr. M. O'Dowd, the MSB officer stationed at Windsor, to patrol the river during the week and Saturday and Sunday afternoons and outline the problems being experienced with over the transom exhaust, unlicensed drivers and the 8 knot limit in the South Creek to Macquarie Park beach area.

General Business

1. An invitation was extended by Mr. C. Ellison to visit "Gum Leaf" Ski Park on Pitt Town Bottoms Road to observe the water ski school and in particular the boats used in the operation of this facility.

The meeting closed at 9.45pm.

Date of the Next Meeting: Thursday, 22nd March, 1990, at 7.30pm.

MINUTES OF THE MEETING OF THE WINDSOR 1994 BICENTENNIAL COMMITTEE HELD IN THE ALDERMEN'S ROOM, HAWKESBURY CITY COUNCIL ON 5 MARCH 1990 AT 8.10PM

PRESENT: Ald. Ted Books, Ald. Wendy Sledge, Mr. Alex Hendrikson, Mr. Peter Bruce, Mr. Robert Pont, Mr. Ross Miller, Mrs. Jan Barkley

APOLOGIES: Mr. Peter Auld

Ald. Ted Books, as convenor of the meeting, read Council's motion accepting formation of the Windsor 1994 Bicentennial Committee and supplied background information.

Ald. Ted Books was elected Chairperson on the nomination of Ald. Wendy Sledge, with Mr. Alex Hendrikson as seconder. Ald. Wendy Sledge elected as Deputy Chairperson.

Ald. Ted Books put forward general ideas in relation to the establishment of a Programme. These were discussed and further ideas were contributed by Committee Members as follows:

1. The Committee was, initially, to consist of representatives from Council (Ald. Ted Books and Ald. Wendy Sledge), Windsor Chamber of Commerce (Alex Hendrikson), Tourism Hawkesbury (Peter Auld), Hawkesbury Historical Society (Jan Barkley) and the community generally (Robert Pont, Peter Bruce, Ross Miller), with natural involvement of Council officers and staff (particularly Managers of Town Planning, Engineering and Health and Building), schools and other community groups as the Programme progresses.

2. McQuade Park could be used as a focal point for the celebrations:

   (a) 1794 starting point.

   (b) Macquarie's contribution -

   . statue
   . plaque of Macquarie's setting out of "a square"

   (c) Setting up of Park -

   . plaque of grant
   . Victorian Garden (Queen Victoria gave grant)

   (d) Heritage Curtilage -

   . particularly area opposite Rectory and St. Matthews Church of England for focus

(e) Happenings and Users over the Years -

- gymkhanas, cricket, football, bicycle riding

(f) Special Garden depicting whole area's history 1794-1994

3. Commemorative booklet to be produced - sell pages, advertisements, etc.

4. Liaise with landscape architect employed by Council to emphasise the importance of keeping the concept of an "open space" park, retaining grandstand, rotunda and general character, working mainly on perimeter.

5. Need to investigate all fund-raising possibilities (donations, grants, etc).

6. Explore four time periods -

- Phillip/Grose 1789-1794
- Macquarie 1810-1821
- Victorian 1835-1901
- Present 1901-1994

7. Explore the possibility of a series of Bicentenaries, e.g. 2010 Macquarie.

8. Festive Activities include -

(a) northern end of Windsor

(b) river, e.g. regatta

(c) antique fair

(d) observatory

(e) attractions, e.g. penny farthing bicycle races

(f) continuous week of celebrations

(g) re-farming land at the bottom of North Street as an exhibition of early farming days

(h) massed display - schools

Sub-committees were formed comprising all members of the present Committee, with Jan Barkley as Co-ordinator of the Research Committee, and Robert Pont & Ross Miller as Co-ordinators of the Architectural Committee. Moved by Ald. Wendy Sledge, seconded by Mrs. Jan Barkley. Other Committees will be formed as necessary.

GENERAL BUSINESS

The next meeting will be held in McQuade Park on 28 April 1990 at 2pm. Meetings, initially, will be held at two monthly intervals.

HAWKESBURY HERITAGE ADVISORY COMMITTEE

MINUTES OF THE HAWKESBURY HERITAGE ADVISORY COMMITTEE HELD ON 7TH MARCH, 1990 AT THE COUNCIL CHAMBERS, GEORGE STREET, WINDSOR COMMENCING AT 7.47PM

PRESENT:

Alderman H J M Books - Chairman, Alderman R Stubbs, Mr H Williams, Mr G Edds, Mr M Hatherley, Mr A Hendrikson, Mr A O'Grady, Mrs L Banks, Mr G Falson and Miss A Brandjes.

APOLOGIES:

Mr R Pont and Mr J O'Grady.

1. SUSPENSION OF BUSINESS

The Chairman introduced the Guest Speaker, Mr Luke Godwin of the National Parks & Wildlife Service.

Mrs Jan Barkley arrived at the meeting, the time being 7.50pm.

Mr Godwin spoke on Aboriginal occupation of Australia indicating that new technology suggests Aborigines have been here for 70,000 years and not 40,000 years as previously thought. Mr Godwin then indicated that the Nepean Gravels are one of the oldest sites in Australia.

Mr Godwin stated that most habitation sites identified were rock shelters whereas in reality most Aborigines live in temporary "thatched" structures (gunyas). Social catchments of up to 1,000 persons were formed for the purpose of various exchanges including information, marriage partners, kinship, culture and materials. Large amounts of resources were also exploited supplementing the hunter gatherer existence. Examples of this include animal and fish traps, the use of fire and removal of toxins and carcinogens from food substances to make them edible.

Mr Godwin further stated that stone artefacts found both on the Cumberland Plain and the Hawkesbury Region were based on the percussion principle. Given that sampling in the region is inadequate, further investigation needs to be undertaken and management issues such as the Northwest Sector at Rouse Hill addressed.

Evidence of Aboriginal occupation within the Hawkesbury includes grinding grooves on sandstone and stone arrangements. In the western part of the State borarings (dancing circles) are prevalent. Whilst painted and stencilled rock art is in evidence throughout the State, conservation of the sites is complicated due to the difficulty of ameliorating the effects of water percolation, insect attack, vandalism as well as mining activity.

Mr Godwin then outlined legislation relating to Aboriginal sites within New South Wales. Whilst the National Parks & Wildlife Act encompassed Aboriginal sites, this Act was limited by the need to prove offences and the limitation on fine amounts. Mr Godwin indicated that the National Parks & Wildlife Service was keen to liaise with local Councils in terms of the management of Aboriginal sites. In terms of the planning legislation, Council must take into account the relevant provisions of the Section 117 Directions in the preparation of Draft Local

Environmental Plans and the Section 90 heads of consideration in the determination of a Development Application. An Environmental Impact Statement prepared in accordance with Section 4 of the Environmental Planning & Assessment Act must encompass the natural, social and cultural environment. Mr Godwin indicated that resource constraints often weaken the assessment process of Development Applications. Section 149 Zoning Certificates may been used to alert owners of land to the existence of sites and artefacts on that land. Mr Godwin then spoke of the need to explain why sites were then protected and of the need to train Council staff for this through workshops. Mr Godwin concluded by stating that the National Parks & Wildlife Services input into Development Application assessment was currently being monitored.

Following the presentation of a token of the Committee's appreciation to Mr Godwin by the Chairman, the meeting resumed.

2. MINUTES OF THE HERITAGE COMMITTEE MEETING OF 24TH JANUARY, 1990

It is recommended that the Minutes be adopted.

3. BUSINESS ARISING

Nil.

4. CORRESPONDENCE

Nil.

5. REPORTS

5.1 Report - Status of Restoration Fund

The following report on the status of the Restoration Fund was submitted for the Committee's consideration:-

"REPORT - STATUS OF RESTORATION FUND

The Hawkesbury Restoration Fund was established in 1984 to provide financial assistance to all owners and lessees of heritage properties within the Hawkesbury City, other than state government bodies, local government bodies and utility authorities, for projects involving the conservation or promotion of heritage items.

The Fund initially commenced with a total of $51,000, provided on a three way dollar-for-dollar basis by Hawkesbury Council, the Heritage Council of New South Wales and the Commonwealth National Estate Grants Programme.

The attached guidelines were formulated in August 1984 for the allocation of assistance from the Fund. Under the 1984 guidelines persons wishing to receive assistance applied in writing to the then Heritage Adviser. Following assessment of the heritage significance of the project, appropriateness of the proposed work and the applicant's financial position, the Heritage Adviser accordingly advised the Heritage Advisory Committee. The recommendation of the Adviser and Committee

Commercial

"Neales" 167 George Street, Windsor. South Windsor.	Removal of shop front and awning and reinstatement of appropriate shop front and facade.	$9,500
62-64 George Street, Windsor.	Reinstatement of front facade of building.	$11,400
127-129 George Street, Windsor.	Restoration of front facade of two-storey building.	$25,000

Given the limited monies within the Restoration Fund (a total of $51,000), assistance has primarily been given on a loan basis allowing fund monies to assist as many persons as possible. Low interest loans have been made available to applicants from the Fund with an interest being charged, generally less than that of other financial institutions and repayments being made over five years, except in hardship cases.

Whilst applications for assistance, to date, have predominantly been located in Windsor, assistance is equally available to persons throughout the City.

Notwithstanding that the Fund was extensively advertised when it commenced in 1984, since that time the Fund has been the subject of advertisements within the Hawkesbury Gazette. The Fund is also informally advertised by Council officers when dealing with applications involving heritage items.

Conclusion

Whilst the above indicates that the Restoration Fund has been used on limited occasions since inception, this is not considered to be due to the ambit of the Fund but rather the general downturn in the economy.

At a time when interest rates are at a record high, persons in the process of purchasing a heritage item are unwilling and simply unable to afford further commitment in terms of a mortgage, regardless of whether the term offered under the Restoration Fund is less than that charged by financial institutions.

The pattern of utilisation of the Fund, to date, (i.e. most utilised when general interest rates were approximately 14% or lower) would seem to bear this explanation out.

Notwithstanding its limited utilisation in recent years, the Restoration Fund is considered to make an important contribution towards the conservation of heritage items within the City, as it enables conservation works to be undertaken which have traditionally not been funded by lending institutions. The wide ambit of the Restoration Fund facilitates conservation works which may not otherwise be undertaken by property owners.

Given the above, it is considered that the Restoration Fund should continue to be made available to those persons requiring assistance for works or projects which satisfy Fund guidelines.

was subsequently reported to Council for determination.

In 1985 the procedures used for making available funds from the Restoration Fund were changed to ensure that all applications and applicants were dealt with fairly and in a consistent manner.

The three main steps involved in processing the application to recommendation were:

1. An evaluation and advice from the Planning and Health & Building Departments as to the legality of the proposal;

2. Advice from the Heritage Adviser on the importance and desirability of the proposal;

3. Advice from the Finance Officer on financial aspects.

Thus, when applications were received the Heritage Adviser evaluated the application and consulted, as necessary, with both the Planning and Health and Building Departments.

Following this, an interview was arranged between the applicant concerned and a Finance Officer of Council (usually the Deputy Shire Clerk or Treasurer). A recommendation was then made to the Advisory Committee for determination and reporting to Council.

In January 1986 Council resolved that applications for assistance from the Restoration Fund be assessed by the Shire Planner, Shire Health & Building Surveyor and Deputy Shire Clerk, following consultation with the Heritage Adviser, and the applications then reported to Council for determination. This procedure is currently used.

Since the inception of the Restoration Fund, assistance has been given by Council for proposals varying from the construction of a picket fence to the reinstatement of a shop awning and the restoration of the facade of a two-storey commercial building.

The following proposals have received assistance from the Fund:

Residential

540 George Street, South Windsor.	Erection of a picket fence and gates to front of cottage.	$3,000
"Glenroy" 465 George Street,	Restore roof fascia, gutters, downpipes and connect to existing stormwater.	$10,000
Peninsula House and Club Buildings, The Peninsula, Windsor.	Maintenance Study	$1,000

Recommendation

That information in respect of the status of the Restoration Fund be received."

IT IS RECOMMENDED THAT the report be received.

5.2 Report - Historic and Environmental Features of the Hawkesbury Region

The Committee considered the following report prepared by Mr Max Hatherley in relation to listing of historic and environmental features of the area:-

"REPORT - HISTORIC & ENVIRONMENTAL FEATURES OF THE HAWKESBURY REGION

Environmental Features

The environmental features of the Hawkesbury Region are dictated by its geology and botany and by the impact of man. Of the three, the geology is the simplest and the most permanent. The area under Council's control is merely a small part of the Sydney Basin and contains parts of the Cumberland Plain and the Blue Mountains Plateau. It is bounded by the Hornsby Plateau to the north and the Grose River to the south. The dominant feature is the river itself with its tributaries, the Colo and the Macdonald.

Geology

The Cumberland Plain consists of horizontal beds of fine sedimentary material with intermittent shale covers and the soil is rather poor. In Council's area the western edge of the Plain is fixed by the Lapstone monocline which runs north and south and is most prominent at Kurrajong where a rise of almost 600m is generated in the horizontal distance of 11km from Richmond. The uplift associated with the monocline is now believed to be much older than was once thought and occurred about 60 x 10^6 years ago. A little to the west of the monocline the impressive Kurrajong Fault has created a drop of nearly 120m. This fault is responsible for the existence of Mountain Lagoon.

The Blue Mountains Plateau consists of sandstone with the Hawkesbury Group prominent in the east and the Narrabeen Group in the west. Shale deposits occur patchily and particularly between Kurrajong and Bilpin where they are responsible for the better quality soil of the orchard district. The spectacular gorges of the plateau were created as the streams cut through the sandstone into softer layers of claystones and shale. These soft layers are less prominent in the east and it is for this reason that the valleys have their characteristic "bottle neck" form. Volcanic rocks are found in a few areas mainly as basalt cappings on isolated mountains such as Mt Tomah.

After leaving the Nepean Gorge near Penrith the river runs along the base of the monocline as far as Richmond where it swings east and eventually cuts back into the Hornsby Plateau to form a further series of gorges. Between Penrith and Richmond the river was forced to move east as uplifting occurred at the monocline and a series of terraces with large deposits of sand, gravel and boulders developed. Freshwater lagoons (eg Baker's Lagoon) are common on these terraces while brackish wetlands occur occasionally below Sackville.

Botany

Much of the mountainous ridge country that forms about 75% of Council's area is covered by the dry sclerophyll forest typically found on low phosphorus, poor quality soils. In the deeper valleys this gives way to west sclerophyll cover and to isolated areas of rain forest where advantage has been taken of accumulated organic matter. Some rain forest plants are also found in the richer soils associated with the basalt caps. The low flat river terraces were cleared for agriculture many years ago with notable exception of the Terrace at Richmond which is largely undisturbed although weed ridden. In the gorges below Sackville clearing for agriculture has occurred on the lower shale bearing slopes but the vegetation on the higher sandstone slopes has not been greatly changed.

Landscape

This combination of mountains and valleys, relatively untouched bushland, agricultural development and a large river and its gorges represents the environmental features of the Hawkesbury Region. Together they provide a wide range of landscapes and by virtue of their proximity to Sydney they are a major recreational resource. Large areas of the City are included in National and State Parks of various types and the Macdonald River area is designated as a Landscape Conservation Area by the National Trust. There are large recreational areas under Council and private control and the recently established Botanic Gardens.

The major threat to the landscape comes from man. The mountain country is at risk from fire and the river is subject to pollution of various kinds. The terraces of the Richmond - Pitt Town area and the Macdonald River will almost certainly be mined in the next 50 years. It is worth noting here that the Penrith Lakes Scheme will meet Sydney's needs of sand and gravel for 25-30 years but a new source will then be required. Five have been identified and all of them are environmentally significant. Pitt Town - Richmond is however much closer to Sydney than any other. SREP No. 9 - Extractive Industry stipulates at present that extraction from the Richmond lowlands shall be permitted only after extensive assessment of alternative sources, the agricultural value of the area and the significance of the wetlands. The draft Hawkesbury-Nepean REP points out that the Richmond lowlands comprise 46% of the Class 1 agricultural land in the Sydney Region.

Further Action

It is suggested that members consider the desirability of compiling a list of particular environmental features similar to those available for historic and heritage items."

IT IS RECOMMENDED THAT the report be put on the agenda for discussion at the next meeting of the Heritage Committee.

5.3 St Andrews Clock, West Market Street

Miss Brandjes advised the Committee that Council at its Ordinary Meeting in September, 1988 resolved to give consideration to provision of funding in the 1989 Estimates for the restoration of St Andrews Church Clock. As at the 31st December, 1989 approximately $4,000.00 was available for the restoration work. Miss Brandjes further advised that the Church would be requested to provide a formal itemised

estimate of the cost of the restoration works to Council for consideration.

IT IS RECOMMENDED THAT the Church be advised of the availability of funding and be requested to provide a formal itemised estimate of costs to Council for consideration.

5.4 Restoration Fund

The Committee discussed use of the fund and the requirement for submission of a number of quotes prior to determination of an application for assistance. The need for review of the fund on a regular basis was also discussed as well as preparation of a Press Release advertising availability of the fund.

IT IS RECOMMENDED THAT a press release be prepared advertising availability of the fund.

IT IS RECOMMENDED THAT the restoration fund be reviewed each six months.

6. GENERAL BUSINESS

6.1 Report - Historic & Environmental Features of the Hawkesbury Region

Mr Hatherley spoke on his previous report.

IT IS RECOMMENDED THAT the resolution in relation to the report adopted by the Committee at its meeting on the 24th January, 1990 be adopted and that Committee members provide items to be considered for listing at the next meeting of the Committee ie the Chairman, Ald H J M Books and Mrs J Barkley to provide a list of items in South Windsor; Mr H Williams, Mr G Edds and Mr A O'Grady to provide a list of items in the Grose Vale area and Mrs Lorraine Banks to provide a list of items within the Macdonald Valley.

6.2 Proposed Development Plan - Windsor Town Centre

Mr Williams presented and discussed a proposal by him for the Windsor Town Centre.

IT IS RECOMMENDED THAT information in respect of the proposed Development Control Plan and Study be received and referred to the Chamber of Commerce.

IT IS RECOMMENDED THAT the Planning Department investigate and report the proposed plan to Council.

6.3 Infill Development Brochures

Mr G Edds distributed guidelines for the design of infill buildings prepared by the Heritage Council of New South Wales and the Royal Australian Institute of Architects to Committee members.

IT IS RECOMMENDED THAT the brochures become the basis for preparation of Council's Heritage Brochure.

7. DATE OF NEXT MEETING

The next meeting of the Committee will be held in the Council Chambers on the 9th May, 1990.

The meeting closed at 10.46pm.

Minutes of the Ham Common Bicentenary Park Committee Meeting held in the Council Chambers on Wednesday, 14th March, 1990, at 7.30pm.

PRESENT: Alderman J. Horrex, Mayor; Chairman, Aldermen W. Mackay, G. Michael, R. Rotherham, Messrs R. Miller, N. Wenzel, J.R. Gilmore, Manager of Engineering Services and in attendance, Mr. C. Hamilton, Parks Superintendent.

APOLOGY: Mr. I. McEwan.

CONFIRMATION OF MINUTES:

Resolved on the motion of Alderman G. Michael, seconded Alderman R. Rotherham, that the Minutes of the Ham Common Bicentenary Park Committee meeting held on 23rd January, 1990, be confirmed.

CORRESPONDENCE

Nil.

REPORTS

Item 1: Skateboard Ramp

Plans for the skateboard ramp (Snake type) have been prepared, with the ramp to be located on the Richmond side of the unsurfaced car park.

As a result of the flat level topography, importation of fill will be required to allow construction of the ramp above the natural surface and provide a free draining structure. As a result, significant funds will be required for the project. It is also anticipated that there will be a need for a high level of maintenance to maintain the works, in addition to the requirements as a result of the high level of the public use the facility should attract. This matter will be reported to the General Purpose Committee of Council to be held on 27th of this month.

Recommendation

That the report on the proposed skateboard ramp at Ham Common Bicentenary Park be received.

Committee's Recommendation

That Council give further consideration to the feasibility of the construction of the skateboard ramp as proposed, in view of the cost, the need for mounding to provide drainage and future maintenance requirements, as other locations may provide a satisfactory alternative.

.../2

Item 2: Tree Planting Scheme

It is proposed that 480 trees be planted in the Park this Autumn. The species will be selected Eucalyptus trees, pittosporum, acumena (Lillipilli), callistemon species (bottle brush) and Red Cedars, plus a selection of deciduous trees and other ornamentals, generally to replace trees that have died or been removed from the area. Species include Prunus, Plane trees and Sugar Maples (acer neguno).

It is considered that this work should proceed immediately to take advantage of the recent excessive rainfall. For at least the last two years, Autumn rainfall has been far superior to Springtime conditions in respect to the establishment of trees.

In view of the desire to complete the work prior to the winter frost and to take advantage of the soil conditions, it is proposed that the work be undertaken by Council staff.

Mr. R. Miller requested that the planting contain no more than 25% Eucalyptus specie.

Recommendation

That the tree planting scheme for Autumn 1990, proceed.

Committee's Recommendation

That the recommendation be adopted.

Item 3: Playground Equipment

The Contractor is well advanced on the installation of the additional playground equipment to supplement that existing on the eastern side of the kiosk. The area is to be enclosed with a timber edge and provision of a surface mulch. This work will be undertaken by Council and will be undertaken as maintenance requirements for the Parks staff ease as grass growth diminishes.

Recommendation

That the report on the playground equipment at Ham Common Bicentenary Park be received.

Committee's Recommendation

That the recommendation be adopted.

.../3

QUESTIONS/GENERAL BUSINESS

Alderman Michael asked when action will be taken to make available the area nominated for car parking to the public, at the Clarendon end, on initially, a temporary basis.

The Manager of Engineering Services advised that the matter will be reported to the next Committee meeting.

As a result of discussion on this matter and advice that preparation of detailed plans are now being prepared for the bikeway, it has been indicated that the proposal was not particularly favoured by officers involved in consideration of subsidy applications on the basis that it was preferred for the bikeway to follow the edge of the road

THE COMMITTEE RESOLVED:-

> That representations be made to the Roads and Traffic Authority setting out the advantages of the construction of the bikeway through the parkland.

Alderman Rotherham requested information on the operation of the fountain,

The Park Superintendent advised that the fountain is now attracting the public but that there is a leak in the storage well which has to be repaired.

Alderman Rotherham requested advice as to the opening date for the restaurant. This information to be advised to Alderman Rotherham.

Mr. R. Miller indicated that crumbed recycled rubber particles could be obtained locally and was a suitable medium for placement around playground equipment.

The Manager of Engineering Services advised that further enquiries would be made to see if the material could be used around the playground in the Park.

Alderman Michael requested that the area be given attention prior to Easter so as to be in top class condition for the large number of visitors that are anticipated in the area over that period.

Date of Next Meeting - Tuesday 19th June, 1990,

The meeting closed at 8.10pm.

MUSHROOM COMPOSTING INDUSTRY

SITING COMMITTEE

MEETING HELD 14TH MARCH, 1990

M I N U T E S

PRESENT:- Alderman W Sledge - Chairperson
Aldermen T Books, R Benson and R Rotherham
Messrs R Clifford, J Hincks, T Tolson, G Price, J Bradwell, D Heley, J Miller and B Powis.

APOLOGIES:- Resolved on the motion of Ald Books/Mr Miller that the apologies of Messrs Longworth, Falson and Bowen be accepted.

Confirmation of Minutes

Resolved on the motion of Mr Tolson/Ald Benson that the Minutes of the meeting of 6th December, 1989, be confirmed.

Matters Arising Out of Minutes

1. Mr Tolson asked about the preparation of the list of preferred consultants. Mr Clifford advised that the list and brief are being worked on.

General Business

1) Dr R Hyde, Senior Lecturer, Macquarie University and Mr T Carroll, Health and Building Surveyor, Campbelltown City Council, attended the meeting to address the meteorological research carried out by Mr Carroll whilst attending the University of Western Sydney-Hawkesbury.

Dr Hyde stated:-

- the research has identified a nocturnal northerly drainage flow which was previously unknown
- whether the drainage flow will affect valleys or follow ridge tops, needs to be determined
- the World Meteorological Organisation recommends that wind observations should be made for at least one year to provide the minimum characteristics of a site
- extensive smoke testing should be conducted

- the use of anemometers and data loggers for one year would cost approximately $10,000:00 per site. This cost does not include staff, computer time, air dispersion, dilution, drainage flows and air flow under stable conditions.

- April, May and June are likely to present the worst meteorological conditions.

General discussion ensued on Blaxland Ridge and whether further meteorological studies should be carried out, and direction of any such studies.

Resolved on the motion of Ald Books/Rotherham that a meeting of the Committee be held one month after the World Symposium on Mushroom Composting to discuss the proceedings of the Symposium.

Resolved on the motion of Messrs Tolson/Miller that Council write to the Lands Department and seek agreement to a lease being granted to either an individual or Council, upon development consent being granted for mushroom composting which would include the preparation of an environment impact statement and public participation.

2) Resolved on the motion of Ald Benson/Rotherham that Dr T Nair of NSW Agriculture and Fisheries be invited to attend the meeting of the Mushroom Composting Industry Committee on 21st March, 1990.

   Mr Price offered to contact Dr Nair.

3) Mr Hincks enquired about the development of a micro chip to determine quantity and quality of odour.

   Mr Bradwell stated that he is unaware of such development.

   Mr Hincks and Mr Bradwell to make further enquiries.

4) Resolved on the motion of Messrs Tolson/Price that Dr T Nair of NSW Agriculture and Fisheries be requested to prepare a precis of the proceedings of the World Symposium on Mushroom Composting and attend the next meeting of this Committee.

   Mr Price offered to contact Dr Nair.

Date of Next Meeting

Wednesday 16th May, 1990, at 4.00 p.m.

THE HAWKESBURY FITNESS CENTRE

FINANCIAL ADVISORY COMMITTEE

Meeting held Thursday 15th March, 1990, at 5.30 p.m.

PRESENT: Alderman W Mackay (Chairman)
Alderman H Books
John O'Grady

APOLOGIES: An apology was received from Ursula Lowe - Youth Recreation Officer.

General Business

1. The Manager of Environmental and Building Services advised the Committee that submissions for financial assistance had been made to Mr Alasdair Webster, Mr Paul Gibson and Mr Kevin Rozzoli, Federal and State Members of Parliament, in accordance with the Committee's previous resolution. The meeting was informed that no advice has been received as a result of these submissions at this time.

   It was agreed that when the degree of financial assistance which may be available from the Government becomes known, more appropriate means of additional funding can be recommended to Council.

2. Further discussion took place regarding the Beaton Park Leisure Centre at Wollongong following dissemination of the Centre's Annual Report. It was noted that the Centre is operating at a substantial profit following some losses sustained in the early years of its operation.

   It was noted also that the Centre caters for a wide range of activities, many of which could be incorporated into the operation of the Hawkesbury Centre.

3. Information was tabled and discussed on the following:-

   a) Current Fees and Charges applying to the Beaton Park Leisure Centre, Wollongong.

   b) Details and Charges relating to the Wran Leisure Centre, Villawood.

4. Following discussion it was agreed to write to the various local sporting bodies who will be major users of the Hawkesbury Fitness Centre requesting them to support the Committee's representations to the Local Members for financial assistance. It was further agreed that those bodies be requested to identify with the view to planning and conducting events to raise funds for the project. It is believed that "Swimathons", "Fun Runs" and the like would be appropriate events.

Next Meeting

It was agreed that the next meeting of the Committee would be held on Thursday 19th April at 5.30 p.m.

The meeting closed at 6.15 p.m.

MINUTES OF THE MANAGEMENT EXECUTIVE COMMITTEE MEETING HELD ON 16 MARCH 1990 IN THE COUNCIL CHAMBERS

PRESENT: G. McCully, Town Clerk/General Manager; J. O'Grady, Manager of Environment & Building Services; R. Gilmore, Manager of Engineering Services; G. Falson, Manager of Town Planning; Julia Brown, Chief Librarian; C. Daley, Manager of Operations; L. Weatherstone, Manager of Financial and Administrative Services; D. Hagger, Finance Manager

1. LOCAL GOVERNMENT AMENDMENT ACT - BUILDING SERVICES CORPORATION ACT - Advice from the Department of Local Government on the manner in which Councils will be affected by the Building Services Corporation Act 1989. As from 21 March 1990, there is a new licensing system that is centralised for builders and building trade contractors who undertake residential building work. Residential building work is defined to include the construction of a dwelling or alterations or additions thereto; or the repairing, renovation, decoration or protective treatment of a dwelling. In relation to owner/builder work, the Act defines that work which exceeds a value of $3,000. Building Service Corporation Insurance, such where the premiums are for building work between $1,000 and $10,000 ($75), for between $10,000 and $20,000 ($100), and all works exceeding $20,000 ($200). The Act requires owners of land, on which Council has approved works, to inform, in writing, the name and licence number of the licensed contractor who carries out or is intended to carry out works and the name and permit number of the owner/builder.

   The owner of any land or intending purchaser or agent may apply to a Council for particulars of any Council approval for the erection of a building on land. In this regard, the Local Government and Shires Association is to recommend the level of fees for Councils to adopt for the provision of information.

2. COUNCIL OWNED LAND - PROPOSED CAR PARK, RICHMOND - It was noted that Council acquired land in Bosworth Street, Richmond some time ago for car parking. On one of the lots there remains a residence that is currently occupied by the Women's Cottage. Current rental paid is that fixed as equal to the subsidy provided by the Department of Family and Community Services and, for 1989, this totalled $4,498. The site could be cleared and would provide for an additional 38 car parking spaces. The matter to be reported to the Council indicating the basis of purchase of the original land, the current rental and recommendation that the Women's Cottage be advised that when loan funds are available it is the Council's intention to proceed with the provision of a car park on the site.

3. STAFF MATTERS - APPLICATIONS FOR COURSE APPROVAL - applications were considered for staff to attend courses Approved as Courses of Study in accordance with Council policy and the following were approved:

. Helen Lane, Child Development Officer, to undertake Certificate in Child Care Studies at Werrington TAFE.

. Gladys Reed, Family Day Care Co-ordinator, to undertake Training and Development Advanced Certificate at Blacktown TAFE.

. Ursula Oldfield, Youth Recreation Officer, to undertake Swimming Pool Superintendent Course at Sydney TAFE.

4. MINUTES OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING were noted, with the Manager of Engineering Services to provide reports on: the improvement of traffic safety at the intersection of Singleton and Old Sackville Roads adjoining the Council's Depot; carrying out necessary safety checks on lifting slings; the status of plant operator's certificates.

5. RECREATION PLAN - as requested, the Youth Recreation Officer provided a programme for the re-evaluation of the Recreation Plan. An analysis was to be undertaken from previous work on what is currently available, demands for facilities, what funding is likely to be available and how this and/or other funds should be utilised to achieve the proposed objectives. The analysis will include the nature of population changes, what is the best management structure for public-owned facilities, how provision can best be made for ongoing funding, maintenance, upgrading and development, and how the Recreation Plan fits into the Council's overall Strategic Plan. It is expected some detail will be ready for Council in approximately three months.

6. An outline was adopted for the preparation of a draft manual for the operation of Community Management Committees. Following preparation of the draft, it will be the subject of consultation with local committees and then reported to Council for consideration and adoption.

G.M. McCully
Town Clerk/General Manager

MUSHROOM COMPOSTING INDUSTRY COMMITTEE

MEETING HELD 21ST MARCH, 1990

M I N U T E S

PRESENT:- Alderman W Sledge - Chairperson
Aldermen R Benson, R Rotherham
Messrs G Falson, R Clifford, P Foster, J Bradwell, D Heley, C Wilson, K Symonds, J Miller, G Price.

APOLOGIES:- Resolved on the motion of Ald. Benson/Rotherham that the apologies of Ald. Books and Mr Bowen be accepted.

An inspection of the premises of Graham Price Pty Ltd including Accelerated Assisted Compost (tunnel) and growing trials was conducted by Messrs. G Price and J Price of Graham Price Pty Ltd and Doctors T Nair and C Green of NSW Agriculture and Fisheries.

Mr G Price left the meeting at this time.

Confirmation of Minutes

Resolved on the motion of Ald Benson/Mr Miller that the Minutes of the meeting on 6th December, 1989, be confirmed.

Matters Arising Out of Minutes

1. Mr Foster referred to conflicting statements allegedly made by Mr Heley regarding possible harm of mushroom compost odour.

   Mr Heley stated that he had said that he "could understand some people may have been distressed", but did not state that the odour is harmful.

2. Mr Clifford advised that letters have been forwarded to the Concerned Citizens of McGraths Hill for Clean Air, and Ebenezer Concerned Residents Committee requesting information regarding the public meeting at Windsor High School on 13th October, 1989, however, replies have not been received.

   Mr Wilson stated that a reply had been sent and that he would arrange for a copy to be forwarded.

   Mr Foster stated that the Ebenezer Concerned Residents Committee had forwarded Council's letter to their solicitor.

3. Mr Clifford advised that a reply still has not been received from Dr. Katelaris. Mr Miller stated that he had also sent a letter to Dr. Katelaris and had not received a reply.

General Business

1. Mr Foster asked why a letter from the Department of Education had not been referred to this Committee.

   Ald. Sledge advised that the letter had been addressed to the Town Clerk/General Manager and had been dealt with by staff in the usual manner.

   Resolved on the motion of Messrs Foster/Symonds that Council refer any correspondence regarding mushroom compost to this Committee after being dealt with by Council.

2. A report was submitted on complaints received by Council regarding offensive odour. In the period 4th October, 1989 to 19th March, 1990 the following complaints were received.

   a) Mushroom Composters Pty Ltd - Nil

   b) Graham Price Pty Ltd - 10 complaints from three persons, the distribution being 7 - 2 - 1.

   Resolved on the motion of Mr Falson/Ald Benson that the information be received.

3. Mr Symonds asked how long the Mushroom Composting Industry Siting Committee has been established.

   Ald Sledge advised since August 1988.

   Mr Symonds asked after all this time how many sites are being investigated.

   Ald Sledge advised only Blaxland Ridge, however, a working party of mushroom composters and Council's staff had considered sites at Blaxland Ridge, East Kurrajong, Lower Portland, Upper Colo, Yarramundi and Bilpin prior to the Committee being established.

4. Mr Foster asked why Colo Heights is not being investigated considering the new bridge to be built over the Colo River. Ald Sledge and Rotherham advised due to the absence of water and electricity supplies.

5. Mr Symonds asked has any Aldermen suggested any sites. Ald Sledge advised that some suggestions were made at a Council Meeting.

6. Mr Symonds requested that it be minuted that residents are only interested in rapid relocation of composters.

7. Mr Foster referred to the letter to Hawkesbury City Council tabled by Mr Price at the last meeting and requested a copy be provided to him. Ald Sledge advised that the letter did not refer to any business of this Committee and that Mr Price would be requested to bring his copy of the letter to the next meeting.

/2

Date of Next Meeting

Moved by Messrs Clifford/Miller that the next meeting be called at the discretion of the Chairperson.

Amendment moved by Messrs Foster/Wilson that the next meeting be called at the discretion of the Chairperson within three months.

On being put the motion was carried.

Minutes of the Governor Phillip Park Committee held on 22nd March, 1990, in the Aldermen's Room, Hawkesbury City Council.

PRESENT: Aldermen W. Sledge and L. Sheather, Mrs L. Mayfield (UHPBC), Mr. K. Davis, Mr. J. Tebbutt (Peninsula Residents Rep.), Mr. C. Ellison (NSW Water Ski Association), Mr. C. Daley, Manager of Operations.

Apologies:

Mrs C. Walshaw, Mr. G. Baldry.

Moved by Alderman L. Sheather, seconded by Mr. K. Davis that the apologies be accepted.

The Minutes of the previous meeting held on 6th February, 1990, were adopted on a motion by Mrs L. Mayfield, seconded Mr. K. Davis.

Business Arising

Moved by Alderman W. Sledge, seconded Mr. C. Daley that a vote of thanks be extended to Mr. C. Ellison of the NSW Water Ski Association for the hospitality extended to the Committee members at Mr. Ellison's property "Gum Leaf Water Ski Park", when an inspection of water ski teaching facilities was undertaken.

With regard to complaints from residents of the Peninsula area, that race boats were conducting practice runs adjacent to the Peninsula area during week days, Mrs L. Mayfield advised that a warning letter had been forwarded to one driver who acknowledged his indiscretion and one boat had been banned from racing for two race meetings of the Upper Hawkesbury Power Boat Club, due to infringement of the Club rules in relation to practice.

Moved on a motion by Mr. K. Davis, seconded by Alderman L. Sheather that the advice of the rules pertaining to the number of race events to be conducted at Governor Phillip Park each year be forwarded to the Drag Boat Racers Association.

Correspondence

State Pollution Control Commission - regarding noise from power boats and drag boats in the vicinity of Governor Phillip Park, suggesting that Council arrange a meeting including the Commission, Maritime Services Board and interested parties, within the power boat/drag boat organisations to review the current noise level.

Moved on a motion by Alderman W. Sledge, seconded by Mr. C. Daley that this matter be referred to the Noise and Environmental Pollution Committee to arrange a meeting and request that residents and Governor Phillip Park Committee members and the NSW Water Ski Association be invited to attend.

Plan of Management

Moved on a motion by Alderman L. Sheather, seconded by Mr. C. Ellison that the Plan of Management of Governor Phillip Park be submitted to Council for consideration and adoption.

General Business

A. Playground Equipment

Moved on a motion by Mr. C. Ellison, seconded Mr. J. Tebbutt, that the information regarding the provision of $15,000 for park equipment at Governor Phillip Park be received.

B. Peninsula Area Community Committee

Moved on a motion by Mr. C. Daley, seconded by Mr. C. Ellison, that this Committee recommend to Council that a Community Committee be formed for the Peninsula area to be involved in the implementation of the Plan of Management for Governor Phillip Park and that a member of that Community Committee be appointed to the Noise and Environmental Pollution Committee.

(Mr. Kevin Davis has undertaken to arrange a meeting for the formation of a Community Committee for the area).

C. Mr. A. York - Donation of Trees

Mr. York has previously advised that he was prepared to donate trees for planting in the Peninsula area, but it was felt that the Community Committee, once established, should contact Mr. York regarding the availability of trees and undertake the planting programme with perhaps some assistance from Council if required.

The meeting closed at 9.30pm.

Date of the Next Meeting: Thursday, 14th June, 1990, at 7.30pm.

CORRESPONDENCE FOR INFORMATION

1. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR NO. 3/1990. C44-2

1. "Consulting With Your Community", a Publication of the Local Government and Community Services Association of South Australia.
2. Appointment of Local Government Auditors.
3. Inquiry Into Local Government Rating.
4. Law Week 1990 - Local Mock Council Meetings.
5. Survey of Knowledge about Attitudes Towards and Participation in Local Government in New South Wales.
6. Venue - 1992 Local Government Association Conference.
7. Journals Index.
8. Rockdale Recycling Scheme.
9. Fencing of Swimming Pools.
10. Hospital to Submit Development Applications.
11. Skateboards.
12. Ordinance 68 - Rights of Burial.
13. Ordinance 70, Part 59 - Maintenance of Fire and Other Safety Measures.
14. Soil Conservation Amendment Act.
15. Pesticide Safety - Turfed Areas Management.
16. Sydney Bike Plan.

2. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW - GENERAL CIRCULAR NO. 4/1990. C44-2

1. Survey of Council Polls.
2. Interest Rates.
3. Kuala Lumpur City Council Staff Placements.
4. Staff Training - Training Development Unit (TDU).
5. Joint Conference of the Associations.
6. ALGA Annual Conference on National/Local Relations, Perth, 12-14 November 1990.
7. Computers.
8. Compulsory Branding and Earmarking of Cattle and Sheep.
9. Taxation of Elected Members Fringe Benefits and PAYE Ruling - Further Developments.
10. Local Government Development Program Performance Indicators Project.
11. Council Management Planning Guide.
12. Greenhouse Policy.
13. Joint Taskforce on Intractable Waste Community Consultation Program.
14. Guidelines on Canal Estates Development - Submission on Discussion Paper issued by the Department of Planning.
15. Notification of Building Applications.
16. Dam Surveillance Seminar.
17. Operation of Jet Skis.

18. Local Traffic Committees - Appeals.
19. Health Surveyors' (State) Award.

3. DEPARTMENT OF EDUCATION - WINDSOR PUBLIC SCHOOL. S196-25

Advising that Council's advice on restrictions which would apply to any ultimate use of this property has been noted and would be taken into account should the future use of the property ever require review.

4. BAULKHAM HILLS SHIRE COUNCIL - CATCHMENT MANAGEMENT. H100-4

Referring to Council's letter of 21st December, 1989. Advising that at its meeting of 6th March, 1990, it was resolved to make representations to The Hon K Rozzoli and Mr F Caterson, MP, seeking their support in ensuring continuity of Local Government representation in their own right and in the majority overall, for all councils having frontage to the Nepean/Hawkesbury system and requesting relevant legislation be amended for this to occur.

5. LIVERPOOL CITY COUNCIL - CATCHMENT MANAGEMENT. H100-4

Advising that, at its meeting on 27th February, 1990, it resolved to support Council's proposal that the proposed legislation regarding membership of Total Catchment Management Committees be opposed and that the constitution of the Hawkesbury/Nepean Total Management Council be retained as it is.

6. GROUP CAPTAIN M COTTRELL, DFC, RAAF BASE, RICHMOND - APPRECIATION. A5

Thanking Council for granting the Freedom of the City to RAAF Base Richmond on Saturday, 17th February, 1990.

7. ALBY SCHULTZ M P, MEMBER FOR BURRINJUCK, COOTAMUNDRA - APPRECIATION. B27

Thanking the many volunteers who helped in the recent bushfires in Junee, Cootamundra and Gundagai Shires.

8. THE HON K R ROZZOLI, MP. L125/31.

Forwarding a copy of 'Along Parallel Lines': a History of the Railways of New South Wales 1850 - 1986, by John Gunn.

(C.L. - The book will be integrated into the Reference Collection of Windsor Central Library.)

9. McMAHON PARK - AMENDMENT TO SCHEDULE OF FEES. 625-7

Advising of alterations to the approved Schedule of Fees. A flat fee of $65 per day was approved for casual hire and the Committee now proposes that this be varied for regular users who may wish to use the facility on a casual basis. The casual hire for regular users shall be a flat fee of $20 per half day, or $35.00 per day.

10. METWEST REGIONAL OFFICE, PUBLIC WORKS - ESTUARY RESTORATION WORKS. G95

Advising of the availability of subsidy funds for the environmental repair of NSW estuaries for 1990/91.

Projects compatible with the Programme objectives:-

. Removal of undesirable sediment deposits;
subject to:
  . avoidance wherever possible of disposal within the estuary;
  . no damage to valuable estuarine habitats; and
  . satisfactory control of fines.

. Construction of sediment and nutrient traps;
subject to:
  . the works being effective in terms of materials removed and unit costs;

- the works being aesthetically pleasing, that is, compatible with surrounding landuses; and
- the works being safe.

Note that these works are to be located where tributaries or drains join the parent estuary. The scope of the Programme does not extend to catchment-based works.

- Removal of undesirable plant growth or litter;

- Construction of wetlands, repair of damaged estuarine ecosystems, reinstatement of damaged or lost habitat;

- Estuary entrance works to restore or improve tidal flushing; subject to:
  - the works being to an appropriate scale;
  - the effects of the works being understood;

- Foreshore protection works, with emphasis on soft options, such as establishing stabilising vegetation or reinstating beaches if circumstances suit;

- Improved public access by means such as reinstating eroded public foreshore strips, purchase of key portions of private lands to obtain access, improving access to public infrastructure such as training walls or breakwaters, construction of access works;

- Improvements to foreshores and fringing estuarine parks and reserves for public recreation;

- Repair or removal of past works that have damaged estuarine amenity;

- Dredging, revetments or diversion works to ensure stability of estuarine channels; and

- Studies to improve estuarine management, including physical processes studies, specific project studies, but with emphasis on comprehensive estuary management plans.

11. FLOOD MITIGATION AUTHORITIES OF NSW - MINUTES. H100/4

Forwarding Minutes of the Executive of the Flood Mitigation Authorities of NSW Meeting held on Thursday 1st March, 1990, in the 12th Floor Board Room of the Shires Association of NSW, Local Government Centre, 215-217 Clarence Street, Sydney.

12. ROADS AND TRAFFIC AUTHORITY - SIGNPOSTING FOR HOSPITALS, R190/10/A, H106.

Forwarding revised standards for signposting for Hospitals.

13. MR. C. & MRS J. THOMPSON - TRAFFIC IN CHAPEL STREET, RICHMOND, 665-347.

Forwarding a petition from residents in Chapel Street, Richmond, concerning the movement of through traffic between March, Windsor and Francis Streets, along the street.

(MES - The matter has been listed for consideration by the Local Traffic Committee.)

To File 12-4-90

14. MRS. F.J. WRIGHT, CO-SIGNATORIES - E. SIMMONDS, B. & W. MIDDLETON & DR. L. SMITH - PROPOSED DEVELOPMENT - TUNCODA PTY. LTD. - 30 TOWNHOUSES, RICHMOND ROAD, WINDSOR. DA 24/90

"At the Council Meeting on the 27th instant, I omitted to mention several important points which I trust you will be kind enough to place before Council at the next meeting.

I wish to make these suggestions to Council as I am very concerned at the total inadequacy of the traffic arrangements, and the apparent indifference of some Councillors to the destruction of the way of life of the permanent ratepaying residents.

I wish to state:

1. A private developer has no right moral or legal to destroy the way of life of an individual, let alone a communal group.

2. The developer be required to negotiate the exchange of a town house for Mr. Wellers' cottage at the entrance to Claremont Crescent. The Developer has already tried to negotiate with me on this basis for the possession of my property. The cottage could easily be moved to another site. It was originally brought up from Cornwallis during the early fifties when we had five floods

in six weeks. This opening would make a separate entrance between the back fences of the Moses Street properties and a back fence to be erected by the Vendor.

3. The Vendor of the land be required to provide adequate access to the land sold. This regulation has not been enforced. The only feasible entrance to the development is a laneway between the Moses Street houses and the Vendor's residence. This would require the removal of some of the trees. These could be replaced with trees of advanced growth in more appropriate sections of the development. Certainly the trees are more easily replaced than human lives. Any inconvenience that this lane would cause the Vendor, can in no way compare with the disruption and concern that this development has caused the eleven or more permanent ratepayers and landowners, MOST OF WHOM ARE ELDERLY AND RETIRED HERE HOPING TO ENJOY A PEACEFUL OLD AGE.

If this development is to proceed, as apparently it is, the residents of Claremont Crescent and Claremont Lane should not even be aware of it except for the noise factor. A dense buffer of trees and shrubs should separate the residents of the Claremont area from the Development, creating an area of rural beauty as a backdrop to St. Matthews. A pleasant walk-way would be the only connection between Claremont Lane and the Development other than the traffic lane at the opening of the Crescent.

I, of course, am completely opposed to Hawkesbury land being used this way. Groups of up to ten houses, beautifully designed as I have seen in other country centres scattered and merged into the over all town planning scheme would be acceptable. But Windsor, its history, its geological structure, and its atmosphere was in my opinion never intended for this type of overcrowding.

Trusting that Council will think fit to give the suggestions careful consideration ..."

to file 12-4-90

15. BABLANA PTY LIMITED - ADDITIONS AND ALTERATIONS TO EXISTING ABATTOIR KING ROAD WILBERFORCE. DA 69/90

This correspondence refers to Item 13 of the Planning and Development section of the General Purpose Committee in this business paper.

"With a view to exploring the prospects of resolving the present Land and Environment Court proceedings amicably and without unnecessary cost, we request that your Council consider withholding court action pending the formation of a Working Committee to be made up of Aldermen and Council staff to meet with us in a sincere and meaningful endeavour to address both the immediate and longer term position of the abattoir at King Road, Wilberforce.

We acknowledge the problems of being in a growing residential area and the associated pressure on both Aldermen and Council.

The directors of Bablana Pty. Limited are prepared to discuss such matters as (a) the relocation of the abattoir within the municipality; (b) the time frame; (c) the alternative usage of the two King Road properties and; (d) other pertinent matters.

We suggest that the development application presently before Council be set aside pending review by the proposed Working Committee.

We sincerely believe that a closure of the abattoir and the resulting loss of employment would have a profound impact on the area with a resulting financial hardship to many families.

We will look forward to a favourable reply to our request."

16. FREEMANS REACH SCHOOL OF ARTS. S197-3, D64

Requesting a donation of $450.38 being the value of Council rates for 1990.

(T.C. The School of Arts most recent audited financial statement indicated that as at 31st March, 1989 assets totalling $1,411.94 represented by bank deposits were held.

In the past Council has made a donation for rates and it is felt that this support should be continued. Provision has been made in the 1990 estimates for reimbursement of rates as requested and payment has been made.)

17. BLACKTOWN CITY AMATEUR SWIMMING CLUB. D64

Requesting a donation to assist towards the attendance of Brenden Roser who is a resident of Hawkesbury City at the National Age Swimming Championships to be held in Melbourne from 14th to 18th April, 1990.

(T.C. A donation of $100.00 has been made.)

18. HAWKESBURY HISTORICAL MUSEUM AND INFORMATION CENTRE. D64

Requesting a donation of $500.00 towards their 1990 operations.

(T.C. An audited statement of Income and Expenditure was provided which detailed as at 31st August, 1989, the Committee had assets to the value of $9,564.84 and of this amount $5,577.83 was represented by cash and bank deposits.

In the past a donation has been made towards the operation of the Museum and Information Centre and it is felt that this support should be continued. Provision has been made in the 1990 estimates for a donation of $500.00 and payment has been made.)

19. LOCAL GOVERNMENT ASSOCIATION. CONTRIBUTIONS FROM COUNCILS. L128.

Mosman Council versus Deputy Commissioner of Taxation - the Council successfully challenged Taxation Ruling MT2035 which was to the effect that Mayors, Presidents, Alderman and Councillors are employees for taxation purposes. The challenge resulted in a Federal Court declaration that such office holders are not employees and the Australian Government Solicitor advising that the ruling MT2035 would be withdrawn. The amount of $97.00 is being sought from each Council based on the standard formula for contributions to the Association.

(T.C. In view of the obvious significance of this case to Local Government generally the amount of $97.00 has been paid as a contribution towards the legal costs incurred).

20. COMLEROY SCHOOL OF ARTS. S197/2, D64.

Requesting a donation from Council for the amount of $427.74 which is equivalent to the 1990 rates.

The School of Arts most recent audited Financial Statement detailed as at 30th September, 1989, the Committee had assets of $603.53 represented by cash and bank deposits.

(T.C. In the past Council has made a donation for rates and it is felt that this support should be continued. Provision has been made in the 1990 Estimates for reimbursement of rates as requested, and payment has been made.)

21. WESTERN SYDNEY APPRENTICESHIP ADVISORY COMMITTEE, W275-9

Advising of the activity of the Organisation for 1990, and proposal to again, hold an award function on 3rd August, 1990.

Requesting a donation towards the prizes to be presented.

(MES - A donation of $100.00 will be forwarded.)

22. ROADS & TRAFFIC AUTHORITY - MR NO.155 CASTLEREAGH ROAD CONSTRUCTION OF KERB AND GUTTER AND SHOULDER SEALING FROM LONG STREET TO SOUTHEE ROAD, 665-378

Advising that the unexpended cash balance of $8,497.13 as a result of finalisation of the 1988/89 Maintenance and Improvement Programme has been included as additional funding towards the Castlereagh Road Construction Programme.

(MES - Anticipated commencement of drainage works is April/May.)

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

OTHER REPORTS

SECTION 8

MACQUARIE TOWNS FESTIVAL COMMITTEE

Minutes of the Annual General Meeting held 28th February, 1990, at 8pm at the Council Chambers, Windsor.

Present: In Chair - Alderman R Stubbs, Alderman G Michael, Mrs P Gardner, Mrs H Smith, Mrs J Dewhurst, Mrs A Kersivien, Mr E Taylor, Flt. Lt. G Stevens, Ms E Manning and from Australiana Village - Mrs G Wilson, P & M Mitchell.

Apologies: Ms F Childs

The minutes of the previous meeting were adopted on a motion of P Gardner seconded J Dewhurst.

The Executive Officer's Report was adopted on a motion of P Gardner seconded Alderman G Michael.

The Auditor's Report was accepted on a motion of Alderman G Michael seconded P Gardner.

Endorsement of Representatives

Council elected Representatives:

Alderman R Stubbs
Alderman W Mackay
Alderman G Michael, OA, OBE, AFC
Council Staff Representative - Mr C Daley, Manager of Operations (Engineering)
Windsor Chamber of Commerce - Mrs P Gardner
Richmond Chamber of Commerce - Mrs Anne Kersivien
Windsor Businessmen's Association - Mr A Hendrikson
RAAF - Flight Lt. Gordon
Schools - Miss Arlene Cassel
Hawkesbury Newspapers - to be nominated by Newspapers

Endorsement of the above representatives was moved by Alderman G Michael seconded P Gardner.

Community Members - Mrs J Dewhurst
Ms F Child
Mr E Taylor
Mrs H Smith

Endorsement of the above community members was moved by P Gardner seconded H Smith.

Election of Office Bearers

Alderman G Michael took the chair for election of Chairman.

Chairman - Alderman R Stubbs was nominated by P Gardner, seconded H Smith and unanimously elected.

Alderman R Stubbs returned to Chair.

Deputy Chairman - Alderman G Michael was nominated by H Smith seconded P Gardner and unanimously elected.

Treasurer - P Gardner was nominated by H Smith seconded Alderman G Michael and unanimously elected.

Public Officer/Executive Officer - Ellen Manning was nominated by P Gardner seconded E Taylor and unanimously elected.

The meeting closed at 8.20pm.

MACQUARIE TOWNS FESTIVAL COMMITTEE

Minutes of the ~~monthly meeting held~~ 28th February, 1990, at 8.20pm in the Council Chambers, Windsor.

Present: In Chair - Alderman R. Stubbs, Alderman G Michael, Alderman W Mackay, Mrs P Gardner, Mrs H. Smith, Mrs J Dewhurst, Mrs A Kersivien, Mr E Taylor, Flt Lt G Stevens, Ms E Manning and from Australiana Village - Mrs G Wilson, P & M Mitchell.

Apologies: Ms F Childs

Minutes of the previous monthly meeting were adopted on a motion of Alderman G Michael Seconded Flt.Lt G Stevens.

Treasurer's Report

Accounts paid were $393.00. Estimates of expenditure and income for the 1990 Festival had been supplied to Council and an allocation of $25,500 had been received and placed in the savings investment account. It was recommended that an amount of $30,000 be placed on term deposit or bank bonds (whichever offers the best interest) until early October, 1990. This entails transferring $100 from the cheque account to the savings investment account to keep that account open.

The Treasurer's report was adopted on a motion of E Taylor seconded A. Kersivien.

Correspondence - In

Festival forms returned from - Holden Owners Club, Holroyd Municipal Band, Munro and Sinclair - craftsmen, Telecom, Michelle's Flowers - craft, Nepean P.C.B.C. Mini Bikes, Parramatta Pipe Band, Walking for Pleasure. From Ars Nova Orchestra - arrangements for meeting and confirmation. St Marys Baton Twirlers, St Monica's Art and Craft Show.

Correspondence - Out

Inspector of Schools - seeking permission to distribute programmes, P & D Shanks - booking for programme distribution and Open Air Fair.

Correspondence was accepted on a motion of Alderman G. Michael seconded P. Gardner.

General Business

The RAAF Base is proposing an Open Day on 21st October.

Included will be a flying display of model aircraft and the RAAF dogs.

Australiana Village is planning a Fair in conjunction with the Festival. There will be a reduced entry fee and market stalls of arts and crafts. The tentative date set is Sunday 14th October.

Vines Pony Club is the venue for a National Competition on 14th October. Executive Officer is to contact the Hills District Harness Club.

Programmes - The Council's off-set printer could be a possibility.

Advertising is to be sought to off-set costs. Large corporations such as Hanna Match, Coffeys could be approached to sponsor the entire programme. If not, individual traders could be approached, with Chambers to request their members' co-operation.

It was suggested that sporting bodies could organise events during the week - for example an exhibition game for Australian Rules. Flt. Lt. Stevens will follow this up.

The Race Club will be approached to name a race for the Festival.

The Executive Officer will contact Ian Clayton re a river boat event.

A chart will be prepared for the next meeting showing the events planned.

The next meeting will be on 28th March, at 8pm.

Adm8/mg

Macquarie Towns Festival Committee

Minutes of the meeting held in the Aldermen's Room, Council Chambers, Windsor at 8 pm on the 28th March 1990.

Present: Clr R Stubbs, J Dewhurst, A Hendrikson, H Smith, Clr W Mackay, B Hardiman, P Collerson, A Elliott, C Daley.

The Chairman welcomed guests Mr Brian Hardiman, Tourism Manager, Pauline Collerson and Allison Elliott, Hawkesbury Rotaract. Apologies were received from E Taylor, A Kersivien, F Childs, P Gardner, Fl/Lt Stevens. Apologies were accepted on a motion of A Hendrikson, seconded C Daley.

Minutes of the previous meeting were adopted on a motion of J Dewhurst, seconded Clr. Stubbs.

Treasurer's Report

A cheque of $20 was forwarded to the Corporate Affairs Commission with the annual return. $100 was transfered from the cheque account to the savings investment account to maintain the minimum balance allowable. A sum of $30,000 was placed on fixed term deposit for six months. This was marginally more profitable than bank bonds.

The Treasurer's Report was adopted on a motion of A Hendrikson, seconded C Daley.

Correspondence

In - Forms returned from RAAF Richmond Warriors Baseball Club, Girl Guides Assn., Australiana Pioneer Village, St Mary's Baton Twirlers, Rotaract.
Extended Limbs with new address, Richmond Nursing Home, Hawkesbury Community Arts Workshop.

Out - to Corporate Affairs Commission with annual return, St Mary's Baton Twirlers, Hills District Harness Club, Margaret Ross, Editor, Hawkesbury Newspapers.

The Correspondence was adopted on a motion of A Hendrikson, seconded J Dewhurst.

General Business/Executive Officer's Report

The representatives of the Rotaract Raft Race spoke of activities arranged for Gov. Phillip Park on the 14th October. The possibility of a Water Ski spectacular display from 3-5pm was discussed as C Daley has a contact who is willing to arrange.

B Hardiman will include the events as listed in his to-be-published calendar. The possibility of Mr Hardiman and the Festival Committee arranging a Food & Wine Fair for the Festival 1991 was discussed briefly. The Adelaide Festival Report was discussed at length. One of the points raised was the gaps between acts - not regarded as a problem in either Sydney or Adelaide Festivals. It may be more effective to have wandering performers, more ice-cream vendors, St George dragon and other children's attractions than a second stage, with the attendant lighting and sound problems.

Executive Officer is to ring Mrs Mackay re pony clubs involvement in Parade.

RAAF Open Day will go ahead as part of the Festival and not as a National Air Show (as proposed by Aerospace).

Richmond Players new committee has been contacted and Executive Officer is to discuss Festival involvement with them.

2VTR-FM are attending Hawkesbury Show. A small flyer will be photocopied with change of Festival date for distribution. It was decided that it was too early for a larger promotion. A Hendrikson asked for posters to be distributed by September.

The next meeting will be 30.5.90. Please note no meeting in April, and the May meeting is the 5th and not the 4th Wednesday. The meeting will be held in the Aldermen's Room 8 pm.